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**PRESIDENTIAL ADDRESS**

Starting my first term as President of IFCA, I would like to thank Ray Shoemaker for all his hard work over the past two years. I plan to continue in the efficient and productive manner he displayed.

I would like to thank all IFCA members that attended this year's winter conference in the Dominican Republic. Mike Tierce conducted exceptional meetings on various topics such as safety, productivity, education and legal concerns. The financial outlook of our country and our industry was discussed by all of the attendees. In these uncertain economic times, it is hard to think of anything but survival in our industry. It seems that belt tightening is the order of the day. Let's all hope for the BEST!!!

My hope is that 2009 will bring about the changes President Obama has offered with his stimulus package. Hopefully the banks will begin to release the funding needed for construction projects in our area.

Being an eternal optimist, I like to believe better financial times are ahead of us. Let's all hope.

Respectfully submitted by Harry Skelton, Talon Construction Co., Inc.

**SPECIAL POINTS OF INTEREST:**

03/24-28: AWCI's annual Convention & Intex Expo, Nashville Convention Center, Hilton Nashville Downtown, Nashville, TN

04/24: Annual Finish First Awards—Park Hyatt at the Bellevue, Phila., PA

**Disclaimer:** While this newsletter is designed to provide accurate and authoritative information on the subjects covered, IFCA is not engaged in rendering legal, accounting, other professional or technical advice. IFCA cannot warrant the accuracy of the information contained in this newsletter and disclaims any and all liability which may result from publication or of reliance on the information provided herein. If legal advice or other expert assistance is required, the services of a competent, professional person should be sought.

**UNION UPDATE****METROPOLITAN REGIONAL COUNCIL:**

[Edward Coryell, Executive Secretary-Treasurer/Business Manager](#)

According to the union, there is high unemployment and the work outlook probably won't improve over the next several months. There is a good chance, that due to so many being out of work, there won't be an apprentice test.

On a positive note, a group of our apprentices attended a new pilot program at the International Training Center — it was an intense 4 day program that covered topics on growth, organizational effectiveness and worker productivity — the group had a chance to meet with contractors and to hear from General President, Doug McCarron. At IFCA we know that skilled workers make our contractors better and we wish to congratulate those folks that attended!

IFCA's Collective Bargaining Agreement expires April 30, 2009. Our contractor members have met to discuss negotiations and we will meet with our union partners this month.

**INT'L. UNION OF PAINTERS & ALLIED TRADES DISTRICT COUNCIL 21 ("DC 21"):**

[Harry Williams, Business Manager/Secretary Treasurer](#)

On February 12, the Training Center received GREAT news from the COE—DC 21 had been granted FULL ACCREDITATION! DC 21 does not have to be re-affirmed for six years—the maximum allowable amount. According to the report sent to IFCA, DC 21 is “officially” the first and only Stand Alone Building Trades Apprenticeship Program to receive Third Party Accreditation from any Department of Education provider! This opened door will make possible an Associates Degree Granting Facility, Title IV Funding to students, new grant opportunities and much more—GREAT JOB!!!

Please note: There will NOT be a Graduation this year.

IFCA's Collective Bargaining Agreement expires April 30, 2009. Our contractor members have met to discuss negotiations and we will look to schedule negotiations with our union partners some time this month.

**LABORERS' DISTRICT COUNCIL ("LDC"):**

[Ryan Boyer, Business Manager](#)

The LDC wants to do as much as possible to attract more work in the suburbs ... IFCA met with the laborers' representatives to talk about innovative ways to do just that!!! Ryan Boyer, the Business Manager, stressed the need for COMMUNICATION and COOPERATION. FYI: LDC offers a Market Recovery Program known as a Pin Point Program — if you have any questions about it, please feel free to contact the association office or Ryan Boyer direct.

IFCA's Collective Bargaining Agreement expires April 30, 2009. Our contractor members have met to discuss the contract and negotiation meetings will commence shortly.

*IFCA is available to assist any contractor member with respect to labor relations—contact Kim Clerkin, the Executive Director (610-225-1050).*

## JUST THE FACTS

The line-up for Guest Speaks at our monthly General Membership meetings is as follows:

- April, 6, 2009: There will be a meeting of the Board of Directors and General Membership. Our legal counsel, Stevens & Lee, will talk to us about International Agreements.
- May 4, 2009: There will be a meeting of the Board of Directors and General Membership. Our Negotiation Team will provide our membership with an update re: the status of all of our union trade agreements.
- June/July 2009: There will NOT be a meeting of the BOD/ General Membership.

### Education:

- **OSHA TRAINING:** OSHA training is available to our members through several sources – the Mid-Atlantic Construction Safety Council, the JAC or District Council 21. For more details, contact the association office.
- **COLLEGE COURSES:** If you are interested in taking construction-related courses, tuition reimbursement is available to any field or office personnel. In order to be eligible you must work for an IFCA member in good standing or industry contributor and you must send in your Tuition Reimbursement Application to the IFCA office in accordance with our Guidelines. For information about Drexel, contact the Carpenters JAC @ 215-824-2300. For information regarding the community colleges, contact the Consortium @ 215-218-3886. Any accredited university qualifies too as long as you register for construction-related courses and adhere to IFCA's guidelines.
- **COMPUTER CLASSES:** The association can arrange for you and your office personnel to take computer classes @ DC 21 or the JAC. Scheduling is flexible – we request a minimum of 8 participants. Contact IFCA for more details.
- **TRAINING:** Please keep IFCA in mind for your training needs. Anything related to construction that isn't offered by the union can be investigated by IFCA ... just give us a call.

Workshop re: Fall Protection Policy: IFCA is holding a Fall Protection Policy workshop at the IFCA office on March 11 – this is for all Safety Directors. Ken Kleinman of Stevens & Lee is our spokesperson. NOTE: A temp-plate of this policy will be distributed to all attendees.

Bond Reimbursement: Bond reimbursement is available to our members and industry contributors. The carpenters require a \$75,000 bond; the tapers' bond is tiered based on manpower (1-15 is \$30, 000; 16-35 is \$40,000; over 35 is \$50,000). Contact IFCA to discuss reimbursement.

### “Start off right with an IFCA Contractor”

- **Accurate Constructors, Inc. (610) 362-0447**
- **Addax Construction Co., Inc. (610) 353-3110**
- **Aimm Philadelphia Installations, Inc. (856) 546-1212**
- **All Walls & Ceilings, Inc. (610) 356-6500**
- **All Surfaces Plastering, Inc. (856) 354-6046**
- **Allied Interiors, Inc. (856) 740-5200**
- **American Interior Construction & Blinds (610) 356-6544**
- **Associated Specialty Contracting, Inc. (610) 364-9622**
- **BCT Walls & Ceilings, Inc. (215) 504-0542**
- **Bigelow Brothers (215) 563-5255**
- **Blasz Construction, LLC (215) 942-8630**
- **Brookside Construction Co. Inc. (856) 582-1579**
- **Ceilings Inc. (610) 279-8989**
- **Delta Drywall, Inc. (856) 719-1300**
- **Fastrack Construction, Inc. (215) 542-7515**
- **Glenview Construction, Inc. (856) 767-5200**
- **Hagen Construction, Inc. (215) 633-7540**
- **Heartwood Building Group, Inc. (215) 487-7780**
- **Landco Inc. (215) 331-8044**
- **Frank T. Lutter, Inc. (215) 646-2828**
- **Guy C. Long, Inc. (610) 876-5556**
- **MVP Interiors LLC (856) 262-9955**
- **MTD Construction (215) 444-9454**
- **Merchant Const. Co. (856) 686-9440**
- **Katzianer Construction Co., Inc. (215) 491-6200**
- **Knoblauch Builders, Inc. (215) 639-7071**
- **Olde Town Construction, Inc. (215) 598-7455**
- **Penn Acoustics, Inc. (215) 343-4626**
- **Peter Bradley Construction (215) 333-0866**
- **Plumbline Construction, L.L.C. (215) 659-6614**
- **R & P Construction of NJ, Inc. (856) 753-1003**
- **Sloan & Company (215) 447-9917**
- **Supreme Ceilings, Inc. (610) 374-1200**
- **T.N.T. Construction (215) 953-8220**
- **Talon Construction Co. Inc. (215) 598-7738**
- **Toro Acoustical, Inc. (610) 521-0885**
- **Union County Const. Group, Inc. (856) 456-8845**

**KIM SAYS ...**

Raymond Shoemaker, Inc.: As Executive Director for 12 years, I have had the pleasure to work with many presidents ... I learned something from each of them and have always been impressed with their work ethic and commitment to the industry! Ray Shoemaker has been no exception. He entered the IFCA presidency in a quiet manner and carried that technique with him whenever tackling the many IFCA matters he worked on with our Board, IFCA Committees and me. His company has been around for a lot of years and at IFCA we are sad to see Ray close the doors of such an honorable union construction business! The association members and I will miss Ray Shoemaker but will not forget him.

The Finish First Awards:

Lafarge remains our Title Sponsor and IFCA is thankful for their commitment. We have also received Sponsorship Commitments from the Philadelphia Carpenters, the IUPAT District Council 21, Armstrong, Certainteed Ceilings, George F. Kempf Supply Co., Kamco Building Supply, The Kempf Company, the Labor Management Cooperative Fund for the IUPAT, Marjam Supply Company, National Gypsum, Specialty Products & Insulation and Stevens & Lee — THANK-YOU ALL!!! The WINNING SITES have been selected and IFCA is excited to show off the WINNERS on April 24th @ the Park Hyatt Philadelphia at the Bellevue. Invitations have been mailed out ... please contact the association office if you did not receive one and wish to attend!!

Leeds Training: IFCA held a two-day workshop on Leed/Sustainability in December. For those that attended, you might want to consider taking the LEED AP Exam before the new version of LEED roles out — you must register no later than March 31, 2009. Contact IFCA for more details — those that attended the December workshop were already notified by e-mail about taking the Leed exam.

Winter Conference:

The annual Winter Conference took place at The Sanctuary, Cap Cana, Dominican Republic. At our Legal Workshop we discussed Proposed Federal Legislation, Local State Legislation, An Overview of Labor Negotiations, Conducting Workplace Investigations, Evaluating and Disciplining Employees, and Managing in a Union Environment — obviously some of these topics addressed office personnel not workers covered by our collective bargaining agreements. The meeting was productive and the topics generated a lot of discussion. Thanks to Mike Tierce for doing another great job for us.

IFCA's Officers (2007-09)

Harry J. Skelton, President  
Talon Construction Co., Inc.

Gary Blaszczyk, Secretary/Treasurer  
Blasz Construction, LLC

Kimberly A. Clerkin, Executive Director

IFCA's Board of Directors (2007-09)

Thomas P. Clerkin, Jr.  
Ceilings Inc.

Anthony Iannucci  
Aimm Philadelphia Installations

Frank T. Lutter  
Frank T. Lutter, Inc.

Christopher McElwee  
Fastrack Construction, Inc.

Anthony J. Martinelli, Emeritus  
Toro Acoustical

Albert N. Ruggieri, Emeritus  
American Interior Construction, Inc. (retired)

Dane H. Shiplee  
Union County Construction Group

**HEALTH & SAFETY SEGMENT****HAZARD ASSESSMENT, JOB HAZARD ANALYSIS  
OR WHAT YOU WILL ...**

OSHA requires, in 29 CFR 1926.20(a), that “...no contractor or subcontractor...shall require any laborer or mechanic employed in the performance of the contract to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health or safety.” From there, OSHA also addresses the availability and condition of tools and equipment, training and experience of workers and accident prevention; from there, there are several hundred pages of standards and requirements to assist in the mission of worker health and safety. In order to meet the test, an assessment must be made of the work to be done, where and in what conditions and facilities before allowing employees to begin work activity.

There are numerous approaches and systems which have been developed, even enhanced in these days of user-friendly software and a computer-savvy workforce. OSHA has available for use Publication 3071, “Job Hazard Analysis”, revised in 2002, which provides a simple form and several examples to help anyone understand how to do it. The approach is straight forward, requiring that the work be broken down into tasks or steps, analyzing each step or task to determine hazards associated with it and establishing ways to avoid or address the hazards. You can get started by simply going to [www.osha.gov](http://www.osha.gov) and doing a search for “Job Hazard Analysis”.

To give an idea of how it works, listed below are excerpts from the first two pages of a 6 page JHA someone created for “Post Tension Cable Installation” for elevated post-tensioned concrete slabs; the JHA starts with the materials arriving on the jobsite. And as thorough as it is, fall prevention/protection is not even mentioned anywhere. If you don’t have a formal process for planning work activities, this is a good starting point; it may even be as sophisticated as you ever need to be. One thing to keep in mind is that when you pre-plan your work thoroughly, your crews are more productive because proper personnel, tools, materials and equipment are addressed, and improved safety becomes a by-product of that process. Or you can plan for safety and the other things come out of that process; either way, it’s a win-win situation.

**Excerpts ...**

Operation—Receiving Material; Hazard-1.1 Material falling off the truck; Action to be taken-1.1.1 Inspect the load prior to releasing tie down straps. Look for shifted material or additional stress straps. 1.1.2 Stand clear of straps and loads while releasing tension on tie downs. 1.1.3 Use a forklift or crane to hold materials that have shifted while releasing tie downs.

Operation-Installing cables; Hazard-3.2-Rigging failure; Action to be taken- 3.2.1 Know established weights of material to be hoisted or moved. 3.2.2 Inspect rigging prior to use. Remove from service and destroy any rigging not meeting the manufactures specifications. 3.2.3 Materials must be rigged by a qualified rigger.

The Mid-Atlantic Construction Safety Council is part of the Mid-Atlantic OSHA Training Institute which offers OSHA Outreach training in Safety and Health for OSHA's Region III. For more information please visit our website at [www.oshamidatlantic.org](http://www.oshamidatlantic.org) or call 1-(866) 949-1961

## LOBBYING EFFORTS

## Wolf Block .... submitted by Brian Preski, Esquire

1650 Arch St., 22nd Flr., Phila., PA 19103 (215) 977-2000 e-mail: bpreski@wolfblock.com

Regardless of your personal thoughts on its enactment, the US Congress has enacted the American Reinvestment and Recovery Act and it is now law. This bill includes a mix of tax reductions and incentives and funding to reinvest in our infrastructure, our health care systems, the environment and many other aspects of daily life. Below you will find a snapshot of the provisions affecting areas that should interest our members. Over the next few weeks we will be working with the proper officials in order to detail the many implementation issues that will need to be addressed so that our members can properly apply and be part of the projects detailed within this legislation regarding implementation of the economic stimulus package.

Rather than concentrating exclusively on a short-term jolt to the economy, the recovery package also provides for long-term investments, as well as mitigating the negative impacts of the economic downturn. The lion's share of the funds will be delivered through existing programs; only a few new vehicles were created in the bill. Many programs will rely on existing formulas for distribution. The bill moved at light speed compared to the typical legislative process, as it passed Congress barely a month after the President delivered his speech on the stimulus package in early January. The investment priorities for the stimulus package are largely met in terms of infrastructure modernization; promoting clean, efficient energy; helping Americans hurt by the economy; supporting education and training; and transforming the economy through science and technology.

Some brief examples that should provide opportunities for our members are:

- Infrastructure investment was a key focus of the recovery package, receiving approximately \$114 billion across programs, or about one-third of available appropriations. The Department of Transportation will receive the largest departmental influx of funding from the bill – nearly \$50 billion – meaning that it will be a major source of economic development projects. Priority will be given to projects that can be completed within three years and are in economically distressed areas.

For information about membership, please contact the IFCA office @ 610-225-1050

**LOBBYING EFFORTS (CONTINUED)****Wolf Block ... submitted by Brian Preski, Esquire**

1650 Arch St., 22nd Flr., Phila., PA 19103 (215) 977-2000 e-mail: bpreski@wolfblock.com

- Housing development, including \$2.25 billion through HOME and the low income housing tax credit at the Department of Housing and Urban Development to restart stalled housing projects; \$2 billion to redevelop abandoned and foreclosed properties; and \$2.25 billion for energy retrofit investments, including \$250 million to upgrade HUD-sponsored low-income housing to improve energy efficiency.
- Energy was another big winner in the stimulus package, especially renewable energy and energy efficiency. The Department of Energy received over \$30 billion, with \$16.8 billion for the Energy Efficiency and Renewable Energy (EERE) Program, signaling the federal government's commitment to renewable energy investment. This includes the Energy Efficiency and Conservation Block Grant (EECBG), which received \$3.2 billion; the Weatherization Assistance Program, which received \$5 billion; and \$2.5 billion for applied research, including biomass and geothermal projects. The new Innovative Technology Loan Guarantee Program received \$6 billion.
- The Make Work Pay tax credit provides a \$400 refundable tax credit for individuals earning under \$75,000, and an \$800 refundable tax credit for joint filers earning under \$150,000. The goal behind the tax credit is to encourage consumer spending to spur economic activity. The package also provides \$21 billion for COBRA (to help laid-off workers retain their health insurance) and \$400 million for unemployment insurance. The emergency unemployment compensation program (EUC08), which provides an additional 13 weeks of federally funded unemployment insurance to what states provide, was originally set to expire on March 31 of this year but is extended to December 31 in this legislation. The package also extends the maximum amount of time an unemployed worker can receive Trade Readjustment Assistance (TRA), which provides training and income assistance following the exhaustion of unemployment insurance.

I will provide additional details on these programs as they become available.

**NOTE:** If there is legislation that you'd like to see our Legislative Committee work on, please contact Kim Clerkin @ IFCA (610-225-1050) ... together we can make a difference for our union construction industry!!!

**ROBIN KRAMER & GREEN**

### How to Promote your Business Web Site ...

These days, small businesses need an Internet presence. Today's customers expect a company to have a well-designed Web site that provides product information and details about services. If you're a small business owner who can sell at least some products online, customers will often reward you with increased revenue and word-of-mouth advertising.

However, even the most inviting and easy-to-navigate Web site needs promotion. Think about a brick-and-mortar business. Customers often learn about a company's products or store location by browsing the yellow pages. If an advertisement motivates them to jump in the car, drive to a physical location, and walk through the firm's door, they're more likely to buy something. Internet businesses operate on the same principle. Customers need to know the address (URL) of your Web site and must be encouraged to visit.

Effective Web site promotion generally relies on a combination of Internet-based tools and traditional marketing. Here are some tips.

**Search engine tools.** By some estimates, 90% of the Web traffic stems from search engine results. So getting to the top of those search lists is important. After all, what's the likelihood that a busy consumer will scroll down to your entry if it's number 523 in the queue? Increase your odds by placing key words and phrases throughout your site, including the top of your homepage and in text called meta tags. (Ask your Web site designer for more detail). You can also submit your site to multiple search engines.

**Links.** Contact industry groups, trade associations and complementary business sites, asking them to link your site to their Web pages.

**Online advertising.** Consider paying to have your banner placed on someone else's Web site or search engine. One way to get more bang for your buck is to use Internet advertising that's keyword-driven — meaning you don't pay unless someone clicks on your ad.

**Traditional Marketing.** When you order a new batch of business cards or add signage to your firm's vehicles, include your Web address. Send out a press release to your local paper touting your new Web site. And don't forget to mention your URL when dealing with existing customers.

Don't forget ... IFCA offers members LIMITED reimbursement for the creation of a Web Site.

*Robin Kramer &  
Green, LLP*

425 Commerce Dr.  
Ft. Washington, PA

215-641-8300 (O)

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**LEGAL NOTES FROM STEVENS & LEE****The Worker, Retiree and Employer Recovery Act of 2008  
How it Affects Multiemployer Defined Benefit Pension Plans****Background**

The Pension Protection Act of 2006 (the "PPA") made several changes to the laws governing both single and multiemployer defined benefit pension plans. The PPA affects several aspects of defined benefit plan maintenance and administration, including, among other things, the funding and distribution of pension benefits. IFCA's collective bargaining agreements require contributions to multiemployer pension plans only.

**How the PPA Affected Both Single and Multiemployer Plans**

Plan administrators must provide an annual funding notice each year to the Pension Benefit Guaranty Corporation (the "PBGC"), each participant and beneficiary, and each labor union representing plan participants. A multiemployer plan administrator must also provide this notice to each employer that contributes to the plan. The Department of Labor (the "DOL") has issued a model annual funding notice that plan administrators may complete with their respective plans' information.

Plan administrators must report newly required information with their plans' annual Forms 5500, which includes, among other things, an actuarial statement that provides information on both a plan's projected retirement and other benefit distributions. The DOL has issued a model form to provide this information.

The PPA repealed the requirement to distribute summary annual reports, due to the newly required annual funding notice and additional information that must be disclosed with the Form 5500.

**How the PPA Affected Multiemployer Plans**

Multiemployer plans are also subject to new funding rules. The new rules affect amortization periods and actuarial assumptions for plan costs and investment returns on assets, respectively. If a multiemployer plan's funding falls below certain levels, it will be in "endangered" or "critical" status, which requires a plan sponsor to take several measures to ensure the plan once again becomes sufficiently funded.

A plan's actuary must certify to the IRS and the plan sponsor by the 90th day of the plan year if the plan is in endangered or critical status. If a plan is in endangered or critical status, the plan sponsor must notify the plan participants, bargaining parties, PBGC and DOL. Additionally, the plan must adopt a funding improvement plan, if endangered (an "FIP"), or a rehabilitation plan, if critical. As part of the FIP or rehabilitation plan, a plan sponsor must present the bargaining parties with schedules of revised benefits, contributions or both that will permit the plan to improve its funding status to certain levels within certain time periods. Certain restrictions are placed on benefits, such as a limit on benefit amounts that may be distributed in lump sum distributions, while a plan is in endangered or critical status.

**Recent Changes**

The Worker, Retiree and Employer Recovery Act of 2008 ("WRERA") offers significant relief to multiemployer plans. A multiemployer plan may elect to "freeze" its funding status from 2008 - meaning that if a plan was not in endangered or critical status in 2008 but its funding level has declined to endangered or critical status levels for the 2009 plan year, it may preserve its 2008 funding status and stave off the FIP or rehabilitation plan requirements until at least 2010. Additionally, for those plans that are already in endangered or critical status, those plans may elect to extend their funding improvement or rehabilitation period for three years - which provides the bargaining parties more time to sufficiently fund their plans.

In light of the ongoing economic crisis, many multiemployer plans will likely opt to utilize WRERA. This will give plans, all of which rely on investment income, a chance to recover from the losses they have incurred without being designated as being in "endangered" or "critical" status.

**We're on the web:**

**[www.ifcassociation.com](http://www.ifcassociation.com)**

**IFCA**

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**IFCA**

**“ S T A R T   O F F   R I G H T   W I T H   A N   I F C A   C O N T R A C T O R ”**

**CALENDAR · WHAT'S NEXT?**

**April 2009**

**4/06            Board of Directors/General Membership meetings**

**4/24            Annual Finish First Awards**

**May 2009**

**5/01            Annual JAC Open House & Contest**

**5/04            Board of Directors/General Membership meetings**

**June/July 2009**

**6/04            JAC Graduation**

**THERE WILL NOT BE A MEETING OF THE BOARD OF DIRECTORS  
OR GENERAL MEMBERSHIP.**

**SAVE THE DATE: Annual Golf Outing — August 31 (this is a new date)!!!**

