



# NERCANEWS

NORTH / EAST ROOFING CONTRACTORS ASSOCIATION INC.  
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## January 2019

### NERCA Webinar Wednesdays

NERCA's Webinar Wednesdays are back. Join us on the first Wednesday of each month at 1:00 PM!

- [Immigration Issues Facing Roofing Contractors – Feburary 6<sup>th</sup> 1:00 pm – 2:00 pm](#)

Natalia Gove and Teresa Finer, immigration attorneys with Cotney Construction Law will educate attendees about important issues affecting the construction industry. Attendees will learn about I-9 compliance, ICE audits, and the complexities of the H-2B visa. The course will also provide an overview of ways for employees to be approved for permanent residency ("green cards"), including employment sponsorship.

# SCOREBIG with NERCA

at the

**2019 Convention & Trade Show**

**March 19-21, 2019**

**Foxwoods Resort Casino**

[Register now and reserve your hotel room!](#)

[Booth Spaces Available!](#)

Contact Kayla Aceto at [kaceto@nerca.org](mailto:kaceto@nerca.org) for more information.

### Hot Works Training More Important than Ever



NERCA has been diligent in monitoring ongoing changes in Massachusetts to fire prevention training requirements and state fire codes. Recently we reported on the adoption of more stringent fire codes under NFPA 1 as

well as the work of the Special Commission on Hot Works appointed by the State Legislature.

#### [Information on Hot Works in Massachusetts](#)

Following the report published by the Special Commission which recommended steep increases to penalties for fire code violations. NERCA submitted testimony highlighting the impact of recent changes on employers and the negative effects of increasing violation penalties.

Recently, we met with Chairman of the Special Commission, Sen. Nick Collins, regarding the Report and we learned that his office does not plan on filing legislation seeking to enact harsher penalties.

One of the immediate effects of the Special Commission was the recommendation to make the Boston Hot Works Safety Program a statewide requirement.

We encourage all of our members to make sure that their staff and workforce has received the Hot Works Training and encourage companies needing the training to contact NERCA since we are a registered Hot Works Administrator!

## Guide to Working in Cold Weather

During winter, roofers must often brave the elements to continue working or complete regular roofing tasks like shoveling or patching.

What most workers might not realize is that as it gets colder, your body must burn more energy to stay warm. This is even truer if it is windy or wet outside which it has been for much of the fall and early winter. Working in cold or freezing temperatures for a long time can lead to serious health problems for workers who are not prepared.

First, workers should dress for the weather. This includes layering with waterproof clothing that will keep you dry. Roofers should also be sure to cover the areas of the body that lose most of your heat like your head and feet. A good hat and mask that covers your ears and waterproof insulated boots are a must have during the winter. Gloves are also important to protect your hands from the cold and frostbite. A great tip is to always leave an extra set of dry clothes in a truck or on the jobsite in case you get wet.

Second, roofers should drink lots of liquids and the right liquids. Coffee and tea are helpful as energy boosters and warm beverages, but they cause dehydration which is already accelerated by your body's increased metabolism and lack of moisture in the air. Some good liquids are water, soups for lunch, sports drinks to rehydrate, or other sugary non-carbonated beverages like juice.

Third, all roofers should be aware of their environment and fellow workers. Learn the signs of frostbite, hypothermia, and trench foot to help protect yourself and others on a cold jobsite. Always provide break time to warm up inside or in a warm truck. Work in pairs so that no symptoms go unnoticed.

Stay warm out there!



Please Join NERCA at NRCA's Roofing Day in Washington DC April 3-4, 2019

<http://www.nrca.net/Register-Roofing-Day-2019>

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## Fall Protection is Only the Beginning

Readers of this newsletter should be aware of NERCA's strong emphasis on fall protection and personal protective equipment. We regularly see and hear stories of members and other roofing contractors who were either saved because of these safety precautions or wish they had taken them more seriously.

However while fall protection is important, by itself, it is not a complete safety program. The equipment is only there to stop the fall, but employees must also be provided plans to rescue themselves or others once they have fallen. Without these procedures, employees can face suspension trauma, which in some cases can be even worse than the fall itself.

If you fall, your fall protection gear saves you, however you may be suspended in the air. During this time, blood can pool in your legs, deprive the brain of oxygen, and cause orthostatic intolerance, or suspension trauma. If you are not rescued promptly and with correct procedures, suspension trauma can have lasting effects and even cause death.

If you are suspended in fall protection gear, you will be hanging straight up with your feet dangling. Holding this position for a long period of time can lead to orthostatic intolerance and you may faint. You will not, however, fall to a horizontal position, and your blood will continue to pool. Your inactive leg muscles will use up the oxygen in the pooled blood and begin to burn fats to stay alive. If you are suddenly put into a horizontal position, such as during a rescue, this deoxygenated blood can flow back into the body (reflow syndrome) and cause damage to your organs, brain, and even cause your heart to stop.

Pay close attention to the rescue procedures that are appropriate to suspension trauma and to prevent reflow syndrome. Have a plan in place to rescue suspended workers quickly and get them immediate medical attention. When rescuing a suspended worker, do not lay them flat into a horizontal position. Keep them sitting up with their legs straight out in front of them. Keep the worker calm and quiet and monitor them constantly so they do not faint and fall into a horizontal position. Get a rescued worker immediate medical attention and ensure that medical personnel are aware of the possibility of suspension trauma.

## **Guest Contribution Section**

The NERCA Newsletter is featuring a series of guest contributions from Greg Hayne. A roofing contractor turned consultant, Greg works with roofing companies to help them develop service departments and navigate the challenges of the roofing industry. The [Hayne Coaching Group](#) works with contractors in a way which helps walk them through gradual improvement of their business model. You can find last month's installment on the [member's section of our website](#).



### **How to Start (or Grow) a True Service Department** ***Part 5 – Just What Is “Great Service?” - Continued***

Last month we established that “Great Service” and “Great Communication” are essentially the same thing. We gave you a couple of simple suggestions that will make a difference in your company and that everyone can and should implement. Here is another example of what great communication is about. To a knowledgeable building owner, your service invoice for a leak repair is a communication document and not just a request for payment.

You need to show them what you did (with before and after pictures), you need to show them where you did it (with some sort of marked drawing or aerial), and you need to get it into their hands quickly.

Would it be OK with you if you dropped your car off for service on Monday morning and when you picked it up the invoice said “serviced car. \$842.25?” Or might you want to know what they did and where they did it—an itemized invoice? You should do the same for your customers. (I am aware that many roofers do not wish to itemize their invoices because they are afraid that their customers will complain when they see a charge of \$14 for a tube of caulk or \$45 for a gallon of glue, etc. I think this is a cop out and reflects a lack of the setting of expectations, but there is no question that this will come up. So, you dropped your car Monday morning and they call you Monday afternoon and say, “Your car is done. We think we will have the bill added up and ready so you can pick up the car by Thursday morning.” Would that be OK? Of course not! How long does it taking to get that leak repair invoice into your customer's hands? In the mind of your customer, it is exactly the same thing and the only reason you are getting away with less than timely billing is because all of your competitors are crappy at it too.

Here is what I have found with my work with contractors. If you can get a properly documented invoice into the hands of your customers within 24 hours of the time the work order is completed, you are going to get far fewer phone calls from customers asking you if you have been there yet and what you did. You are going to get your money faster and you are going to get more of that customer's work. To get an invoice in a customer's hands within 24 hours you need to be emailing the invoices and all backup information in a single PDF. (No loose pictures.) And, you need to be doing this so that your staff is not suffering massive stress and chaos to make it happen! This can be challenging for most contractors to achieve because their processes and procedures aren't set up to make it happen.

*Next month we will give you some tips on the steps you need to take to smooth out the process.*

**Do you have questions for Greg?**

[Contact Greg via email](#)

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## LEGISLATIVE CORNER

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### **NATION:**

In a frightening sign of the political atmosphere over the next two years, immediately after Democrats took control of the House, President Trump has shut down the federal government to try and force funding of a border wall to be included in the budget. House Democrats and Senate Republicans were caught off-guard when a compromise budget passed by both chambers was torpedoed by President Trump who insisted on including funding for his border wall. As a result the federal government is in the longest ever shut down with no end in sight.

### **CONNECTICUT:**

The Connecticut Pensions Stability Commission established in 2017 to address the state's public pension crisis continues to work on identifying state-owned properties to put into a trust fund which will be leveraged to reduce the \$34 billion unfunded liability of the state's public pensions. Already the Commission has required an extension of its statutory deadline for their report outlining the implementation of the legacy obligation trust model.

### **MAINE:**

In what is shaping up to be a stunning swing from 8 years of Republican control, Maine's newly democratic legislature and governor are looking to push through a number of Democratic priorities that had been stymied by the intransigent former Governor Paul LePage. These priorities are diverse, ranging from solar power, taxation and education. Already the new Governor Janet Mills has signed a previously voter approved law expanding Medicaid in the state with enrollment of the new covered individuals having already begun.

### **MASSACHUSETTS:**

The Executive Office of Labor and Workforce Development (EOLWD) is in the process of writing draft regulations to administer the new Paid Family and Medical Leave law which was passed as part of the "grand bargain" last session. Despite weeks of work hammering out compromise language between employer groups and progressive activists, the language which was included in the bill still leaves many questions up in the air regarding the taking of leave and the formulas for contributing to the state's wage replacement fund. What is clear is that EOLWD is aiming to release the draft regulations for heavy public comment heading into February with the statutory deadline for comment coming in March 2019. Collection of the payroll contribution of 0.63% split between the employer and employee is set to begin July 1, 2019.

### **NEW HAMPSHIRE:**

New Hampshire remains an outlier in New England when it comes to their minimum wage laws. It is the only state that doesn't have a state mandated minimum wage, but instead follows the Federal guidelines of \$7.25/ hour, despite most other states in the northeast planning to have \$15 minimum wages within the next 3-5 years. With the new session, lawmakers are expecting a flood of minimum wage proposals aimed at cranking up the state's wage floor.

### **NEW JERSEY:**

Progressives are hoping that the new State Legislature with an overwhelming number of Democrats can work with Democratic Governor Phil Murphy to overcome in-party conflicts which have stalled major democratic initiatives. Despite control of the Governorship for over a year, Democrats have failed to pass the minimum wage increase that Gov. Murphy ran on. Progressive leaders hope to change that and follow the lead of other northeastern states in enacting an incremental path to a \$15 per hour minimum wage.

### **NEW YORK:**

State policymakers are expected to make voting reform a major priority for the 2019 legislative session. Bills to expand early voting and schedule state and federal primaries on the same day are expected to increase voter turnout of the current electorate. Still other bills like one which would preregister teenagers who apply for a learners permit would seek to lower the barrier of entry for new voters. Finally, campaign finance reform will also be a priority as states continue to grapple with the ramifications of Citizens United and how to restrain the impact of money in politics.

### **PENNSYLVANIA:**

In a groundbreaking decision from November 2018, the Pennsylvania Supreme Court held, for the first time, that employers must exercise reasonable care to safeguard employee personal information stored on an internet-accessible computer system, and that employers can be held liable in the event of a data breach. In *Dittman v. UPMC*, the plaintiffs claimed that stolen data provided by employees to the University of Pittsburgh Medical Center (UPMC) as a condition of their employment, was used to file fraudulent tax returns and that they were placed at increased risk of identity theft in the future. They blamed UPMC for failing to properly monitor its network security or establish security protocols such as data encryption, firewalls, and authentication requirements.

### **RHODE ISLAND:**

The Office of the Auditor General released its annual audit of the State of Rhode Island's financial statements for the fiscal year ending on June 30, 2018. The audit found that General Fund expenditures and transfers exceeded revenues and other sources by \$31.3 million for 2018. The General Fund totaled \$358.7 million at June 30, 2018, of which \$31.3 million has been appropriated in support of the fiscal 2019 budget and \$21.3 million is available for future appropriation. The primary sources of General Fund revenue and other sources were taxes (44 percent) and federal grants (40 percent).

### **VERMONT:**

Vermont lawmakers return with several policy priorities. Among these are calls to increase the minimum wage and also to establish a paid family leave system. Vermont was one of only 10 states where real median household income declined in 2017, according to the nonprofit Public Assets Institute. "One thing that would help would be to finish what the Legislature started in 2018 and set a deadline for raising the state minimum wage to \$15 an hour," Public Assets said in a set of policy recommendations released in December. With paid family leave, Associated General Contractors wants assurances that the system won't be abused.