



1. CALL TO ORDER

The meeting was called to order at 8 a.m.

2. INTRODUCTION OF ATTENDEES

<u>Committee Members</u>	
Tim Wies – T.J. Wies Contracting, Inc., Committee Chairman	Ed Zaucha – APG-International
Joe Maring – Karl Schoening and Sons	Steven Edgar – National Coatings and Lining Co.
Kelly Oates – Koja Construction	Carl Biggs – Harry L. Murphy, Inc.
Robert Hand – Vogue Painting	Frank O’Donnell – Metro Glass, Inc.
Gareth Reardon – DeGeorge Glass	Terry Webb – Eureka Metal and Glass
Rich Volkmer – FCA of Chicago	Steven Etkin – AWCI
Tom Tyrakowski – AM-Coat Painting	Don Steadman – All-Tech Decorating Co. Acting Chair
John Laing – Rice Drywall, Inc.	Keith Barakat – Rice Drywall, Inc.
<u>Guest Attendees</u>	
Dave Ottessen - LMCI	
<u>National FCA Staff</u>	
Stuart Binstock	

3. APPROVAL OF MINUTES

Motion was made and unanimously passed to accept minutes of November 16, 2009.

4. OLD BUSINESS

A. Labor Productivity Study Surveys

The committee commented that it is hard to get past the first survey.

Steve Etkin responded on the value of the survey, referring Western Wall and Ceiling.

AWCI is putting on a seminar on how contractors are using it, and how it is very successful on claims.

Other trades have this study, i.e. National Electrical Contractors Association

B. National FCA’s Surety Bond Program

Individuals have the option to use their own broker.

The committee wanted to know how unfunded liability affects bonding; ask ULLICO about this.

C. UPS Heavy Freight Discount (70%)

The committee requested that National FCA check with UPS to see if they will lower the minimum shipping requirement.

D. Webinars

The level of webinar content was basic.

The committee discussed the Trustee Conference Calls.

E. LEED v3 Training

Training was well received.

Los Angeles will do both available trainings each year.

The committee commented that most of the green responsibility rests on the vendor. The committee also noted that there is a lot of paperwork involved to complete a LEED certified project.

5. NEW BUSINESS

A. Latest and Greatest Subcontract Killer Clauses

Indemnification to Workers' Compensation

Insurance company will not accept indemnification to workers' compensation and the general contractor not allow the subcontractor to strike it.

Signing Off on Change Order by Supervisor

Send to project manager for approval.

Don Steadman commented that subcontractors should not proceed to do work without first getting the sign off.

The committee stated that it is imperative contractors insist that pay overtime is the same as the pay period.

Proposed changes are not well received – project managers and general contractors are getting more belligerent.

Because of the economy, demands are being made that keep contractors intact not accepting any changes.

B. Regional and Local Labor-Management Negotiations

Some committee members are projecting a 50 percent reduction in hours' spreadsheet of District Council hours across the country; this should be looked at in relation to CBA modifications.

There was a substantial discussion on the national not supporting contractors at the local level. Contractors have a fear of retaliation at the local level if they go to the international.

C. New Approaches to Increase Productivity

Incentive Pay (piece work) in west coast has worked well.

Questions were raised about safety and quality – too soon to see if that is a problem.

D. New FASB Rule on Booking Withdrawal Liability

This is going to have an impact on banking relationships and bonding.

One of the issues is determining withdrawal liability.

Bonding firms and banks will be more aware of this contingent liability; this is not any different than what contractors think they have.

This issue will become particularly acute if the National Pension Fund ends up in the red zone because it will change the assumption rate and may change the funding percentage.

Sale-ability of business will also be difficult and succession will be problematic as well.

E. Proposed New National FCA Benefit: Software Advice

The committee suggested having a link to this on the homepage.

The committee raised the question of how Software Advice gets paid. Do they recommend one software package over another, or do they provide a list of possible software?

Regarding computer ease, the committee discussed how using technology to improve productivity with field superintendants reduces paperwork, particularly in the field.

6. ADJOURNMENT

The meeting adjourned at 10 a.m.