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# THE CONSTRUCTION USER

A publication of The Association of Union Constructors | [www.tauc.org](http://www.tauc.org) | Winter 07

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# KILLING THE BAD AND GROWING THE GOOD IN UNION CONSTRUCTION



— **Robert Hoover**, TAUC President

**I HATE WORTHLESS** jurisdictional disputes. They waste my time. I hate the fact that my company is sometimes constrained by antiquated rules and work practices, and I despise poor performers on the job that make just as much as the good ones.

Now for my forty-year involvement in union construction, do you know what the answer has been to these issues and many, many more? The answer has been to blame someone else, and namely it was to blame the unions. I am embarrassed to say that it has taken me this long to figure out that in the immortal words of Walt Kelly “We have met the enemy, and it is us.”

You may not realize what I mean by what I just said, but the point here is that the failure of union contractors to properly manage their jobs and to assert their leadership role has been a major catalyst contributing to the decline in market share. My friends, if we had been doing our job as managers, trust me, there would have never been any need for General Presidents’ to institute codes of excellence and codes of ethics, and other similar programs. When we, as union contractors, could have weeded out the bad apples years ago, what did we do? We took the easy way out. Yes, we all realize that there are pitfalls to fighting the union; we have all been victims

of childish retribution. But this is but one of the critical reasons that we have formed TAUC. I will state again, the reason for the formation of TAUC is NOT to be heavy handed and antagonistic towards our brothers and sisters from the trades. It has been to educate and motivate the union contractor community to hold up its’ end of the bargain. After all, it will not be one single union that gains market share, it will be union contractors that bid work, perform work and gain market share.

This is why we will stress throughout this year and in years to come that from this point forward, TAUC contractors agree to end the blame game. We will not assign blame to the workers, we will assume our roles as managers, and lead the industry to prominence. We will change the public’s view of union construction, and we will collectively benefit from the bonds we have formed as The Association of Union Constructors.

To those of you who have been willing to stand up and be counted, our Governing members, I salute you. There was a time when a handful of men gathered in Philadelphia, Pennsylvania, signed a document and changed the world forever. Those were our founding fathers. Those people who joined in 2007 and those who will join us this year are the founding fathers of a new construction industry, led by the safest most productive contractors in the world, staffed by the safest most productive employees in the world. To those of you who have not yet become Governing members, I ask you, in your town, in your market, in your community to seize the torch and spread the practices endorsed by TAUC this year by becoming a Governing member. The cream of the crop will meet in May just north of Miami, Florida, and I will see you there!

—**ROBERT HOOVER**, TAUC PRESIDENT

## Your Opinion Matters

Thank you for supporting TAUC and making *The Construction User* quarterly magazine possible. We hope you find our magazine to be beneficial. In order to better serve your needs, we would appreciate you taking a few minutes to complete a short survey online: [www.naylornetwork.com/Survey/ST.asp?ID=TE0322](http://www.naylornetwork.com/Survey/ST.asp?ID=TE0322). Or, visit [www.tauc.org](http://www.tauc.org), click on “Tools & Resources,” followed by “The Construction User Magazine” and “Readership Survey.”

Please take this survey no later than January 25. Thank you again for your time. If you have any questions, please contact *The Construction User* Publication Director Rick Sauers at (800) 369-6220 x 3426 or [rick@naylor.com](mailto:rick@naylor.com).

# COMMON SENSE RULES FOR BIDDING ON PUBLIC CONTRACTS



BY STEVEN JOHN FELLMAN

**COMPANIES WITH A HISTORY** of bidding successfully on public construction projects usually invest time and effort to understand the dynamics and realities of the bidding agency and process. This understanding of the local bidding process, a good rapport with the contracting officer, and a comprehensive response to a proposal request greatly enhances the probability of being a successful bidder.

## GET YOUR FOOT IN THE DOOR

If you hear rumors that an agency is considering requesting proposals,

contact them. See if you can find somebody willing to give you details. In some cases, you will be able to offer your expertise and actually assist the agency in establishing the parameters of the job. If you are a steel erector, you will want to make sure the engineer designs a steel structure. However, if you are primarily a concrete contractor, obviously, you will push concrete. If you have an opportunity to get involved with the contracting agency at the infancy of the project, you may be able to influence the terms of the final request for proposal (RFP).

If you want to bid on the project, step up your contacts with the agency responsible for the RFP and, optimally, with the contracting officer. Be aggressive without being obnoxious. Explain that you want to be on the bid list. This is a situation where e-mails and telephone calls are not sufficient; meet the contracting officer. You want to be in a position where the contracting officer knows you and your company before any RFPs are actually published. Essentially, you want the contracting officer to understand that your company is responsible, capable of doing the job and that you, personally, are one of the “good guys.”

## 5 STEPS TO TAKE ONCE THE RFP IS PUBLISHED

- 1. Make sure you understand everything.** When the RFP is published, go over the RFP in great detail. If you don't understand something, there is usually a contact listed for questions. Don't guess. If you are unsure what something means, call the contracting officer or his/her representative and get a definitive answer.
- 2. Submit a complete response.** Don't leave anything out or fail to include required information. If you do not file a complete response, your bid may be marked “non-responsive.”
- 3. Don't modify the RFP.** Unless the RFP specifically states you are permitted to bid alternatives, you *must* bid exactly what the RFP calls for. For example: If the RFP calls for a bridge that is purple, you must offer a purple bridge in your bid — even if you can save the agency \$100,000 by painting it gray. Unless you are given the option of suggesting an alternate color, your bid must reflect a purple bridge.

- 4. Get your bid in on time.** If the RFP says all bids must be submitted on October 1, don't call September 30 and ask for five more days. In all likelihood, you won't get it. Plan to get your bid in prior to the closing time.
- 5. Include supporting documentation with your bid.** If the RFP requires you submit certain additional documents with your bid, include them when you file the bid. It will not suffice to submit your bid with a notation that supporting documentation will be submitted later.

**WHAT TO DO IF THE BID IS AWARDED TO ANOTHER COMPANY**

When reviewing the RFP, take note of the rules on protesting the agency's final bid selection. Time is of the essence for this step. If the rules say you have 15 days from the time a bid is awarded to file a protest, your protest must be filed within that period to be considered. If you file on the 20th day, your protest will not be considered.

- Carefully review the bid that was accepted.
- Make sure it is responsive.

- Make sure it is complete.
- Determine why the successful bidder was awarded the contract and your bid was rejected.
- Have your lawyer assist you in developing a protest.
- Find out what you can from the contracting officer and the friends you have developed at the agency.
- Before filing your protest, make an analysis of what your chances are for success.
- Consider whether you intend to bid on other projects from the same agency. If you expect to have a long-term relationship with that agency, make sure that by filing the protest, you will not end up winning the battle but losing the war.

**CONCLUSION**

Bidding a public construction project is similar to other business relationships in that unless both parties enter into the agreement with a full understanding of the facts and mutual respect, there is a good possibility that once the contract is executed, there will be problems during

the performance phase. As the successful bidder on a public project, your profit will often be dependent on your maintaining a good relationship with the agency involved. No job is perfect and all jobs have problems. If the public agency's project manager doesn't want you on the job, that project manager can effectively take the profit out of your pocket by being uncooperative. You need to know when to stand up for your rights, but you also need to understand what makes good business sense.

By applying these pragmatic suggestions as part of your business plan, you will increase your opportunities and ensure that when you are a successful bidder, you can maximize the profit opportunities available. ■



*Steven John Fellman is general counsel for TAUC and is president of Galland Kharasch Greenberg Fellman & Swirsky, P.C.*

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# THIS IS ONLY THE BEGINNING

BY STEPHEN R. LINDAUER

**AS YOU READ**, our association has just finished its first year of existence. So what? You might ask. What was accomplished by TAUC in 2007?

## BUILDING A SOLID FOUNDATION

Through a myriad of letters, direct mail marketing pieces, electronic communications, *The Construction User*, our new Web site ([www.tauc.org](http://www.tauc.org)) and advertisements in various publications, we began to brand ourselves as the largest multi-craft all union contractor association in the United States. We have “rallied the troops” by soliciting participation from all of our National Maintenance Agreements signatory contractors and old NEA members. In 2007, TAUC began creating working committees, such as Safety and Health and Labor, to begin formulating association policy and new products and services for our membership. This past July, our Board of Directors met for the first-ever Strategic Planning Session of the association, and set ambitious yet attainable goals for the organization.

## NEW PRODUCTS AND SERVICES

In 2007, our association rolled out our first ever Webinars, or online seminars, which reduce traveling expenses and make educational opportunities easily accessible. Three Webinars were held, and five are planned for 2008. Those already conducted include: “Perfecting the Pre-Job Conference”; “Tailor-Made NMA”; and “Tackle Jurisdiction before It Tackles You.” All were done in a tripartite format with representatives from the contractor, owner and union communities participating. The archived versions of these webinars are still available on our Website free to Governing Members, Local Employer Organizations (LEO) and Affiliate Members, and at a discounted rate to our Regular Members.

## MEETINGS AND CONFERENCES

Our first Leadership Conference was a huge success with five General Presidents from the International Unions present, as well as key representatives from the owner community who participated in the debut meeting of TAUC’s Customer Caucus. In August, we held our first Safety-Labor Forum, entitled “Cleveland Rocks Union Construction,” which had a 100 percent increase in participation from prior NEA Safety-Labor Forums. Our second Safety-Labor Forum, entitled “The State of the Union...Construction Industry,” finished the year off with a bang, with a variety of educational presentations as well as an

address from the new president of the Building and Construction Trades Department, Mark Ayers.

## COMING SOON

Perhaps more important than what has been accomplished on behalf of our membership in 2007, is what’s ahead for 2008.

Our first annual report will be sent out to all current members later this month, and our 2008 membership directory will be coming out in early 2008.

This year was literally “only the beginning” for our association, as we know there is still a tremendous amount of work to be done. We continue to improve upon the training and educational opportunities available to our membership, as well as developing new products and services that hold real value to union contractors – both small and large.

TAUC members recognize that it is management’s job to manage, but labor and management must continue to collectively develop viable solutions to the issues our industry is facing. This must be accomplished through engagement between and collaboration among our fellow union contractors and our union partners. The days of past adversarial relationships, which resulted in more time spent fighting *each other* rather than our *competition* only resulted in a continual loss of market share for our contractors and unions. It is time for us to develop a new sense of trust and commitment to union construction as a value proposition for both our current and potential clients, our contractors and for our union workers and their families.

Our members continue to act with the prudence of doing what’s right for the collective good, and not just for the individual. Our association strives to create a forum for open and honest dialogue among our members so that they can focus on the problems that are holding our industry back and facilitate positive and collective change for all of us who have a stake in the union construction industry.

There is a desperate need for a new era of labor-management cooperation to help fight back our real competition. It needs to encompass education, strategizing and marketing, with the goal of becoming better at who we are and what we do.

The National Maintenance Agreements Policy Committee, Inc. (NMAPC) continues to espouse the idea of tripartite governance, where the inclusion of all three parties involved in construction – the owner, the union and the contractor – are brought to the table from the onset to discuss their collective needs to ensure the most efficient and streamlined method-

# ASSOCIATION NEWS

ology. The owner community demands cost savings, quality and timeliness, and we believe that union contractors and our craft men and women are the best approach in delivering on these demands.

In 2008 and beyond, TAUC will be aggressively recruiting new pro-union member contractors, as only an organized critical mass will enable our association to accomplish the ultimate goal of winning back marketshare for union construction! We need active and engaged individuals who are willing to contribute and be part of the solution. Whether it be through active participation in the governance of the association, petitioning the local or federal government on behalf of our industry, working with the various unions that we collaborate with on a local and national level, or simply picking up the phone to let our staff know how best to serve our members, this is what will ultimately lead our industry back to measurable market recovery – the willingness to get involved!

We know our union contractors can deliver on the needs and desires of our clients, in the most time-effective, safe and productive manner possible. Now, and in the future, we must continue to prove it! Are you prepared to get off the sidelines and get in the game? If so, your talents are more than welcome on the TAUC team. ■



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## “END OF THE YEAR EVENTS”

BY TAD KICIELINSKI

**THE ASSOCIATION OF UNION CONSTRUCTORS (TAUC)** held its “End of the Year Events” in Washington, D.C., December 3-4. These events included meetings, forums and discussions on various association and industry-wide topics and provided opportunities for TAUC members and guests to meet with other union construction professionals.

- **TAUC’s Executive Committee and NMAPC Board Meeting** – The leadership of both organizations met for the first time to discuss synergistic ways in which they could continue working together for the betterment of the industry.
- **TAUC’s Local Employer Organizations (LEO) Meeting** – Representatives of various regional trade associations met to receive and share information on the issues unique to LEOs.
- **TAUC’s Labor Committee Meeting** – Members of the Labor Committee met for the third time in 2007 to continue their discussions on how TAUC can assist union contractors through action-driven initiatives and open and honest dialogue to bring about positive change in the union construction industry.
- **TAUC’s Customer Caucus Executive Session** – Owner representatives who utilize union construction services met to summarize their needs in a comprehensive report, which was presented to union contractors and other industry leaders the following day during “The State of the Union...Construction Industry” forum.
- **TAUC & NMAPC Holiday Open House** was the first holiday gathering of the year in Washington, D.C. for the union construction industry. It drew CEOs and general presidents from across the country and provided a networking opportunity for all.
- **“The State of the Union...Construction Industry”** – TAUC members received updates from our president and the chairmen of both the Safety and Health Committee and Labor Committee. It also featured a panel presentation on the progressive welding certification programs currently being utilized by several International Unions, a national political update from the construction industry perspective, and an introduction and remarks from the new president of the Building and Construction Trades Department, Mark Ayers.
- **TAUC’s Board of Directors Meeting** – Board members met to outline the goals and strategies for TAUC in 2008.

If you have any questions regarding TAUC’s “End of the Year Events” or if you would like to find out what’s coming up next from TAUC, visit [www.tauc.org](http://www.tauc.org) or contact Todd Mustard, Executive Director of Association Services, at [tmustard@tauc.org](mailto:tmustard@tauc.org). ■



# “TACKLE JURISDICTION... BEFORE IT TACKLES YOU!”



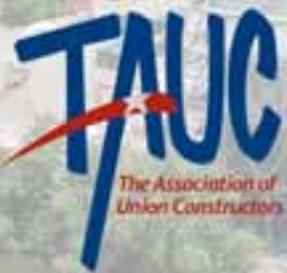
ON NOVEMBER 15, TAUC hosted its third Webinar of 2007, “Tackle Jurisdiction...Before it Tackles You.” The Webinar focused on how to properly manage work assignments to avoid jurisdictional disputes, and how to handle disputes when they do occur. The Webinar was presented in conjunction with the release of the newly updated *TAUC Craft Jurisdiction Guide*.

Industry experts with nearly a century of experience in the construction industry provided professional advice and analysis

to the online participants. Mr. Mike Gannon, Vice President of the Operative Plasterers and Cement Masons International Union and NMAPC Committee member, provided the union perspective on the importance of work assignments and what contractors need to know to prevent disputes. Mr. Ted Sharp, Director of Labor Relations & Safety for APComPower, offered the contractor’s point of view and explained the importance of holding a proper pre-job conference to head-off jurisdiction-related concerns before a project starts. Mr. Tom Pagan provided the arbitrator’s perspective, and explained the procedures for jurisdictional disputes in accordance with both the National Maintenance Agreements and The Plan for the Settlement of Jurisdictional Disputes in the Construction Industry.

The new craft jurisdiction guide and the archived version of “Tackle Jurisdiction...Before it Tackles You” are available for download at [www.TAUC.org](http://www.TAUC.org), where you can learn more about our association and other great TAUC products and services. ■

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# THE LATEST ON ETHANOL

BY JIM ROSS

**“ETHANOL” IS A HOT WORD** in business and government circles these days, and it’s easy to see why.

Ethanol is best known as an alternative fuel for motor vehicles. Though straight regular gasoline is still by far the most popular product in use, ethanol blends are gaining modest popularity in this country.

And the future promises at least some growth: According to federal law, U.S. oil refiners by 2012 must blend 7.5 billion gallons of renewable fuels (this includes ethanol) into the gasoline supply, according to the Renewable Fuels Association (RFA), a national ethanol trade group.

The high price of oil, political uncertainty in the Middle East, and concerns about the environment all weigh in ethanol’s favor. For years, consumers, environmentalists and business owners alike have sought a viable alternative to the status quo of motor fuel, and ethanol, eventually, became a star in this universe.

But the sheer cost of making ethanol is causing concern in the United States. “Many of the industry’s former friends have turned against it amid soaring prices for corn and other grains,” the *Wall Street Journal* recently reported. The article said many of those “former friends” aren’t supporting any boost of the current federal requirements.

So, as the ethanol debate plays out, what does this mean for the construction industry in the United States? Ethanol is a motor fuel and isn’t used for power generation, so the issue boils down to two areas: building and driving.

To make ethanol you need an ethanol plant. Building such plants requires construction workers in a variety of specialties. The RFA estimates 300 to 400 workers are needed to build a plant. Construction can take up to 18 months. That, obviously, is good news for craftsmen.

As for driving: Many heavy-duty equipment vehicles still use diesel engines, which don’t accept ethanol blends. But engines that take regular gasoline can accept a blend of up to 10 percent ethanol without any change. To use the stronger blend, known as E85, you need a flex-fuel vehicle. Certainly, the ethanol trend has had, and will continue to have, some influence on the construction equipment now under design for future use.

Of course, many U.S. construction companies and related firms have an international presence. That adds yet another dimension to the ethanol question—and provides additional opportunities for growth and exploration.

A good example is TAUC President Robert Hoover’s company, Aker Kvaerner, a global provider of services related to design, construction, maintenance, modification and operation of large and small industrial facilities. Last year, Aker signed a memo of understanding with Praj Industries Limited, which is a global leader in bio-ethanol technology.

“In their new cooperation, Aker Kvaerner and Praj will unite their respective expertise to jointly pursue business opportunities” in Europe, the site says. “Praj will supply the process license, process engineering, and critical and proprietary equipment for the process plant, while Aker Kvaerner’s European Process business will provide basic engineering, procurement and construction expertise.”

In April of this year, the companies took the relationship one step further, creating a joint venture. And, in June, the new joint venture struck pay dirt: Aker Kvaerner was selected by BP, Associated British Foods Plc (ABF) and DuPont to execute the Front End Engineering and Design (FEED) for a planned new world-scale bioethanol plant in the United Kingdom. “Using bioethanol technology provided by Praj Industries, the grass roots plant will seek to utilize locally grown wheat as feedstock to produce the fuel ethanol,” according to the Web site.

*Continued on next page*

## Ethanol by the numbers

Number of U.S. ethanol plants in 1999:

**50**

Number in January 2007:

**110**

U.S. ethanol production in 2006:

**4.9 billion gallons**

Percentage increase since 2000:

**300**

Amount of corn American farms produced in 2006:

**10.74 billion bushels**

Amount used to produce ethanol:

**1.8 billion bushels**

Source: Renewable Fuels Association



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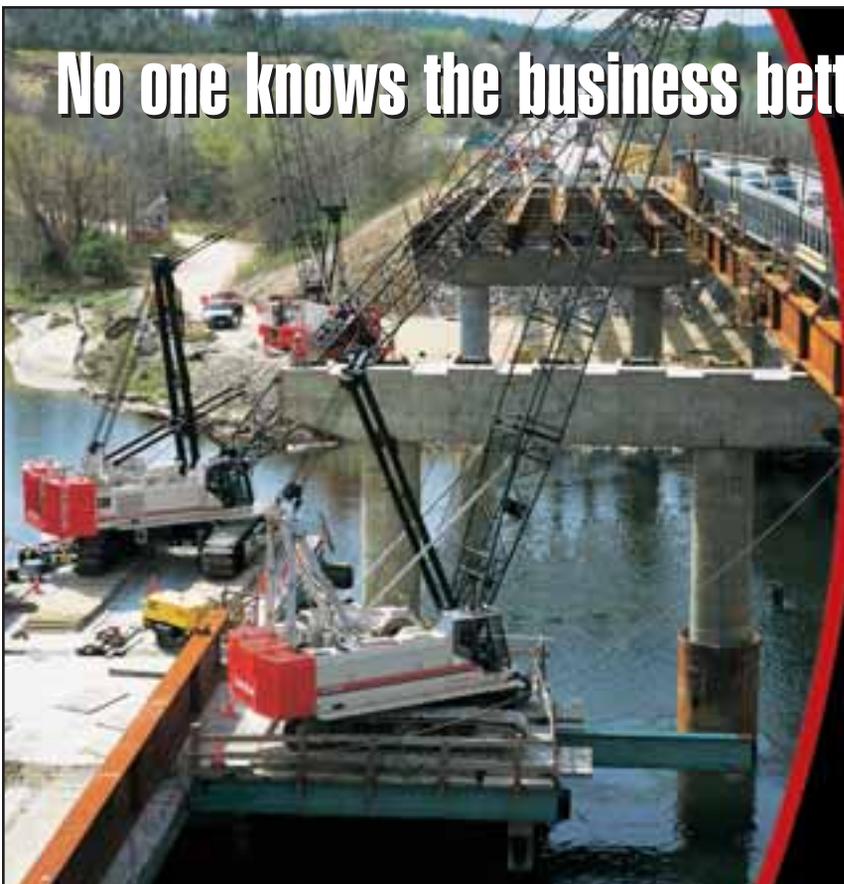
## Ethanol in 2008

The Renewable Fuels Association's 13th annual National Ethanol Conference: Policy & Marketing, Changing the Climate is February 25-27, 2008, in Orlando, Florida. This event provides opportunities for industry interaction, networking and education on public policy and marketing issues affecting the U.S. ethanol industry. For details, visit [www.ethanolrfa.org](http://www.ethanolrfa.org).

It's important to note that the European Union wants 5.75 percent energy content inclusion of bio-fuels in the transportation fuel mix by 2010, as the Aker Web site points out. France, Germany, Belgium, the Netherlands and other EU countries "have announced either a policy or a grant for promotion of fuel ethanol."

"As the demand for fuel ethanol grows, technology for production of bio-ethanol becomes more critical. We are therefore delighted to be cooperating with Praj in Europe. We see this as a synergistic alliance which will offer value to European customers in this important and expanding market segment," said Ronald van der Vlist, Director of Business Development and Technology with Aker Kvaerner's European Process business, in prepared remarks.

There are similar stories in other parts of the construction industry, and there are bound to be more, as ethanol—and bio-fuels in general—gains more ground as a viable fuel alternative to regular gasoline. ■



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# A New Way of Doing Business



# THE NEW FACE OF LABOR: MARK AYERS



BY TOM OWENS

**ON OCTOBER 1,** Mark Ayers succeeded Edward C. Sullivan as president of the Building & Construction Trades Department, AFL-CIO. And, already, Ayers is taking steps to aggressively work with the department's 12 affiliated unions, and its signatory contractors, to help re-claim a relevant market position for the union construction industry.

Ayers, who was elected unanimously on September 6 by the BCTD Governing Board of Presidents, is "honored and excited to have been given this important responsibility, particularly in light of the fact that 2008 represents the 100th anniversary of the Building & Construction Trades Department."

Specifically, the new president has indicated he will set out to work with the BCTD Governing Board, BCTD Secretary-Treasurer Sean McGarvey, and the Department's state and local councils across the United States and Canada to examine and evaluate all structures, programs, and operations to ensure they are measured against tangible, value-driven results relating to the Department's inter-connected goals of increasing membership and market share.

Ayers also expressed his desire to continue negotiations with the Laborers International Union, the United Brotherhood of Carpenters and the International Union of Operating Engineers in the hopes of bringing all the building trades unions back within one organization. "We are on the threshold of extraordinary opportunity for our industry," explained

We are on the threshold of extraordinary opportunity for our industry and that is all the more reason for us not to give up hope on finding solutions that will restore harmony among the trades.

**MARK AYERS**

Ayers, "and that is all the more reason for us not to give up hope on finding solutions that will restore harmony among the trades."

But, Ayers insists, there is more to be done.

He contrasts the construction industry against other aspects of today's world – like the Olympics and other athletic events – where coming in second place is often times considered an admirable achievement.

But, as Ayers sees it, "Second place in the construction business means we lost the bid. Second place means our union skilled crafts people don't go to work."

To ensure that the building trades and its signatory contractors increasingly find themselves in first place, Ayers has promised a renewed commitment on the part of the Building Trades Department and its affiliated unions. The commitment is to live up to a core brand promise of being the world's best value for highly skilled and highly productive construction labor – a promise that also entails a continued dedication to world class skills development and training and a labor/management model founded upon the principles of performance, pride, cooperation and partnership.

As Ayers sees it, this is a simple formula that equates to promises made...and promises kept.

However, as Ayers readily acknowledges, the union construction industry will be hard pressed to grow market share without developing relationships with new signatory contractors and by engaging a new generation of rank and file crafts people.

And that, according to the new BCTD president, "requires introducing ourselves and initiating a dialogue with receptive contractors and workers in the open shop community – you know, the ones who are doing the lion's share of the work in our industry all across the nation."

Ayers highlights the importance of the building trades unions taking steps to establish formal, and firm, membership codes of conduct and local organization accountability measures.

This is very important to Ayers because, as he sees it, "our rank and file members and local union representatives are the face of our unions. They are the 'brand ambassadors' for



Our rank and file members  
and local union representatives  
are the face of our unions.  
They are the 'brand ambassadors'  
for the building trades.

**MARK AYERS**

### Mark Ayers 'Moments'

Mark Ayers attended the George Meany Institute for Labor Studies (now known as the National Labor College), the University of Wisconsin, the University of Illinois Institute of Labor and Industrial Relations, and the International Foundation for Employee Benefits. He has also served his country in the U.S. Navy. Prior to his tenure as the director of the IBEW Construction and Maintenance Division, Ayers was the business manager and financial secretary for IBEW Local 34 in Peoria, Illinois. He served as co-founder and chairman of the Central Illinois Chapter of NECA-IBEW Local 34 Quality Connection, and was the secretary-treasurer of the West Central Illinois Building & Construction Trades Council.

the building trades. If their attitude, productivity, and performance in no way reflects the values and principles to which our organizations are striving to live up to... then we have a damaged product and a damaged brand on our hands."

And to fix that damaged brand, the building trades have recognized that some of the answers lie within... specifically within a collective acknowledgement and belief in a core set of values and principles that are then acted upon instinctively at every level of their organizations...from the General President right on down through to the active member working on a job.

"If you were to ask me what my main objective is as president of the Building Trades Department," said Ayers, "I would have to say that I want to institute a culture change that fosters a new, customer-service approach where motivation replaces frustration, and where the creative process is unleashed in an intelligent, cooperative, and inspirational manner in an effort to elevate our performance and re-capture market share." ■



# A BARE-KNUCKLED CHOICE

## How to Turn an Adversary into an Opportunity

BY MARK BRESLIN

**WHEN I WAS IN HIGH SCHOOL** I was not the first kid most parents wanted to see their kid hang out with. Thus, it was no surprise that after a major championship basketball game with an arch-rival school, one of their reputed tough kids was giving me the “stink eye” out in the parking lot. I knew a fight was coming and, frankly, didn’t give myself much of a chance based on his reputation.

Just about that time, a pickup truck rolled by and beer bottles were tossed at us from the guys in the bed. The bottles smashed right in front of us and showered our legs with glass. I looked at him and the first words he ever said to me were, “Let’s go.” And into battle we went together. This was the start of both an epic brawl and a lasting personal friendship that has now spanned 30 years.

It is funny how adversaries can immediately put aside their differences when faced with a threat from a third party. When under pressure, you quickly decide who is on your team. When under attack, what bonds us is clearer and more compelling than what divides us. But without outside pressure and when

left to our own devices, the petty nature of man and our competitive egos can cause a great degree of unnecessary “stink eye.” Is this not the state of our union construction industry today?

Be it labor versus management or any combination of unions, leaders, associations or contractors versus another, the competitive and fragmented nature of the union construction industry often tends to paint our potential partners as adversaries. And eventually, like the Hatfields and McCoys, there exists a belief system of non-cooperation that we cannot overcome despite every reason to do so.

The threatening third party arrived in our industry decades ago, in the form of strong open shop competition. And despite the arrival and subsequent market domination of our “high school parking lot,” some still persist in traditional old school non-cooperation with each other.

I don’t know about you, but if some guys are punching me in the back of the head, common sense tells me I need to strategically partner with whoever shares my direct interests.

It is not about me or the way I wish it were. It is a choice of politics versus pragmatism. It is a choice of reality versus rhetoric. It is a choice between joint risk-taking versus denial and market decline.

Now, it must be said that harmony for its own sake is a waste of time. There has to be a uniting objective. And blaming the other guy when you won't do what is necessary is no strategy either. Unity is based on "doing" not talking. I don't want to find myself in a serious fight and find out that my partner is a wimp, unable to carry his load, overcautious and unable to take risks, unwilling to wade in when it gets tough or incapable of changing methods, strategies or tools for immediate and necessary results. I want to know that he trusts me and I trust him, so we are not wasting time and energy suspiciously looking over our shoulder at one another. I am thinking about what he needs and trying to get it for him and he is doing the same thing for me.

Unity in business or personal relationships cannot be achieved with promises or "waiting for the other guy" to make the first moves. Trust is built on action, and every person in our industry — from major contractors, union leaders,

The competitive and fragmented nature of the union construction industry often tends to paint our potential partners as adversaries.

trainers, agents, association leaders, down to the very last apprentice in the field — is now required to take both personal initiative and action. This must be done for unity in the face of competition and for our own market survival.

The "beer bottle" of our market challenge broke at our feet years ago. The "Us vs. Them" changed. And, yet today, we are often still standing here focused on our differences. It distracts us from what needs to be done, but that is not going to get us anywhere.

There is only one choice. There is only one alternative. We need to go out into that market and unite our front. **We need to watch out for each other and build a business bond of truth and trust.** Let's see if that can create a lasting opportunity, a meaningful friendship or an unbreakable bond. With that accomplished, the market will surely follow. ■



Mark Breslin is a strategist and author specializing in labor-management challenges. He is the author of *Survival of the Fittest*, *Organize or Die* and coming in 2008, *Alpha Dog*. He addresses more than 50,000 labor and business leaders each year in North America. More on his work and profile are available at [www.breslin.biz](http://www.breslin.biz).

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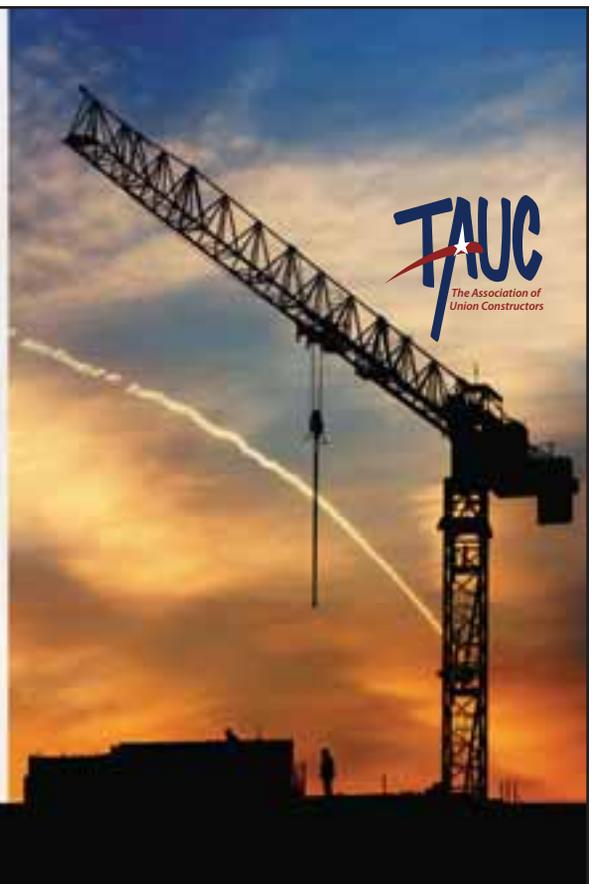
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# IS THE MANPOWER SHORTAGE ON YOUR MIND TOO?



BY GARY KEBERT

**EVERY OWNER IN THE UNITED STATES** is demanding that their project be manned, with all the appropriate manpower necessary NOW! Of course, as union contractors we expect to have great demands put upon our shoulders, but the fact remains that there are simply more work opportunities available NOW, and not enough skilled craft personnel to go around. This is just one issue discussed at the most recent meeting of the TAUC Labor Committee. TAUC's Labor Committee, still in its infancy, has its work cut out for itself.

With the shortage of skilled labor being a thorn in the collective side of union contractors, this topic took precedence throughout our recent meeting. As a result, this committee is dedicated to doing something about it. The question was broached as to whether there was a true shortage, or was there just a misallocation of manpower. For instance, would the hands of one craft that is currently not feeling the craft shortage pinch, be able to bear some of the burden of the crafts that are? Although the sense of the committee was not unanimous, it was the consensus of those present that certain crafts could be used in a supplemental fashion to help stem this situation.

## CRAFT RECIPROCITY

A system where one craft can work with another to insure that projects are completed on an all union, safe and efficient basis appeared, to the TAUC Labor Committee, to be a good first step in addressing the craft availability shortage. This implies a system where one craft would work hand-in-hand with his brother or sister from a different union. The craft person would be able to collect the fringe benefits due, as a result of that work, back to the appropriate funds. Our brothers and sisters in Canada have worked under such an arrangement known as "Helping Hands."

We realize there are many pitfalls, practically, politically and possibly legally, that have to be overcome to make such a system

a reality, but the Committee pondered this question: "Would such a system allow for the growth of union marketshare in a time when every segment of the construction industry, yes even the non-union, are in a desperate search for manpower?"

I think you already know the answer. We'll need your support.

## DEMOGRAPHICS

You, as a fellow union contractor, may take some comfort in knowing that the skilled labor shortage is confined to neither just construction nor our country. Recent publications indicate that there currently exists a global crisis of skilled labor that may have long-term and far-reaching effects around the globe. It's no secret that as countries develop birthrates drop, thus creating greater demand for fewer people. My colleagues on the Committee have indicated that even the more sophisticated multinational contractors are experiencing problems sourcing skilled labor, particularly in Europe. As recently as this summer, union contractors in North America have been forced to source welders in South America where it was winter. That type of creativity, though laudable, is clearly not a long-term solution.

## IMMIGRATION

I will leave you with a few other thoughts from our meeting. Many in our numbers have been reluctant to use the "H" word. The "H" word stands for Hispanics. Our job as union contractors is to attract the safest, most productive workforce to the trades that we employ. The non-union has been employing our Hispanic neighbors in high numbers. We as union contractors need to swell our ranks and help the legal newcomers to our nation realize the American dream through a good career as a union tradesperson. It's really a case of analyzing the demographics of our

*Continued on next page*



# TOP 10 MOST FREQUENTLY CITED STANDARDS

**THE FOLLOWING WERE** the top 10 most frequently cited standards in fiscal year 2007 (October 2006 through September 2007), as per [www.osha.gov](http://www.osha.gov).

1. Scaffolding, general requirements, construction (29 CFR 1926.451)
2. Fall protection, construction (29 CFR 1926.501)
3. Hazard communication standard, general industry (29 CFR 1910.1200)
4. Control of hazardous energy (lock-out/tagout), general industry (29 CFR 1910.147)
5. Respiratory protection, general industry (29 CFR 1910.134)
6. Powered industrial trucks, general industry (29 CFR 1910.178)
7. Electrical, wiring methods, components and equipment, general industry (29 CFR 1910.305)

8. Ladders, construction (29 CFR 1926.1053)
9. Machines, general requirements, general industry (29 CFR 1910.212)
10. Electrical systems design, general requirements, general industry (29 CFR 1910.303)

The following are the standards for which OSHA assessed the highest penalties in fiscal year 2007 (October 2006 through September 2007):

1. Scaffolding, general requirements, construction (29 CFR 1926.451)
2. Fall protection, construction (29 CFR 1926.501)
3. Control of hazardous energy (lock-out/tagout), general industry (29 CFR 1910.147)
4. Excavations, requirements for protective systems, construction (29 CFR 1926.652)

5. Machines, general requirements, general industry (29 CFR 1910.212)
6. General duty clause (Section 5(a)(1) of the OSH Act)
7. Powered industrial trucks, general industry (29 CFR 1910.178)
8. Excavations, general requirements, construction (29 CFR 1926.651)
9. Aerial lifts (29 CFR 1926.453)
10. Guarding floor and wall openings and holes, general industry (29 CFR 1910.23)

For more detailed information, visit Frequently Cited OSHA Standards (<http://www.osha.gov/pls/imis/citedstandard.html>). At that site, you can generate a report on the most frequently cited federal or state OSHA standards by your SIC code and the number of employees in your establishment.

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*Continued from previous page*

country. The fastest growing segment of the population is people of Hispanic origin. If we are going to grow marketshare we will need those among us willing to do the hard work this industry demands. We need to, as the leaders in our industry, reach out to the Hispanic community and all minorities, to encourage them to apprentice just as our fathers and grandfathers did when they arrived here in this great land.

### WE'VE ONLY JUST BEGUN

Finding skilled labor is not the only obstacle standing between contractors and our future success. The TAUC Labor Committee is seeking to make it easier for our contractors to navigate jurisdictional disputes. We launched a webinar in November, available at [www.tauc.org](http://www.tauc.org) entitled "Tackling Jurisdiction...Before it Tackles You," to go along with our other online offerings dealing with pre-job conferences and addenda to the National Maintenance Agreements. Those efforts will continue.

The information provided above touches on only a handful of the Labor Committee's current undertakings. Of course there are

many more things that must be done to address the challenges facing our industry; but through dogged determination and the application of our greatest resource – TAUC members – we will bring about positive change.

If you are interested in helping us build a brighter future for union construction, you can learn how to become a Governing Member of TAUC at [www.tauc.org](http://www.tauc.org) or contact Mike Dorsey at (703) 524-3336 ext.122. ■



*Gary Kebert is chairman of TAUC's Labor Committee and a member of TAUC's Board of Directors. If you would like to comment on this article and/or make a suggestion to TAUC's Labor Committee, please send e-mail to [labor-relations@tauc.org](mailto:labor-relations@tauc.org).*



# ZERO-INJURY SAFETY

## When projects demand more with less, We need to be our brother's keeper 24/7

BY BILL HERING

**TODAY, MANY** union construction professionals are facing a situation that hasn't emerged in decades. One that sounds extremely positive at first, but in reality, is far from ideal. The situation – too much work!

Union constructors are accustomed to tough projects, tight company schedules and meeting challenging environmental compliance deadlines. But now, with the massive upswing in demand for skilled labor and the shrinking pool of available workers, union constructors are expected to do more with less, which adds a terrible burden to an already difficult situation.

Experienced workers are working longer shifts for longer durations. Younger and less-experienced workers are taking on more responsibilities. The safety challenges are growing. How can we, as an industry, deal with these challenges?

There is only one answer: We all have to work together to keep each other safe. There is no other way to meet the growing safety challenges in our sector of the industry. Each one of us, from the top executive down to the newest apprentice, needs to understand that to uphold a zero-injury safety culture in this difficult environment, 100 percent participation is required.

"Safety is in the field," said Jeff Hardison, corporate safety director for Area Erectors Inc. "Holding weekly huddle-ups that keep the lines of communication open and allow the concerns to be aired are very important, but you also need to see firsthand what's happening out in the field. Sometimes, when I see guys out on the job who have been working 7-10s, and you see them going to their knees to

lift something, you just know these guys have had it and it's time to get a new crew out there. It's time to talk to the foreman. You can't see that from behind your desk. Staying personally involved is critical and required by everyone so that we maintain a project-wide level of safety awareness that recognizes the precursors of accidents and injuries and stops them before they happen."

"Forming partnerships between the safety guys and the owner representatives, the foremen, the superintendents, the crew supervisors and the men and women performing the work is a big key to success," said Andy Mills, safety director for Atlantic Plant Maintenance. "Open and active communication among all the parties and staying vigilant day-in and day-out is what makes safety happen. It's everyone's responsibility on a personal level not only to keep themselves safe, but also to make sure the people around them are working safely."

No one wants to get hurt, but not everyone takes that next step and extends his awareness of safety concerns to include those around him. If you believe that looking out for yourself is good enough and that if everyone does the same there will not be a problem, then you are wrong – and regrettably, in some cases, dead wrong. Take a step back for a minute and think about this – How would you feel if a co-worker was killed on the job? Regardless of where you are in your organization, if someone you work with came into work today in good faith and, because of a mistake, didn't go home tonight, how would you feel? I guarantee, you would feel it on a personal level, and depending on your proximity to the ac-

cident and how well you knew the person who died, it could in fact be a life-altering event. The emotional distress and heartbreak would touch everyone, and everyone would wish he or she were a little sharper that day and could have prevented the tragedy.

That is the belly of the beast of safety. We all share the responsibility of keeping our union construction family members safe, bar none. We have to reaffirm our commitment to safety every day so that accidents don't happen. Every day provides us with a new opportunity to be a leader in the race for safety and to be our brother's keeper.

When an accident or injury hasn't happened for a long time and the emphasis we place on safety starts to seem onerous, that's when we need to remind ourselves that the numbers would be staggering in the other direction if we were not so cautious. Even one loss is a staggering event, and one life is worth every effort we can make.

Be your brother's keeper and together, we will be safe. ■



*Bill Hering is the Safety and Health Committee Chairman of The Association of Union Constructors (TAUC) and the Corporate Safety Director for S.M. Electric Company based in Rahway, New Jersey. If you would like to comment on this article and/or make a suggestion to TAUC's Safety Committee, please send e-mail to [safety@tauc.org](mailto:safety@tauc.org).*



# 7th Annual NMAPC

## Category A



**ZERO INJURY PLAQUE – SILVER STAR**  
**Cherne Contracting Corp.**  
**Sunoco, Inc.**  
**United Building Trades Council of Southern New Jersey**  
 815,657 Work Hours  
 Eagle Point Refinery  
 Westville, NJ

**Fru-Con Construction Corp.**  
**Procter & Gamble**  
**Cedar Rapids Building Trades Council**  
 723,170 Work Hours  
 Iowa City Plant  
 Iowa City, IA



**ZERO INJURY PLAQUE – BRONZE STAR**  
**Solid Platforms, Inc.**  
**BP Products North America, Inc.**  
**Indiana/Kentucky Regional Council of Carpenters - Northern Office**  
 390,107 Work Hours  
 Whiting Refinery Plant  
 Whiting, IN



**ZERO INJURY PLAQUE – GOLD STAR**  
**Superior Construction Company, Inc.**  
**BP Products North America, Inc.**  
**Northwestern Indiana Building Trades Council**  
 1,329,000 Work Hours  
 Whiting Refinery  
 Whiting, IN

**S.M. Electric**  
**PSEG Power**  
 IBEW Local Union No. 236  
 385,278 Work Hours  
 Bethlehem Energy Center  
 Albany, NY

**BMW Constructors, Inc.**  
**BP Products North America, Inc.**  
**Northwestern Indiana Building Trades Council**  
 302,390 Work Hours  
 Whiting Refinery  
 Whiting, IN

**McCarl's Inc**  
**PPL Corporation**  
**Northeast Pennsylvania Building Trades Council**  
 302,343 Work Hours  
 Susquehanna Berwick  
 Berwick, PA

**Nooter Construction Co.**  
**Valero Refining**  
**Los Angeles/Orange Counties Building Trades Council**  
 235,465 Work Hours  
 Wilmington Refinery  
 Wilmington, CA

**Manta Industrial, Inc.**  
**BP Products North America, Inc.**  
**Northwestern Indiana Building Trades Council**  
 226,783 Work Hours  
 Whiting Business Unit  
 Whiting, IN

**Ryan & Associates, Inc.**  
**Alcoa Inc.**  
**United Association Local Union No. 25**  
 220,087 Work Hours  
 Davenport Works  
 Bettendorf, IA

**Murphy Company**  
**CITGO Petroleum Corporation**  
**Chicago and Cook County Building Trades Council**  
 206,000 Work Hours  
 Lemont Refinery  
 Lemont, IL

## Category B

**ZERO RECORDABLE INJURY**  
**CERTIFICATE OF MERIT**  
**Scheck Mechanical**  
**ConocoPhillips Company**  
**Pipefitters Local Union No. 475**  
 166,186 Work Hours  
 Bayway Refinery  
 Linden, NJ

**M & O Insulation Company**  
**BP Products North America, Inc.**  
**Heat & Frost Insulators Local Union No. 17**  
 162,022 Work Hours  
 Whiting Refinery  
 Whiting, IN

**APComPower Inc.**  
**East Kentucky Power Cooperative**  
**Central Kentucky Building Trades Council**  
 143,735 Work Hours  
 Spurlock Station  
 Maysville, KY

**Commercial Contracting Corporation**  
**General Motors Corporation**  
**Southeastern Michigan Building Trades Council**  
 131,585 Work Hours  
 Lansing Delta Township Assembly  
 Lansing, MI

**Performance Mechanical, Inc.**  
**Dow Chemical**  
**Contra Costa Building Trades Council**  
 120,139 Work Hours  
 Pittsburg Plant  
 Pittsburg, CA

**Motor City Electric**  
**Chrysler, LLC**  
**Northwestern Ohio Building Trades Council**  
 120,046 Work Hours  
 Toledo South Assembly Plant  
 Toledo, OH

**Commercial Contracting Corporation**  
**General Motors Corporation**  
**Southeastern Michigan Building Trades Council**  
 116,876 Work Hours  
 Lansing Delta Township Assembly  
 Lansing, MI

**AmQuip Corporation**  
**Sunoco, Inc.**  
**Operating Engineers Local Union No. 542**  
 115,404 Work Hours  
 Philadelphia Refinery  
 Philadelphia, PA

**Commercial Contracting Corporation**  
**General Motors Corporation**  
**Flint, Genesee, Shiawassee and Lapeer Counties Building Trades Council**  
 114,371 Work Hours  
 Flint Truck Assembly  
 Flint, MI

**International Industrial Contracting Corporation**  
**General Motors Corporation**  
**Southeastern Michigan Building Trades Council**  
 108,062 Work Hours  
 Willow Run Transmission  
 Ypsilanti, MI

**Sterling Boiler & Mechanical, Inc.**  
**Duke Energy**  
**Central Wabash Valley Building Trades Council**  
 106,632 Work Hours  
 Cayuga Station  
 Terre Haute, IN

**McCarl's Inc**  
**PPL Corporation**  
**Central Pennsylvania Building Trades Council**  
 106,029 Work Hours  
 Montour  
 Derry Township, PA

**Sterling Boiler & Mechanical, Inc.**  
**Vectren Corporation**  
**Southwestern Indiana Building Trades Council**  
 101,180 Work Hours  
 Culley Station  
 Newburgh, IN

**Dearborn Mid-West Conveyor Company**  
**Chrysler, LLC**  
**Northwestern Ohio Building Trades Council**  
 98,798 Work Hours  
 Toledo South Assembly Plant  
 Toledo, OH

**Commercial Contracting Corporation**  
**Chrysler, LLC**  
**Detroit Building Trades Council**  
 89,384 Work Hours  
 Sterling Heights Assembly  
 Sterling Heights, MI

**S.M. Electric**  
**Conoco Phillips Corporation**  
**IBEW Local Union No. 102**  
 85,577 Work Hours  
 Bayway Refinery  
 Linden, NJ

**Commercial Contracting Corporation**  
**Chrysler, LLC**  
**Northwestern Ohio Building Trades Council**  
 85,202 Work Hours  
 Toledo North Assembly Plant  
 Toledo, OH

**APComPower Inc.**  
**Dominion Energy**  
**Richmond Building Trades Council**  
 85,000 Work Hours  
 Chesterfield Station  
 Chester, VA

**Alberici Constructors**  
**Chrysler, LLC**  
**Detroit Building Trades Council**  
 84,596 Work Hours  
 Sterling Heights Assembly  
 Sterling Heights, MI

**Chapman Corporation**  
**U.S. Steel**  
**Pittsburgh Building Trades Council**  
 82,571 Work Hours  
 Clairton Works  
 Clairton, PA

**McCarl's Inc**  
**FirstEnergy Corporation**  
**Beaver County Building Trades Council**  
 81,371 Work Hours  
 Bruce Mansfield Plant  
 Shippingport, PA

**Stevens Painton Corporation**  
**FirstEnergy Corporation**  
**Cleveland Building Trades Council**  
 80,000 Work Hours  
 Eastlake Plant  
 Eastlake, OH

# Zero Injury Safety Awards Winners

## Category C

**ZERO LOST WORKDAY PLAQUE**  
Chapman Corporation  
Bayer Corporation  
Upper Ohio Valley Building Trades Council  
899,965 Work Hours  
New Martinsville  
New Martinsville, WV

McCarl's Inc  
PPL Corporation  
Central Pennsylvania Building Trades Council  
246,364 Work Hours  
Brunner Island  
East Manchester Township, PA

## Category D

**ZERO LOST WORKDAY CERTIFICATE OF MERIT**  
Lake Erie Electric, Inc.  
U.S. Steel  
North Central Ohio Building Trades Council  
197,868 Work Hours  
Lorain Hot Rolled Bar Plant  
Lorain, OH

Dearborn Mid-West Conveyor Company  
Chrysler, LLC  
Detroit Building Trades Council  
167,304 Work Hours  
Sterling Heights Assembly  
Sterling Heights, MI

Nooter Construction Co.  
Valero Refining  
Lima Building Trades Council  
134,552 Work Hours  
Lima Refinery  
Lima, OH

Walbridge-RB  
American Electric Power  
Charleston Building Trades Council  
126,246 Work Hours  
John Amos Power Plant  
Saint Albans, WV

Commercial Contracting Corporation  
Chrysler, LLC  
Northwestern Ohio Building Trades Council  
78,154 Work Hours  
Toledo South Assembly Plant  
Toledo, OH

New England Insulation  
Dominion Energy  
Southeastern Massachusetts Building Trades Council  
75,000 Work Hours  
Brayton Point  
Somerset, MA

Commercial Contracting Corporation  
General Motors Corporation  
Northeastern Indiana Building Trades Council  
71,171 Work Hours  
Fort Wayne Assembly  
Fort Wayne, IN

Stevens Painton Corporation  
PPL Corporation  
Central Pennsylvania Building Trades Council  
71,000 Work Hours  
Brunner Island  
East Manchester Township, PA

New England Insulation  
Mirant Corporation  
Southeastern Massachusetts Building Trades Council  
65,000 Work Hours  
Canal Station  
Sandwich, MA

Sterling Boiler & Mechanical, Inc.  
General Electric Plastics Division  
Southwestern Indiana Building Trades Council  
61,839 Work Hours  
Mt Vernon Power Plant  
Mt Vernon, IN

Sterling Boiler & Mechanical, Inc.  
Alcoa Generating Corporation  
Southwestern Indiana Building Trades Council  
61,406 Work Hours  
Warrick Power Plant  
Newburgh, IN

Performance Mechanical, Inc.  
Tesoro Petroleum  
Contra Costa Building Trades Council  
61,255 Work Hours  
Golden Eagle Refinery  
Martinez, CA

Ideal Contracting, LLC  
General Motors Corporation  
Southeastern Michigan Building Trades Council  
60,764 Work Hours  
Willow Run Transmission  
Ypsilanti, MI

Solid Platforms, Inc.  
Mittal Steel USA  
Indiana/Kentucky Regional Council of Carpenters - Northern Office  
59,168 Work Hours  
Burns Harbor  
Burns Harbor, IN

Dearborn Mid-West Conveyor Company  
Chrysler, LLC  
Northwestern Ohio Building Trades Council  
58,537 Work Hours  
Toledo North Assembly  
Toledo, OH

Pioneer Pipe Inc.  
E. I. Dupont de Nemours & Company  
Parkersburg-Marietta Building Trades Council  
57,377 Work Hours  
Washington Works  
Parkersburg, WV

Nooter Construction Co.  
Sunoco, Inc.  
Southern New Jersey Building Trades  
57,178 Work Hours  
Eagle Point Refinery  
Westville, NJ

Stevens Painton Corporation  
Republic Technologies International  
North Central Ohio Building Trades Council  
55,146 Work Hours  
Lorain Mill  
Lorain, OH

Commercial Contracting Corporation  
General Motors Corporation  
Southeastern Michigan Building Trades Council  
54,558 Work Hours  
Grand River Assembly Plant  
Lansing, MI

Commercial Contracting Corporation  
General Motors Corporation  
Detroit Building Trades Council  
54,486 Work Hours  
Pontiac Assembly Center  
Pontiac, MI

Pioneer Pipe Inc.  
General Electric Plastics Division  
Parkersburg-Marietta Building Trades Council  
53,819 Work Hours  
Woodmar Facility  
Washington, WV

Commercial Contracting Corporation  
General Motors Corporation  
Greater Kansas City Building Trades Council  
53,296 Work Hours  
Fairfax Assembly  
Kansas City, KS

Chemsteel Construction  
FirstEnergy Corporation  
Beaver County Building Trades Council  
52,156 Work Hours  
Bruce Mansfield Plant  
Shippingport, PA

Sterling Boiler & Mechanical, Inc.  
PPL Corporation  
Central Pennsylvania Building Trades Council  
51,897 Work Hours  
PPL Montour  
Derry Township, PA

Bruce & Merrilees Electric Company  
FirstEnergy Corporation  
Beaver County Building Trades Council  
51,536 Work Hours  
Bruce Mansfield Plant  
Shippingport, PA

Commercial Contracting Corporation  
General Motors Corporation  
Greater Kansas City Building Trades Council  
51,423 Work Hours  
Fairfax Assembly  
Kansas City, KS

McCarl's Inc  
PPL Corporation  
Central Pennsylvania Building Trades Council  
50,612 Work Hours  
Brunner Island  
East Manchester Township, PA

Solid Platforms, Inc.  
U.S. Steel  
Indiana/Kentucky Regional Council of Carpenters - Northern Office  
50,069 Work Hours  
Gary Works  
Gary, IN

ZERO INJURY  
*Safety*  
AWARDS

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# CONSTRUCTION INDUSTRY LEADERS HONORED FOR ON-SITE SAFETY

## Zero Injury Safety Awards Experience Record Year

BY BOB MIZKE

**THE ZERO INJURY SAFETY AWARDS (ZISA)**, sponsored by the National Maintenance Agreements Policy Committee (NMAPC), acknowledged a record 62 winners at its annual ceremony, held at the National Building Museum in downtown Washington, D.C., October 25. This safety award is bestowed to individuals and companies for ensuring a safe workplace in the nation's most dangerous profession, construction, which has the highest rate of on-the-job fatalities (nearly 50 percent of all fatal injuries). Yet, in 2006, award-winners logged a total of 9,810,227 injury-free work hours under a National Maintenance Agreement (a labor-management tool that delivers up to 14 different skilled trades to a job-site under one agreement).

"Ten million *injury-free* work hours is truly a tribute to all of the owners, contractors and craftspeople who put safety at the very top of their list," said NMAPC Impartial Secretary Steve Lindauer.

This year's top award - The Gold Star - went to the Superior Construction Company, working with the Northwest Building Trades Council at BP's Whiting Refinery in Whiting, Indiana. This group put together a string of 1,329,000 hours without a record-

able incident. Collecting Silver Star Awards were Cherne Contracting Corp. and the United Building Trades Council of Southern New Jersey at the Sonoco's Eagle Point Refinery in Westville, New Jersey, and Fru-Con Construction Corp. and the Cedar Rapids Building Trades Council for work performed at the Proctor and Gamble Iowa City Plant. Cherne rang up more than 800,000 injury free hours and Fru-Con more than 700,000 to claim their Silver Stars.

"BP is very proud of the safety performance demonstrated by its contractor work force at the Whiting Refinery," said Gary Neidermeier of BP Products North America, Inc. "During the last eight years this group has totaled almost 20 million man hours without work incident or injury. This Gold Star Award is further testament to both the importance and priority that BP places on personal and process safety."

Eight Bronze Stars (400,000-200,000 hours of safe work) and 51 Merit Awards were handed out, as well.

All the award-winners proved they are committed to the concept that injuries can be prevented. Just because injuries *can* occur does not mean that they *must* occur. This approach has been termed the "Zero Injury Concept" by the NMAPC.

### COMING EVENTS

**January 3, 2008**

NMAPC Grievance Review Subcommittee Meeting  
TAUC/NMAPC Headquarters  
Arlington, VA

**January 14-15, 2008**

First Quarter NMAPC Labor-Management Committee Meeting  
Westin Diplomat Resort & Spa  
Hollywood, FL

**January 16, 2008**

NMAPC Labor Section Meeting  
Westin Diplomat Resort & Spa  
Hollywood, FL

**January 22-25, 2008**

World of Concrete 2008  
Las Vegas, NV

**January 28-30, 2008**

IMPACT's 1st Annual Labor-Management Conference  
Bally's Hotel  
Las Vegas, NV

**January 30-February 1, 2008**

Ironworkers Annual Strategic Planning Meeting  
Bally's Las Vegas  
Las Vegas, NV

**February 6, 2008**

NMAPC Labor Section Meeting  
TAUC/NMAPC Headquarters  
Arlington, VA

**February 21, 2008**

Joint TAUC/NACBE Safety Meeting  
Sofitel Hotel  
Rosemont, IL

**March 3-6, 2008**

NACBE Annual Meeting  
Marco Island Marriott  
Marco Island, FL

**March 5, 2008**

NMAPC Labor Section Meeting  
TAUC/NMAPC Headquarters  
Arlington, VA

**March 11-15, 2008**

CONEXPO/AGG  
Las Vegas Convention Center  
Las Vegas, NV

**March 31-April 4, 2008**

Ironworkers Executive General Counsel Meeting  
Arizona Biltmore Resort and Spa  
Phoenix, AZ

*For details on the above events, visit [www.tauc.org](http://www.tauc.org).*

# 2007: YEAR OF THE ADDENDUM

## One Size Did Not Fit All, But That Was No Problem For National Maintenance Agreements Policy Committee

BY ROBERT KRUL

**FOR THE NMAPC PROGRAM**, 2007 should be labeled the year of the addendum. As construction users and contractors face unprecedented construction demands, the need for skilled craft personnel is increasing at a rapid rate. So, often times, contractors must find ways to attract those skill sets in huge demand to deliver the best product possible to the end user.

In response to the need to attract certain skill sets, the National Maintenance Agreements Policy Committee developed NMAPC Bulletin XIV - 2 Suspension of Travel and Subsistence Provision. This bulletin provides contractors and owners the ability to fill the demand for certain skill sets by allowing them to file for an addendum to the National Maintenance Agreements to allow for the selective payment of travel and subsistence.

Steve Lindauer, CEO and Impartial Secretary of the NMAPC, noted, "In the past, addenda to the Agreements have been rare, but with the publication of the new bulletin, everyone has been made aware of the flexibility the NMAPC program has to offer." In 2007 alone, over 40 addenda have been approved, more than had been approved since the inception of the program over 35 years ago.

### FLEXIBLE 28

Article XXVIII of the National Maintenance Agreements is where the addendum process is discussed. The addendum pro-

cess is open to any request that might be made by a contractor or client who makes the contractor more competitive or addresses requirements established by the owner. To request an addendum, an owner or contractor must submit a request in writing, which will be sent to the NMAPC Labor Section for review.

### THE OPTIONS ARE WIDE OPEN

While the payment of travel and subsistence has been the most popular addendum request to date, there have been a number of creative requests that have been approved. A sampling of the "other" addendum requests include: changing payment terms to attract personnel for shutdown work; using staggered lunch periods for efficiency; changing the shift parameters to coincide with in-plant work forces; as well as the ability to work closely with in-plant personnel on a daily basis while performing supplemental maintenance work.

### THE FIRST STEP

Any contractor or construction user wanting to learn more about the addendum process, and how the National Maintenance Agreements can work to ensure successful projects, should contact the NMAPC administrative office at 703-841-9707.



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# Let's Review: Problems BA-A-AD. Union GO-O-OD.

Cost overruns.

Downtime.

“Shortcuts.” (Translation: “Code violations.”)

These are bad things.

Bad for your bottom line, your reputation.  
Just plain bad.

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how to get the job done right the first time.

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