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> The Construction Journal Volume 75, Issue 11 - November 2010

BUILDING NIGHT January 27, 2011 The Schuster Center

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See pages 21-35 for Registration Details and Award Nomination Forms!

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THE CONSTRUCTION JOURNAL

Editor RACHEL A. PINKUS



Published by: The Dayton Builders Exchange dbx@assnsoffice.com

The Construction Journal is a review of construction activity in the Miami Valley.

The Journal contains Plans on File, Mechanic's Liens, Statistics, Industry News, Notices and Builders Exchange Activities.

All information contained herein is considered reliable to the best of our knowledge, and we accept no responsibility for incorrect material secured from outside sources.

The Construction Journal is published monthly in 12 issues. \$50.00 of the annual membership dues to a subscribing association is paid as a year's subscription to the Construction Journal.



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Teambuilding Night: Every year, the Builders Exchange likes to highlight the quality of craftsmanship displayed by companies in our community. In this Journal, there are several nomination forms for projects, design and individual excellence to be judged and recognized at Teambuilding Night on January 27th. This is an amazing opportunity to bring attention to your company, your employees and to the excellence of the construction community in the Dayton area. I encourage you to take the time to submit a nomination, and if you have any questions, please contact the Association.

Renewal: It is hard to believe that we are again at the end of another year. In a few weeks, we will be mailing out renewal invoices for 2011 membership. Your membership with the Builders Exchange of Dayton can bring you cost savings opportunities throughout the year. If you are not taking advantage of all our programs and services, many of them included in your dues investment, please let us know how we can assist you in making the most of your membership. I wanted to give a few points greater emphasis prior to accepting renewals.

Due Date: The invoices should be to you prior to Christmas. We will get a better handle on a due date when we mail out, but invoices will likely be due by January 18th. Member renewal incentive: We will once again be providing a small incentive for invoices returned early to the Builders Exchange. If we receive your payment by January 4th, you will receive a \$50 credit that can be

used on BX Classes, networking event registration and blue prints ordered in the planroom. This credit does not roll over year to year.

Payment: If you have questions about a payment, or need an extension for any reason, please call (937) 278-5723. If you continue to use the service past January 18th and do not renew, you will be invoiced and responsible for the month of January. If you decide not to renew your membership, please notify us.

<u>Office Closed:</u> As a reminder, the Builders Exchange office will be closed on Thursday November 25 and Friday November 26th for the Thanksgiving holiday, Friday, December 24th for Christmas and Friday, December 31st in observance of New Year's Day.



CONSTRUCTION JOURNAL

Project	Addn	Bin	Date	Time	Project Name	County
2010-308A	1	14	11/8/2010	11:00 am	Marysville / Darby Meadows Watewater Treatment Plant Improvements	Union
2010-2F8E	2	48	11/9/2010	1:00 pm	Vandalia-Butler City Schools / District Wide Controls	Montgomery
2010-2F8C	2	36	11/9/2010	1:00 pm	Vandalia-Butler City Schools / District Wide Technology	Montgomery
2010-2FF3		6	11/9/2010	11:00 am	Vandalia / Dellsing Dr. Watermain Replacement & Street Reconstruction	Montgomery
2010-2F64	1	58	11/9/2010	2:00 pm	Dayton Public Schools / Various Schools Abatement Demolition, Demolition & Abatement	Various
2010-30A5	2	34	11/9/2010	4:00 pm	Miamisburg City Schools / Middle School - Furniture	Montgomery
2009-0263-B	8	68	11/10/2010	2:00 PM	Mount Vernon / Central Ohio Technical College / Ariel Hall Renovation - REBID	Knox
2010-306D		29	11/10/2010	2:00 PM	Richwood / North Union Local Schools / All- Weather Track Renovation	Union
2010-30A7		1	11/10/2010	Noon	Springfield / 907, 909, 911, 913 S. Limestone St. Window & Siding Improvements	Clark
2010-30A8		13	11/10/2010	Noon	Springfield / Sodium Hexametaphosphate	Clark
2007-30BC	2	55	11/11/2010	2:00 pm	Newark City Schools / McGuffey Elementary School Additions & Renovations - Building T	Licking
2010-2EC6	7	22	11/11/2010	Noon	Dayton / Lightner Road & Peters Pike Water Main Installation	Montgomery
2010-312F		16	11/18/2010	Noon	Dayton / Patterson Boulevard Railroad Bridge Removal	Montgomery
2010-2EE0		9	11/19/2010	11:00 am	Vandalia / Poplar Creek Culvert Replacement	Montgomery
2010-313B		19	11/22/2010	1:30 PM	Kettering / Neighborhood Stabilization Program / 2501 Hampton Rd.	Montgomery
2010-2FA3-A		45	11/24/2010	1:30 PM	Trotwood & Clayton / Westbrook Road Bridge Replacement	Montgomery
2010-3155		37	11/29/2010	3:00 PM	Fairfield / Route 4 and Stadium Dr. Phase 1 & Route 4 and Magie Ave. Phase 1A Waterli	Butler
2010-3162		47	11/30/2010	2:00 pm	Columbus MHA / Marion Square & North Wright Avenue Building & Demolition	Franklin
2010-310A		50	12/2/2010	1:00 pm	Huber Heights City Schools / Various Locations Technology	Montgomery

CURRENTLY AVAILABLE ONLINE

The following projects are available only through our Online Reporting Service at <u>www.bxohio.com</u>. Please contact <u>Ashley</u> if you would like to learn more regarding this state-of-the-art service, including plans, specs and addenda on-line.

Project	Addn	Bin	Date	Time	Project Name	County
2010-2F3E	1	Web	11/9/2010	2:00 pm	University of Cincinnati / French East 200 Level Distant Learning Classroom	Hamilton
2010-3048		Web	11/10/2010	10:00 AM	Lima / Community Development / Residential Demolition	Allen
2010-3030	1	Web	11/10/2010	2:00 PM	Cincinnati / Kroger A432 - Within the Walls Remodel	Hamilton
2010-3156	1	Web	11/11/2010	11:00 am	Marysville / Scotts Corporate Offices Interior Renovations	Union

2010-30F2	1	Web	11/12/2010	2:00 pm	Sycamore Twp. / Towers of Kenwood Drive - Township Access Road	Hamilton
2008-1D40	1	Web	11/15/2010	2:00 PM	Centerville / Kroger Store A-923	Montgomery
2010-2FF0	1	Web	11/15/2010	4:00 PM	Cincinnati MHA / Renovation and ADA Conversion - Rainbow Lane	Hamilton
2010-2F9C	3	Web	11/15/2010	5:00 pm	Cincinnati / CNG Fueling Station - Design/Build RFP	Hamilton
2010-2EA2	3	Web	11/16/2010	2:00 pm	Bellefontaine / Logan Co. Solid Waste District / 1100 South Detroit Street Renovation	Logan
2010-3097		Web	11/16/2010	2:00 pm	Dayton / Sinclair Community College / Library - IT Teamwork Studio	Montgomery
2010-314E	2	Web	11/16/2010	Noon	Hamilton / Southwest Regional Water District / Hueston Woods State Park Water Main Im	Butler
2010-310C		Web	11/17/2010	2:00 PM	Hamilton City Schools / Four School Buildings - Demolition	Butler
2010-30F6		Web	11/17/2010	2:00 pm	Hamilton City Schools / Four School Buildings Abatement	Butler
2010-2FE4	1	Web	11/18/2010	10:00 am	ODOT / IR 74 Bridge Repair, Project 101081	Hamilton
2010-2FCE	1	Web	11/18/2010	10:00 am	ODOT / IR 75 Bridge Repair, Project 100556	Montgomery
2010-2FDC	1	Web	11/18/2010	10:00 am	ODOT / SR 65 Two Lane Resurfacing, Project 100559	Shelby
2010-2FC7	1	Web	11/18/2010	10:00 am	ODOT / US 42 Two Lane Resurfacing, Project 100553	Madison
2010-2FE5	1	Web	11/18/2010	10:00 am	ODOT / US 50 Landscaping, Project 101082	Hamilton
2010-3083		Web	11/18/2010	2:00 pm	Batavia / Southwest Ohio Developmental Center / Phase 2 HVAC Fire Alarm & Generator	Clermont
2010-1805		Web	11/23/2010	10:30 AM	Hamilton / LeSourdsville Water Reclamation Facility / Water & Sewer Department Improv	Butler
2010-2E80		Web	11/29/2010	2:00 PM	Dayton Aviation Heritage National Historical Park / Setzer Building Rehabilitation &	Montgomery
2010-3107		Web	12/2/2010	2:00 pm	Stonelick Twp. / Belfast-Owensville Lane Water Petition	Clermont
2010-2B6F-A		Web	12/6/2010	1:00 pm	Mt. Healthy / Cincinnati MHA / Martin Street Site & Building Demolition - REBID	Hamilton

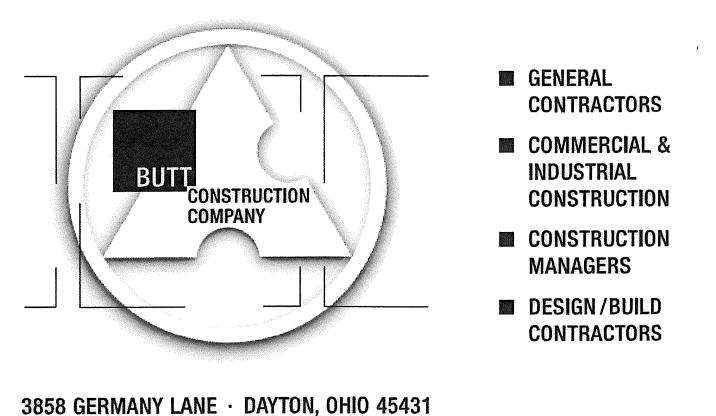


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The Architectural Group Winner of BX Green Building Award

The Architectural Group was a recipient of the 2010 Dayton Builders Exchange Green Building Award for their work on the Creative Technology Accelerator Building on the Tech Town campus. They were inadvertently not listed when the awards were originally highlighted in the Builders Exchange Journal.

The Creative Technology Accelerator Building received the first LEED Gold Certificate in the City of Dayton and includes numerous energy efficient strategies. Congratulations to The Architectural Group on the design involved with this outstanding facility.

Below: Dianna Conboy, AIA



ANOTHER SUCCESSFUL DFSP TRAINING

On October 15th at The Crystal Room in Troy, the Dayton Builders Exchange held another successful Drug Free Safety Program training with nearly 100 attendees. DFSP Instructor, Rachel Pinkus, was on hand to fill everyone in on the changes to the policy while guest speaker and Psychologist, Bil Farrar,

shared his first hand experience in dealing with people who abuse or once abused alcohol or drugs. Bil is the Director of Social Services at the Patriot Ridge Retirement Community.



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Ohio.gov Public Utilities Commission New Safety Rules for Private Intrastate Vehicles

The Public Utilities Commission (PUCO) has revised its rules relative to motor carrier transportation safety. The new rules apply to businesses that use vehicles with a gross vehicle weight (GVW), gross vehicle weight rating (GVWR) or gross combination weight rating (GCWR) of 10,001 to 26,000 pounds to transport property or passengers on a not-for-hire basis within Ohio. Previously, vehicles of this size were not covered by safety rules. Individuals transporting personal items that are not in furtherance of a commercial enterprise will not be subject to the new rules.

The Federal Motor Carrier Safety Administration (FMCSA) found Ohio's regulations with regard to hazardous materials and private carriers were inconsistent with federal standards and required a series of changes to be made. The changes were made to ensure that state and federal regulations remained compatible and to increase safety on Ohio's roadways.

The new regulations were adopted by the PUCO so that the state of Ohio may continue to receive federal grant money for the Motor Carrier Safety Assistance Program. This federal grant program provides financial assistance to states to enforce the Federal Motor Carrier Safety Regulations and the Federal Hazardous Materials Regulations in an effort to reduce the number and severity of commercial motor vehicle accidents. In order to receive these funds, Ohio's safety rules must mirror federal rules.

The PUCO is currently involved in an education and awareness campaign to help identify and educate entities that may be subject to the new regulations. <u>Active enforcement will not begin until January 1, 2011</u>. Until this date, fines will not be assessed except in cases of extreme rule violations. Once active enforcement begins, vehicles and drivers found not to be in compliance can be declared out-of-service during a roadside safety inspection, and monetary fines may be issued by PUCO.

Please note: If a vehicle crosses state lines, a USDOT number must also be visible on the vehicle. Information on obtaining a USDOT number may be found at <u>www.fmcsa.dot.gov</u>. The application for a USDOT number requires a safety audit from the PUCO.

Driver Qualifications

Basic Qualifications

Drivers must be at least 18 years old and possess a currently valid operator's license. He or she must be able to read and speak the English language, understand highway traffic signs and signals, respond to official inquires and make entries on reports and records.

Medical Requirements

Drivers must also be physically qualified to drive and must pass a medical exam performed at least once every 2 years and carry a copy when operating a commercial motor vehicle. Disqualifying medical conditions include poor hearing, poor vision, high blood pressure, diabetes (requiring insulin), loss of or defects in hand or foot, epilepsy or seizure disorder, certain heart conditions, drug or alcohol dependence and respiratory dysfunction. Some medically disqualified drivers may qualify for a provisional medical certificate issued by the PUCO.

Driver's List of Violations

Drivers must annually provide their employer with a list of all violations involving a conviction, forfeited bond or collateral. The employer must retain this information in the driver's qualification file for 3 years. Disqualifying offenses include leaving the scene of an accident, driving under the influence, refusal to undergo drug testing, committing a felony and violating a state issued out-of-service order.

Road Test

Each driver must successfully complete a road test and be issued a certification. The employer must keep a copy of the certification in the driver's qualification file.

Employment Application

Drivers must complete an application that contains all the information that is required by the Federal Motor Carrier Safety Regulations including:

- Name and address of employing motor carrier
- Name and address of applicant
- Date of birth
- Social Security number
- Date of application

- Issuing state, number and expiration date of license
- Driving experience
- List of accidents within the previous 3 years
- List of violations within the previous 3 years
- List of all violations, convicted, forfeited bond or collateral within the previous 3 years
- Statement on any denial, revocation or suspension of license, permit or privileges to drive a motor vehicle
- List of names and addresses of past employers, 3 years for non-CDL positions
- Certification with applicant's signature and date.

Inquiry to State Agencies

The employer must conduct an inquiry of each state where the driver held a license within the past 3 years. Driving records can be obtained from the driver, the bureau or department of motor vehicles, insurance company or the internet. The results must be placed in the driver's qualification file within 30 days of the date driver begins employment.

Safety Performance History

The employer must conduct inquiries of each U.S. Department of Transportation regulated employer that the driver worked for within the previous 3 years. Each driver's safety performance history must be maintained in a secure location with controlled access and must include the driver's written authorization, good faith efforts to contact previous employers, previous employer responses. The records must be maintained as long as the driver is employed and 3 years after employment.

Driver Qualification File Summary

Retention Schedule
Employment + 3 years
Employment + 3 years
Employment + 3 years
3 years
3 years
3 years
3 years

Accident Register

Companies must maintain an accident register for a period of 3 years after a recordable accident occurs. Recordable accidents include crashes on highways while in commerce, regardless of fault, that result in injuries that require immediate medical treatment away from scene, fatalities or a vehicle towed away from scene due to disabling damage. The accident register is comprised of a list of accidents that includes the driver's name, the date and location of each accident, the number of injuries and fatalities, details of any hazardous materials involved and copies of the accident reports.

Hours of Service

Drivers must adhere to hours of service requirements and log their time in one of several categories: driving, on duty, off duty or sleeper berth. Employers must retain logbooks and all supporting documents for six months.

- Driving time is all time spent at the driving controls of the vehicle.
- On duty time is all time a driver begins to work or is required to be in readiness of work and ends when the driver is relieved of all work responsibilities.
- Off duty time is when the driver is relieved of all duty and responsibility of the vehicle and its load for a specific period of time and the driver is free to leave the premises where the vehicle is situated.
- Sleeper berth time is all time spent in the sleeper berth.

Maximum Driving Time

A driver cannot drive more than 11 hours following 10 consecutive hours off duty, beyond the 14th hour coming on duty following 10 consecutive hours off duty, after 60 hours on duty in 7 consecutive days if the motor carrier does not operate every day of the week or after 70 hours on duty in 8 consecutive days if the motor carrier operates every day of the week. Logbook exceptions exist under certain conditions

Inspection, Repair and Maintenance of Vehicles

Companies must systematically inspect, repair and maintain their vehicles. Companies must also maintain identifying information for each

vehicle including company number, make, serial number, year and size as well as a schedule of inspections to be performed, including type and due date.

• Driver-Vehicle Inspection Report Every driver must prepare a written post-trip inspection report at the end of each driving day. The report must list any condition found or reported that would affect the safe operation of the vehicle. Inspection items include brakes, wind-shield wipers, rearview mirrors, steering, coupling devices, lights, wheels and rims, tires, horn and emergency equipment.

• **Driver Pre-Trip Inspection** Before driving a vehicle the driver must be satisfied that the vehicle is in safe operating condition, review the last driver-vehicle inspection report, and sign the report if defects were noted on the report.

• **Periodic Inspection Reports** Every vehicle must be inspected at least once during the preceding 12 months. Parts and accessories must be inspected in accordance with Appendix G to 49 CFR Part 396. A copy of the inspection record must be displayed on vehicles.

• **Roadside Inspections** A driver who is inspected roadside by the PUCO or Highway Patrol must provide the inspection report to his or her employer. The company must sign the inspection report to certify the violations were corrected and return certification of repair to PUCO within 15 days of the inspection.

•

Vehicle Maintenance File Summary

Requirement Roadside Inspections Driver-Vehicle Inspection Report Periodic Inspection Maintenance Files Retention Schedule 12 months 90 days 14 months 1 year or 6 months after carrier's control

Vehicle Markings

Company Markings

Company markings must appear in sharply contrasting color on both sides of the vehicle and include the legal name or trade name of the company, the PUCO or USDOT number (if required), and the words "operated by" preceded by operating motor carrier if another name is also displayed.

Markings on Leased Vehicles

For vehicles leased for 30 days or less, the vehicle can display name of lessor, but a signed copy or summary of the lease showing the name and location of lessor and the duration of the lease must be kept in the vehicle.

Equipment Necessary for Safe Operation

Lights and reflectors	Frames
Brake system	Cab and body
Windshield and wipers	Steering
Fuel system	Suspension
Coupling device	Rear impact guards
Wheels and tires	Projecting loads
Heating and defrosting	Load securement
Mirrors	Emergency Equipment
Horn	Seat belts
Exhaust system	Speedometer
Floor	Wheel protectors/mud flaps

Driving Rules

Condition of Driver

Drivers cannot operate a vehicle while ill or fatigued, using or possessing drugs or alcohol. Drivers are prohibited from possessing a radar detector. Drivers are also required to wear a seat belt.

Hazardous Materials

Hazardous materials are defined as substance or material that the U.S. Department of Transportation has determined to be "capable of posing an unreasonable risk to health, safety, and property when transported in commerce." Companies based in Ohio must register as a hazardous materials carrier if they transport hazardous materials of a type or amount which requires placarding.

Private motor carriers transporting hazardous materials are required to maintain insurance. Automobiles, machinery and equipment with combustible engines are considered hazardous materials. Refer to Ohio Administrative Code section 4901:2-13-02 for the complete insurance requirements.

How are the safety rules enforced?

The PUCO and the Ohio State Highway Patrol conduct roadside safety inspections. In addition, the PUCO conducts compliance reviews to review the required motor carrier records.

Must drivers stop for a roadside safety inspection?

Yes. Evasion of a safety inspection is a violation of the Ohio safety rules.

What happens when a safety rule violation is found during a roadside inspection?

The driver receives a copy of the inspection report noting any violations. Depending upon the violation(s), the driver or vehicle may be declared out-of-service until the violation or condition has been corrected or removed. All non out-of-service violations must be corrected before the vehicle can return to the road. Some violations may result in a civil forfeiture, or fine.

Forms and Templates

Useful References

Ohio Revised Code, Title 49 Ohio Administrative Code, Chapter 4901 Federal Motor Carrier Safety Regulations Federal Hazardous Material Regulations

SEMINARS, SEMINARS, SEMINARS!

The Builders Exchange of Dayton has kept Attorney, Gary Auman, of Dunlevey, Mahan and Furry, very busy over the last few months as Speaker of many of the BX's most successful seminars. Gary was the main attraction of the Quarterly Safety Director's Meeting as well as the Workers' Compensation Back to Basics Series. Keep an eye on future issues of The Construction Journal for flyers on more of Gary's great seminars. Don't miss these opportunities to gain valuable information from one of Dayton's top attorneys at a fraction of the cost.



Accident Register Annual Vehicle Inspection Report Driver Violation Certificate Driver's Vehicle Inspection Report Driver's Daily Logbook Inspection, Repair and Maintenance Record Medical Examination Report Motor Carrier Registration Forms Off Duty Authorization Skill Performance Evaluation Certificate Summary of Hours Worked Vehicle Service Due Status Report

Motor Carrier Contacts

Public Utilities Commission of Ohio 614-466-3392

Ohio Department of Taxation International Fuel Tax 614-466-4056 www.tax.ohio.gov

Ohio Bureau of Motor Vehicles Vehicle Registration 614-752-7500 www.ohiobmv.com

Ohio Department of Transportation Oversize Permits 614-351-2300 www.dot.state.oh.us/permits

International Registration Plan 800-477-0007 or 614-777-8400 http://www.bmv.ohio.gov/international_registration_plan.stm

The Ohio State Highway Patrol 614-466-4056 www.statepatrol.ohio.gov

Federal Motor Carrier Safety Administration, Ohio Division Office 614-280-5657



QUALIFIED CRANE SIGNALER TRAINING COURSE

8 - + 2 3

The Occupational Safety and Health Administration (OSHA) is now requiring the training and certification of all persons who are in the position of signaling Cranes and Derricks in Construction. <u>This new standard will go into effect on November 8, 2010</u>. Below are the qualification requirements which will be covered in the Signal Person Qualification Training.

When is a signal person required? A signal person is required when:

- The point of operation is not in full view of the operator
- The operator's view is obstructed in the direction the equipment is traveling
- Either the operator or the person handling the load determines that a signal person is needed because of site-specific safety concerns.

What does a signal person need to know? The signal person is considered qualified if he or she:

- Knows and understands the type of signals used at the worksite
- Is competent in using these signals
- Understands the operations and limitations of the equipment, including the crane dynamics involved in swinging, raising, lowering and stopping loads and in boom deflection from hoisting loads
- Knows and understands the relevant signal person qualification requirements specified in subpart CC (1926,1419-1926.1422; 1926.1428)
- Passes an oral or written test and a practical test.

One of the primary goals of BX Dayton is to strive to bring the construction industry quality educational program.

The course has been scheduled as follows:

INCLUDED)	The Particular Structure Control
Manahan ÓFF	Insued allerly shows as example.) with therefore provide a service and therease website, therefore instance hard in forzionise and an instance in instance and an
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CLASS SPACE IS VERY LIMITED. PLEASE REGISTER PROMPTLY.



QUALIFIED RIGGER TRAINING COURSE

P

The Occupational Safety and Health Administration (OSHA) is now requiring the training and certification of all persons who are considered a Rigger for Cranes and Derricks in Construction. <u>This new standard will go into effect on</u> <u>November 8, 2010</u>. Below are the qualification requirements which will be covered in the Qualified Rigger Training.

When is a Qualified Rigger required?

Employers must use qualified riggers during hoisting activities for assembly and disassembly work (1926.1404(r)(1)). Additionally, qualified riggers are required whenever workers are within the fall zone and hooking, unhooking, or guiding a load, or doing the initial connection of a load to a component or structure (1926.1425(c)).

One of the primary goals of BX Dayton is to strive to bring the construction industry quality educational program.

The course has been scheduled as follows:

Thursday, December 2, 2010 8:00 AM - 12:00 PM (BREAKFAST INCLUDED) BX Classroom 2077 Embury Park Rd. Dayton, Ohio 45414 Company Name:			
		_ Member \$55	Non-Member \$80
		_ Member \$55	Non-Member \$80
			Non-Member \$80
Total Due: <i>Registrati</i>	ion cancellations must be ma	de 5 business days	in advance for refund
Please make check payable to: DBX or fill in Vi	isa, MasterCard, or American Expr	ess info below:	
Name on Card	Billing Zi	р	
Card Number	Expiratio	n Date	
Please send form & payment to: DBX, 2077 En Questions? Call Rachel at (937) 278-5723 or r		ix to: (937) 278-0317	

CLASS SPACE IS VERY LIMITED. PLEASE REGISTER PROMPTLY.

INDEPENDENT CONTRACTOR! – REALLY?

For as long as one can remember, employers have been misclassifying employees and calling them independent contractors to save money on taxes and overtime. But, the "game" is coming to an end and you need to make sure that all of your workers are properly classified. Both at the state and federal levels, legislation is pending to curb the abuse of misclassifying employees. Proposed legislation, like the federal Employee Misclassification Prevention Act and the Fair Playing Field Act of 2010, is moving its way through Washington. In addition, the IRS has launched an initiative with 100 additional agents to audit 6,000 employers in three years to ensure compliance. Approximately one-third of the states recently have enacted legislation to prevent misclassification and currently pending is Ohio H.B. 523 which tightens the definition of "employee" in all of the various employment laws of Ohio, including workers' compensation, unemployment compensation and state wage-hour laws.

Why is this being done? Monies needed - monies lost! Many state unemployment and workers' compensation funds are broke and all governmental entities are looking for more money. The federal government estimates that \$7 billion can be recouped in additional federal taxes in the next ten years by the IRS misclassification initiative alone. Ohio recently estimated that 92,500 employees had been misclassified costing the state treasury \$363 million. In the U.S., it is estimated that 30% of the companies misclassify employees representing 3.4 million workers. The most frequently misclassified workers are truck drivers, construction workers, home health aides, high tech engineers and sales persons. The construction industry appears to be getting the Remember, just because you pay a most attention. commission to a sales person doesn't mean that he or she is an independent contractor.

By misclassifying workers as independent contractors, an employer can save up to 30% of the cost of the worker including such things as federal social security tax, federal unemployment tax, state unemployment insurance, workers' compensation premiums, and overtime compensation. No wonder such abuse currently exists and why our state and federal governments are cracking down.

The risk of misclassification has always been significant. For example, the failure to withhold taxes can result in the collection of back taxes, interest assessments and penalties. Workers misclassified who are injured on the job can subject an employer to the total cost of the claim being passed directly through to the employer and the retroactive payment of premiums.

Several factors are considered in determining the

"independent-ness" of workers and they include: degree of control by the employer over the worker, whether the worker is "at risk" with respect to his or her capital when performing the work, the method of compensation, and whether the worker possesses the qualifications, tools and equipment to successfully perform the job without help. If you classify a worker as an independent contractor but that individual works only for you throughout the year, there is a strong presumption that that worker is not an independent contractor because he has only one customer. For a complete checklist of "independent contractor vs. employee" status and other helpful information, visit the library section of the website for Dunlevey, Mahan & Furry and click on:

http://www.dmfdayton.com/

independent_contractor_vs_employee.php.

If you intend to utilize independent contractors, it is imperative that a well crafted independent contractor agreement be entered into with each worker. Model independent contractor agreements from a bookstore no longer will suffice. Most of the characteristics of independent "contractor-ness" must be incorporated within the agreement. Not only should you have a written agreement, the worker should actually abide by the terms of the agreement. The contractor should bill the business for the services rendered on a periodic basis and they should have their own workers' compensation coverage and other insurance. As much independence as possible should be given in the areas of hours worked, where the job is to be performed, etc. They should provide their own tools, supplies, permits, training and transportation and make their services available to the public. Set the job specifications but don't tell the independent contractor how to do their job. Don't forget to provide the IRS 1099 form at the end of the year.

Pay attention to Ohio's proposed independent contractor law H.B. 523 which is in Committee at this time. Not only does it prohibit misclassification, it requires agencies to share misclassification information about you when it is detected so they too can advance claims. It also makes a contractor liable for misclassification done by a subcontractor. A violation can cause civil and criminal penalties as well as debarment from doing business with the State. A poster is required which explains to someone classified as an independent contractor what the characteristics of independent "contractor-ness" are and how that individual can seek help to determine whether he or she is truly an independent contractor.

Watch for significant developments about this issue coming soon from both Washington, as well as your State capitol. Now is the time to clean up any misclassifications and to establish true and defensible independent contractor relationships before you are audited.

For additional information or if you need an audit, contact Bob Dunlevey, Board Certified Labor and Employment Law Attorney, Dunlevey, Mahan & Furry at (937) 223-6003.

The Subcontractors Association and the Builders Exchange of Dayton announce... 2011 TEAMBUILDING NIGHT

January 27, 2011—Schuster Center—Dayton, Ohio

The Builders Exchange of Dayton (DBX) and The Subcontractors Association of Western Ohio have joined together again to offer the "Eighth Annual Team Building Night". In addition to the great networking opportunities during the General Contractors Table Top Displays, Team Building Night will also include the presentation of the BX Craftsmanship Awards, Project Manager Award, and Architectural and Engineering Awards as well as the presentation of The Subcontractors Association's Outstanding Leadership Awards.

This is a great way for the BX to highlight its members and the construction industry, and a great way for you to honor the fantastic supervision and craftsmanship you've benefited by this year. The BX encourages all members to participate. Also, please use this opportunity to bring potential BX members. The BX and The Subcontractors Association will have staff at this event to discuss member benefits with your colleagues.

TEAM BUILDING NIGHT SCHEDULE

Thursday, January 27, 2011 — The Schuster Center—Second and Main Streets, Dayton, Ohio

3:00 P.M. – 4:00 P.M.	Purchasing Enhancement Program (PEP) update with the City of Dayton's Human Relations Council to discuss the City's revised construction procurement program designed to increase MBE, FBE, SBE and local contractor utilization.
4:00 P.M. – 6:00 P.M.	REFRESHMENTS WITH TEAM BUILDING NIGHT TABLETOP DISPLAYS AND NETWORKING OPPORTUNITIES
6:00 P.M. – 6:30 P.M.	DINNER
6:30 P.M. – 6:35 P.M.	RAFFLE PRIZE DRAWING
6:35 P.M. – 7:00 P.M.	Builders Exchange and Subcontractors Association Awards Presentations

WHAT TEAM BUILDING NIGHT OFFERS OUR:

ARCHITECT/ENGINEER MEMBERS:

Our Architect/Engineer Members can attend Team Building Night for the great networking possibilities or have the option of registering for a complimentary tabletop display. We strongly encourage you to submit nominations for the BX Awards and The Subcontractors Association's Awards programs.

GENERAL CONTRACTOR MEMBERS:

Our General Contractor Members are provided with a complimentary tabletop display. We are not looking for elaborate costly displays. You can choose how much you want to invest in your display, but it would be very appropriate to just bring yourself and some business cards. Please submit nominations for the BX Awards and The Subcontractors Association's Awards programs.

SUBCONTRACTOR MEMBERS:

Attend and walk through the tabletop displays and network with area General Contractors and Design Professionals. Please submit nominations for the BX Awards and The Subcontractors Association's Awards programs.

SUPPLIER AND SERVICES MEMBERS:

Attend and walk through the tabletop displays to network with representatives from all areas of the construction industry. There are also sponsorship opportunities reflected in the enclosed forms.



REGISTRATION FORM TEAM BUILDING NIGHT **BX MEMBER**

Thursday, January 27, 2011 THE SCHUSTER CENTER, SECOND AND MAIN STREETS, DAYTON, OHIO

Name of Firm

- []We are an Architect, Engineer or General Contractor that would like to have a complimentary display table.
- []We are a Subcontractor or Supplier and will be attending.

We will have the following in attendance for the PEP update with the City of Dayton. This seminar is *Free* to attend, but registration is required. (3:00-4:00 pm):

We will have the following in attendance for the networking/tabletop segment and dinner. The registration fee is \$65 per person. (4:00-7:00 pm):

Total cost is \$_____

Enclose a check made out to the Builders Exchange of Dayton or provide credit card information below:

[]VISA	Γ]American Express	[]Master Card
Nam	ie			E	Billing Zip Code
Carc	I Number			E	xpiration Date

Return To: BX of Dayton 2077 Embury Park Road Dayton, Ohio 45414 Fax: (937) 278-0317



TEAM BUILDING NIGHT SPONSORSHIP FORM

Thursday, January 27, 2011

THE SCHUSTER CENTER, SECOND & MAIN STREETS, DAYTON, OHIO

(Name of Firm)

We have checked below our sponsorship participation:

- [] Team Building Night Sponsor (listed in the Team Building Program and includes one registration) - \$150.00
- []Nametag Sponsor (listed in the Team Building Program and includes one registration and logo on all nametags) - \$250.00
- []Refreshment Sponsor during networking time (includes 2'x3' sponsor sign and listed in the Team Building Program as a sponsor and includes one registration) - \$300.00
- [] Dinner Sponsor

(includes 2'x3' sponsor sign at entrance to dinner, full page ad in Team Building Program and highlighted in following issue of the DBX newsletter and includes two registrations) - \$600.00

Enclosed is a check made out to the Builders Exchange of Dayton or charge my credit card;

[]Master Card	[]VISA	[] Americ	an Express
Nam	e on Card				 	Billing Zip Code
Card	Number				 	Expiration Date
Plea	se return form and c	heck		3X of D 2077 Er	ion ury Park F	Road

Dayton, Ohio 45414 Fax: (937) 278-0317



BUILDERS EXCHANGE OF DAYTON CRAFTSMANSHIP AWARDS PROGRAM OVERVIEW

In order to recognize and encourage superior workmanship and service work, the Builders Exchange of Dayton is pleased to be conducting its Annual Craftsmanship Award Nominations Process.

This recognition is reserved for individuals who show excellence in any trade in any phase of construction or for service work that was completed between October 1, 2009 and October 31, 2010 in the Miami Valley Region. Nominees must also be employed by members of the Builders Exchange of Dayton or The Subcontractors Association of Western Ohio.

BASIS FOR CRAFTSMANSHIP AWARDS

This is an award to recognize the importance of accuracy, productivity, resourcefulness, and trade skills on a particular project.

- Praiseworthy solution of unique project challenges
- Commendable work under difficult project conditions
 - Enhancement of the artistic, aesthetic, or pragmatic qualities of the basic project design

REQUIREMENTS FOR SUBMISSION OF CRAFTSMANSHIP AWARDS

- Fully completed nomination form
- \$100.00 nomination fee for each nominee submitted (includes 2 event registrations if nominee receives the award)
- Minimum of one photograph of project must be submitted with each nomination of the work nominated and/or the facility for use in awards presentations

BASIS FOR SERVICE WORK AWARDS

This award recognizes excellence in customer service, productivity, responsiveness, and related technical knowledge on a particular service job.

- Exemplary responsiveness to customer needs and timelines
- Skillful identification and resolution of a service challenge

• Creative, unique, or especially resourceful service techniques used either technologically or personally

REQUIREMENTS FOR SUBMISSION OF SERVICE WORK AWARDS

- Fully completed nomination form
- \$100.00 nomination fee for each nominee submitted (includes 2 event registrations if nominee receives the award)
- Minimum of one testimonial letter from the owner of the facility where the job was performed
- photo of the facility and/or owner for use in awards presentations

Nominations must be received at the BX office by December 11, 2010. 2077 Embury Park Road, Dayton, Ohio 45414

EUILDERS EXCHANGE DAYTON

BUILDERS EXCHANGE OF DAYTON CRAFTSMANSHIP AWARDS

NOMINATION FORM

Nominating BX or Subcontractors Association Member Employer:

Employer Contact Person:							
Member Firm's Address							
Employer Phone: Fax:							
Employer Contact Ema	il Address:						
Type of Nomination:	. Craftsmanship	Service					
Craft Nominated:	Boilermaker	Bricklayer	Carpenter				
Cement Mason	Electrician	Landscaper	Glazier				
Insulator	Iron Worker	Plasterer	Painter				
Plumber/Brazer	Roofer	Sheet Metal Worker	Pipefitter/Welder				
Tile & Terrazo							
Nominee's Name:							
Description of Work Being Nominated:							
Name of Project:							
Owner of Project:							
Architect or Engineer (if applicable)							

Please attach a detailed summary of why the nominee should be considered for award. Give specific details of any special conditions the Awards Committee should consider in reference to the project or service work.

Also remember to include any required photos and/or owner testimonial letters as described in the Builders Exchange of Dayton Craftsmanship Awards Nomination Overview.

The Craftsmanship Awards will be announced on January 27, 2011.

Nomination forms are due by December 11, 2010 with a check payable to BX of Dayton in the amount of \$100.00 for each nominee presented for consideration. Or call Account Manager, Rachel Pinkus to submit your payment by credit card.



BUILDERS EXCHANGE OF DAYTON PROJECT MANAGEMENT AWARD

PROGRAM OVERVIEW

In order to recognize and encourage those who excel in project management, the Builders Exchange of Dayton is pleased to be conducting its *Fourth* Annual Project Management Award Nominations Process.

This recognition will be given to just ONE individual from the industry to award their exemplary management of a project—new construction or renovation that was completed between October 1, 2009 and October 31, 2010 in the Miami Valley Region. Nominees must be employed by members of the Builders Exchange of Dayton or The Subcontractors Association of Western Ohio.

BASIS FOR PROJECT MANAGEMENT AWARD

This is an award to recognize the exemplary project management skills as demonstrated on a particular project.

- Praiseworthy solutions to unique project challenges
- Commendable management under difficult project conditions
- Outstanding ability to meet and exceed rigorous customer demands

REQUIREMENTS FOR SUBMISSION OF PROJECT MANAGMENT AWARDS

 Fully completed nomination form including a full description of what characteristics of the manager and the project make the nominee worthy of this exclusive award

• \$100.00 nomination fee for each nominee submitted (includes two event registrations if nominee wins the award)

 Project photographs must be submitted with each nomination form of the project for which the individual is nominated for managing and/or the facility for use in awards presentations

Nominations must be received at the BX office by December 11, 2010. 2077 Embury Park Road, Dayton, Ohio 45414



BUILDERS EXCHANGE OF DAYTON PROJECT MANAGEMENT AWARD NOMINATION FORM

Nominating BX of Dayton or Subcontractors Association Member Employer:

Employer Contact Person:		
Member Firm's Address		
Employer Phone:	Fax:	
Employer Contact Email Address:		
Project Manager Nominee's Name:		
Trade or Type of Work:		
Name of Project:		
Owner of Project:		
Architect or Engineer (if applicable)		

Please attach a detailed summary of why the nominee should be considered for award. Give specific details of any special conditions the Awards Committee should consider in reference to the project or service work.

Also remember to include any required photos and/or owner testimonial letters as described in the Builders Exchange of Dayton Project Management Awards Nomination Overview.

The Project Manager Award will be announced on January 27, 2011.

Nomination forms are due by December 11, 2010 with a check payable to BX of Dayton in the amount of \$100.00 for each nominee presented for consideration. Or call Account Manager, Rachel Pinkus to submit your payment by credit card .



BUILDERS EXCHANGE OF DAYTON ARCHITECTURAL AWARDS PROGRAM OVERVIEW & NOMINATION FORM

The Builders Exchange of Dayton invites you to submit your best work and your best examples of architectural creativity and acumen. Projects may be nominated by the architect or any contractor who performed work on the job.

Projects must have been completed between October 1, 2009 and October 31, 2010 to be eligible. Submittals will be judged by a multi-disciplinary panel of construction and design professionals. They will determine ONE winner that will be announced at the Team Building Night ceremony.

Name of Nominating BX or Subcontractors Association Member Firm

Member Firm Address		
Phone:	Fax:	
Name of Project Architect Architect's Address		
Phone:	Fax:	
Name of Project Project Address		

Owner of Project _____

Please attach the following to complete your nomination:

- Description of the owner's requirements for the project
- Description of the project's compatibility with the surrounding environment
- Architectural comment on the solution of the owner's requirements for use in public commentary about the nomination
- Minimum of two (2) 8x10 photographs
- Two (2) to Six (6) high quality photographs for presentation purposes
- One reduced 8x10 positive proof of floor plan
- One 8x10 reproduction of site plan with schematic description of surrounding buildings and/or environment
- Proper release from owners and photographers for all photographs submitted for use by the Dayton Builders Exchange for promotion & presentation

Nomination forms are due by December 11, 2010 with a check payable to BX of Dayton in the amount of \$100.00 for each project presented for consideration. Each nomination includes event registration for two. Call Account Manager, Rachel Pinkus to submit your payment by credit card, if you'd prefer.



BUILDERS EXCHANGE OF DAYTON **GREEN BUILDING AWARD** AWARDS PROGRAM OVERVIEW & NOMINATION FORM

In order to recognize and encourage those who excel in green building, the Builders Exchange of Dayton is pleased to be conducting its **Second** Annual Green Building Award Nominations Process.

The Builders Exchange of Dayton invites you to submit your best work and your best examples of Green Building. Projects may be nominated by the architect or any contractor who performed work on the job.

Projects must have been completed between October 1, 2009 and October 31, 2010 to be eligible. Submittals will be judged by a multi-disciplinary panel of construction and design professionals. They will determine one winner in each category that will be announced at the Team Building Night ceremony.

Type of Nomination:New ConstructionRetrofit

Name of Nominating BX or Subcontractors Association Member Firm

Member Firm Address

Phone: _____ Fax: _____

Name of Project

Project Address

Owner of Project _____

Please attach the following to complete your nomination:

- Description of the owner's requirements for the project
- Description of the project's compatibility with the surrounding environment
- Comment on the solution of the owner's requirements for use in public commentary about the nomination
- Minimum of two (2) 8x10 photographs
- Two (2) to Six (6) high quality photographs for presentation purposes
- One reduced 8x10 positive proof of floor plan
- One 8x10 reproduction of site plan with schematic description of surrounding buildings and/or environment
- Proper release from owners and photographers for all photographs submitted for use by the Dayton Builders Exchange for promotion & presentation

Nomination forms are due by December 11, 2010 with a check payable to BX of Dayton in the amount of \$100.00 for each project presented for consideration. Each nomination includes event registration for two. Call Account Manager, Rachel Pinkus to submit your payment by credit card, if you'd prefer.



BUILDERS EXCHANGE OF DAYTON ENGINEERING AWARD AWARDS PROGRAM OVERVIEW & NOMINATION FORM

For the first time ever, the Builders Exchange of Dayton invites you to submit your best in engineering excellence. The BX wants to see your best solutions, and your best examples of engineering creativity and acumen. Projects may be nominated by the engineer or by any contractor who performed work on the job.

Projects must have been completed between October 1, 2009 and October 31, 2010 to be eligible. Submittals will be judged by a multi-disciplinary panel of construction and design professionals. They will determine ONE winner that will be announced at the Team Building Night ceremony.

Name of Nominating BX or Subcontractors Association Member Firm

Member Firm Address						
Phone:	Fax:					
Name of Project Engineer						
Architect's Address						
	Fax:					
Name of Project						
Project Address						
Owner of Project						

<u>Please attach the following to complete your nomination:</u>

- Description of the owner's requirements for the project
- Description of the project's demonstration of engineering excellence
- Engineer's comment on the solution of the owner's requirements for use in public commentary about the nomination
- Minimum of two (2) 8x10 photographs
- Two (2) to Six (6) high quality photographs for presentation purposes
- One reduced 8x10 positive proof of floor plan
- Proper release from owners and photographers for all photographs submitted for use by the Builders Exchange of Dayton for promotion & presentation

Nomination forms are due by December 11, 2010 with a check payable to BX of Dayton in the amount of \$100.00 for each project presented for consideration. Each nomination includes event registration for two. Call Account Manager, Rachel Pinkus to submit your payment by credit card, if you'd prefer.



NOMINATION FORM Outstanding General Contractor 2010

Criteria:

- Fair and reasonable to subs in accepting bids and awarding work.
- Uses AIA 201 and 401 contracts or contracts with equitable terms to contract Subcontractors.
- Runs a smooth, efficient, well coordinated and on-time project.
- Processes pay requests and ensures that subs are paid promptly.
- Expedites and pushes final payment for Subcontractors.
- Reasonable about change orders, back charges, and interpretations of the contract.
- Acknowledges the rights and responsibilities of the Subcontractors as an important member of the construction team.
- I, (individual making nomination and name of firm)

Nominate the following individual / firm (General Construction Firm Name Being Nominated)

for Outstanding General Contractor Of The Year.

LISTED BELOW ARE SPECIFIC REASONS WHY I FEEL THIS INDIVIDUAL / FIRM SHOULD RECEIVE THIS AWARD:

RETURN NOMINATION FORM TO:

THE SUBCONTRACTORS ASSOCIATION OF WESTERN OHIO 2077 EMBURY PARK ROAD DAYTON, OHIO 45414 FAX: (937) 278-0317

Nominations <u>must</u> be submitted by December 11, 2010. Awards will be presented January 27, 2011 at The Schuster Center.



NOMINATION FORM Outstanding Architect or Engineer 2010

Criteria:

- Specifies the use of AIA 201 and 401 documents.
- Plans and specifications are clear, accurate, and complete.
- Processes and approves payment requests promptly.
- Processes pay requests and ensures that subs are paid promptly.
- Cooperative in resolving technical problems and approving shop drawings and samples.
- Reasonable in interpreting drawings and specifications.
- Pushes for "on-time" performance and job close-out.
- Encourages line item retainage.
- I, (individual making nomination and name of firm)

Nominate the following individual /firm (Architectural – Engineering Firm Name Being Nominated)

for Outstanding Architect- Engineer Of The Year.

LISTED BELOW ARE SPECIFIC REASONS WHY I FEEL THIS INDIVIDUAL / FIRM SHOULD RECEIVE THIS AWARD:

RETURN NOMINATION FORM TO:

THE SUBCONTRACTORS ASSOCIATION OF WESTERN OHIO 2077 Embury Park Rd. Dayton, OH 45414 FAX: (937) 278-0317

Nominations <u>must</u> be submitted by December 11, 2010. Awards will be presented January 27, 2011 at The Schuster Center.



NOMINATION FORM Outstanding Public Official 2010

<u>Criteria:</u>

- Has made major contributions toward improving conditions for the Subcontracting industry
- Has helped by sponsorship or support of legislation favorable to our industry and opposing harmful legislation.
- Has been available to listen to our problems caused by Government legislation.
- Has understood and helped to ease and relieve construction industry problems.

I, (individual making nomination and name of firm)

Nominate the following individual (Public Official's Name)

(Office Held) ______ for Outstanding Public Official Of The Year.

LISTED BELOW ARE SPECIFIC REASONS WHY I FEEL THIS INDIVIDUAL SHOULD RECEIVE THIS AWARD:

RETURN NOMINATION FORM TO:

THE SUBCONTRACTORS ASSOCIATION OF WESTERN OHIO 2077 Embury Park Rd. Dayton, OH 45414 FAX: (937) 278-0317

Nominations must be submitted by December 11, 2010.

Awards will be presented on January 27, 2011 at The Schuster Center.



NOMINATION FORM Outstanding Subcontractor 2010

Criteria:

- Has developed a reputation in the industry as providing quality work and follows fair business practices, not only with the owners and general contractors, but also with fellow subcontractors and suppliers.
- I, (individual making nomination and name of firm)

Nominate the following individual /firm (Firm Name Being Nominated)

for Outstanding Subcontractor Of The Year.

LISTED BELOW ARE SPECIFIC REASONS WHY I FEEL THIS INDIVIDUAL / FIRM SHOULD RECEIVE THIS AWARD:

RETURN NOMINATION FORM TO:

THE SUBCONTRACTORS ASSOCIATION OF WESTERN OHIO 2077 Embury Park Rd. Dayton, OH 45414 FAX: (937) 278-0317

Nominations <u>must</u> be submitted by December 11, 2011. Awards will be presented January 27, 2011 at The Schuster Center.



NOMINATION FORM Outstanding EDGE/PEP Contractor 2010

Criteria:

- Has developed a positive reputation in the industry for providing quality work and follows fair business practices, with owners, general contractors, subcontractors and suppliers.
- Is a certified company through Ohio's EDGE program or the City of Dayton's Purchasing Enhancement Program (PEP) which includes MBE, FBE, DBE, and SBEs.
- I, (individual making nomination and name of firm)

Nominate the following individual /firm (Firm Name Being Nominated)

for Outstanding EDGE/PEP Contractor Of The Year.

LISTED BELOW ARE SPECIFIC REASONS WHY I FEEL THIS INDIVIDUAL / FIRM SHOULD RECEIVE THIS AWARD:

RETURN NOMINATION FORM TO:

THE SUBCONTRACTORS ASSOCIATION OF WESTERN OHIO 2077 Embury Park Rd. Dayton, OH 45414 FAX: (937) 278-0317

Nominations must be submitted by December 11, 2011.



TEMPORARY AUTHORIZATION TO REVIEW INFORMATION

TO:	EMPLOYER SERVICES DEPARTMENT
	Ohio Bureau of Workers' Compensation
	c/o CareWorks Consultants, Inc.
	5500 Glendon Court
	Dublin, Ohio 43016
	(614) 526-7188 / 1-800-837-3200 ext. 7188
	Fax 1-888-837-3288
	www.careworksconsultants.com
	info@ccitpa.com

FROM:	Policy Number
	Company
	DBA
	Address
	Address

This is to certify that CareWorks Consultants Inc. (ID NO. 150-80) and the Buckeye WC Alliance/Dayton Builders Exchange (11000, 2011/2012, Code 11/26) including its agents or representatives identified to you by them has been retained to review and perform studies on certain workers' compensation matters on our behalf.

This limited letter of authority provides access to the following types of information relating to our account:

- (1) Risk files
- (2) Claim files
- (3) Merit-rated or non-merit rated experiences
- (4) Other associated data

This authorization does NOT include the authority to:

- (1) Review protest letters
- (2) File protest letters
- (3) File form Application for Handicap Reimbursement (CHP-4);
- (4) Notice of Appeal (I-12) or
 - Application for Permanent Partial Reconsideration (IC-88);
- (5) File self-insurance applications
- (6) Represent the employer at hearings
- (7) Pursue other similar actions on behalf of the employer

I understand that this authorization is limited and temporary in nature and will expire on February 28, 2011 or automatically nine months from the date received by the Employer Services or Self-Insured Department, whichever is appropriate. In either case, length of authorization will not exceed nine months.

Print Name	Title		Signature		Date
Telephone Number		Fax Number	L	Email Add	ress



Workers' Compensation Group Rating Programs Help Employers Save Significant Premium Dollars

Now is the time of year for you to begin planning for your workers' compensation future. Many companies are probably sending you information about their programs. While they may be able to save you money in the short term, they often lack the quality comprehensive customer service and program stability that helps to ensure continued long term group rating discounts. Through the Buckeye Workers' Compensation Alliance, CareWorks Consultants, Inc. (CCI) offers a level of service and satisfaction unmatched by any other third party administrator (TPA) in the industry.

If you are currently in another group rating program, you should compare your savings and program quality to the Buckeye Workers' Compensation Alliance group rating program administered by CareWorks Consultants. Find out for yourself why organizations choose and remain with CareWorks Consultants.

The CareWorks Consultants Difference

Stability

CareWorks Consultants, Ohio-owned and operated, is the leading third party administrator in Ohio serving over 34,000 Ohio employers.

Service

As a result of our best-in-class service, CareWorks Consultants has consistently maintained a 97% client retention rate – one of the highest in the industry.

Return on Investment

In 2009, for every dollar spent on fees, CareWorks Consultants' clients saved \$9.00 – an 800% return on investment.

Comprehensive Services

- Claims Management Services
- Risk Management Services
- Hearing Representation
- Information Technology

If you have not yet received application information and would like to apply for group rating, please call CareWorks Consultants directly at 1-800-837-3200 and ask to speak with someone in the group sales department.

You may also visit CCI's website to apply for group rating online at www.careworksconsultants.com/groupratingapplication.

The deadline to make a decision will approach quickly. Don't be left wondering what to do about your workers' compensation future! Call CareWorks Consultants at 1-800-837-3200 to discuss your potential savings. Choose a partner with a record of not only savings, but incredible service.

OSHA.GOV

By: Mr. Gary W. Hanson, President American Safety & Health Management Consultants, Inc.

The Internet has become an almost indispensable tool today. It brings the world to our doorstep. As a small business we take full advantage of all the information and help the Internet provides on a daily basis. This includes using the OSHA website, OSHA.gov. It is literally an encyclopedia of what is happening with OSHA and about OSHA. If you have a question about OSHA this website can provide the answer.

We are constantly looking up data on the following: Most cited OSHA standards Injury and Illness Statistics New Initiatives and Standards Standard Interpretations Citations being issued

These are all available and easy to find with the click of a mouse.

OSHA also has information on related safety and health topics; slide presentations and even some videos are available to be downloaded. They have a list of the publications that includes:

Brochures/Booklets Fact Sheets Guidance Documents Pocket Guides Posters Quick Cards Ouick Takes

You can even download the OSHA Poster.

Do you want to know about industry alerts; they are listed here. Are you concerned about OSHA targeted inspections, they are listed here. Injury and illness data numbers and types of inspections, types of work place fatalities are all here for your review.

OSHA will be increasing their enforcement and citation activity in the coming months. As of October 1, 2010, penalties have increased and OSHA will now be citing on the total number of employees exposed. These are the wave of the future, but you don't need to be caught off guard. The OSHA website is a great resource that is easily available. Add this to your efforts to keep up with the changes in safety regulations.

Keep up with the changes and you will not be one of the companies listed for being cited for large fines.

Also, if you need internal help putting together your safety program, writing policies and procedures or conducting employee safety training, please give me a call at 1-800-356-1274.

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NEW DIGITAL BILLBOARD ON I-75 INSTALLED BY ORBIT OUTDOOR NETWORK HD

A new digital billboard will be up and running on November 1. The Orbit Outdoor Network HD digital display offers a unique advertising venue. Its spectacular size, 47 feet across by 14 feet high, and LED technology makes it stand out like no other billboard in the Dayton area. Located on I-75 near Moraine, over 120,000 vehicles will pass by daily.

Seven ads will rotate on each side of the board, each with a display time of eight seconds. Advertisers can place as many different ads as they like to promote more than one product, location, or business. In addition, particular ads can be run at different times throughout the day. For example, if you are a restaurant, you can run breakfast ads in the morning and dinner ads in the evening. The flexibility of digital also supports the incorporation of dynamic content, like Time and Temperature.

Using state-of-the-art technology, the digital display developed by Daktronics, has the most LEDs and pixels per square foot available in the industry. This display uses an optimized design to create more lines of resolution and extremely high image contrast for sharp, vivid images. Automated brightness control is integrated into the display, so every image is distinct, even in direct sunlight.

Orbit Outdoor Network HD is a companion company of Unitize, Inc., owned and operated by Chairman Jim Arnett. Established in 1979, other companies in the Unitize family include: Orbit Movers & Erectors - machinery relocation/installation and mobile crane and equipment rental; Orbit Sheet Metal - design, fabrication, and installation; S & D Osterfeld Mechanical Contractors – process piping, boilers, and certified welding; and Response Mechanical Service & Maintenance Repair – HVAC equipment and

commercial kitchen equipment.

For more information contact Cindy Tucker at 937.297.3052 or email <u>cindy.tucker@att.net</u>.





FULLER DIRECTS BX TO CARRY ON CORRADO'S UNITED WAY EFFORT

We all have been affected by the loss of jobs in the Dayton area, especially the most recent GM, Delphi, and NCR closings. The impact to the United Way of Greater Dayton's funding efforts has been a significant loss in donations, resulting in cuts to vital programs and services offered by local health and human services agencies. One agency, Miami Valley Literary Council, was forced to close its doors September 30 due to the lack of funding.

Last year, United Way Campaign Chairman, Vince Corrado of Shook Construction, took up the challenge to rally the area construction industry to assist the United Way of the Greater Dayton Area in their fundraising efforts. Vince recognized the value of United Way in our community and he knew that other cities around the country faced with similar economic circumstances, continued to support their local United Way campaigns. Last year Vince called a summit of the local construction industry leaders and was able to dramatically increase the construction industry's contributions.

Recognizing the ongoing challenge, Kevin Fuller of Bilbrey Construction Company and President of the Dayton Builders Exchange, picked up the baton from Vince and has committed his efforts and those of the Dayton Builders Exchange to build on what was started to improve the construction industry's part in supporting the United Way.

Kevin has set out a plan to include all of the area construction trade associations and construction industry firms. The focus this year is not on one time monetary gifts to the United Way, but to encourage construction firms to run internal employee campaigns. Participation is the goal and donors giving as little as \$1.00 per week can help restore crucial funding back to the United Way so vital services can continue for those in need in our community.

The United Way of the Greater Dayton Area supports the efforts of more than 70 partner agencies focused on providing health and human services programs to residents in Montgomery, Greene and Preble counties. The need has never been greater and there is no question that the United Way is a vital part of our community.

The Builders Exchange of Dayton will be a central part of this effort and we ask the other area associations to join us. You will be hearing more about these efforts throughout the fall campaign.

If you want to learn more about United Way, and how you can be more involved, watch for the notice concerning the United Way Construction Industry Campaign Directors' Club Meeting. Attend the meeting and find out how the BX plans to make it much easier for you to establish an employee campaign.

We thank and congratulate Vince Corrado for getting the ball rolling. Vince is still actively involved with the United Way and works with other industry sectors on their fund drive campaigns. We are all proud of Kevin Fuller for taking on the job of continuing the effort within the construction industry. His commitment of personal time and effort is much appreciated.

Creating positive and lasting change in our community benefits us all but it takes resources. We hope you will join us in this effort to reinvent the current reality of need into one of hope and opportunity for everyone. Working together we can make a difference and make the Greater Dayton area one of the most caring and livable places in America.





PICTURED ABOVE LEFT: United Way Construction Industry Campaign Directors' Club Breakfast PICTRED ABOVE RIGHT: United Way Construction Industry President's Council Meeting There is a transformation underway at United Way that, in many ways, is similar to a major remodeling project on a house. It is a huge investment of time and effort, but it builds on a solid foundation that has stood the test of time.

United Way has been improving lives and our community in Montgomery, Greene and Preble Counties since 1914. United Way's convenient way of contributing made it possible for everyone to be a philanthropist. United Way's focus on the big picture – not just a single cause or need – sustains a vital network of services and fills critical gaps in services.

The same challenging economy that has taken a toll on the housing market has necessitated a hard look at how to position United Way for today's new realities.

United Way of the Greater Dayton Area began a transformation a year ago when the majority of the community voiced concern over a potential merger with Cincinnati. The study did not identify the desired cost savings, and there were no assurances that additional resources would be available to meet our region's skyrocketing needs.

The volunteer and staff leadership agreed that a complete overhaul of our local United Way was needed to position the organization to respond to the realities caused by the turbulent economic transition. They started by driving down overhead through budget cuts and cost reductions of more than \$1.5 million, benchmarking to similar cities, and listening to the community through an online survey, interviews, and a series of three forums involving 55 civic leaders.

United Way concluded that its success moving forward lies in engaging more donors, leaders, and volunteers. The organization will be working more closely with county government and other partners to streamline efforts, reduce duplication, and increase impact. The Board adopted a new model to work toward shared outcomes that not only address needs but also find longterm solutions.

The new model combines traditional investment in quality programs and a narrowed focus to tackle community problems. United Way will continue to make a direct impact on ongoing needs such as child care and afterschool programs, support services for seniors and persons with disabilities, and disaster response and preparedness. Now, in addition, United Way will engage resources and assets in the community to tackle a need that can be diminished, such as by improving school readiness scores or high school graduation rates.

If there is a tear anywhere in the fabric of our community, if any part is struggling, we are all affected and we all need to act. The consequence of doing otherwise means continued deterioration of our neighborhoods an ongoing decline in housing values.

United Way advances the common good by creating opportunities for a better life for all. The focus of their funding and work is on education, income and health, because these are the building blocks for a good quality of life.

United Way has confidence in the future of this community. By supporting this year's campaign, we can help build on what's working and strengthen our region.

How You Can Help

- 1. Make a personal leadership gift. Recognition levels start at \$1,000 and go up to membership in United Way's Tocqueville Society with a gift of \$10,000 or more.
- 2. Make a corporate contribution.
- 3. If you are not already running an employee campaign, please meet with United Way representatives to organize a fundraising drive at your workplace.

To make a donation or learn more about these choices, call Terri Leputa at (937) 225-3024 or send an email to terril@dayton-unitedway.org.

Common Good Indicators

The Common Good Indicators are being compiled in order to get community input as to what people feel are the most important issues facing our community that United Way can focus on and have the most impact.

Please rank the Top 5 intended results (1 being highest) that you feel United Way of the Greater Dayton Area should consider for its first Impact Goal. The final selection will be based on stakeholder input and local needs data.

Education

_____ Readiness to succeed in school: Children enter school developmentally on track in the areas of literacy and social, emotional and intellectual skills.

Tracked by percentage of three- to five-year-olds with school readiness skills.

_____ Elementary academic achievement: Elementary students are prepared to succeed in later grades. Tracked by percentage of fourth graders proficient in reading.

_____ High school academic achievement: Young people graduate from high school. Tracked by percentage of high school students who graduate on-time.

_____ Productive and engaged young people: Young adults make a successful transition from high school to work life.

Tracked by percentage of 18- to 24-year-olds who are not working nor in school.

Income

_____ Achieving greater financial stability: Lower-income working families move towards financial independence.

Tracked by percentage of lower-income working families who spend more than 40% of their income on housing.

_____ Increasing income: Working families earn enough income to support a decent standard of living. Tracked by percentage of lower-income working families.

_____ Building savings: Lower-income working families have safe vehicles for saving and have enough money saved for emergencies.

Tracked by percentage of lower-income working families who have a bank account with a minimum of \$300.

_____ Gaining and sustaining assets: Lower-income working families build appreciating assets. Tracked by homeownership rate for lower-income working families.

Health

_____ Maternal health & infant well-being: Babies are born at low-risk of any preventable health problems. Tracked by percentage of babies born with a low-birth weight.

_____ Basic health care coverage & prevention: Children and youth receive timely, regular, preventive health care.

Tracked by percentage of children under age 18 who do not have health care insurance.

_____ Healthy youth: Youth are healthy and avoiding risky behavior. Tracked by percentage of grade 9-12 students who are healthy and avoiding risky behavior.

_____ Healthy adults: Adults are healthy and avoiding risky behavior. Tracked by percentage of adults 18 and over who are healthy and avoiding risky behavior.

Please mail this document to: United Way of the Greater Dayton Area, Attn: Terri Leputa, Campaign Manager, 33 West First Street, Suite 500, Dayton, OH 45402 or fax it to (937) 225-3074.

2010 Corporate Pledge Card



YOUR ORGANIZATION:	YOUR GIVING HISTORY:			
851949	2009 Gift:	2008 Gift:		
Dayton Builders Exchange 2077 Embury Park Road, Dayton, OH 45414				
Member's Name:				
Member's Address:	Please indicate any corrections or changes in the box.			
YOUR 2010 CAMPAIGN CONTRIBUTION:				
Total Pledge: \$				
Payment Included: \$				
Balance Due: \$				
\$				
BILLING INSTRUCTIONS:				
Total Payment Included				
Please invoice us for the balance due:	Please make all checks payable to:			
 Monthly, beginning in January of 2011 Quarterly, beginning in January of 2011 	UNITED WAY OF THE GREATER DAYTON AREA			
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MCAD COMES FORWARD FOR UNITED WAY

The Mason Contractors Association of Dayton (MCAD) made a contribution toward the United Way of Greater Dayton Fund Drive.

MCAD supported the United Way with a contribution last year as well. The Association feels strongly about United Way Services to the community and is working with the Builders Exchange of Dayton to increase the participation from the area construction industry.

PICTURED RIGHT:

Brian Watts of Anderson Masonry and MCAD Treasurer, presenting Untied Way check to Builders Exchange of Dayton Executive Director, Bob Pope, at the Builders Exchange offices.





MCAGD SUPPORTS UNITED WAY

At their September 15th Membership Meeting, the Mechanical Contractors Association of Greater Dayton (MCAGD) presented the United Way with a contribution from the Association toward the United Way of Greater Dayton 2010 Fund Drive Campaign.

The Builders Exchange of Dayton (BX) has taken on the role of the coordinating organization for the construction industry part of the United Way Fund Drive Campaign. Kevin Fuller of Bilbrey Construction and BX President, spoke to the MCAGD Membership and thanked them for their support of the BX's effort and the United Way.

United Way Official, Terri Leputa, also spoke to the group about the many services that are funded by the United Way and their importance to the community.

PICTURED AVOVE: MCAGD Chairman Howard Krisher presented Terri Leputa of the United Way with a check

BILBREY CONSTRUCTION COMMITTED TO UNITED WAY

Bilbrey Construction Company has decided to make a dedicated effort to support the United Way of Greater Dayton (UW) and be an active part of the UW Fall Fund Drive.

The UW budget has been severely impacted due to the loss of several large corporations in the area, so the UW has reached out to the construction industry to make an extra effort in fund raising activities, in order to help fill the funding gap.

Bilbrey Construction has met this call with it upper management leading the way in the firm's fund raising efforts. Dave Bilbrey is heading the firm's in-house campaign. Kevin Fuller of Bilbrey Construction and President of the Dayton Builders Exchange has taken on the task of heading the UW Construction Division for UW.



Terry Leputa, Champaign Executive for UW, acknowledged Bilbray for their effort and commended their commitment.

MCAGD MEMBER FIRM, STARCO, INC., SUPPORTS THE UNITED WAY EFFORT

A special thanks to all of the employees at Starco, Inc., for embracing and supporting the Greater Dayton United Way effort. The entire company has elected to contribute to the United Way on an individual basis.

PICTURED RIGHT: Terri LePuta, Jennifer Heath, Christina August, and Sandy Krisher



SMRCA HELPS UNITED WAY

The Sheet Metal and Roofing Contractors Association of the Miami Valley, Ohio (SMRCA) presented the United Way with a contribution from the Association toward the United Way of Greater Dayton Annual Fund Drive Campaign. This presentation was made at the SMRCA September 21st Membership Meeting.

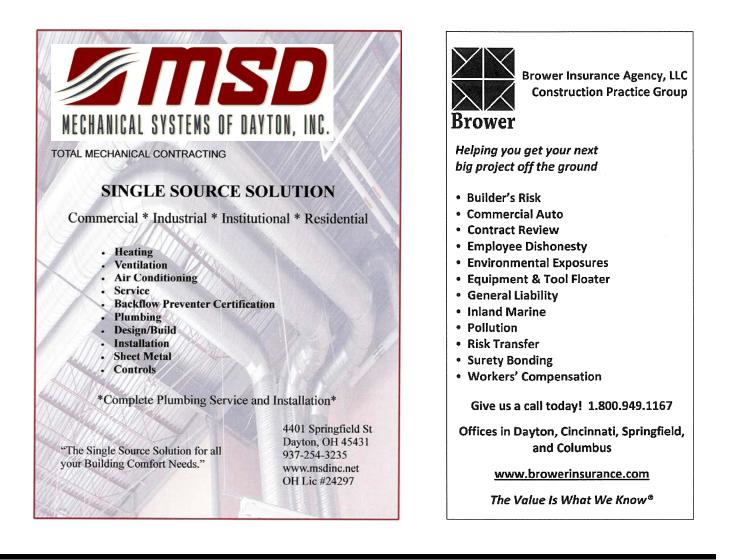
Terri Leputa of the United Way spoke to the group about the funding challenges the United Way of Greater Dayton is facing due to the loss of key area companies such as NCR and DELPHI. Terri expressed her appreciation to SMRCA for their cooperation with the Dayton Builders Exchange (BX) in the effort to increase United Way participation from the area construction industry.

Terri encouraged area firms to establish employee pledge campaigns within their own firms. She explained that employee campaigns can be in amounts of as little as a \$1.00 per week and still make a big impact overall in the United Way's efforts to fund local human services.



SMRCA President Kathy Kerber commented on SMRCA's commitment to work with the BX in this effort.

PICTURED RIGHT: SMRCA President, Kathy Kerber, presenting SMRCA check to United Way Executive, Terri Leputa



DBX BEHIND THE GREATER DAYTON UNITED WAY EFFORT



The Dayton Builders Exchange (DBX) made a contribution toward the United Way of Greater Dayton Fund Drive.

The Builders Exchange and many of it's members are supporting the United Way 2010 Fall Campaign. The Association feels strongly about United Way Services to the community and is working diligently to increase the participation from the area construction companies.

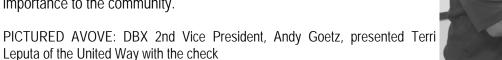
PICTURED RIGHT:

Kevin Fuller of Bilbrey Construction and President of the Dayton Builders Exchange, presenting DBX Untied Way check to Terri LePuta of the United Way

SAWO AND DBX BRING THE CONSTRUCTION COMMUNITY TOGETHER TO RAISE FUNDS FOR THE GREATER DAYTON UNITED WAY

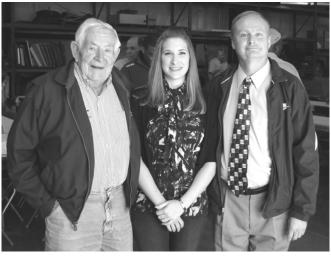
On August 20th The Dayton Builders Exchange (DBX) and The Subcontractors Association of Western Ohio (SAWO) held their First Annual Tour de Donut charity bike ride. The day featured a 14 mile ride along with a gourmet BBQ lunch and all the donuts you could eat. A tandem TREK bicycle was raffled off as the grand prize. All of the proceeds from the event went to the Greater Dayton united Way.

United Way Official, Terri Leputa, was also there to speak to the group about the many services that are funded by the United Way and their importance to the community.





RIECK GROUP, LLC EMPLOYEES COMMITTED TO UNITED WAY



Rieck Group, LLC and all of it's employees has decided to make a dedicated effort to support the United Way of Greater Dayton (UW) and be an active part of the UW Fall Fund Drive.

Each employee of Rieck is allowed to donate their chosen amount to the United Way over the course of the next year. In return, Rieck owner, Harold Rieck, will give each employee 10% of their annual donation back in the form of a gas card.

A special thanks to Harold and of the employees of Rieck for their generosity and support.

PICTURED LEFT: Harold Rieck, Rachel Pinkus, and Mike Stemen.



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Congratulations to our Craftsmanship Winners:

Eric Pence Roger Robinson Johnnie Wright

of Shook Masonry for the Farmer School of Business at Miami University shown here:







Masonry Day and Forum



Sponsored by The International Masonry Institute and the International Union of Bricklayers and Allied Craftworkers

Enjoy a day of learning about the technical & practical aspects of masonry design & construction from the professionals. Please wear comfortable clothing as this is a real hands-on experience! The panel discussion will be open forum with the area's top mason contractors, and is a great opportunity to tap into the experience of qualified installers.

WHO SHOULD ATTEND

Building Owners, Architects, Engineers, Construction Managers, GCs, Signatory Mason Contractors, Code Officials, Material Suppliers

WHEN & WHERE

Saturday, December 11, 2010 Pipefitters Training Center 1300 Century Circle North Springdale, OH 45246

SCHEDULE

8:30 AM Registration 9:00 AM From the Code Book to the Field 10:00 AM Masonry Flashings & Movement Control 11:30 AM Lunch 12:30 PM Tips for Optimizing Structural Masonry 1:30 PM Interactive hands-on demonstration 3:00 PM Panel discussion

4:00 PM Conclusion

 This program meets the AIA/CES criteria for continuing education. AIA members attending this program will receive 6 H/SW learning units, which will be reported directly to the AIA.

PROGRAM

From the Code Book to the Field: Code requirements are examined from determination through specification to installation. Tips on how to effectively communicate requirements through the process are offered. Course topics also address craftworker training, certifications and upgrades, and field level quality assurance.

Masonry Flashings & Movement Control: This seminar addresses best practice for design and construction of moisture management and material movement control systems for contemporary masonry walls. Code requirements, system components. aesthetics, theory, differential movement, preventing failures, and workmanship are discussed.

Tips for Optimizing Structural Masonry: The focus of this seminar is to give participants a clearer understanding of the interrelationship in masonry buildings between materials, architecture, engineering and construction. Seemingly simple decisions can dramatically affect the building and understanding options available in materials, design and construction methods can result in more efficient and cost effective structures.

COST: \$20 per person, lunch is provided. Registration is transferable but <u>not</u> refundable. Deadline for registration is December 1, 2010. Space is limited so please register early.

REGISTRATION FORM		My	company is (check one):
Name:			Architecture/Engineering
		0	General Contractor/CM
Company:		0	Interior Designer
Address:		0	Mason Contractor
Cibr	State: Zip Code:	0	Developer/Property Manager
City:	State: Zip Code:		Material Supplier
Phone:	Email:	0	Municipality / Code Official
VISA MasterCard Card #:	Discover	0	Other
Expiration Date:			

To officially register, please FAX this form to: (301) 261-2855. Checks should be mailed to: International Masonry Institute 42 East Street Annapolis, MD 21401 For more information, contact Tom Nagy at (330) 342-0365 or tnagy@imiweb.org



Chancellor Announces New Pathway to Degree for Electrical Workers

Rob Evans, Press Secretary, Ohio Board of Regents

COLUMBUS –With an agreement announced today, electricians completing a popular apprenticeship program will finish with more than half of the college credits they need to earn an associate degree.

"These students can now learn their trade while earning credit towards a degree," said Ohio Board of Regents Chancellor Eric D. Fingerhut. "This agreement helps them advance their career while helping to increase the number of Ohioans with a degree; an important step towards attracting new businesses to the state."

This year, 1,182 Ohioans are enrolled in an intensive five-year apprenticeship program offered by the International Brotherhood of Electrical Workers and National Electrical Contractors Association to become Inside Wiremen, a type of electrical worker certified to install and maintain all of the various types of electrical systems found in commercial and industrial facilities. As part of today's agreement, completion of the Inside Wireman curriculum will provide each of them 36 semester hours of college credit toward a Technical Associate degree. Approved programs currently exist at eight of Ohio's 23 community colleges and more are in development.

As outlined in Ohio's 10-year *Strategic Plan for Higher Education,* awarding college credit for apprenticeship programs that meet academic standards is an important reform. Doing so ensures that many potential students who might never have considered college will be granted an open door to a degree. The state expects to develop statewide agreements for other apprenticeship programs in the coming year.

This achievement is due to the collaborative effort and leadership of the Ohio Association of Community Colleges, the Ohio State Apprenticeship Council, the International Brotherhood of Electrical Workers, the National Electrical Contractors Association, the Ohio Board of Regents and many faculty and staff at Ohio's community colleges.

For questions regarding admissions information, please contact Stephanie McCann, Program Manager, Articulation and Transfer, at (614) 728-8860 (<u>smccann@regents.state.oh.us</u>) or Andrew Maciejewski at 614-466-9498 (<u>Andrew.Maciejewski@jfs.ohio.gov</u>).



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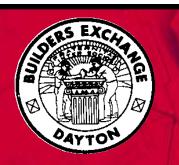
Dale Derr

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United Way of the

Greater Dayton Area

Kevin Fuller of Bilbrey Construction Company and President of the Dayton Builders Exchange, has committed his efforts and those of the Dayton Builders Exchange to improve the construction industry's part in supporting the Greater Dayton United Way.

Check out pages 40-46 of The Construction Journal to learn what <u>you</u> and <u>your company</u> can do to support the effort!