

www.icebac.org[printable copy](#)[subscribe](#)**2nd Quarter 2009**

The Quality Construction Alliance Focuses on Key Legislative Issues at the 2009 National Issues Conference in May

ICE, the Mechanical Contractors Association of America (MCAA), the Sheet Metal and Air Conditioning Contractors' National Association (SMACNA), the Finishing Contractors Association (FCA), and the Association of Union Constructors (TAUC) sponsored the annual Quality Construction Alliance National Issues Conference on May 11-13 in Washington, DC. With more than 140 contractors and local association executives participating, the Conference involved education sessions, meetings with federal agency officials, U.S. Senators & Representatives, and labor leaders from building trades unions.

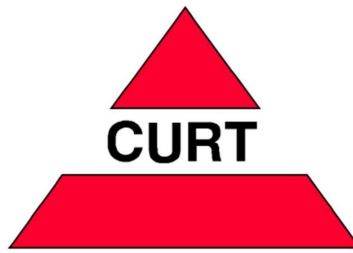
Read more [here](#).



New Benefits for Hiring Veterans

When our brave military men and women return home, we owe them the opportunity to find good jobs or resume their careers. The current generation of veterans is returning home to find a shrinking work force; in response, the American Recovery and Investment Act (ARIA) expands tax incentives for companies hiring veterans of Operation Enduring Freedom and Operation Iraqi Freedom.

Read more [here](#).



ICE President Fred Kinateder Reports on CURT Meeting

Last week I had the privilege to attend the CURT meeting that took place at the Flynn Center. I was invited by John Flynn who is a regular participant at these meetings. I would like to thank John for inviting me. For those of you that are not familiar with Construction Users Round Table (CURT), it is a tri-partite organization, it consists of owners, contractors, and labor. This is the group that instigated the codes of conduct for the various trades. The main topic of discussion at this meeting was LEAN Construction. This is a form of partnering, involving all stakeholders to make the project run smoother and be more profitable for all participants. I tried to relay the concerns we would have as subcontractors with this system. They are trying to decide if LEAN Construction is feasible and if it is something CURT wants to champion. Some of the other members were glad to have us participate and I have been invited to continue attending upcoming meetings when possible. I will continue to participate. I would like to stress that this is a cooperative effort between ICE and BAC with the goal of creating more opportunities for our contractors and more hours for our employees.



U.S. Army Reserve Launches Partnership with Helmets to Hardhats

The U.S. Army Reserve will launch a partnership on July 2, under the Army Reserve Employer Partnership Initiative, with Helmets to Hardhats. This joint venture will enable each organization to recruit highly-skilled employees, support military families and contribute to a stronger national economy.

Read more [here](#).



Quality Construction Alliance Targets

Procurement Reform on Capitol Hill

On June 16, 2009, John McNerney, General Counsel of MCAA, presented testimony on behalf of The Quality Construction Alliance (QCA), of which ICE is a member (along with MCAA, SMACNA, FAC, and TAUC), at the first in a series of House hearings on procurement reform. The hearing, held by the Subcommittee on Government Management, Organization, and Procurement of the House Oversight and Government Reform Committee, was presided over by Subcommittee Chair, Rep. Diane Watson (D-33-CA), one of the speakers at the 2009 QCA Conference held in Washington, DC earlier this year.

Read more [here](#).



Labor and Management Standing Together In the Interest of Signatory Masonry Industry

ICE delivered the word to their union partners at the BAC recently that it will endorse the Employee Free Choice Act, specifically the union organizing provisions of the Act. ICE still has some concerns that it recommends be dealt with in the amendment process. The ICE Board had a thorough discussion of the pros and cons of endorsing EFCA, an issue upon which there has been no shortage of debate on the public stage, but the decision to endorse the Act was made because the majority believed that it will help increase market share for signatory contractors. "This is not an issue where there is unanimity among well-meaning and thoughtful people, but since card check already exists in the construction industry the endorsement discussion boiled down to one concern that directly affects signatory masonry contractors, that an arbitrator might give a newly organized employer a competitively advantageous agreement," said ICE President, Fred Kinatader. While it seems unlikely that this "first agreement" concern would play out in reality, ICE is recommending that protections against it are added during the anticipated amendment process. "The endorsement process wasn't a simple one, but it is part of a comprehensive advocacy partnership with the BAC. We are endorsing EFCA, asking them to support us on employer issues like the repeal of the mandatory 3% withholding and working together with them on issues that are more clearly of mutual interest like misclassification and pension funding relief. We are working together to support legislation that benefits our industry."

To view the ICE EFCA Position Paper, click [here](#).

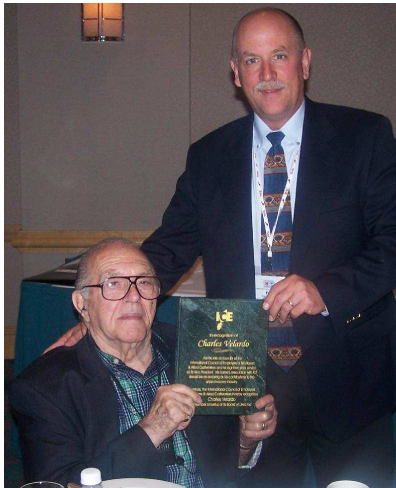


Protecting Pension Plans

ICE has joined with the National Coordinating Committee of Multi-Employer Plans, the Building Trades,

other national employers' associations to propose much needed relief for pension plans that suffered unprecedented losses in 2008 and 2009. The proposed legislation would make it possible for multiemployer plans to recover from the recent plunge in asset values without threatening the survival of the supporting industries as they try to cope with the economic downturn, give them the opportunity to spread the funding for their liabilities over substantially longer periods. It would also set reasonable recovery goals for endangered and critical plans by and extend the statutory funding improvement and rehabilitation periods by five years, across the board, enable plans to temper the severity of the impact of the 2008-09 asset losses by widening the actuarial smoothing corridor to 30%, until those losses are fully recognized, and allow plans that are currently allowed to claim a 5-year automatic amortization extension because they meet solvency and other standards to extend those amortization periods up to 10 years, with an additional 5 years available with IRS approval, as well as provisions to provide reasonable benefit security for workers and retirees in plans whose solvency is threatened.

In Memoriam: Charles Velardo: 1918-2009



**ICE President, Fred Kinateder, recognizes
Charlie Velardo for his service to ICE**

One of the founders of ICE and the International Masonry Institute (IMI), Charles Velardo, passed away on May 16, 2009. Charlie was a force in our industry for many years, a strong contributor to ICE, IMI and the International Health and Pension Funds (IPF & IHF) and always a dedicated steward of the signatory masonry industry.

Charlie was a principal and vice-president of G. Salvucci and Company (Newton, MA) for more than 30 years. He served as a trustee of BAC Local 3 Health, Pension and Apprenticeship Funds and was a past president of both the Masonry Contractors of Massachusetts and the Mason Contractors Association of America. He served on the IMI, ICE, IPF and IHF boards, and as ICE Vice President, for decades, and donated his time, resources, expertise and passion to the initial efforts to establish those critical industry programs. Charlie was also a member of the Ancient and Honorable Artillery Company of Massachusetts and had a life-long devotion to Mission Church in Roxbury, MA and Our Lady of Perpetual Help.

Charles Velardo will be missed.



This is a critical year for Pension and Health & Welfare Funds. The Pension Protection Act, the economy, and Health Care Reform all have implications for our Funds. Don't miss out on the 2009 Trowel Trades Trust Fund Educational Conference, Friday, November 6th & Saturday, November 7th, 2009 at Walt Disney World Swan. Please contact Belén Pifel at bpifel@icebac.org to request registration materials.



**Is there news in your company or association?
Send press releases or article proposals to info@icebac.org.**

CONSTRUCTION LABOR RESEARCH COUNCIL REPORTS

ICE Affiliates can view the following Construction Labor Research Council reports in the *Members Only* section of the [ICE](http://www.ice.org) website:

5-Year Averages

- 1/01/04 - 1/01/09 5-Year City Average Increases in Dollars - 1 & 2
- 1/01/04 - 1/01/09 5-Year City Average Increases in Percent - 1 & 2
- 1/01/04 - 1/01/09 5-Year Region Average Increases in Dollars - 1 & 2
- 1/01/04 - 1/01/09 5-Year Region Average Increases in Percent - 1 & 2

2009

- Trends & Outlook
- Settlements
- Labor Supply Concepts Paper

2008

- Settlements
- Construction Labor Rate Trends
- December - Wage & Benefit Settlements
- March - Cost of Terms and Conditions

2007

- Bricklayers Settlements
- November - Terms & Conditions Reference Guide
- July - Union/Non-Union Paper

CALENDAR

CONTRACTOR COLLEGE - Chicago, IL
September 26 - 28, 2009 - TCAA Convention

CONTRACTOR COLLEGE - Ann Arbor, MI
October 1, 2009 - Morris Lawrence Building at Washtenaw Community College

CONTRACTOR COLLEGE - Bowie, MD
October 29, 2009 - The Flynn Center

CONTRACTOR COLLEGE - Rochester, NY
November 6, 2009 - BAC Local 3

ICE ANNUAL MEETING - Washington, DC
September 29, 2009 (*tentative*)

TROWEL TRADES TRUST FUND EDUCATIONAL CONFERENCE - Orlando, FL
November 6 & 7, 2009 - Walt Disney World Swan

ICE Voice Continued

The Quality Construction Alliance Focuses on Key Legislative Issues at the 2009 National Issues Conference in May

ICE, the Mechanical Contractors Association of America (MCAA), the Sheet Metal and Air Conditioning Contractors' National Association (SMACNA), the Finishing Contractors Association (FCA), and the Association of Union Constructors (TAUC) sponsored the annual Quality Construction Alliance National Issues Conference on May 11-13 in Washington, DC. With more than 140 contractors and local association executives participating, the Conference involved education sessions, meetings with federal agency officials, U.S. Senators & Representatives, and labor leaders from building trades unions.

The Conference opened with a briefing on federal stimulus funded projects and green building programs, including matters such as project labor agreements, the expanded Buy America coverage, market and contracting methods and procedures, and reporting and disclosure issues. Featured speakers included Dr. Get Moy, Associate Vice President, AECOM Design, Cynthia Vallina, Energy Policy Analyst for the Office of Management and Budget, and George Lea, Jr., Chief Military Branch, Engineering and Construction, U.S. Army Corps of Engineers as well as officials from the General Services Administration and the Department of Defense. Legislative issues covered included federal funding for school construction, health care & pension reform proposals, repeal of the 3% withholding tax, and worker misclassification reform proposals. Presentations on health-care reform and insurance reform were given by Sen. Jack Reed (D-RI) and Rep. Peter Roskam (R-IL), who declared that "health-care costs are high and we've got to change it." Rep. John Shimkus (R-IL) discussed the many layers of energy efficiency as well as the need to "take energy security into consideration" while Rep. Diane Watson (D-CA), Chair for the Oversight and Government Reform Subcommittee on Government Management, Organization and Procurement, indicated that she is prepared to move forward with federal procurement issues during the 111th Congress. Additional talks were given by Deputy Assistant Secretary of Labor and Acting Assistant Secretary for Occupation Safety and Health Jordan Barab, discussing occupational safety and health program issues, Senate Labor Committee staff member Ben Olinsky, discussing pension plan reform, Don Orndoff, Director of the Office of Construction and Facilities Management, U.S. Department of Veterans Affairs, commenting on the

challenges of designing veterans health administration buildings for the future, and Horizon Actuarial Services' Cary Franklin and Stan Goldfarb detailing the current funding crisis for multiemployer pension plans. Conference-goers were also treated political commentator Mark Shields's entertaining and perceptive examination of Washington's current political scene. Rounding out the program was a panel of labor leaders where BAC President John J. Flynn briefed the attendees on labor's efforts to advocate for anti-misclassification legislation, Assistant General President of the United Association of Plumbers and Pipefitters Steve Kelly's outlined Green Jobs training initiatives and a power industry building outlook, and the General Presidents of the Painters and Iron Workers unions spoke on labor/management cooperation. After the conference sessions, participants headed to Capitol Hill where they held over 180 lobbying meetings with lawmakers and Capitol Hill staffers.

To view PowerPoint presentations on the federal spending programs and the actuarial discussion, please go to www.qualityconstructionalliance.org.

Plans are already in the works for the 2010 Quality Construction Alliance Conference; please visit www.icebac.org for updates.

If you have any questions, please contact Belén Pifel at bpifel@icebac.org.

[Return to top.](#)

New Benefits for Hiring Veterans

When our brave military men and women return home, we owe them the opportunity to find good jobs or resume their careers. The current generation of veterans is returning home to find a shrinking work force; in response, the American Recovery and Investment Act (ARIA) expands tax incentives for companies hiring veterans of Operation Enduring Freedom and Operation Iraqi Freedom.

Employers can now receive a tax credit equal to 40 percent of the first \$6,000 in wages if they hire someone discharged in 2008, 2009 or 2010. To qualify, employers need to hire a post-9/11 veteran who has received unemployment benefits for at least four weeks within the past year. The veteran would need to work at least 120 hours for the employer to be eligible.

In addition to the credit included in ARIA, there are other tax benefits for hiring veterans. Under the Work Opportunity Tax Credit (WOTC) Program, there is a credit of up to \$2400 available to employers hiring a veteran who received Food Stamps for at least 3 consecutive months in the 15 months prior to the date of hire; or a disabled veteran who participates in a vocational rehabilitation program through US Veteran's Administration. Another WOTC credit of up to \$4800 is available to employers hiring veterans with a service-connected disability if they are hired within a year of discharge or release from active duty, or if they have been unemployed for any 6 of the prior 12 months. Employers hiring multiple WOTC qualified employees can make a significant dent in their federal income taxes.

In addition to the federal WOTC program, 39 states have state-sponsored Enterprise Zone Programs. A few of these state programs allow employers to claim credits for a portion of employee wages paid to veterans. Other federal and state benefits, including training funds, tuition reductions, and military pay exemptions, are also available in many states. These incentives, including Federal Welfare-to-Work Hiring Credits and Mentor-Protege Programs for training of physically-challenged veterans, benefit both employers and veterans.

Not all the benefits offered to employers come in the form of tax breaks. The G-FIVE Initiative is a program offered through the US Department of Labor's Office of Federal Contract Compliance Programs (OFCCP). G-FIVE is designed to recognize companies' good faith efforts and best practices to employ and advance veterans. The program creates an incentive for federal contractors and subcontractors to increase their employment of and affirmative action for veterans. Contractors

are not required to prepare any additional paperwork in order to be eligible.

Contractor or subcontractor establishments receiving G-FIVE recognition are excluded from an OFCCP compliance evaluation for three years following the date the recipient receives the rating; they are also recognized on OFCCP's webpage and receive a certificate.

These credits and benefits can result in enhanced cash flow, lower labor costs and after-tax capital expenditures, and enhanced business valuations. Ultimately, business owners who take advantage of these incentives are rewarded for their hiring practices, making them more competitive in the marketplace. The long-term impact of participating employers' actions also improves the lives of all their employees, and gives back to the communities in which they operate.

If you have any questions please contact Mrs. Lisa Ford of Helmets to Hardhats by email at lford@helmetstohardhats.org or phone 202-756-4625.

[Return to top.](#)

U.S. Army Reserve Launches Partnership with Helmets to Hardhats

The U.S. Army Reserve will launch a partnership on July 2, under the Army Reserve Employer Partnership Initiative, with Helmets to Hardhats. This joint venture will enable each organization to recruit highly-skilled employees, support military families and contribute to a stronger national economy.

Through this partnership, Army Reserve Soldiers will gain opportunities for employment in the construction industry and the chance to learn a skilled trade through federally-approved apprenticeship training programs. The Army Reserve and Helmets to Hardhats will work together to recruit and train qualified Soldier candidates.

"I'm pleased to begin this partnership with Helmets to Hardhats, an organization that has been a great friend to the military. I look forward to collaborating with our newest valued partner to achieve mutual goals to attract, develop and retain a quality workforce," said Lt. Gen. Jack C. Stultz, Chief, Army Reserve. "This is a natural partnership because Army Reserve Soldiers are well trained and have the appropriate skill set for the building and construction industry."

"Helmets to Hardhats is excited to have this opportunity to help bring the Army Reserve; the Building and Construction Trades Department, AFL-CIO; America's Building Trades Unions and the nation's leading construction contractor associations together in support of America's Citizen Soldiers and their Families," said Darrell Roberts, Executive Director, Helmets to Hardhats.

The Employer Partnership Initiative (EPI) establishes a process whereby employers and the Army Reserve secure and share the talents of trained professionals. Partners, like Helmets to Hardhats, benefit by receiving greater access to men and women with Army values, knowledge and proven leadership skills.

Since its inception in April 2008, the EPI has joined forces with over 400 public and private employers, including Fortune 500 corporations, state agencies, police departments and medical facilities, in order to secure job stability for America's Soldiers and Veterans.

Memorandum of Agreement

ICE Executive Director, Matthew S. Aquilino will attend a ceremony at the Pentagon to help seal the partnership by signing the following Memorandum of Agreement:

"The United States Army Reserve works tirelessly to provide qualified, tested, skilled and ready Soldiers to support crucial national initiatives in times of both peace and war. Reserve members are well trained in a variety of skills critical to maintaining not only the strength and agility of the United States Army, but also the many industries and public agencies that form the backbone of the American economy.

The member contractors of the undersigned Employer Associations employ, or seek to employ, members of the Army Reserve and maintain a deep commitment to hiring and supporting the brave men and women who protect and defend America. These Warrior-Citizens have a well-earned reputation as exemplary employees with proven leadership, teamwork, discipline and grace under pressure that are immeasurably valuable to any organization.

The Army Reserve created the Employer Partnership Initiative to facilitate strategic and mutually beneficial relationships with employers and associations. The building and construction industry is uniquely suited to members of the Reserves due to the finite nature of construction projects. The undersigned Employer Associations and the employers they represent, together with America's Building Trades Unions, are dedicated to assisting veterans, Reserve and National Guard members find careers in the construction industry through their sponsorship of the Helmets to Hardhats program. The undersigned Employer Associations encourage their members to employ, or seek to employ, members of the Army Reserve and maintain a deep commitment to hiring and supporting the brave men and women who protect and defend America.

On this 2nd day of July 2009, the Army Reserve and the undersigned Employer Associations hereby agree to explore mutually beneficial initiatives that support the missions of their organizations. The members of the undersigned Employer Associations support employees who answer the call to serve in the Army Reserve. The Army Reserve will encourage Army Soldiers to pursue careers with members of the undersigned Employer Associations."

[Return to top.](#)

Quality Construction Alliance Targets Procurement Reform on Capitol Hill

On June 16, 2009, John McNerney, General Counsel of MCAA, presented testimony on behalf of The Quality Construction Alliance (QCA), of which ICE is a member (along with MCAA, SMACNA, FAC, and TAUC), at the first in a series of House hearings on procurement reform. The hearing, held by the Subcommittee on Government Management, Organization, and Procurement of the House Oversight and Government Reform Committee, was presided over by Subcommittee Chair, Rep. Diane Watson (D-33-CA), one of the speakers at the 2009 QCA Conference held in Washington, DC earlier this year.

Ten comprehensive recommendations for changes in procurement law were suggested by QCA, who also noted that, with the large amount of federal money funneled to public construction by the American Reinvestment and Recovery Act, procurement reform is necessary. Focusing on a few key issues, the group asked the Subcommittee to:

- Encourage quick development and use of the new legal compliance database enacted in late 2008 so contracting officers can quickly make reliable determinations;
- Quickly pass a bill that would require bid listing on federal contracts to stop post-award bid shopping after a contract has been awarded at a fixed price;
- Eliminate the use of reverse auctions for construction on federal work which should not be treated as an "off the shelf" commercial item;

- Consider the three percent withholding requirement as a procurement issue and not simply a tax issue since the Department of Defense alone has estimated the withholding tax with cost them approximately \$17 billion in the first five years for accounting system changes which is more than the revenue gains anticipated to the federal government;
- Extend the prompt payment law to federally assisted contracts;
- Study the most cost-effective method of sustaining the efficiency and effectiveness of high performance federal buildings. High performance building operations may be best served by contracting out to private companies which have expertise and have already invested in green jobs training and workforce development;
- Require the use of E-Verify to check the lawful employment of all workers on Federal projects and contractor payrolls.

To view the written testimony in .pdf, please go to:

http://www.smacna.org/pdf/legislative/QCA_Procurement_Subcommittee_Testimony.pdf

[Return to top.](#)

Contact Us:

ICE of BAC
P.O. Box 21462 - Washington, DC 20009
www.icebac.org

Matthew S. Aquiline, Executive Director
Ph: 202-210-6069
Fax: 202-457-9051
maquiline@icebac.org

Belén Pifel, Program Coordinator
Ph: 202-288-9615
Fax: 202-457-9051
bpifel@icebac.org

Forward email

✉ **SafeUnsubscribe®**

This email was sent to maquiline@icebac.org by newsletter@icebac.org.
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

Email Marketing by



Int'l Council of Employers of BAC | P.O. Box 21462 | Washington | DC | 20009