

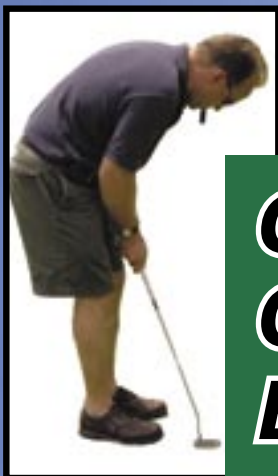
SUMMER 2006

# OFF THE WALL

An Industry Publication by the Wall-Ceiling & Carpentry Industries of New York, Inc.

## ON-THE-JOB SAFETY

- Joe Olivieri ...*page 3*
- Safety and Success at Ronsco ...*pages 20, 21*
- Following a Jobsite Accident ...*page 30*
- OSHA News ...*page 31*



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OUTING PHOTOS  
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# CALENDAR

2006

|                 |         |                    |                           |
|-----------------|---------|--------------------|---------------------------|
| SEPT 12 (TUES.) | 4:00 PM | BOARD MEETING      | CARACELLA                 |
|                 | 6:00 PM | MEMBERSHIP MEETING | CARACELLA                 |
| OCT 11 (WED.)   | 7:30 AM | BOARD MEETING      | OFFICE                    |
| 17 (TUES.)      | 6:00 PM | MEMBERSHIP MEETING | TBA                       |
| NOV 8 (WED.)    | 7:30 AM | BOARD MEETING      | OFFICE                    |
| 14 (TUES.)      | 6:00 PM | MEMBERSHIP MEETING | TBA                       |
| DEC 5 (TUES.)   | 6:00 PM | CHRISTMAS PARTY    | N. HEMPSTEAD COUNTRY CLUB |



Cover photo/Getty Images

## OFF THE WALL

*Off the Wall* is published through the Promotional Fund by the Association of Wall-Ceiling & Carpentry Industries of New York for the benefit of the membership. It is distributed to members, associate members, union affiliates, and legislators. Editorial contributions, including pictures and story ideas, are welcome and should be forwarded to the WC&C office, 125 Jericho Tpke., Suite 301, Jericho, NY, 11753.

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## *From the Executive Director Joseph Olivieri*

### **Our Goal: Eliminate Unsafe Work Practices!**

**J**ob safety is a fundamental concern that everyone, management and labor alike, agree about. It is not only a mandate of OSHA, it dictates the cost of operations and determines the Workers' Compensation insurance premiums contractors pay out. So it's not surprising that your association views job safety as a primary priority.

Negotiations have been successfully concluded with the New York District Council of Carpenters, and Tapers Local 1974. My thanks to the association's committee members and to the union representatives.

**Job related injuries cost contractors a fortune in time lost and increased insurance premiums.**

workers. We've been very interested in Connecticut's new Construction Safety legislation (HB5034) that will go into

effect on October 1, 2006. This bill requires all state or municipal contracts of \$100,000 or more for construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public building receiving any state funding to require that the contractor prove that all its employees performing manual labor have completed a 10-hour OSHA course.

Here in New York, Political Directors Steve McGinnis of the New York District Council of Carpenters and Kevin Hicks of the Empire State District Council of Carpenters are working with our association to institute a similar bill in the legislature requiring construction safety training.

The association is presently working with the New York District Council of Carpenters to develop a certification program for interior trades which will include OSHA safety requirements.

In anticipation of this, your association will be hiring this fall, a safety consultant to work with each member contractor to insure that proper safety programs and the attending record keeping are in place. This is not only

to assist WC&C members for compliance with OSHA requirements and the impending law on state contracts, but because it makes for sound business practice. Tragic accidents take the lives of six construction workers every year in the United States, but thousands more job related injuries cost contractors a fortune in time lost and increased insurance premiums. Our goal is to eliminate unsafe work practices among our membership.

One of our members was singled out by AWCI last spring for its safety program. Congratulations are in order to Lee Zaretsky of Ronsco, Inc., the recipient of the 2006 Excellence In Construction Safety Award presented at the national convention. Toolbox meetings, safety committees, and suggestion systems are among the performance management tools Lee and his company employ in their highly successful safety program. (See the article on pages 20, 21).

We are fortunate to have Lee as a WC&C director and as a member of our Insurance Committee. His expertise combined with that of our other committee members will be of great benefit to our contractors in reducing injury experience modifications (mods) and thus lowering insurance costs. Employers with low mods pay lower workers' compensation premiums than those with high mods.

While our focus is on safety, we are also carefully watching the job outlook. Our industry is getting stronger in 2006 and more jobs are beginning to open up. The prospects for 2007 are even better. There is much reason to be optimistic. I look forward to a solid market recovery and an increased market share for union contractors. Let's get the jobs...but, safety first! — **Joe Olivieri**



*From the  
**PRESIDENT**  
Michael Weber*

## New Labor Agreements Generate Better Opportunity to Compete

**T**his has been a busy season. After much research and a whole lot of negotiating, your association and the New York District Council of Carpenters reached a 5-year agreement covering a wide array of important topics.

Among the more far-reaching was a concurrence between labor and management that a Certification program be developed and implemented in order to clearly delineate job skills and qualifications. The object is to get the right worker on the right job so that the worker with the highest skill level will perform the work.

This, of course, is an important step in our efforts toward raising the perception of union labor as better labor...with jobs moving faster with a more expert finished product.

Another major step in strengthening our ability to bid competitively was a change in the Apprentice Ratio. Now there will be one apprentice allowed for every two journeymen on the job.

These negotiations illuminated the greater understanding between labor and management of the need for cooperation that will result in a greater share of the market for union labor. Positive results in the quantification of wrap-up times, starting locations and coffee breaks point to the increasing teamwork that is building between our contractors and their workers.

Our negotiations were also satisfactorily concluded with Taping Local 1974 after a 30-day extension. I want to thank all who worked on

the negotiating committees for both these important collective bargaining agreements.

On the job safety continues to be a major concern as we work in compliance with OSHA regulations and mandates from New York State. A bill requiring a program similar to that recently enacted into law in Connecticut mandating a 10-hour OSHA Safety Course is currently in motion and will soon be acted upon. WC&C strongly supports this legislation and we urge all our members to get behind it. To this end, your association will be working with a safety consultant this fall to better train and inform our membership on safety issues affecting our industry.

I recommend you to significantly impact your business by attending AWC's Industry Executives' Conference & Committee Week in spectacular Colorado Springs, October 24 through 28. The education sessions, Immigration Law Changes and the Construction Industry and Cover Your Assets: How to Safeguard Yourself, Your Family and Your Business, are a must for all industry professionals. There is complete information including a downloadable brochure with a reservation form on the AWC website at [www.awci.org](http://www.awci.org). In addition to the obvious business value from attending this Conference, it will be a lot more fun if we can get a large contingent from WC&C to converge on our parent organization at Colorado Springs in October. I hope to see you there. – **Michael Weber**

*Note: Market Recovery addendum to the collective bargaining agreement with the New York District Council appears on pages 6 & 7.*

# New York City Issues Apprenticeship Program Notice Requirement for Certain Construction Contracts



**The following notice was issued by  
Marla G. Simpson, Director of the Office of Contract  
Services, of the Office of the Mayor, The City of New York.**

As a result of the implementation of the recommendations of Mayor Bloomberg's Commission Construction Opportunity (MCCO), the City is expanding its commitment to the inclusion of apprenticeship requirements in City construction contracts. Pursuant to the authority granted to the City under Labor Law §816-b, on behalf of the Mayor, as Director of the Mayor's Office of Contract Services (MOCS), I am hereby requiring that you include the attached Notice to Bidders in all construction contracts (not contracts for construction-related services) for which:

- The cost estimate of the contract for which bids are to be solicited exceeds \$3,000,000 on any capital project with a cost estimate of less than \$5,000,000; or
- The cost estimate of the contract for which bids are to be solicited exceeds \$1,000,000 on any capital project with a cost estimate that equals or exceeds \$5,000,000.

If you believe that a particular contract that otherwise meets one of the above definitions should nevertheless be exempted in whole or part from the apprenticeship requirement, you may seek a waiver of this directive from MOCS. Waivers may only be granted in unusual circumstances in the best interests of the City.

In the event that you wish to seek such a waiver, you should send a written request or email stating the reasons for your request to the attention of MOCS' Deputy Counsel Ken Jockers ([kjockers@cityhall.nyc.gov](mailto:kjockers@cityhall.nyc.gov)). Ken can be reached at 212-788-2493, should you have any questions about whether a particular bid contract is included in this directive or about the waiver process.

## NOTICE TO BIDDERS

Please be advised that, pursuant to the authority granted to the City under Labor Law §816-b, (insert name of bidder) hereby requires that the contractor awarded a contract as a result of this Invitation for Bids, and any of its subcontractors, have, prior to entering into such contract or subcontract, apprenticeship agreements appropriate for the type and scope of work to be performed that have been registered with, and approved by, the New York State Commissioner of Labor. In addition, the contractor and its subcontractors will be required to show that such apprenticeship programs have three years of current, successful experience in providing career opportunities.

The failure to prove, upon request, that these requirements have been met shall result in the contract not being awarded to the contractor or the subcontractor not being approved.

Please be further advised that, pursuant to Labor Law §220, the allowable ratio of apprentices to journeypersons in any craft classification shall not be greater than the ratio permitted to the contractor as to its workforce on any job under the registered apprenticeship program.

# Market Recovery Agreement

To combat the large escalation in non-Union construction, an addendum to the collective bargaining agreement has been negotiated between WC&C and the New York City District Council of Carpenters and Joiners. Addressing the “enormous growth of residential construction in New York City which has been built by non-signatory contractors with non-Union labor” this “Market Recovery Agreement” supplements the main agreement.

The provisions include the ten major items published here...

**1 Geographic Area:** The Market Recovery Agreement applies in the Bronx, Brooklyn, Queens and Staten Island and north of 110th Street in Manhattan. Also included is the area of Nassau County covered under the jurisdiction of Local 45.

**2 Covered Work:** The Market Recovery Agreement applies to the construction and/or renovation of residential construction jobs being no more than twelve (12) stories high, and applies only to carpentry work as set forth in the Jurisdiction Article of the applicable collective bargaining agreement. It does not apply, for example, to specialty craft workers such as dock building, floorcoverers, timbermen, millwrights and shop work. Exceptions may be made at the sole discretion of the District Council and subject to certain conditions.

**3 Out of Work List Provisions:** A UBC certified shop steward meeting certain requirements and working under regular job referral rules will be dispatched from the job referral list and will work at the Market Recovery Rates.

**4 Market Recovery Rate:** All hours worked by journey level carpenters on Market Recovery Jobs will be at \$46.25 per hour, allocated as follows:

|                             |         |
|-----------------------------|---------|
| Journey Level Wages         | \$28.00 |
| Foreman Wages               | \$31.00 |
| Apprentice Wages            |         |
| 1st year                    | \$11.20 |
| 2nd year                    | \$14.00 |
| 3rd year                    | \$18.20 |
| 4th year                    | \$22.40 |
| Welfare                     | \$ 9.75 |
| Pension                     | \$ 3.90 |
| Annuity                     | -----   |
| A.J.R.E.I.F.                | \$ .50  |
| Vacation                    | \$ 2.70 |
| Supplemental                | \$ .04  |
| Int. UBC                    | \$ .06  |
| Supplemental Pension        | \$ 1.00 |
| Labor-Mgt.                  | \$ .20  |
| Industry Advancement Fund   | \$ .10  |
| Total Fringes (all workers) | \$18.25 |

As of June 30, 2008 and each (1) year thereafter, wages shall increase according to the cost of living index.

Contributions to the Welfare Fund (currently \$9.75 per hour) shall increase and remain equal to the contributions to the Welfare Fund according to the main collective bargaining agreement.

**5 Plan of Benefits:** All Market Recovery Agreement carpenters will enjoy the same Welfare plan benefits as other participants in the New York City District Council of Carpenters Welfare Fund.

**6 Hours of Work:** The regular work week shall consist of forty (40) hours, eight (8) hours per day for five (5) days, Monday through Friday. All work in excess of eight (8) hours per day or forty(40) hours per week shall be overtime hours.

**7 Job Registration and Tracking:** The Contractor shall report all Market Recovery Agreement covered jobs to the District Council prior to commencing any work thereon and secure a Market Recovery Agreement job number which will be used in connection with all payroll, benefits and job reporting functions. The Market Recovery Agreement job number shall be placed on special Market Recovery Job shop steward reports which shall be verified by a contractor's jobsite representative on a weekly basis.

**8 Other Provisions:** Unless specifically addressed in the Market Recovery Agreement, all other terms and conditions of the main collective bargaining agreement in effect during the term of the Marketing Recovery Agreement shall be in force.

**9 Expiration Clause:** Notwithstanding the effective dates of the current or any subsequently agreed upon collective bargaining agreement, this Market Recovery Agreement shall remain in effect for a term of three (3) years from its effective date and shall automatically renew for subsequent one (1) year periods unless notice to the other party at their last known address has been provided by certified and regular mail no more than ninety (90) days nor less than sixty (60) days before the expiration hereof, that such party seeks to terminate it, or negotiate a new Market Recovery Agreement, or modify or amend this Market Recovery Agreement through negotiations.

**10 No Strike – No Lockout:** In relation to a job performed under this Market Recovery Agreement there shall be no strikes, work stoppages or other cessation of work or interference therewith, including sympathy strikes, picketing, hand billing, public notices or slowdowns of any kind, for any reasons, by the Union, its members or employees against the Contractor, or lockout by the Contractor against the Union, its members or employees for any reasons, including economic or jurisdictional disputes between or among the Union, the Contractor, or other Unions which are not signatory to a collective bargaining agreement with the Contractor. This paragraph shall not apply to violations of the Fringe Benefit Funds article of the main collective bargaining agreement, with respect to which the remedies provided therein shall remain in full force and effect.

In the event of any dispute arising under or related to this Market Recovery Agreement, the status quo shall be maintained by the parties and work shall continue uninterrupted and as assigned by the Contractor, pending resolution of the dispute or disagreement through the contractual grievance and arbitration procedure, which is expressly adopted and incorporated therein.

*(Note: Some of these items have been paraphrased from the original Market Recovery Agreement. For exact wording refer to the copy of the agreement that you received or contact the WC&C office at 516-478-5600.)*



# It's The Law

By Erwin Popkin

Erwin Popkin is legal counsel to the Association of Wall-Ceiling & Carpentry Industries of New York, Inc. and maintains practice in Mineola, NY.

**T**he Internal Revenue Service, on June 14, issued a reminder to businesses to classify workers properly to insure all tax obligations are met.

The agency said the primary factor determining whether workers are independent contractors or common law employees is the degree of control a business has over the worker - the more control, the more likely the worker is an employee. Employers are required to withhold and pay Social Security and Medicare taxes, and pay unemployment taxes on wages paid to an employee.

IRS said businesses can use Form SS-8, Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding, to have the agency make the determination of whether a worker is an employee or an independent contractor.

...

The Building and Construction Trades Department has announced the launching of the Building Trade National Drug & Alcohol Program. The program is an online national multi-craft repository of drug and alcohol test results for construction workers hired directly or indirectly by owners. The program was implemented on July 1, 2006.

The goal of the Building Trades National Drug & Alcohol Program is to provide a prequalified, drug-free workforce to our customers. This Program resulted from the combined efforts of labor and management, and their shared commitment to maximize jobsite safety, eliminate duplicate testing, and generate significant time and cost savings for the benefit of contractors, unions and our customers.

Further information can be obtained from Building & Construction Trades Department, 815 16th St. Ste 600, Washington DC 20006 (202-3471461) [www.bctd.org](http://www.bctd.org).

...

The New York State Court of Appeals, the States highest Court, has resolved the conflict as to whether the status of injured workers as undocumented aliens in the United States prevented them from recovering lost wages.

The Court of Appeals determined that illegal aliens who have not submitted false and fraudulent documents to an employer to gain work, may seek and receive compensation for lost wages after being injured on the job.

Therefore, as an employer, your liability for hiring undocumented aliens in violation of the immigration laws has been expanded to additional liability for

claims based upon worker protection laws of undocumented aliens.

New York State legislators have approved a bill that would make it easier for workers, including construction workers, who participated in the clean up efforts following 9/11, to receive compensation for illnesses developed for the cleanup work.

The bill amends the workman's compensation law by removing the two year deadline for filing a claim and allows for a claim to be filed within two years after discovering that an illness was 9/11 related. The bill also eases the burden of proof that the claim was 9/11 related.

...

The National Institute for Occupational Health and Safety and the New York City Health and Mental Hygiene Department have urged all 71,000 people enrolled in the World Trade Center Health Registry to participate in the first of several planned follow-up studies to be launched since the registry was begun in September 2003, officials of the National Institute for Occupational Safety and Health and the New York City Health and Mental Hygiene Department urged June 1.

The initial follow-up survey will offer the first opportunity for registrants to provide information about their physical and mental health over the last two years. The treatment will be used "to improve the recognition and treatment of conditions potentially associated with exposure to ([the Sept. 11, 2001, disaster], both for registrants and other," the officials said.

In April, a study of data collected in 2003 and 2004 for the registry found that more than half of the survivors of collapsed or damaged buildings from the Sept. 11, 2001, trade center attack had reported new or worsening respiratory symptoms and that more than one in 10 had reported serious psychological stress.

The registry's goal is to follow up the results periodically over 20 years.

Noting that in the first two years of the survey thousands of people still reported significant mental health and respiratory impacts. Continued follow-up is important to identifying conditions that require further attention, and designing projects and treatments to help those still reporting adverse health effects from 9/11. •



# GOLF

NORTH HEMPSTEAD  
COUNTRY CLUB  
MONDAY, JUNE 19, 2006

*It was an all around  
good day!*

*See photos on the  
following pages...*













# ENGINEERS PUT EARTHQUAKE-PROOF HOUSES TO THE TEST

By Jennifer Kwan, Reuters

Engineers will not be surprised if months of work rattle to the ground this fall, jolted apart by a mock earthquake that mimics a deadly 6.7-magnitude quake.

Their handiwork, a two-story, 1,800-square-foot (167-square-metre) house built and placed on top of massive piston-powered shake tables, is an experiment after all.

But the experiment could change the way wood-frame buildings are designed and built, producing homes able to better withstand the effects of earthquakes from California to Japan.

A main reason is because engineers will use seismic dampers, essentially shock absorbers typically used in commercial buildings and bridges, to study how the earthquake's impact on a wood-frame house can be cushioned.

Engineers will pore over data from the big shake in November. The big test will follow a series of smaller jolt tests over coming months, done as part of the \$1.2 million NEESWood (Network for Earthquake Engineering Simulation) project which began last year.

"Our model says the building will suffer significant damage," said Andre Filiatrault, an engineering professor at the University of Buffalo, which historically has been a center for earthquake research. "All the way to collapse perhaps."

The NEESWood project, which is developing quake-proof construction ideas, is focused on wood-frame houses because it is an untapped market despite wood being the most commonly used material in residential housing in some seismic zones.

In November, when the house is fully built and furnished engineers plan to subject it to an earthquake modeled on the 1994 quake that hit Northridge, California and killed 60 people.

The Northridge quake is believed to be the costliest in U.S. history with damages estimated at \$40 billion, engineers say, and wood-frame construction losses accounted for half that figure.

As a result, Northridge forced architects and engineers to rethink ways to build tougher houses, said Michael Symans, associate professor of civil and environmental engineering at Rensselaer Polytechnic Institute in Troy, New York.

For one of the tests in November, engineers will ditch the shock absorbers, or dampers, because by then the 80,000-pound (36,288-kg) house would have been subjected to a number of shakes at various stages of construction to assess the impact on the dampers, as well as building materials such as gypsum, drywall and stucco.

A damper, about 20 inches long and 3 inches (7.6 cm) thick, is attached to the base of a triangular steel frame within the house's frame.

In an earthquake, the damper absorbs the moving house's energy and converts it to heat, with each damper capable of heating up to 200 degrees Fahrenheit (93 degrees Celsius) and able to dissipate about 15,000 pounds (6,800 kg) of force, or the equivalent of 20 car shock absorbers.

"You can think of the building like a big spring," said Symans. "If you don't pull it too much and let it go, it will vibrate but it won't be damaged."

"If you deform or strain the wood materials and their connections too much they can't come back to where they started. They're permanently damaged."

## NEW WAY OF THINKING

"It's a new way of designing and thinking about how we design," said John van de Lindt, associate professor of the Colorado State University who heads the NEESWood project. "It's a philosophy."

All this research will converge in Miki City, Japan, in 2009 when a house, possibly six stories, developed by NEESWood is rocked on top of E-Defense, the largest shake table in the world, he said.

Nicolas Luco, research structural engineer at the U.S. Geological Survey who is based in Golden, Colorado, said quake-proofing homes by, for example, using dampers would be well received in regions like California, which is located on the quake-prone San Andreas Fault.

"If it can be done with reasonable costs -- and I think these shake table tests will likely show they can reduce the earthquake response of the home and prevent damage -- then I think it's worthwhile," he said.

"A lot of it will come down the costs."

Douglas Taylor, chief executive of Taylor Devices Inc. which supplied the dampers being used in the shake tests, estimated it would cost about \$15,000 to install the dampers in a home.

Commercial buildings and other structures, such as bridges, already have dampers installed, but the NEESWood tests could develop the first viable use of dampers in average homes.

North Tonawanda, New York-based Taylor Devices' dampers are currently installed in buildings and bridges around the world, including London's Millennium Bridge as well as the San Francisco-Oakland Bay Bridge and New York's Triborough Bridge. •

## NYC Buildings Department Releases Updated Required Items Reference Guide

The New York City Buildings Department has issued an updated Required Items Reference Guide (Ver-

sion 3) (674 kb-pdf). The updated version includes the Department's most current re-

quired items with plain-language explanations of each item and directions on how to satisfy them. Read the service notice (70 kb-pdf) and the list of changes made from Version 2 to Version 3 for more information.

The material can be downloaded from the Department of Buildings website at [www.nyc.gov/html/dob/html/guides/reg\\_v1.shtml](http://www.nyc.gov/html/dob/html/guides/reg_v1.shtml).



## State Agency Approves Javits Expansion Plan

The Public Authorities Control Board approved expansion plans for the Jacob K. Javits Convention Center, removing the last hurdle for the \$1.7 billion project.

"After two years of uncertainty in the development of the project, we hope that PACB approval will be followed quickly by a construction start," said Kathryn Wylde, the chief executive of the Partnership for New York City, in a statement.

The PACB, which includes representatives for Gov. George Pataki, State Senate Majority Leader Joe Bruno, and Assembly Speaker Sheldon Silver, had been expected to okay the expansion.

"New York City will gain a world-class convention center that will be able to compete for the bigger and more financially lucrative shows, while creating more than 20,000 jobs, and generating tens of millions of dollars a year for New York," said Jonathan Tisch, chairman of NYC & Co.

The approval came a week after the Empire State Development Corp. adopted the general project plan for phase one of the convention center's plan, which includes a park area at 11th Avenue between 39th and 40th streets and a 100-foot high, multi-block, glass-enclosed entry and concourse.

The bigger Javits Center would create a total of 1.1 million square feet of exhibit space and 210,000 square feet of meeting space. Officials say the expanded center would generate about \$47 million in incremental annual revenue for the city and state on top of the current \$97 million generated by the center.

## National Gypsum Partners with Gypsum Recycling

National Gypsum and Gypsum Recycling International (GRI) are moving closer to launching a program developed to recycle waste

wallboard from new construction sites. A warehouse has opened in Cambridge, MA, to collect the material. The company's partner, GRI

will process the scrap wallboard. National Gypsum will purchase the gypsum powder and recycle it into its wallboard manufacturing process at its Portsmouth, NH Plant.

GRI, a Danish firm which developed the recycling system, will manage the collection operation and the crushing equipment. GRI has had a similar system operating successfully in conjunction with wallboard manufacturers in Scandinavia for the past three years.

The crushing equipment is being built and is scheduled for delivery in Massachusetts this summer. National Gypsum expects to divert up to 30,000 tons of waste gypsum that would otherwise be land filled to the Portsmouth plant. •



## National Gypsum Launches New Spanish Website

***New website developed to provide tools and resources to Spanish speaking Hispanics in construction.***

In an effort to make its resources available to all its users, National Gypsum, a leading manufacturer of gypsum wallboard and related products, announced today the launch of the Spanish version of its award winning website. Hispanic construction professionals are now able to find all the information about the company's products and resources, including Material Safety Data Sheets (MSDS), submittals, guide specifications and product literature. The website can be accessed at [www.nationalgypsum.com/espanol](http://www.nationalgypsum.com/espanol) or by clicking the link Espanol on the website [www.nationalgypsum.com](http://www.nationalgypsum.com).

National Gypsum is the first company in the gypsum industry to offer its users all of its online resources in Spanish. In 1995, National Gypsum was also the first gypsum company to debut a website that introduced its products and resources on the Internet. The company enlisted the help of Enventys Latino Market Solutions, a fully integrated product and business development firm, and Vialogix, developers and designers of National Gypsum's award-winning website. "Vialogix helped us extend our original site architecture, which our customers have told us they like using due to its ease of use, to our new Spanish language site. Enventys' expertise was invaluable in specifically tailoring the content of this site to this important, fast growing customer segment," said David Drummond, Director of Marketing at National Gypsum.

The Hispanic portion of the U.S. labor force has increased rapidly over the last decade, particularly in construction, which has a larger share of Hispanic workers than any industry, except agriculture. According to the Pew Hispanic Center, 24.2% of construction workers are Hispanic. The number of Hispanic construction workers quadrupled in the last two decades.

"The Hispanic labor force is a very important part of our industry. By providing our website in Spanish we want to be the destination of choice for the Hispanic construction worker looking for product information and want them to see National Gypsum as a partner throughout their career," added Drummond.

"National Gypsum just made a major step in reaching out to the Hispanic construction professional," said Alfredo Garza, Director of Hispanic Marketing at Enventys. Some estimates already put the number of U.S. Hispanics online at 12.4 million and growing 15% to 20% annually, four times faster than in the general population. "I really believe that they will be rewarded with the loyalty of Hispanic customers for taking the lead with this important initiative."

"National Gypsum has made a conscious effort to listen to customer feedback and deliver a consistent user experience across all its web properties. The Spanish language site caters to an important audience and continues the National Gypsum trend of giving customers the information they need to make intelligent purchasing decisions," said Rob Norris, President of Vialogix.

# Americans Seek Energy-Conscious Employers and Environmentally-Friendly Office Buildings

GreenBiz.com

When it comes to workplace benefits, an overwhelming percentage of U.S. employees are looking for a different kind of green: not just the green in their paycheck, but an environmentally-friendly place to work.

**A**ccording to a new poll by Mortgage Lenders Network USA (MLN), 94% of Americans prefer to work in a building that is designed to be energy efficient and ecologically sound.

Women appear to be more environmentally-concerned than men about their workplace. The poll also revealed that 72% of working women declare a strong preference for green employers, vs. 64% of men. And, a larger percentage of Americans ages 45-54 would prefer to work in an eco-friendly building vs. their less eco-minded counterparts ages 25-34 (74% vs. 62%).

## **E.C. is the New P.C.**

Not only does America's workforce want to be more "environmentally correct," but more employers are jumping on the green bandwagon. The U.S. Green Building Council has seen its Leadership in Energy and Environmental Design (LEED) certifications for newly-constructed green buildings jump in the past 3 years by 150%, from 167 to 417. The Council's LEED certification is the only national standard for developing high-performance, sustainable buildings.

## Building Materials Costs Keep Climbing

By William Sluis  
from the Chicago Tribune

Costs for building materials continue to soar, and there will be little relief for home builders and construction contractors barring an unlikely global economic slowdown, according to an industry economist.

While overall U.S. inflation is up about 3 percent to 4 percent in the last 12 months, prices for materials have risen 7.8 percent and transportation costs have jumped 16 percent, said Kenneth Simonson, chief economist of the Associated General Contractors.

Cement, in particular, remains in short supply, and China has become America's No. 1 new source of the critical construction material, he said.

"China has built several new world-class cement factories, while we haven't built one in years," Simonson said.

Meanwhile, the cost of copper has surged 88 percent over the most recent 12 months, and steel supplies remain partially dependent on imports, he said.

"Copper is needed for wire, pipe and other plumbing materials, and there is no end to the rise in prices," said Simonson, who spoke to trade groups in Chicago and Elgin.

An industry group estimated recently that there are about 440 pounds of copper in a new 2,100-square-foot single-family home, including about 200 pounds in wire and about 175 pounds in pipes and plumbing fixtures.

Other analysts said recently that the gypsum products used in drywall have climbed about 24 percent in the last year, asphalt shingles for roofing 19 percent, and ready-mix concrete for foundations 12 percent.

An exception to the price rises is framing lumber, which has stabilized after rising sharply in 2004 and 2005, according to Simonson. Recent figures show its price is down about 5 percent, while plywood is down 2 percent.

Simonson said one of the most worrisome increases is in transportation costs.

"Shipping rates have soared, because the railroads are clogged with goods and truckers are backed up with loads," he said. "There is no way to reduce the need to get goods to construction sites, and builders can't do much to cut back on materials. They are considered a fixed cost of doing business."

As the construction boom continues, he added, builders still are adding jobs. •

## Energy Conscious *from preceding page*

The trend toward building green comes as no surprise to Jim Smith, senior director of real estate and facilities at MLN. He is spearheading construction efforts for MLN's \$75 million eco-friendly headquarters with an eye toward earning LEED certification from the U.S. Green Building Council.


MLN's new headquarters, in Wallingford, Conn., will feature an employee cafeteria with healthy offerings such as herbs and vegetables grown on the premises, and food fuel zones: employee break areas stocked with complimentary snacks such as fruit from local orchards. Yet, Smith says their green building strategy is about more than just keeping employees happy and healthy.

"MLN is looking beyond the common benefits of green buildings -- employee retention, fewer illnesses and increased productivity - and seeking to influence employees and customers to live and build green in order to increase environmental sustainability," said Smith. "Energy independence is the first step toward financial independence. A greater reliance on sustainable resources will help pave the way."

One example of MLN's drive toward energy efficiency is The Founder's Cottage at its new headquarters. This New England-style farmhouse will feature state-of-the-art technology, allowing it to produce as much energy as it uses through solar panels and hydraulic power. •

# Safety & Success Team up at Ronsco, Inc.

Accidents take the lives of six construction workers every day in the United States, according to The Construction Safety Council. Even non-fatal injuries cost companies thousands of dollars in fines, lost time and productivity, increased insurance premiums and higher employee medical bills.



One firm talking the lead in improving workplace safety is Ronsco, Inc. The recipient of this year's AWCI Excellence in Construction Safety Award, Ronsco takes a proactive approach to managing safety that starts at the top. Lee Zaretsky is not only the company president, but also heads up his company's safety program.

"Safety on the job is everybody's responsibility," says Zaretsky. "I'm a passionate proponent of leading by example and I make sure everybody, including upper management, wears Personal Protective Equipment on the job."

**Ronsco President  
Lee Zaretsky**

It's more than just equipment, though. Ronsco has implemented a comprehensive safety program that has resulted in an 80 percent decrease in accidents and savings of hundreds of thousands of dollars. Reflecting Lee's belief in zero tolerance for unsafe practices, the program includes weekly "Toolbox Talks" where employees review selected safety issues with their foreman. And before payroll is distributed, they are required to sign-off on the subject matter. Ongoing activities include Quarterly Foreman Safety Meetings and bi-annual, company-wide safety training sessions featuring guest speakers who focus on industry-related issues.

Anthony Berardo, Ronsco's Safety Coordinator and Director of Construction, suggests that maintaining safe workplace practices not only reduces accidents, but improves worker loyalty by showing that the company cares about their welfare, not just the bottom line.

This strong commitment to safety is one of the reasons Ronsco has been so successful. Another is consistently exceeding client expectations. As Lee points out, "It's not just about the job, it's about building relationships. It's why we have a repeat customer rate of over 90 percent. Once a customer sees how proactive we are with our project management and how it makes their job easier, they usually become a customer for life."

"This can be a very difficult market, he observes, "especially with union contracting experiencing a declining market share. But the fact is for us, business is very good and we're achieving our goals."

As a member of the Board of Directors of AWCI as well as WC&C, Lee is a fervent believer in the superiority of union contracting and a strong supporter of labor/management efforts to increase market share.

**R**onsco is a full-service contractor specializing in drywall, acoustical and carpentry, and was founded in 1960 by Hyman Zaretsky. His son, Harvey followed in his father's footsteps and is still active in the business. Today, Lee, along with his brother and vice president, Ron, are the third generation of Zaretsky's to run the family firm. Ronsco serves the New York metropolitan area including Nassau and Westchester counties and has just opened a division in Northern New Jersey.

Ronsco's reputation for quality and safety have made them the go-to guys on a diverse range of projects – from mission-critical interiors such as clean rooms, hospitals and acoustical isolation environments to high-end retail stores such as Versace and Chanel. Prominent among Ronsco's more notable projects is the recently

completed work on the 1.1 million square foot JP Morgan/Chase Building at 277 Park Avenue in Manhattan.

The last 35 years has seen a workplace related fatalities drop by more than 60%. Mandated training by government agencies such as OSHA have certainly helped. But it's companies like Ronsco, by taking safety issues seriously, establishing structured programs and instituting written policies who are really raising the bar for the rest of the industry. They are helping to make union contractors the safest, most efficient choice in construction today.

WC&C congratulates Ronsco, Inc., winner of the AWCI 2006 Safety in Construction Award. •



**Ronsco recently completed work at the 1.1 million sq. ft. JP Morgan/Chase Building at 277 Park Avenue.**

**Lee Zaretsky, center, accepts the 2006 Excellence in Construction Safety Award from AWCI Industry Awards Committee Chairman Ken Navratil (left) and Vice Chairman Tim Wies. Presentation was made at the AWCI 89th Annual Convention in Long Beach, CA.**

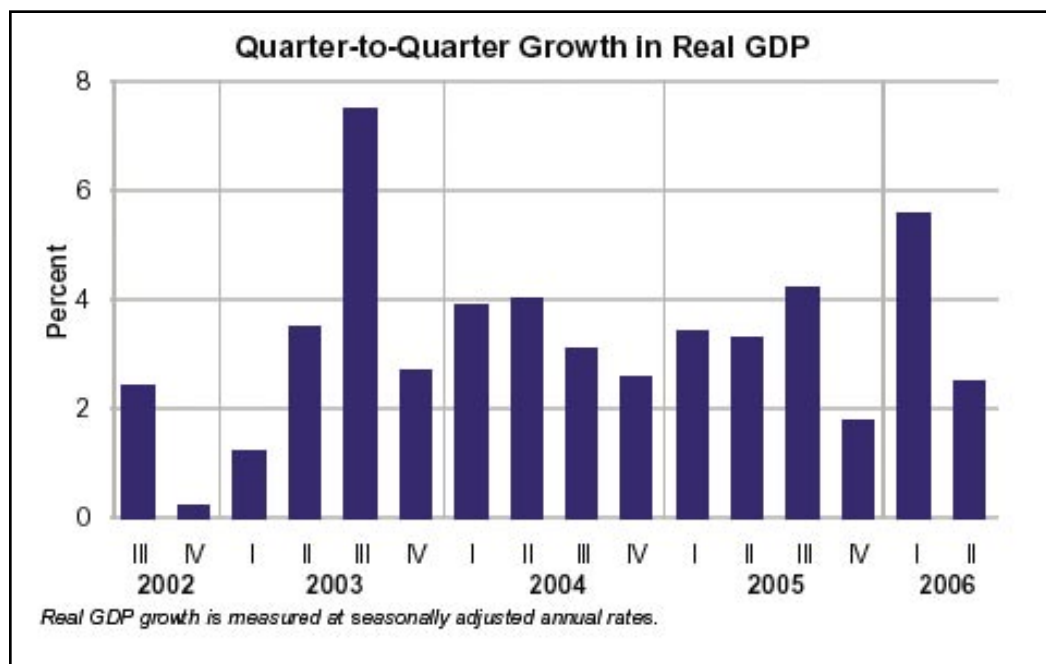


**Anthony Berardo, Ronsco's Director of Construction and the firm's Safety Coordinator is largely responsible for implementation of the well-structured safety program and the resulting 80 percent decrease in reportable accidents.**



## Economy Slows In The Second Quarter: BEA

Real gross domestic product (GDP), the most comprehensive measure of economic activity, increased 2.5 percent in the second quarter after increasing 5.6 percent in the first quarter, according to estimates released July 28, 2006 by the Bureau of Economic Analysis.



The deceleration in real GDP growth primarily reflected the following:

- Consumer spending decelerated, increasing 2.5 percent after increasing 4.8 percent. The slowdown in consumer spending accounted for more than half of the slowdown in real GDP growth.
- Business investment in equipment and software turned down, decreasing 1.0 percent, following a 15.6-percent increase.
- Exports decelerated, increasing 3.3 percent after increasing 14.0 percent.

Inflation, as measured by prices for domestic purchases, increased 4.0 percent in the second quarter after increasing 2.7 percent. Excluding food and energy, prices increased 2.9 percent, following a 3.0-percent increase.

Real disposable personal income increased 1.0 percent, following an increase of 1.7 percent.

BEA released revised GDP estimates for the first quarter of 2003 through the first quarter of 2006. This annual revision had a small effect on the overall picture of economic growth. For 2002–2005, real GDP is now estimated to have grown at an average annual rate of 3.2 percent, 0.3 percentage point less than previously estimated. Inflation was revised up slightly. And the quarterly pattern of growth was little changed. •



## Remodeling Market Slows In 2nd Quarter

Remodeling activity slowed in the second quarter of 2006, according to the National Association of Home Builders' (NAHB) Remodeling Market Index (RMI). The current market conditions index decreased from 48.1 to 45.6 and future expectations moved from 48.9 to 43.5.

Any number over 50 indicates that the majority of remodelers view market conditions as improving.

The RMI component for owner-occupied units moved from 53.8 to 49.0 in the second quarter, while the component for renter-occupied units increased from 36.7 to 39.0 during the same period. In the future expectations index, the component for owner-occupied units moved from 53.2 to 47.2 and the renter-occupied component decreased from 30.4 to 28.8. Rental-property remodeling accounts for a third of all remodeling expenditures.

"Remodeling is less volatile than new home construction partly because nearly half of all expenditures represent non-discretionary maintenance and repair projects," said NAHB Chief Economist Dave Seiders. "The average age of the housing stock is 32 years and rising - well past the time when major home systems need replacement. Supported by more than \$11 trillion in homeowner equity, the fundamentals of the remodeling market will remain strong for the foreseeable future."

—*BuildingOnline's eUpdate*

# J for Jobs

## A.M. Best Upgrades and Affirms Ratings of ULLICO Inc.'s Subsidiaries

OLDWICK, N.J. - A.M. Best Co. has upgraded the financial strength rating (FSR) to B+ (Very Good) from B (Fair) of The Union Labor Life Insurance Company (Union Labor Life) (Baltimore, MD). The rating outlook is stable. Additionally, A.M. Best has upgraded the FSR to B (Fair) from B- (Fair) of Ulico Casualty Company (Ulico Casualty) (Washington, DC) and revised the outlook to positive from negative. A.M. Best has also affirmed the FSR of B- (Fair) of the run-off entity, Ulico Standard of America Casualty Company (Ulico Standard) (Delaware). The outlook for this rating remains negative. All companies are subsidiaries of ULLICO Inc. (Wilmington, DE).

The rating upgrade of Union Labor Life reflects substantial improvement in a number of key areas that have resulted in improved overall loss ratios, balance sheet strength and reduced higher risk invested holdings. Union Labor Life's commitment to strengthening its financial condition continues as evidenced by its 2005 positive operating results. In addition, the organization has all but eliminated its investments in historically speculative limited partnerships, with the very modest amounts remaining now held at the holding company level.

The divestiture of various blocks of business, several non-core subsidiaries and a sizeable portion of their limited partnership holdings has enabled the group to strengthen its balance sheet and improve its liquidity considerably. Union Labor Life now maintains a more appropriate risk-adjusted capital position for its level of insurance and investment risks. Furthermore, 2005 results are encouraging as the company has reported its second straight year of operating profits. However, additional time will be needed to see the outcome of proposed product and business line changes currently being implemented. •

## Loan Mix, Interest Rates, Fuel Prices Key to 2006 Performance

ULLICO Senior Vice President Herb Kolben is cautious about market

performance in 2006, saying the market for new condominium projects is likely nearing saturation. "Most markets are inundated with multi-family projects, so too are lenders," he explained. Lenders are being much more cautious as to what is financed and with which developer.

"The prudent strategy is to properly administer those loans currently in the portfolio. I believe 2006 will be a good year, but I don't see J for Jobs doing more than \$900 million to \$1 billion in loans."

That would be about even with 2004, when loan originations totaled \$900 million.

### INTEREST RATES MAJOR VARIABLE

Kolben said a major variable is interest rates. Rates are expected to rise with the 10-year treasury perhaps reaching 5 percent by year-end. That in itself would not necessarily

dampen demand as, in his view, long-term rates would have to reach 8.5 to 9 percent to have an impact on real estate development.

"Most projects would still work up to that point," he said. Higher fuel prices, ironically, could mean a boost in demand for space. "The majority of multi-family projects are in urban areas," he said. "People buy there so they won't have to commute. Higher fuel prices would mean they would be looking even closer to their work."

The rising interest rate climate had an impact on the portfolio of loans J for Jobs did in 2005. To reduce the impact that a rising interest rate environment has on the value of long-term, fixed rate mortgages, Kolben shifted the mix of loans to some 90 percent short-term, floating rate construction loans of between 18 and 36 months. Half a decade ago, when interest rates were stable or falling, 80 percent of the loans were in long-term mortgages of up to 10 years duration. •



### 32 West 19th Street, New York, NY

J for Jobs approved an \$11.5 million land loan for the acquisition of a 5,000 square foot site located in the Chelsea section of Manhattan. The ultimate development of this site will consist of a 49-unit luxury condominium building.

### 225 East 34th Street, New York, NY

J for Jobs approved a \$79,717,500 participation in a HSBC-led \$159,435,000 facility for the construction of a 22-story, 191-unit condominium building. The building will also include 12,790 square feet of retail space.



225 East 34th Street, New York, NY

# PRODUCT NEWS

## Armstrong's New TechZone™ Ceiling System

With Armstrong's new TechZone™ ceiling system, you can easily achieve a monolithic, uncluttered ceiling visual using standard components and or-

- Lay-in and tegular 6" wide technical panels in Optima or Metal house services and form the "Tech Zone"
- Lay-in and tegular linear recessed



ganize the look of the space you've designed. Six-inch wide technical "zones" organize services, including lighting, diffusers and sprinklers in a system that's pre-qualified for fit and finish. It's affordable, hassle-free, reliable and easy to specify and install compared with other alternatives. Say goodbye to clutter! Take control with TechZone.

TechZone is an organized system using standard components:

- Lay-in and tegular large-size Optima ceiling panels create the field

light fixtures or pendants, air diffusers and sprinklers align precisely in the technical zone for a clean linear visual

### TECHZONE Partners

Armstrong has teamed with industry leaders in lighting, air diffusers and fire protection to create the technical zone, developing fixtures that are pre-qualified for fit and finish. Look for the Armstrong® TechZone™ Compatible sign of assurance on partner specification sheets.

systems subcontractor and the respective distributors and sent to Degussa Wall Systems' Technical Services department. When both warranty requests have been received and verified, a single warranty is issued to the owner.

"This program is a perfect example of how we can leverage the resources of being part of Degussa to provide a strong competitive advantage," explains Kent Stumpe, Director of Commercial Marketing. "Degussa is the only manufacturer with its name on the packaging of both the wall system components and the sealant and issues a single warranty to cover them."

For more information on the Degussa Single Source Warranty, contact your local distributor or Degussa sales representative or visit [www.degussawall-systems.com](http://www.degussawall-systems.com).

## Knauf Introduces Perimeter Plus Blow-in-Blanket System

Knauf Insulation announces the introduction of Perimeter Plus, a high-quality blowing insulation specifically designed for use with the Blow-in-Blanket System (BIBS). Blowing Perimeter Plus into closed cavities behind Perimeter Plus



netting provides complete, consistent coverage with high

R-value performance.

Knauf Insulation's Perimeter Plus Blow-In-Blanket System offers the highest R-value possible, delivering up to an R-15 in 2x 4 construction and an R-23 in 2 x 6 construction. Perimeter Plus fills gaps and voids in the wall cavity to create a thermal barrier from the outside air and also reduced sound transmission from room to room-as much as a 4 to 10 point improvement in STC (sound transmission class) ratings.

## Degussa Wall Systems Introduces True Single Source Warranty

Degussa Wall Systems has teamed up with Degussa Building Systems to create a true single source warranty program. All commercial projects that use any of Degussa's wall systems (EIFS, Stucco, Cement Board Stucco and Surfacing Systems for ICFs) and Sono-lastic® 150 with VLM Technology as the sealant are eligible for the warranty.

The benefits of the warranty program are numerous including a simplified warranty notification process, no additional costs for third-party inspections, no limitations on the type of wall systems used and predictable performance based on the compatibility of the components.

The warranty program, administered by Degussa Wall Systems, is simplified to require no additional paper work

by the distributors or the contractor. Warranty Request forms are completed by the sealant subcontractor, the wall

# PRODUCT NEWS

BIBS is a patented netting system that holds loose-fill fiber glass in place within the cavity, and has been tested and proven in the field. Because Perimeter Plus is engineered specifically for the blow-in-blanket application, it doesn't settle within the cavity, assuring its thermal and acoustical performance.



Perimeter Plus is also certified by the GREEN-GUARD Environmental Institute as a low-emitting product, assuring excellent indoor air quality performance.

The company has built a reputation for premium quality and easy handling. Knauf batts are preferred by the professional contractor for low dust and quick installation, and its Jet Stream Blowing Insulation for attics offers a faster process speed with market leading coverage for R-30 efficiency. Perimeter Plus offers the same quality, blowing in smooth and consistent with excellent installed performance. Perimeter Plus enhances Knauf's building insulation line with another excellent option for interior and exterior wall cavities, and any irregular space where a blown-in product can achieve better coverage and R-value.

Knauf Insulation is a leading global manufacturer of thermal and acoustical insulations for residential, commercial, industrial, OEM and metal building applications. For more information about Knauf Perimeter Plus Blowing Insulation, contact your local Knauf sales representative or call 1-800-825-4434 extension 8300. For more information about Knauf sales and products, visit <http://www.knaufinsulation.com/>, write to Knauf Insulation, One Knauf Drive, Shelbyville, IN 46176 or call 800-825-4434.

## Plastic Components' New Starter TRAC for Commercial Applications

Plastic Components, the originator of many PVC trims - including Starter TRAC

for EIFS and DEFS - now produces a Starter TRAC just for commercial EIFS applications. Designed for use with 1", 1.5" and 2" foam board systems, our new (patent pending) CMST and CMSTDE Starter TRACS offer the same features as their residential TRACs - positive drainage away from the building envelope and superior moisture control.

Call customer service department at 1-800-327-7077 for samples, literature, and reliable technical advice.

## MARINOWARE Introduces Steel Wall System

### *Company Expands FrameRite™ Line of Steel Framing Products with StudRite Wall System*

MARINOWARE, a leading manufacturer of steel framing products, has released its StudRite™ wall system. Designed to increase strength of interior and exterior wall framing, the StudRite™ System delivers superior qualities in an efficient design.

The StudRite™ System, like all of FrameRite™ components, is made entirely of cold-formed steel. The StudRite™ steel wall system delivers straight, clean lines when used in the construction of bearing walls in low-rise construction or non-bearing walls in high-rise or residential construction. When used in load-bearing structures, the StudRite™ system delivers maximum structural stability. To increase construction efficiencies, the StudRite™ walls are designed with triangular cutouts for easy trade installation. With StudRite™, plumbing, HVAC, electrical and other conduits pass through quickly and easily, which saves construction professionals time and labor costs.

"We have focused our more than 70 years of delivering superior building products to the construction professional into the creation of the FrameRite™ Building

System. These products combine the strength and durability of steel with the flexibility of component pieces that feature signature trade friendly knockouts to hasten assembly," said Fred Serpico, Director of Marketing, MARINOWARE. "In addition to residential and commercial construction, StudRite™ is ideal for use in prefabricated wall panels and is preferred by builders of hospitals and assisted living facilities."

The complete FrameRite™ System is available through all MARINOWARE suppliers across the country. In addition to StudRite™, the system includes JoistRite™, TrussRite™ and DesignRite™ segments. The components can be used separately or together.

For more information on MARINOWARE's solutions or to request a copy of the FrameRite™ CD, call 1-800-627-4661 or visit [www.marinoware.com](http://www.marinoware.com).

## Parex Water Master™ Commercial-VR

Water Master™ Commercial-VR: another of the innovative Parex solutions in drainable EIF systems. Water Master Commercial-VR is designed to offer high-performance moisture control for commercial projects while offering simple, fast, affordable installation, even over substrates that may be uneven.

Like all Parex EIFS, Water Master Commercial-VR gives you design freedom, allowing you the flexibility to develop a wide variety of aesthetic details for your project. Together with the lightweight composition and energy conserving features of EIFS, Water Master Commercial-VR gives you control and confidence.

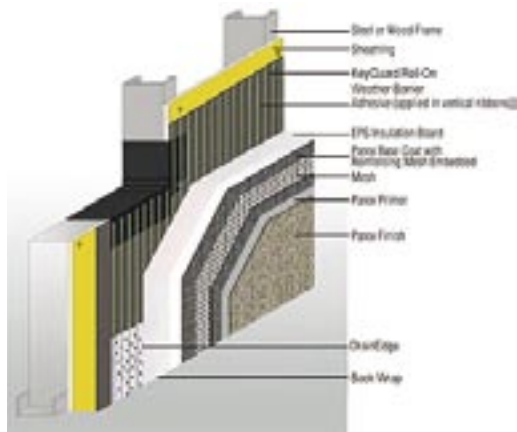
### **Drainage Made Simple**

With Water Master Commercial-VR, vertical ribbons of adhesive form channels for incidental moisture to escape.

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The moisture travels between the ribbons to the termination of the system where it escapes through weep holes in the drainage track.



At window heads, Parex DrainEdge simplifies the system by facilitating a traditional back-wrapping method and the use of conventional window flashing.

The vertical ribbons of adhesive bond the EPS board to the substrate and the rest of the EIF system is installed as usual.

## Proven Drainage Performance

Exceeding the tough ICBO-ES AC24 drainage criteria, Water Master Commercial-VR system performs flawlessly.

To pass this test a water-admitting cutout is made in a sample panel. It then is subjected to conditions of ASTM E 331 simulating 8 inches of rain per hour, and must provide free, uninterrupted drainage for the duration of the test. Water Master Commercial-VR passed with flying colors!

## Testing

Water Master Commercial-VR has been completely tested and meets or exceeds current industry standards. And, Water Master Commercial-VR is easy to install compared to competing systems. Water Master Commercial-VR: Yet another way that Parex provides practical solutions for designers and installers.

For further information visit the Parex website at [www.parex.com](http://www.parex.com).

## Spraytex Introduces New Products —

### Spraytex ACOUSTIC+ Ceiling Texture with Particles



Spraytex has pushed the limits of aerosol technology to provide the most easy to use, high-performance popcorn ceiling texture solution available: Acoustic + Ceiling Texture with Particles. We've gone a step beyond traditional popcorn textures with Acoustic +, adding actual particles to the texture for an even more professional finish. Our revolutionary delivery system ensures that the spray is easy to control. This proprietary design avoids the problems of so many particle-containing aerosols: over pressurized cans whose valves, once opened, fail to close. With Acoustic +'s user-friendly nozzle, you can spray in short bursts and direct the spray exactly where you need it. You have significantly more control over where the spray goes, and how much product is applied.

Acoustic + is available in Medium and Coarse textures. Cans contain 20 oz. and will cover up to 6 square feet, depending on heaviness of application. Fluorocarbons-free Acoustic + is water-based for easy cleanup.

### Exterior Stucco Patch Repair

No mixing, no spray-guns, no tools. Stucco repair just got a whole lot easier with Spraytex Elastomeric Exterior Stucco Patch, the first-ever aerosol stucco texture.

After a long period of research and development, Spraytex has perfected the delivery system for particle-containing aerosols, opening up a new world of easy-to-use spray texture products.



To repair your patch with a strictly stucco look, just spray—it doesn't get any easier than that. For swirled finishes, all you need is a sponge and a little water to create the texture you need. Spray, then allow texture to harden just slightly. Then use the damp sponge to swirl and feather the texture to match your existing pattern. Allow the texture to dry for six to 24 hours, depending on temperature, humidity, and thickness of application. Then paint!

Spraytex Elastomeric Stucco Patch is available in coarse and medium textures. Each can covers about 3-4 square feet.

- \* Matches stucco textures
- \* Easy, professional results
- \* Weather resistant
- \* Convenient and economical

### Interior Sand Finish Texture

No mixing, no mess. Spraytex's Sand Finish covers your drywall patch instantly to match your wall's original sand texture, thanks to a proprietary delivery system that moves real sand texture from a can straight to your wall. The spot you may have thought was irreparably ruined can be made virtually invisible in just minutes.

Sand finishes are becoming increasingly popular as they add depth, texture, and softness to a room. But one little slip-up later, and the wall can be marred by a shiny spot. With a quick spray, Sand Finish aerosol texture can restore that patch to complement the decorating texture around it. For a obtain a swirled look, use a damp sponge to swirl and feather texture while it is still wet. Allow to dry, and then paint.

Spraytex Sand Finish is water-based, so cleanup is simple. Available in medium or coarse texture, each can covers 4-6 square feet.

- \* Matches sand wall textures
- \* Swirled or spray finish
- \* Quality results
- \* Water-based for easy clean up

For more information on Spraytex-products visit [www.spraytex.com](http://www.spraytex.com).

# PRODUCT NEWS

## TapeTech® Power Assist Box

Spring-assisted pressure plate reduces effort required to apply joint compound and feather the edges in one pass — coating joints has never been easier.



According to the company, TapeTech™ is the only manufacturer providing this innovative design which requires less worker effort, yet has a large joint compound



capacity.

A long-lasting user-adjustable blade holder fine tunes the crown for proper compound distribution. The product is available in three sizes — 7", 10" 12". (175mm, 120mm, 300mm).

For more information visit [www.tapeTech.com](http://www.tapeTech.com)

## Two New Solutions From TEC

### 3N1™ Performance Mortar - Gray



New 3N1 Performance Technology that adapts, so installers don't have to. TEC® exclusive nanotechnology formula with microspheres and ZS-100 patented bonding technology provides three in one functionality — latex modified, medium bed and non-sag — all in one without sacrificing performance in any installation.

### AccuColor Easy™



AccuColor Easy™ ready to use grout is a premixed grout that delivers highly durable, stain resistant, mold and mildew resistant grout joints. Unlike other premixed grouts, this unique technology provides

very high durability and can be used in intermittent wet applications (showers) as well as dry areas. AccuColor Easy can also be used to grout over existing grout installations.

For more information go to [www.tecspecialty.com](http://www.tecspecialty.com).

## TopStop™ Head-of-Wall Insulation

Thermafiber® TopStop™ Head-of-Wall Insulation is high-density mineral fiber insulation that has been shaped to fit the trapezoidal flutes typical of metal or concrete decking. The composition of these specialized insulation boards matches that of the Thermafiber Safing Insulation commonly called for in UL or OPL approved head-of-wall constructions. Insulation used for TopStop is UL and OPL Classified, and is approved for



use in designs that otherwise call for Safing Insulation. Available in three common sizes of trapezoidal shaped boards, as well as standard forming strips, TopStop Insulation speeds the installation of floor-to-ceiling/roof deck firewalls.

**Stops Fire** — Formulated exactly the same as Thermafiber Safing Insulation, the mineral fiber composition of TopStop withstands sustained temperatures above 2000°F, in accordance with ASTM E119. Systems are available for head-of-wall firestopping with up to 4-hour fire ratings.

**Stops Sound** — TopStop provides an effective acoustical barrier as well. It attenuates sound passage across the top of the wall.

**Saves Time** — Uniform, pre-shaped TopStop boards eliminate field forming of insulation, while assuring a snug fit of material in the deck flutes. They increase worker productivity by reducing job-site fabrication and the uncertainty

of installing the correct amount of Safing Insulation required in the many fire-stopping designs.

**Saves Material** — TopStop eliminates the waste produced by field cutting. And because TopStop's edges are smooth, it also reduces the amount of smoke sealant required to complete installation.

**Environmentally Friendly** — TopStop is composed principally of recycled blast furnace slag from the steel industry, yielding a pre-consumer, recycle content of 85%. This material will not wick moisture, promote fungal or bacterial growth, and will not contribute to corrosion of other materials.

**Sized to Fit** — There are three standard sizes to fit common fluted roof decks or slabs. Special sizes and densities are available.

For more information visit [www.thermafiber.com](http://www.thermafiber.com).

## EZ-Backer Drywall Splicer from Trim-Tex

Perfectly flat walls and ceilings are finally possible with the new EZ-Backer from Trim-Tex Drywall



Products company. The EZ-Backer pulls back the edges of the cut end of the drywall creating a tapered edge. This can now be finished as a standard tapered

joint. The result is a perfectly flat wall. The Splicer installs easily with drywall screws.

In-house testing has shown that the tapered edge becomes permanent and will not release or cause cracks in the seam. Can be used everywhere in your project, but is especially useful where a flat wall is a must; such as behind all cabinetry and long drywall runs where seam visibility is most prevalent.

For more information visit [www.trim-tex.com](http://www.trim-tex.com).

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# PRODUCT NEWS

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## Venture Tape Debuts VENTURECLAD™ New Five-Ply Insulation Facing Tape

**New, All-Purpose Insulation Facing Tape Is Ideal for Weather Protection of Insulation**

Venture Tape Corp. has enhanced its line of insulation tapes by introducing VentureClad(tm) (1577CW), a UV resistant, five-ply laminate made with three layers of aluminum foil (including the outer layer), and two layers of tough polyester film. The insulation facing tape is ideal for interior and exterior applications.

Coated with Venture Tape's special CW Cold Weather acrylic pressure-sensitive adhesive system, the new tape combines excellent quick stick at normal temperatures with superior, field-proven application performance at temperatures below freezing. It can be used for exterior finishing of air ducts, pipes and other open air installations as well as interior protection of insulation systems.

VentureClad provides contractors with a low-maintenance alternative to traditional finishing materials such as mastics, PVC, foil, metal cladding, glass fabric, butyl duct wrap, and other types of materials. It also is very quick and easy to install without special tools or training making it very cost effective versus other competitive materials. The all-purpose insulation facing tape is weather resistant and exhibits high puncture and tear resistance. With zero permeability, VentureClad can be used as a low temperature, vapor barrier for cryogenic systems and as a weather proofing covering for most insulation materials. It is highly conformable and can be applied to foam glass, mineral fiber insulation, fiber glass, nitrile rubber foam, and semi-rigid and rigid foam insulation. VentureClad is UL listed and is fire rated in the United Kingdom (BS 476, Part 6&7, Class 1).

For more information, contact Venture Tape at 800 343-1076.

## Innovative New Securock Brand Roof Board From USG Offers Exceptional Bond Strength And Other Benefits

**Experts Confirm New Product Can Enhance Roof Membrane's Performance**

Building products leader USG announces the introduction of SECUROCK™ Brand Roof Board, a distinctive new roof cover board option for low-slope commercial roofing applications. The product's advanced fiber-reinforced technology provides superior performance benefits compared to traditional fiberglass roof boards, whose face layers can delaminate over time and generate contractor callbacks.



USG will show the new roof board for the first time at the International Roofing Expo in Orlando, Fla., February 16-18, in booth 1740.

SECUROCK Roof Board is installed over the roof insulation and under the membrane, supplying protection, separation and support for the membrane. Its uniform composition enhances the strength of the membrane system by ensuring a stronger, more consistent bond.

Easy to install and handle, the roof board provides outstanding wind uplift performance. It also offers first class protection from both moisture and mold.

"Our tests confirm that SECUROCK Roof Board actually enhances bond strength, while providing excellent durability, wind uplift resistance and versatility," said Colin Murphy, president of Exterior Research and Design, a prominent Seattle consulting firm that conducts forensic analysis, design and testing of building envelope components and systems. "We're also finding that the roof board's unique gypsum fiber technology and uniform composition make it much less likely to delaminate, which can be an issue with competitive products."

SECUROCK Roof Board offers architects, designers, building owners, roofing contractors and other construction professionals numerous product and installation advantages - all of which can contribute to a roof's long-term performance. They include the following:

- **Superior Wind Uplift Performance** - Because of its uniform composition and smooth surface with no face layers to delaminate, the roof board enhances the bond strength of membrane systems.
- **Fire Performance** - SECUROCK Roof Board provides excellent fire performance and demonstrates exceptional surface burning characteristics.
- **Moisture and Mold Resistance** - Its integral water-resistant core ensures excellent resistance to moisture and mold. In independent lab tests, the product scored a 10 (the highest possible rating for mold resistance) on the American Society for Testing and Materials' ASTM D3273-00 Standard Test Method for Resistance to Growth of Mold on the Surface of Interior Coatings in an Environmental Chamber.
- **Versatility** - SECUROCK Roof Board can be used in single-ply, fluid-applied, built-up, spray foam and modified bitumen roofing - one product for all systems.
- **Sustainability** - Made from 95 percent recycled materials, the cover board emits no VOCs (volatile organic compounds) during the product's life cycle and has low embodied energy. Its high recycled content makes the product an environmentally friendly option in sustainable building construction.

The new product line has also earned the "Green Cross" certificate from Scientific Certification Systems (SCS), the nation's leading national testing company that evaluates manufacturers' environmental claims. In addition, the panels are an excellent option in LEED (Leadership in Energy and Environmental Design) Green Building Rating System™ applications. The roof board is available in both 4- by 4-foot and 4- by 8-foot panel sizes with a choice of 1/4-, 3/8- and 1/2-inch thicknesses.

For additional information, visit the company's Web site at [www.usg.com/securock](http://www.usg.com/securock).

## ASTM Releases Mold Assessment Standard

The American Society for Testing and Materials has released a new standard that aims to create a common language for dealing with mold assessments.

Mold, or even the prospect of mold, can create a level of fear and misperception that can have a significant negative impact on all phases of the real estate market. In an effort to replace fear with facts, ASTM International's Committee E50 on Environmental Assessment, Risk Management, and Corrective Action has developed a new standard, E 2418, Guide for Readily Observable Mold and Conditions Conducive to Mold in Commercial Buildings: Baseline Survey Protocol. Guide E 2418 is under the jurisdiction of Subcommittee E50.02 on Real Estate Assessment and Management.

The purpose of E 2418 is to create a common language that all parties involved in a mold assessment issue can speak. The standard uses the baseline survey protocol (BSP) to standardize the mold and moisture intrusion assessment process. Because the standard recognizes that the goal is not certainty but balance, the BSP is designed to provide appropriate inquiry, rather than an exhaustive assessment of the property.

Balance is achieved through a four-part approach to be followed by consultants who have the requisite qualifications to analyze mold-related issues: 1) a documentation review; 2) an interview; 3) a walk-through; and 4) preparation of a report. Each of the four steps is fully explained in ASTM E 2418.

"Guide E 2418 is a significant step forward in the ongoing demystification of the effects of mold on commercial real estate transactions," says Katie Schwarting, co-chair of the task group that developed the standard. "The guide is a proactive approach that creates a reproducible vocabulary with which commercial real estate transactions may go forward in an environment where a realistic and practical assessment of mold-related risks has occurred." — *From FacilitiesNet News*

## USG Corporation Emerges From Chapter 11

USG Corporation (NYSE:USG) announced that its Plan of Reorganization has become effective, formally concluding its Chapter 11 proceedings. The Plan was confirmed by two judges for the United States Bankruptcy Court and the U.S. District Court for the District of Delaware, enabling the building materials company to complete the bankruptcy case and emerge from Chapter 11. The company is beginning the process of repaying its creditors and funding an asbestos trust that will be responsible for compensating asbestos personal injury claimants.

"It is a great day for USG," said William C. Foote, USG Corporation chairman and chief executive officer. "The Courts' action enables us to bring to a close one of the most challenging and extraordinary events in the company's 104-year history."

"The successful resolution of our Chap-

ter 11 case is historic in the context of asbestos bankruptcy cases," said Foote. "Asbestos claimants will be compensated, our banks, bondholders and suppliers will be repaid in full—100 cents on the dollar, with interest—and shareholders who stood by us through this process will be rewarded by retaining ownership in the company."

The plan of reorganization, which was approved by more than 99 percent of the asbestos personal injury claimants voting, requires USG to establish and fund a personal injury trust to pay asbestos personal injury claims. A \$900 million payment to the new trust was made today. Two subsequent payments totaling \$3.05 billion would be made within the next 12 months if Congress fails to enact legislation establishing a national asbestos personal injury trust fund, such as the FAIR Act, which is currently being con-

sidered in the United States Senate (S. 3274). The terms of the agreement are contained in the plan of reorganization

that was confirmed by the Delaware court.

Financing for the plan is expected to be provided from USG's cash on hand, a \$1.8 billion rights offering to stockholders backstopped by Berkshire Hathaway Inc., tax refunds and new long-term debt.

"Our Plan is fair, fast, final and affordable," Foote explained. "It's fair for everyone who has a stake in USG, including those suffering from an asbestos-related illness, who will begin receiving compensation soon. The Plan is fast because it brings to a close a highly complex case less than six months after the initial agreement with the Asbestos Personal Injury Committee and Future Claimants Representative was first announced in January. •

# 11-STEP CHECKLIST

## Following A Jobsite Accident Is Key To Mitigating Any Negative Impacts

By John D. Bond III  
Construction

A jobsite accident that results in the serious injury or death of a worker is the worst experience in contracting, but careful management of the accident scene and subsequent investigation can significantly reduce the potential for long-term negative fallout.

Having procedures in place to effectively manage post-accident circumstances — and making sure these procedures are reviewed and practiced regularly — are essential to protecting the injured and making sure the accident investigation and analysis are done properly.

Here's an 11-step checklist that, properly followed, can help mitigate and manage the impact of a serious jobsite accident.

**1. Care for the injured.** This is always priority No. 1. Make sure emergency personnel are summoned immediately and have access to the scene. Nothing should interfere with the concern of caring for the injured except the safety of rescue personnel themselves.

**2. Protect other people and property.** Stabilize the accident site and make sure it's safe before the investigation begins.

**3. Notify appropriate parties.** Post an emergency call list in the jobsite office with contact names and numbers for corporate personnel, the insurance carrier and the area OSHA office.

**4. Preserve the scene to keep evidence intact.** Use rope or barricade tape to cordon off the area, block stairways and walkways leading to and from the accident scene, and use site personnel or hired security guards to prevent access. An effective investigation, including photos and video that accurately depict the scene, won't be possible unless the condition of the site is kept as it was at the time of the accident.

**5. Make a visual walk-through inspection.** Note and record location of all items of evidence, as conditions at an accident scene will change rapidly.

**6. Identify all witnesses and others** who might have information about the ac-

cident. If accident witnesses are connected with the project, record their names, crafts and employer's names; otherwise obtain their name, home addresses and telephone numbers.

**7. Examine the evidence.** Identify and examine any items that will provide information about what happened as well as how and why. The examination of the accident site evidence should begin with a general survey of the area, equipment, vehicles, and structures involved. Items of evidence should not be removed from the accident site until a systematic inspection of the area, diagramming and photographic documentation has occurred.

**8. Photograph all evidence.** As soon as possible after the accident, take photographs and a video recording of the general accident area, major elements of the accident site and articles of evidence. To ensure that the photos capture the maximum visual information available, a series of pictures should be taken of the general area — also approach views, overhead views, close-up and medium-range views, as well as any items of evidence and weather conditions. It is essential that all photographs indicate the time and date taken. The photographer's signature, a description of the object and area photographed, and camera positioning should be noted on the back of each photograph.

**9. Diagram the accident site.** Make an accurate, well-drawn sketch recording the locations of all evidence essential to understanding the accident situation. Include distances between objects and cross-reference photographs and notes included in the accident report. Label with the date and time the diagram was drawn and include the signature of the person who created it.

**10. Interview and obtain statements** from all witnesses. This should be done as soon as possible after the accident. Interview witnesses individually at the accident site unless noise or other distractions prevent this; if that's the case, find a private location and conduct the interviews there. Detailed notes must be taken and the interview should be either videotaped or recorded. Either written or tape-recorded statements should be obtained

from the witnesses if possible.

**11. Effectively manage the OSHA inspection process.** As indicated above, the area OSHA office should be notified of any serious jobsite accident as soon as reasonably possible. OSHA is fairly prompt in coming to the site to investigate serious accidents. Cooperation with the OSHA agent is essential. The OSHA inspection should involve an opening conference, an inspection tour and a closing conference. Detailed notes should be taken by the contractor throughout the entire inspection process. The opening conference should be used to verify the credentials of the inspecting OSHA agent and to give him/her a preliminary explanation of the nature of the accident. During the inspection tour, a contractor's representative and a representative of the injured person's employer should accompany the OSHA agent at all times. Take notes of everything seen, said and done by the OSHA agent. Take photos of everything photographed by the OSHA officer. Make sure you understand fully everything the OSHA agent does or comments on. Ask questions if you don't. Never admit that any alleged safety hazard is a violation of an OSHA standard. This should be determined only after a thorough investigation of all factors and applicable standards has been completed. At the closing conference take notes of anything discussed. Make sure that no questions concerning the inspection are unanswered. Avoid giving estimates of remedial times or methods for correcting an alleged violation. Generally, the OSHA officer will discuss the results of the inspection with the contractor at the closing conference and will advise the contractor of all apparent violations for which citations and penalties may be issued. The OSHA area director will make the final decision regarding issuance of citations and assessment of penalties.

*Editor's note: John D. Bond III, a construction and procurement law expert, is managing partner of the Charlotte office of Bradley Arant Rose & White LLP and former general counsel of J.A. Jones Inc. and president of J.A. Jones Construction Co. Reach him at [jbond@bradleyarant.com](mailto:jbond@bradleyarant.com).* •

# OSHA NEWS

## OSHA and Carpenters' Training Center Join to Reduce Workplace Hazards for New England's Carpenters

BOSTON -- Reducing and preventing occupational hazards for carpenters throughout New England is the goal of a new alliance between the U.S. Labor Department's Occupational Safety and Health Administration (OSHA) and the New England Carpenters Training Fund (NECTF).

OSHA alliances are part of U.S. Labor Secretary Elaine L. Chao's efforts to improve health and safety for workers through cooperative partnerships with employers, trade associations, government and labor. The NECTF provides hands-on training for carpenter journeymen and apprentices in the six New England states.

"This alliance is an excellent opportunity to reach out to carpenters throughout the region to help them identify and eliminate the most common and dangerous hazards they can encounter in their workplaces," said Marthe Kent, OSHA's New England regional administrator.

The alliance will focus on reducing and preventing exposure to a variety of construction safety and health hazards through the development and delivery of training and education programs to NECTF members. Training will focus on scaffolding, trenching, fall protection, electrical safety, struck-by and caught in/between hazards, among other topics.

OSHA and NECTF will share information on best practices and effective approaches, promote and encourage NECTF members' participation in OSHA's cooperative programs, and encourage NECTF regional council members to build relationships with OSHA's area and regional offices to address safety and health issues.

The alliance was signed by Kent; Richard Nihtila, director, NECTF; and Mark Erlich, executive secretary treasurer, New England Regional Council of Carpenters. OSHA has created more than 400 alliances with organizations committed to fostering safety and health in the workplace. For more information about this and other OSHA alliances in New England, call OSHA's regional office at (617) 565-3070.

Employers are responsible for providing a safe and healthful workplace for their employees. OSHA's role is to assure the safety and health of America's workers by

setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. For more information, visit [www.osha.gov](http://www.osha.gov).

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## OSHA Announces Targeted Inspection Plan for 2006

***Agency targets about 4,250 high-hazard worksite***

WASHINGTON -- The Occupational Safety and Health Administration announced today that its 2006 site-specific targeting (SST) plan will focus on approximately 4,250 high-hazard worksites in its primary list for unannounced comprehensive inspections over the coming year.

Over the past eight years, OSHA has used a site-specific targeting inspection program based on injury and illness data. This year's program (SST-06) stems from the agency's Data Initiative for 2005, which surveyed approximately 80,000 employers to attain their injury and illness numbers for 2004.

This year's program will initially cover about 4,250 individual worksites on the primary list that reported 12 or more injuries or illnesses resulting in days away from work, restricted work activity, or job transfer for every 100 full-time workers (known as the DART rate). The primary list will also include sites based on a "Days Away from Work Injury and Illness" (DAFWII) rate of 9 or higher (9 or more cases that involve days away from work per 100 full-time employees). Employers not on the primary list who reported DART rates of between 7.0 and 12.0, or DAFWII rates of between 5.0 and 9.0, will be placed on a secondary list for possible inspection. The national incident DART rate in 2004 for private industry was 2.5, while the national incident DAFWII rate was 1.4.

OSHA will again inspect nursing homes and personal care facilities, but only the highest 50% rated establishments will be included on the Primary List. Inspections will focus primarily on ergonomic hazards

relating to resident handling; exposure to blood and other potentially infectious materials; exposure to tuberculosis; and slips, trips, and falls.

The agency will also randomly select and inspect about 175 workplaces (with 75 or more employees) across the nation that reported low injury and illness rates for the purpose of reviewing the actual degree of compliance with OSHA requirements. These establishments are selected from those industries with above the national incident DART and DAFWII rates.

Finally, the agency will include on the primary list some establishments that did not respond to the 2005 data survey.

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## OSHA Offers Best Practices Guide for First Aid Programs

WASHINGTON -- The Occupational Safety and Health Administration (OSHA) today issued Best Practices Guide: Fundamentals of a Workplace First-Aid Program, a new guide to help employers and employees develop workplace first aid programs.

The new OSHA guide identifies four essential elements for first-aid programs to be effective and successful; management leadership and employee involvement, worksite analysis, hazard prevention and control, and safety and health training.

The guide details the primary components of a first-aid program at the workplace. Those elements include:

- \* Identifying and assessing workplace risks;
- \* Designing a program that is specific to the worksite and complies with OSHA first-aid requirements;
- \* Instructing all workers about the program, including what to do if a coworker is injured or ill. Policies and program should be in writing;
- \* Evaluating and modifying program to keep it current, including regular assessment of the first-aid training course.

The guide also includes best practices for planning and conducting safe and effective first-aid training. OSHA recommends that training courses include instruction in general and workplace hazard-specific knowledge and skills, incorporating automated external defibrillator (AED) training in to CPR training if an AED is available at the work site, and periodically repeat first-aid training to help maintain and update knowledge and skills. •



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