

March 2010 FCA Update

From: Stuart Binstock, CEO

Re: A recap of the activities and news from FCA staff

Executive Office

- The FCA Board of Directors met this month. Some of the highlights included a report by the new Safety Advisory Committee about the creation of a new Safety Awards Program, the unanimous approval of an FCA Corporate Sponsorship Program, and a report on the activities scheduled at FCA's 2nd Annual Council.
- I attended the LMCI Board of Trustees meeting, along with all the management trustees. LMCI Regional Roundtable meeting this year will take place on May 21, 2010, in Boston, MA (Eastern Regional Meeting) and on July 28, 2010, in Indianapolis, IN (Midwestern Regional Meeting). During the board meeting, there was a genuine effort to cooperatively work together by labor and management.
- Tony Darkangelo and I have continued to participate in Collective Bargaining Conference Calls with FCA affiliates. Topics discussed during the March 18th meeting included implementing the Top Workplace Performance into your CBA and an update on the IUPAT's IMS system.
- The FCA Board of Directors and the leadership of the IUPAT met this month. Subjects discussed included a report on FCA's Safety Advisory Committee, introduction of FCA's Young Leaders Network, implementation of the Top Workplace Performance Program and an update on the progress of the IMS system.
- I attended the Finishing Trades Institute's Board of Directors meeting along with all the trustees. One notable item from that meeting was a concern raised by glazing contractors that more training needs to be provided glaziers to better equip them in the area of photovoltaics. Following the meeting, it was agreed that Tim Stricker of the IUPAT will work with the FCA's Glazing Advisory Committee through a series of conference calls to better determine the training needs so that glazing contractors can more effectively compete in this market.
- FCA's Finance Committee met this month. The committee reviewed FCA's short- and long- term reserves and provided guidance on the allocation of FCA funds in fixed income and equity assets.
- I was interviewed by Engineering News Record (ENR) magazine twice this month and asked to comment on proposed health care legislation. I was quoted in the March 22, 2010, issue of *ENR* magazine expressing support for the Merkley Amendment.
- I, along with John Courtien of the LMCI and Bill Candelori of the IUPAT, spoke to a group of contractors from DC 51 (Washington, DC). I spoke on the benefits of affiliating with FCA.
- I attended a meeting of small association CEOs in Washington, DC. A number of value-added benefits provided by other associations were mentioned that FCA is now considering offering.
- FCA, on behalf of its Industrial Painting Advisory Committee, wrote a letter to the Society for Protective Coatings (SSPC), urging the organization to immediately include the Coating Application Specialist requirements in its QP1 training and certification, rather than delay, as has been suggested by other organizations.
- We have received commitments from a number of new affiliates including a mixed group of contractors in Florida, industrial painters in Philadelphia, drywall contractors in New York City, painting and glazing contractors in Northern California, and flooring contractors in Southern California.

Personnel

- After an extensive search, we are pleased to announce that Robert Weaver has accepted a position as the Eastern Regional Vice President for FCA. Bob, who will succeed Jay Weaver (no relation), will begin employment on April 12, 2010, at FCA. Bob was previously a signatory drywall contractor and has served in a variety of positions for Ames Taping Tool Systems for the last 15 years. I know all of you will welcome Bob and we all look forward to working with him. Bob's e-mail is bweaver@finishingcontractors.org.

Vice President Activities

Jay Weaver

- **Capitol Hill Visits** – Capitol Hill visits to Congressional offices continue in support of the following proposed legislation: Multiemployer Pension Fund Relief, Jobs Creation (Rebuilding America: Building Star program, Misclassification as Independent Contractor, and Three Percent Withholding Tax Repeal.

Tony Darkangelo

- **LMCI** – FCA attended the Mutual Gains Seminar in Chicago. The attendance was split between labor and management with a total of approximately 35 persons. This program continues to give the FCA a chance to network with our members and the local unions.
- **IUPAT** – During the FCA meeting this month in Florida, I was able to meet with General President Williams and General Vice President Ray Price on some of the issues in the central region. Both gentlemen provided great insight on the history and the positions of the labor leadership in the discussed areas. This information continues to make our efforts more productive as we strive to understand the needs of our partners.
- **Northern California** – FCA visited with John Kusper of the Northern California Allied Trades (NCAT) (currently representing painting and glazing contractors) and the Executive Director of the Northern California Drywall Contractors Association, Chris Urling. We discussed moving forward with FCA and both organizations agreed to get with their boards and provide FCA with items that they would perceive as value from our national organization. As we continued towards positive discussion, both John and Chris understand the value of leveraging information from around the country for their benefit as well as information they have that would be beneficial to others.
- **Madison Area Finishing Contractors Association (MAFCA)** – FCA is working with the MAFCA Executive Director Judy Noyce and the negotiation committee on preparing for their upcoming negotiations. FCA has been able to provide information and additional insight from FCA legal counsel Steve Burton. The MAFCA has requested that FCA be present at the negotiations.
- **FCA Illinois (FCAI)** – FCA met with the FCAI Residential Committee and BM/ST of DC 30 Chuck Anderson to discuss the possibility of a residential market recovery plan. Both labor and management have indicated that there is an issue and discussed many possible ideas. FCA was able to provide insight on these types of discussions around the country along with multiple recovery examples.
- **FCA of Chicago (FCAC)** – FCA organized a meeting with FCAC Executive Director Rich Volkmer, President Tom Tyrakowski, and FCA of Illinois Executive Director Chris Studebaker, to communicate on the issues affecting the contractors in both DC 30 and DC 14.

Products and Services

- **FCA Safety Advisory Committee** – The committee continues to move forward on the launch of the CREST (Contractors Recognizing Excellence in Safety Training) Awards at the FCA 2010 Annual Council Meeting in New York City, with the first awards banquet scheduled for 2011. This national program is designed for all FCA contractors and FCA affiliates.
- **Labor Productivity Survey** – Visit FCA online to download complete three surveys, www.finishingcontractors.org.
- **UPS Freight Discount (70%)** – Visit FCA online to take advantage of the discount, www.finishingcontractors.org.

Educational Programs

- **Green Training:** On March 25th, FCA hosted the *Reading Green Bid Specs/LEED Documentation* training for its Los Angeles affiliate, the L.A. Painting and Finishing Contractors Association.

Communications

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- **Web site** – FCA staff is moving along on the new Web site and FCA logo that is scheduled to launch at the FCA 2010 Annual Council. The revised Web site will include an in-depth CBA library with searchable clauses, and international contractor search function, and a faux finish estimating page.
- **Contract Insight** – E-mails reduce transaction costs and expedite communications, but their ease of use and the tendency toward informality can lead to liability. This *Contract Insight* focuses on some of the hazards to avoid when using e-mail in your business.

Government Relations

- **Quality Construction Alliance: Legislative Issues Conference (May 3-5, at the Renaissance Hotel in Washington, D.C.)** – Planning meetings continue for this annual legislative conference where contractors from six associations discuss in detail key legislative and regulatory issues, and then they all visit their Members of Congress to urge their support. Contact Jay Weaver, jweaver@finishingcontractors.org, if you are interested in attending.
- **Multiemployer Pension Funds: Short/Long Term Relief** – FCA Coalition’s Congressional office visits also continue in an effort to gain support for H.R.3936: the “Preserve Benefits and Jobs Act of 2009.” This proposed legislation contains our Coalition’s, the National Coordinating Committee for Multiemployer Plans, comprehensive set of relief proposals designed to help mitigate the immediate effects of the current pension fund financial crises (particularly the need to extend the amortization period to 30 years and to provide 10 year “smoothing”). FCA, along with the other five CQC Alliance members and the IUPAT, again signed the U.S. Chamber of Congress-generated letter to Members of Congress (249 signatures) supporting both short and long term pension fund relief.
- **Jobs Creation (Rebuilding America: Building Star Program)** – A separate rebate and tax incentive program for commercial building energy efficiency retrofits (called “Building Star”), was included in an earlier version of H.R.2847: the proposed Jobs Creation Bill, was removed from the bill that was signed by the President. Concerning removal of the “Building Star” program, union contractors, labor organizations, project owners, and manufacturers are urging Senators to support the program’s rebates/tax incentives by having them passed in a separate bill (S.3079: the Building Star Energy Efficiency Rebate Act).
- **Misclassification As Independent Contractor** – FCA continues to garner support for the two pending bills (S.2882/H.R. H.R.3408: Taxpayer Responsibility, Accountability, and Consistency Act) by visiting Members of Congress. Visits to date have been made to almost all of the Democratic senators and their staffs.

Upcoming Events

- **FCA CBA Conference Calls – April 15 & 29, 2010**
- American Coatings Conference 2010 – April 12-14, 2010, Charlotte Convention Center, Charlotte, NC
- AWCI Annual Convention and Intex Expo – April 20-24, 2010, Denver, CO
- **FCA Trustee Conference Call – April 28, 2010**
- Campaign for Quality Construction – May 3-5, 2010, Washington, D.C.
- **FCA Annual Council – June 16-19, 2010, New York City**
 - **June 16th – FCA Young Leaders Network Kickoff Meeting**
 - **June 17th**
 - **Panel Discussion on Developing and Maintaining Outstanding Labor Relations**
 - **Educational Seminars**
 - **Succession Planning: Keeping the Business with Your Family and Out of the Hands of the IRS**
 - **Financial Planning**
 - **The New Business Model of Construction Contracting**
 - **Work Smarter: Taking Control of Your E-mail**
 - **June 18th – All of FCA’s Committees meet. Come check out the first-ever meeting of the FCA Safety Advisory Committee, chaired by FCA Board member Randy Bender.**

- **June 19th**
 - **FCA Leadership Council**
 - **FCA Affiliate Executives Council**