

WINTER 2010

OFF THE WALL **WC&C**

An Industry Publication by the Wall-Ceiling & Carpentry Industries of New York, Inc.

Signs Of Life Emerge In Local Construction Biz

See page 6

City Announces Labor Agreements On Public Projects

See page 20

**WC&C Christmas Party
Where Our Elite Meet, Eat and
Greet — see photos pages 14 - 17**



CALENDAR

2010				
FEB	14-17 (SUN-WED)	WESTIN DIPLOMAT HOLLYWOOD, FL		CIP CONFERENCE
MAR	10 (WED)	7:30 AM	OFFICE	BOARD MEETING
	11 (THURS)	8:00 AM	TBD	SEMINAR
	19 (FRI)	7:30 PM	TERRACE ON THE PARK	DINNER/DANCE
APR	14 (WED)	7:30 AM	OFFICE	BOARD MEETING
	19-24 (MON-SAT)		DENVER, CO	AWCI CONFERENCE
	27 (TUES)	6:00 PM	TBD	MEMBERSHIP MEETING
MAY	12 (WED)	7:30 AM	OFFICE	BOARD MEETING
	18 (TUES)	6:00 PM	CARACALLA	MEMBERSHIP MEETING
JUNE	9 (WED)	7:30 AM	OFFICE	BOARD MEETING
	21 (MON)	6:30 AM	GOLF OUTING	N. HEMPSTEAD CC VILLAGE OF SANDS POINT

OFF THE WALL

Off The Wall is published through the Promotional Fund by the Association of Wall-Ceiling & Carpentry Industries of New York for the benefit of the membership. It is distributed to members, associate members, union affiliates, and legislators. Editorial contributions, including pictures and story ideas, are welcome and should be forwarded to the WC&C office, 125 Jericho Tpke., Suite 301, Jericho, NY, 11753.

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A lot of small business owners have complained that the \$787 American Recovery and Reinvestment Act (ARRA)—better known as the stimulus package—has not done enough for the little guy. Don't tell Miguel Galarza, CEO of Yerba Buena Engineering and Construction, a seven-year-old, 40-employee company in San Francisco.

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From the Executive Director Joseph Olivieri

2010 May Not Be Our “Take Off” Year, But...

Happy New Year!
Now, to start 2010.

Clearly, the outlook in 2010 still points to a difficult period for the construction industry. The “Great Recession” settled on America over a year ago, and people continue to search for signs of relief. While some are comforted by what experts call indicators of recovery, harsh reality is all around us. The economy is driven by construction and the U.S. Bureau of Labor Statistics has indicated construction employment nationwide declined by 53,000 in December, with job losses throughout our industry. Employment in construction has fallen by 1.6 million since the recession began. It is hard to predict that 2010 will be our “take off” year. What is needed now is for management and labor to provide the tools necessary for the union labor market to begin to advance in this difficult climate.

We should step back and look at what confronts us – cause and effect.

Even after the massive infusion of money that taxpayers granted to prop them up, financial institutions are still maintaining strict guidelines on lending money, thus leaving developers behind the eight ball in their efforts to build, and end users with little ability to obtain mortgages at reasonable rates. This translates into a very close look at costs for everyone involved in the building process. Common knowledge dictates that union labor is safer and of better quality than nonunion labor. But the bottom line is the final consideration. If bids from contractors using nonunion costs are substantially less than those from contractors using union labor, the union contractors will be hurt.

Our industry needs to reconsider the costs of construction and provide special PLAs that will allow our loyal union contractors the ability to compete with the nonunion sector who are gaining market share due to their ability to undercut us. I commend all

parties involved in the core SCA and City PLA agreements. This gives us a fine foundation to work from.

Within this context your association is working with its affiliates, including the BTEA, on various ways to accomplish the all important goal of increasing union market share. But union contractors and their workers must each understand the severity of the market situation, including the problematic position of our pension and welfare funds, which results from the stresses of the economy. Everyone must work together at closing the gap between union and nonunion pricing. Only in this way will we be able to increase our share of the market, put more of our workers on the job, and provide New York with safer and better quality union construction.

Your association also continues to explore prudent company expenditures through ADR insurance programs that are nearing completion. We are also working on a medical plan for our contractors' in house personnel and field representatives.

Now, more than ever, it is imperative that our WC&C contractors attend meetings and utilize the WC&C website. You must keep yourself informed and let your signatory unions know of the difficulties we face as union contractors in this uncertain economy and the need to provide market recovery rates that will keep everyone in business.

Maybe 2010 won't be our “take off” year. But working in concert with each other, our contractors and their unions can make this a “come together” year that will see our ability to compete improve dramatically and show the beginning of the end of the troubles we've faced. — **Joe Olivieri**

NYC Reports a Record Year For Wage Collections

In Fiscal Year 2009, the NYC Comptroller's Bureau of Labor Law collected \$3,892,148 in back wages and interest owed to workers by contractors who failed to pay prevailing wages and benefits. See the story on page 9.



From the PRESIDENT Michael Weber

With 2009 in the books, I am sure most would like to put last year in their rear view mirror and never look back. As difficult as the past year has been in our industry, 2010 may shape up to be just as challenging.

On the labor front, we have seen significant changes in leadership at the New York City District Council of Carpenters. We are faced with the administrative nightmare dealing with the government mandated ratios of our workforce and complying with the various Project Labor Agreements (PLA's).

As AWCI's president travelling around the country and visiting the different chapters, it is apparent that the construction environment remains very challenging. Public work projects available to bid remain a recipe for disaster since every GC/CM under the sun is pursuing this work. The lowest responsible bid gets the job. Or, in other words, the one who makes the biggest mistake gets the job. Most other opportunities to close work are going below cost. So, beware. The contractors that are sucking up this work to survive may be setting themselves up for failure.

However, if the Republicans can replace Ted Kennedy's seat in Massachusetts and derail Obama's health care plan, then 2010 certainly has promise.

Good luck to all in having a prosperous year!

— Mike Weber

In The NEWS

WC&C People Greening Up

Congratulations to WC&C Executive Director, Joe Olivieri, WC&C Board Member Lee Zaretsky, president of Ronsco, Inc., and Anthony Berardo of Ronsco, who passed the Green Advantage® Commercial Exam and have become Green Advantage Certified Practitioners.

To become a Green Advantage Certified Practitioner, individuals must demonstrate foundational knowledge, comprehension, application and ability to analyze green construction concepts, materials and practices by passing a Green Advantage exam with a score of 75 percent or higher.

Particular emphasis is given to understanding the role of construction personnel in improving the environmental and health attributes of the built environment.

Certification is based on an established set of standards, and is overseen and judged by a group of experts who make up the Green Advantage® Certification Board.

The U.S. Green Building Council has approved a LEED Innovation Credit for projects that have a sufficient percentage of their contractor/subcontractor building force Green Advantage Certified at the time of construction. You can learn more about this on the Green Advantage Web site at <http://greenadvantage.org>.

WC&C members are often involved in activities or achieve goals which bring credit to themselves, their companies and their workers. We would like to let other members know of your exploits by publishing them in our "In The NEWS" segment in each issue of Off The Wall.

We invite you to send us your news. It can be as simple as a few lines or it can be a complete press release. We do reserve the right to edit as necessary. If there is a photo available in conjunction with the item, please include that too.

Please email your material to dgumbrecht@aol.com.

In The NEWS

Ronsco Employee Stars On Japanese TV

International fame can turn up anywhere, even in the New York construction industry. Recently, a Japanese TV station did a featured piece on a Ronsco Inc. project in Manhattan. Starring was instant celebrity Ms. Glendy Jimenez, "a NEW Superstar and key Ronsco employee" says Lee Zaretsky, President of Ronsco.

Although the TV station's website no longer has the spot online, you can see these photos of Glendy at work and relaxing on the jobsite taken from a screen capture.



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Signs Of Life Emerge In Local Construction Biz

Report shows that construction in NYC is picking up steam.

New building activity hovered around \$4 billion for two quarters running; City inks labor deals on future infrastructure

By Daniel Massey/crainsnewyorkbusiness.com

Following a dismal year, construction in the city showed signs of stabilizing in the third quarter, with projects worth \$3.9 billion getting underway, a New York Building Congress analysis shows.

It was the second consecutive quarter when project starts hovered around the \$4 billion range, the analysis of McGraw-Hill Construction Dodge data shows.

First-quarter project starts totaled just \$1.8 billion, whereas starts in the third quarter of 2008—before the economy tanked—added up to \$5.3 billion.

“We’re moderately encouraged,” said Building Congress President Dick Anderson. “It’s still a lot less than it was last year, but it’s not falling apart.”

Numbers ticked up for all sorts of projects, though Mr. Anderson said the stabilization was fueled largely by government and institutional spending.

“The fact that government is still building is a sign of encouragement, but also of concern because we don’t know if that will be continued,” Mr. Anderson said.

Residential construction starts averaged \$193 million per month for the third quarter, up from \$137 million per month in the second quarter, but well shy of the \$477 million figure of 2008’s third quarter.

Schools, libraries and labs accounted for 35% of the \$784 million per month in non-residential construction starts, while offices and bank buildings made up 28%.

Starts in the non-building sector, which measures public projects like roads, bridges and water systems, averaged \$314 million per month in the third quarter. That’s down from \$414 million per month in the second quarter, but significantly up from the first quarter, when just \$76 million in new projects started.

Construction in the city has been hit harder in the recession than any sector besides securities. The industry has lost 16,300 jobs since the city’s August

2008 employment peak, falling off by more than 12%, according to an analysis of state Department of Labor data by real estate services firm Eastern Consolidated. Experts estimate unemployment among unionized construction workers has hit about 25%.

“The key moving forward will be the ability of government to continue spending on public infrastructure and the continued easing of credit markets to allow for the resumption of private sector development,” Mr. Anderson said.

A series of four labor deals announced today should quell some of those concerns. The agreements, which cover projects by city agencies and the School Construction Authority, will save the city \$300 million over four years. Officials say it will create 1,800 construction jobs on infrastructure projects that otherwise would have been cut due to the weak economy.

The savings stem from work rule changes like capping overtime and prohibiting strikes and from an exemption from Wicks Law procurement procedures, which forced the city to separately bid and award contracts for plumbing and gas fitting, steam heating, hot water heating, ventilating and air conditioning and electric wiring.

“These efforts will save thousands of jobs in the building and construction trades and do it in a fiscally responsible way,” said Gary LaBarbera, president of the Building and Construction Trades Council. As part of the deal, the city and BCTC agreed to new hiring-hall practices that allow non-union minority or women-owned contractors to bring more of their own workforce onto jobs they manage.

The city and BCTC are also considering project labor agreements to cover an additional \$509 million of work at wastewater treatment plants, housing properties owned and operated by the New York City Department of Housing Preservation and Development and other new construction sites. •

Big Plans for Old Sugar Refinery Face Review

By Charles V. Bagli
NY Times



Credit: Marilyn K. Yee/The New York Times

The Domino Sugar refinery, next to the East River, was built in 1884. It closed in 2004 and was designated a landmark in 2007.

In 2004, the Domino Sugar refinery that occupied five blocks along the Brooklyn waterfront in Williamsburg for more than 150 years shut down, joining the neighboring brick factories as remnants of the area’s industrial past.

Now a developer is beginning a public review of a proposal to turn the vacant 11-acre industrial site into a \$1.5 billion residential complex, reusing the refinery and installing the historic,

40-foot-tall Domino Sugar sign (now on a separate building) on top. There would be 2,200 apartments in all. The developer also plans to build a waterfront esplanade and a set of new glass and brick buildings that would range from 6 to 40 stories.

“We saw this as an opportunity to create what is best in New York: a mixed-income community, with a lot of affordable housing and some pretty interesting architecture, on a waterfront that’s been closed to the public for 150 years,” said the developer, Michael D. Lappin, chief executive of the Community Preservation Corporation, a nonprofit group, and CPC Resources, its for-profit subsidiary.

An unusually large percentage of the apartments, 30 percent, or 660 units, would be set aside for low- and moderate-income families and distributed throughout the project. (Generally, development projects promise to dedicate 20 percent of their units for such housing.)

The plan might sound a little ambitious, given the recession. And the project still faces some criticism from community advocates who say the project may be too densely packed.

The city’s land-use review for the project started at the City Planning Commission with a public hearing and the certification of the developer’s proposal. Over the next seven months, various governmental entities — from the local community board to the City Council — will weigh in on the plans.

In the years since the last sugar cubes were packed into cartons at the refinery, the neighborhood has been the center of the residential building boom and then the real estate downturn. More than one-fifth of the 500 projects stalled in New York City are in Williamsburg.

But like a few other developers, Mr. Lappin said he had adopted a slow, multiphased approach. It will take nearly a year to get city approval; once that is secured, only the first building will immediately go up — on the east side of Kent Avenue, between South Third and

South Fourth Streets. The rest will follow on the waterfront parcel, with construction to be completed in 2021.

Although the market is inundated with luxury housing, Mr. Lappin said, there was a continuing need for housing for teachers, construction workers, clerks and low-income families. Community Preservation Corporation, a lending consortium of banks and insurance companies, has financed \$7.2 billion in mostly affordable housing in its 35-year existence.

Mr. Lappin’s company and his partners have already spent more than \$125 million on the land, environmental assessments, architects and plans. The architect Rafael Viñoly designed the transformation plan for what is known as the New Domino, while Beyer Blinder Belle, the architectural firm, drew up the plan to convert the 12-story refinery building, which was declared a landmark in 2007, into 241 apartments, with shops, a community center and a multilevel rooftop structure that would rise as high as four stories.

The original plan was to sell condominiums on the site and use the profit to subsidize the low- and moderate-income units. That may still happen, but Mr. Lappin acknowledged that the current condo market was soft.

Peter Gillespie, executive director of Neighbors Allied for Good Growth in Williamsburg, credited the developer with a well-designed plan, nice open space and the inclusion of a high percentage of apartments for low- and moderate-income residents. But, he added, “there’s a concern about the size and scale of the buildings. There’s greater density here than other developers have gotten.”

Christopher Olechowski, chairman of Community Board 1, which includes the Domino site, agreed. “It’s a trade-off,” he said. “They will have to make some really strong arguments about affordable housing versus density and height. It’s not going to be an easy sell.” •



It's The Law

By Erwin Popkin

Erwin Popkin is legal counsel to the Association of Wall-Ceiling & Carpentry Industries of New York, Inc. and maintains practice in Mineola, NY.

Maintain proper documentation when using the Form I-9:

1. Do require all new hires to complete and sign Section 1 on their first day of work.
2. Don't ask an applicant to complete an I-9 prior to making a job offer. Unhired applicants can use I-9 information to allege that you discriminated against them.
3. Do review employee documents to make sure they're on the new version of the I-9's list of acceptable documents and that they appear genuine.
4. Don't ask new hires for any particular documents or for more documents than the I-9 requires. The employee chooses the documents, not you.
5. Do establish a consistent procedure for completing I-9's and educate your hiring managers on that procedure.
6. Don't considerate the expiration date of I-9 documentation when making hiring or firing decisions.
7. Do make and retain copies of all I-9 documentation provided. (Only a few states make this mandatory but it's a good idea.)
8. Don't forget to keep a tickler file on following up on expiring documentation that limit the employee's authorization to work. You don't have to reverify identity documents such as driver's license.
9. Do keep I-9s and copies of documents for three years after the employee's hire date or one year after his or her termination, whichever comes later.
10. Don't put the I-9 in an employee's personnel file. To protect against discrimination claims, keep it and supporting documentation in a separate file.

The group Businesses for a Better New York, filed a complaint for injunctive relief in federal court seeking to enjoin the New York Department of Labor from enforcing New York's scaffold law.

BBNY filed the complaint in the US District Court for the Western District of New York seeking an order to enjoin the New York Department of Labor and other state agencies from enforcing the state's scaffold law. In addition, the group asked the court to declare the statute unconstitutional, arguing that it denies the due process rights of New York's construction business owners and general contractors.

New York Labor Law Sect 240(1), entitled "Scaffolding and Other Devices for Use of Employees," requires owners and general contractors to provide safety devices and protection for workers performing construction work off the ground. The law "imposes strict liability upon owners and general contractors when construction workers are injured on job sites...from height-related hazards" according to the complaint.

BBNY's complaint argued that although Sect. 240(1) was originally enacted to protect the safety of construction workers in New York its enforcement "has resulted in unintended consequences that have actually served to harm the construction business."

Specifically, the law has "directly caused" insurance rates for construction businesses to "increase dramatically" such that rates are higher in New York than in other states. As such, many construction businesses in New York cannot afford insurance.

"The economic consequences resulting from [the agencies'] enforcement of this statute have been devastating" the complaint alleged, adding that as "insurance rates continue to rise astronomically," Section 240(1) causes more New York construction businesses to fail..."

Moreover, the law does not serve its intended purpose of protecting New York's construction workers, the group claimed, noting that New York's construction workers are no safer than workers in other states and "do not suffer fewer height-related injuries..."

...

Officials in New York City's Department of Buildings are considering vendor bids to administer license examinations for 16 construction trades under a proposed five year contract that would commence April 15, 2010 after responsibility for tests shift from the Department of Citywide Administrative Services in January.

The purpose of the request for propos-

als issued by the DOB Oct. 2 was to give officials the option of selecting a contractor to assist in the upcoming transfer of DCAS's existing duties for administering trade qualification examinations to DOB and assist DOB in managing the license examination program.

NYC's Department of Citywide Administrative Services has developed and currently administers, on behalf of DOB, three written and 34 practical qualifying examinations per year for 13 building trades licenses operating in the city.

Three licensing tests - for site safety manager, elevator agency director, elevator agency inspector - are already administered under a separate contract.

The BTEA has supported updating the system for testing trade requirements and qualifications and centralizing them for years, according to Louis Colletti. But he expressed concerns that the transfer could result in an overreliance on national standards that would not make a distinction between industry practices that could differ regionally (i.e. crane operation practices in urban versus rural environments).

Colletti said using national standards that include provisions for local conditions could be a positive development. But, he said, "There needs to be a process for involving the local construction industry in

the development and creation of qualifications and test content."

...

The Department of Homeland Security's Citizenship and Immigration Services plans to launch a self-check capability in the E-Verify program in 2010 that allows workers to verify their work authorization before they apply for a job, Alejandro Mayorkas, head of CIS advised on December 10.

"Tentative nonconfirmations in the E-Verify program may be difficult for an employee to address in the eight business days" currently allotted under the existing program. With a self-check option, workers could correct any errors before they apply for a job and without the eight-day constraint.

E-Verify is the federal government's mostly voluntary electronic employment verification program. According to DHS, about 175,000 employers representing more than 660,000 worksites are currently enrolled in E-Verify.

Mayorkas said that the self-check option in E-Verify was still in the "formative stages".

...

Legislation to regulate simultaneous demolition and asbestos abatement work in New York City has been signed into law Dec, 7 by Mayor Bloomberg.

Intro. 998-A is the last of 12 City Council bills to be approved in a legislative package to improve safety and construction, demolition, and asbestos abatement sites in the city.

The legislative package was developed by the Bloomberg administration, council leaders, and construction industry and labor leaders to enhance coordination and increase oversight at the sites.

The collaborative effort came in response to the 2007 death of two firefighters in a fire at the demolition site of the Deutsche Bank building which was being torn down after sustaining damage in the Sept. 11, 2001 collapse of the World Trade Center.

A set of four bills was approved in September covering general site safety as well as standpipes and sprinklers. Two more standpipe and sprinkler safety laws were approved Oct. 7.

The last bill in the package prohibits simultaneous demolition and asbestos abatement work within the same building without approval and monitoring by the city Buildings, Environmental Protection and Fire departments. •

A Record Year For Wage Collection

In Fiscal Year 2009, the NYC Comptroller's Bureau of Labor Law collected \$3,892,148 in back wages and interest owed to workers by contractors who failed to pay prevailing wages and benefits. The Bureau also obtained an additional \$266,090 in penalties from law-breaking contractors, which constitutes revenue for the City of New York.

"Prevailing wage laws exist to ensure that workers are paid their legal wages," Comptroller Thompson said. "While law-breaking contractors are not the norm, too many companies still attempt to cheat employees out of their lawful wages. When they do this on City projects, my office pursues restitution for the workers, and debars contractors that disregard the labor law."

The largest financial settlement in FY 2009 was a \$1.5 million settlement for 32 school construction workers. The Bureau of Labor Law reached settlements in August 2008 with Admiral Construction Services Corporation and Admiral Environmental LLC. These firms had contracts to install new windows in City public schools throughout the five boroughs. As part of the settlement, the two Admiral companies also agreed not to bid on or accept any public work contracts or subcontracts within the City or State.

Working with Queens District Attorney Richard Brown, Thompson's office also obtained more than \$1 million in restitution in FY 2009 for ten former employees of AAR/Co Electric for work they performed at the Queens Botanical Garden and other City projects. The contractor and its principal have also been debarred from working on City or State projects for five years. — *From Prevailing News - NYC*

E-Verify Update

Immigration Database Adding Self-Check Option

Workers may get chance to check their own immigration work status.

The U.S. Citizenship and Immigration Services is preparing to allow people to pre-screen themselves against its E-Verify immigration database to see if they're eligible to work. The federal government this year began requiring contractors to use it. Analysts say the move toward self-checks would create a more accurate database, with people quickly contesting inaccurate information.

U.S. immigration authorities are planning to add a self-check system so workers can pre-screen themselves with E-Verify, the controversial electronic database used on a voluntary

basis by some employers to screen their employees.

The move would try to bridge the gap between the two sides in the immigration debate by putting power in the hands of workers, who could make sure of their status before applying for new jobs.

Alejandro Mayorkas, director of U.S. Citizenship and Immigration Services, said the move is in the works, though he said it's too early to provide details.

"We are developing it with the goal of employees being able to self-check," he said.

In a briefing with reporters, Mr. Mayorkas also said definitively his agency "will be ready" to implement any immigrant-legalization program Congress might pass, though he would not give any specifics and said a lot depends on what the new law would look like. He also said it might take more funding from Congress to get the agency ready.

Wading into another contentious battle, Mr. Mayorkas said immigration-benefit fee increases are possible, but said no decision has been made. When his predecessor as director, Emilio T. Gonzalez, pushed through a fee increase to improve services, he was blasted by immigrant rights advocates and some Democrats in Congress, who said it unfairly put benefits out of the reach of many would-be applicants.

Mr. Mayorkas said applications, which peaked right before that last fee increase, have dropped. And since the agency is funded mostly from application fees, that's put a squeeze on USCIS's finances.

On E-Verify, Mr. Mayorkas said

the program remains a strong tool to help make sure jobs go to citizens and legal immigrants.

"It protects employees from exploitive employers. It enables employers to ensure the lawfulness of their work force, and therefore comply with the law," he said.

E-Verify began in the 1990s as a voluntary pilot program to allow employers to check new hires' Social Security numbers to see if they were eligible to work.

More than 170,000 employers are signed up to use the Web-based system. Some states have made its use mandatory for all businesses, and others have required state contractors to use it. The federal government this year began requiring contractors to check both new hires and all employees who are working on federal contracts.

Nearly 97 percent of all workers are approved automatically, while the rest are allowed to contest a non-confirmation. Only three-tenths of a percent of those checked successfully contest a non-confirmation.

The self-check system would cut down on the need for those instances.

"This would address a big concern for worker advocates, and it would improve the accuracy of the databases," said Marc R. Rosenblum, a senior analyst at the Migration Policy Institute.

He said one concern right now is that employers might run employees through the database before making a final job offer, and some workers who are erroneously flagged as not authorized could be denied jobs unfairly.

Rosemary Jenks, government relations director at NumbersUSA, which advocates for a crackdown on illegal immigration, said the move is welcome, but she said it would be even better to extend the program to more employers and allow them to check all employees, not just new hires.

"It's perfectly fine, but it seems like it's putting the cart before the horse a little bit," she said. •

The Latest in SaaS for Construction

Applications that help lower the cost and the administrative burden are always an attractive option. Given current market conditions, the appeal of applications delivered in the SaaS (software-as-service) model seem to be even greater.

Perhaps this is the reason we saw a spike in new construction software releases delivered in the SaaS model in 2009. Or perhaps it's simply a case that more construction companies acknowledge the benefits and are demanding these types of solutions. A recent survey of Constructech readers supports this notion, with 58% encouraged by the benefits of SaaS applications.

SaaS (software-as-a-service) is by no means a new model for technology implementation, but is one that has been gaining stronger momentum throughout the past couple months in the construction software market. One driving factor is the fact companies are looking to get up and running on technology quicker and at a lower price.

The model is less expensive for the

first few years of deployment since SaaS applications do not require large capital investments for licenses or support for the technology infrastructure. Additionally, the SaaS method can be quick for setting up simple requirements. These two elements make it a good option for construction companies that are looking to implement new technologies in the down economy.

The trend of more construction-related products being offered via the SaaS model began to emerge early last year—first reaching the residential segment. Now, it appears the commercial market is following suit, as two providers released SaaS offerings in recent weeks.

Computer Guidance Corp., www.computerguidance.com, Scottsdale, Ariz., announced its eCMS software for financial and project management is

now available on a SaaS platform. Like many other SaaS models, the hosted eCMS solution offers the same benefits of the traditional system. The only difference is the business model of the hosted software is subscription-based.

While some benefits of the SaaS platform include lower upfront costs and faster installation, Computer Guidance also points to additional benefits such as ongoing maintenance from a technology provider, increased reliability and security, and remote access to a fully secured system with individual partitions.

"Industry trends and customer feedback indicated the continued need to deliver flexible, innovative, and advanced solutions to stay ahead of the competition," says Roger Kirk, president and CEO, Computer Guidance Corp. "Our newly released eCMS hosted application provides construction companies with increased productivity and operational efficiency in a cost-contained fashion."

This announcement came just two weeks after CMiC, www.cmic.ca, Toronto, Ont., released its first SaaS offering, CMiC On Demand, which is provided in three categories—standard, enterprise, and project lifecycle. Gord Rawlins, president, CMiC, says this model is the next step in the evolution of ERP (enterprise resource planning) software.

"The investment into CMiC's technologically advanced infrastructure has been an obstacle for some companies who desired to utilize the industry leading construction software system," says Rawlins. "With CMiC On Demand, that obstacle has been removed, and companies are able to take advantage of the sophisticated CMiC software solution without the commitment to investing in IT resources."

Some attribute the increase in products being offered in the SaaS model to the down economy, others say it is just a natural progression. Whatever the case, these applications are offering customers a faster way to implement new technology at a lower initial price point. — *Constructech Magazine* •

BIM Sure to bring Creative Disruption

Korky Koroluk
Construction Corner

In the early 1920s, there were more than 32 U.S.-based makers of steam shovels. Some fell by the wayside when gasoline power arrived, and a few more were lost in the conversion to diesel power. But the killer technology was the development, in 1947, of hydraulically actuated shovels.

Once in a generation, perhaps, a new technology comes along that enables rapid innovation and change. Sometimes, too, such change leads to a whole new batch of companies that pursue the changes aggressively, while their older, larger competitors are still trying to figure out what happened.

I've a hunch that Building Information Modeling—BIM—is one such technology. And I suspect that it is going to cause problems for some firms that have, perhaps, become too comfortable in their own markets.

Transformative technology has led to major disruption in the past, and there may still be a few construction veterans around who remember at least the tail end of one big one: the evolution of mechanical excavators.

Clay Christensen, a professor at the Harvard Business School, wrote an influential book in 1997 called *The Innovator's Dilemma: When New Technologies Cause Great Firms to Fail*. Although it was not about the construction industry specifically, one important chapter dealt with the mechanical excavation sector, and what happened when the big players in the days of steam shovels using cables, pulleys and drums were faced with upstart companies exploiting the (then) newfangled idea of hydraulically actuated backhoes.

In the early 1920s, there were more than 32 U.S.-based makers of steam shovels. Some fell by the wayside when gasoline power arrived, and a few more were lost in the conversion to diesel power.

But the killer technology was the development, in 1947, of hydraulically actuated shovels.

Only four of the companies that had used cable systems had made the switch to hydraulic systems by the 1950s. Most of the others failed, although a few stayed in business by concentrating on larger machines for the mining industry.

The upstarts who over-ran the ex-

cavator sector all entered the industry with hydraulic technology — firms like John Deere, J.I. Case, Poclain, Caterpillar, Komatsu, Hitachi and others. Old, established companies now, it was they who were the aggressive newcomers in the '50s, exploiting hydraulic technology to their advantage and the advantage of those customers who were just as aggressive in looking for an edge.

The early hydraulic excavators — the machines we now know as backhoes — had small buckets and a short reach, which gave them early popularity with sewer and watermain contractors.

Until then, these firms had used cable-activated machines to dig their main trenches, while the laterals were dug by hand. Small backhoes, mounted either on the backs of tractors or trucks, had the agility to dig those laterals.

These small machines provided a lead for the early adopters of the technology that some later adopters were never able to overcome.

As the technology evolved, backhoes became larger and larger, with an ever-widening choice of features. Again, the early adopters thrived at the expense of older companies.

If Christensen's observations about disruptive technologies can be condensed into a sentence, it would be: Disruptive technologies have forced the failure of many organizations because they either failed to see the disruption coming, or didn't act until it was too late.

I'm not saying that's going to be the case with BIM, and there are many firms in the industry for which BIM will never be a concern. But the first Bridge Information Modeling (BrIM) systems are probably only five or six years away, which will introduce the management concepts to a whole different class of contractors.

BIM is disruptive. But the advantages it brings to the jobsite are too important to be ignored, even at a time when many are spooked by an uncertain economy. •

Atlantic Yards Update



New Nets Arena Wins Another Court Challenge

By Charles V. Bagli (excerpted)
NY Times

The developer Bruce C. Ratner won another court challenge to his \$1 billion basketball arena in Brooklyn just as he began the sale of the bonds for the long-delayed project.

The financial underpinnings of the project, the cornerstone of the 22-acre Atlantic Yards development, also emerged when two rating agencies assigned an investment grade rating for \$646 million in bonds for the project. In addition, the developer and his partners will use a \$131 million subsidy from the Bloomberg administration and invest \$293.4 million of their own to build the 18,282-seat arena at the intersection of Atlantic and Flatbush Avenues.

The arena is expected to be completed by June 2012, when the New Jersey Nets would move from East Rutherford, N.J., to Brooklyn.

At the same time, the Court of Appeals declined to hear an appeal from some property owners who said the state's decision to condemn their land would benefit a private developer, rather than the general public, as required by the New York Constitution. The Court

of Appeals ruled six to one that the state could exercise eminent domain in claiming businesses, public property and private homes for economic development projects like Atlantic Yards.

Still, the project's opponents, who have filed three other lawsuits, vowed to continue their fight. "We wonder who will buy this garbage," Daniel Goldstein, a spokesman for Develop Don't Destroy Brooklyn, said of the project's bonds. "There is no business plan to pay off the debt. The rating agencies have lost a lot of credibility."

The developer plans to sell \$500 million in tax-exempt bonds and, separately, another \$146 million in subordinated debt. The revenues to pay the bonds would come from the sale of luxury boxes, premium seats, advertising and sponsorships, as well as ticket revenues and concessions. Barclays Bank has already signed a \$20 million-a-year naming-rights deal for the arena, which will be called Barclays Center.

Both rating agencies highlighted the city's commitment to the project, but noted the weak financial condition of the Nets, and the uncertainty, given the recession, of predicting revenues from premium seating and sponsorships. Mr.

In this artist's rendering released by SHoP Architects is the proposed design for the Brooklyn home of the New Jersey Nets. Developer Bruce Ratner unveiled the design for the Barclays Center.

Ratner recently signed a deal to sell an 80 percent stake in the Nets to the Russian billionaire Mikhail D. Prokhorov, who would cover the team's operating expenses for the next several years.

Moody's said it did not anticipate that the remaining three lawsuits would be a problem.

"The lawsuits are not an issue as far as the rating is concerned," said Rick Donner, a vice president at Moody's. "The rating assumes that the lawsuits will be settled and that the project will move forward. The proceeds of the bond issuance will be held in escrow until vacant possession is obtained, which basically means that the lawsuits have been settled and the sponsors have possession." •

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The real 'green' jobs springing up

Fledgling labor market poses many questions and few answers

By Stephanie I. Cohen
MarketWatch

Training American workers for so-called green jobs is seen, alternatively, as a way to resurrect an economy battling double-digit unemployment in traditional industries or as a complete waste of taxpayer money.

A reality check on these respective claims shows two things.

For one, domestic green jobs are unlikely to provide any sort of employment utopia for the overwhelming majority of jobless Americans.

And yet, they are hardly the scam that the naysayers make them out to be, considering the increasing global and work-place focus on making environmental improvements and realizing energy-efficiency gains.

A number of state reports indicate that green jobs are on the rise, though they likely total less than 1% of U.S. jobs overall currently. One problem: Most of the jobs don't seem to indicate a need for high-tech workers with advanced degrees yet.

This matters both to those concerned with the quality as well as the quantity of available green careers as well as to those seeking to boost the number of Americans with science and math degrees. This latter group could help develop new polysilicon advances for the solar market or build better fuel-cell batteries for the next generation of cars.

At a time when the U.S. unemployment rate's nosing toward 10%, of course, any news is good news in terms of job creation. But the quality of jobs may well matter to American workers looking for jobs that provide a career ladder to more specialized education and long-term employment rather than temp work.

While advocates and critics alike agree that some portion of green-collar jobs will actually be blue-collar, middle-skill positions that require little or no higher education, state officials are now trying to figure out what these jobs actually are and who's qualified to fill them.

The green-jobs landscape's difficult to map due to a lack of available information, in other words. Indeed, the Labor Department's Bureau of Labor Statistics has acknowledged a need to start compiling real data on green jobs.

Getting a handle

In September, the agency said it would spend the next two years gathering employment statistics, documenting wage levels and education requirements, and coming up with a definition of green jobs. The Labor Department requested \$8 million in its 2010 budget for this purpose.

Yet the Labor Department is simultaneously offering \$500 million in Recovery Act funding for green-job training to help workers enter the energy-efficiency and renewable-energy industries or "green occupations" in other industries.

Julian Alssid, executive director of the New York-based Workforce Strategy Center, wonders if the cart is being put before the horse.

"My greatest fear is that with green, it reminds me of the dot-com boom," he said.

A decade ago, he went on, "everyone and their sister" sought tech training without understanding what the actual job opportunities were.

Work-force experts like Alssid think states need to track local and regional job-market trends to better understand the potential and reality of green jobs in a particular market, the industries that will support them, and the education that workers will need for these positions. "Work-force development must be tied to regional work-force demand," Alssid said.

Transitional jobs, traditional industries

Those who defend the hundreds of millions of dollars in the stimulus package Washington has targeted for job training in renewable energy and energy efficiency say new jobs that improve the environment will be plentiful. The jobs most often cited: solar-panel installer, wind-mill technician, hybrid-car mechanic, or fuel-cell manufacturer.

But in fact, the positions most often identified in the limited number of state reports that have been released are for construction workers and low-paying farm workers as well as some other exceedingly traditional blue-collar occu-

pations: HVAC installers, maintenance workers, electricians, carpenters, landscapers, and garbage collectors.

For state economists, documenting which green jobs exist is a far more difficult job, though it remains a vital task to draw prospective workers and new business within state lines.

By 2007, 770,000 jobs in the U.S. -- roughly half a percent of all jobs in the country today -- achieved the "double bottom line of economic growth and environmental sustainability," according to a report this summer from the Pew Charitable Trusts. Roughly 65% of these jobs were in conservation and pollution mitigation, including the recycling industry.

Pew maintains that clean-energy jobs have had better growth than other areas, growing 9.1% between 1998 and 2007, while total jobs grew by 3.7% over the same interval. The problem with Pew's report is obvious: It stops counting in 2007, thus failing to account for the deepening economic crisis and the sharp spike in unemployment.

A report from Michigan -- a state that has attempted to attract emerging energy and technology companies with financial incentives as joblessness has skyrocketed to 18% amid the collapse of Detroit's automakers -- counted 96,767 "direct green jobs," equating to roughly 3% of overall private-sector employment of 3.2 million.

And in the Pacific Northwest, a report from Washington's Department of Commerce surveying 9,500 employers, or about 60% of the state's total, pegged estimated employment in four "green core areas" in the private sector at 47,194 jobs -- about 1.6% of all private-sector employment in the state.

About 13% of this total was part-time employment, while construction and agriculture work were the most heavily represented industries, according to the report. The Washington state report also noted that agricultural workers had the lowest annual median earnings, at around \$21,000 or less.

State reports also show that what states are counting as green jobs are actually mostly industrial positions for plumbers, electricians and assembly-line

workers in the construction industry, the trades, and manufacturing plants.

In the Michigan report, for instance, more than 60% of the green jobs were in "transportation equipment manufacturing" -- namely, engineers, assemblers and machinists -- and construction.

Many of the positions in the auto industry are likely to sound familiar to anyone who has worked on an assembly line in Detroit: motor vehicle transmission and power-train parts manufacturing, engine parts manufacturing, motor vehicle seating and interior trim manufacturing.

Cause for optimism may be years away

There are green jobs for engineers developing energy-efficient lighting, chemists who produce environmentally sound packaging, workers who treat hazardous materials at industrial sites, and financial analysts focused on clean-tech investments.

And there seems to be cause for optimism in reports that suggest the number of workers with advanced science and engineering degrees in the renewable-energy sector may surge in the next decade. The Michigan report, for example, showed engineering positions can be a significant share of the green-related jobs in the state.

But for now, evidence shows that the immediate years ahead will likely be paved with middle-skilled, low-to-middle-income traditional jobs -- positions that may be at a water plant or biorefinery instead of an auto plant.

The stimulus package may also temporarily inflate the green jobs numbers, by offering workers one to two years of employment on "shovel-ready" projects improving the energy efficiency of buildings or working on transportation projects.

But the best incentive for well-educated workers to seek a permanent home in the renewable-energy sector may lie in the compilation of some real numbers on growth in green jobs.

But for its part, the Labor Department doesn't expect to publish industry data or even begin collecting occupational data until 2011. •

Mayor Bloomberg Announces Labor Agreements On Public Projects To Reduce Costs, Spur Projects And Create Jobs

City Will Use Nearly \$300 Million in Savings over Next Four Years to Restore Dozens of Major Infrastructure Projects and Create 1,800 Construction Jobs

Deal Will Improve Access to Construction Opportunities for Minorities, Women, Veterans and Vulnerable New Yorkers



Mayor Michael R. Bloomberg, Deputy Mayor for Operations Edward Skyler, NYC School Construction Authority President Sharon Greenberger, Department of Design and Construction Commissioner David J. Burney and Building and Construction Trades Council President Gary LaBarbera announced a deal on four project labor agreements that will cover \$5.3 billion in public projects comprising 32,000 construction jobs over the next four years. Collectively, the agreements, which run through the end of fiscal year 2014, will save the City nearly \$300 million over the next four years, all of which will be used for infrastructure projects that otherwise would have had to have been cut due to the economic downturn. The restored projects will create 1,800 construction jobs. Mayor Bloomberg, Deputy Mayor Skyler, Deputy Mayor for Education and Community Development Dennis M. Walcott, Gary LaBarbera and Reverend Jacques A. DeGraff of the Minority Business Leadership Council also announced a series of commitments to ensure that minorities, women, returning veterans, and new high school graduates of the City's public schools have access to construction jobs, increasing the accountability and transparency of existing efforts. Also joining the announcement, held at Chelsea Career and Technical Education High School, were Building Trades Employers' Association President Louis J.

Coletti, Women Builders Council President Sandra Wilkin, Association of Minority Enterprises of New York President James Heyleger, Jamaica Business Resource Center President and CEO Timothy Marshall, Harlem Business Alliance Chairman Walter Edwards, NYC School Construction Authority Equal Employment Opportunity Advisory Board Chairman Bill Howell, 100 Black Men President Philip Banks and Adam Bryant of Iraq and Afghanistan Veterans of America.

"At a time when the public and private sectors throughout the country are struggling to figure out how to move forward with long-term investments, New York City is leading the way," said Mayor Bloomberg. "By working together with the Building and Construction Trades Council, we've arrived at a set of agreements that will save the City nearly \$300 million, which we'll use to fund major projects that otherwise would have been postponed, all while creating 1,800 construction jobs. And, thanks to the leadership of the Building Trades Employers' Association, the Minority Business Leadership Council and other groups, New York City will do more than ever to ensure that New York City's diverse communities benefit from those construction opportunities and jobs."

"The School Construction Authority's new PLA will ensure that critical capital improvement work in our schools is completed in a cost-effective and efficient manner, and it will help our M/WBE firms and their employees to transition into the union workforce," said NYC School Construction Authority President Sharon Greenberger.

"These agreements prove that when organized labor and government work together, we can promote good job creation for New York City's middle class, break new ground with opportunities for minority and women owned businesses and save taxpayers millions of dollars," said Building and Construction Trades Council President Gary LaBarbera. "I commend the leaders of our affiliated unions, and Mayor Bloomberg and his Administration, which has worked so hard over the months of negotiations involved in this process, because these efforts will save thousands of jobs in the building and construction Trades and do it in a fiscally responsible way."

"This agreement will serve as a major boost to New York City's economy, providing new business opportunities for

contractors, generating badly needed jobs and tax revenue, and resulting in new and rehabilitated public buildings and infrastructure throughout the City," said Building Trades Employers' Association President Louis J. Coletti.

"These agreements address more than brick and mortar issues," said Reverend Jacques A. DeGraff of the Minority Business Leadership Council. "The promise of contracts and job opportunities presented today will be subject to an unprecedented accountability review. This will ensure that all New Yorkers can participate in the economic lifeblood of our city."

Four Project Labor Agreements Will Generate \$299 Million in Savings By Easing the City's Bidding Requirements and Standardizing Work Rules

One of the project labor agreements covers roughly \$942 million in projects for the general renovation and rehabilitation of existing City-owned buildings and structures, for which the City is expected to save 10.5 percent of total project costs, or \$99 million. Contracts bid out before June 30, 2014 by the following agencies will be covered under this agreement: Department for the Aging, Administration for Children's Services, Department of Citywide Administrative Services, Department of Corrections, Department of Design and Construction, Fire, Department of Homeless Services, Human Resources Administration, Department of Health and Mental Hygiene, Department of Parks and Recreation, Police Department; and Department of Sanitation. Two additional project labor agreements covering \$1.9 billion for eleven large-scale, new construction projects, including the Police Academy and the new branch library in Far Rockaway, are expected to save the City five percent of total project costs, or \$99 million. The fourth agreement, between the School Construction Authority and Building and Construction Trades Council, covers up to \$2.5 billion of work for the renovation and rehabilitation of schools and is expected to save four percent of total project costs, or \$100 million.

The labor cost savings derived from the three project labor agreements between the City and the Building and Construction Trades Council come from: (i) an exemption under State Labor Law from Wicks Law procurement requirements for projects included under a PLA; and (ii) a package of negotiated work rule changes which allow individual trades to work more efficiently together on job sites.

The Wicks Law requires that, for contracts for the construction, reconstruction or alteration of buildings with an entire cost of more than \$3 million, the City must separately bid and award contracts for plumbing and gas fitting; steam heating, hot water heating, ventilating and air conditioning; and electric wiring. Together with the general construction contract, therefore, the City often must award up to four separate contracts for a construction project. These provisions significantly increase the City's construction costs and create difficulties coordinating multiple contractors, and the agreements announced today will allow the City to avoid those costs.

Savings from the package of work rules come from the standardization and modification of various terms that are otherwise governed by individual collective bargaining agreements for

individual trades. The agreed upon terms under the City PLA include the following:

- Standardization of terms and flexibility of scheduling on job sites across all trades, including agreement on an eight hour day and forty hour work week, flexible start times, eight standard holidays, and coordinated lunch periods;
- Overtime capped at time-and-a-half for work performed Monday through Saturday and no restriction on a contractor's ability to schedule overtime in order to meet time-sensitive deadlines;
- Standardization of the provisions for temporary services provided on job sites (heat, water, power and light) in order to eliminate duplicate staffing or stacking of trades which are presently required under various labor agreements;
- Standardization of pay given to employees who report to work but are not given work due to unforeseen circumstances;
- Allowance for the maximum number of apprentices allowed by the State Department of Labor to be employed on a job site;
- Prohibition of costly strikes and slowdowns on jobs covered by the PLA regardless of broader work stoppages due to labor disputes outside of the City's control;
- Contractor rights with respect to directing work at job sites, including determining the number and qualifications of employees, and selection of materials, techniques, and methods; and,
- Increased opportunities for M/WBE contractors and their employees.

The City and Building and Construction Trades Council are also considering project labor agreements to cover an additional \$509 million of work at wastewater treatment plants, housing properties owned and operated by the New York City Department of Housing Preservation and Development, and other new construction sites. Economic studies analyzing cost-savings on these additional projects are currently underway and will be completed in the coming weeks.

Unprecedented Change to Union Hall Hiring Practices Will Help Make M/WBE Contractors More Competitive

In addition to the demonstrated economic savings of the project labor agreements, the City and Building and Construction Trades Council have also negotiated a significant advancement for minority and women-owned business enterprises (M/WBE). With extensive input from the M/WBE contracting community, the City and the Building and Construction Trades Council have agreed to a fundamental change in the traditional union hiring hall practice for projects covered by the City's project labor agreements that allows non-union M/WBE contractors to bring more of its own workforce onto jobs they manage. For contracts and subcontracts of less than \$1 million managed by non-union M/WBE contractors, the contractor will be allowed to fill as many as fifty percent of the first eight jobs on a project with their own workforce. Under standard practices, only every

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eighth employee hired is eligible to be hired from outside of the union hiring hall. By allowing contractors to retain key regular employees on the job, non-union M/WBE contractors will be more competitive when bidding on City projects, and more efficient working at job sites.

Expansion of Commitments to Increase Construction Opportunities for a Diverse Array of New Yorkers and New Accountability Measures

Building on the Mayor's Commission on Construction Opportunity established in 2005, the City, Building and Construction Trades Council and Building Trades Employers' Association entered into a Memorandum of Understanding (MOU) detailing new commitments to ensure that minorities, women, returning veterans, and new high school graduates of the City's public schools have access to construction jobs. The MOU sets a goal of 45 percent of apprenticeship slots filled with New Yorkers from these groups, and establishes the NYC Committee on Construction Work

Force and Contracting Opportunity – a 16-member committee that will track and report on the targeted participation in the construction industry and work to ensure the 45 percent apprenticeship goal is met.

The committee will meet at least quarterly and will publish for public review an annual report on the status of the goals. One representative designated by the Mayor will serve as chair of the committee and two representatives, one from the Building and Construction Trades Council and one from the Building Trades Employers' Association, will serve as vice chairs. The Committee will also include representatives appointed by the Speaker of the City Council, the New York City Comptroller, the New York City Housing Authority, School Construction Authority, and the contractor community, including minority and women-owned businesses.

"At a time when the loss of jobs and increase in foreclosures is at an all-time high, it is critical that we institute policies and programs that will not only stem the tide, but also open up new opportunities for minorities and women," said Jamaica

Business Resource Center President and CEO Timothy Marshall. "These new project labor agreements are an important step towards assuring that minorities and women will have access to much-needed construction jobs in New York City. This is a very significant and positive policy from the Bloomberg Administration, and we look forward to working with the Mayor and his team to further increase minority and women business participation in this great city."

"These agreements greatly expand the opportunities for so many women and minority contractors," said Women Builders Council President Sandra Wilkin. "It will add greatly to the economic strength of New York City."

"The Association of Minority enterprises of New York is pleased with the negotiations that have taken place around the new PLAs, and looks forward to working with Mayor Bloomberg in achieving increased minority business opportunities in New York City," said Association of Minority Enterprises of New York President James Heyleger. •



From Anne Field
American Express Open Forum

A lot of small business owners have complained that the \$787 American Recovery and Reinvestment Act (ARRA)—better known as the stimulus package—has not done enough for the little guy. Don't tell Miguel Galarza, CEO of Yerba Buena Engineering and Construction, a seven-year-old, 40-employee company in San Francisco. Since September, Galarza has won 12 contracts totaling \$10 million and he's hoping to garner more as the federal government doles out the rest of the funds over the next year. "It's meant the difference between our company growing or just getting by," he says.

Much of this work resulted from Galarza's success qualifying for Indefinite Delivery/Indefinite Quantity (ISIQ) contracts, which go to companies able to prove they can turn on a dime to take on government projects. With these master agreements, the government chooses companies for a certain period of time, but without specifying exactly when the work needs to be performed or the number of items that have to be delivered. When an agency receives the budget to begin the work, it can get started with a pre-qualified ISIQ contractor without going through

months of application reviews and selection. The agency simply solicits bids from ISIQ vendors and chooses the best one.

In just September, Galarza, 48, was asked to bid on 32 such projects for the U.S. Fish and Wildlife Service, the National Parks Service, and other agencies. Now, he's working on assignments ranging from a \$5 million effort to install an irrigation system on a 4,000-acre elk refuge in Jackson Hole, Wyoming, to a \$750,000 project to pave concrete pavement in Stone Lakes National Wildlife Refuge in Elk Grove, Cal.

Galarza didn't just luck into the ISIQ program, of course. Yerba Buena has a business development staff of five that is responsible for regularly monitoring federal web sites listing hundreds of potential contracts, and then going through the complex process of applying.

"I don't think a week goes by that we're not working on some type of proposal somewhere in the country," he says. "We know how to chase down projects."

In fact, Yerba Buena could be the poster child for the type of small business well-positioned to win stimulus-funded contracts. "Companies that have success with stimulus work—or

any other kind of government contracts—have previous backgrounds doing this kind of thing," says Diana Dibble Kurcfeld, CEO of Design to Delivery, a Bethesda consulting firm that helps companies navigate the government procurement process. "It's all about your previous relationships."

Galarza has had plenty of time to develop those relationships and a deep understanding of the construction business. Galarza, who is of Puerto Rican descent, started digging ditches at age 13 for as little as \$1 an hour near his home in San Francisco's Mission District. After high school, he joined an apprenticeship program with the Carpenter's Union, eventually going to work for a minority-owned civil engineering firm. He spent 10 years there doing everything from supervising construction projects to ordering supplies. Along the way, he learned the ins and outs of government bids. "I call that my 10-year-long apprenticeship in federal contracting," he says.

Now, Galarza figures stimulus work will account for most of the \$16 million he expects to gross this year. And, with perhaps 80% of ARRA money yet to be allocated, he's hoping to bring in as much as \$25 million next year. It's a very stimulating prospect, indeed. •

Turning Waste Glass Into Wall Tiles

By Zul Othman/CHANNELNEWSASIA.COM

In the near future, building materials, such as floor and wall tiles, insulation materials and concrete, could be fashioned from bits of waste glass at only a fraction of its current recycling cost.

After a year of research, a team from the Centre of Innovation in Environmental and Water Technology at the Ngee Ann Polytechnic (NP), believes it has come up with a greener alternative by converting waste glass into building materials by crushing and blending the glass with an eco-friendly binding agent.

This is significant, said centre director Tam Li Phin.

"If we can harness technology to innovate and produce new materials from waste, this will not only create new business opportunities for local enterprises but also promote sustainable living," added Mrs. Tam.

Last year, more than 57,000 tons of waste glass was generated in Singapore.

Currently, waste glass is either dumped at the Pulau Semakau landfill or sold to recycling companies overseas where the glass is re-melted at temperatures of 1,600°C.

Not only is this method expensive, it also consumes a lot of energy and generates massive amounts of carbon dioxide and other toxic gases.

Ngee Ann Polytechnic student Jocelyn Tay (L) and Dr Sun Xiaolong demonstrating their greener alternatives to converting waste glass into valuable building tools.



The NP team said they are able to produce the building materials from glass that has been re-melted at only 100°C.

The Centre of Innovation's Dr. Sun Xiaolong said the method is not only cheaper, but waste glass can also be used to create "money-spinning products" for use by the construction industry, thus reducing the "over-reliance on the supply of sand and cement from other countries".

The centre is in discussions with "several key industry" players to form a consortium to develop and market the green building product, as well as explore its potential for public housing projects. •

Bidding Better

The Blue Book of Building and Construction Offers New Digital Document Viewer

From Constructech

Are you making the right decisions on bid day? Being able to quickly assess a project and determine whether or not it is the right job for your company can make all the difference in the world. While this task can be difficult, it doesn't have to be impossible--not with the right construction technology.

The Blue Book of Building and Construction, www.thebluebook.com, Westchester, N.Y., recently announced a universal digital document viewer aimed at enhancing the ability for construction professionals to view and interact with documents. Vu360 allows users to view plans, specifications, and other documents in .TIFF and .PDF formats. But it is not just a viewer; users are able to take measurements and add comments to documents and all markups can be shared among the entire project team.

Vu360 works both with online plan rooms and with files saved to a computer or stored on a CD. The product is integrated with search tools from The Blue Book, allowing users to find and spec products, materials, and equipment. By integrating the two tools, users are able to access the Web directly within their takeoff tool. This allows them to be more diligent in the bidding process, because now they are able to look at the blueprint, examine a spec page, and review a product Web page all within their current workflow--helping them determine whether or not to bid a project

According to Rich Johnson, general manager, The Blue Book, this product fits right in with the digital workflow being embraced by more contractors, particularly online plan rooms and digital documents. He says, "It makes perfect sense for them to have a product that allows them to quickly assess a project and determine if they want to bid on it. Plus with Vu360, they can spec products and find installers--all within one application."

Vu360
Smarter projects takeoff here.

- Built-in web-link enables you to search the Internet from within Vu360
- Measure Length, Perimeter, Area, Volume and Count objects
- Take a Snapshot of any part of the document to send to your project team
- Pan & Zoom documents for easy viewing
- Search BPM Select for product information
- Search The Blue Book for contractors and suppliers
- Markup drawings and specs using Sticky Note, Text Box, Pen and Highlighter
- Create links to details, schedules, specs or even manufacturer product sheets for quick reference
- Keyword search the spec book to quickly find important information
- Change the Appearance of your markups to distinguish specific areas
- Maintain a list of markups, measurements and counts for each document, which can be exported to an Excel spreadsheet (.csv)

Drywall Tool Wash Station From APLA TECH

There's no need to worry about where or how to clean your tools onsite anymore.

Apla-Tech offers two 15 gallon wash stations for all your tool cleaning needs. The wash stations operate off of a small finish carpenter compressor. To use, simply attach the airline to the pump and pour about 5 gallons of water into the tank. Attach the wash hose and spray your tools clean in the tank. After cleaning the tools, cycle dirty water into a bucket for disposal. Wash stations are easily moved around onsite.

The Drywall Tool Wash Station is also available with attachments that will fill all your tools effortlessly. There is no need to purchase two separate pieces of equipment to clean and fill drywall tools.



Aegis Metal Framing Releases New Eco-Friendly Catalog

Aegis Metal Framing, a division of MiTek Industries announced the release of their new eco-friendly Ultra-Span® Cold Formed Steel Trusses catalog. The debut of the new 12-page sleek catalog is printed on recycled paper using soy based ink as part of the company's commitment to environmental stewardship.

"We like to 'practice what we preach,'" commented Tom Valvo, President of Aegis Metal Framing, "We have implemented our own company-wide 'green' program to promote recycling and resource management, therefore, we used recycled paper and soy based ink for our marketing collateral. In addition, we have shifted much of our marketing and communications to electronic media to significantly reduce paper consumption."

The catalog contains a combination of technical and design information catered to building professionals. According to Jayna Altman, Marketing Manager, "The new catalog is designed for the building professional in mind. It is focused on providing building solutions, along with case studies to demonstrate the applicability of Ultra-Span to architects, engineers, and general contractors."

The catalog contains information pertaining to case studies/projects, LEED Credits, project applications, design considerations/tips, benefits of using pre-fabricated cold formed trusses, comparing truss bids, value engineering to ensure best cost solutions, and number of technical and online resources for the building professional.

Steve Detter, National Sales Manager remarked, "At Aegis, we are proud to offer a product that assist with LEED credits. Our catalog details our Greenbuilding practices, while providing a comprehensive overview of the solutions that our authorized fabricators can provide to the construction market."

Aegis Metal Framing, a division of MiTek, is the leading provider of prefabricated cold-formed steel truss and panel systems, and services for commercial, institutional and residential construction. Aegis provides a complete line of cold formed steel framing (also known as light gauge steel framing) including the UltraSpan® truss system, TradeReady® products (floor joists, headers, Spazzer bars) and WallSolutions™ pre-fabricated panels. For more information, visit the company website at www.aegismetalframing.com or contact the toll free number at 1-866-902-3447.

"Power washing is most effective when the stream of pressurized water directly faces the target surface," says Corey Talbot, Director of Product Development. "With this new Hyde Pivot Nozzle technology, pros can easily re-direct the stream of water from the handle. They can maintain a comfortable, balanced stance and reach difficult areas without bending or reaching. This creates a more efficient job."

Talbot says that the new Pivot

Nozzle technology solves complaints users have with conventional wands. "With the old-style conventional straight wand, high or difficult-to-reach areas are very awkward to attack. To keep the tip close to the required 90 degrees you have to contort your body into dangerous positions. This isn't safe and increases fatigue," says Talbot. "The new Pivot Nozzle gives you more control by angling the head so you can

Continued on following page

DensShield Tile Backer integrates a moisture-resistant core with fiberglass mats and a unique heat-cured acrylic coating. The result: the only backer in



the industry with built-in moisture and microbial barriers. That means DensShield keeps moisture where it belongs - in the tub, shower, or pool.

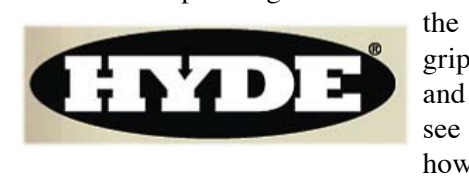
Is DensShield® right for you? Its track record speaks for itself. Millions of square feet have been installed over the past 20+ years - with virtually no delamination problems or claims.

Contact Georgia-Pacific at www.gp.com.

New! Hyde Pivot Nozzle Wands For Pressure Washers

More Profit in Painters Pockets—And Safer to Use Lets the Tool Do the Work—Not Your Body

The new Pivot Nozzle technology for Hyde's new pressure washer wands is specifically designed to save painters time and effort and offers what no other wand has - a pivoting nozzle. Just twist



the patented pivoting nozzle actually helps you do the work.

Because the head of the wand pivots 90 degrees, there is **no need to stoop, bend or kneel to get to hard-to-reach places**. It has a robust design for perfect handling and has been field and lab tested to ensure the rugged durability pros need on the job.

Georgia-Pacific's DensShield® Tile Backer

When it comes to moisture management, only one tile backer is engineered to keep moisture out of the wall cavity - DensShield® Tile Backer from Georgia-Pacific.

Forget greenboard and heavy, hard-to-install cement backer board. DensShield backer board is a better option. It features fiberglass mat facings and a unique heat-cured acrylic coating, so it is lightweight, goes up faster and is easier to handle than other tile substrates. What is more, it is engineered to provide exceptional strength and outstanding moisture management as well as superior microbial resistance (based on ASTM Standard D 6329-98).

The proprietary construction of

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Continued from preceding page reach higher places more effectively without having to climb a ladder. Your arms can now be kept close to your body so you experience less fatigue and stay out of the way of falling water.”



The Hyde team supervised field testing of the wands and made refinements based on user feedback to make certain that painters would find the new Pivot Nozzle technology to be a major breakthrough. Users are able to do a better job pressure washing, while expending less energy and reducing potential risks of injury. The most important advantage for pros and homeowners is saving time—being able to do more jobs in a shorter amount of

time. To find a retailer nearest you, call 800-USA-HYDE or e-mail custrelations@hydertools.com. Reference the Hyde SKU 28445 for the 40" and 28435 SKU for the 28.

Hyde 40 Pivot Nozzle Wand is 4000 PSI-rated, pro-grade robust design is engineered for dependability and durability. It's a perfect fit for pros who are already working with a thread-gun. The new technology provides reach and power for the most demanding jobs while fitting perfectly in the hand. Just twist the handle to activate the nozzle.

Hyde 28 Pivot Nozzle Wand is 3200 PSI-rated, pro-grade, robust design engineered for dependability and durability in a smaller size—fitting all M22 threaded guns. Painters like the pro-tough easy-to-use way it feels in the hand. Just twist the handle to activate the nozzle feature.

Lafarge Announces Weather Defense Platinum Exterior Sheathing

Lafarge announces a new standard in high-performance sheathing for exterior wall and ceiling applications, Weather Defense™ Platinum. With an enhanced glass-mat facer and treated core to resist the effects of weather and moisture, Weather Defense Platinum provides a high degree of warranted weatherability — 12 months of outdoor exposure under normal weather conditions.

Stephen DeMay, Vice President of Sales for the Gypsum Division of Lafarge North America, says “The ability to offer warranted performance against normal weather conditions, and the highest possible scores for mold and mildew resistance, combined with LEED credit contribution, provides a competitive edge for our dealers and applicators to satisfy their most demanding customers.”

Weather Defense Platinum cuts, scores, snaps and fastens as easily as traditional drywall. Its distinctive platinum-colored coating makes it less irritating to handle than traditional fiberglass-faced boards. “Providing a high-performance sheathing that is more user-friendly to the touch is a big plus for our applicator clients,” adds Terrance O’Brien, Manager of Product Development and Innovation for Lafarge North America’s Gypsum Division. “Skin irritation is the most common complaint with fiberglass sheathing products, and our enhancements employed in the manufacture of Weather Defense Platinum will surely provide a more enjoyable application experience and enhance productivity for those using the product.”

Weather Defense Platinum will be manufactured at Lafarge North America’s state-of-the-art drywall plants in Silver Grove, KY and Palatka, FL, utilizing 100% synthetic gypsum; and at the Buchanan, NY plant in 2010. This allows the product to contribute to the attainment of LEED® credits for both the Recycled Materials credit (MR 4.1 & 4.2) and the Regional Materials credit (MR 5.1 & 5.2).

Visit at www.lafargenorthamerica.com.

Three New Surface Protection Products From FilmTech

Multi-Tasker

When we looked at all of the temporary wall systems and spoke to the contractors who used them, we realized that we had to develop something more durable, more user-friendly, more functional and more cost-effective. The Multi-Tasker is made from tough steel and it is the perfect way to seal off rooms



in order to create a dust-free environment. Don't just use this as a dust barrier but as a second body. This brute holds up to 170 lbs and can also be used to: hold up drywall, cabinets, stairs and molding, amongst many other things. The perfect tool for multi-tasking! Why settle for inferior products when our multi-tasker is the most effective and the most durable? Get yours today.

Door Jam Protector

The ultimate door jam protector for any professional re-modeler, remediation work, commercial contractor, drywall contractor or professional mover. No taping is involved and it only takes seconds to install. This product does a great job of protecting against nicks, scratches, dents and paint chipping. Reusable and cost effective. Offered in form fitted cardboard or foam. Never lose money on a door jam again!



Double Pack Zipper

Once you've designed your barrier wall system, make any size doorway to enter or exit the space. The use of our Zipper System allows an immediate entrance

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or exit to any enclosed area. Aside from containing dust and debris, this system also allows one to contain heat. Easy to apply and use, these doorway zippers are 3" wide and 83 inches long, and meet federal containment specifications for asbestos removal. We recommend the use of 2 zippers approximately 4-5 feet apart to create a roll-up door to



facilitate ease of access/egress, especially when carrying equipment, such as ladders or poles—or when both hands are full and unable to push aside the single plastic door. There are two zippers to a box

For more information visit www.filmtechonline.com

18 Gauge Flex-C Trac Now Available

Flex-Ability Concepts, Oklahoma City, has introduced 18 gauge Flex-C Trac® in 3 5/8" and 6" widths. Flex-C Trac is already available in 20 and 16 gauge in a variety of popular widths.

Flex-C Trac provides an easy way for builders to frame high quality curves by utilizing a simple, flexible metal track for use with wood or metal studs.

“This addition to the line is in response to customer requests and further demonstrates our leadership and commitment to the flexible track market,” according to Robert Widmer, marketing manager. “We now have a Flex-C Trac product to match virtually any gauge stud that is specified.”

For more information on the Flex-Ability Concepts family of products for both commercial and residential applications, call 866-443-3539 or visit www.flexabilityconcepts.com.



Fortifiber Discontinues Vaporstop 398, Moistop® Underslab

Responding to changes in the marketplace and improvements in technologies, Fortifiber Building Systems Group has discontinued production of its Moistop Underslab and Vaporstop 398 product lines.

Architects and specifiers long familiar with Moistop Underslab are encouraged to update their specifications to Moistop Ultra 6, a superior underslab vapor retarder that is comparable in cost. There is no replacement product for Vaporstop 398.

“Moistop Ultra 6 is simply a better product,” said Jim Rossner, Fortifiber Vice President for Sales and Marketing. Manufactured from ISO certified virgin resins through a unique process, Moistop Ultra 6 was designed to exceed the ASTM E-1745 Class “C” requirements for underslab vapor retarders. The resulting product has better tensile and tear strength - as well as superior moisture protection. “Moistop Underslab was never intended to meet these requirements,” he said.

While being far superior, Moistop Ultra 6 is priced virtually the same as Moistop Underslab. “Factor in the labor-savings associated with its 20-foot-width, and it becomes obvious that Moistop Ultra 6 is a far better value,” said Rossner.

For more information contact the company at www.fortifiber.com.

Hacker Industries Offers A New Product Guide

Hacker Industries, Inc introduces a new Hacker Floor Underlayment Product Guide. The pamphlet offers a concise overview of the company's line of FIRM-FILL® Brand Gypsum Concretes.



Designed for easy access to pertinent product information, the new guide includes a brief synopsis of all Hacker Floor Underlayments' features and benefits, technical data, UL Listings, and code approvals. It also includes a product chart that allows architects, contractors, and building owners to find the right Hacker Floor Underlayment for their project by selecting the type of project and the type of subfloor.

Hacker Industries, Inc.'s line of

FIRM-FILL® Gypsum Concretes, GYP-SPAN® Radiant and sound control mats lead the industry in reliability and customer satisfaction in new construction, renovation and repair projects. With over 2 billion square feet of successful installations throughout North America, Hacker Floor Underlayments are the ideal choice for multi-family, residential, and commercial applications providing superior compressive strengths matched with exceptional acoustical and fire resistance properties.

Free copies of the product guide are available by contacting Hacker Industries, Inc. at (800) 642-3455 or info@hackerindustries.com.

New Gas-Powered Texture Sprayer

Graco's Most Powerful and Versatile Texture Sprayer

The all new TexSpray HTX 2030 is Graco's most powerful and versatile texture sprayer to date. Designed for today's demanding exterior aggregate and

Continued on following page

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smooth coatings, the HTX 2030 offers extreme durability and simple operation.



Capable of applying exterior smooth and aggregate textures, elastomerics, and acrylic materials, it can also spray drywall mud in an orange peel, splatter or knock-down finish. Combine this with



the available MaxLife Endurance High Pressure Pump and you can spray a wide variety of interior and exterior smooth materials including primers and paints.

More information is available at www.graco.com.

Engineered Header Systems From Brady Construction Innovations

ProX Header, manufactured by Brady Construction Innovations, received an evaluation report ESR-1765.



from ICC Evaluation Service (ICC-ES), providing evidence that the Engineered Header System meets IBC 2006 and CBC 2007 code requirements. Building officials, inspectors, architects, engineers, contractors, specifiers and others utilize the ICC-ES

Evaluation Reports to provide a basis for using or approving ProXHeader in construction projects following the International Building Code.

ICC-ES President Mark Johnson explains why ICC-ES Evaluation Reports are so important. "Brady Construction Innovations can now reference the evaluation report to ensure building officials and the building industry that the product meets I-Code requirements," Johnson said. "Building departments have a long history of using evaluation reports, and

ICC-ES operates as a technical resource for the building department. Final approval of building products is always in the hands of the local regulatory agency."

ICC-ES thoroughly examined ProX-Header product information, test reports, calculations, quality control methods and other factors to ensure the product is code compliant. "We are extremely pleased to have accomplished our report with ICC" said Todd Brady, President of Brady Construction Innovations. Additionally, Mr. Brady points out that this is the first header product ever to achieve an ICC ESR Report and that the report will bring greater product acceptance in the design community. Visit www.ProXHeader.com to access the full report ESR-1765.



ProX Header is a product created by Brady Construction Innovations which also offers SlipTrack Systems SLP-TRK® brand Slotted Track for head of wall joints. SLP-TRK has also received its coveted ICC ESR-1042 report and is included in over 200 UL fire-rated head of wall designs. Visit www.SlipTrack.com for full access to ESR-1042.

Both ProXHeader® and SLP-TRK® products are licensed to Dietrich Metal Framing sales and distribution network and are available across the U.S. and Canada.

UL Environment To Develop Standards For A Range Of Green Building Materials

By GreenerBuildings Staff

UL Environment plans to develop sustainability standards for stone, ceramic, clay and glass building materials, as well as glazing materials, windows and their associated hardware and accessories.

The standards will establish environmental requirements for the products and take into account such factors as the products' lifecycle impacts and health effects of the associated products.

To develop the standards, input will come from manufacturers, government entities, consumer interest groups, product installers, users, distributors, testing organizations and other stakeholders who make up UL Environment Standard Technical Panels.

With this effort, UL Environment is now playing a key role in development of sustainability standards in five categories involving multiple products:

- * Stone, ceramic, clay and glass building materials;
- * Glazing materials, windows, associated hardware and accessories;
- * Doors and related hardware;
- * Mineral board, fiberboard and wallboard; and,
- * Suspended ceiling materials and systems.

Drafts of standards that began development IN 2009 are expected by the end of 2010.

UL Environment unveiled its plans to launch its service to investigate and validate green product claims at Greenbuild 2008. Its operations formally began in January 2009 and the organization has since reviewed a number of products through its Environmental Claims Validation program. UL Environment's announcement about its latest standards development project came at Greenbuild 2009 in Phoenix. •

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National Gypsum Debuts 1st Wall Panel Featuring Phase Change Technology

National Gypsum, a leading drywall manufacturer known for innovation in wall systems, has introduced its ThermalCORE™ Panel with Micronal® PCM, the first domestically produced wall panel that incorporates phase change material from global chemical leader BASF Corporation to moderate indoor temperature fluctuations and help maintain a comfortable interior environment.

The panel was unveiled during Greenbuild 2009 in Phoenix, and will now transition into field trials to determine how it can be best utilized in residential settings. National Gypsum will rely on California's Emerging Technologies Coordinating Council as well as the Department of Energy's National Renewable Energy Laboratory (NREL) to select and coordinate trial sites and to evaluate test data.

"We expect to see that ThermalCORE can decrease the heating and cooling energy required to keep a home comfortable during peak demand when combined with other advanced energy-efficiency technologies," said Mundise Mortimer, manager of technical marketing for National Gypsum. "The field trials will allow us to evaluate the panel's impact on the indoor climate and demonstrate how it can be used with other energy-saving strategies to improve indoor comfort and potentially reduce energy consumption."

The U.S. Energy Information Agency estimates buildings currently consume more than 70 percent of the electrical power generated nationwide. What's more, the Department of Energy calculates 60 percent of a building's energy use – including heating, cooling, lighting and ventilation – relates to its enclosure.

"A number of initiatives ranging from the Department of Energy's Building America program to the AIA's 2030 Challenge have established specific goals for reducing energy consumption within residential and commercial structures," said Mortimer. "Achieving these goals will require integrating advanced building materials with new construction techniques to create more energy-efficient building solutions."

"As the standards and measures asso-

ciated with sustainable design continue to evolve, so too will the building enclosure," said Jennifer Willson, manager of innovation and product development for National Gypsum. "We want to be involved in that process by developing products that play a role in improving buildings' energy efficiency. Technologies such as phase change materials provide new opportunities, and the field trials will enable us to further refine ThermalCORE's performance characteristics and determine its optimum heat storage potential and most effective placement in the home."

ThermalCORE is unlike traditional gypsum board in that its core contains Micronal PCM, a microencapsulated high-purity paraffin wax phase change material from BASF. This material changes phase from solid to liquid when it reaches 73° F, absorbing thermal energy to help moderate a room's temperature, similar to an ice cube melting and absorbing heat to keep a drink cool. Micronal PCM is unlike ice, however, in that it melts at a much higher temperature and is contained within virtually indestructible microscopic acrylic capsules that prevent the wax from leaking as it changes phase. When temperatures fall, the wax solidifies and releases heat. This alternating process of melting and solidifying allows ThermalCORE to absorb daytime temperature peaks, ideally providing a more consistent room temperature.

A new use for a proven concept

Builders and architects have long known that thermal mass contributes to improved energy performance, but to date have had to rely on concrete, brick or thick plaster walls to achieve it. ThermalCORE provides a solution using lightweight construction, making the concept of thermal mass to moderate indoor air temperature a novel design option for residential construction and remodeling projects.

"Micronal PCM is a phase change technology that has been proven to save energy and maintain its integrity and effectiveness over tens of thousands of cycles in a vari-

ety of building materials," said Joseph C. Breunig, executive vice president of BASF Corporation. "For the first time, a U.S. manufacturer has effectively incorporated this technology into a wall panel. We're pleased and excited to partner with National Gypsum as it pursues greater innovation in wall systems."

Preliminary tests indicate ThermalCORE can store approximately 22 BTUs of thermal energy per square foot. The panel's performance, value and cost will be further evaluated in the coming year. The majority of the trials will happen in California – where temperatures can vary greatly from day to night – and will target high efficiency homes. Testing will take place in cooperation with the Emerging Technologies Coordinating Council, an alliance of the state's major electric and gas companies charged with assessing and demonstrating how new technologies can reduce peak demand and energy consumption.

NREL is the nation's leading expert on renewable energy and energy efficiency research and is actively involved in evaluating the cost, performance and risk of innovative technologies and building materials to determine their benefits compared to current best-available products.

"We're developing advanced building systems and building science to reduce risks and accelerate the introduction of new energy systems that can reduce the amount of energy consumed in our nation's buildings without increasing overall building operating costs," said Dr. Ren Anderson, group leader, residential research for NREL's Center for Electricity, Resources and Buildings Systems Integration. "NREL partners with a variety of builders, developers and energy-efficiency projects nationwide and has agreed to review system performance data and provide technical input on the field trials."

ThermalCORE will not be commercially available until field trials are complete. For more information or to register for periodic product updates, go to www.thermalcore.info. •

U.S. Department Of Labor Unveils New 'Open Government' Efforts

WASHINGTON -- The U.S. Department of Labor has announced a broad array of efforts designed to improve the public's accessibility to its agencies and ensure the department can function more effectively. The work is part of the Obama Administration's continued commitment to improved accountability, transparency and service to the American public.

"True progress is not something that happens to people. It happens because of them. And, it all begins with information that can be shared in a timely and effective manner," said U.S. Secretary of Labor Hilda L. Solis. "People deserve to know what their government is doing on their behalf, and what they can do to participate actively in that work. I am proud of the steps we are taking to make that possible, and I look forward to broadening our efforts further."

Previously, only the Labor Department's Mine Safety and Health Administration posted worker fatality data on its Web site. Now, the Labor Department's Occupational Safety and Health Administration is also systematically publishing employer-specific information about occupational fatalities online and making these data available for easy download. Comprehensive, weekly reports on this topic are now available at http://www.osha.gov/dep/fatcat/dep_fatcat.html. Employers with reported fatalities will have an incentive to take steps to improve safety and prevent future accidents. In addition, responsible employers will be able to use the database to identify dangerous conditions and take precautions.

Other agencies at the department are also making additional information available to the public. The Bureau of Labor Statistics is contributing a vast array of new information to <http://www.data.gov>, enhancing its already impressive searchable databases. The Department of Labor's Employment and Training Administration, meanwhile, recently launched a Web-based competition at <http://www.dol.gov/challenge>. It enlists entrepreneurs and technology firms, workforce professionals and the public to help identify the best online tools to enable America's job seekers to quickly and easily connect with jobs.

The department's commitment to enhance participation also extends to the regulatory arena. On Monday, Dec. 7, the department rolled out its regulatory agenda entirely online. All of the information - including more than eight hours of Web chats with the secretary of labor and other Department of Labor officials - can be viewed at <http://www.dol.gov/regulations>. The Web page also contains links to resources and testimonials, and it even helps visitors submit comments to specific regulations.

"As a legislator, I always felt it was essential for people to take part in the processes of their government. As a regulator, I feel exactly the same way," added Solis.

The department also has launched an extremely successful weekly e-newsletter, which offers readers the latest details in everything from the department's enforcement and compliance assistance to job openings at its various agencies. Not content with one-way communication, however, the department is also using social media tools to engage the public online - and tapping into the power of crowd sourcing. In fact, the Department of Labor's presence on Facebook and Twitter is already helping to link knowledge communities together and speeding up the sharing of valuable information among the department, state workforce agencies, a variety of stakeholders and, most importantly, the American public.

Department Of Labor Welcomes GAO's Report On Under-Reporting Of Workplace Injuries And Illnesses

OSHA finds problems identified in report alarming

WASHINGTON - The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) welcomes the Government Accountability Office's (GAO) report on the under-reporting of workplace injuries and illnesses and OSHA's audit process.

The report identifies a number of factors that may contribute to the inaccuracy of employer injury and illness records, as well as problems with the audits that OSHA conducts to ensure their accuracy.

"Accurate injury and illness records are vital to protect workers' health and safety," said Secretary of Labor Hilda L. Solis. "They not only enable OSHA to better target its resources and determine the effectiveness of its efforts, accurate numbers are also an important tool that workers and employers can use to identify hazards in their workplaces."

The report identifies worker intimidation as well as a number of disincentives that may discourage workers and employers from reporting work-related injuries and illnesses. The report also notes widespread reports from occupational health practitioners who were pressured not to record an injury or illness.

Acting Assistant Secretary for OSHA Jordan Barab announced that the agency will move swiftly to implement the recommendations made by the GAO. Additionally, in response to numerous studies of under-reporting and congressional interest, on Oct. 1, OSHA implemented a National Emphasis Program on Recordkeeping. OSHA will send inspectors into worksites across the country to review the occupational injury and illness records prepared by businesses.

"Many of the problems identified in the report are quite alarming, and OSHA will be taking strong enforcement action where we find underreporting," Solis said.

For more information, visit <http://www.osha.gov>.

OSHA Reports on Top 10 Safety Violations in 2009

From Facility Management Blog

OSHA has revealed the preliminary top 10 most frequent workplace safety violations for 2009 as part of a presentation at the NSC's annual Congress & Expo. The number of top 10 violations has increased almost 30% over the same time period in 2008.

"We appreciate our colleagues at OSHA presenting their new violation data to such a receptive audience," said National Safety Council President and CEO Janet Froetscher. "The sheer number of violations gives us new resolve in raising awareness about the importance of having sound safety procedures."

The workplace violations are:

- 1. Scaffolding** - 9,093 violations
Scaffold accidents most often result from the planking or support giving way, or from the employee slipping or being struck by a falling object.
- 2. Fall Protection** - 6,771 violations
Any time a worker is at a height of four feet or more, the worker is at risk and needs to be protected. Fall protection must be provided at four feet in general industry, five feet in maritime, and six feet in construction.
- 3. Hazard Communication** - 6,378 violations
Chemical manufacturers and importers

are required to evaluate the hazards of the chemicals they produce or import and prepare labels and safety data sheets to convey the hazard information to their downstream customers.

4. Respiratory Protection - 3,803 violations

Respirators protect workers against insufficient oxygen environments, harmful dusts, fogs, smokes, mists, gases, vapors, and sprays. These hazards may cause cancer, lung impairment, other diseases, or death.

5. Lockout-Tag out - 3,321 violations
"Lockout-Tag out" refers to specific practices and procedures to safeguard employees from the unexpected start up of machinery and equipment, or the release of hazardous energy during service or maintenance activities.

6. Electrical (Wiring) - 3,079 violations

Working with electricity can be dangerous. Engineers, electricians, and other professionals work with electricity directly, including working on overhead lines, cable harnesses, and circuit assemblies. Others, such as office workers and sales people, work with electricity indirectly and may also be exposed to electrical hazards.

7. Ladders - 3,072 violations

Occupational fatalities caused by falls remain a serious public health problem. The U.S. Department of Labor (DOL) lists falls as one of the leading causes of traumatic occupational death, accounting for 8% of all occupational fatalities from trauma.

8. Powered Industrial Trucks - 2,993 violations

Each year, tens of thousands of injuries related to powered industrial trucks (PIT), or forklifts, occur in U.S. workplaces. Many employees are injured when lift trucks are inadvertently driven off loading docks, lifts fall between docks and an unsecured trailer, they are struck by a lift truck, or when they fall while on elevated pallets and tines.

9. Electrical (general) - 2,556 violations

See #6.

10. Machine Guarding - 2,364 violations

Any machine part, function, or process that may cause injury must be safeguarded. When the operation of a machine or accidental contact injures the operator or others in the vicinity, the hazards must be eliminated or controlled. •

5,071 workers died on the job in 2008

"With every one of these fatalities, the lives of a worker's family members were shattered and forever changed. We can't forget that fact."

— Hilda Solis, Secretary of Labor



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