



Wisconsin Roofing Contractors Association



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WC Rates for New Policies

While the news for the construction industry was generally good, the rates announced for the sheet metal and roofing trade will be significantly higher beginning October 1.

The manual rates (the rate charged per \$100 of payroll to an employer with a 1.0 Experience Modification Rate) for the construction industry will increase just less than 3 percent, but sheet metal rates will increase nearly 6 percent (5.98%) and the rate for roofers will increase more than 26 percent (26.16%).

The new rates for sheet metal and roofing reflect an increase in the five-year claims history for medical and indemnity (lost wage) benefits payments. The increase could be due to greater frequency of claims, greater severity of claims, or a combination of the two.

Another Successful Golf Outing – July 19

A record number of golfers and sponsors helped make this year's golf outing our biggest and best ever. The event, held Wednesday, July 19 at the Golf Club at Camelot (Lomira) featured prizes for the two lowest scoring and the highest scoring foursome. Flag event prizes were also awarded.

Nearly 100 door prizes were given out thanks to the generous support of our members who filled the tables with their donations. We also raffled off a set of irons, a driver, and a putter, making three people very happy for purchasing a raffle ticket for the drawing.

Thanks to our sponsors!

ABC Supply, ACH Foam Technologies (2 Holes), Blackstone Metal Works, C & I Vacuum Contractors, Carlson Racine Roofing

& Sheet Metal, CertainTeed Roofing Products, Diversified Roofing Solutions, GAF Materials Corporation, The Garland Company, Genessee Aggregate, Giuffre Brothers Cranes, Group 4 Materials/Weather-Tek, HNI Risk Services, Johns Manville, Lakewood Roofing, Langer Roofing & Sheet Metal, Inc., M. M. Schranz Roofing, Inc., M.W. Tighe Roofing, Plymouth Foam, Pro Fastening Systems, R.M. Lucas, R & R Insurance Services, RWH Roofing Equipment, Roofer's Mart, Runnion Equipment, Security Insurance Services, Spec Products/Firestone Metal Products, and Tilsen Roofing Company.

State Adopts Sustainable Building Guidelines

The State, by Executive Order and by Building Commission policy, has taken two giant steps toward constructing and maintaining their inventory of buildings using more sustainable (i.e., "green") practices.

The Executive Order was adopted to address the maintenance and servicing of existing structures while the Building Commission policy addresses remodeling, renovation, and new construction projects.

The Division of State Facilities asked various trade and professional groups to review the proposed guidelines (based in part on LEEDs certification) which get into the detail of the sustainable building practices. WRCA was asked to comment on the roofing section and retained Dr. Rene Dupuis to help us craft our response. A final version of the guidelines has not yet been agreed to. As the largest purchaser of construction in the State, we expect that the policies/guidelines utilized by the Division will ultimately influence private-sector construction practices as well.

GCs, OSHA Looking at Fall Protection

The WRCA received a request from a member to look into an OSHA citation that was issued recently to a roofing contractor for not having the proper fall protection system in place. At issue is the sheet metal work associated with a roofing project and whether or not it is an integral part of the roof.

The standards say:

29CFR1926.502(h)(3) Safety Monitoring Systems and their use shall comply with the following provisions:

No employee, other than an employee engaged in roofing work [on low slope roofs] or an employee covered by a fall protection plan, shall be allowed to work in an area where an employee is being protected by a safety monitoring system.

29CFR1926.500(4)(b) *Roofing Work* means the hoisting, storage, application, and removal of roofing materials and equipment, including related insulation, sheet metal, and vapor barrier work, but not including the construction of the roof deck.

According to OSHA, there has been no change in the interpretation of the standards - when roofing is being done, safety monitor systems are allowable under the standards. When sheet metal workers are on the jobsite at the same time as the roofers, there's no problem – the sheet metal is integral.

But there are instances when sheet metal workers are on the roof without roofers being present, in some instances, a week, two weeks, or longer after the roofers have left the project.

Apparently, some compliance officers in this area and others around the country have interpreted that this work is no longer integral to the roofing installation and so they have issued a citation when a safety monitoring system is used. The burden of proof is with the contractor, then, to explain why the sheet metal work is, in fact, integral to the roof.

The fact that there is some uncertainty about how OSHA will view this situation has prompted several GCs to adopt their own policies that are more stringent than the OSHA requirements.

NRCA reports that they are seeing more GCs go this direction too. They are unaware of any specific emphasis being placed on this by OSHA beyond that which is placed on all fall hazards. They did suggest that OSHA has made efforts in some parts of the country to change industry practices (regardless of what the standards may allow), though that doesn't seem to be the case here.

Where this has come up, NRCA reports some success making the case for the integral nature of the sheet metal. They note that having the trades work concurrently may not be practical and that timing isn't the issue in the standards and doesn't make one element of the job any less a part of the overall roofing project than the work that preceded it.

NRCA expects that OSHA will move at some point to revise the standard, but reiterated that that could be years from now. In the meantime, the existing standard is the law of the land. As a revised OSHA standard evolves, NRCA expects that it will be working with various code officials as well to develop design criteria to allow for the tying off of employees working on roofs. That work has begun, but is meeting resistance from some groups.

In the end, what contractors want is consistency and a level playing field. They want to know what the rule is, how it will be interpreted, and that their competition will need to comply as well. Because GCs are taking the more aggressive approach to fall protection requirements, NRCA thought this consistency might be accomplished in time as a local, uniform standard in safety policies emerges. In the meantime, contractors will face problems trying to develop a safety system that will meet the minimum requirements of every project, despite the fact that their system meets the minimum OSHA requirements.

If you have experienced or are experiencing a problem with the interpretation of this standard, please contact the WRCA office at (414) 227-1230.

State Bids

The State has also asked WRCA to comment on proposed changes to its Master Specs. The changes are straight-forward and minor – asking for numerals to be used for prices rather than writing the numbers out alphabetically, for instance. Still, the proposed penalties for non-compliance are severe, including the rejection of the bid. After comments from the various trade and professional groups are considered, changes will likely be implemented this fall.

Recent Events

WRCA thanks all of you who attended our January technical program and our membership meetings in March and May!

Our programs on green roofs presented by Mark Gaulin, Magco, Inc., Baltimore, MD; Dr. Rene Dupuis, Structural Research, Inc., Madison, WI; and Tom Bollnow, NRCA, Rosemont, IL) was well-received, as were our programs on risk transfer through hold harmless, indemnification, and additional insured clauses, presented by Brian Krimpelbein, HNI Risk Services, New Berlin, and health insurance solutions for contractors presented by Jon Rauser, The Rauser Agency, Milwaukee.

Upcoming Events

Join us for our upcoming meetings and events. In September, NRCA's Mark Graham will be joining us to discuss FM Global's (FM's) revision of their Loss Prevention Data Sheet 1-29, "Roof Deck Securement and Above-deck Roof Components," and its impact on the roofing industry.

In November, TV meteorologist Mark Baden will be with us to discuss weather forecasting, something contractors rely on when deciding whether or not to work your crews.

In December, we will have two events. Our Christmas Party will be held at Blackhawk Country Club in Madison on December 1. Rooms are available at the Concourse Hotel for those wishing to stay the night. The Concourse will also have shuttle service available between the Hotel and the Country Club. The cut-off date

for making room reservations is November 1. For more information, contact the WRCA office.

Later that month, on December 13, we will hold our Annual Meeting and Luncheon, returning again to Saz's State House in Milwaukee.

Federal Legislation – Immigration, Taxes

Immigration Reform and Control remains on the agenda in Washington, DC and so it remains in the news.

But while the focus is on states such as California and Arizona, the issue affects us in Wisconsin as well. NRCA has been busy pushing for a more measured response to immigration issues to be certain that there isn't a devastating effect on contractor workforces.

WRCA and other NRCA affiliated associations have been asked to lend their name and support to a broad-based coalition of businesses who share a similar point of view. Because the issue does affect us here, we did sign on to a coalition letter to the U.S. Senate when it was deliberating its reform package. More on this as it develops....

NRCA reports that the narrow failure of the permanent repeal of the estate tax (scheduled to phase out in 2010) is a good indication that a compromise of some sort is in the making. Most predict that the threshold for passing along an estate tax-free will be increased to between \$5 million and \$10 million. For many years, the tax-free portion of an estate was less than \$1 million, so this would be a significant increase (but certainly short of outright repeal of the tax).

Paid Sick Leave

Closer to home, WRCA lent its support to a coalition of mostly Madison-based businesses who were fighting a proposed ordinance in that city that would have required all employers working in Madison (not just those with offices there) to accumulate paid sick leave for their employees.

During the legislative process, the construction industry was exempted from the proposal, but WRCA and other construction groups remained engaged because of the precedent-setting nature of this sort of ordinance. If this were to pass in Madison, it would likely spread to other cities, much like minimum wage and smoking bans did.

In the end, the proposed ordinance was defeated, but its supporters have vowed to bring it back.

Certificate of Financial Responsibility

We received a call the other day about the need for a license to do roofing. The “license” turned out to be a Certificate of Financial Responsibility (CFR), a document issued by the State’s Department of Commerce.

A CFR is required under the State’s Uniform Dwelling Code, for anyone who pulls residential building permits. If you are re-roofing a residential structure (all one and two-family dwellings) and need to pull a building permit, this would include your company.

To obtain a CFR, contractors need to complete a form, mail in a \$40 application fee, and provide proof of Worker’s Compensation and Unemployment insurance and either liability insurance or a bond.

During this most recent legislative session, a bill was passed to require those pulling residential permits to annually attend continuing education programs. This provision would also apply to roofing contractors. WRCA is monitoring the rule-making that will describe the nature of the continuing education and will be your leading source for continuing education for our industry once the requirements are fully in place.

Another piece of legislation dealing with contractor registration/certification is expected to make its way through the legislature during the 2007-2008 session. That legislation would require all contractors, not just those pulling permits or those doing residential work, to register with the State.

Professional Roofing – Subscriptions

Subscriptions to *Professional Roofing* magazine are now free to roofing professionals. To get yours, go to www.professionalroofing.com and subscribe online. Or, you can call the WRCA office and we’ll forward a subscription form to you.

Membership

Every association is interested in expanding its membership base, and WRCA is no different. We thank you for your membership and encourage you to invite others – both contractors and suppliers – to become members too. It costs you nothing to ask and with each new member that joins, the value of your own membership is increased.

How? Well, imagine if every new member got just one new member in the next year. Could we do more for you with the additional financial resources? Could we do more for you in our working with State and local government? Could we introduce you to more vendors or contractors who may have the experience or the product/service to meet one of your business needs?

We’ll provide you with the letters, information, and applications you need, we just need your help making the membership request.

Safety Resources

Find valuable safety resources – standards, training materials, and more - from OSHA at www.osha.gov/doc/index.html. The resources come in a number of formats – documents, checklists, videos, PowerPoint presentations, etc. Best of all, they're free!

The WRCA also has safety resources available to members free of charge. If you are interested, give us a call at (414) 227-1230.

Congratulations!

Congratulations to Rob McNamara (F.J.A. Christiansen Roofing, Milwaukee) who was elected as a Vice President of the NRCA. Robert Kulp (Kulp's of Stratford LLC, Stratford) was elected as Director.

Congratulations also go to Carlson Racine Roofing & Sheet Metal which received an outstanding workmanship and a safety solutions award from NRCA. Interstate Roofing of Onalaska also received an outstanding workmanship award.

WRCA Supports Asphalt Fume Fund

Earlier this year, WRCA made another installment payment to its multi-year commitment supporting the NRCA's Asphalt Fume Fund. NRCA president Mark Gaulin was on hand to accept the check.

WRCA Officers and Directors - 2006

President	Mike Burns Lakewood Roofing of Oshkosh Winnebago
First Vice President	Mark Langer Langer Roofing & SM Milwaukee
Second Vice President	Robert Fedder M.M. Schranz Roofing Milwaukee
Secretary/Treasurer	Greg Petersen Carlson Racine Roofing & SM Racine
Past President	Dave Tilsen Tilsen Roofing Company Madison
Associate Advisor	Don Leitel Roofer's Mart of Wisconsin Butler

Contact Us

For more information about any of the articles in this newsletter or if there is any way that we can be of service to you, please be sure to contact our office at:

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