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**VOLUME 55 NO. 05
MAY 2021**



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UPDATE ON MICA ACTIVITIES

We continue to move forward with the 9th edition of the MICA standards manual. The committee has been working diligently on this edition since 2016. The committee

has added eleven new plates to the manual and a new section on **flashing**. The tables have been updated to reflect current ASTM and ASHRAE standards. We are also re-vamping our website capabilities so that the manual can be ordered using coupon codes that will allow individuals to gift the manual using the coupons. The committee met this month in Omaha and has been "testing" the revised ordering process for any glitches. **We still anticipate the 9th edition to be printed in May with a June release date.**

This month the MICA office emailed the "Best Practices in Safety" award applications for both contractor and associate members. Due to the disruption of the COVID-19 pandemic on our ability to conduct in-person meetings, this year we have moved the safety application process to a later date to coincide with our 2021 Fall Business Meeting. We want to recognize your efforts in safety at our first in-person meeting in over a year. We have set the deadline for submitting your safety award application to the end of June. **All completed applications must be received at Gary Auman's office by June 25, 2021.** Those received after this date will not be considered. The application form is available in electronic form from the MICA office. Just e-mail the MICA office to request an electronic copy of the application form.

We are delighted to provide this opportunity to you, our members, to recognize our members' "Best Practices in Safety". We plan to recognize your efforts in safety at our 2021 annual fall business meeting. **Please be sure to register for, and attend our 2021 Fall Business Meeting scheduled for October 14 & 15, 2021, at the Omaha Downtown Marriott in Omaha, NE.**

Thank you for your continued support of MICA, and we look forward to renewing our face-to-face relationships with you in October.

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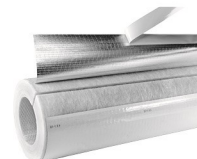
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PRESIDENT'S MESSAGE

TO: THE MICA MEMBERSHIP

"Time is the most valuable thing a man can spend."
-Theophrastus, Greek plant biologist

May arrived and is almost gone already. The weather in Illinois has not cooperated at all as far as being outside. It has been a cold and rainy month. I hope everyone had a great Mother's Day and was able to spend it with their wives and their mothers and let them know how much they mean to us all. May is a time for change. The school year typically ends, and it signals the beginning of summer. Graduations are also a big part of May. Our son, Luke, graduated from high school this May, the Saturday of Mother's Day weekend, so it was definitely a busy, but exciting, weekend for the Sack family. Luke will be going into the trades to be an electrician. We are really excited for what's to come. Another big change in May is the change of Presidents for MICA. Rudy Nigl will be taking over as President of MICA beginning June 1st. Rudy will do a great job!

With that being said, I would like to thank everyone for allowing me to be President this past year. It was truly an honor. I would like to thank Tom and Cindy for all that they did to help me through the year and for all they do for this organization. I would like to thank Rich Huseman and Scott Weekly for agreeing to be my advisors and offering words

of encouragement throughout the year. Lastly, I would like to thank everyone on the Board. This was a tough year-and-a-half, and there were some very difficult decisions that had to be made. This Board thought about them and did not take that responsibility lightly. In the end, I believe the right decisions were made. Serving on the Board is a great way to get more involved with MICA and see all the things the Board does for the association.

We would normally conduct our Board of Directors meeting in conjunction with the spring convention. We would follow up the June meeting with a summer planning meeting to set the schedule for the October business meeting. Since we have cancelled the June convention, I, in consultation with the Executive Committee, recommended to the Board that we combine the meetings and have an extended summer Board meeting. The Board agreed, and this year's Board meeting is scheduled for August 1-3, 2021, in Duluth, MN. Rudy and the Board will have a full agenda to cover in August, including the interview process of finding a replacement for Tom & Cindy. The transition committee will be presenting their findings to the Board at this meeting, and a new Executive Secretary should be identified prior to the October business meeting.

Once again, this past year has been a pleasure and an honor. I am completing my year as President, but I will still serve on the MICA Board. My wife, Megan, and I will be attending the August meeting, and we are looking forward to getting to see the MICA family again.

Stay Safe and Be Healthy!

"Time moves in one direction, memory in another."
-William Gibson, American-Canadian fiction author

Sincerely,

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MICA SAFETY PROGRAM REVIEW AND AWARD

This article was written by Gary Auman, MICA Legal Counsel, Auman, Mahan & Furry

MICA has always understood the importance of safety on the job site. As a result of this, MICA implemented a safety award program several years ago. The MICA Board asked me again to prepare some comments for your consideration as to the value of participating in our safety award program. If you don't have a good plan for getting a job done, the outcome is going to be less than satisfactory. I believe, as you should that this applies to safety - good safety performance starts with a good safety program.

I titled this article as I did because this is more than a safety award program; it is a safety program review. Try to analogize having your safety program reviewed annually to other things that you do in your life to ensure that your company's equipment operates as intended. For those of you who passed your fiftieth birthday, I am sure that you have been advised by your family physician to have an annual or bi-annual physical. Your doctor recommends this, because he is aware that as you get older you become more prone to some of the physical problems that are connected with aging. You take a physical to make sure you have an early warning of anything that needs to be addressed before it becomes a significant problem.

This year the MICA Safety Committee is using the modified approach that we instituted last year in our attempt to be more

relevant and helpful to you, our members. This year we are only addressing two or three safety topics and we **DO WANT YOU TO ATTACH THE PART OF YOUR SAFETY PROGRAM THAT ADDRESSES THOSE TOPICS.** All you have to do is attach a portion of your program (for contractors this may be your fall protection program and then **TELL US WHERE** in that portion of your program we will find how you deal with a particular issue. **FOR EXAMPLE** suppose we ask you to attach your fall protection program and then we ask you to give us the page and/or section that addresses "determining the integrity of walking and working surfaces" - you would just give us a page and section number. We will find it, read it and grade it.


In your business, I would be surprised if any of you do not perform preventive maintenance on the equipment that you depend on to be successful as a contractor. In addition, you most likely perform other preventive maintenance such as tire rotation, etc., in order that you can avoid any significant problems.

Well, your safety program is also an integral part of your business. It too can deteriorate with age and lack of use. It too needs preventive maintenance to avoid catastrophic failure. When a safety program fails you, someone can get seriously injured or killed. Or, you can be confronted with an OSHA inspection and find out through the citations issued that your safety program is not what you thought it was and is not as effective as it needs to be.


You could pay hundreds or even thousands of dollars to have a safety consultant review your safety program. Through the

(Continued on page 7)


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(Continued from page 6)

MICA safety program review and awards opportunity, you can have portions of your safety program reviewed, and receive written comments from individuals who have a wealth of experience in dealing with safety issues. You will receive valuable feedback from the reviewing panel with regard to those aspects of your program which are in the competition, and you will receive recognition from MICA for your achievement in developing a quality safety program.

When you look at the MICA safety program review and awards opportunity, you have to agree that there is absolutely no reason why you should sit on the sidelines while other members of MICA, some of whom are your competitors, take advantage of this MICA member benefit. Take a few minutes, pull out the application, complete it, and send it in to MICA's general counsel along with your check for \$100.00 made payable to MICA. Be sure that it is received in time for the review committee to take a look at it and provide you with their valuable comments concerning the effectiveness of your safety program.

REMEMBER — The application submittal deadline is **June 25, 2021**. Your completed application form must be received by the end of the business day on June 25th. The application form is available from the MICA office. Just call or e-mail us, and we will send you a copy of the application form.

DODGE MOMENTUM INDEX INCREASES IN APRIL

HAMILTON, New Jersey – May 7, 2021 – The Dodge Momentum Index posted an 8.6% gain in April, climbing to 162.4 (2000=100) from the revised reading of 149.5 in March. The Momentum Index, issued by Dodge Data & Analytics, is a monthly measure of the first (or initial) report for nonresidential building projects in planning, which have been shown to lead construction spending for nonresidential buildings by a full

year. April's gain marks the fifth consecutive monthly increase, and similar to February and March, was due to a large increase in institutional buildings entering the planning stage while commercial planning eased by less than one percent.

Since hitting its nine-year low in January, institutional planning has rebounded substantially, climbing 77% over the last three months. Healthcare and laboratory projects continue to dominate the sector, pushing institutional planning 50% higher on a year-over-year basis. Conversely, the commercial component has slipped in recent months as fewer warehouse projects have entered planning, though the sector is 21% higher than in April 2020. Overall, the Momentum Index is 31% higher than last April, which was the first full month of COVID-19 shutdowns.

There were 13 projects with a value of \$100 million or more that entered planning within April. The leading commercial projects were a \$400 million mixed-use office project in San Francisco CA and a \$250 million warehouse project in Mesa AZ. The leading institutional projects were the \$300 million first phase of The Cove JC laboratory and education facility in Jersey City NJ and a \$175 million laboratory project in Boston MA.

April's data highlights the nascent recovery underway in institutional building. However, given the average length of time between planning and project start, this rise will likely not impact construction starts until late 2021 or early 2022.

DODGE MOMENTUM INDEX

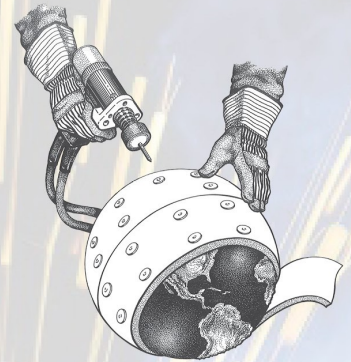
[2000=100, Seasonally Adjusted]

	Apr-21	Mar-21	% Change
Dodge Momentum Index	162.4	149.5	8.6%
Commercial Building	172.2	172.6	-0.2%
Institutional Building	150.3	120.9	24.3%

Source: Dodge Data & Analytics



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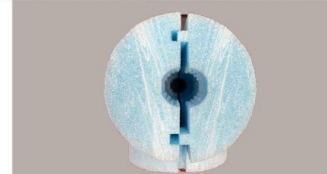
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PROLIFERATING MATERIALS PRICE INCREASES AND SUPPLY CHAIN DISRUPTIONS SQUEEZE CONTRACTORS AND THREATEN TO UNDERMINE ECONOMIC RECOVERY

May 13, 2021

Producer Price Index Data for April Shows Wide Variety of Materials with Double-Digit Price Increases, While Competition for Projects Keeps Nonresidential Construction Firms from Passing on Added Costs

The cost of goods and services used in construction accelerated further in April as more items logged double-digit increases over the past year, according to an [analysis](#) by the Associated General Contractors of America of government data released today. Meanwhile, nonresidential contractors struggled with delays in receiving materials and intensifying competition that limited their ability to pass on higher costs. Association officials urged the Biden administration to quickly roll back tariffs and quotas on imported construction materials that are adding to costs and availability problems.

“Today’s producer price index report—bad though it is—actually understates the severity of the problems contractors are experiencing,” said Ken Simonson, the association’s chief economist. “Many items have posted even steeper price increases since the data for this report were collected in mid-April, while lead times for producing goods and delivery times to distributors and worksites have grown ever longer and less certain.”

Prices for materials used in construction jumped 19.7 percent from April 2020 to last month. That was by far the largest increase in the 35-year history of the series, Simonson said. A

series that includes services as well as goods purchased by contractors increased nearly as much, 19.1 percent. Meanwhile, the producer price index for new nonresidential construction—a measure of what contractors say they would charge to erect five types of nonresidential buildings—rose only 2.3 percent over the past 12 months, as competition for a shrinking pool of new projects forced contractors to absorb most of the increases.

Items with especially steep price increases over the past year ranged from lumber to metals to plastics. The producer price index for lumber and plywood soared 85.7 percent from April 2020 to last month. The index for steel mill products climbed 67 percent, while the index for copper and brass mill shapes rose 49 percent and the index for aluminum mill shapes increased 20.5 percent. The index for plastic construction products rose 14.2 percent amid growing scarcity of items such as PVC pipe, vinyl siding and moisture barriers, and resins used in paints and adhesives. The index for gypsum products such as wallboard climbed 12.1 percent.

Association officials said some of the supply chain problems have resulted from the pandemic or one-time events like the freeze in Texas last February that damaged plants producing inputs for construction plastics. But they added that federal policies, particularly tariffs and quotas on key building materials like lumber, steel, and aluminum have exacerbated the price spikes, supply shortages, and delivery delays. They urged the administration to end those import obstacles and explore ways to help uncork supply-chain bottlenecks.

“The Biden administration must address these unprecedented lumber and steel costs and broader supply-chain woes or risk undermining the economic recovery,” said Stephen E. Sandherr, the association’s chief executive officer. “Without tariff relief and other measures, vital construction projects will fall behind schedule or be canceled.”

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FUTURE MICA MEETING DATES

CANCELED — 64th Annual Spring Convention — June 21 — 24, 2021, Hyatt Regency Coconut Point Resort, Bonita Springs, FL.

Summer 2021 Board of Directors Meeting — August 2 & 3, 2021, Fitger's Inn, Duluth, MN.

Fall 2021 Annual Fall Business Meeting — October 14 & 15, 2021, Omaha Marriott Downtown, Omaha, NE.

2022 Winter Meetings — January 2022, TBD


65th Annual Spring Convention — June 19 — 22, 2022, Hyatt Regency Coconut Point Resort, Bonita Springs, FL.

Fall 2022 Annual Fall Business Meeting — October 13 & 14, 2022, Omaha Marriott Downtown, Omaha, NE.

68th Annual Spring Convention — June 16 — 19, 2025, Hyatt Regency Coconut Point Resort, Bonita Springs, FL.

MICA MEMBER ADDRESS/INFO. UPDATES

Be sure to inform the MICA office of any changes or corrections to your listing for either the MICA Directory, e-mail correspondence or mailing address. **Even if you update your company listing on the MICA website, please inform the MICA office of the changes.** We try to be as current as possible with your help.




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ABC TO THE WHITE HOUSE: DO NOT EXCLUDE 87% OF AMERICA'S CONSTRUCTION INDUSTRY FROM YOUR INFRASTRUCTURE PLAN

WASHINGTON, May 11—Today, Associated Builders and Contractors and more than 900 member companies and chapters from 47 states sent a letter to the White House highlighting concerns with President Joe Biden's American Jobs Plan and recommendations to improve it, streamlining the permitting process and supporting bipartisan workforce development efforts. The letter also voiced strong opposition to the Protect the Right to Organize Act.

"We urge you to work with Congress and other stakeholders to pursue a bipartisan agreement on the federal investment needed to effectively and efficiently replace and repair the nation's critical infrastructure," the letter said. "Importantly, we believe that any federal investment in our nation's infrastructure must ensure opportunity to all Americans, regardless of labor affiliation. While the American Jobs Plan seeks to inject more than \$2 trillion of federal spending into the economy and our nation's crumbling infrastructure, ABC is concerned that the proposed spending on what is traditionally considered infrastructure will not meet the needs of the nation. Specifically, only a portion of this funding is dedicated to roads and bridges—\$115 billion—which is a fraction of what is needed to truly modernize America's most critical transportation infrastructure.

"We are also concerned that the American Jobs Plan calls for passage of the PRO Act, supports inaccurate prevailing wage rates for construction projects and urges Congress to tie infra-

structure investments to government-mandated project labor agreements and community workforce agreements that often discriminate against our nation's small, women-, veteran- and minority owned businesses. More than 87% of the construction industry does not belong to a union, and placing stringent requirements that allow only union jobs and union employers to participate in rebuilding America's infrastructure is an ineffective strategy that is likely to increase costs, reduce job creation, decrease the number of infrastructure projects."

CONSTRUCTION EMPLOYMENT IN APRIL REMAINS BELOW PRE-PANDEMIC PEAK IN 36 STATES AND D.C. DESPITE PICKUP FROM MARCH LEVEL IN 26 LOCATIONS

May 21, 2021

Texas and Louisiana Have Worst Job Losses Since February 2020, While Utah and Idaho Top Gainers; Illinois and New Hampshire Add the Most in April, as Texas and Iowa Posts Biggest Monthly Losses

Construction employment in April remained below the pre-pandemic high set in February 2020 in 36 states and the District of Columbia, despite increases from March to April in 26 states, according to an [analysis](#) by the Associated General Contractors of America of government employment data released today. Association officials said that the sector's recovery was being undermined by increases in materials prices, delays in receiving key construction supplies and labor shortages.

(Continued on page 15)

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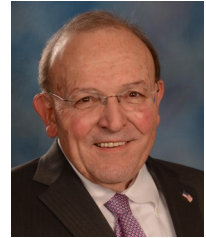
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(Continued from page 12)

"Today's numbers show that construction has yet to fully recover from the effects of the pandemic in most parts of the country," said Ken Simonson, the association's chief economist. "Even where employment has topped pre-pandemic levels, the gains are likely due mainly to feverish homebuilding and remodeling, not to widespread resumption of nonresidential building and infrastructure projects."

Seasonally adjusted construction employment in April exceeded the February 2020 level in only 14 states. Utah added the most jobs (5,100 jobs or 4.5 percent), trailed by Idaho (4,400 jobs, 8.0 percent), Washington (3,800 jobs, 1.7 percent), and South Carolina (1,900 jobs, 1.8 percent). Idaho added the highest percentage, followed by South Dakota (6.3 percent, 1,500 jobs), Utah, and Rhode Island (3.5 percent, 700 jobs).

Employment declined from the February 2020 level in 36 states and D.C. Texas lost the most construction jobs over the period (-44,800 jobs or -5.7 percent), followed by New York (-29,300 jobs, -9.1 percent), California (-27,600 jobs, -3.0 percent), Louisiana (-19,600 jobs, -14.3 percent), and New Jersey (-15,600 jobs, -9.5%). Louisiana recorded the largest percentage loss, followed by Wyoming (-13.5 percent, -3,100 jobs), New Jersey, New York, and West Virginia (-8.7 percent, -2,900 jobs).

For the month, construction employment increased in 26 states, decreased in 21, and held steady in three states and D.C. Illinois added the most construction jobs (4,000 jobs, 1.8 percent),

followed by Pennsylvania (3,400 jobs, 1.4 percent), Wisconsin (2,900 jobs, 2.4 percent), Kentucky (1,900 jobs, 2.4 percent) and North Carolina (1,600 jobs, 0.7 percent). New Hampshire had the largest percentage gain (3.2 percent, 900 jobs), followed by Rhode Island (2.4 percent, 500 jobs), Kentucky, and Wisconsin. Texas lost the most construction jobs for the month (-13,600 jobs, -1.8 percent), followed by New York, (-3,900 jobs, -1.0 percent) and Iowa (-3,100 jobs, -3.9 percent). Iowa had the largest percentage loss, followed by Alabama (-2.4 percent, -2,200 jobs), and Texas.

Association officials noted that rapid increases in the cost of many construction materials are hammering firms still trying to recover from the pandemic. Deliveries of many materials are often delayed because of manufacturing and shipping backups. In addition, many firms report having trouble finding workers to hire amid continued school closures, lingering worries about the pandemic and elevated unemployment benefits.

"Federal officials can give the industry a needed boost by removing tariffs on key construction materials such as lumber, steel, and aluminum, and taking steps to ease supply-chain backups," said Stephen E. Sandherr, the association's chief executive officer. "It is also time to end barriers keeping workers home, including reopening schools and ending the unemployment supplements."



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IRS PROVIDES GUIDANCE ON PREMIUM ASSISTANCE AND TAX CREDIT FOR CONTINUATION HEALTH COVERAGE

WASHINGTON —The Internal Revenue Service today provided guidance on tax breaks under the American Rescue Plan Act of 2021 for continuation health coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

Notice 2021-31 provides guidance for employers, plan administrators, and health insurers regarding the new credit available to them for providing continuation health coverage to certain individuals under COBRA.

The American Rescue Plan provides a temporary 100% reduction in the premium that individuals would have to pay when they elect COBRA continuation health coverage following a reduction in hours or an involuntary termination of employment. The new law provides a corresponding tax credit for the entities that maintain group health plans, such as employers, multiemployer plans, and insurers. The 100% reduction in the premium and the credit are also available with respect to continuation coverage provided for those events under comparable State laws, sometimes referred to as "mini-COBRA."

Notice 2021-31 provides information regarding the calculation of the credit, the eligibility of individuals, the premium assistance period, and other information vital to employers, plan administrators, and insurers to understand the credit.

COBRA provides certain former employees, retirees, spouses, former spouses, and dependent children the right to temporary continuation of health coverage at group rates. COBRA generally covers health plans maintained by private-sector employers with 20 or more full and part-time employees. It also covers employee organizations or federal, state or local governments. State mini-COBRA laws often provide similar benefits for insured small employers not subject to Federal COBRA.

The IRS will continue to update information related to health plans on IRS.gov.

ABOUT NIA'S 65TH ANNUAL CONVENTION

The National Insulation Association (NIA) invites you to join your industry colleagues in person October 26–28, 2021, at the MGM National Harbor in National Harbor, Maryland (located just outside of Washington, DC). Full registration details can be found at the NIA website: www.insulation.org.

NIA's 65th Annual Convention is the time for NIA members to reconnect with each other. This event will bring together the networking, educational, and entertainment events that you look forward to at our events! The Convention theme—**Together for Tomorrow**—will be an important point of connection as we support each and reconnect during the education and networking elements.

We at NIA are excited to welcome attendees from all segments of the mechanical insulation industry back to a NIA favorite location, the MGM at National Harbor! Safety is a top priority for NIA, MGM, and our members, and we will ensure all necessary safety precautions are in place, executed, and enforced with the hotel.

NIA's mask policy at the event will adhere to the latest safety guidelines and recommendations. More information about this policy will be posted closer to the event dates. (Currently, masks are required for all guests inside public spaces at all MGM Resorts properties across the United States.)

Who Should Attend

Convention attendees represent all segments of the mechanical insulation industry on a national level: merit and union contractors, distributors, fabricators, laminators, and manufacturers. This broad representation of the industry allows attendees many opportunities to gain new business contacts, network, and build relationships. Spouses, guests, and children are encouraged to attend.

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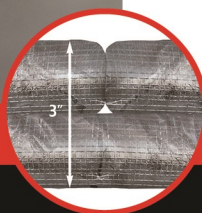
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OSHA RULE PROPOSAL TO CLARIFY HANDRAIL, STAIR RAIL SYSTEM REQUIREMENTS IN GENERAL INDUSTRY WALKING-WORKING SURFACES STANDARD

WASHINGTON, DC – The U.S. Department of Labor's Occupational Safety and Health Administration is proposing updates in the [handrail](#) and [stair rail system](#) requirements for its general industry, Walking-Working Surfaces standard.

OSHA published a final rule on walking-working surfaces and personal protective equipment in November 2016 that updated requirements for slip, trip and fall hazards. The agency has received numerous questions asking when handrails are required, and about the height requirements for handrails on stairs and stair rail systems.

This proposed rule does not reopen for discussion any of the regulatory decisions made in the 2016 rulemaking. It focuses solely on clarifying some of the requirements for handrails and stair rail systems finalized in 2016, and on providing flexibility in the transition to OSHA's newer requirements.

[Follow the online instructions at the Federal eRulemaking portal to submit comments.](#) Submit comments by July 19. For more information, read the [Federal Register notice](#).

Learn more about OSHA's [General Industry Walking-Working Surfaces and Fall Protection standards](#).

OSHA ISSUES A NOTICE OF INFORMAL HEARING TO DISCUSS UPDATES TO THE AGENCY'S HAZARD COMMUNICATION STANDARD

WASHINGTON, DC – The U.S. Department of Labor's Occupational Safety and Health Administration has issued a notice of informal hearing on the agency's Hazard Communication Standard (HCS).

The hearing will begin Sept. 21, 2021, at 10 a.m., EDT, and will be held virtually using WebEx. If necessary, the hearing will continue from 9:30 a.m. until 5:00 p.m. EDT on subsequent days. Additional information on how to access the informal hearing will be posted on [OSHA's Proposed Rulemaking to Amend the Hazard Communication Standard webpage](#).

Individuals interested in participating in the hearing must submit a notice of intent to appear at the hearing, along with any submissions and attachments, identified by Docket No. OSHA-2019-0001, electronically at <http://www.regulations.gov>, which is the Federal e-Rulemaking Portal. Submissions and requests to appear must be received by June 18, 2021. Read the [Federal Register notice](#) for additional details.

OSHA expects the HCS update will increase worker protections and reduce the incidence of chemical-related occupational illnesses and injuries by further improving the information on the labels and Safety Data Sheets for hazardous chemicals. Proposed modifications will also address issues since implementation of the 2012 standard, and improve alignment with other federal agencies and Canada.



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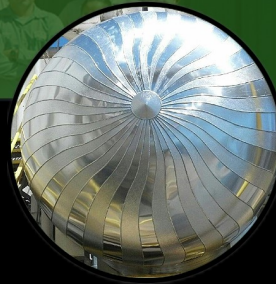
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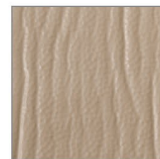
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U.S. DEPARTMENT OF HOMELAND SECURITY, LABOR ISSUE JOINT RULE SUPPLEMENTING H-2B VISA CAP

WASHINGTON, DC – The Departments of Labor and Homeland Security have published a [joint temporary final rule](#) making available an additional 22,000 H-2B temporary nonagricultural guest worker visas for fiscal year 2021 to employers who are likely to suffer irreparable harm without these additional workers. Of the supplemental visas, 6,000 are reserved for nationals of the Northern Triangle countries of Honduras, El Salvador and Guatemala.

DHS first announced the planned supplemental increase of 22,000 visas for the H-2B Temporary Non-Agricultural Worker program on April 20, 2021. The supplemental H-2B visa allocation consists of 16,000 visas available only to returning H-2B workers from one of the last three fiscal years (FY 2018, 2019 or 2020), and 6,000 visas for Northern Triangle nationals, who are exempt from the returning worker requirement.

“Today’s joint rule helps American businesses and addresses the need for robust worker protections,” said Secretary of Homeland Security Alejandro N. Mayorkas. “For the first time, we are setting aside supplemental visas for noncitizens from Northern Triangle countries, in furtherance of President Biden’s and Vice President Harris’ direction to expand legal pathways for protection and opportunity for individuals from those countries.”

“The temporary final rule is designed to prevent permanent and severe financial loss to U.S. employers by supplementing the congressionally mandated H-2B visa cap, takes into account feedback from American businesses, employer organizations, and labor representatives, and is one piece of the administration’s broader comprehensive framework for managing migration throughout North and Central America,” said USCIS Acting Director Tracy L. Renaud. “This rule incorporates several key provisions to ensure adequate safeguards for U.S. workers and H-2B workers. The rule requires that employers take additional steps to recruit U.S. workers, and provides for “portability,” which allows H-2B workers already in the U.S. to begin employment with a new H-2B employer or agent once USCIS receives a timely filed, non-frivolous H-2B petition, but before the petition is approved. Portability enables H-2B workers to change employers more quickly if they encounter unsafe or abusive working conditions. DHS and the Department of Labor will also conduct a significant number of post-adjudication reviews to ensure compliance with the program’s requirements.”

Starting May 25, eligible employers who have already completed a test of the U.S. labor market to verify that there are no U.S. workers who are willing, qualified and able to perform the seasonal nonagricultural work can file [Form I-129, Petition for a Nonimmigrant Worker](#) to seek additional H-2B workers. They must submit an attestation with their petition to demonstrate their business is likely to suffer irreparable harm without a supplemental workforce. Additional details on eligibility and filing requirements are available in the temporary final rule and the [Temporary Increase in H-2B Nonimmigrant Visas for FY 2021 webpage](#).

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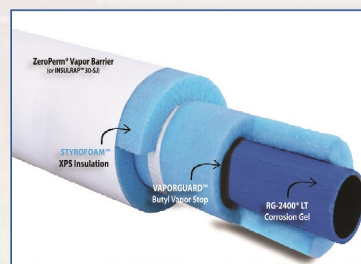
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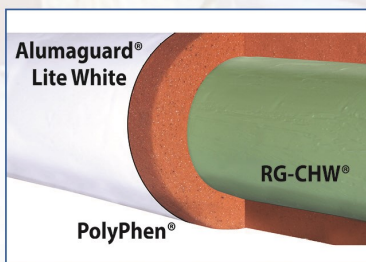
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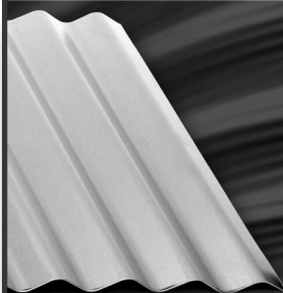
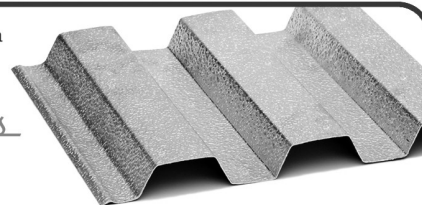
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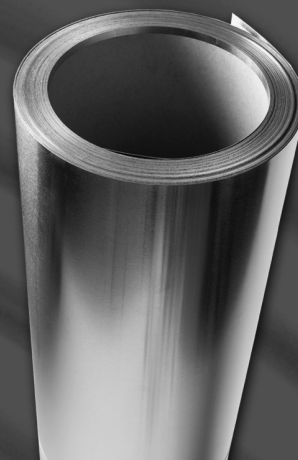
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CONSTRUCTION STARTS SLIP IN APRIL AS HOUSING COOLS

HAMILTON, New Jersey — May 18, 2021 — Total construction starts fell 2% in April to a seasonally adjusted annual rate of \$853.5 billion, according to Dodge Data & Analytics. Single family construction posted a sizeable decline following months of strong activity, while nonresidential building and nonbuilding starts both gained.

“The pullback in single family construction starts was inevitable after showing exceptional strength over the past year,” said Richard Branch, Chief Economist for Dodge Data & Analytics. “Higher material prices, supply shortages, and a dearth of skilled construction labor were bound to catch up with housing and will ultimately limit the ability of this sector to show the same rate of expansion this year as it did last. Meanwhile, non-residential starts are stabilizing and should continue to heal throughout 2021, however, this sector will also be challenged by similar issues facing the housing market that will cause its starts to be below pre-pandemic levels for months to come.”

Below is the full breakdown across nonbuilding, and nonresidential, construction:

Nonbuilding construction starts rose 2% in April to a seasonally adjusted annual rate of \$189.5 billion. The utility and gas plant category rose 5%, while environmental public works and highways and bridges gained 2% and 1% respectively. The miscellaneous nonbuilding category dropped 3% in April. On a year-to-date basis, total nonbuilding starts were 6% higher than during the first four months of 2020. Starts in the environmental public works category were 37% higher, while miscellaneous

nonbuilding starts were up 25%, and utility and gas plant starts were 3% higher. Highway and bridge starts were down 11%.

For the 12 months ending April 2021, total nonbuilding starts were 9% lower than the 12 months ending April 2020. Environmental public works starts were up 14%, while highway and bridge starts were up 1%. Utility and gas plant starts were down 34% for the 12 months ending April 2021 and miscellaneous nonbuilding starts were down 15%.

The largest nonbuilding projects to break ground in April were the \$625 million Atkina Solar Power in Wharton County TX, the \$530 million New York Energy Solution Transmission Project in Claverack NY, and the \$357 million North City Pure Water Facility in San Diego CA.

Nonresidential building starts rose 16% in April to a seasonally adjusted annual rate of \$276.3 billion. Institutional building starts rose 19%, driven by education, transportation, and recreation buildings, while commercial starts rose 12% due to gains in the office and warehouse categories. Manufacturing starts also increased in April, climbing 25%. On a year-to-date basis, nonresidential building starts were 17% lower than during the first four months of 2020. Commercial starts were down 20%, while institutional starts were down 18%. Through the first four months of 2021, manufacturing starts were up 13%.

For the 12 months ending April 2021, nonresidential building starts were 26% lower than the 12 months ending April 2020. Commercial starts were down 27%, while institutional starts were 18% lower. Manufacturing starts were down 53% for the 12 months ending April 2021.

Sometimes the
best amenities
are the ones
you don't see

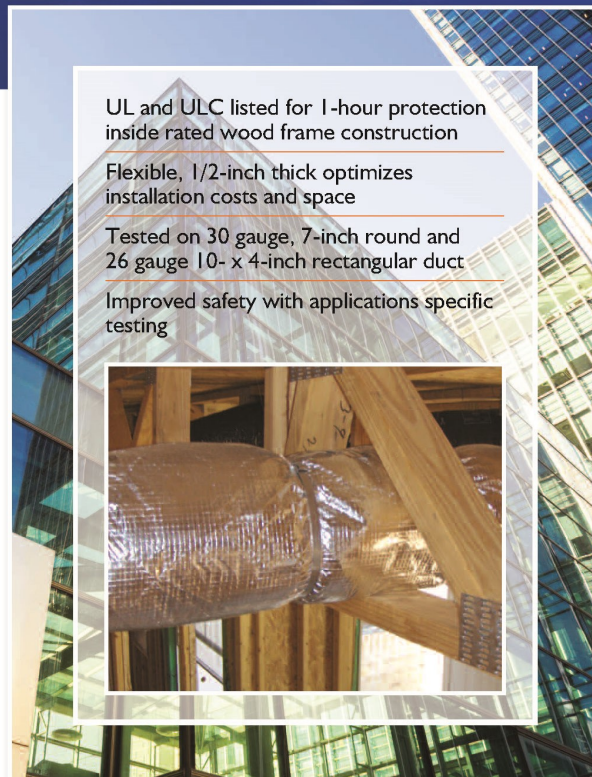
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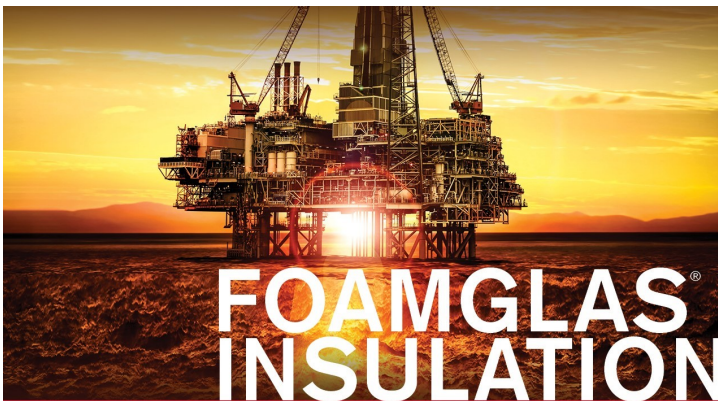
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