

FALL 2016

OFF THE WALL WC&C

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

26,000-Square-Foot Statue Of Liberty Museum Planned On Liberty Island

— page 20



WC&C
Annual
Barbecue
Photos on
pages 11-14

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A rendering of the Statue of Liberty Museum
Statue of Liberty (credit: Ellis Island Foundation)

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CALENDAR THROUGH DECEMBER 2016

DATE	MEETING	TIME	LOCATION
Nov 15 (Tues)	Gen Memb Mtg	6 p.m.	TBD
Dec 6 (Tues)	WC&C Holiday Party	6 p.m.	No. Hemp CC

WC&C OFF THE WALL

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*From the
Executive Director
John DeLollis*

Moving Ahead

Dodge Data & Analytics, predicts that the construction sector is “moving into a more mature phase of expansion.” Their much-anticipated recently released 2017 Dodge Construction Outlook predicts the industry will see 5% growth next year. The forecast is for this period of growth to continue into 2018 before a cyclical slowdown emerges gradually in 2018 and 2019.

For the New York Construction Industry the annual forecast and analysis prepared by the New York Building Congress estimates that 2016 will mark **the first time in City history** that construction spending has passed the \$40 billion mark and represents a 26 percent increase from 2015. Like the Dodge Outlook, The Building Congress anticipates the current building boom to continue through the next two years

These have been very good times. But now the growth will be slower as Major projects like Hudson Yards and others begin to taper down. And while we look ahead to an increase in development, especially in housing projects, now that the Building and Construction Trades Council of Greater New York and the Real Estate Board of New York have reached an agreement to resurrect the controversial 421-a tax, we still need to plan for our future.

Over the past several years, while New York has recovered, our industry has begun to embrace new ideas and new products. Technology has taken hold. Sustainability, Building Information Modeling (BIM), 3D printing, virtual reality (VR) among others have come into use in construction. And whether or not you are now using the new techniques, you will. Architects, developers, and general contractors are using technological advances and so will we. Don't be left behind as your peers move ahead. Technology will help you estimate better, work more efficiently and bid more competitively.

If you'd like to have meetings geared to new technologies and how they can work for your company, let me know. We'll plan for it.

I'm looking forward to seeing you at our annual Christmas event on December 8th at the North Hempstead Country Club. If you haven't already registered, do it now on our website, www.wcc-ny.com.

— *John DeLollis*



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*From the
President
Michael Weber*

Is It Over Yet?

As we wind down 2016, it has been a memorable year on many fronts. On the political side it has been a historic presidential election cycle. The first time in American politics the democrats elected a female candidate to run for president. The hard fought primary between Hilary and self-proclaimed socialist Bernie speaks volumes to the evolving demographics of American politics.

On the other hand, who could have predicted that THE Donald, as we call him here in New York, would steam roll sixteen well established, politically savvy opponents to win the republican nomination for president. As both candidates continue to fend off demons of their past, one thing is for sure. This year has been one hellish presidential election cycle.

A little closer to home, 2016 has had its own bizarre effects in our industry. Our ongoing battle to reinstate the international agreement for our contractors defies logic. Stay tuned as we continue to pursue this agreement which our small to mid-sized members require to be competitive. The historic breakdown between union building trades and owners, along with construction managers and general contractors continues to evolve and I expect will change the landscape of union contractors in our market for the foreseeable future.

Enjoy the Holiday season and I look forward to our upcoming Christmas party in December.

— *Mike*

WC&C

*Please Join us for our
Annual Christmas Celebration*

*Thursday, December 8, 2016
North Hempstead Country Club
6:00 p.m.*

Kindly RSVP via email to association@wcc-ny.com
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It's The Law

By Mark A. Rosen

Mark A. Rosen is legal counsel to the Association of Wall-Ceiling & Carpentry Industries of New York, Inc. He is a partner in the firm of McElroy, Deutsch, Mulvaney & Carpenter, LLP. Mark practices in the areas of construction and contract law, public contract law, arbitration, surety, and general commercial litigation. He can be reached at mrosen@mdmc-law.com.

Case Claiming That New Jersey Ordinance Requiring Use Of Project Labor Agreements In Exchange For Tax Abatements Violates Federal Law Allowed To Proceed

A claim by a contractor's association that a Jersey City, New Jersey, ordinance requiring developers that want tax abatements to enter into project labor agreements ("PLA") with unions might violate federal labor law or the U.S. Constitution was allowed to proceed.

The court found that in enacting the provision, Jersey City was acting as a regulator and not a market participant. As such, the National Labor Relations Act ("NLRA") and the dormant Commerce Clause applied. The court remanded the case back to the district court to determine if the ordinance violated those provisions.

Election To Proceed To Determine Whether The New York City & Vicinity District Council Of Carpenters Represent Employees Of The Members Of The Building Contractors Association

The National Labor Relations Board ("NLRB") has determined that a representation election for the employees of the 145 construction contractors that are members of the Building Contractors Association ("BCA") will proceed with respect to the New York City & Vicinity District Council of Carpenters. The Board found that the BCA is an appropriate multi-employer bargaining unit. The Board found that the BCA and the union have bargained on a multi-employer basis for more than 30 years. The Board found that the representation election was appropriate to determine whether the relationship should be converted from Section 8(f) to 9(a). In a Section 8(f) relationship, an employer may enter into an agreement with a union without there being majority support for the union among bargaining union employees. Under such an agreement the contractor may refuse to bargain following the collective bargaining agreement's expiration period. A Section 9(a) relationship requires the employer to bargain with the union past the CBA's expiration with the union having demonstrated majority support.

Two Companies Found To Constitute Single Employer

This case decided by a federal court in Chicago illustrates the factors a court will look at to determine whether two companies constitute a "single employer."

In this case, two brothers formed two construction companies on the same day. However, it was not the family relationship between the two companies' owners that the court relied upon in determining that they were a single employer. The court found that the two companies integrated nearly all aspects of their day-to-day operations. The companies shared an attorney for filing annual reports, a registered agent, an insurance broker and office space. They had bank accounts at the same banks and overlapping mail delivery systems. While the companies did not have officers in common, they did have common management. One company's president played a significant role in hiring employees for the other company. Once company's comptroller effectively ran the finances of the other company. In addition, after one company ceased operations many of its superintendents were then employed by the other company.

Ohio Based Bricklayers' Multi-Employer Pension Plan Seeks Approval For Benefit Cuts

The Multi-Employer Pension Reform Act ("MPRA") allowed trustees of multi-employer pension plans to seek benefit cuts provided they demonstrate the cuts are necessary to prevent future insolvency of the plan. To date, six plans nationally have filed such applications. Two have been rejected and the remainder are awaiting a decision by the Department of Treasury. Under this submission by the Ohio Bricklayers Pension Fund, 36 percent of participants would see a benefit reduction of 30 percent or more. Eleven percent would see a benefit cut of 10 to 30 percent and eight percent would face benefit cuts up to 10 percent.

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Agreement Reached on Extension of 421-a Affordable Housing Program

Real Estate Board of New York and Building and Construction Trades Council of Greater New York Announce Terms

The Building and Construction Trades Council of Greater New York (BCTC) and the Real Estate Board of New York (REBNY) have announced an agreement to extend the lapsed 421-a tax exemption program.

According to REBNY the agreement calls for eligible buildings in Manhattan to pay on average an hourly wage of \$60 (includes wages and benefits) for construction workers based on all hours worked. Eligible buildings in Brooklyn and Queens would pay on average an hourly wage of \$45 (including wages and benefits) based on all hours worked.

The wage and benefits obligation applies to buildings with 300 rental units or more in Manhattan south of 96th Street and in Brooklyn and Queens Community Boards 1 and 2 within one mile (5,280 feet) of the nearest waterfront bulkhead. Buildings with 50 percent or more affordable units are excluded from the wage and benefits obligation. Projects that have started prior to the effective date of this agreement and meet the eligibility criteria may opt-in to the program.

“We applaud Governor Andrew Cuomo and his administration for bringing all parties together to finalize an agreement on an important public policy that will allow for the development of critical affordable housing, and establishes wage standards for construction workers in New York,” said Gary LaBarbera, president of the 100,000 member Building and Construction Trades Council of Greater New York. “The agreement, which was overwhelmingly approved by the Executive Board of the BCTC, will preserve traditional worker standards and benefits and create opportunities for new categories of workers which will ensure our long-term competitiveness in the industry.”

“We are pleased to have reached an agreement that will permit the production of new rental housing in New York City, including a substantial share of affordable units, while also ensuring good wages for construction workers. We would like to thank

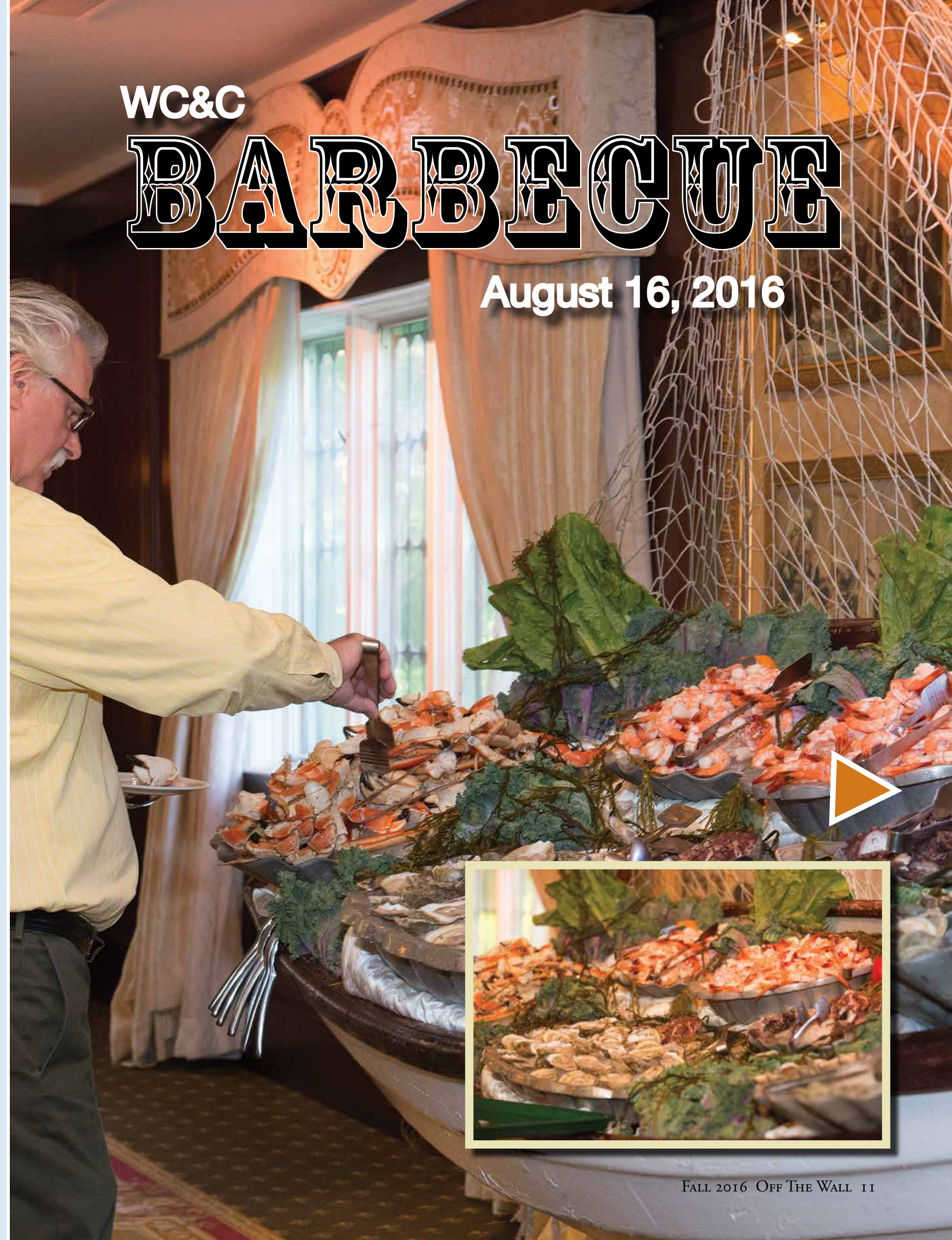
Governor Cuomo for his leadership on this critical issue,” said REBNY Chair Rob Speyer.

Other aspects of the agreement include:

- The now suspended 421-a program would be amended citywide. Newly created rental units with income limitations would be kept in place for 40 years. Such buildings would receive a 100% property tax exemption benefit for 35 years.
- Regarding enforcement and compliance of the wage and benefits obligation, developers will hire independent monitors to audit certified payrolls. The independent monitor would certify to the NYC Department of Housing Preservation and Development (HPD) within 120 days of the receipt of the final Certificate of Occupancy that the required average wages and benefits based on all hours worked have been paid.
- Developers may enter into a Project Labor Agreement (PLA) at the developer’s discretion. If a developer chooses to enter into a PLA, then it may opt out of the 421-a wage agreement requirement in its entirety and still be eligible to fully participate in all other provisions of the 421-a program.

As reported by Construction Dive, previous changes to the 421-a tax break have been mirrored by significant changes in New York City real estate activity. When the program expired in January, residential construction permits fell below 2009 levels, though some of those losses were offset by a higher share filed in 2015 over 2014 as developers hurried to beat the credit’s then-potential expiration.

A representative for Governor Cuomo said that it would now be up to the state legislature to ensure that this moves forward. Regardless it is in an important step forward for a program, the expiration of which had seen new residential development applications plummet in 2016. •

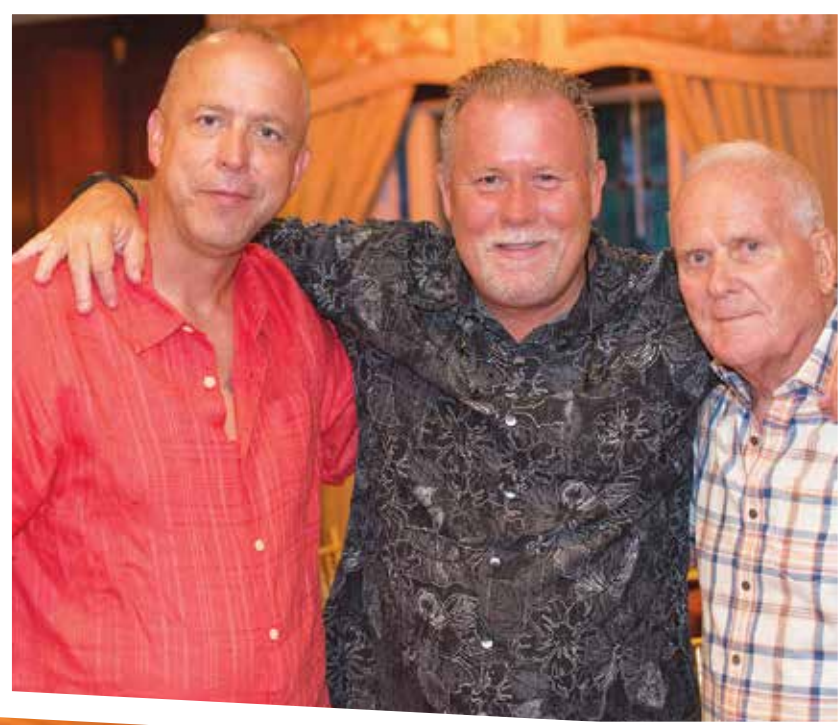


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BARBECUE

August 16, 2016







WC&C

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The Scholarship Committee of the WC&C Board of Directors Has Announced the Winners of our Annual Scholarship Program.

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1 Vanderbilt

1,401-foot-tall skyscraper at doorstep of Grand Central Terminal to reshape city skyline and transform the 21st century workplace

SL Green Realty Corp. broke ground on One Vanderbilt Avenue, a state-of-art office skyscraper that will anchor the modernization of the East Midtown business district and stand as the second tallest tower in New York City. Rising adjacent to Grand Central Terminal, One Vanderbilt will include direct connections to its network of mass transit, improved by \$220 million in upgrades that SL Green is implementing as part of the project.

Designed by Kohn Pedersen Fox (KPF) Associates, One Vanderbilt will encompass an entire city block, bounded by Madison and Vanderbilt Avenues to the west and east, and East 43rd and East 42nd Streets to the north and south. Standing 1,401 feet tall, the building's tapered form will pay tribute to New York's iconic skyscrapers, while its sharp lines and bold angles will punctuate Manhattan's skyline with an elegant,

21st-century articulation. At its base along 42nd Street, the building will set back at an angle to permanently reveal Grand Central's majestic Vanderbilt cornice - a view that has been obstructed for nearly a century.

Expected to achieve the highest possible LEED certification, the trophy tower will offer 1.7 million square feet of Class-A office space across 58 floors, featuring column-free floors and stunning views through floor-to-ceiling windows. One Vanderbilt will also offer tenants floor to ceiling slab heights ranging from 14'6" to 20', a 30,000-square-foot tenant-only amenity floor and world-class dining.

"One Vanderbilt will not only emerge as an elegant, tapered new icon on the New York skyline, but will also serve as a leading example of a global trend of connecting train stations to tall towers," said James von Klemperer, FAIA, RIBA,

President of Kohn Pedersen Fox Associates. "This building will change its neighborhood for the better. It will provide a new gateway to the city made possible only through the unusually harmonious partnership between architect, developer, and the City of New York."

Through SL Green's unprecedented \$220 million public infrastructure investment, One Vanderbilt will transform the commuting experience for hundreds of thousands of travelers commuting through Grand Central each day. Specifically, this package of infrastructure upgrades will create a new jewel box transit hall in the base of One Vanderbilt, a new 14,000-square-foot pedestrian plaza on Vanderbilt Avenue, and enhanced access into and out of the Grand Central complex for riders of the city subway system, Metro-North and future Long Island Railroad East Side Access.

SL Green has secured TD Bank as an anchor tenant, set to occupy approximately 200,000 square feet of office and retail space in One Vanderbilt, including a flagship store at the corner of 42nd Street and Madison Avenue. Hines is SL Green's development manager and AECOM's Tishman Construction is the construction manager. Construction is expected to be complete in 2020.

The MTA worked closely with SL Green as it developed plans for this iconic new building next to Grand Central securing private sector investment in transit infrastructure that will make commutes better for hundreds of thousands of our customers every day," MTA Chairman and CEO Thomas F. Prendergast said. "The MTA will continue to support innovative proposals that link development with transit investment, and we hope that One Vanderbilt is the first of many to come." •

New York City Construction Spending And Employment Surge Into Record Territory

Thanks to continued white-hot demand for new residences and offices, as well as a rebound in government infrastructure investment, New York City construction spending and employment are approaching or exceeding record territory, according to *New York City Construction Outlook 2016-2018*, an annual forecast and analysis prepared by the New York Building Congress with support from the New York Building Foundation.

The New York Building Congress forecasts New York City construction spending of \$43.1 billion in 2016. This would mark the first time in City history that construction spending has eclipsed the \$40 billion mark and represents a 26 percent increase from 2015, when spending reached \$34.3 billion. The Building Congress anticipates the current building boom to continue through the next two years, with \$42.1 billion in construction spending projected for 2017 and \$42.3 billion in 2018.

If the forecast holds, 2016 construction spending will surpass the peak of the previous building boom, even after adjusting for inflation. In 2007, \$31.1 billion in actual dollars were spent on New York City construction, which equates to \$41.6 billion in spending when measured in constant 2016 dollars.

On an inflation-adjusted basis, this year's projected spending on residential and non-residential buildings is 47 percent greater than the total for 2007. Government spending on infrastructure projects, however, is expected to be 39 percent lower than in 2007, after factoring in the effects of inflation. This indicates that the current building boom is being driven far more by private sector investment than the previous construction surge, when spending was split almost evenly between the government and private sectors. The Building Congress forecasts a total of 147,100 jobs in the five boroughs in 2016, an increase of 8,900 jobs from 2015. If realized, it would mark the fifth consecutive year of rising New York City construction employment. The Building Congress anticipates employment to fall back to 142,600 jobs in 2017 and 138,100 in 2018, which would still exceed the levels experienced during the previous boom.

Non-residential construction spending, which includes office space, institutional development, government buildings, sports/entertainment venues, and hotels, is projected to skyrocket to \$17.0 billion in 2016, a 27 percent increase from a year ago when spending reached \$13.4 billion. If the numbers hold, it would be the highest level of inflation-adjusted, non-residential spending in more than two decades and just the fourth time that nominal spending has topped \$10 billion.

The Building Congress forecasts continued strength in the non-residential sector, with spending expected to reach \$14.8 billion in 2017 and \$15.6 billion in 2018.

"While the non-residential sector has benefited from spending on hotels and hospitals, as well as colleges and universities, the big story is office construction, which is at its highest level in more than a quarter of a century," said Building Congress Chairman Richard Cavallaro. "We estimate that 11.6 million square feet of office space will be constructed in Manhattan alone during the forecast period, with millions of additional square feet anticipated in Brooklyn and Queens." •

New Study Reveals Best Practices to Help Improve Construction Performance

With 85 percent of owners reporting over-budget construction projects, study sheds light on ways to avoid common industry shortcomings

The survey determined the policies and practices executives deploy in their internal capital project organizations, and how they correlate to the most successful cost, schedule and quality performance. The goal of the newly published report is to provide a useful guide for all owners to improve construction project performance for the entire industry. The study findings revealed several widespread performance issues among building owners, including:

Ninety-three (93) percent of owners reported exceeding the original schedule established for their projects.

Eighty-five (85) percent reported that their projects exceeded their established budget.

Nearly half (44 percent) of owners do not effectively engage the stakeholders and end users of their projects.

The study shows that inadequate project management, staff management and internal competencies are common and consistent problems among the owners that most frequently report schedule, budget and stakeholder engagement issues.

“These findings confirm the issues we’ve seen emerge in other studies,” says Stephen A. Jones, executive director of industry insights at Dodge Data & Analytics. “The construction

industry has suffered chronically from challenges on core issues like schedule and budget. We believe these findings are critical to demonstrating ways in which owner organizations can effectively address these problems.”

By ranking owners according to their level of performance, the analysis flags a group of top-tier performers – those that complete 25 percent or more of their projects ahead of schedule and 50 percent or more of their projects under budget – and then examines what they do differently that might be helping them excel. The results are divided into two main areas: practices that directly impact people and policy, and those that involve improved processes and technology. The findings make a compelling case that both areas need to be tackled to improve project performance.

With respect to people and policy, practices like tying employee incentives to project performance, formal training and development programs and clearly defined job roles appear to explain most of the difference between the best and worst performing projects.

The processes and technology improvements more widely adopted by the best performing owners include frequent measurement of project performance, willingness to innovate through the use of technology and the use of project management systems.

“The construction industry often seems like an untamable beast to owners, who may be aware that they are not operating as efficiently as possible but are not sure how to identify areas for improvement,” said Chris Bell, vice president & program management evangelist, e-Builder. “With this first-of-its-kind study, we have been able to pinpoint best practices applicable to all owners and hope this contributes to greater efficiency across the entire industry.” •

NYCHA Tenants Get Chance to Apprentice for Union Jobs Under \$26M Program

A \$26 million apprenticeship program will provide an entry into civil service construction work for New York City Housing Authority residents, officials have announced.

The four-year Civil Service Apprenticeship program will offer 100 people the chance to earn membership in District Nine of the International Union of Painters and Allied Trades over the next three years,

“The Civil Service Apprenticeship Program not only has the potential to lift hundreds of New Yorkers into the middle class,” said Melissa Mark-Viverito, Speaker of New York City Council which is funding the project.

“It will also provide training for sustainable long-term jobs in high-skilled trades, helping to reduce unemployment.”

District Nine has been offering construction apprenticeships for several years, but Tuesday’s announcement made official the city’s pledge to provide funding to train apprentices and offer NYCHA positions to graduates, said IUPAT Political Director Davon Lomax.

“It’s just an example of how we can get middle class jobs to people who aren’t in the middle class,” said Lomax.

The new NYCHA apprentices will learn basic construction skills — such as dry-walling, sign painting, lead abatement and basic glasswork — by working alongside IUPAT union members in their own neighborhoods, Lomax said.

First-year apprentices earn \$17 per hour with full benefits and can expect to earn up to \$42 per hour once they earn the status of journeyman or journey woman, said Lomax.

The mission of the program is to provide middle-class employment to diverse and lower income New Yorkers. Of current apprentices, 86 percent are women and 96 percent are minorities, according to Lomax.

Sixty new apprenticeship positions are expected to open within the next month when a wave of existing apprentices graduate, according to Lomax.

“They’re soon to be members and they’re really excited about it,” said Lomax. “They’re going to work in their communities and support their families.”

The city council will provide funding until at least 2018. •



Statue of Liberty About To Get New Neighbor: A Museum That Honors Her

By NPT Staff

A new museum will open at the Statue of Liberty in 2019/ Statue of Liberty-Ellis Island Foundation

The Statue of Liberty's original torch, a welcoming beacon for immigrants and boats in New York Harbor for nearly a century, will be the highlight of a new \$70 million museum that depicts the statue's history, influence, and legacy in the world.

Entrance to the museum, set to open on Liberty Island in 2019, will be free with the purchase of a ferry ticket to Liberty Island and Ellis Island. It will enhance the experience for the island's 4.3 million annual visitors, the majority of whom can't get a ticket to the statue's crown and current museum, which is in the statue's pedestal, due to safety limitations put in place after September 11, 2001.

"With state-of-the-art exhibitions and iconic artifacts including the statue's original torch, the new Statue of Liberty Museum will ensure that future generations know, understand, and appreciate all that Lady Liberty represents in America and around the world," Statue of Liberty National Monument and Ellis Island Superintendent John Piltzecker said in a release.

Designs for the 26,000-foot museum, which were unveiled this month by the Statue of Liberty-Ellis Island Foundation, feature a building that appears to rise out of the ground in the shadow of the 300-foot-tall statue, with a green roof-scape and bird-safe glass exteriors. The centerpiece will be the statue's original torch, held high for nearly 100 years but replaced in 1986. It will be housed in a glass-walled gallery with views of the Statue of Liberty and the New York City skyline. The building will allow the display of artifacts and exhibits

on the history of the statue, its original concept, design, and construction, and the 1986 centennial restoration. The museum will explore the philosophical concept of liberty and how the Statue of Liberty serves not only as an American symbol but as an iconic global symbol.

The Statue of Liberty's original torch will be on display at the new museum/Statue of Liberty-Ellis Island Foundation



Visitors will be able to take a virtual flythrough inside the monument with awe-inspiring perspectives and an overview of the statue and how the world has changed around it. Exhibits delve into stories about the statue's construction, history, and global impact. The culmination of the museum experience has visitors consider their own roles in liberty's future through engaging activities.

"Our goal is for visitors to take away a richer picture of what the Statue of Liberty has meant to people throughout her history – not only in this nation but around the world – and to see themselves as part of the amazing story of liberty's future," said Edwin Schlossberg, president and principal designer of ESI Design, which is creating the exhibitions.

The interior and exterior spaces will be built with the materials native to Liberty Island and materials used to build the Statue of Liberty and Fort Wood, including Stony Creek granite, bronze, plaster, and a variety of native vegetation. Pursuant to the new FEMA executive order on floodplain management and resiliency, the museum will be set above 500-year flood levels and built to withstand hurricane-force winds.

"From the start, the design of the Statue of Liberty Museum was conceived as an extension of the park," said Nicholas Garrison, partner and project designer at FXFOWLE, the architecture firm that designed the

building. "The goal was to engage with the park's formal, axial plan and respond to its spectacular setting. The island's landscape is lifted and merged with the architecture to create space for the museum in a new geology. The building's angular forms and spaces are shaped by its views and the irregularity of the water's edge, celebrating liberty."

Liberty Island will continue to be open to visitors throughout construction of the new museum. Ferry tickets and boat schedules to Ellis Island and the Statue of Liberty are available at www.StatueCruises.com.

A landscaped roof will afford views of the Statue of Liberty and New York City/Statue of Liberty-Ellis Island Foundation

Diane von Furstenberg was named chair of the fundraising campaign that seeks to raise \$100 million for the Statue of Liberty-Ellis Island Foundation, which, in partnership with the National Park Service, drove the historic restorations of the Statue of Liberty and Ellis Island.

"Lady Liberty is the symbol of everything America is about: freedom, hope, possibility, and resilience. It is she that millions of immigrants saw first as they arrived in this country, their hearts full of dreams for a brighter future. Now it is my hope that the Statue of Liberty and her incredible story will live on and on, inspiring generations for years to come," Ms. von Furstenberg said.

This is the first new building construction undertaken by the Statue of Liberty-Ellis Island Foundation, which has been responsible for historic restoration and preservation since the 1980s.

"The Statue of Liberty is not just one of the most recognized monuments in the world, but an international symbol of hope that deserves to have her story shared with everyone who visits Liberty Island," said Stephen Briganti, Statue of Liberty-Ellis Island Foundation President and CEO.

For more information about the new Statue of Liberty Museum, visit <http://www.libertyellisfoundation.org/statueoflibertymuseum>.

The Statue of Liberty, a gift of friendship from the people of France, was dedicated on October 28, 1886, and designated as a national monument in 1924. In 1984, the statue was designated a UNESCO World Heritage Site. •



U.S. Building Owners Will Help Drive the Construction Industry to Create Healthier Buildings

The business benefits of healthier buildings are driving increased attention across the design and construction industry to factors impacting physical, social and mental health and well-being.

Building owners, developers, managers and investors in the U.S. are increasingly interested in creating healthier buildings, a new SmartMarket Report by Dodge Data & Analytics, in partnership with Delos, reveals.

The report, “The Drive Toward Healthier Buildings 2016,” shows that the design and construction industry in the U.S. is poised for wider adoption of building practices that prioritize the physical, mental and social well-being of tenants and occupants. The study also finds that the owners of such buildings are already starting to see business benefits, such as increased leasing rates and higher asset values.

While interior designers and architects are currently leading the industry in the use of these practices, strong owner interest is likely to increase their engagement, even as the industry continues to gather data on the business and financial benefits of investing in healthier building practices.

“The increased attention to building health impacts is

just beginning,” says Stephen A. Jones, Senior Director of Industry Insights at Dodge Data & Analytics. “In a similar way several years ago, companies engaged in green construction because of the demonstrable business and financial benefits they were able to achieve. The findings of this report demonstrate that the focus on buildings that enhance the health and well-being of their occupants is likely to follow a similar trajectory, boosted by those who have committed to sustainability in their organizations.”

The top five healthier building features in use currently include better lighting/daylighting exposure, products that enhance thermal comfort, spaces that enhance social interaction, enhanced air quality and products that enhance acoustical comfort. Use of nearly all of these is expected to grow considerably along with further pioneering approaches like the use of biophilic design features, spaces that enhance tenant mood and opportunities for physical activity.

“This report illustrates how the design and

construction industry is helping to drive efforts to introduce preventative medical intentions into our built environment, where we spend more than 90 percent of our time,” said Delos Founder and CEO Paul Scialla. “By focusing on people in design, construction, operations and development decisions, we have an unprecedented opportunity to drive innovation, add significant economic value to real estate assets, generate savings in personnel costs, and enhance the human experience.” Additional highlights from the report include:

- More than half of owners do not know the impact of their healthy building investments on business benefits like leasing rates and asset values. However, among those that report an impact, 73 percent report faster rates and 62 percent report higher values.
- Sixty-nine percent of owners that measure employee satisfaction and engagement report improved satisfaction and engagement due to their healthier building investments.
- According to architects and interior designers, the top driver for greater investment in healthier buildings is improved public awareness of the health impacts of buildings.
- Forty-two percent of building owners believe that more research on design/construction approaches that positively impact health is a top driver, and 40 percent are seeking research on productivity benefits.

According to public health professionals, the most common policies currently in place to support healthier building practices are requirements to avoid the use of hazardous materials in buildings (65 percent), and the key policy areas that are currently being considered include incentives that encourage physical activity

(47 percent) and requirements for ongoing building air quality measurement (46 percent).

Ninety-two percent of public health professionals also report that their institutions are actively conducting research on building impacts on occupant health and well-being.

Case studies that demonstrate what can be achieved, including TD Bank Group’s office in Toronto, the first project to achieve WELL Certification in Canada.

The report, “The Drive Toward Healthier Buildings 2016,” contains the findings of a study conducted in partnership with Delos and the Canada Green Building Council, with key support from CBRE, Dewberry and the U.S. Green Building Council and additional support from Armstrong Ceiling Solutions and the Regenerative Network. Other organizations that participated in the research process include the American Institute of Architects, the American Society of Interior Designers, the National Association of Real Estate Investment

About Delos: As the pioneer of Wellness Real Estate™, Delos is transforming our homes, offices, schools, and other indoor environments by placing health and wellness at the center of design and construction decisions. Delos helps create spaces that actively contribute to human health, performance and well-being by marrying the best innovations in technology, health, science, and real estate. More information on Delos is available at www.delos.com.

To download the full study, “The Drive Toward Healthier Buildings 2016: Tactical Intelligence to Transform Building Design and Construction SmartMarket Report,” visit http://delos.com/wp-content/uploads/2016/09/Delos_Dodge_Analytics_Corporate_Graphic_092916.pdf.”

The Drive Toward Healthier Buildings

The U.S. is Poised for Wider Adoption of Building Practices that Prioritize the Well-being of Occupants

Delos™
Innovate Well

Dodge Data & Analytics
Premier Partner

WHAT ARE
THE TOP 5
HEALTHY
BUILDING
FEATURES
FOR BUILDING
OWNERS?

THE TOP FIVE HEALTHY BUILDING FEATURES EXPECTED TO INCREASE OVER THE NEXT FIVE YEARS:

-  Enhanced Air Quality
-  Enhanced Thermal Comfort
-  Better Lighting/Daylighting Exposure
-  Biophilic Design Principles
-  Tenant Mood Enhancement



Can Wearables Transform The Construction Industry?

By THOMAS APPEL
Attorney, Appel Law Firm LLP

Further fueled by the Internet of Things, wearable technology has become a very big deal. According to analysts at CGS Insights, shipments of smart wearables are estimated to grow from 9.7 million in 2013 to 135 million in 2018. The wearable space has expanded dramatically to include smart hats, shoes, glasses, jewelry watches, helmets, and more.

These accessories carry embedded actuators, biosensors, and gyroscopes to follow movement heart rate, stress level, and countless other metrics. These amazing tiny tech gadgets have developed from fun novelties to industry game changers. Smart gadgets are increasing workplace safety and improving operation efficiency in construction sites

across the country. Here are some wearable tech gadgets are making waves with construction companies.

DAQRI Smart Helmet

Despite having been around for hundreds of years, hard hats haven't changed much. The California based tech firm DAQRI is looking to change that with their smart helmet. The DAQRI Smart Helmet features a virtual visor which displays work instructions for you to view what needs to be done within the context of your visible workspace. The 4D system that DAQRI creates reduces training time and helps workers visual the importance of the task at hand within the overall scope of the job. The helmet also supports 360 ° cameras, 3D mapping, and alphanumeric capture. The potential for data mining, compliance optimization, and maintaining construction

records is limitless with DAQRI.

Redpoint Safety Vests

Safety vests are commonplace on any construction site and innovative tech companies are looking to infuse new technology into these must-have piece of construction gear. Real-time location systems provider, Redpoint Positioning, has started implementing GPS badges on safety vests. Redpoint Safety Vests allow employees to request help at their specific geo-targeted location. Additionally, employees carrying the Redpoint badge are instantly alerted when entering pre-defined danger zones on jobsites. Furthermore, actuators can be triggered to slow or deactivate heavy equipment when badges enter within a specific radius. Redpoint's GPS-enabled badge furthers employee safety, but it also enables managers to optimize their operations. With employees that are constantly on the move, managers can capture location data to understand potential bottlenecks, issues, or inefficiencies and optimize time management to drive down production costs.

XOEye Smart Glasses

For the past several years there has been a skilled trade shortage in the U.S. with the number of skilled trade positions growing as fast as 10% in certain parts of the country. In fact, by 2020 The US Department of Labor estimates the number of unfilled skilled trade jobs will rise to a staggering 31 million. XOEye Technologies looking to lessen the hiring gap with their XOEye Smart Glasses. XOEye glasses come

equipped with a camera wired to the internet so experienced technicians can provide real-time feedback for new learners. Construction professionals are fed exactly what their technicians see out on the field and can effectively communicate back and forth to accomplish a task. Managers can now monitor their workforce to ensure they're being productive and the glasses can also be used to scan in data like bar codes.

Myo Wristband Controller

While not specifically designed for the construction industry, Myo is a handy wristband produced by Thalmic Labs that could prove very beneficial for construction workers. Myo reads your arm's gestures to turn your hand into a controller for a slew of different devices. Myo will work straight out of the box with Netflix, PowerPoint, Drones, etc. Once attached to a construction worker's arm, Myo can be used in conjunction with smart glasses — like the XOEye smart glasses — to communicate with coworkers, take pictures, and mark off completed task items. This kind of gesture control makes perfect sense for construction worker who are constantly on the go and can't afford the time to remove gloves or drop equipment in order to operate other computing devices.

Bionic exoskeleton suits

The world's first bionic suit was created with construction in mind. The suit may not allow you to fly or blast lasers like Iron Man (yet,) but it does promise to aid construction workers in lifting heavy loads and reduce the risk of injuries from muscle

strain. At 16 pounds in weight the exoskeleton manufactured by Ekso Bionics is extremely maneuverable. The suit is also entirely analog, meaning that no batteries or electricity is required. According to The Bureau of Labor Statistics, more than one million workers suffer back injuries each year. Furthermore, back injuries account for one of every five workplace injuries making eliminating such injuries the nation's number one safety problem. With this new suit fatigue from heavy tools and injuries from poor lifting techniques could very well become a thing of the past.

Construction industry looks to the future

Historically, the construction industry has been reluctant and slow to adopt new technology. That may no longer be the case according to JB Knowledge's 2015 Tech Report. The number of construction firms utilizing cloud-based software has more than doubled since 2012. Likewise, many companies are already beginning to adopt some of these wearable tech gadgets. It will be exciting to see just how much of an impact wearable tech makes on worker safety and productivity as more companies begin integrating these devices into their toolkits.

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The author is an associate attorney at the Appel Law Firm LLP in Walnut Creek, California, focusing on personal injury and workers' compensation. When not practicing law, Thomas enjoys learning about new technology, exploring outdoors, and spending time with his family.

Milwaukee M12 LED Metal Flashlight Redefines Versatility, Brightness and Durability

Milwaukee Tool introduces the M12™ LED Metal Flashlight. Designed to bring new levels of productivity and utility to users both on and off the jobsite, the new Flashlight was born through jobsite research with core users who sought a brighter, tougher flashlight that ran off of a rechargeable battery pack.

Capable of producing 800 lumens of output on its high mode, the Flashlight can also cast a beam up to 375 yards when in its spot mode. In its low mode, it still outperforms many industry-leading flashlights – producing 325 lumens, and offering run-times up to 7 hours. Through its Milwaukee® designed optic lens, it can cast a wide and



evenly lit flood beam or a tight center beam with a soft surrounding halo.

Equipped with TRUEVIEW™ High definition features, this Flashlight utilizes the most advanced lighting technology to deliver a consistent beam, optimized color temperature, and true representation of colors and detail leading to a more productive work area.

The M12™ LED Metal Flashlight's sliding head makes adjusting the beam from a tight spot to wide flood quick and effortless, and its uniquely contoured shape offers multiple ergonomic gripping positions. It offers three output modes, for high intensity, extended run-time or strobe use, and features independent power and mode buttons for easier control.

The Flashlight's body is constructed of 6000 series aircraft-grade aluminum alloy and delivers superior impact durability. It also features hard anodized finish to protect against scratching, and its sealed connections allow it withstand IP54 ingress dust and water resistance testing.

Powered by Milwaukee RED LITHIUM batteries*, the new M12™ LED Metal Flashlight is compatible with

the M12™ cordless system, now offering more than 70 power tool products. Committed to its focus on the user and investment in game-changing technology, Milwaukee® will continue to design and develop lighting solutions with the ability to adapt, perform and survive the demands of professional use.

MILWAUKEE
www.milwaukeetool.com

Titebond's New Line of WeatherMaster X-TREME Foam Sealants Developed for the Construction Pro

The line of WeatherMaster X-TREME foam sealants, dispenser gun and multi-purpose cleaner give construction professionals the advanced capabilities they need on the job site. All three polyurethane sealants – including window and door, fireblock and multi-purpose – offer higher yield than other sealants, cure in extreme temperatures, set sooner and carry the assurance of GreenGuard Gold Certification professionals the level of performance they need to do the job faster, in just about any temperature, using less product to produce a more durable seal.

The Titebond line of WeatherMaster X-TREME foam sealants includes a multi-purpose foam, a window and door foam and a fireblock foam. Combined, these three foams meet most sealing needs in residential construction and home improvement. The X-TREME line also includes a heavy-duty dispenser gun and multi-purpose cleaner to remove uncured sealant and keep the gun operable. X-TREME Product Line

All three X-TREME foams offer high-performance features not typically offered by other polyurethane foam sealants. The fire-block and multi-purpose products feature triple-expansion foam, providing higher yields than



the average foam sealant; the window and door sealant also offers higher yield, but it trades triple expansion for a formulation that does not bow or distort doors and windows. With triple expansion, the contractor uses less product to cover more area. The 18-month shelf life goes beyond the industry norm, too. Longer shelf life coupled with higher yields add up to sound value for contractors.

In addition, all three foam sealants cure in extreme temperatures, from 0°F to 100°F, enabling the contractor to seal out the heat and cold during harsh winters or summers. They also become tack-free sooner than many other foam sealants, with a five-minute set time that lets the contractor get on with the job. And they stand out as one of the few foam sealant brands to achieve GreenGuard Gold certification, a trusted standard for low-emissions of VOCs into indoor air. Contractors can breathe easy knowing that X-TREME foams are safe for the environment.

Titebond developed its X-TREME Fireblock Foam to seal, fill, bond and stop air infiltration in areas that require a fireblock product. The foam is a recognizable orange color so that inspectors can easily identify the use of an approved fireblock product for Type V residential construction. The X-TREME expansion characteristics make this foam more effective than many traditional fireblock materials in obstructing flames and smoke in concealed penetrations and preventing flame spread from room to room and floor to floor. At the same time, it is more cost-effective than standard adhesives because of its high yield and penetration.

X-TREME Dispenser Rounding out the line is the X-TREME Dispenser Gun and X-TREME Multi-Purpose Cleaner. The gun is an intermediate dispensing unit designed for the contractor for frequent use with the 24-ounce can of foam sealants. The gun enables the contractor to control the bead size for higher yield and is solvent-resistant, with a non-stick basket and needle valve. Contractors use the acetone spray cleaner to dissolve uncured foam and flush the gun to keep it clean and operable. It can also be used as a general-purpose cleaner.

The new Titebond WeatherMaster X-TREME foam sealants are available in 12-ounce (straw application only) and 24-ounce (gun application only) cans.

Additional information is available at Titebond.com or through Titebond Customer Service, 1.800.669.4583, concustserv@franklininternational.com.

TITEBOND
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Product News

STANLEY® FATMAX® Introduces New Multi Functional Utility Bar with Spring Steel for Extra Strength & Durability

STANLEY® FATMAX® introduces its new Multi Functional Utility Bar designed with heat treated spring steel for extra strength and durability. The FATMAX® 30" Multi Functional Utility Bar is a great tool and can



be used in a variety of demolition situations.

The STANLEY® FATMAX® Multi Functional

Utility Bar has a high visibility powder coated finish great for jobsite visibility. Professionals will find this multi-purpose tool beneficial for prying, splitting, shingle ripping, and so much more. The spring steel aids the bar in returning to its original shape and prevents permanent damage and deformities caused by bending and regular use.

The STANLEY® FATMAX® Multi Functional Utility Bar also features an angled foot at the base of the tool to provide users with leverage. This feature is ideal for deck ripping or board ripping. In addition, the end of the angled foot is designed with a serrated edge for use with shingle applications or other cutting applications. A tear drop shape nail puller is also located at the base of the Multi Functional Utility Bar to make removing difficult nails effortless.

The FATMAX® 30" Multi Functional Utility Bar – model FMHT55016– retails for approximately \$29.98.

STANLEY TOOLS

www.stanleytools.com

Milwaukee® Introduces Four-Mode LED Search Light

Milwaukee Tool continues to expand the industry's largest family of high output lighting solutions with the introduction of the M18™ LED Search Light. Designed to provide maximum performance and versatility in the toughest jobsite environments, the new light boasts a beam distance of more than 700

yards and 1250 lumens of light, allowing users to spot farther and flood brighter.

The new M18™ LED Search Light is the ideal solution for users who need to illuminate or spot an area at long distance or overhead, but also often need flood lighting for task work. With four modes to address a variety of lighting situations, just one of these Search Lights can do the job of two lights at once. A Spot Mode helps identify problems from afar; a patent-pending Spot Flood Mode assists in viewing issues from 700 yards but also provides a wider view of the surrounding area, reducing tripping hazards; a Flood Mode provides a broad beam for area and task lighting; and a Strobe Mode for communication and safety needs. A 198 degree head rotation gives users the flexibility to tilt the direction of the lens to where they need light most.



The Search Light features TRUEVIEW™ Technology, which utilizes the most advanced LED technology and optical designs to deliver a consistent beam, optimized color temperature, and true representation of colors and detail leading to a more productive work area.

A durable high-impact polycarbonate lens design can survive harsh jobsite conditions, delivering superior impact durability. Additionally, an IP54 rating for all weather use provides users the confidence that this Search Light can hold up to the conditions and situations they commonly experience throughout the day. As with all of Milwaukee's high output LED lights, the new Search Light also features a limited lifetime LED warranty, and a 5-year warranty on the product.

Powered by Milwaukee RED LITHIUM batteries*, the new M18™ LED Search Light is compatible with the M18™ cordless system, now offering more than 100 power tool products. Committed to its focus on the user and investment in game-changing technology, Milwaukee® will continue to design and develop lighting solutions with the ability to adapt, perform and survive the demands of professional use.

MILWAUKEE TOOL

www.milwaukeetool.com

Product News

HILTI'S Cordless Coded Performance Cordless

The new third generation Cordless cut-off tool AG 500-A18 by HILTI has blurred the line between corded performance and cordless productivity. Hilti has increased performance by improving the electronics which has



lead to more efficiency and power during grinding applications. Now you have the performance to tackle applications that have

traditionally only been able to be accomplished with corded grinders with additional operator protection and improved productivity. The new AG 500-A18 is the only tool of its kind that is covered for wear and tear for 2 years.

Applications and advantages

- Cutting and grinding cast iron pipes, steel and stainless steel profiles
- Notching, grinding and finishing steel beams, plates and steel mesh

- Cutting and grinding strut, threaded rods, sheet metal and stainless steel
- Brushless motor for three times longer lifetime (no commutator to damage and no carbon brushes to change)
- Keyless quick-change flange
- Electronic brake stops the disc within one second
- Higher performance and battery capacity than other tools on the market
- Active Torque Control provide additional operator protection
- Abrasive cutting discs optimized for use with this too

HILTI

<https://www.us.hilti.com/ag500-innovation>

Graco Announces Additions to LubePro Pump Series

Graco Inc. is pleased to announce the addition of the A2800 vertical oil and A2900 vertical grease pumps to the LubePro series of injector-based automatic lubrication pumps. These new vertical

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Product News

pumps complement the current offering of vertical and horizontal LubePro pumps with breakthrough performance and durability in a more compact size and a lower price point.



Improper lubrication of machinery can cause component failure and downtime, resulting in unplanned maintenance expenses and loss of production. LubePro series pumps offer a robust solution where high output and fast lubrication cycles are needed to optimally lubricate equipment while it's working, providing plant managers with the tools to keep up with production demands and reduce operating costs.

"The A2800 and A2900 LubePro pumps use the same field-proven

venting technology we designed into the Horizontal LubePro," said Andrew Gerlach, Graco's Industrial Lubrication Equipment Product Marketing Manager. "LubePro series pumps also come with an optional factory-installed, low-level sensor, eliminating a cumbersome field install." The new A2800 and A2900 LubePro pumps are ideal for lubricating machines in the stamping, can production, glass production, machine tool, tire production and automation industries.

GRACO

www.gracolubepro.com.

DEWALT® Announces Jobsite Light and Bluetooth® Charger

DEWALT announces jobsite offerings that can be plugged in or used cordlessly off of DEWALT 20V MAX* Batteries or new DEWALT FLEXVOLT™ Batteries. These include the Cordless/Corded 20V MAX* Bluetooth® LED Large Area Light (DCL070) and 20V MAX* Bluetooth® Radio Charger (DCR025).

The inconvenience of poorly lit jobsites and the hassles of extra-long extension cords are in the past with the introduction of the 20V MAX* Bluetooth® LED Large Area Light. Whether using it as a cordless light or charger, it helps to illuminate work areas with a maximum of 7,000 lumens. With AC/DC capability, the light runs off

any DEWALT 20V MAX* or FLEXVOLT™ Battery and can also charge most DEWALT slide pack batteries when plugged into AC power. Batteries are protected during charging via a door lock option, providing security with versatility. The light features instant on/off with no warm-up, dimming as low as 500 lumens, right/left light head and is stackable with a wheel option for convenient storage. Users can connect multiple



Large Area Lights for added illumination or to use the light to power a corded tool in a remote setting away from an outlet. The 20V MAX* Bluetooth® LED Large Area Light (DCL070) works in

conjunction with the expanded DEWALT Tool Connect™ App allowing it to be controlled from a user's Bluetooth®-enabled smartphone or tablet. In addition to the convenience of the Tool Connect™ app, the light can be programmed to turn on or off at scheduled times automatically.

The 20V MAX* Bluetooth® Radio Charger (DCR025) provides premium sound running off of most DEWALT slide pack batteries and charges DEWALT 12V MAX*, 20V MAX*, and FLEXVOLT™ Batteries at 3 amps when plugged into AC power. With a Bluetooth® range of up to 100ft, the radio provides loud, clear sound and can be controlled remotely from a smartphone or directly on the radio. The radio has 2 additional AC outlets on the side of the unit for added versatility on the jobsite. An oversized device storage box offers USB charging and auxiliary ports that can charge phones and devices via USB while powered either by AC or Battery Power. Finally, a heavy-duty roll cage with built in handles protects the radio from rough jobsite conditions and allows for easy portability.

Available in fall 2016 where DEWALT products are sold, both the Cordless/Corded 20V MAX* Bluetooth® LED Large Area Light (DCL070) and 20V MAX* Bluetooth® Radio Charger (DCR025) will come standard with a three-year limited warranty, one-year free service contract and 90-day money-back guarantee.

DEWALT TOOLS

www.dewalt.com

OSHA Proposes To Amend Respiratory Protection Standard To Add Two Additional Fit-Testing Protocols

The Occupational Safety and Health Administration issued a Notice of Proposed Rulemaking to add two quantitative fit-testing protocols to the agency's Respiratory Protection Standard. The protocols would apply to employers in the general, shipyard and construction industries.

Appendix A of the standard contains mandatory respirator fit-testing methods that employers must use to ensure their employees' respirators fit properly and protect the wearer. The standard also allows individuals to submit new fit-test protocols for OSHA approval. TSI Incorporated submitted an application for new protocols for full-facepiece and half-mask elastomeric respirators, and filtering facepiece respirators.

The existing standard contains mandatory testing methods to ensure that employees' respirators fit properly and are protective. The standard also states that additional fit-test protocols may be submitted for OSHA approval. TSI Incorporated submitted an application for new protocols for full-facepiece and half-mask elastomeric respirators, and filtering facepiece respirators. The proposed protocols are variations of the existing OSHA-accepted PortaCount® protocol, but differ from it by the exercise sets, exercise duration, and sampling sequence.

The agency invites the public to comment on the accuracy and reliability of the proposed protocols, their effectiveness in detecting respirator leakage, and their usefulness in selecting respirators that will protect employees from airborne contaminants in the workplace. More specific issues for public comment are listed in the Federal Register notice.

Individuals may submit comments electronically at www.regulations.gov, the Federal e-Rulemaking Portal. Comments may also be submitted by mail or facsimile; see the Federal Register notice for details. The deadline for submitting comments is Dec. 6, 2016.

This proposed rulemaking would allow employers greater flexibility in choosing fit-testing methods for employees. The proposed rule would not require an employer to update or replace current fit-testing methods, as long as the fit-testing method(s) currently in use meet existing standards. The proposal also would not impose additional costs on any private- or public-sector entity. •

OSHA Issues New Guidance On Settlement Approval In Whistleblower Cases

The Occupational Safety and Health Administration has

published new guidelines for approving settlements between employers and employees in whistleblower cases to ensure that settlements do not contain terms that could be interpreted to restrict future whistleblowing. The guidelines, issued Sept. 9, make clear that OSHA will not approve a whistleblower settlement agreement that contains provisions that may discourage whistleblowing without outright prohibiting it, such as:

- Provisions that require employees to waive the right to receive a monetary award from a government-administered whistleblower award for providing information to a government agency about violations of the law.

- Provisions that require the employee to advise the employer before voluntarily communicating with the government or to affirm that the employee is not a whistleblower.

- OSHA also reserves the right not to approve settlements with liquidated damages provisions that it believes are excessive. The new guidance responds to a March 2015 petition for rulemaking from the Government Accountability Project.

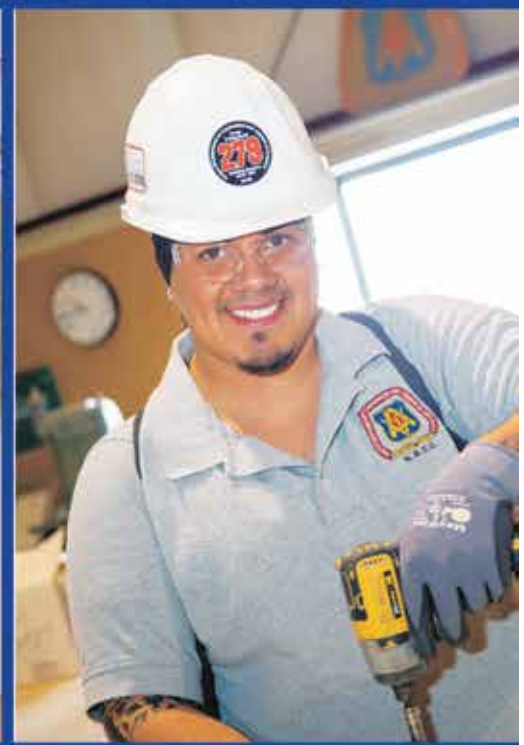
Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov. •

OSHA Releases Recommendations For Creating A Safety And Health Plan

OSHA has released a set of Recommended Practices for Safety and Health Programs to help employers establish a methodical approach to improving safety at their workplaces. The recommendations update OSHA's 1989 guidelines to reflect changes in the economy, workplaces, and evolving safety and health issues. Key principles include: leadership from the top to send a message that safety and health is critical to business operations; worker participation in finding solutions; and a systematic approach to find and fix hazards.

"We know that working together to implement these programs will help prevent injuries and illnesses, and also make businesses more sustainable," said Dr. Michaels, who released the document at the National Safety Council Congress in Anaheim, Calif. In his remarks, he asked business groups and safety and health professionals to help spread the word through a campaign that encourages creation of a safety and health program using OSHA's recommendations or others. •

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