



**Government Relations Advisory Committee  
June 18, 2010  
National FCA Annual Council  
New York, NY  
Meeting Minutes**

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**1. CALL TO ORDER**

The meeting was called to order at 8:10 AM.

**2. INTRODUCTION OF ATTENDEES**

<b><u>Committee Members</u></b>
Bob Weaver – Acting Chairman, Regional Vice President, National FCA
Dan Wienstroer – St. Louis Painting and Decorating Foundation
Greg Quinn – L.A. Painting & Finishing Contractors Association
<b><u>Guest Attendees</u></b>
Brian Gordon – Par Wall Finishing Inc – NY WCC
Tom Pfundstein – Finishing Trades Institute
Bernie Gingras – New Jersey Glass and Metal Contractors Association
Don Vulich – L.A. Painting and Finishing Contractors Association
J.R. Grezeskowiak – L.A. Painting and Finishing Contractors Association

**3. OLD BUSINESS**

- A. Government Relations Advisory Committee Minutes November 16, 2009 – Approved as written.
- B. Stimulus-Funded Projects – Committee reviewed an update of total funds awarded and received by state. It was noted that many projects were winding down in local areas.
- C. 3 Percent Withholding Tax: Repeal – Committee discussed the cash flow challenges this legislation will create. This is scheduled to begin on 1/1/2012. The committee was updated on the Government Withholding Relief Coalition’s efforts. (National FCA is part of this coalition) consisting of about 100 industry organizations.
- D. Contractor Accountability Database – Committee felt this item had been thoroughly discussed in the past and closed this item.
- E. Multiemployer Pension Fund Relief: Short and Long Term Options – Committee was updated on recent coalition efforts with H.R. 3936 and S. 3157 that would change the joint and several liability rules governing multiemployer plans. The committee also discussed H.R 4213 a bill that would provide temporary relief from funding rules for defined benefit pensions.
- F. Healthcare Reform - The committee was updated with a New Healthcare Bill Summary, Facts and Timeline of healthcare reform changes in 2010, 2011, 2014 and 2018. It was brought to the attention of the committee a buried provision in the Healthcare Act requiring companies to issue 1099s for all payments over \$600 starting in 2012. The committee believes that the cost to comply will be significant.
- G. Immigration Reform – The committee was updated on recent changes unveiled by the Department of Homeland Security and Immigration Services with a redesigned permanent resident card.
- H. E-verify – The committee reviewed the Subcontractors, Independent Contractors and Affiliates of federal Prime Contractors rules that require use of E-Verify.

- I. Employee Free Choice Act EFCA - The committee was updated on the status of current legislation. At this time there do not appear to be enough votes to pass the Senate.
- J. Project Labor Agreements- The committee discussed Executive Order 13502 encouraging Federal agencies to consider the use of Project Labor Agreements on large scale construction projects over \$25 Million. The committee was further updated on the efforts of the Quality Construction Alliance (QCA – of which the National FCA is an active member) urging officials to consider encouraging PLA's on all contracts over \$5 million as well as those under \$5 million when the agency determines it would be in its best interest.
- K. Davis – Bacon Provisions (Prevailing Wages) – The committee reviewed updates from the Labor Department Wage and Hour Division in a memorandum to provide guidance to federal contracting officials on how Davis-Bacon Act provisions under Division B of the American Recovery and Reinvestment Act applies to projects financed with certain tax-favored bonds including qualified school construction bonds.
- L. Bid Listing – the committee was updated on H.R. 3492 requiring prime contractors on federal projects valued at over \$1 million to list in their bids the subcontractors they intend to use for \$100,000 or more of the work
- M. Labor Productivity Study Survey – The committee was updated on the importance of this study and the latest actions taken to secure the required information from our contractors.

#### **4. NEW BUSINESS**

- A. EPA Lead-Safe Program: Renovation, Repair and Painting - The committee discussed the key provisions of the Environmental Protection Agency's Lead-Based Paint Renovation, Repair, and Painting (RRP) rules that apply to any contractor who disturbs more than six square-feet of lead paint in pre-1978 homes, schools, daycare centers and other places where children time.
  - a. Many of the union trainers and several of the training centers have been certified to provide the necessary training to the contractors.
  - b. Finishing Trades Institute reports that they have national certification and can provide training through their center.
- B. Committee Conference calls – The Committee did not see the need for conference calls at this time
- C. Hire Incentive to Restore Employment Act – The committee was updated on the new W-11 Employee Affidavit Form that is a signed statement by each eligible new hire, certifying under penalties of perjury, that he or she was not employed for more than 40 hours during the 60 days prior to beginning employment with that employer. Employers that hire qualified workers may qualify for a 6.2 percent payroll tax incentive in effect exempting them from the employers' share of Social Security tax on wages paid to these workers after March 18, 2010.

#### **5. ADJOURNMENT**

The meeting was adjourned at 9:15 AM.