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**3rd Quarter 2009 Report**

## ICE ANNUAL MEETING



ICE President Fred Kinateder addressing Annual Meeting attendees

ICE held its second annual meeting on September 29 in Washington, DC. A group of signatory employers from around the country gathered to hear reports on ICE's activities and presentations on programs that can help signatory contractors become more competitive. Read more [here](#).



## MULTI-EMPLOYER FUNDING RELIEF

The coalition ICE was a part of to lobby for multi-employer pension relief in the early part of the decade and again last year has taken up the cause of multi-employer pension funds again this year. Construction industry pension plans are some of the best run plans in the country, but that has not made them immune to the financial crisis all Americans are currently experiencing. Read more [here](#).



### **ICE DEFENDS COMPETITIVENESS OF SIGNATORY MASONRY CONTRACTORS IN PROPOSED HEALTH CARE LEGISLATION**

ICE has been hitting Capitol Hill with its labor and management legislative partners to voice concerns about several potential provisions in proposed health care legislation. Like all Americans, ICE has varied concerns with regard to health care legislation, but, as a part of its mission, it focuses on legislative matters that effect the competitiveness of signatory masonry contractors. Those issues in the potential health care legislation are taxation of fringe benefits, the ability for employers to opt out by paying a fine that would be much smaller than the cost of providing health care and small business exemptions. Read more [here](#).

### **CQC SUPPORTS THE USE OF PROJECT LABOR AGREEMENTS**

This past September, ICE, in collaboration the Campaign for Quality Construction (CQC), signed a letter to the General Services Administration in support of the use of Project Labor Agreements. CQC is a coalition of six signatory contractor associations who have experience with project labor agreements on small and large projects in both the public and private sector and believe they provide demonstrable benefits to building owners and employers. It is CQC's position that the Federal Government, as an owner, stands to gain significant savings and value from consistent expanded use of Project Labor Agreements on Federal construction projects. To read the entire letter, click [here](#).



### **ICE JOINS *REBUILDING AMERICA* INITIATIVE**

*Rebuilding America* is a new coalition of more than 50 business, labor, and policy groups

advocating energy efficient building retrofits as the key to a successful energy and climate strategy. The coalition started by setting a goal to renovate 50 million residential and commercial buildings by 2020 - 40% of the nation's building stock. A vision statement and policy blueprint were developed and the coalition is now building support for its vision in Washington and across the country.

Retrofitting 50 million buildings would create approximately 625,000 sustained full-time jobs, reduce energy use in retrofitted buildings by 30% or more, slash annual household energy bills by \$32 to \$64 billion, and reduce global warming pollution by 20% to 40%. Greater efficiency would lower energy costs for consumers and industry, even as we move to a low carbon economy. According to American Council for an Energy-Efficient Economy, the efficiency provisions in the American Clean Energy Security Act of 2009 would actually save about \$220 per household by 2020, while addressing our climate goals. The savings more than double by 2030. More efficiency helps U.S. manufacturers by creating more demand for efficient products and materials.

### STIMULUS FOR US

ICE and all of its industry partners are working to identify available stimulus programs that we can take advantage of to benefit the signatory construction industry. ICE has been meeting with BAC, IMI, our CQC partners and the Building Trades to discuss opportunities for green-job training grants and green construction careers demonstration projects meant to promote middle class careers and quality employment practices in the green construction sector among targeted workers, and to advance building efficiency and performance. Green jobs are without a doubt going to be a big part of our future and retrofitting the country's building stock for energy efficiency is going to be a big market, so we want to make sure masonry gets its share. We also know that a well-performing building envelope can make a significant contribution to energy efficiency, so we belong at the table when discussing retrofitting buildings for energy efficiency. More details on the results of these efforts will be reported in the next Voice.



**Is there news in your company or organization?**

Send press releases to [info@icebac.org](mailto:info@icebac.org).

### CONSTRUCTION LABOR RESEARCH COUNCIL REPORTS

ICE Affiliates can view the following Construction Labor Research Council reports as well as the **2009 ICE Collective Bargaining Report** in the Members Only section of the ICE website:

### **5-Year Averages**

- 10/01/04 - 10/01/09 5-Year City Average Increases in Dollars - 1 & 2
- 10/01/04 - 10/01/09 5-Year City Average Increases in Percent - 1 & 2
- 10/01/04 - 10/01/09 5-Year Region Average Increases in Dollars - 1 & 2
- 10/01/04 - 10/01/09 5-Year Region Average Increases in Percent - 1 & 2

### **2009**

- September - Wage and Benefits Settlements
- July - Union/Non-Union Paper
- Labor Supply Concepts Paper
- Trends & Outlook

### **2008**

- Settlements
- Construction Labor Rate Trends
- March - Cost of Terms and Conditions

### **2007**

- Bricklayers Settlements

## **CALENDAR**

### **CONTRACTOR COLLEGE - Bowie, MD**

October 28, 2009 - The Flynn Center

### **SUSTAINABLE MASONRY CERTIFICATION PROGRAM (SMCP) - Bowie, MD**

October 29, 2009 - The Flynn Center

### **CONTRACTOR COLLEGE - Rochester, NY**

November 6, 2009 - BAC Local 3

### **TROWEL TRADES TRUST FUND EDUCATIONAL CONFERENCE - Orlando, FL**

November 6 & 7, 2009 - Walt Disney World Swan

### **CAMPAIGN FOR QUALITY CONSTRUCTION (CQC) - Washington, DC**

May 3 - 5, 2010 - *\*\*Location TBA\*\**

## **ICE Voice Continued**

### **ICE Annual Meeting**

ICE held its second annual meeting on September 29 in Washington, DC. A group of signatory employers from

**Your Voice.  
Your Advocate.**

By engaging in  
partnership with ICE,

around the country gathered to hear reports on ICE's activities and presentations on programs that can help signatory contractors become more competitive.

ICE President, Fred Kinatader, opened the meeting with a *State of the Association* report. "ICE's main focus has always been to establish positive labor/management relations with the Bricklayers International Union... In short, our relationship with the BAC is strong and effective." He went on to highlight activities in ICE's core functions of labor relations, advocacy, education, and contractor-specific programs including:

- A substantial number of new signatories to the ICE Agreement since ICE and the BAC rewrote the agreement.
- A reformed National Refractory Committee, which reviewed the National Refractory Agreement and developed five new letters of interpretation that "will make the agreement more attractive to employers to become signatory to and more clear and useful to them once they are signatory."
- Increased use of the IMI Disputes Settlement Plan, which is proving to be a useful tool to settle disputes without tainting important labor/management relationships and without spending unnecessary money on legal representation, labor board actions and litigation.
- Growing use of data provided through ICE's Collective Bargaining Assistance Program.
- Development of ICE Project Network to match contractors that fit the profile for upcoming projects that need bidders with those projects, and work with IMI and the BAC to develop a more sophisticated, web-based system to perform the matching function in an easier and more contractor-driven manner.
- Use of a marketing consultant to develop a clear, concise and compelling message regarding ICE's role and value and develop tools to communicate its messages.
- A more consistent and timely quarterly newsletter.
- Frequent updates and refinements to the ICE website to give users a clear and comprehensive look at what we do and an easy path to taking advantage of our programs.

After reports by ICE Secretary-Treasurer, Gregory R. Hess, on ICE's political advocacy and Executive Director, Matthew S.

our goal is to help you (signatory masonry contractors) increase opportunities to secure profitable contracts, become more competitive, and control costs. As your official voice, we actively engage in labor relations with the International Union of Bricklayers and Allied Craftworkers to help ensure fair conditions of employment and thus, profitable business for you. By serving as the conduit between you, the international unions, as well as affiliated entities and governmental agencies, we're able to offer an entire host of services in pursuit of furthering your common interest and helping you become more successful and profitable in today's challenging economy.

Aquiline, on the new marketing campaign, introducing the new ICE logo and tagline, "Your Voice. Your Advocate.," the meeting turned to presentations on programs and partnerships ICE helps provide to increase the competitiveness of signatory contractors.

Daniel Arronowitz spoke about insurance programs designed specifically for ICE members, the workers' compensation captive known as the Trowel Trades Industry Insurance Company and a bonding company that is being created to help signatory employers obtain the bonding necessary to compete and grow their businesses.

Darrell Roberts, Executive Director of [Helmets to Hardhats](#) gave an update on the program developed by ICE, other national employer associations and the Building Trades to aid the passage of exiting military into the construction industry. The heart of the program is the H2H website ([www.helmetstohardhats.org](http://www.helmetstohardhats.org)), which Roberts reported received over 20,000 registration from the military last year and helped place about 2,000 veterans in construction jobs. "I realize that not a lot of us are looking for new employees right now," said Fred Kinatader. "Sadly, the current situation for most of us is quite the opposite. Still, we know from history that our economy will recover and with that recovery will come new work...our need for a new, quality workforce will return to the levels experts were predicting before the downturn, and I can think of no better way to develop our future workforce than by tapping into the patriotic men and women exiting the military."

IHF Executive Director, Anne Codd, and Health Care Purchasing Coalition (HCPC) consultant, Anne Bossi, reported on the Prescription Drug Coalition, which has been a proven mechanism for trowel trades health and welfare plans to obtain substantial savings on prescription drugs, and the one-year-old Health Care Purchasing Coalition (HCPC). They presented a case study of one fund's first year experience with the HCPC. The subject fund was able to save over a million dollars in the first year as a direct result of their participation in the HCPC.

The meeting concluded with a lively discussion period that some said could have gone on for hours, but for the need to move on to different meetings, which proved the need for ICE to build upon the annual meeting and continue the discussion on a daily basis. One mechanism to possibly achieve that daily conversation is the Union Masonry

Contractors' Forum in the *Members Only* section of the ICE website. Links to the above programs can also be found on the ICE website at [www.icebac.org](http://www.icebac.org).

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## **Multi-employer Funding Relief**

The coalition ICE was a part of to lobby for multi-employer pension relief in the early part of the decade and again last year has taken up the cause of multi-employer pension funds again this year. Construction industry pension plans are some of the best run plans in the country, but that has not made them immune to the financial crisis all Americans are currently experiencing. The market losses suffered in the current financial crisis are much deeper and affect more plans than those experienced at the beginning of the decade when the coalition, formed by the National Coordinating Committee for Multi-Employer Plans (NCCMP), impelled Congress to enact the Pension Protection Act. Like then, the relief required now is not due to fund design or mismanagement, but is a function of the crisis which has thrown the entire financial sector into worldwide disarray.

The relief proposals offered range from: providing additional time for plans that are financially challenged, but fundamentally sound; to new financing approaches to help employers meet the increased contribution requirements for plans in critical or seriously endangered condition; to strengthening the PBGC so that it has sufficient resources, direction and authority to achieve its stated mission of promoting defined benefit plans and the security of participants' retirement income.

The proposal includes measures designed to help the multiemployer community continue to help support its own through mergers and "alliances" thereby reducing the risk to the PBGC and for plans unable to survive the crisis, to provide the agency with additional flexibility to maximize its resources to benefit plan participants and the taxpayer.

Efforts are currently underway to develop legislation that will help responsible pension plans delay government intervention and deal with issues created by the downturn in the responsible and effective manner in which they have operated for decades, while also protecting the benefits of

pension participants. The next Voice will report on the many developments that are likely to occur between now and the end of the year.

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## **ICE Defends Competitiveness of Signatory Masonry Contractors In Proposed Health Care Legislation**

ICE has been hitting Capitol Hill with its labor and management legislative partners to voice concerns about several potential provisions in proposed health care legislation. Like all Americans, ICE has varied concerns with regard to health care legislation, but, as a part of its mission, it focuses on legislative matters that affect the competitiveness of signatory masonry contractors. Those issues in the potential health care legislation are taxation of fringe benefits, the ability for employers to opt out by paying a fine that would be much smaller than the cost of providing health care and small business exemptions.

ICE members are responsible employers, the vast majority of which are small family-owned businesses, all providing comprehensive health care benefits to employees. A requirement for every employer to provide health care would create the widest possible coverage at the least cost to the government without disrupting the coverage of workers who now receive their health care benefits from their employers. It is widely acknowledged that significantly expanding coverage would bring health care costs down. Therefore, taxation of fringe benefits is an unnecessary and punitive action towards employers who are doing the right thing by providing health insurance and their employees.

A small business exemption would have the same effect. ICE's members have, for years, been subsidizing the health care of employees of their non-union competitors who do not provide health care, and a small business exemption would institutionalize those inequities. The assertion that small businesses can not afford to provide health insurance is proven false by the facts about ICE's member employers, the majority of whom are small businesses with less than 10 employees and \$250,000 payroll, which are the lowest exemptions proposed in any legislation. These small businesses have proven that small construction employers can provide health insurance, and exempting businesses of

any size from the obligation to provide health insurance puts the responsible employers who do provide insurance at a competitive disadvantage when bidding against those who refuse to.

Requiring all employers to provide health insurance would be a major step forward, but enforcement mechanisms that give those employers a cheap way out would make such a requirement less meaningful. ICE supports provisions that require all employers, regardless of size, to contribute to their employees cost of health care either by "Paying" or "Playing," which we believe can be accomplished through either fines for employers who do not provide health care or a reduced tax burden for those who do. However, the 9% level of fines or tax breaks being discussed is extremely low in comparison to the cost of providing health insurance. ICE believes that a fine or tax break level that is closer to the actual cost to provide health benefits would be a more appropriate incentive to get its members' competitors to provide health insurance, or at least level the competitive playing field.

The current national discussion on health care is a complex one, in which ICE member opinions likely cover the whole spectrum. In its role as the advocate of signatory masonry contractors, ICE takes positions only on items that would affect the competitiveness of its members. Continuing down a path where our competitors are exempt from providing health insurance as we continue to responsibly provide the best health insurance possible is a competitive concern that ICE will continue to fight against in the interest of its members. Members are encouraged to do the same by clicking [here](#) and writing their lawmakers.

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