

SMAC

News

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SMACNA 1943-2006

IAQ Guidelines For Occupied Buildings Under Construction Available For 60-Day Review

The second edition of the "IAQ Guidelines for Occupied Buildings Under Construction," is available for 60-day public review. The IAQ Guideline is an authoritative source that provides project management guidance in maintaining satisfactory indoor air quality (IAQ) of occupied buildings undergoing major renovation or construction.

The guideline provides direction in managing the source of air pollutants and suggests control measures, quality control and documentation, and communication methods with occupants. It includes example projects, tables, references, resources and checklists.

The IAQ Guideline is referenced by the U.S. Green Building Council's LEED Green Building Rating System for Existing Buildings and New Construction.

SMACNA recommends the guide to architects, engineers, construction managers, facility managers and building owners who will be involved in construction activities inside occupied buildings or new construction projects that are being occupied prior to the completion of construction.

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Mark Your Calendars For The 2007 Winter Education Programs

SMACNA's popular business management programs return again in 2007. Begin planning now to attend these unique educational opportunities. Both programs were sold out in 2006, so be sure to register early for next year. Registration is on a first-come basis.

SMACNA's Business Management University Program is slated for Feb. 26 to March 1, 2007, in Tempe, Ariz.

SMACNA's Business Management Graduate Program will be held Jan. 29 to 31, 2007, in Tempe, Ariz.

Space is limited in these programs. Last year both programs sold out and we had to turn people away. Don't let that happen to you. Visit the SMACNA Web site at www.smacna.org/members/courses/ and download the brochure, then register.

For additional information on these programs contact Bridgette Bienacker, SMACNA's director of business management and membership, at (703) 803-2987 or bbienacker@smacna.org. ▼

Capitol Hill Update

Hill Opportunities And Challenges Await SMACNA Firms After 2006 Elections

After the 2006 mid-term elections gave control of both the House of Representatives and the Senate to Democrats some political observers wasted no time in proclaiming a bold new era had arrived in Washington, D.C. Upon reflection the reality is less significant.

Without question, the ability for the Democrats to chair the committees, determine schedules, hold oversight and confirmation hearings will make Capitol Hill a very different place in the 110th Congress. However, when it comes to passing legislation from narrowly divided subcommittees and committees, the need for moderate supporters will temper partisanship.

With nearly four dozen members, the "Blue Dog" coalition of moderate Democrats in the House is expected to be enough to derail most "liberal" pieces of legislation that evade reasonable compromise. If the House moderates fail in their efforts to steer bills toward

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SMACNA's mission is to provide products, services and representation to enhance members' businesses, markets, and profitability.

Director Nominating Committee Announced

SMACNA President Richard J. Cramer Sr. recently made five appointments to the SMACNA Director Nominating Committee. These appointees join five other members who were elected during SMACNA's business meeting held at this year's annual convention in Phoenix.

Elected at the convention were: At-Large-Member – Linda Baker, Fritch Heating and Cooling Inc., Peoria, Ill.; Eastern Region – Anthony P. Reynolds, McClure Company, Harrisburg, Pa.; Western Region – Matthew W. Smith, Smith Heating & Air Conditioning Inc., Stockton, Calif.; Midwestern Region – Ken Groeschel Jr., Butters – Fetting Co. Inc., Milwaukee, Wis.; Southern Region – David M. McKenney, McKenney's Inc., Atlanta, Ga.

The appointees are: Matthew D. Cramer, Dee Cramer Inc., Holly, Mich.; Ernest J. Menold, Ernest D. Menold Inc., Lester, Pa.; George L. "Butch" Welsch, Welsch Heating & Cooling Co., St. Louis, Mo.; Brad Young, Wittler – Young Co. Inc., Los Angeles, Calif. and Keith E. Wilson, Miller Bonded Inc., Albuquerque, N.M. ▼

Hill Opportunities And Challenges Await SMACNA Firms After 2006 Elections

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the middle of the road, the President's veto will prevent extreme measures from passing into law.

An additional factor that has already begun to influence the Congressional posturing is the 2008 Presidential election contest and the rematch for the control of Congress. With a far greater voter turnout expected in 2008 for the Presidential and congressional elections, both parties know this election will be bigger and more difficult for either party to successfully influence. If Iraq is not on the policy agenda, the Democrats are now moving to craft an agenda with issues targeting the middle class ranging from education to tax incentives.

The agenda ahead will be somewhat reflective of events beyond the control of the Congress as usual, but the Democrats have already outlined a number of issues they will want to focus upon. That list includes minimum wage hike, school construction, phaseout of the alternative minimum tax (AMT), tax credits for college tuition expenses, business incentives for pension fund creation, expanded use of energy efficiency incentives for residential, commercial and "green building" retrofits and new construction. In addition, a continued emphasis on mass transit, rail system reform, clean water grants to states and local governments as well as increased homeland security assistance for the city and county governments.

After being on the back burner in recent years, a wide range of new initiatives for energy policy will be on the agenda for 2007. They include regulations and tax incentives that are expected to boost our national level of energy efficiency in all phases of the energy consumption network from public to private structures as well as transit.

On the small business agenda it is believed that a partial reform of the estate tax law will emerge from the Ways and Means Committee in consultation with the Senate Finance Democrats. This reform would raise the amount one can inherit by a substantial amount—perhaps up to \$5 million per person—but fall far short of the full repeal envisioned by many in recent years. With most of the Bush tax changes expiring in 2011 Congress will move to extend the provisions expiring soon and leave those expiring at the end of the decade to the next President and the Congress elected in 2008.

On the labor-management front, the Democratic leadership is expected to provide greater oversight and enforcement for wage and hour laws such as Davis-Bacon, independent contractor, immigration and OSHA-related statutes. Legislation making it easier for unions to organize through signing petitions will be moved for floor consideration based upon early reports.

While most may believe the pension issue will not be revisited for some time after the Pension Protection Act of 2006 was enacted, there will be a "technical corrections" bill to resolve the usual ambiguities and drafting errors that slipped by the legislators in the final hours of consideration. It is highly unlikely that the Congress will revisit changes in the anti-cutback provisions before they have given the provisions just enacted a sufficient opportunity to function.

Overall, the new Democratic majority's ability to initiate investigations, hold oversight hearings and schedule tough votes for the Republicans on a variety of policy issues may serve their interests the most. Since the 2008 elections already overshadow all else on Capitol Hill, drawing sharp distinctions between the parties and their candidates for president is high on the agenda for Democratic leaders with good reason.

Send questions and requests for more information to Stan Kolbe, director of legislation at skolbe@smacna.org. ▼

IAQ Guidelines For Occupied Buildings Under Construction Available For 60-Day Review

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The document is available for public review until the end of January at www.smacna.org.

Reviewer's comments should reference page, figure and table numbers, as well as specific paragraphs when dealing with text. All comments should include specific recommendations for improvement.

Send all comments to Peyton Collie, project manager, at SMACNA, 4201 Lafayette Center Drive, Chantilly, Va. 20151-1209, Fax (703) 803-3732, or e-mail pcollie@smacna.org. ▼

President's Column



Richard J. Cramer Sr.

The Pension Protection Act Of 2006 And Its Effect On Your Firm

The following is an excerpt from President Cramer's opening remarks at the Council of Chapter Representatives meeting, Dec. 4 to 5, 2006.

In August, President Bush signed the Pension Protection Act of 2006 into law, capping four years of hard work on the pension issue by SMACNA, its members and our labor partners.

Had SMACNA members and staff not worked relentlessly on this issue, three years of stock market losses, low interest rates and a slow construction economy would have spelled disaster for us and other employers contributing to defined benefit plans if the ERISA funding rules were applied, as written, to our pension plans.

The law had to be changed because if plans hit a funding deficiency, a "cash call" and the resulting IRS excise tax would mean contributing employers were going to have to come up with a lot of cash fast or go out of business.

Even though good stock market performance combined with actions implemented by the National Pension Fund and local plans had taken some of the immediate heat off, another market collapse would have put us back into the same crisis situation again.

Faced with a pending crisis an organization has two choices. One is to become involved and attempt to make the things happen that are in their best interest. The other is to sit back do nothing and then wonder why things happened the way they did. SMACNA, urged by many of its members, chose to become involved and joined the Multiemployer Pension Plan Coalition consisting of more than 50 employer groups, trade associations and unions all with defined benefit plans.

We know there is some tough medicine in the new law and that pension plans and SMACNA contractors may have some tough sledding ahead. However, the new pension law will make it harder for plans to get in trouble and easier for plans to work their way out of trouble.

Our efforts resulted in many positive changes as comprehensive reform was being drafted. Working with other business groups and labor gave us a lot of clout but required some compromises. In the end

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Answers To Your Most Common Hexavalent Chromium OSHA Standard Questions

The initial hexavalent chromium (hex chrome) standard compliance deadline for most businesses expired on Nov. 27, 2006. SMACNA has posted significant compliance assistance information on the SMACNA Web site safety page at www.smacna.org/safety. We also have received numerous phone calls and emails regarding the standard. The following are answers to several frequently asked questions:

Q: Why do I need to be concerned with the hex chrome standard?

A: You need to be concerned if you conduct welding, grinding or cutting on metals that contain chrome. Hex chrome is a chemical by-product generated when "heat" is applied to stainless steel, and to a lesser extent, galvanized steel and chrome-coated metals. In addition, low levels of hex chrome may be an ingredient of the welding rods and wires used in the welding processes. The new standard sets levels of employee exposure to hex chrome.

Q: What do I need to do to be in compliance with the standard?

A: The first step is to conduct a hazard assessment to see if any of your employees may be exposed to hex chrome. Do you weld, grind, or cut metals that contain chrome? Once the assessment is done, you will likely need to conduct personal air monitoring to see if any employee is "overexposed," e.g. air sample results are above the regulated levels.

Q: What is personal air monitoring?

A: Personal air monitoring is simply placing a small air pump with the proper sampling filter on the employee for an eight hour work shift. The pump draws in air that represents "breathing zone" air. The sample is then sent to a laboratory for analysis. Depending upon the lab, the cost for the analysis is approximately \$100. However, the most substantial cost involves retaining a firm to conduct the air monitoring.

Q: Can I do the air monitoring myself?

A: SMACNA recommends that contractors contact their workers compensation insurance provider or an outside consultant to conduct the air monitoring. Although the sampling is not difficult, there are technical procedures that must be done properly to ensure accurate results (e.g., calibration of the pumps, handling and shipping samples, paperwork, etc.).

NOTE: The Occupational Safety and Health Administration (OSHA) method for analyzing welding samples has recently been revised. Samples collected on PVC filters must be sent to the lab within 24 hours of collection and the samples must be analyzed within eight days of collection.

SMACNA members are encouraged to evaluate their welding processes and related activities, identify which processes may generate excessive hexavalent chromium fumes and implement a compliance plan. If members have questions or concerns, they may contact Mike McCullion, director of safety and health, at mmccullion@smacna.org or (703) 995-4027. ▼

Two 2007 Labor Relations Programs Offered To Chapters To Improve Bargaining

SMACNA's Labor Relations Department is offering two winter programs to assist chapters and contractors in negotiating new collective bargaining agreements with their local unions.

Collective Bargaining Orientation

SMACNA's annual Collective Bargaining Orientation, Feb. 13, 2007, provides valuable guidance to negotiating committee members and chapter executives. The workshop, which will be held in Dallas, will include a substantive session on the impact of the Pension Protection Act of 2006 upon bargaining along with time for questions and answers. Preparing for bargaining and the legal framework for collective bargaining will also be featured in the workshop. The registration fee for this conference is \$195.

Schedule at a Glance Feb. 13, 2007, Dallas, Texas

8:00 a.m.	Introduction
12:30 p.m.	Lunch
4:30 p.m.	Adjourn

Better Bargaining (Mutual Gains) Workshop – Just Added

SMACNA along with the Sheet Metal Workers' International Association (SMWIA) is also pleased to offer a two-day Better Bargaining Session on March 1 – 2, 2007 in Orlando, Fla. Chapters and local unions should take advantage of this valuable session led by Mike Gaffney which focuses on interest-based bargaining methods toward conflict resolution.

This course is recommended for those who are new to bargaining as well as those who previously were students of Bernie Flaherty. Led by Bernie's colleague, Mike Gaffney, Better Bargaining will concentrate on the practical nuts and bolts components of interest-based bargaining.

Dealing with difficult bargainers will also be addressed. It should be noted that this will be the last time Mutual Gains Bargaining will be offered free of charge to registrants. Future seminars will require a registration fee. Please see the January issue of SMACNEWS for more registration information. ▼

Contractor In The News

Rabe Environmental Systems Recognized For Safety Excellence

Rabe Environmental Systems Inc., of Erie, Pa., was recently recognized for earning the 2006 Pennsylvania Governor's Award for safety excellence.

Rabe is Northwestern Pennsylvania's only ISO 9001-2000 certified mechanical contractor. They provide design, installation and service of heating and air conditioning, process plumbing and energy management systems. ▼

Holidays Observed

The SMACNA National offices will be closed on Monday, Dec. 25 in observance of Christmas and Monday, Jan. 1 in observance of New Year's Day. ▼

The Pension Protection Act Of 2006 And Its Effect On Your Firm

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we fared surprisingly well—especially when you compare the new multiemployer funding rules to the single employer funding rules.

There may be people unhappy with some of the results but be assured we did the best we could. This is just like any contract or labor agreement. You never get everything you want.

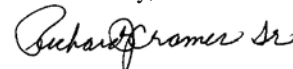
We owe a debt of gratitude to SMACNA's legislative staff who has worked on this for over four years. SMACNA's lobbying team—comprised of SMACNA members, SMACNA chapter execs and our labor partners—made our case successful. A big part of our success was due to the SMACNA members who came to Washington and met with key staff and legislators.

How the Act will ultimately affect any specific plan depends on its current funded position. In addition, federal agencies will be drafting regulations that will involve interpretation of the statutory language and we need to stay informed on this demanding issue.

To help you in this regard SMACNA's executive committee has authorized an outside consulting firm to begin analyzing the various scenarios the new legislation poses for many of our members. We believe that the Watson Wyatt report you will hear later today will give our contractors the best edge possible for looking at their own plans and situations.

We wanted to present this information at this Council meeting to give you an opportunity to discuss the varying situations and ask your questions of these experts face to face. In addition, a comprehensive written analysis will be forthcoming in the following months as more of the legislative details are available.

Sincerely,



Richard J. Cramer Sr.
SMACNA President

SMACNA Welcomes 35 New Members

The following companies have recently joined SMACNA:

- American Testing Inc., Ellicott City, Md. (SMACNA Mid-Atlantic Chapter)
- Any Custom Sheet Metal, Midlothian, Ill. (Chicagoland Sheet Metal Contractors)
- A'Hearn Plumbing & Heating Inc., Hiawatha, Iowa (Sheet Metal Contractors of Iowa Inc. – Cedar Rapids)
- Air Controls Billings, Billings, Mont. (Montana SMACNA)
- Arizona System Analysis Professionals LLC, Queen Creek, Ariz. (SMACNA Arizona)
- Behrends Mechanical Inc., Juneau, Alaska (Alaska Mechanical Contractors Association Inc.)
- Berlin Food Equipment Co., South San Francisco, Calif. (Bay Area SMACNA Chapter)
- Blackmore & Buckner Roofing LLC, Indianapolis, Ind. (Sheet Metal Contractors Association of Central Indiana Inc.)
- Brison Mechanical Group, St. Louis, Mo. (SMACNA – St. Louis Chapter)
- Cad2Fab Inc., Arvada, Colo. (SMACNA Colorado)
- Cambridge Mechanical Inc., Fairfield, Calif. (Bay Area SMACNA Chapter)
- Champion Inc., Harwood, Md. (SMACNA Mid-Atlantic Chapter)
- CMC Sheet Metal, Capitol Heights, Md. (SMACNA Mid-Atlantic Chapter)
- DJB Contracting Inc., Upper Marlboro, Md. (SMACNA Mid-Atlantic Chapter)
- Densel Company Inc., Gaithersburg, Md. (SMACNA Mid-Atlantic Chapter)
- Eitel Heinemann Mechanical Services (EHMS Inc.), Buffalo Grove, Ill. (Chicagoland Sheet Metal Contractors)
- Environmental Balancing Corporation, Clinton, Md. (SMACNA Mid-Atlantic Chapter)
- Excel HVAC Inc., Wilmington, Mass. (SMACNA Boston Inc.)
- Fingles Metalworks Inc., Baltimore, Md. (SMACNA Mid-Atlantic Chapter)
- Foley Company, Kansas City, Mo. (SMACNA Kansas City Chapter)
- Heathorn Service Company Inc., San Leandro, Calif. (Bay Area SMACNA Chapter)
- James Myers Company Inc., Beltsville, Md. (SMACNA Mid-Atlantic Chapter)
- Matrix HG Inc., Concord, Calif. (Bay Area SMACNA Chapter)
- Norair Engineering Assoc. Inc., Landover, Md. (SMACNA Mid-Atlantic Chapter)

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Chapter News

SMACNA Of Iowa Holds Open House for ASHRAE And CSI

SMACNA of Iowa recently held an open house for members of the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) and the Construction Specifications Institute (CSI) at the local JATC. Speakers included Jack Webster from the National Energy Management Institute (NEMI) and Stu Crine, building commissioner for Iowa. ▼

Mark Your Calendar For The 2007 Legislative Conference

Start planning now to attend the 2007 Legislative Conference, May 1-3, 2007 at the Grand Hyatt Hotel in Washington, D.C.

The issues lineup is already taking shape. We anticipate immigration reform, federal contract payment and procurement issues and healthcare proposals to be on the table.

The 2007 Campaign for Quality Construction Legislative Conference will bring together SMACNA contractors who want to take a key role in moving SMACNA's legislative agenda. It is not simply an effort to continue to educate members of Congress and their staff, it is SMACNA's effort to bring your knowledge about the industry to Capitol Hill and shape the action on the Hill that affects your business.

The Campaign for Quality Construction legislative conference is sponsored by SMACNA and its Alliance legislative partners, National Electrical Contractors Association (NECA), Mechanical Contractors Association of America (MCAA), the Finishing Contractors Association (FCA) and the National Erectors Association (NEA).

Make sure to join your fellow SMACNA leaders Tuesday through Thursday, May 1 to 3, to advance industry interests in Washington. For more information on this event, contact the Capitol Hill office at (202) 547-8202. ▼

SMACNA Welcomes 35 New Members

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- Omni Sheet Metal Inc., San Jose, Calif. (Bay Area SMACNA Chapter)
- O'Malley Sheet Metal Inc., Ellicott City, Md. (SMACNA Mid-Atlantic Chapter)
- Roong Yeat Engineering SDN BHD, Malaysia (International Member)
- Smith Slip Covers, Muir, Pa. (Associated Supplier/Manufacturer)
- State Mechanical Services, Naperville, Ill. (Northeastern Illinois SMACNA Chapter)
- Superior Balance & Commissioning Inc., Fort Collins, Colo. (SMACNA-Colorado)
- Superior Mechanical Services Inc., San Leandro, Calif. (Bay Area SMACNA Chapter)
- The Conway Corporation, Hyattsville, Md. (SMACNA Mid-Atlantic Chapter)
- Thermal Mechanical Inc., Dba F.L. Dye, Bozeman, Mont. (Montana SMACNA)
- West Sheet Metal Co., Sterling, Va. (SMACNA Mid-Atlantic Chapter)
- Westates Mechanical Corporation, San Leandro, Calif. (Bay Area SMACNA Chapter)

October Construction Was A Mixed Bag

According to McGraw-Hill Construction, the first ten months of 2006 total construction (on an unadjusted basis) came to \$567.4 billion, up 0.5 percent relative to the same period a year ago.

The near-term prospects for school construction remain positive, given the increased funding from numerous bond measures passed in recent years, and hospital construction for 2006 as a whole continues to be brisk. Large manufacturing projects that reached groundbreaking in October included a \$320 million cement plant in West Virginia, a \$273 million automotive plant in Indiana, a \$145 million ethanol plant in North Dakota and a \$140 million ethanol plant in South Dakota.

A number of nonresidential structure types were able to post October gains. Office construction grew 15 percent, as large projects reached groundbreaking in San Francisco, Calif. (\$232 million), Harrisburg, Pa. (\$100 million) and Boston, Mass. (\$96 million). According to McGraw-Hill Construction, while still well below the present volume at the end of the 1990s, office construction in 2006 has shown healthy growth, with the first ten months up 31 percent compared to the same period of 2005.

Store construction in October climbed 7 percent, aided by the start of a \$130 million retail project in Atlanta, Ga. The smaller institutional structure types showed increased activity, led by a 102 percent rebound for public buildings from a weak September, reflecting more military and detention facility work. Amusement-related projects advanced 55 percent, due to the start of a \$150 million casino expansion in Milwaukee, Wis., while transportation terminals grew 37 percent with groundbreaking for a \$122 million renovation of a rail terminal in New York, N.Y. Church construction in October registered a 4 percent increase.

In October, multifamily housing retreated 4 percent, as this structure type appears to be settling back from the elevated pace reported earlier in the year. At the same time, a number of large condominium projects reached groundbreaking in October, located in Sunny Isles Beach, Fla. (\$126 million), Clearwater, Fla. (\$118 million) and St. Petersburg, Fla. (\$91 million). The October multifamily category also included the start of an \$87 million apartment project in Yonkers, N.Y. ▼

Contracts Bulletin #95 Covers Notice And Opportunity To Repair Statutes

SMACNA's newest Contracts Bulletin covers Notice and Opportunity to Repair statutes "NOR."

A majority of states have adopted Notice and Opportunity to Repair statutes ("NOR"). These statutes, applicable to new construction as well as renovation work, require homeowners to notify new home builders and remodelers of alleged construction defects. The builders (and also subcontractors in some states) can then perform an inspection and make an offer to repair before the homeowners commence a lawsuit.

SMACNA members who act as residential contractors, or suppliers need to be aware of these new NOR statutes, how they impact contracts, and, in turn how to respond if a notice is provided.

More than nine years' worth of valuable business information is available to SMACNA members through the SMACNA Contracts Bulletin series. These electronic bulletins are accessible on the Members Only section of SMACNA's Web site.

To access Contracts Bulletins from the SMACNA Web site, www.smacna.org, scroll to the Market Sector Councils link on the left side of the home page, click HVAC and choose SMACNA Contracts Bulletins on the left side of the HVAC Council page. ▼

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December 2006

Recent Electronic Mailings

SMACNA alerted members to a variety of events and services through e-mail. If you would like any of these items in hard copy, please contact Bob Roach at (703) 803-2980 or broach@smacna.org.

Chaptergram

- Nov. 20 (Issue 20) – NPF November 2006 Mailing to Participants
- Nov. 2 (Issue 19) – Revised – Council of Chapter Representatives Agenda; 3rd Quarter 2006 SMACNA Financial Report

Membership Update

- Oct. 15 (Issue 14) – Labor Report – October 2006

Products and Services Update

- Nov. 20 (Issue 7) – Under Construction: The Green Property Insurance Market; The Vicon of Your Future... Plasma Cutting Machines, Duct Line Systems, Rollformers, TDX Machines; New K-12 School System Saves Minimum 15 Percent HVAC Electrical Costs

SMACNA

- Nov. 22 (Issue 2) – HVAC Systems Expertise Newsletter

To receive SMACNA electronic bulletins visit www.smacna.org/users and select your "Communications Interests." ▼

Reminders

January 2007

- Board of Directors Meeting – Jan. 14-16, Fort Lauderdale, Fla.
- Chapter Executives' Institute – Jan. 25-28, Las Vegas
- Business Management Graduate I Program – Jan. 29-31, Tempe, Ariz.

February 2007

- Collective Bargaining Orientation – Feb. 13, Dallas
- NJAB Meeting – Feb. 26-27, Orlando, Fla.
- Business Management University Program – Feb. 26 to March 1, Tempe, Ariz.

March 2007

- President to Presidents Meeting – March 23-24, Orlando, Fla.
- Mutual Gains Bargaining – March 1-2, Orlando, Fla.

April 2007

- College of Fellows Meeting – April 27-28, La Quinta, Calif.

May 2007

- Campaign for Quality Construction Legislative Conference – May 1-3, Washington, D.C.

June 2007

- NJAB Meeting – June 11-13, Indianapolis, Ind.
- Council Meeting – June 3-5, Jackson Hole, Wyo.

September 2007

- NJAB Meeting – Sept. 11-12, Denver, Colo.

Future Conventions

- Oct. 21-24, 2007 – Mandalay Bay Hotel, Las Vegas
- Oct. 19-22, 2008 – Grand Wailea Hotel, Maui, Hawaii