



THE BASESHEET

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VOLUME 13, NUMBER 2 | SECOND QUARTER, 2012

GREETINGS FELLOW ARCA MEMBERS:

Just when you think you have all the answers they go and change all the questions. That is exactly what has happened to how we as roofers handle fall protection at our residential work sites. The AZ Legislature passed HB # 1441 which essentially moves fall protection from 6' to 15' and requires that every work location have a site specific plan. Please see [Page 8](#) inside this issue of Basesheet for a complete synopsis of the new legislation which is effective immediately. All the ARCA-provided FREE safety training classes in fall protection, OSHA 10 & 30 curriculums have been modified to include the proper way to comply with the new regulations.

It is that time of year when ARCA staff and committees are busy with event planning. We just completed a highly successful spring sporting clays event and spring golf tournament. The Youth at Risk and Youth on Their Own Bowling committees are looking for bowlers and donations. All the proceeds go to help these worthy at risk youth agencies and your continued support is greatly appreciated.

I want to thank all of Sponsors and Members for renewing their 2012 membership. As you all know times are still tough in our industry but many of our Sponsors upgraded their level of support, several members joined the Sponsorship ranks for the first time, and 90% of the members renewed. The funds allow us to continue to lobby at the state capital on issues of importance to the roofing trade, provide safety training free to all participants, and develop the master roofer program which will provide skill training.

Sincerely,

Sal Flores

*Sal Flores, President
Arizona Roofing Contractors Association*

Look →

We're proud to announce that the new ARCA website is now up and running. In the next couple months, we will be implementing useful new features, including the ability for members to log in, register online for ARCA events, update contact information, and even renew membership. Many other exciting new offerings are in the works as well. We will notify you as soon as these new features are available for use. In the meantime, please visit the site and see what you think of the new format.



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If you would like more information on workplace safety please contact your Association Coordinator Tod Dennis.

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Phone: 602.631.7992
Fax: 602.631.2609
Email: tdennis@scfaz.com

Sit Up Straight to Reduce Backache

SCF Arizona, Your Work Comp Specialist | Provided by Tod Dennis, Association Coordinator

Businesses today rely heavily on employees sitting in front of computers for hours at a time. The constant inputting of data and other functions while staring at an illuminated electronic screen can be taxing on various parts of the body, including eyes, back, neck, shoulders, forearms and wrists.

OSHA says inexpensive principles can help businesses create a safe and comfortable computer workstation, but when addressing the ergonomic issue, the federal agency emphasizes no single “correct” posture or arrangement of components will fit everyone.

That’s why OSHA’s principles are only suggestions. They include:

- The top of the monitor should be at or just below eye level
- Workers should be seated in a manner that ensures their heads and necks are in line with their torsos
- Workers should keep their shoulders relaxed and their elbows close to their bodies; elbows should be supported
- Chairs at computer workstations should support the worker’s lower back
- Workers’ wrists and hands should be in line with their forearms

SCF Arizona Loss Control Consultant Carl Hamilton cautioned that if computer monitors are placed too close or too far away from the worker, it could cause the employee to assume an awkward body position that can result in eyestrain.

“Being too far from the monitor can cause you to lean forward, placing stress on the torso, because the backrest is no longer providing support,” he explained.

If the monitor is too close, employees may tilt their heads back or push their chairs too far from the screen, causing them to type with outstretched arms.

Hamilton said when setting up a computer workstation find a comfortable distance - about an arm’s length from the monitor - that allows the user to read all text with head and torso in an upright posture, keeping the back supported firmly by the chair. The keyboard and mouse should be within arm’s length, so the user is not reaching.

He added the screen should be placed directly in front of the worker, because working with the head and neck turned to the side for an extended period puts uneven stress on the neck and back muscles and increases the potential of fatigue and pain.

Computer screens that are set too high cause workers

to tilt their heads back, which also causes muscle fatigue and stiffness. If screens are too low, the user tends to look down, which also can strain the neck. That is why Hamilton recommends the main visual area of the display screen be adjusted according to the user’s optimum vision.

Hamilton added it is important to maintain a neutral posture while working in front of a correctly placed screen. This means sit straight up - no leaning - so that you form a 90-degree angle with the arms working on the keyboard, and the upper thighs sitting on the chair. The arms and thighs should be parallel to the floor.

The worker’s chair is a key component of keeping the employee from developing upper back, neck and shoulder or lower back fatigue.

Hamilton said once set, the work station is static, but the chair is not. A chair that is well-designed and adjusted appropriately for the respective worker is an essential element of a safe and productive computer work station. It will provide necessary support to the back, legs, buttocks and arms, while reducing exposures to awkward postures, contact stress and forceful exertions.

“If your current chair doesn’t have lumbar support, use a rolled-up towel or a removable back support cushion to provide support and maintain the natural curve of the spine,” Hamilton said. He added, “Use a chair with a backrest that is easily adjustable and able to support the back in a variety positions.”

He said a backrest should have:

- A lumbar support that is height adjustable so it can be placed to fit the lower back.
- An adjustment that allows the worker to recline at least 15 degrees from vertical.
- An adjustment that enables it to move forward and backward.

Hamilton said his best advice for employers looking to protect their workers from ergonomic injuries is to visit these industry-respected collegiate websites: ergonomics.ucla.edu and ergo.human.cornell.edu. Also good advice is offered at www.osha.gov/SLTC/etools/computerworkstations/.

And, SCF Loss Control consultants can provide policyholders with an ergonomic evaluation.

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OSHA Revises Hazard Communication Standard

The Occupational Safety and Health Administration revised its Hazard Communication Standard, aligning it with the United Nations' global chemical labeling system, a move aimed at preventing an estimated 43 deaths and 585 injuries and illnesses annually, OSHA said. The three major areas of changes are hazard classification, labeling, and safety data sheets, including: the criteria for classification of health and physical hazards, as well as the classification of mixtures; labels featuring a harmonized signal word, pictogram, and hazard statement for each hazard class and category; and a new 16-section format for safety data sheets.

Employers will have until Dec. 1, 2013, to train employees on the new label elements and safety data sheet format, and until June 1, 2015, to comply with most other changes in the revised standard. Finally, by June 1, 2016, employers will have to update alternative workplace labeling and hazard communication programs as necessary, and provide additional employee training for newly identified physical or health hazards. Through these effective dates, employers may comply with either 29 Code of Federal Regulations 1910.1200 (the final standard), or the current standard, or both.

For more information, visit <http://www.osha.gov/dsg/hazcom/index.html>.

When in Tucson*, Don't Text and Drive

Text messaging while driving within the Tucson city limits is now against the law. The new ordinance began April 1st.

If a Tucson police officer catches you texting while driving, the fine is \$100. The fine increases to \$250 if the driver is involved in a crash while they are texting behind the wheel.

You can text as long as the car is not moving. City officials say the goal is to cut down on distracted driving deaths.

**Probably just never do it anywhere.*

2012 ARCA / ARIF CHARITY BOWLING EVENTS

**Phoenix
Charity Bowling
Tournament** to benefit
**Phoenix Youth at
Risk**

WHEN: Saturday, June 9, 2012

WHERE: AMF Squaw Peak

**Tucson
Charity Bowling
Tournament** to benefit
**Youth on Their
Own**

WHEN: Saturday, July 14, 2012

WHERE: Golden Pin Lanes

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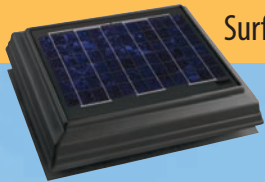


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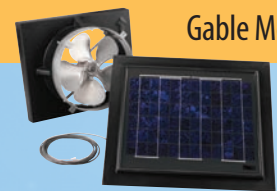
Surface Mount



Curb Mount



Remote Mount



Gable Mount



A 20-watt solar panel ventilates up to 1,600 sq. ft.,* operating from dawn to dusk without having to prop up the panel toward the sun. The unit is made with tough tempered glass.

B High-performance housing molded with UV-stabilized ABS color-dyed plastic to prevent damage from sunlight and provide stability. May be painted to match roof color.

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C Screen 1/8" heavy-gauge stainless steel screen provides protection from insects and animals without impeding airflow.

D Fan blade 12"-diameter one-piece aluminum 5-blade fan operates with no harmonic noise.

E Optional cold-weather thermostat automatically disengages the fan when the temperature falls below 50°F. This is particularly useful in regions that experience a significant amount of cold dry air.



Mount	Color	Model #
Surface	Black	31001286
Surface	Brown	31001287
Surface	Weathered Wood	31001288
Curb	Black	31001281
Curb	Brown	31001282
Remote	Black	31001284
Remote	Brown	31001285
Gable	Black	31001283
Thermostat	N/A	31001280

All housing material is UV-enhanced ABS plastic and may be painted to match roof color. All models available with optional cold-weather thermostat.

*1,600 sq. ft. based on 3/12 roof slope with open attic space. For larger areas, multiple ventilators will be necessary. The number of ventilators required will vary depending on roof slope, attic configuration and sq. ft. of open air inlets. For the ventilation requirements of your building, please contact an architect or building professional.

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Enter to Win Upcoming ARCA/ARIF Raffle Prizes

Purchase raffle tickets for upcoming ARCA/ARIF drawings by filling out the information below and returning to the ARCA office

15TH ANNUAL ARIF CHARITY RAFFLE TO BENEFIT GREATER PHOENIX YOUTH AT RISK

GRAND PRIZE: iPad 2 (Donated by Tecta America Arizona)

Second Prize: \$400 Best Buy Gift Card (Donated by Classic Roofing)

Third Prize: Kindle Fire (Donated by Western Colloid)

Fourth Prize: 32" Flat Screen High Definition TV (Donated by Roofing Consultants of AZ)



TICKETS \$5.00 EACH OR FIVE TICKETS FOR \$20.00 DONATION

Make checks payable to: ARIF (Arizona Roofing Industry Foundation)

Drawing to be held at the 'Raising the Roof for Our Youth' Charity Bowling Tournament
Saturday, June 9th, 2012 at 4PM at AMF Squaw Peak Lanes - 3049 East Indian School Road, Phoenix

Proceeds benefit Greater Phoenix Youth at Risk, a 501(c)(3) organization that helps local at-risk children.

WINNERS DO NOT NEED TO BE PRESENT TO CLAIM PRIZE!

9TH ANNUAL ARIF CHARITY RAFFLE TO BENEFIT TUCSON "YOUTH ON THEIR OWN"

GRAND PRIZE: 46" Minimum Flat Screen TV (Donated by Roofing Supply Group)

Second Prize: Bucket of Cash [\$500] (Donated by Allied Building Products)

Third Prize: 32" Flat Screen TV (Donated by Progressive Roofing)

Fourth Prize: Wii Entertainment System (Donated by Rene Lujan, APOC)

Fifth Prize: Mini Laptop Computer (Donated by KM Coatings Mfg., Inc.)



TICKETS \$5.00 EACH OR FIVE TICKETS FOR \$20.00 DONATION

Make checks payable to: ARIF (Arizona Roofing Industry Foundation)

Drawing to be held at the 'Raising the Roof for Our Youth' Charity Bowling Tournament
Saturday, July 14th, 2012 at 4PM at Golden Pin Lanes - 1010 West Mircale Mile, Tucson

Proceeds benefit Youth On Their Own, a 501(c)(3) organization that helps local homeless children stay in school.

WINNERS DO NOT NEED TO BE PRESENT TO CLAIM PRIZE!

ARCA GOLF CLUB RAFFLE DRAWING

Enter for a chance to win a

COMPLETE SET OF
PING IRONS,
PUTTER, 3 WOOD,
DRIVER AND BAG.

Actual items pictured. Retail value: \$1,800

One ticket for \$20, or six tickets for \$100.



Winner will be drawn October 6th, 2012. Need *not* be present to win. For additional tickets or information, contact the ARCA office at 602 335-0133.

Name _____ Qty of Tickets _____ Phoenix Charity Bowling _____ Tucson Charity Bowling _____ Golf _____

PAY BY CREDIT CARD:

Credit Card # _____ Billing Zip _____ Exp. Date _____ Sec. Code _____

Amount _____ Authorized Signature _____

Legislative Update



State of Arizona:

Election year strategies are in full swing as the legislative session draws to a close. Everyone wants to take credit for cutting taxes and balancing the budget and the options are too numerous to mention with no clear frontrunner. Several pieces of legislation passed with implications to the roofing industry.

HB #2091 addresses how insurance claims are processed after a natural disaster. This bill was initiated by the Property Casualty insurers after numerous complaints were received about tactics used by “stormchaser” roofers after the now infamous hail storm of 2010. It allows consumers to cancel a contract within four days of signing, prohibits a roofer from commencing any work (other than emergency repairs during that period), and prohibits a contractor from acting on behalf of the insured owner in negotiating for a settlement directly with the insurance company or from making any assurance that the repairs are covered by an insurance policy. When the legislature adjourns ARCA will meet with the ROC, the Attorney General office and Insurance Commission to clarify responsibilities and establish compliance processes and procedures. In case of a natural disaster ARCA will disseminate all the details to the members to aid in compliance.

SB#1441 essentially moved fall protection from 6’ to 15’ and requires a site specific plan by location. Complete details are on Page 8.

HB#2693, drafted by the AZ Contractor Coalition and supported by ARCA, failed to make it out of the House. This measure would have allowed a contractor to only be liable for the proportion of any claim that they actually contributed to. Currently a contractor might only be found 10% negligent for actions but required to pay 100% of the monetary compensation. This disparity between percent of guilt and payment will be readdressed next legislative session.

Federal:

Although partisan gridlock remains the standard on Capitol Hill, Congress members set aside their differences briefly in March and enacted a modest financial reform bill with strong bipartisan support. However, there are many other issues of interest to the roofing industry that likely will not lend themselves to bipartisan solutions soon.

NLRB Union Election Regulation:

On April 30, the National Labor Relations Board’s (NLRB’s) so-called “ambush” regulation that could result in expedited union elections is scheduled to take effect. Under the regulation, an election could be held in as few as 10-14 days from the filing of a union petition compared to the current average time of more than 30 days. As the effective date approaches, the Senate is expected to vote on Joint Resolution 36, which would repeal the regulation if enacted. NRCA & ARCA support this resolution because of concerns that the regulation will limit the ability

of employers and employees to have an informed dialogue on collective bargaining issues before a union election. However, even if approved by Congress, Joint Resolution 36 would need to be signed by President Obama to nullify the regulation, which appears unlikely. Additionally, NRCA and a coalition of business organizations have filed a legal challenge to the regulation, but it is uncertain when the court will take action on this lawsuit and how it may rule.

Small Business Administration

The Small Business Administration (SBA) announced it has expanded the definition of what constitutes a “small” business for purposes of participation in agency programs in select industries. For example, the SBA revised the definition of a small architectural firm up from \$4.5 million in annual revenue to \$7 million. In affected industries, such a change may result in more competition for federal contracts set aside for small businesses under SBA preference programs. The SBA’s recent revisions DID NOT change the definition of a small business within the roofing industry, which currently is \$14 million in annual revenue. However, the SBA is moving through the revision process sector by sector, and the agency is likely to propose a rule with changes in definitions for construction firms within the next 30-60 days. ARCA will inform members of the proposed rule once it is released, and there will be a 60-day comment period on the proposed rule.

Small-Business Government Contracting Legislation

On March 22, the House Small Business Committee approved a series of mostly bipartisan bills designed to secure and protect federal contracting opportunities for small businesses. These bills include the following provisions: authorize the Small Business Administration to broaden its mentor-protégé program for small businesses; require the agency to publish its rationale for setting a single size standard for North American Industry Classification System code categories; address contract bundling issues and provide additional safeguards to protect small-business contracting from being displaced; and impose more stringent requirements and penalties for businesses that misrepresent their status as small businesses. At this time, it is not clear whether there will be further action on any of these bills in the House.

House Republican Budget Resolution

The House passed a budget resolution by Budget Committee Chairman Paul Ryan (R-Wis.) on a largely party line vote of 228-191. The Ryan budget is worthy of support because it contains pro-growth tax and spending reforms necessary to reduce the federal government’s unsustainable debt levels. The centerpiece of Ryan’s tax reform plan involves reducing the corporate and top individual tax rates to 25 percent while eliminating some credits and deductions. Passage of the Ryan budget is mostly symbolic because the Senate is not expected to pass any budget resolution at all this year. However, the principles set forth in the proposal help to frame the coming debate on tax and budget reforms expected to begin after the 2012 elections.

New Fall Protection Rules Effective April 27th



The Arizona Legislature recently passed SB# 1441 which raises fall protection from 6' to 15' on residential construction work sites. The changes only impact residential (not commercial) sites. All training classes provided by ARCA that certify employees in fall protection (fall protection, OSHA 10 & 30) have been revamped to include the new requirements. A synopsis of the new rules that impact the roofing industry follows:

- Each employee working above 6' on commercial (same standard as before) or 15' on residential (new standard) shall be protected from falling through the use of primary or alternative fall protection systems.
- Primary fall protection options include: the traditional personal fall arrest system (harness and lanyard), guardrails and safety netting. NEW OPTIONS include the use of catch platforms, scaffold, eave barriers or roof jacks

- Alternative fall protection options include: warning lines, safety monitor systems or controlled access zones

Each worksite or facility MUST have a site-specific fall protection plan. The plan must be kept at the worksite and available for inspection.

How to Measure:

Measure the vertical distance from the LOWEST EDGE of the roof or eaves to the ground or level below. The height of parapets SHALL NOT be included in the roof height measurement.

- **If over 15' with a slope of 4:12 or less:** Use one or any combination of primary fall protection systems including catch platforms, scaffold platforms, eave barriers, roof jacks, safety monitoring systems, or parapet walls at least 24" high
- **If over 15' with a slope steeper than 4:12 but less than 7:12:** Use any combination listed above for 4:12 or less. The use of the safety monitoring system is NOT ALLOWED above 4:12
- **Regardless of the height of the roof if the slope is greater than 7:12:** Use any combination listed above for 4:12 or less. The use of the safety monitoring system is NOT ALLOWED.

In addition to fall protection plans being site-specific and a copy available at the worksite, the use of personal fall protection equipment must be properly selected, installed and used. Employees must be trained to comply with the plan. Training must include specific awareness of hazards associated with: work on or near gable ends, holes and openings in roof, placement and location of materials, care and use of fall protection systems, work on ladders and scaffolds, gaining roof access, skylights, and slipping. Controlled access zones must be identified, as well as which employees are allowed in those zone. If a safety monitor is used, a warning line must be in place.

Documentation of the training must be maintained.

Just because you can legally permit your employees to work at a certain height without fall protection doesn't mean that you should!

There is a caveat in the legislative language which states that you may deviate from using primary or alternative fall protection options if they are "infeasible or pose a greater hazard". OSHA has basically stated that they believe all situations are "feasible". **In summary, if a residential job is over 15', make sure to have a site specific plan, train your employees to the plan, and stick to the components of your plan.** (ADOSH inspectors have been instructed to issue citations for non-compliance with plans.)

This synopsis is intended as a generic briefing on the major components but the legislative language contains many other specifics. Please plan on recertifying in fall protection or attending one of the upcoming ARCA briefings (such as [May Dinner Meetings](#) and upcoming [Question/Answer Sessions with Bill Cooper](#) - see [Page 12](#) for dates and times) to completely understand what your responsibilities to comply will be.

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2012 Spring Sporting Clays Tournament

This year's annual Spring Sporting Clays Tournament was not for the superstitious. For starters, the event was planned on Friday the 13th. As if that weren't enough, it turned out this was the 13th sporting clays tournament ever put on by ARCA. Top top it all off, there was a chance of rain that day.

But luck was on our side, and lots of good, safe fun was had by all. What's more, this event raised the most money in ARCA Sporting Clays history!

The Scoreboard

A Flight

1st Place	2nd Place	3rd Place
Zach Lundberg	Alan Lundberg	David Piper

B Flight

1st Place	2nd Place	3rd Place
Scott Muzzy	Scott Nichols	Patrick McFall

C Flight

1st Place	2nd Place	3rd Place
Jim Philips	Chris Woodward	Jayson Savala



D.C. Circuit: Limit for OSHA Violations Is Six Months, Not Five Years

In a case closely watched by the business community, the U.S. Court of Appeals for the D.C. Circuit on Friday sharply curtailed the period of time that companies can be cited for Occupational Safety and Health reporting violations, reversing the decision of an administrative panel and longstanding agency precedent.

The key issue: Can employers be cited by OSHA for record-keeping violations that occurred up to five years in the past - the current agency practice - or is the statute of limitations strictly six months?

Judges Karen LeCraft Henderson, Merrick Garland and Janice Rogers Brown agreed that the statute was clear and the citations were untimely. "We do not believe Congress expressly established a statute of limitations only to implicitly encourage the Secretary [of Labor] to ignore it," wrote Brown in the lead opinion. Garland issued a concurring opinion, as did Brown (in addition to the lead opinion).

The case, Secretary of Labor v. AKM LLC d/b/a Volks Constructors, began in 2006, when OSHA inspected the Prairieville, La., facility of Volks Constructors, a heavy industrial contractor.

OSHA fined Volks a total of \$13,300 for 67 record-keeping violations, alleging that Volks failed to log a number of injuries and illnesses within the required seven-day period. The earliest such recordable injury or illness occurred at Volks on Jan. 11, 2002 - more than four years before the citations.

But the statute, Section 9(c) of the OSH Act, 29 U.S.C. 658(c), states: "No citation may be issued...after the expiration of six months following the occurrence of any violation."

Volks appealed the citations to the OSH Review Commission, which in November 2010 took the rare step of holding oral arguments - the first in four years. In a 2 - 1 decision, the Review Commission upheld the citations as timely.

The company pursued the case before the D.C. Circuit, arguing that the statute set a clear six-month limit, and that employers face an undue burden trying to defend a case based on stale evidence. The National Federation of Independent Business Small Business Legal Center filed an amicus brief supporting the claim.

The government countered that all the violations for which Volks was cited were "continuing violations," which meant the statute of limitations doesn't expire until the end of the law's five-year document retention period.

The court didn't buy it. "We think the word 'occurrence' clearly refers to a discrete antecedent event," Brown wrote. "In this case, every single violation for which Volks was cited—failures to make and review records—and every workplace injury which gave rise to those unmet recording obligations were 'incidents' and 'events' which 'occurred' more than six months before the issuance of the citations."

Still, the court didn't shut the door if violations were truly ongoing - "Where, for example, a company continues to subject its employees to unsafe machines...OSHA may be able to toll the statute of limitations on a continuing

violations theory since the dangers created by the violations persist," Brown wrote.

But when it comes to record-keeping, the statute of limitations is six months. "Nothing in the statute suggests Congress sought to endow this bureaucracy with the power to hold a discrete record-making violation over employers for years, and then cite the employer long after the opportunity to actually improve the workplace has passed," Brown wrote.

McDermott Will & Emery partner Arthur Sapper, who argued the case for Volks, said in a statement that "We are gratified by the total vindication of our client. We believed all along that the statute of limitations was controlling and needed to be given greater respect.

Upcoming Events

may

OSHA 30-Hour in English

Phoenix - ARCA office

May 7-10

7:00am - 3:30pm

Dinner Meeting: Update on Fall Protection Regulations

Phoenix - Doubletree Inn (320 N. 44th St.)

May 15

4:00pm

Tucson - Old Pueblo Grille (60 N. Alvernon Way)

May 16

4:00pm

OSHA 10-Hour in English

Phoenix - ARCA office

May 17-18

7:00am - 12:00pm

Phoenix CPR Training in English

Phoenix - ARCA office

May 21

7:00am - 11:00am

OSHA 10-Hour in English

Tucson - Hampton Inn (251 S. Wilmot Rd.)

May 21-22

7:00am - 12:00pm

Question & Answer w/ Bill Cooper

Phoenix - ADOSH (800 W. Washington St.)

May 25

1:00pm - 3:00pm

june

Question & Answer w/ Bill Cooper

Tucson - ADOSH (2675 E. Broadway Rd.)

June 1

1:00pm - 3:00pm

Tucson CPR Training in English

Tucson - Hampton Inn (251 S. Wilmot Rd.)

June 4

8:00am - 12:00am

Phoenix Charity Bowling Tournament

AMF Squaw Peak Lanes (2675 E. Indian Schl.)

June 9

11:00am - 4:00pm

july

Tucson Charity Bowling Tournament

Golden Pin Lanes (1010 W. Miracle Mile)

July 13

11:00am - 4:00pm



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Don't Become Another Victim of the Heat

It was downright hot the weekend of April 21 in Arizona, breaking a 63-year-old record for high temperatures. The triple-digits are a reminder that heat exhaustion is most likely the culprit when a worker experiences an excessive loss of water and salt, and is sweating profusely.

In Arizona, heat-related deaths are the No. 1 weather-related killer.

Among those most prone to heat exhaustion are employees who work in a hot environment, such as bakeries, laundries or outdoors who have high blood pressure or who are elderly.

Heat exhaustion symptoms include:

- Heavy sweating
- Extreme weakness or fatigue
- Dizziness, confusion
- Nausea
- Clammy, moist skin
- Pale or flushed complexion
- Muscle cramps
- Slightly elevated body temperature
- Fast and shallow breathing

According to the Arizona Department of Health Statistics, nearly 1,500 people in Arizona died between 1992 and 2009 from exposure to excessive natural heat due to weather conditions. That is an average of about 36 people a year.

Employees working in hot environments should be trained in first-aid treatment of heat exhaustion. When workers succumb to heat exhaustion:

- Place them in a cool, shaded or air-conditioned area to rest.
- Help them drink plenty of water or other cool,

nonalcoholic, noncaffeinated beverages.

- If possible, have them take a cool shower, bath, or sponge bath.

Employers can take a number of precautions to protect workers from heat stress, starting with scheduling the most rigorous jobs for the coolest part of the day. Workers also should be allowed to become acclimatized to the heat by working for progressively longer periods in the heat.

Other important steps include:

- Lightening the physical workload and using worker rotation
- Providing cool water or hydrating liquids (not caffeinated, sugary or alcoholic) for workers to drink
- Allowing workers to take rests with water in cool break areas
- Monitor those workers that are at higher risk of heat-related illness
- Train employees to be alert to the signs of heat stress, prevention, and first-aid treatment
- Have workers wear light-colored, loose-fitting, cotton clothing and remind them that wearing personal protective equipment (PPE) may increase the risk of heat stress

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LEED 2012 - Frequently Asked Questions

By Mary Coultrap

What is LEED 2012?

LEED 2012 is the next version of the LEED program and will include the step in the continuous improvement process and the on-going development cycle of the LEED program, including the Building Design + Construction, Interior Design + Construction, Operations + Maintenance, Neighborhood Development, and LEED for Homes rating systems.

LEED 2012 strives to offer a better user experience and additional performance management features to help projects measure and manage energy and water use as well as site selection, building materials selection and indoor environmental quality.

What are the differences between LEED 2009 and LEED 2012?

The differences between LEED 2009 and the update to LEED are seen in three main areas:

New Market Sectors - data centers, warehouses and distribution centers, hospitality, existing schools, existing retail, LEED for Homes Mid-Rise.

Changes to technical content that increase the technical rigor of the rating system. The proposed technical changes have been informed by market data, stakeholder generated ideas, expert engagement and advances in technology and market acceptability of LEED and green building practices.

Credit Weightings - revised point distribution that will more closely tie the rating system requirements to the priorities articulated by the USGBC community.

Do I need to comply with the proposed updates now?

No. Project teams need not comply with the rating system proposed for public comment. Project teams should follow the rating system version for which they are currently registered. USGBC encourages project teams to review the public comment draft and provide feedback regarding the opportunities and challenges that the proposed requirements would pose based on your knowledge and expertise.

When is LEED 2012 expected to replace the current version of the rating systems?

LEED 2012 will be put forth for a member ballot vote in June 2012, after the public comment and response periods. LEED 2012 is scheduled to launch in November 2012 at the USGBC Annual Greenbuild Conference and Expo in San Francisco.

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2012 Spring Golf Tournament

The air was fresh, the birds were chirping, and the swinging of clubs was swift and precise. It couldn't have been a more beautiful day on the green for this year's Spring Golf Tournament, held for the first time at Oakwood Golf Club in Sun Lakes, AZ.

While no one took home the hole-in-one car this year, read on to find out who won in the following categories.

Awards

Longest Putt	Closest to the Pin	Longest Drive
Dan Schroff	Andy Clarke	Stephen Ramirez

The Scoreboard

A Flight

1st Place	2nd Place
Jon Henson/Jake Jacobson	Greg Marrs/Stephen Ramirez

3rd Place
Oscar Gomez/Rene Lujan

B Flight

1st Place	2nd Place
Jim Viberg/Sandy Viberg	Rick Secor/Brian Day

3rd Place
Don Rupert/Mike Laufer

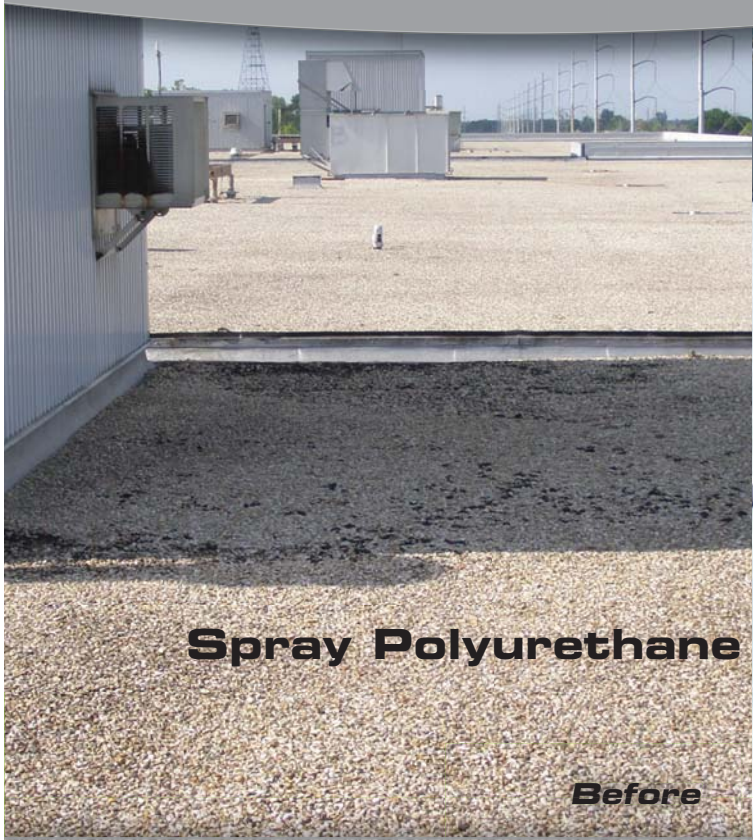




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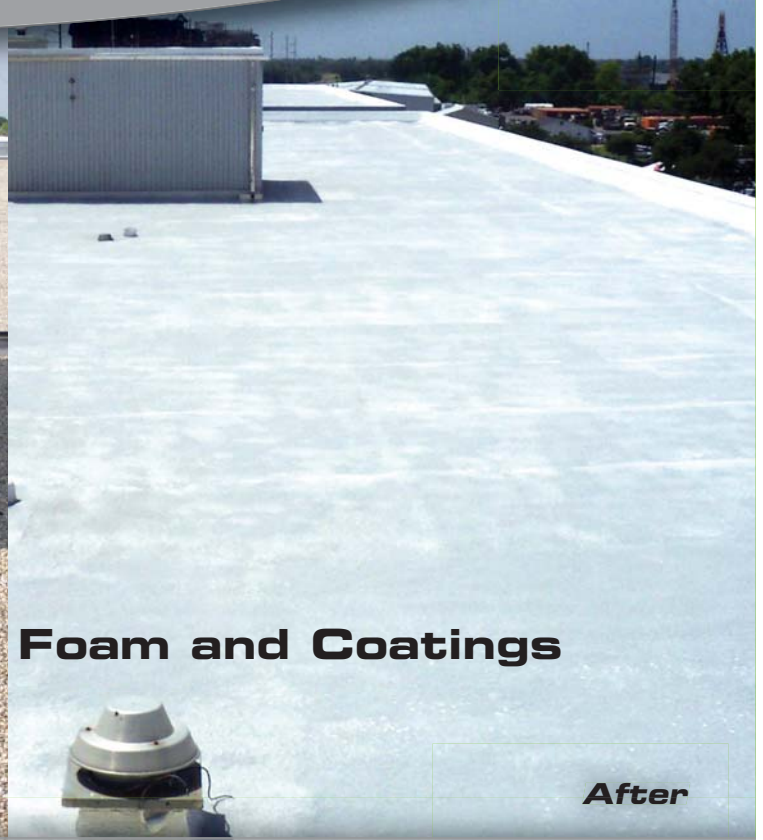
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Tips for the Competitive Bidding Process



By Tim Ducar

Bidding on a public job can be frustrating. The process the governmental body utilizes to request bids and then to decide can be shrouded in mystery. This article will present insight on the bidding process and shed a bit of light on the process.

Most public bodies follow the Arizona Procurement Code, but not all of them. Partly because of this, depending upon the Request For Proposal, the rules will vary. Requirements in the Request For Proposal must be followed. If a Proposal from bidders is due at 3:00 p.m., and the requesting body requires 10 copies to be submitted, if you submit a Response at 3:10 p.m. or with less than 10 copies, your Proposal probably will be found to be non-responsive and the Proposal will not be considered.

Recently, a contractor I represented found out he was not the successful bidder five days after his competitor was awarded the project. The contractor had 10 days to file a bid protest. He asked for backup documentation from the contracting body, but did not press for the information to be released immediately. He received the information about 10 days later. Any bid protest would have been late and, as a result,

would have had an uphill battle.

With that said, bid protests sometimes work with just a few letters to the correct person. Recently, I represented a roofer who challenged the award of a contract to a competitor. In this situation, we alleged that the architect for the county colluded with the salesman of a particular product to require the salesman's product to be used in the project. Based on information from the salesman and the architect, the Procurement Officer did not consider my client's suggested use of a different product that was an "equal alternate." This requirement eliminated all other roofers who had submitted bids because none of the other roofers were approved to apply the product, including my client. After I pointed out the wrongfulness of the process to the Procurement Manager, the Procurement Manager reversed the Procurement Officer's decision and awarded the contract to my client.

In the event that letters to the correct person do not work, the aggrieved party may commence legal action, often with the Arizona Department of Administration (the forum is dependent upon the public body that issued the Request For Proposal). In the case of the Arizona Department of Administration, a hearing officer will hear the case and submit his or her decision to the Director, who has the ability to accept it or modify it. As in the case with a decision from the Arizona Registrar of Contractors, if the aggrieved party is still not satisfied, that party can seek judicial relief in Maricopa County Superior Court.

If you are not the successful bidder, you will immediately wonder why you were not. You may want to inquire about the scoring process that the public body uses. That is, the public body may put different weights on the different requirements within the proposal. Some of the requirements within the RFP may be mandatory, and some may be discretionary.

Additionally, the actual scoring may have an error. Scoring implies assigning numbers to different criteria. The numbers are weighted, and then added up. This process requires humans to enter the numbers into a spreadsheet. This data entry is subject to mis-entry of numbers, or mis-calculation of numbers.

If you follow the bid requirements closely, aggressively follow up with any requests for clarification, and demand information immediately when denied an award, you will be in a much better position to protect your rights.

Timothy D. Ducar is an attorney practicing in general litigation matters, including business, construction, and general litigation. He also associates with other attorneys who practice in almost all other areas of law. If he cannot assist you with your particular legal matter, he will refer you to an attorney he would trust with his family or friends. He can be reached at (602) 277-9338.



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ARCA extends a warm welcome to our newest Members who recently joined the association:

★ Fleming West Building Company
Aaron Wolf, 480 951-5301

★ Fleetmatics
Chelsea Carlson, 866 844-2235

★ Enterprise Bank & Trust
Jack Barry, 602 824-5728

★ Evans Quality Home, LLC
John Evans, 520 884-3547

Recent News of Interest to Roofers

The International Agency for Research on Cancer conducted a review of the potential carcinogenicity of asphalt. One of the conclusions was “occupational exposure to asphalts and their emissions during roofing are probably carcinogenic to humans”.

To read details visit www.azroofing.org/nrca-letter-asphalt-carcinogenicity.

2012 ARCA Membership applications can be downloaded at www.azroofing.org/forms/membership.pdf

Committee Opening

The Training and Career Promotion committee is currently open and in need of a volunteer chairperson. The main responsibility of this committee is to make preparations for ARCA's booth at the Arizona Construction Career Day, in which high school students are introduced to various construction industries and career opportunities within them.

If you are interested in volunteering or finding out more, please contact the ARCA office at 602 335-0133.



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Raising The Roof for Youth At Risk

15th Annual Charity Bowling Tournament & Silent Auction



Saturday, June 9th, 2012 • 11:00 AM - 4:30 PM
At AMF Squaw Peak Lanes, 3049 East Indian School Road

2012 Partnership Pledge

DONATE

- Diamond Partner - \$2,000
- Platinum Partner - \$1,000
- Gold Partner - \$500
- Silver Partner - \$250
- Bronze Official Player Partner
Contribute 400 gift items for bowler registration bags.
- Other cash contribution \$ _____
- Donate cash for _____
- Donate Youth, Teen or Adult Door Prize
- Donate Silent Auction Item
- Donate 'Grand' Item for Prize Lane

All checks must be made payable to The Arizona Roofing Industry Foundation.*

Every partnership dollar goes directly to Greater Phoenix Youth At Risk, a 501(c)(3) organization that helps homeless and at-risk youth!

All charity partners receive recognition in the official event program and a receipt for tax deductible contributions following the event.



PARTICIPATE

- Team Participation - Registration Fee \$325 *****Please fill out attached player form*****

Team consists of 6 bowlers made up of any age group, youth and adult. For tournament scoring, youth will receive (handicap) points according to age. All team participants receive 3 games of tournament bowling, shoe rental, event tee shirt, lunch, fun stuff, and a door prize entry ticket for a chance to win big prizes!

Company _____ Contact Person _____

Address _____ City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

➔ ALL CHECKS MUST BE MADE PAYABLE TO: THE ARIZONA ROOFING INDUSTRY FOUNDATION*

OR PAY BY CREDIT CARD:

Credit Card # _____ Billing Zip _____ Exp. Date _____ Sec. Code _____

Authorized Signature _____

*The Arizona Roofing Industry Foundation (ARIF) is recognized as a 501(c)(3) tax-exempt non-profit organization (ID 38-3799558).

Please send completed form with payment to: ARIF, 5050 N. 8th Pl., Ste. 6, Phoenix, AZ, 85014

Questions? Call 602 335-0133 or email acreighton@azroofing.org. Pledges can be faxed to 602 335-0118.

Raising the Roof for Youth On Their Own

9th Annual Charity Bowling Tournament & Silent Auction



Saturday, July 14th, 2012 • 11:00 AM - 4:00 PM
At Golden Pin Lanes, 1010 West Miracle Mile, Tucson

2012 PARTNERSHIP PLEDGE

DONATE *All donations are fully tax deductible unless otherwise noted.*

- Title Partner - \$10,000** (\$9,880 is tax deductible as a charitable contribution)
Receives two free lanes, 12 registration bags, and a full page ad in the official program
- Platinum Partner - \$5,000** (\$4,940 is tax deductible as a charitable contribution)
Receives one free lane, 6 registration bags, and a half page ad in the official program
- Gold Partner - \$1000** (\$940 is tax deductible as a charitable contribution)
Receives one free lane, 6 registration bags, and recognition in the official program
- Silver Partner - \$500**
Receives recognition in the official program
- Copper Partner - \$250**
Receives recognition in the official program
- Bronze Official Player Partner** (Contribute 400 gift items for bowler registration bags)
Receives recognition in the official program
- Donate Youth or Adult Door Prize** _____
- Donate \$20 towards Event Bake Sale**
- Donate Silent Auction Item** _____
- Other Cash Contribution \$** _____



All checks must be made payable to the Arizona Roofing Industry Foundation.*

Every partnership dollar goes directly to Youth On Their Own, a 501(c)(3) organization that supports the high school graduation of homeless unaccompanied youth.

Learn more at www.yoto.org.

All charity partners receive recognition in the official event program and a receipt for tax deductible contributions following the event.

PARTICIPATE

- Team Participation - Registration Fee \$300** (\$240 is tax deductible as a charitable contribution)
See next page for complete registration form. Team consists of 6 bowlers made up of any age group, youth and adult. All team participants receive 3 games of tournament bowling, shoe rental, event t-shirt, lunch, fun stuff, and a door prize entry ticket for a chance to win big prizes!

Company _____ Contact Person _____

Address _____ City _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

➔ ALL CHECKS MUST BE MADE PAYABLE TO: THE ARIZONA ROOFING INDUSTRY FOUNDATION

OR PAY BY CREDIT CARD:

Credit Card # _____ Billing Zip _____ Exp. Date _____ Sec. Code _____

Authorized Signature _____

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ARIZONA ROOFING CONTRACTORS ASSOCIATION MEMBER CONTACT FORM

If you need to update your email address or fax number, or if you'd like to sign up additional employees to receive this newsletter and other ARCA notices, please fill out and return this form.

Name: _____ Company: _____ Date: _____

How would you prefer to receive ARCA correspondence?

- By email By fax

Please provide current contact information below:

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If email is your preferred method of receiving event notices, legislative updates, and other ARCA news, is there anybody else in your company who should receive this information as well?

- No, please send ARCA news only to me.
 Yes, please also send ARCA news to the following contacts:

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