



THE BASESHEET

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VOLUME 24, NUMBER 1 | FIRST QUARTER, 2022



ARIZONA ROOFING INDUSTRY
FOUNDATION



NRCA



WSRCA

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Letter from the President

Greetings Fellow ARCA Members:

I hope this message finds you well. Temperatures are warming up, it's just about perfect for roofing and recreational activities. ARCA has several activities coming up that you may enjoy, such as Sporting Clays, Spring Golf, and a Riders Rally. I can speak personally that Riders Rally is a lot of fun, and this one is heading up north. Members can participate in Riders Rally even if you do not ride a motorcycle.

Have you ever felt that an event could have been better? Perhaps that event's committee could benefit from your involvement. All members are welcome to join any committee they have an interest in. Our website makes it easy to register, sponsor, and pay to attend all activities. [View ARCA activities and training opportunities here.](#)

On the topic of ARCA events, whenever attending an ARCA event, please keep in mind that we represent the roofing community when we are in public. As an ARCA member, proper conduct is required by our bylaws. Please attend as many events as you would enjoy, and always maintain proper conduct.

It is tax time again. I encourage you to make certain you are properly classifying 1099 employees if you are using them. If you were unable to attend the recent ARCA meeting on this topic and are not fully certain if you comply, you may [view the information online.](#)

I am sorry to say that supply chain issues continue to plague our industry. Most indications are that supply chain issues will continue for the near future. During this time, I have had success in locating materials through strong relationships with material suppliers. A motivated salesperson can be the most effective in locating the materials you need. The materials may just come from several locations and may result in additional freight. You may not be aware that some manufacturers are allowing other manufacturers' products to be used with their system and still achieve warranties. Substitutions do require prior approval by the warranting manufacturer, but this process may allow you to proceed with a project that may otherwise be stalled.

ARIF scholarship entry opens April 1st. The deadline to apply is May 1st. All ARCA members and their immediate family are eligible to receive ARIF scholarships. Numerous scholarships are awarded each year. The process can be competitive so put your best foot forward. ARIF scholarships are awarded for most higher education, including trade schools. If you have a graduating senior or a college-age student and are an ARCA member, I encourage you to take advantage of this opportunity.

This year's Expo will be held near the valley at Harrah's Ak-Chin Casino in the town of Maricopa. There will be numerous seminar and training sessions that will benefit you and your company team. If there is a topic you are interested in learning more about—or if you are interested in presenting a topic at one of the seminar/training sessions—please let the ARCA office know. Expo hotel reservations are currently being accepted. If you would like to book your room, please call 800-CEASARS and ask for the ARCA room block (Code S09ARC2)

Sincerely,

Larry Miller, Gorman Roofing
ARCA President

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LEGISLATIVE UPDATE

By Meagan Johnson, Demenna Public Affairs

With the 2022 bill introduction deadlines behind us, Arizona lawmakers have introduced 1,556 bills, along with 116 memorials and resolutions, for a total of 1,672 pieces of legislation. This is fewer than last session's total of 1,774. The decrease can be attributed in large part to the unprecedented legislative turnover. This session, we have 10 members who are completely new to the process and some were sworn in just days before session began. Those who are new to the process may not have had adequate time to craft proposed legislation.

One challenge at the Arizona legislature that appears to be a bi-partisan frustration is the underperformance of the Request to Speak (RTS) system. This system is used by lawmakers, staff and members of the public to access information and documents concerning bills. The RTS system is especially important for the public as it allows them to register their position on a bill and request to speak in front of a committee. It was rumored that Representative Finchem's HCR 2033, a controversial piece of legislation regarding Arizona's 2020 election results, was the system's breaking point as it received widespread national attention and overloaded the already struggling system. On the bright side, Legislative Council has noted they have a potential fix to update the system, which should be implemented soon.

Following are some proposed bills:

HB 2198: EMPLOYEE TERMINATION; COVID-19 VACCINE; COMPENSATION

This bill proposes that an employee who is terminated for not receiving a COVID-19 vaccine as a condition of employment must receive either severance compensation paid by an employer in the amount of the employee's annual salary in one lump sum or installment payments over 12 months, or reemployment with the employer at the same or similar position held on the date the employee was terminated and a reasonable accommodation provided by the employer to the employee. Retroactive to December 1, 2021.

HB 2508: OCCUPATIONAL SAFETY; VIOLATIONS; PENALTIES

This bill proposes that the minimum and maximum amounts of civil penalties for violations of occupational safety and health regulations are deleted, and civil penalty amounts are as adopted by the U.S. Occupational Safety and Health Administration (OSHA) under specified federal law.

SB 1136: PUBLIC WORKS; CONTRACTS; PAYMENTS

This bill was signed on March 23. It establishes that, if the Department of Transportation directs a contractor to perform changed or additional work in accordance with a construction contract, a process is established for a contractor or subcontractor

to request payment for changed or additional work completed during the preceding calendar month in monthly pay estimates, pending a final determination of the total amount to be paid for the changed or additional work. The person designated in the construction contract to certify and approve the monthly payment estimate will make an interim determination for purposes of approval for payment of those costs. Either party may disagree with an interim determination and assert a claim in accordance with the terms of the contract. In any action or arbitration brought under these circumstances, the successful party must be awarded reasonable attorney fees and costs.

SB 1554: ESSENTIAL WORKERS; MINIMUM WAGE; OVERTIME

This bill proposes a minimum wage for "essential workers" (defined) of \$15 per hour beginning on the effective date of this legislation through May 31, 2023, \$17.50 per hour beginning June 1, 2023 through May 31, 2024, and \$20 per hour beginning June 1, 2024. Employers are required to pay essential workers this minimum wage rate for the first 40 hours of working time in any week, and 1.5 times the employee's regular hourly wage for overtime, with some exceptions. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage. 🏠

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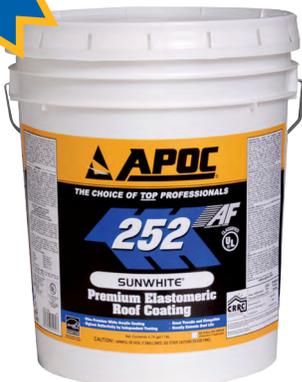
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Construction Material Prices are 24.4% Higher Than a Year Ago

CONSTRUCTION MATERIAL PRICES rose 2.6% in February and are up 24.4% on a year-over-year basis, according to www.abc.org.

Nonresidential construction material prices rose 2.5% from January to February and increased 25.1% compared with one year ago. Softwood lumber prices are up 22.2% year-over-year and 5.2% from January to February. Iron and steel prices are up 50.3% year-over-year and down 7.3% for the month. Natural gas rose 65.1% from January to February, and crude petroleum climbed 13.7%.

“It will get worse before it gets better,” said ABC Chief Economist Anirban Basu. “Not only has Russia’s assault on democratic Ukraine created supply challenges in a number of categories, including oil and natural gas, but the reemergence of COVID-19 in parts of Asia and Europe is also poised to produce additional impacts. While many still expect commodity prices to decline later this year, the wait has been meaningfully extended

by geopolitical conflicts and ongoing COVID-19 lockdowns.

“For contractors, this has the potential to put even more downward pressure on margins,” Basu continued. “It is likely that, as bid prices continue to soar, more project owners will choose to delay project starts. The current state also creates complications for public agencies considering when to start large-scale infrastructure projects. It is a challenging time to begin such projects, given the workforce shortages that remain and materials price inflation. Undoubtedly, some public administrators will decide to extend planning time, delaying project start dates.”

However, Basu said many projects continue to move forward.

“Construction backlog, as measured by ABC’s Construction Backlog Indicator, has remained stable for several months in the wake of rapidly rising materials prices,” he said. “It remains to be seen whether this stability can prove resilient in the face of additional, severe supply challenges.” 🏠

Amazon Smile

AmazonSmile customers can now support Arizona Roofing Industry Foundation in the Amazon shopping app on iOS and Android mobile phones! Simply follow these instructions to turn on AmazonSmile and start generating donations.

1. Open the Amazon Shopping app on your device
2. Go into the main menu of the Amazon Shopping app and tap into ‘Settings’
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If you do not have the latest version of the Amazon Shopping app, update your app.

[Click here for instructions.](#)

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CREST

2021 Year-End REVIEW

Agency Continues Rapid Expansion, Completing 13 Acquisitions in the Past Year

(Tucson, Arizona, January 6, 2022) - Crest Insurance Group ("Crest" or the "Company"), one of the country's fastest growing insurance brokerage firms, announced today that it completed the acquisition of four insurance brokerages in December 2021. Recent acquisitions have added a number of knowledgeable, service-oriented brokers, extended Crest's capabilities in a number of niche coverage markets, including auto dealer and fine arts product lines, and have added new offices to serve customers in and around Cottonwood, AZ, Denver, CO, Longmont, CO, Laramie, WY and Rawlins, WY. These acquisitions bring the total number completed by Crest in the past year to 13, including nine new office locations in the Company's Arizona, Colorado and Wyoming markets. "We are thrilled to welcome our new partners

into the Crest family as we strengthen our position as the Southwest/Intermountain West's premier insurance agency" said Cody Ritchie, CEO of Crest. Jon Addy, Crest's Chief Financial Officer, added, "2021 was an exciting year for Crest as we accelerated our acquisitive growth strategy. We look forward to continuing our strong momentum into 2022." Crest continues to actively seek out quality partners to strengthen and broaden its service offering. The Company's growth strategy focuses on partnership with agencies that share a common culture rooted in hard work, community involvement and competitive spirit. For more information on Crest's approach and partnership opportunities, please visit www.jointeamcrest.com.



About Crest Insurance Group

Founded in 2010, Crest is an excellence driven full-service insurance brokerage firm that provides property & casualty and employee benefits insurance solutions nationwide. Headquartered in Tucson, Arizona, Crest has 16 offices across Arizona, Colorado, California and Wyoming. More information can be found at www.crestins.com.



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A Legal Insider's Look at the Roofing Industry

Construction lawyers Kent Lang, Mike Thal and Jamie Hanson talk about the unique aspects of the roofing business, dealing with OSHA and the ROC, and the benefits of ARCA membership.

For more than a decade, roofing contractors have been a major client segment at Lang & Klain, P.C., one of Arizona's largest construction law boutiques. The firm's experience in advising and defending the roofing trade has proven to be a valuable—and sometimes business-saving—resource for many ARCA members.

Over lunch last month, three of the firm's construction law partners—firm founder **Kent Lang**, former ROC chief counsel **Jamie Hanson**, and *Best Lawyers'* Construction Litigation "Lawyer of the Year" **Mike Thal**—talked about working with roofers, dealing with OSHA and the ROC, the benefits of ARCA membership, and how contractors can make smart use of their law firm.

Here are some highlights:

Mike Thal: From a legal angle, roofing contractors have issues that are specific to the work they do, from worker safety to getting paid.

For example, fall protection is a much bigger deal for roofers than for other trades. Drywall and framing contractors typically don't fall into empty swimming pools.

Also, other trades don't have to worry about people walking on their roof, breaking tiles, and blaming the roofer for the broken tiles, and we've crafted some very specific contract clauses for roofers to deal with very specific issues. We started drawing, on a Google image of the house, the area that the roofers would use for ingress and egress. The owner or general would have to agree that any defects found outside that area are not on us because we aren't going into those areas. So when they find

an upturned shingle or something 30 feet from where we were working, we can say, "No, we all agreed at the outset we were never going to walk over there, and we never did, and you don't have any evidence that we did, so buzz off."

Roofers also face unique workmanship issues. Some shingles come with instructions that say, "a nail right here and a nail right there." Nobody does it perfectly like that—they're almost never right on the bullseye. But then the owner's lawyer will hire an expert to testify the shingles weren't nailed exactly where they should have been, and he'll claim you voided the manufacturer's warranty and either demand a refund or refuse to pay you for the roof.

“
The companies that are part of an organization like ARCA are already at the top of the class.”

KENT LANG

Kent Lang: On insurance jobs, roofers also have to deal with customers who squander the insurance payment because they get the front-end check from the insurance

company and then, when the work's done, they get the back-end check. Well, the homeowner's already got their roof, so when it's time to pay up, they tell you to pound sand. Unless you've got it pretty explicit in your contract, it can be like pulling teeth to get that second payment.

We just had a case where the homeowner said they weren't going to make the second payment, and we had one of our associates file a lawsuit for the second payment. We got it settled, and now the homeowner is suing her attorneys because they gave her bad advice about not having to pay the second check.

Mike Thal: Roofers also have to pay attention to legal strategies and the cost of winning a dispute.

How much does a roof cost? Twenty thousand bucks? Thirty thousand? There are very few half-million-dollar roof jobs, so when they're fighting over money, they're not fighting over a ton of money, therefore cost-effectiveness and good legal strategies might be more important to roofers than to other trades.

The other day, one of our roofers told me, "I got this lady, she's already lawyered up, she's going to make claims, but she's just trying to cover up the fact that she hasn't paid us."

I said, "Well, how far are you into the project, how much are you owed, and how much do you have left now that she's kicked you off the job, so that I know whether it's worth it or not to sue?"

He said, "Well, she owes us 30 grand. We stood to make another 20 grand of profit off of the remainder of the work, so if we sued we'd be entitled to about 50 grand, and we have lien rights."

I told him that's right on the border of what I would consider to be worth running headlong into a lawsuit, and that's where trust between a contractor and his attorney is really important. In this case, my client appreciated knowing that I'm not going to tell him to jump into a lawsuit unless I feel comfortable with it, and I'm looking at it from his perspective and not from our fee potential.

Jamie Hanson: For many roofing contractors, the more important legal dispute is not about payment but rather workmanship and somebody is coming after their license. Roofers often get

screwed because, if there's a leak, the roofer gets blamed and the investigator can't really figure out where the leak is coming from, so the burden is on the roofer to prove it's not their fault.

A lot of our clients in that situation find value in our good relationships with the Registrar of Contractors—we're familiar with the ROC, and we know the investigators and understand how they work, which means we know how to approach these cases in a way that's intelligent and likely to succeed. A lot of lawyers may deal with the ROC either never or once every three years, and they fight the complaint with an adversarial, litigation mentality more appropriate for a lawsuit, and that just doesn't work, whereas we understand what's possible within the ROC world.

Kent Lang: We mentioned worker safety earlier, and this is where we need to give a plug for ARCA. The companies that are part of an organization like ARCA are already at the top of the class—I mean, they join and participate, they go to the safety meetings so they can get OSHA training and stay out of the kinds of trouble that hurt companies trying to do it on the cheap.

We have one roofing client—a small start-up—that was recently visited by OSHA. He goes, "What do I do?" and I said, "Don't talk to me, talk to ARCA—they've got OSHA training. That way, the trainer can call OSHA and tell them 'we've got that guy in school, he's already taking classes.'" So by belonging to ARCA, we know those kinds of things, so that even if they do something silly we can help fix it quick.

Mike Thal: Other ways to keep your company out of trouble include making sure you have the right contractor's license, the right corporate entity, a good operating agreement, a good contract, and a good lien-service provider. Then, as soon as there's a flare-up, you can call us for advice on how to extinguish it before it turns into a forest fire.

For a lot of contractors, there's an outsized value to having a lawyer who knows the construction business and whom they can call for useful guidance. We have nine construction lawyers here of all ages and fee levels, and if one doesn't have the answer, someone else will get you

the answer, so if I'm not the right person I'll get you the person.

I think closely-held roofing companies that end up making it big, or haven't made it big yet, really appreciate being able to pick up the phone and call us for quick legal advice.

Jamie Hanson: I think that's right, and I think contractors come back to us for more because they trust we know what we're doing and how to get contractors out of legal scrapes. They also trust us to come up with shortcuts that may not serve our immediate financial interest but are in the best interests of our client.

They also appreciate that we have attorneys of different ages and price ranges and that some of the work will be done by guys who have some gray hair and a higher billing rate, and that other work will be done by younger attorneys who can do it well at a lower cost.

Kent Lang: That brings us to a good place to wrap up this discussion. I just had two uncomfortable experiences—one was with the doctor that I've been going to since the mid-'80s, and the other was with the dentist I've been going to since the mid-'80s. They both retired, and I got a quick "By the way, here's my replacement, I'll see you in another lifetime."

I didn't like that.

One of our advantages is we have some people of a certain age, like me, and then we have Mike and Jamie, and then we have younger attorneys, so we can continue to represent people over a period of many, many years without there being a sudden, complete change in who is working with our clients.

That's a real value for contractors who are serious about their business and are in it for the long run. 🏠

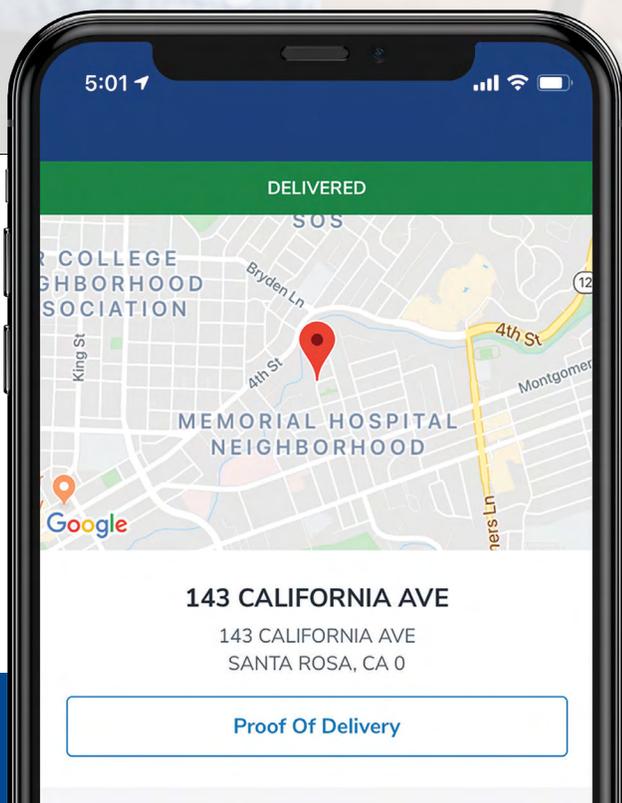
Lang & Klain is an advocate for construction employers. For help with an employment law issue, [contact Michelle Swann](#). To view other practical articles for employers, visit our [Employer Advocacy web page](#).

Visit www.lang-klain.com to view our legal and business resources for contractors: getting paid, ROC licensing, employer advocacy, and more.

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1. Log on to <https://apps.azleg.gov/Account/SignOn?ReturnUrl=/RequestToSpeak>

2. Sign in with email and password and click "sign on":

Sign Into Your Account Create An Account

If you already have an account sign in here:

Email

Password

Note: This application is designed to run on Internet Explorer 10 and higher and modern versions of Chrome, Firefox and Opera browsers.
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Sign On

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3. Click on the "Request to Speak" option:

Speak Inquiry

AZ Legislature Applications

Please select an application below

Request to Speak Bill Status Inquiry

4. Click on the "New Request" option in the left-hand dropdown menu:

Request To Speak

Home

My Requests

New Request

My Bill Positions

Upcoming Agendas

Agenda Search

My Requests

Create a "New Request to Speak" on a bill in a committee. In addition, a "Bill Position" gets created, independent from the committee position, that indicates one's stance on the bill as it moves thru the Legislative process.

Committee	Type	Description	Your

5. Type in "1271" into the "Search Phrase" bar and click "Search":

Request to Speak Topic Search

Please use the following search criteria to find the topic you would like to speak on.

Legislative Body: Senate House Both

Session: 2018 - Fifty-third Legislature - Second Regular Session

Committee: Select a committee . . .

Search Phrase: 1271

SEARCH

6. Click "Add Request" under SB 1271 on the lower right-hand side in the "Search Results" window:

Search Phrase: 1271

SEARCH

Search Results

Session	Agenda Date	Type	Description	Committee Name	Location	Requests To Speak
2R	2/5/2018	Bill	SB1271 - construction contracts; indemnification; liability provisions	Senate Commerce and Public Safety	SHR 1	Add Request

Page 1 of 1

7. Select the "For" option in "Your Position" and then select whether you'd like to speak on the legislation (one option must be selected in order to submit), then click "Submit":

New Request to Speak

Your position on the item: For Neutral Against

Do you wish to speak? Yes No If Necessary

Comment:

250 characters remaining

SUBMIT

Item Description: SB1271 - construction indemnification; liability

Session: 2R

Agenda Date: 2/5/2018

Agenda Time: 2:00 P.M.

Agenda Room: SHR 1

Persons with a disability may request a reasonable such as a sign language interpreter, by contacting t Secretary's Office: (602) 926-4231 (voice). Requests early as possible to allow time to arrange the accom



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For additional information, visit **theroofingexpo.com** or **nrca.net**.

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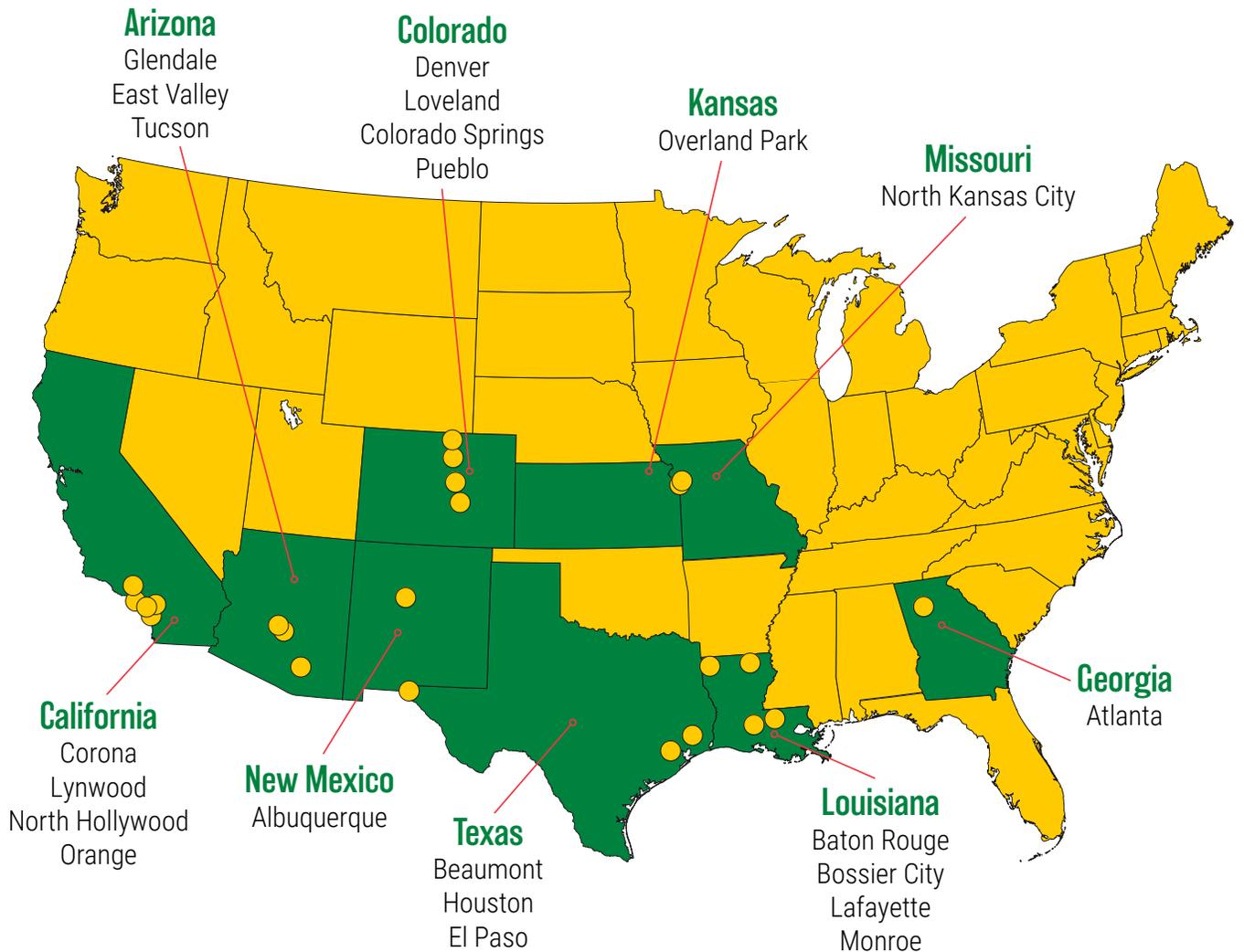


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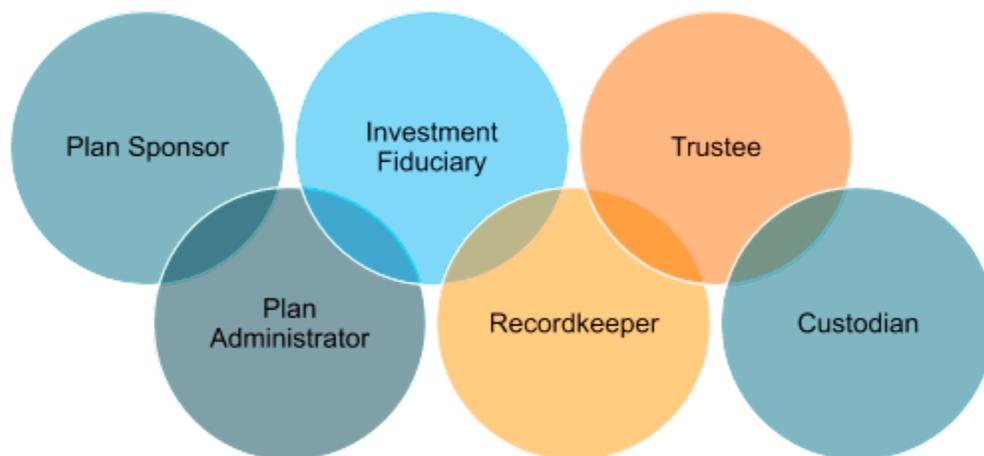
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5. Separate eligibility and entry dates
6. Companies cannot see each other's sensitive (payroll, census) information
7. Reduced administrative burden
8. Economies of scale, increased buying power
9. Enterprise Bank/EPIC RPS manages the plan and the parties (listed below) involved

What's involved?



ICA Chairman's Roofers Alliance Meeting



Protection of life, health, safety and welfare of Arizona's most valuable assets.



Working for Safety
The Arizona Division of Occupational Safety and Health (State OSHA Program), is in an Alliance with 17 of the largest Roofing Companies working in the State.

Alliance members focus on:



1. Training for employees
2. Develop materials for fall protection awareness
3. Communicate fall protection measures that work and best practices above the OSHA Standards
4. Discuss current ADOSH Enforcement

If you are interested in joining...

Date of Meetings: Third Tuesday of Every Month

Location: 800 West Washington Street., Phoenix, AZ 85007—*In Person & Virtually (Google)*

Time: 9:00 AM

Additional Information Call: 602-542-1693

or Contact one of our Alliance Members directly:



602-237-2478



602-997-0529



602-870-8322



480-268-7379

AZ ROC's Full Online Services Portal is Live

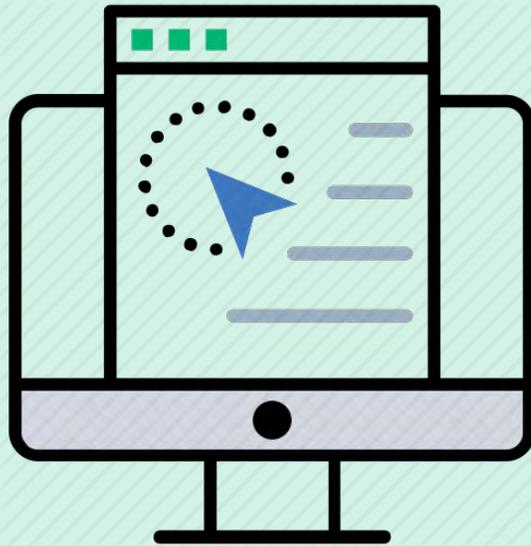
SINCE ITS NOVEMBER 15, 2021 rollout, the updated Registrar of Contractors' (AZ ROC) Online Services Customer Portal has been providing a convenient and fast way to submit requests for all Agency services, pay fees, and receive status updates. AZ ROC encourages anyone requesting services to start using the Portal by visiting www.roc.az.gov and clicking "My Account" on the menu—there is a short video about how to create an account to help users get started. It is important to note that anyone with an existing account prior to November 15th will need to create a new login for the updated Portal.

RENEW WITH A CLICK

While the Online Portal offers access for any member of the public to submit Agency requests, one of the greatest benefits to AZ ROC licensees has been the ability to renew licenses quickly. Providing an easy means to receive renewal notifications and pay with a click is helping contractors manage licenses by keeping statuses up-to-date and preventing suspensions for non-renewal. AZ ROC is encouraged by recent data indicating that 56% of licensees are now using the Portal to renew and expects that number to continue growing through promotional outreach and as contractors discover its value as a one-stop shop for license maintenance.

KEEP CLICKING TO THE END!

While the Portal's functionality itself has been widely successful, tracking reports show some users are failing to click all the way through to the end of the request, meaning that AZ ROC does not actually receive it. AZ ROC stresses to users of the Online Services Customer Portal to read and follow all of the provided instructions on each page to ensure the request is submitted and received by the Agency so that it can be processed by staff as soon as possible. Additionally, AZ ROC would like to remind users to check their email spam



folders if they have submitted a request but did not receive an email confirmation from the Agency.

PORTAL HISTORY

The AZ ROC Online Services Customer Portal was initially launched in December 2019, offering a limited menu of available services with the intention to eventually move all services online. The timing for that initial rollout was fortunate, as Covid shutdowns starting near the end of the first quarter of 2020 impacted many agencies' abilities to effectively serve customers. However, due to AZ ROC's new Portal, the Agency was able to seamlessly continue processing many requests while simultaneously instituting an appointment-setting process to ensure customers could continue accessing in-person services as needed.

Following the Portal's initial launch in 2019 and in advance of the full November 2021 rollout, AZ ROC's team collaborated closely with its vendor to integrate all remaining services, update the online Contractor Search, as well as to create a separate portal specifically for participating surety companies to submit and update bonds for their licensed clients. From applying for a new license to submitting a complaint or public records request, the AZ ROC Online Services Customer Portal is the most convenient method to access the services of the Registrar of Contractors.

WE'RE HERE TO HELP

Questions? Please call the Registrar of Contractors at 1-877-MY-AZROC (1-877-692-9762). 



NRCA announces CEO Reid Ribble's retirement

NRCA HAS ANNOUNCED its current CEO, Reid Ribble, will be retiring May 31. Ribble has led the association for five years.

A second-generation roofing contractor, former U.S. congressman and the first roofing contractor to lead NRCA as CEO, Ribble has brought a unique perspective and leadership approach to the job from day one. His first priority was to determine where the roofing industry believed the organization should focus its efforts. After discussions with NRCA's Executive Committee, board of directors, members and other industry stakeholders, a new vision statement was created—one that emphasizes the recognition of members as professionals and seeks to unite the industry to that purpose.

Since then, Ribble has worked diligently with NRCA's board of directors and volunteers regarding the implementation of NRCA's overall vision. Whether NRCA's One Voice initiative, NRCA ProCertification® or Training for Roof Application Careers, Ribble has been highly engaged in instituting the strategy and direction of NRCA's Executive Committee, chairman of the board and board of directors on behalf of NRCA members and the roofing industry.

In addition, Ribble has lent his political expertise to the development and implementation of Roofing Day in D.C. and



Thinking of reclassifying workers to avoid the vaccine mandate? It's a 'terrible' idea.

By [Kate Tornone](#)

launched a podcast series that celebrates roofing professionals' meaningful experiences and stories of inspiration and generosity in the industry. He continues to lead the association and the industry through the COVID-19 pandemic and ongoing supply chain crisis, hosting several telephone town halls to connect with members and ensuring NRCA's website is current with the latest relevant information.

"Reid has led NRCA with unwavering commitment, passion and dedication during his time as CEO," says Rod Petrick, president of Ridgeworth Roofing Co. Inc., Frankfort, Ill., and NRCA's chairman of the board. "The roofing industry has benefited from his efforts to enhance the industry's professionalism, tackle ongoing challenges and unite all segments of the industry, and I have enjoyed working alongside him."

"It's been a joy to work with my friends and colleagues at NRCA for these past five years," Ribble says. "I have been impressed by the commitment to the industry by our members and industry partners. On May 31, I will retire as interim CEO of NRCA. I am looking forward to spending more time with my wife of 47 years, my children and especially my six grandsons."

NRCA COO McKay Daniels will succeed Ribble as CEO June 1. Daniels has served NRCA for three years, managing the association's daily operations and staff and overseeing member-driven initiatives. He has more than 20 years of experience in nonprofits, government and the private sector. 🏠



Recategorizing employees as independent contractors is not a good strategy, according to one human resources expert.

In "Other Duties as Assigned," HR Dive's lead editor, Kate Tornone, weighs in on employment trends, compliance best practices and, of course, the situations that require you to go above and beyond your normal duties. Today: saving your future self a big headache.

AS EMPLOYERS WATCH the days dwindle before the nationwide vaccine mandate is slated to take effect, many are deciding whether to take a wait-and-see approach or move ahead with implementation.

The rule has so far survived challenges but may have one last hurdle to clear at the U.S. Supreme Court. For now, it's in effect and the Occupational Safety and Health Administration [has said it plans to enforce](#) the rule's provisions beginning early next year.

Employers may find some middle ground for compliance — especially with remote work and options for testing — but the alternatives are few.

In [an op-ed in The Philadelphia Inquirer](#), a local certified public accountant discussed some of those options and noted another path: "A handful of my clients are considering reclassifying some employees as independent contractors," he wrote, "but they have to be careful to make sure they are in compliance with specific rules."

This set off alarm bells for me, and

Elizabeth Chilcoat, an associate at Sherman & Howard, confirmed that this is not a viable option.

It's a "terrible idea" to reclassify workers to avoid any federal law, she said. The federal and state agencies that enforce classification don't defer to an employer's choice on the subject, she explained. (Employee preference [carries no weight either](#), for the record.)

Instead, agencies look at the nature of the employment relationship — the U.S. Department of Labor uses [a specific, multifactor test](#), for example — and they absolutely look for signs that an employer may be trying to avoid the impact of state and federal law, Chilcoat continued.

And OSHA is one of those agencies, she warned. "I would be very concerned about that," she said. It would be a major red flag to suddenly reclassify large swaths of employees, and similarly risky to reclassify a smaller group to come in under the mandate's 100-employee threshold. After all, OSHA's monetary penalties for willful noncompliance are [ten times the cost](#) of mistakes.

So save yourself the headache of a collective action later and heed Chilcoat's warning: "I think that any time you are intentionally changing the classification of a person to avoid the effect of a law, you are assuming a significant legal risk." 🏠

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Young Professionals' Season of Giving

Book Drive

With the help of ARCA members, the Young Professions were able to provide over 200 new and used books (mostly new) to UMOM. The donation was accepted with open arms for they were very grateful for the heartwarming donation. The books will be used in the community / media room for all ages to enjoy.

The YP's appreciate the help and contribution of all members that were able to help.



Food Drive



Thank you to everyone that joined us for the 2021 ARCANstruction Holiday Party on the ARCA office rooftop! ARCANstruction included a non-perishable food drive with a competition between the National Women in Roofing and the Young Professionals. A big SHOUT OUT to the YP's for winning the contest! The YP team members each received a \$25 gift card.

The non-perishable food was donated to several charities - Hope Women's Center, Desert Mission Food Bank and Agua Fria Food Bank.

ARCA received cash donations following the event which led to a food drive in Tucson supporting Youth On Their Own. Thank you to ARCA board member Dave Metz, Global Roofing Group for all of your efforts in Tucson.

Home of Hope

With the help of ARCA members, the Young Professional committee was able to sponsor 24 children for Christmas at the Home of Hope Shelter Home. Home of Hope is a residential shelter located in Casa Grande that offers help to women who have addictive behaviors, who have been abused or suffer with life controlling problems. Home of Hope shelters these women with their children as they get their life back on track and heading in the right direction. The majority of these women have no belongings aside from the clothes they were wearing when they left their home. In the second year of helping these strong women, the YP's were hoping to give a little holiday joy to their little ones.

We want to say thank you to all that contributed to our second year holiday drive, which will definitely not be our last. A special thank you to Nicole Fonte, Jenifer Sawyer, Paul McPherson, and Bryan Hill for diving the donations down to Casa Grande and meeting with Jennifer Toro and LaHoma Hope, who welcomed us with open arms. 🏠





City of Phoenix

Young Professionals Take on City of Phoenix Adopt-a-Street Cleanup

THANK YOU TO all who came out on March 18 to help with our first City of Phoenix Adopt-A-Street Cleanup. It was a good time and, with everyone's combined efforts, it did not take long to get the job done.

Our next clean-up will be in June on a Saturday early, early morning. We will decide on a date during our next YP meeting. All ARCA members are welcome to participate in this event.

The City of Phoenix Adopt-A-Street program enables community organizations, private businesses, and individuals to work toward beautifying and

maintaining Phoenix streets. Participants adopt a one-mile segment of a major or collector street and agree to remove trash/debris at least four times per year for at least two years.

In recognition of the trash/debris removal efforts, the city will make and install signs crediting participants for their commitment to the program and community.

ARCA's street sign will be up and on display in about 60 days. Keep a lookout for it along Indian School Road between 7th and 16th Street. 🏠



An aerial photograph of a small wooden cabin with a dark roof, situated in a dense forest. A yellow boat is parked on a grassy area near the cabin. The scene is lush and green, with sunlight filtering through the trees.

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UPCOMING EVENTS

APR 1 7:30 AM	SPORTING CLAYS TOURNAMENT - SPRING 2022 BEN AVERY CLAY TARGET CENTER 5060 W. SKEET STREET PHOENIX, AZ 85086
APR 8 7:00 AM-1:00 PM	ARCA ACADEMY - ROOFING SHINGLES PART I ARCA TRAINING ROOM 3839 N. 3RD ST., STE. 106, PHOENIX, AZ 85012
APR 15 7:00 AM-1:00 PM	ARCA ACADEMY - COATINGS PART I SPANISH ARCA TRAINING ROOM 3839 N. 3RD ST., STE. 106, PHOENIX, AZ 85012
APR 21- MAY 12 7:00 AM-4:00 PM	OSHA 30-HOUR TRAINING IN PHOENIX (ENGLISH) ARCA TRAINING ROOM 3839 N. 3RD ST., STE. 106, PHOENIX, AZ 85012
APR 22 7:00 AM-1:00 PM	ARCA ACADEMY - ROOFING SHINGLES PART II ARCA TRAINING ROOM 3839 N. 3RD ST., STE. 106, PHOENIX, AZ 85012
APR 30 9:00 AM	2022 SPRING RIDERS RALLY VIEW ROUTE HERE
MAY 6 6:00 AM	ARCA GOLF TOURNAMENT - SPRING 2022 OCOTILLO GOLF CLUB 3751 S. CLUBHOUSE DRIVE, CHANDLER, AZ 85248
MAY 13 7:00 AM-1:00 PM	ARCA ACADEMY - MODIFIED BITUMEN PART I ARCA TRAINING ROOM 3839 N. 3RD ST., STE. 106, PHOENIX, AZ 85012
MAY 13 5:00 PM	DIAMONDBACKS VS CUBS SOCIAL EVENT CHASE FIELD 401 E. JEFFERSON STREET PHOENIX, AZ 85004
MAY 17 7:00 AM-9:00 AM	FALL PROTECTION PHOENIX (ENGLISH) IN-PERSON ARCA TRAINING ROOM 3839 N. 3RD ST., STE. 106, PHOENIX, AZ 85012
MAY 17 9:30 AM-11:30	FALL PROTECTION PHOENIX (SPANISH) IN-PERSON ARCA TRAINING ROOM 3839 N. 3RD ST., STE. 106, PHOENIX, AZ 85012
MAY 26- MAY 30	YP MEMORIAL DAY CAMPING EVENT CLEAR CREEK CAMPGROUND FULL EVENT INFO HERE
MAY 27 7:00 AM-1:00 PM	ARCA ACADEMY - MODIFIED BITUMEN PART II ARCA TRAINING ROOM 3839 N. 3RD ST., STE. 106, PHOENIX, AZ 85012

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