



THE BASESHEET

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VOLUME 14, NUMBER 4 | FOURTH QUARTER, 2013



GREETINGS FELLOW ARCA MEMBERS:

I want to applaud everyone who attended the Convention in Prescott. I believe those who did find it was time and money well spent. From socializing, to seminars, or trade show, everyone benefited.

The Convention is just one way ARCA helps our members stay on top of the things that affect our industry locally and nationally. With the fast pace of today it becomes more and more important for all of us to stay informed, and up to date, which is one of the primary tasks that ARCA has been assigned.

New regulations such as the new Hazcom training requirements from OSHA, soon to be release Silica rules, daily changes in "Obama Care" regulations, legislation affecting contracts or payment to how we pay and collect taxes. These are only a few of the items that your association tracks and reports on. But, like you keeping on top of everything challenges the best of us.

Our involvement in the Association, chairing a committee, serving on a committee, taking advantage of safety training, seminars, dinner meetings, attending a hearing at the capital, or contacting your State representative, are all things you can do to stay informed, while making sure that our association stays strong and remains a leader in the state.

I urge each and everyone of you to find a way to be an active member not just of our Association but of our industry. I believe that the time we spend will help guarantee a healthy future for us and the next generation of roofing contractors.

Sincerely,

John Yoder

*John Yoder, President
Arizona Roofing Contractors Association*

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It's time to renew your ARCA Membership...

Your continued support and membership will:

- help ARCA represent your voice in legislative issues that affect your industry
- entitle you to free safety training and access to an extensive library of vital industry-specific resources
- keep you informed with up-to-date news on issues that affect your livelihood
- keep you engaged and in touch with the Arizona roofing industry community

You will receive an official ARCA Membership renewal notice and invoice in the mail early next month.



Be Kind to Back, Neck

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

Back and neck injuries can occur at any time and may cause long-term pain if they go untreated.

According to a recent ChiroCare - a chiropractic network - study, employees often underestimate their back or neck injuries and do not seek medical treatment, which can lead to productivity losses and possible spinal damage.

The study found employees with back and neck pains often do not seek professional help, resulting in missed workdays. Despite their pain, 68 percent of survey participants decided not to seek treatment because they were concerned the cost of treatment would be too high.

However, by not seeking medical treatment, the study's results showed workers were then twice as likely to miss work and three times more apt to make on-the-job mistakes, as nearly 20 percent of the survey participants acknowledged their pain caused them to perform tasks incorrectly.

The Bureau of Labor Statistics reported joint sprains and muscular strains and tears can cause back and neck injury. In 2011, 22 percent of spinal injuries resulted from overexertion in lifting or lowering.

According to the BLS, the average recovery time for a back strain is seven days if the worker seeks treatment. However, the longer it takes for employees to seek medical care, the longer the healing process will be.

No matter the industry, all workers should learn and use proper techniques to protect their spinal cord and back and neck muscles. Brookhaven National Laboratory and the Arizona Chapter of the National Safety Council offer these tips for safe lifting practices:

- Be aware of any potential tripping hazards in the area
- Keep the back straight, do not stoop forward
- Lift from the squat position, bending at the knees and using leg muscles
- Carry the load close to the body, with elbows and arms tucked in
- Never twist from the waist when changing direction
- Keep feet planted and distribute weight evenly
- Lower the lifted object slowly using leg muscles

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

SCF ARIZONA
3030 North 3rd Street
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Phone: 602.631.7992
Fax: 602.631.2609
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LEED v4 Passes Ballot, Will Launch This Fall

The U.S. Green Building Council (USGBC) announced that its membership has voted to adopt LEED v4, the next update to the world's premier green building rating system. The final overall vote was 86 percent in favor of adopting LEED v4. This includes 90 percent approval from the user category of the voting body, 77 percent approval from the general interest category and 89 percent approval from the producer category. The minimum overall percentage of votes needed for a passing vote was 66.7 percent.

"There are 46 countries and territories around the world and all 50 U.S. states and the District of Columbia represented in the voting pool for LEED v4, which includes an extraordinarily diverse group of industry professionals, manufacturers, educators and other green building leaders," said Joel Ann Todd, chair of the LEED Steering Committee. "USGBC sets a very high bar for a rating system to be approved. The rating system must earn a significant percentage of the overall vote as well as a majority approval from each of the various LEED stakeholder groups. This ensures that rating system approval represents the full diversity of USGBC's membership."

Over the course of LEED's development cycle, the program undergoes a series of public comment periods ending with a final ballot, during which USGBC members vote on whether to adopt the changes within the final proposed system.

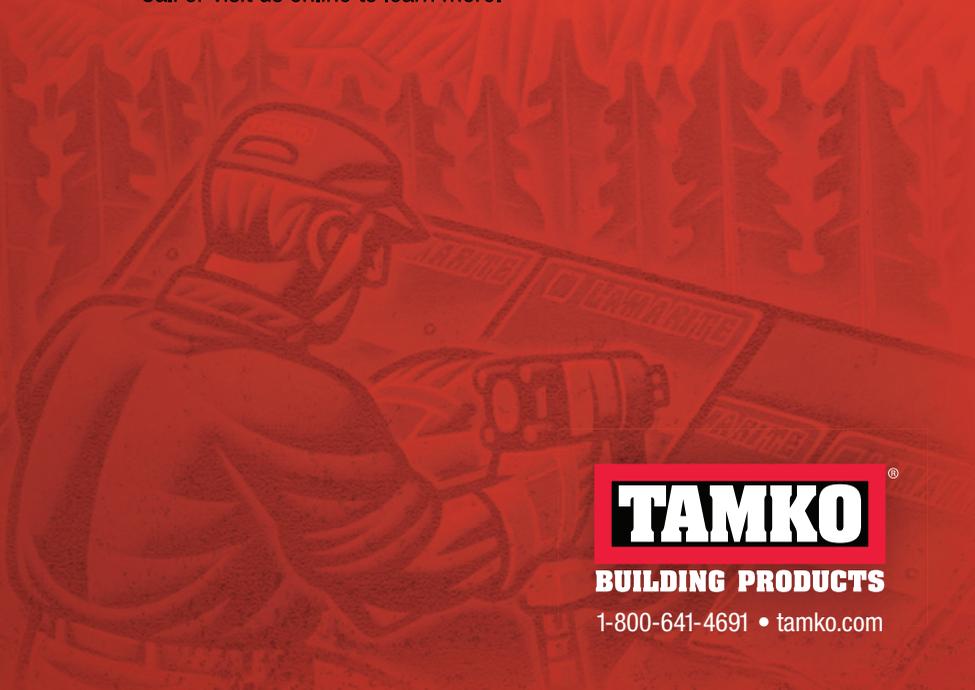
"This update of LEED builds on the past while offering new requirements, preparing all LEED projects to achieve higher levels of building performance and positive environmental outcomes," said Scot Horst, senior vice president of LEED, USGBC. "This newest version of LEED challenges the market to make the next leap toward better, cleaner, healthier buildings. I am confident that people will also notice the improved usability of the system with an improved documentation process and more resources and tools to assist and support positive action."

Starting this summer, USGBC will offer education on LEED v4 in the form of webinar suites, and the full program, along with reference guides, will be unveiled at this year's Greenbuild International Conference & Expo. Currently, there are more 100 projects pursuing certification through the LEED v4 beta program. With projects currently in the review phase, some will certify as early as this summer. Enrollment for the beta program is still open. Download the LEED v4 User Guide for details. 

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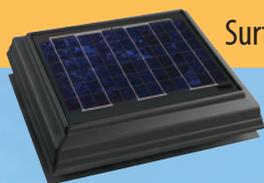
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Curb Mount



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.

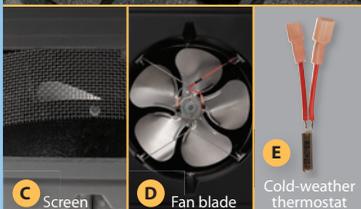
B High-performance housing molded with UV-stabilized ABS color-dyed plastic to prevent damage from sunlight and provide stability. May be painted to match roof color.

Heavy-duty motor whisper-quiet direct-current variable-voltage 1-36 VDC hardened stainless steel shaft and zinc-plated steel motor housing, dynamically balanced for excellent performance.

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.

To obtain a copy of the most current version of this poster, visit us online at tamko.com or call us at 1-800-641-4691.
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Legislative Update



State of Arizona:

ARCA and other members of the Subcontractors Coalition have begun meeting on the 2014 strategic legislative agenda. Of primary importance is the modifications required to the Transaction Privilege Tax package which was passed last year but does not go into effect until 2015. There are numerous provisions that need clarification or alteration to be ensure that contractors know how to correctly handle purchasing material and paying at the point of sale or deferring payment. The current language is subjective and could result in unfavorable audits and subsequent fines.

Federal:

Political gridlock has reached epic proportions in Washington, D.C., causing a partial shutdown of the federal government and threatening the authority of the U.S. treasury to borrow funds needed to finance government operations.

Federal Budget

With the first partial government shutdown since 1996 entering the second week, President Obama and congressional Republicans finally appear to be making progress to resolve the budget impasse, at least on a short-term basis. Congress failed to provide funding authority for federal agencies to operate (with many exceptions) as of Oct. 1, the start of fiscal year 2014, because of ongoing disputes regarding spending levels and House Republicans' demand to defund the Affordable Care Act. House Republicans have passed a number of bills during the past week to fund some government agencies on a piecemeal basis, but President Obama and Senate Democrats continue to insist Republicans agree to reopen the government before they will negotiate on budget issues or anything related to the health care law. With the statutory debt limit deadline also fast approaching (\$16.7 trillion statutory debt ceiling could be reached as early as Oct. 17) it remains unclear when normal government operations will resume.

Immigration Reform

In September the House Republican leaders indicated they were committed to moving forward with several targeted immigration reform bills in the near future. They expressed a willingness to pursue legislation that would provide immediate legal status for currently undocumented workers but no dedicated path to citizenship, as the comprehensive immigration bill approved by the Senate in June would do. Additionally, House Republicans are hoping to move forward with new legislation to establish a temporary worker program that meets the work force needs of the roofing and construction industries. But whether House Republicans will follow through on pledges to

move forward on immigration reform once the current budget issues are resolved is highly uncertain.

Health Insurance Tax

NRCA and other business groups are stepping up pressure to repeal the new Health Insurance Tax, one of the many new taxes authorized by the Affordable Care Act, before it takes effect in January 2014. The burden of this tax will be borne mostly by small businesses and self-employed individuals who purchase health insurance in the fully insured market. One credible estimate of the cost of this tax finds that a family of four will incur \$5,000 in higher premiums during the next decade. Given the budget implications of this tax (estimated to raise more than \$100 billion in revenues over 10 years), it is possible a two-year delay of the tax could be included, as an interim measure, in any budget-related deal approved by Congress this fall.

Tax Reform

House Ways and Means Committee Chairman Dave Camp (R-Mich.) may soon unveil a proposal to overhaul the U.S.'s tax code. NRCA continues to meet with lawmakers on Capitol Hill to advocate for a number of tax priorities for the roofing industry, including lower individual and corporate tax rates and reform of the depreciation schedule for commercial roofs. As part of our efforts, NRCA sent out a short survey to members soliciting feedback to provide key lawmakers with more information regarding how tax issues affect our industry. NRCA members responded by sharing their frustrations with the complicated tax code, high cost of compliance and other concerns with existing tax provisions. Although the effort to pass tax reform faces serious headwinds given the current legislative paralysis on Capitol Hill, it is possible an agreement to resolve the current budget crisis could include a mechanism to advance such legislation.

Energy-efficiency Debate

The Senate recently opened debate on the Energy Savings and Industrial Competitiveness Act (S. 761), legislation. This legislation focuses on improving energy efficiency throughout the U.S. However, the debate on S. 761 bogged down because of senators' insistence on offering unrelated and controversial amendments to the bill. Sponsors of the bill and committee leadership currently are looking at amendments that could be included to bring the legislation back to the floor for a vote. As part of the debate, Sen. Ben Cardin (D-Md.), the lead sponsor of roofing depreciation reform legislation, spoke on the Senate floor about the importance of depreciation reform to create jobs and improve energy efficiency. Cardin is leading a bipartisan effort to have commercial roof depreciation reform addressed in any tax reform legislation considered by Congress. 



2013/14 ARCA President John Yoder (Star Roofing)



Mike Wadding (Henry Company)



Saturday educational seminar



ARCA Past President Sal Flores (Inca Roofing) and 2nd Vice President Russ Hyman (Gryphon Roofing)

44th Annual Convention Recap

ARCA held its 44th Annual Convention and Trade Show at the beginning of October. After an especially grueling summer of suffocating heat, the escape to Prescott was particularly refreshing this year, and members made the most of their time up north, engaging in golf, sporting clays, and horseshoes tournaments, as well as embarking on independent excursions (such as an outing to the Prescott pumpkin patch) in the absence a formal Saturday luncheon.

The educational seminars were well attended this year. Larry Tate from Johns Manville gave an informative presentation on techniques and knowledge needed to properly install substrate, fasteners, decks and base plies, insulation, roof membranes, flashing, and other construction considerations when using SBS modified bitumen roofing systems in Arizona's environment. Eric Petrie from Petrie & Venditti gave a presentation designed to improve the knowledge of contract law and attendees learned how to avoid construction pitfalls, identify favorable contract clauses, and how to contractually allocate risk/avoid lawsuits.

To compliment the convention's theme of "Mystery on the Mountain," the convention committee added a new twist this year and put on a weekend-long murder mystery game (based on the game Clue) in which many attendees participated for a

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chance to win prizes. Different clues were offered at each event during the three days of activities, the accumulation of which led to one killer, one weapon, and one location. It turns out ARCA members are a sleuthy bunch because several of you were able to crack the case.

Saturday night's banquet saw the outgoing of ARCA's dedicated president for two terms, Sal Flores (Inca Roofing), and the induction of our now-current president John Yoder (Star Roofing). John has many ideas on how to bring additional value to ARCA members and improve our current services.

Many thanks to everyone who attended this year's convention - it's always a real pleasure to reconnect with all of you. Appreciation is extended also to our committed Convention Committee, who worked hard all year long to plan a memorable event for ARCA members. Special thanks to committee chair **Kim Scholten (Western Colloid)** and co-chair **Valorie Miller (Jim Brown & Sons Roofing)** for their dedication and drive, and for giving so much of themselves to pull off another successful event. 🏠

Convention Tournament Results

Golf

Thursday Golf Invitational

- 1st Place Oscar Gomez
- 2nd Place George Keeley
- 3rd Place Greg Marrs

Friday Golf Championship

Flight A Winners

- Dave Eyer
- George Keeley
- Bob Alling
- John Alling

Flight B Winners

- Oscar Gomez
- Rene Lujan
- Scott Ekstrom
- Mariellen Ekstrom

Sporting Clays

Thursday Tournament

- 1st Place Zach Lundberg
- 2nd Place Alan Lundberg
- 3rd Place Ron Brown

Friday Tournament

- 1st Place Alan Lundberg
- 2nd Place Zach Lundberg
- 3rd Place Mike Wadding

Horseshoes

- | | | | |
|-----------|------------------------------|-----------|-------------------------------|
| 1st Place | Scott Lander
Candy Lander | 2nd Place | Brett Reichard
Brian Torry |
|-----------|------------------------------|-----------|-------------------------------|



Friday morning bingo tournament



Chuck Chapman (Tecta America AZ) and Ron Brown (Jim Brown & Sons Roofing)



Sporting clays tournament

ARCA CONVENTION 2014 LAUGHLIN

We're not in ~~Kansas~~ Prescott anymore.

October 2-4, 2014 · Aquarius Casino Resort · Laughlin, Nevada

Stay tuned for details. (But mark your calendars now.)



Hazard Communication Standard Final Rule

New changes to the Occupational Safety and Health Administration's (OSHA) Hazard Communication Standard are bringing the United States into alignment with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS), further improving safety and health protections for America's workers. Building on the success of OSHA's current Hazard Communication Standard, the GHS is expected to prevent injuries and illnesses, save lives and improve trade conditions for chemical manufacturers. The Hazard Communication Standard in 1983 gave the workers the 'right to know,' but the new Globally Harmonized System gives workers the 'right to understand.'

The new hazard communication standard still requires chemical manufacturers and importers to evaluate the chemicals they produce or import and provide hazard information to employers and workers by putting labels on containers and preparing safety data sheets. However, the old standard allowed chemical manufacturers and importers to convey hazard information on labels and material safety data sheets in whatever format they chose. The modified standard provides a single set of harmonized criteria for classifying chemicals according to their health and physical hazards and specifies hazard communication elements for labeling and safety data sheets.

Benefits: The new standard covers over 43 million workers who produce or handle hazardous chemicals in more than five million workplaces across the country. The modification is expected to prevent over 500 workplace injuries and illnesses and 43 fatalities annually. Once fully implemented it will also:

- Enhance worker comprehension of hazards, especially for low and limited-literacy workers, reduce confusion in the workplace, facilitate safety training, and result in safer handling and use of chemicals;
- Provide workers quicker and more efficient access to information on the safety data sheets;
- Result in cost savings to American businesses of more than \$475 million in productivity improvements, fewer safety data sheet and label updates and simpler new hazard communication training; and
- Reduce trade barriers by harmonizing with systems around the world.

Rulemaking background: OSHA published a Notice of Proposed Rulemaking to update the Hazard Communication Standard in September 2009 and held public hearings in March 2010.

Major changes to the Hazard Communication Standard:

- **Hazard classification:** Chemical manufacturers and importers are required to determine the hazards of the chemicals they produce or import. Hazard classification under the new, updated standard provides specific criteria to address health and physical hazards as well as classification of chemical mixtures.
- **Labels:** Chemical manufacturers and importers must provide a label that includes a signal word, pictogram, hazard statement, and precautionary statement for each hazard class and category.
- **Safety Data Sheets:** The new format requires 16 specific sections, ensuring consistency in presentation of important protection information.
- **Information and training:** To facilitate understanding of the new system, the new standard requires that workers be trained by December 1, 2013 on the new label elements and safety data sheet format, in addition to the current training requirements.

Changes from the Proposed to the Final Rule: OSHA reviewed the record and revised the Final Rule in response to the comments submitted. Major changes include:

- Maintaining the disclosure of exposure limits (Threshold Limit Values [TLVs]) established by the American Conference of Governmental Industrial Hygienists (ACGIH) and carcinogen status from nationally and internationally recognized lists of carcinogens on the safety data sheets;
- Clarification that the borders of pictograms must be red on the label;
- Flexibility regarding the required precautionary and hazard statements to allow label preparers to consolidate and/or eliminate inappropriate or redundant statements; and
- Longer deadlines for full implementation of the standard (see the chart on the next page).

(continued)

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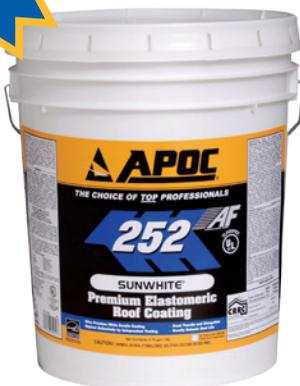
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(continued) **What you need to do and when:**

- **Chemical users:** Continue to update safety data sheets when new ones become available, provide training on the new label elements and update hazard communication programs if new hazards are identified.
- **Chemical Producers:** Review hazard information for all chemicals produced or imported, classify chemicals according to the new classification criteria, and update labels and safety data sheets.

Effective Completion Date	Requirement(s)	Who
December 1, 2013	Train employees on the new label elements and SDS format.	Employers
June 1, 2015*	Comply with all modified provisions of this final rule, except:	Chemical manufacturers, importers, distributors and employers
December 1, 2015	Distributors may ship products labeled by manufacturers under the old system until December 1, 2015.	
June 1, 2016	Update alternative workplace labeling and hazard communication program as necessary, and provide additional employee training for newly identified physical or health hazards.	Employers
Transition Period	Comply with either 29 CFR 1910.1200 (this final standard), or the current standard, or both.	All chemical manufacturers, importers, distributors and employers

* This date coincides with the European Union implementation date for classification of mixtures.

Other U.S. Agencies: The Department of Transportation (DOT), Environmental Protection Agency, and the Consumer Product Safety Commission actively participated in developing the GHS. DOT has already modified its requirements for classification and labeling to make them consistent with United Nations transport requirements and the new globally harmonized system.

Global implementation: The new system is being implemented throughout the world by countries including Canada, the European Union, China, Australia, and Japan.

Additional information: More information on the hazard communication standard, including the link to the Federal Register notice, can be found on OSHA's hazard communication safety and health topics page at www.osha.gov/dsg/hazcom/index.html. 



Practical Advice for Contractors Seeking to Increase their Bonding Capacity

By Jay M. Mann

The economy has been through a long and difficult period since the financial crisis of 2008, and one of the most affected sectors of the troubled economy has been the construction industry. The economy is now showing signs of improvement. Locally in Arizona, 2013 has seen a strong rebound in residential construction; commercial construction is lagging residential, but nonetheless improving, and expectations are hopeful for commercial construction going forward.

More construction projects are being planned now than in years. All public projects and most large non-

public projects require contractors to provide bonds guaranteeing performance of their work. Important to the success of a construction company in an improving market, whether general contractor or subcontractor, is qualification for a sufficiently large bonding program to enable the contractor to bid and hopefully obtain multiple projects. This article will provide practical advice for how contractors may present their businesses to bonding companies (also known as sureties) so as to maximize their bonding capacity.

To begin, the mind-set of the surety underwriter must be understood. Although issued by insurance companies, contractor bonds are not insurance policies. While an insurance underwriter anticipates an actuarially acceptable amount of losses in connection with insurance policies, a surety underwriter will not authorize issuance of a contractor bond if any significant risk of loss is anticipated. In other words, in order to approve a contractor bond, the bonding company must be persuaded that a contractor default (and resulting bond loss) is unlikely. (continued...)

(continued) The surety literature often refers to the underwriting factors for evaluating bond applications as the three Cs - capital, capacity and character. There is actually a fourth C, communication, which is equally important to increasing bonding capacity.

The first C, capital, is based upon the contractor's financial statement. The surety underwriter will review the entire financial statement, and has particular interest in the contractor's net worth, cash flow, work in process (WIP) and accounts receivable. A typical financial computation of working capital is made by subtracting current liabilities from current assets, but then modifications are further made by the surety underwriter to subtract related party receivables and accounts receivables over ninety days past due. Cash flow is analyzed by calculating net income plus depreciation, amortization and other non-cash items, less principal payments on debt. WIP schedules are analyzed for job profitability and accuracy, as reliable internal job reporting systems are critical to gaining the surety underwriter's confidence in the contractor's estimating abilities. Aggressive collection of accounts receivable, reduction of debt, perhaps personal borrowing by the owners to infuse cash into the business, and improvement in internal management reporting systems will make the contractor's business more attractive to the surety underwriter.

The second C is capacity, which refers to skill, experience and resources to perform the bonded work. Available facilities, equipment, and personnel are all reviewed by the surety underwriter. Of course, a CEO knowledgeable in construction management is important. But also important is the management experience of personnel at the project level, which the contractor should consider in its hiring of project managers and superintendents. Availability of an adequate line of credit is essential. The surety underwriter must be convinced that the contractor will not become over-extended by taking on more work than can be handled by the contractor's organization.

Character is the third C. This refers to the contractor's integrity in business and reputation in the construction industry among customers, design professionals, subcontractors, vendors and employees. A track record of success and a history of stability and profitability is highly desirable but, of course, not possible for all contractors who have just survived the recent bad economic period. A level of trust must be established with the surety underwriter to convince the underwriter that the contractor will overcome any setbacks that are encountered in the course of the bonded job.

The fourth and most overlooked C is communication. When adverse events happen to the contractor - and some adversity is to be expected in every business - it

is important for the surety underwriter to learn about the negative development from the contractor rather than from another source. Clear communication and explanation, with accurate information, from the contractor may persuade the surety underwriter to continue a bonding program that might otherwise be in trouble. The point is that the bonding company will not issue a contractor bond unless it is convinced that there is little risk of contractor default, and direct communication may be needed by the contractor to convince the surety underwriter of that.

One final practical tip. Not all sureties are alike and not all sureties underwrite bonds in the same way. Among other differences, sureties have different risk tolerances depending upon their targeted contractor accounts and indemnity requirements. While some sureties may seek large contractors needing very substantial bonding programs, other sureties welcome bond applications from small contractors (particularly if supported by financially strong individual owners-indemnitors). A contractor seeking larger bonding capacity should shop and compare its options with a number of sureties, and hopefully find the surety which will approve a sufficiently large bonding line to enable the contractor to take advantage of the improving construction market. 🏠

Upcoming Events

october

New OSHA Haz Com Rules Training Oct 21
Tucson - Hampton Inn (251 W. Wilmot Rd.) 12:00pm - 2:30pm

New OSHA Haz Com Rules Training Oct 28
Phoenix - ARCA office 12:00pm - 2:30pm

november

OSHA 30-Hour Training in English Nov 1, 8, 15, 22
Phoenix - ARCA office 7:00am - 2:30pm

december

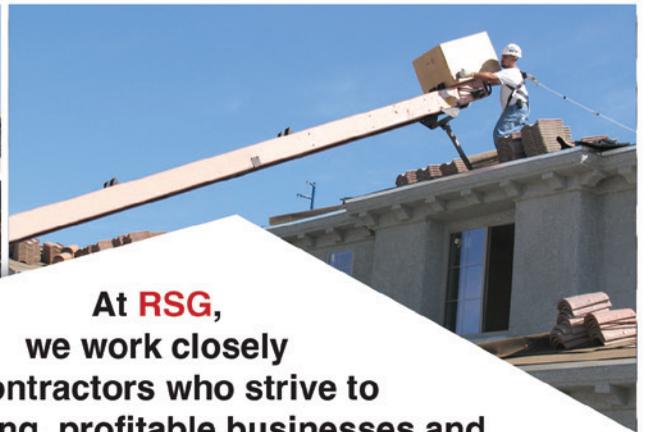
OSHA 10-Hour in English Dec 5, 6
Phoenix - ARCA office 7:00am - 12:00pm

OSHA 10-Hour in Spanish Dec 12, 13
Phoenix - ARCA office 7:00am - 12:00pm

january

OSHA 10-Hour in English Jan 16, 17
Phoenix - ARCA office 7:00am - 12:00pm

OSHA 10-Hour in English Jan 31, Feb 1
Kingman - venue to be determined 7:00am - 12:00pm



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- Ensuring that deliveries are made in a safe and timely manner and by displaying a personable and professional attitude to your customers.
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Auto and Home Insurance Benefit Now Available from Liberty Mutual

By Michael Kosse, Liberty Mutual Insurance Company

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ROC Committee Report

ARCA MEMBER
INPUT REQUESTED

By Rhonda LaNue, Lyons Roofing

The goal of the ARCA ROC committee is to work with the ROC as a partner with a goal to assist in increasing and maintaining the integrity, workmanship standards and compliance of our industry. In an effort to do this we have been active members of the ROC IAC Committee (Industrial Advisory Committee) which meets monthly, however we have not yet realized the support or respect from the agency we have hoped for. We are increasing our efforts and reaching out to you for your support and participation. Support can be as simple as providing information.

Every 5 years the ROC makes 'rule changes', and this is that year. There are many changes and all of them affect us in one way or another. Here is the most concerning to our industry.

Licensing Concerns

First, do you know what a roofer's scope of work includes and doesn't include? Many of you may be surprised to learn the following existing rules and some of the newly drafted proposed rules.

1. The upcoming rule reduces license classification by reclassifying residential and commercial into a dual license (CR-42).
2. We are told by the ROC roofers are not allowed to install more than 3 sheets of decking and are not allowed to install skylights. The existing license classification states nothing of the sort, however ARS 32-1105 D states if the work ' . . . is incidental and supplemental. . . ' it is allowed.
 - a. The new proposed rule, specifically states this classification allows us to replace up to 3 sheets of plywood. New rules do not address skylights at all.
3. Existing B licenses (GC) classifications must hire a licensed roofing contractor (except shingles and shakes). Those licenses include; B-01 (Commercial GC), B-02 (Small Commercial GC), B-03 (Remodeling and Repair GC), B-04 (Residential Engineering GC).
 - a. The new rule strikes 'and roofing (except shingles and shakes)' entirely thereby allowing anyone with a B-license to perform ALL roofing work.

The above issues are the most pressing however there are some other issues and concerns we have. Summarized here they are;

1. Does testing provide well rounded coverage for all roof types? Residential and commercial? What about B license classification exams. What areas if any do they address regarding roofing? Is it equivalent to the roofing license exam?
2. The new CR-42 scope does not include commercial systems such as built-up or single-ply.
3. Are ALL classifications of licenses allowed to perform

roofing knowledgeable or required to be properly trained in hazcom, fall protection, manufacturer's specs to install these systems?

4. If workers compensation requires a specific code for roofers (which is much higher than many other licenses) will this now be required for the 'roofing' a B license performs?
5. What about provisions for an HVAC, Plumbing, Electrical or Solar contractors who penetrate the roof system? Are they qualified to properly address the penetrations without voiding warranties, and without causing potential issues for a homeowner?

It appears the ROC is not considering many of these areas. These are some of the items that will be addressed in the coming months.

ARCA Member Feedback

This year at the convention trade show we handed out a survey asking specifics regarding the ROC matters above. We only received 10 surveys and would like to receive more. If we are going to preserve the integrity of our industry we need ARCA members to be more vocal.

We have already garnered the support of Nelson Braddy, President and Bill Good, Executive VP of NRCA as well as Velux Corporate thanks to Rick Cornish.

Use these links to make your voice heard. Click here for a paper survey and here for the online survey. The results of this survey for those who answered yes to the questions are:

Do you replace bad decking?	100% said yes
Have you replaced more than 3 sheets?	89% said yes
Have you replaced skylights?	100% said yes
Do you have a carpenter on staff?	78% said yes
Does that carpenter have a license?	22% said yes

Additionally, we want to make sure everyone is in compliance with the ROC contract requirements which you may be cited on if any complaint is filed and it is found that you do not comply. These include:

1. Notification that the consumer has the right to file a written complaint with the ROC per 32-1154/11555. You must provide the ROC phone number, website address and this MUST be in 10 point bold font.
2. You must provide the estimated start and completion dates on the contract. Of course verbiage should include estimated, not guaranteed, depending on weather. Just make sure you don't pigeon hole yourself on this making commitments.

Please contact me directly with any questions, concerns or other ROC related matters.

Online survey - <http://survey.constantcontact.com/survey/a07e8d2fjc6hmuwcvba/tmp/greeting>

PDF survey - <http://www.azroofing.org/roc-survey.pdf> 

New LTTR Values

Pima updates its QualityMark program

By Mark S. Graham



In June, the Polyisocyanurate Insulation Manufacturers Association (PIMA) announced its QualityMark-certified R-value program is being updated to incorporate a new test method for determining long-term thermal resistance (LTTR). As a result, new LTTR values are going to decrease from current values. If you are involved in the design, procurement or installation of roof systems that include polyisocyanurate insulation, you should be aware of these upcoming changes.

LTTR test method

Since 2004, LTTR values for polyisocyanurate insulation have been reported using PIMA's QualityMark program, which provides for testing according to CAN/ULC-S770-03, "Standard Test Method for Determination of Long-Term Thermal Resistance of Closed-Cell Thermal Insulating Foams."

In 2011, the U.S. product standard for polyisocyanurate insulation, ASTM C1289, "Standard Specification for Faced Rigid Cellular Polyisocyanurate Thermal Insulation Board," was updated to reference CAN/ULC-S770's 2009 edition. Use of ASTM C1303-11, "Standard Test Method for Predicting Long Term Thermal Resistance of Closed Cell Foam Insulation," also is permitted.

Beginning Jan. 1, 2014, either CAN/ULC-S770-09 or ASTM C1303-11 will be used in the QualityMark program to determine and report LTTR.

Changing LTTR values

The updated LTTR test methods will result in LTTR values that are lower than the LTTR values roofing professionals have become accustomed to using. The new minimum values established by the QualityMark program are shown in the figure. The slightly increasing LTTR per inch thickness indicates a lower cell gas diffusion rate with thicker polyisocyanurate insulation products.

Overall, these new LTTR values represent about a 7 percent decrease from current values.

Individual polyisocyanurate insulation manufacturers may publish product- and thickness-specific LTTR values greater than those established in the QualityMark program.

PIMA and polyisocyanurate insulation manufacturers have indicated they do not anticipate the change in LTTR values will have any effect on polyisocyanurate insulation's physical properties.

Implementing the change

Manufacturers are expected to provide additional information specific to their products and begin labeling them with the new LTTR values later this year.

The transition to the new values is expected to cause some confusion for designers, product suppliers and distributors, and roofing contractors. Of particular concern are roofing projects that will be designed and possibly bid using this year's LTTR values but installed after the Jan. 1, 2014, implementation date when the new, lower LTTR values are applicable.

NRCA recommends designers specify polyisocyanurate insulation by its thickness— not R-value—based on the required R-value for specific project conditions.

During this transition period, for projects where designers specify polyisocyanurate insulation by R-value, roofing contractors may want to consider submitting requests for information (RFIs) to clarify whether the current or new LTTR values are applicable. This article can be included in RFI submissions.

More information about polyisocyanurate insulation, including NRCA's recommendations for using in-service design R-values, is provided in *The NRCA Roofing Manual: Membrane Roof Systems—2011*, which can be purchased at <http://shop.nrca.net>. 



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Using Independent Contractors Can Be Risky Business



By Timothy Ducar, Law Offices of Timothy D. Ducar, PLC

The October 5, 2010 hailstorm in Maricopa County brought roofing opportunities for roofers who had the ability handle an onslaught of work. Many roofing companies hired workers as independent contractors to assist with the temporary surge in need. Until now, the Registrar has not weighed in on whether this practice could cause a contractor to be disciplined. The Registrar's silence has empowered many roofers to hire independent contractors to perform roofing work.

In response to inquiries after the 2010 hailstorm, in a Substantive Policy Statement issued May 17, 2013, the Registrar has attempted to clarify its position regarding independent contractors. Unfortunately, the policy is unclear and contradictory. However, it appears that the Registrar is saying that contractors may hire independent contractors, and utilize temporary employment agencies, to perform job duties that do not include acts related to a contracting trade. So, contractors are free to utilize clerical workers, accountants, office managers, or other workers for duties that do not include the act of contracting. On the other hand, if a contractor needs an extra worker to perform the skilled labor in which the contractor is licensed, the contractor needs to utilize an independent contractor who is licensed in the trade he is to perform or hire that worker as an employee.

The Policy Statement points out that there is a gray area between a worker who is truly an independent contractor and one who is an employee but being called an independent contractor. In general, the more control the employer has over the worker's job duties, and how the worker performs his/her job, the more likely that worker will be deemed an independent contractor by a court or the IRS.

In the event a court or governmental agency determines

that a contractor violated laws or regulations, the Registrar can discipline the contractor. The Policy Statement provides examples of such laws and regulations, including

- Failure to comply with social security statutes and rules
- Failure to provide worker's compensation coverage or to comply with unemployment benefits coverage
- Failure to pay income, withholding, or any other required tax
- Aiding and abetting an unlicensed contractor, or entering into a contract with an unlicensed contractor to perform work for which a license is required.

The most likely violation that may get the attention of the Registrar would be the aiding and abetting allegation, or entering into a contract with an unlicensed contractor.

To date, the Registrar has not actively begun to enforce the thrust of the Policy Statement. It took two and one half years after the hailstorm of 2010 for the Registrar to issue its Policy Statement. However, contractors should be cognizant of the Policy Statement and abide by it now and, particularly, when the next hail storm hits.

Timothy D. Ducar is an attorney practicing general litigation matters, including business, construction, employment, ADOSH and worker's compensation issues. He practices in Arizona, California, Nevada and Utah. He will provide you written materials that discuss increasing collections at no cost. If he cannot assist you with your particular legal matter, he will refer you to a competent attorney. He can be reached at (480) 502-2119. [Home](#)

2014 Workers Comp Rate

NCCI has released the 2014 Roofer Workers Comp Rate effective 1/1/14

Expiring 2013- 21.64

Estimated 2014- 21.54

Message from NRCA Executive Vice President Bill Good regarding worker exposure to silica

On Sept. 12, 2013, the Occupational Safety and Health Administration (OSHA) issued a Notice of Proposed Rulemaking on worker exposure to silica. Under federal law, regulatory agencies are required to issue proposed rules before they can impose final rules; interested parties must be given the opportunity to comment on the proposed rules, and the issuing agency is required to take those comments into account.

Silica is a naturally occurring element that can cause respiratory diseases, such as silicosis in humans, generally when exposures are at high levels for long time periods. The International Agency on Research in Cancer has classified silica as a “known human carcinogen.”

The proposed OSHA rule would require employers to conduct air monitoring in work areas where there is reason to suspect silica exposure may exceed 25 micrograms per cubic meter on an eight-hour, time-weighted average basis. (A microgram is 1/1000th of a milligram.) OSHA refers to the 25-microgram exposure as an action level; if it is met, the employer is required to conduct air monitoring to determine whether employee exposures exceed the permissible exposure limit (PEL) of 50 micrograms per cubic meter, again measured on an eight-hour, time-weighted average basis.

If exposures exceed the PEL, employers are required to use engineering controls to reduce the exposures unless using those controls is infeasible or creates greater hazards. The most common engineering controls used to control silica exposures are vacuums and wetting devices. If engineering controls don't succeed in reducing exposures to a point below the PEL, respirators must be used. Regardless of the control methods used, when exposures exceed the PEL, employers must control access to the site, conduct training and keep records. If respirators are used, the rule would require medical surveillance be conducted periodically.

OSHA estimates the cost for compliance for the average employer to be \$798 per year.

Silica is found in a number of products commonly used in the roofing industry and also in a number of products that may be encountered by roofing workers on typical construction sites. These include any products made from concrete, such as concrete tile and pavers; bricks; clay tiles; slate; and aggregate. In addition, silica often is used as a “separator” material in asphalt roofing materials and may also be contained in those products.

NRCA is working on two fronts to address the issues presented by the proposed rule.

First, we are working with the Tile Roofing Institute to

gather worker exposure data. We need to learn if and when there are cases where roofing workers may be exposed to silica at levels above the PEL. And as part of our data gathering, we will be conducting air monitoring on jobs involving asphalt products; although we suspect workers won't approach the PEL on those jobs, we want to be certain they don't.

Second, we are part of a broader, multi-association coalition addressing the much larger issues raised by the proposed rule. We believe the cost estimates, for example, are absurdly low; there is also compelling evidence that the rate of silicosis in the U.S. has been declining rapidly. The coalition has asked OSHA to extend the time allowed for public comment; as the proposal is written, comments must be received by Dec. 11.

There are several things you can do to help:

- We need to gather as much air-monitoring data as possible to help develop our comments and a database of objective data that can be used in the future. If you have any air-monitoring data for silica exposure, please share it with us.
- You can submit comments to OSHA regarding the proposed rule. We intend to argue vacuuming and wetting, especially on tile roof jobs, creates greater hazards than incidental exposure to silica. If you have had experience in this area, your comments will be extremely helpful.
- You can let your elected officials know how this rule will affect your business. Once again, we suspect professional contractors will make a good faith effort to comply with it though many others will simply ignore it.

If you intend to submit comments or write your elected officials, please let us know. We want to be sure all our comments are properly coordinated, and we can assist with some suggested language.

At the staff, Harry Dietz, our director of risk management, will be coordinating our efforts. Please feel free to contact him with your questions, concerns and comments. Harry can be reached at (847) 493-7502 or hdietz@nrca.net. 

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

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high heat applications...**

Solar panels (which are dark in color by nature) can create areas of high temperatures up to **190°F** on adjacent roof surfaces. Other highly reflective architectural structures (such as mirrored glass) can act as solar magnifiers and concentrate sunlight onto nearby roof surfaces. This concentrated sunlight can be far more intense than ambient sunlight — leading to premature membrane failure.

**EverGuard® Extreme™ TPO
is the next generation in
TPO membranes—with the
best guarantee in the industry!**

GAF scientists have created the next generation in TPO membranes, built to handle the extreme demands that new rooftop applications can place on roofing membranes. EverGuard® Extreme™ TPO uses proprietary stabilizers and UV absorbers to achieve weathering performance far beyond current standards. That means more protection for your customers — and for you.



Not eligible for Well Roof™ Advantage Guarantee extension.
See guarantee for complete coverage and restrictions

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EXTREME
Advanced Heat & UV Protection TPO

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