

JANUARY 2019

JANUARY

January 5
Tom Owen's Scholarship
Cigar Night Fundraiser
The Atomic Cowboy

January 16
BPI in a Box Lunch
Syberg's on Dorsett

January 30
ASA Midwest Council's
Meet the GC's Expo
St. Charles Convention Ctr.

FEBRUARY

February 20
Monthly DINNER Meeting
Syberg's on Dorsett

February 27
Educational Seminar
What Banks & Surety Co's
Look For!
Enterprise University

MARCH

March 20
Monthly LUNCH Meeting
Syberg's on Dorsett

APRIL

April 6
The ASA MWC
Mad Hatter Awards Gala
The Four Seasons

MAY

May 15
Construction Showcase
& BBQ
Queeney Park

Happy New Year!

I certainly hope all of you had a wonderful Christmas holiday with your family and friends. Good luck to you on your resolution(s)! I know you can do it! Casino night was so much fun, and thank you for your food pantry donations, together we donated over 350 lbs. of food to the St Louis Area Foodbank!

The Meet the GC's Expo is right around the corner, January 30, 2019 at the St. Charles Convention Center from 3:00-7:00 p.m. This is one of the most sought-out construction events in St. Louis, with over 1,400 people attending and 37 General Contractor exhibitors last year. It is a must attend event, so register online by January 23rd to receive discounted rate of \$65 for members and \$95 for nonmembers. AFTER the 23rd registration increases to \$95 for members and \$125 for nonmembers! REMBER 3-4:30 p.m. is ASA MEMBER ONLY TIME! So, register today, and plan on getting there early to take advantage of the member only time at the Expo.

The Safety Committee {Always Safety Aware} is hard at work for you. Currently the committee is working on The Annual Safety Awards, that will be presented at the ASA Midwest Council Awards Gala, The Mad Hatter Gala will take place on April 6th, at the downtown Four Seasons Hotel. Only ASA Subcontractor Members are eligible to receive the annual awards, which include recognition for ZERO INJURIES, as well as 6 Different divisions, based on man hours completed in the previous year. 2019 will be our 2nd year awarding the most special ASA Safety Cup to one very deserving (and safe) ASA Member. The committee is working to add additional information, as well as member only features and benefits to the NEW website. Visit the new website often, as we will be adding Safety information on a regular basis, including Monthly Tool Box Talks that are ready to go, in a form you can download and use at your next safety meeting! We want our members to be Always Safety Aware!

Look for an event coming in early 2019 for our new women's peer group- The ASA Women's Council. We are currently looking for women to join the group, if you are interested please reach out to one of the tri-chairs; Susan Winkelmann, Stephanie Woodcock, or me. If you have an idea for a fun networking meeting, or a speaker that could join one of our meetings to inform the women of ASA on important topics, please feel free to reach out and let us know your ideas!

Finally, remember ASA is always looking for its members to be involved! Please consider joining a committee and sharing your ideas with us! Bring a potential new member to a meeting with you. Did you know that all first-time nonmember guests are FREE of Charge at our monthly meetings? Just contact susan@asamidwest.com with your guest information, and we will get them added to the guest list for an upcoming monthly meeting.

I look forward to kicking off 2019 with you ASA style, at the Meet the GC'S Expo on January 30th. Here's to a happy and prosperous New Year!

Jennifer Church,
United Rentals
President, ASA Midwest Council
jchurch@ur.com 314.486.3899

Syberg's on Dorsett
2430 Old Dorsett Rd
Maryland Heights, MO

Directions: Exit HWY 270 at the Dorsett Exit.
Go east on Dorsett, and a left onto Old Dorsett
Road to Syberg's.



ASA Midwest Council Has a New WEBSITE!!

The ASA Midwest Council has a brand new website!!
Watch for enhanced features and benefits for our members in the coming months!!

**PLEASE take a few minutes to login to the new site and check out
the new event registration features!**

**IF YOU PLAN ON ATTENDING THE GC EXPO ON JANUARY 30th YOU WILL
NEED TO LOGIN TO RECEIVE THE \$30 MEMBER DISCOUNT!**

**Don't have your login information? Just visit the login page, enter your
email address and then select "FORGOT PASSWORD", you will receive an
email with a temporary password so you can then login!!**

**If you have any issues, PLEASE contact susan@asamidwest.com
and we will walk you thru the login/registration process**

WE NEED YOU!!

ASA Midwest Council needs
your Time & Talent!
*Consider Joining a Committee to help
ASA be the Best we Can be!*



Membership

(Chris O'Hagan/Matt Tucker)

Programs

(Chris O'Hagan/Steve Albart)

Golf

(Jennifer Church/ Steve Cummins)

Advocacy

(Tim Thomas)

Awards Gala

(Molly Spowal /Rick Swanson)

Construction Showcase & BBQ

(Amy Heeger/Rick Williams)

GC Expo

(Walter Bazan, Jr. /Tim Thomas)

Safety

(Rose Kastrup/Steve Williams)

Brand Development

(Stephanie Woodcock)

Contract Review

(Dick Stockenberg)

*Contact a committee chair or Susan Winkelmann to
join any of the above committees!*

*Visit the committee page on our new website for
more information on all of ASA Midwest Council
committees available to join!*

JANUARY 30th 2019

MEET THE GC'S EXPO

*St Charles Convention Center
Wednesday, January 30, 2019
3:00 to 7:00 p.m.*

*Reminder: The Expo replaces the typical monthly
membership meeting in January 20189 so join us at the
St. Charles Convention Center on January 30th!*

EARLY MEMBER ONLY ACCESS

3:00 to 4:30 p.m.

Reduced Member Rate is \$65

Non Member Rate is \$95

ALL REGISTERED ATTENDEES WELCOME

4:30 to 7:00 p.m.

KICK OFF 2019

**WITH THE ASA MIDWEST COUNCIL
AND OVER 35 STL PREMIER GC'S.**

*The 17th Annual ASA Meet the GC's Expo
promises to be one of the best ever,
don't miss it, register today!*

**Mix and mingle with multiple representatives
from all of the premier STL GC'S, at this
must attend construction industry event!**

Advance Registration is required by 1.23.19.

**MEMBERS MUST LOGIN TO REGISTER
TO RECEIVE MEMBER PRICING-**

\$30 discount off the \$95 registration!

*(Registration includes hosted bar for 3 hours & appetizers
for a portion of the evening.)*

**REGISTRATION AFTER JANUARY 23rd will include a
\$30 surcharge, LATE registration for members
will be \$95 per person!!**

**(No shows not cancelled by 1.23.19. will be billed per
ASA Midwest Council's event cancellation policy.)**

GOTTA PROBLEM?..... WELL, THERE OUGHTA BE A LAW!

Richard A. Stockenberg
Sandberg Phoenix von Gontard
rstockenberg@sandbergphoenix.com

SANDBERGPHOENIX
& VON GONTARD P.C.

ASA, with its partners, has in the past been instrumental in drafting and helping secure passage of legislation to help solve problems faced by subcontractors. For example, ASA was part of coalitions securing legislation that 1) outlaws broad form indemnity clauses, 2) establishes retainage reform; and 3) bars contingent payment clauses as impediments to file mechanic's liens. These successful challenges were undertaken in response to pleas and needs of our members.

Your chapter continues to legislatively address subcontractor problems, seeking solutions through legislation that may not otherwise be achievable in the open market due to the lower position occupied by subcontractors in the food chain.

ASA members are encouraged to openly share their problems so that the legislative committee can propose legislative solutions to problems peculiar to subcontractors. It is obvious that, if subcontractors do not advance their own agenda, no one else will do it for them.

Currently, there are three bills under consideration by your committee and our coalition partners seeking legislative solutions to troublesome subcontractor problems. They are (1) right to stop work if not paid – notwithstanding contrary contract language, (2) overly broad lien waiver forms; and (3) the right to make a payment bond claim on government owned property used for a non-governmental purpose.

RIGHT TO STOP WORK

Many proprietary subcontracts prepared by general contractors contain onerous contract language requiring the subcontractor to keep working even if the subcontractor is not being paid in accordance with the terms of the subcontract. This is especially problematic when dealing with change orders. This puts subcontractors in an untenable position. If they stop work, they are in breach and if they continue working without payment, in extreme situations, they could face financial ruin. Therefore, ASA has drafted and is proposing legislation that would allow subcontractors, suppliers, and others at any tier to suspend work if payment terms are not met without being in fear of being held in breach of contract. The bill would outlaw any clause in a contract requiring a subcontractor to finish the job even if it is not being timely paid.

OVERREACHING LIEN WAIVER FORMS

Many lien waiver forms regarding partial payments require subcontractors to waive their lien rights as of the date they receive payment. This is a tremendous problem whenever there is a gap between the time the bill is submitted and actually paid.

For example, if a job starts in January typically there will be months of additional work performed before the January pay application is paid. If January's pay app is not paid until April there could be a waiver of lien rights for January's retainage and all the work performed in February, March, and up until payment is received in April even though that work has not been paid for. This adverse consequence is brought about when a sub signs a lien waiver surrendering lien rights for all work performed through the date the lien waiver is signed when it is being paid for only January's work. ASA's legislative proposal requires that lien waivers for progress payments only be interpreted to waive lien rights *to the extent of the payment received*, not through a particular date. We recognize lien waivers for progress payments should be tied to dollars, not time

RIGHT TO BOND GOVERNMENT PROPERTY USED FOR PRIVATE USES

For decades, subcontractors have filed mechanic's liens against property owned by the government, if the property is used for a private purpose. The most frequent example of this is when a city or county issues industrial revenue bonds for construction projects as a means to entice private economic development. In this type of situation, the public entity retains ownership of the property and enters into a long-term lease or agreement with a private party requiring the private party to pay for construction of improvements for the benefit of that private party, e.g., corporate headquarters or a manufacturing facility. Unfortunately, a recent court case has said, in this kind of situation, a subcontractor may not file a lien against the owner's interest in the real estate; and to make matters worse, the owner is not required to obtain a payment bond protecting subcontractors like it otherwise would when the property is used for a governmental purpose. Thus, under this dramatic change in the law, subcontractors are left with no security for payment. ASA's legislation would change this by saying in the situation where the owner is a public entity, but the property is used for a purely private, non-governmental purpose, then the owner is required to secure a payment bond for the protection of the subcontractors.

While we do not know the fate of these bills before the 2019 legislative session, they are examples of how ASA is working for you. You can help. If you have any "war stories" where you have been harmed in any of these situations, please let us know. Real stories from real people are more convincing before the legislature than hypothetical situations. Also, if you are affected by other problems which you believe may be best solved legislatively, please share this information with your legislative committee, chaired by Tim Thomas.



The **Tom Owens Memorial Scholarship** is a 501(c)(3) non-profit organization that provides financial assistance to qualified candidates who are part-time or full-time students who attend or will be attending accredited junior college, college, university or post-graduate institutions.

Please consider making a tax deductible donation to the Tom Owens Memorial Scholarship Fund to further our cause today.

For additional information about the Scholarship Fund contact Chris O'Hagan, J D Kutter -chris@jdkutter.com

SCHOLARSHIP APPLICATIONS ACCEPTED UNTIL JANUARY 31, 2019

visit www.asamidwest.com to download an application today!

THANK YOU

to the MEMBER COMPANIES that attended the December Casino Night Party!

Afton Fabricating & Welding
American Steel Fabrication
Archview Metals
Aschinger Electric Co.
Aspen Waste
BAZAN Painting Co.
Bell Electrical Contractors
Bi-State Utilities Co.

CMIT Solutions
CSA Advisors
ELCO Chevrolet Cadillac
Enterprise Bank & Trust
Event Productions
Fabick
Gencorp Services
George McDonnell & Sons

Hayden Wrecking
ideas4promos
J.D. Kutter
Liberty Mutual Surety
Murphy Company
Nu Way
Parkway Construction Svcs
PPG Paints

Precision Analysis, Inc.
Schaeffer Electric
Schmersahl Treloar & Co
Seal the Deal Too
SFW Partners, LLC
United Rentals

Upcoming ASA Midwest Council Meetings & Events



- | | |
|---------------------------|---|
| <i>January 5</i> | <i>Tom Owen's Memorial Scholarship Cigar Night Fundraiser</i>
<i>The Atomic Cowboy</i> |
| <i>January 16</i> | <i>BPI in a Box Lunch Meeting</i>
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| <i>January 30</i> | <i>Meet the GC's Expo</i>
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| <i>February 20</i> | <i>Monthly Membership DINNER Meeting</i>
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| <i>April 6</i> | <i>ASA Midwest Council Awards Gala-The Mad Hatter Gala</i>
<i>The Four Seasons Hotel</i> |
| <i>May 15</i> | <i>Construction Showcase & BBQ</i>
<i>Queeny Park</i> |

[VISIT WWW.ASAMIDWEST.COM](http://WWW.ASAMIDWEST.COM) TO REGISTER FOR ANY OF THE ABOVE EVENTS!
Event registration now requires member login, which was emailed in mid October!



ASA Midwest Council is on Facebook, Twitter & LinkedIn
Follow ASA Midwest Council for the latest news and information!

BUILDING. COMMUNITY.

MEET THE GC'S EXPO

Hosted by the American Subcontractors Association - Midwest Council



Wednesday, January 30, 2019

St. Charles Convention Center



3:00 - 4:30 p.m. | ASA Member Early Access

4:30 - 7:00 p.m. | All Attendees Welcome

Advance Registration Required.

\$65 ASA Members | \$95 Non-ASA Members

After January 23rd deadline | Members \$95 | Non Members \$125

Visit www.asamidwest.com to register by January 23, 2019

For More Information contact susan@asamidwest.com or 314.845.0855



**REGISTRATION AVAILABLE ON OUR NEW WEBSITE!
MEMBER LOGIN REQUIRED FOR MEMBER PRICING!**

If you do not have your login credentials that were sent via email

visit www.asamidwest.com and go to member login & select “forgot your password”

You will be sent an email to reset your password to login-check your spam folder!



ASA in Wonderland

The

Mad Flatter

Awards Gala

Saturday, April 6th 2019

VISIT ASAMIDWEST.COM FOR DETAILS

FOUR SEASONS HOTEL • 999 NORTH SECOND STREET • ST. LOUIS, MISSOURI

SAVE THE DATE

2019 SUBExcel
ASA - We Build Excellence

March 6-9, 2019 | Nashville, Tennessee

www.subexcel.com

With the Holiday Season over, Capitol observers know that the next legislative session is just around the corner. With that, the political activity in Jefferson City has increased dramatically.

December 1st marked the day that members of the General Assembly could begin to pre-file bills for the 2019 Legislative Session which begins on January 9, 2019. Many legislators took advantage of the opportunity with over one hundred bills being filed that day in the Senate alone. As of the writing of this report, more than four hundred bills have been filed and we expect the total amount to reach approximately three thousand once session gets into full swing.

As expected, Right-to-Work legislation was pre-filed by Senator-elect Eric Burlison, (R-Greene County). It is unclear how much traction the bill may get especially given the huge margin by which the issue was defeated at the ballot box recently. Governor Mike Parson has stated publicly that Right-to-Work is not on his radar.

One issue that lost at the ballot on November 6 is Prop D – the funding for roads and bridges. No bill has been filed yet that would deal with that issue. Legislative leaders are still exploring various options after the defeat of Prop D in the November election.

The beginning of session will also mean more than sixty newly elected legislators will descend on the Capitol building. House and Senate staff members spent the early part of December hosting freshman orientation where the new lawmakers were taught everything from hiring office staff to staying compliant with ethics requirements and Sunshine Law basics. Also covered was the process of how to draft new legislation, how the state budget is drafted, and the function of each department in state government.

Following the in-house orientation, the newly elected lawmakers hit the road for a week-long bus tour of the state. The tour provided the opportunity for legislators to learn about the way of life and economic factors in areas of the state other than their home districts. The stops along the way included manufacturing plants, senior citizen housing centers, energy production facilities, sports venues, military installations, and agricultural facilities, among others.

Also during December, members and staff of the General Assembly have been learning the steps they must take to comply with the recent passage of Amendment 1 or more commonly known as “Clean Missouri. The measure places many new restrictions on lawmakers and staff. Of particular concern is the portion of the amendment that potentially opens all lines of communication going in and out of the Capitol to Sunshine requests. This could include email or text messages between an elected official and a constituent which might contain personal information such as a health care concern. It is not clear yet how or if legislators will attempt a fix on this part of the new amendment. Also included in Amendment 1 is a ban on gifts to legislators which exceed \$5.00 in value, a two-year waiting period before a legislator or staff member may become a lobbyist, campaign contribution limits, and a new method to draw legislative district boundaries after each census.

As always, we will monitor all legislation filed that may impact ASA and the construction industry. In addition, we will be preparing weekly legislative updates about the general happenings in the Capitol and to update you on ASA’s priority legislation. These reports will begin the end of the first full week of the 2019 Legislative Session. Please feel free to contact us any time with questions or concerns about the 2019 Legislative Session. Nikki Strong, Strong Consultants.

ASA Midwest Council Members

Acoustical Ceilings, Inc.
Affton Fabricating & Welding
Ahern Fire Protection
AME Constructors
American Burglary & Fire, Inc.
American Steel Fabrication, Inc.
Aqueduct Plumbing LLC
Architectural Sheet Metal Systems
Archview Metal Systems Co.
Aschinger Electric
Aspen Waste Systems
Autco Appliances
Automatic Controls Equipment
Bangert Computer Systems
Bazan Painting Company
Bell Electrical Contractors
Benson Electric Company
Bick Group
Big Boy's Steel Erection
Bi-State Fire Protection Corp.
Bi-State Utilities Company
Bloomsdale Excavating Co.
Boyer Fire Protection
Building Point Mid-America
C.E. Bollmeier Company, Inc.
C. E. Jarrell Contracting
CK Power
CMIT Solutions
CNA Surety
CSA Advisors LLC
Cardinal Environmental Operations
Cee Kay Supply
Century Fire Sprinklers, Inc.
CliftonLarsonAllen, LLP
Collins & Hermann
Common Sense Solutions
Corrigan Company
Doll Services and Engineering
Drilling Service Company
Dynamic Controls, Inc.
ELCO Chevrolet Cadillac
Enterprise Bank & Trust
Equipment Share
Event Productions, Inc.
Fabick CAT
Fenix Construction Co. of STL
Flooring Systems, Inc.
Foreman Fabricators
Foundation Supportworks by Woods

Freeman Contracting
Frost Supply
Galloway, Johnson, Tompkins,
Burr & Smith
George McDonnell & Sons
Golterman & Sabo
Grant Contracting
Guarantee Electrical
H & G Sales, Inc.
Haberberger, Inc.
Hanenkamp Electric
Hansen's Tree, Lawn & Landscaping
Hayden Wrecking
Heitkamp Masonry
Hoette Concrete
Ideas4Promos
Integrated Facility Services
Irwin Products
JD Kutter
J.F. Electric
J.W. Terrill
John J. Smith Masonry
Johnson Controls
Jos. Ward Painting Co.
K & K Supply, Inc.
Kaemmerlen Electric
Kaiser Electric
KAM's Mechanical LLC
Kay Bee Electric
Kent Companies LLC
Kirberg Company
Kirby-Smith Machinery, Inc.
Knapheide Truck Equipment
Landesign LLC
Lawrence Fabric & Metal Structures
Leach Painting Company
Liberty Mutual Surety
Lindberg Waterproofing
Linek Plumbing Co.
Lizmark
Luby Equipment Services
Marketeer, Inc.
Martin Fence, LLC
Meyer Painting Co.
Midwest Elevator
Montgomery Bank
Murphy Company
Negwer Door Systems
Niehaus Building Services

NuWay
O.J. Laughlin Plumbing Co.
On Site Companies, Inc.
P & A Drywall Supply
P.M. Leach Painting Co.
Parkway Construction Services
Patterson's Hospitality Agents LLC
PayneCrest Electric
Pearl Street Electric, LLC
Pipe and Duct Systems
PPG Paints
Precision Analysis, Inc.
Professional Installers
Professional Metal Works, LLC
R.F. Meeh Co.
RJP Electric
RM Supply
Raineri Building Materials
Rebar Specialists Installation
Rental Supply, Inc.
Rock Hill Mechanical Corp.
RubinBrown LLP
Sachs Electric Company
Safety International, LLC
Sandberg, Phoenix, von Gontard
Schaeffer Electric Co., Inc.
Schmersahl Treloar & Co.
Seal the Deal Too
Seiler Instruments
SFW Partners, LLC
The Sherwin-Williams Co.
Signature Craft
Sikich LLP
Smash-It
St. Louis-KC Carpenters Reg Council
Stylemaster Apparel, Inc.
Sunbelt Rentals
Swanson Masonry, Inc.
T.J. Wies Contracting
Taylor Excavating
Team Industrial Services
Tradesmen International
TROCO Custom Fabrication
UHY LLP
United Rentals
Vee-Jay Cement Contracting
Wies Drywall and Construction
Zurich Surety

Each month you will receive an update on the committees within ASA, to keep you informed on current happenings at the committee level. Below are this month's committee reports. Interested in joining a committee? Contact Susan Winkelmann, ASA Executive Director-susan@asamidwest.com or 314.845.0855

MEMBERSHIP

The ASA Membership Committee is asking for your help. If you know a subcontractor who could benefit from the resources that ASA brings to its members, let us know. The benefits of ASA membership are many and our committee is very focused on adding quality new members. Contact Chris O'Hagan at (314) 444-4949 or by email at chris@jdkutter.com.

CONTRACT REVIEW

During contract negotiations, when faced with a clause requiring you to give up or limit your rights, one of the best ways to limit the adverse impact is to make the clause mutual. For example, if you are asked to waive consequential damages you should insist the GC also waive its right to make a claim for consequential damages. Beware of any contractor who balks at mutuality.

If you have questions regarding the contract review service, contact committee chair, Dick Stockenberg, Sandberg Phoenix, von Gontard rstockenberg@sandbergphoenix.com.

SAFETY

The safety committee meets the fourth Thursday of the month at 4:00pm. The location varies by month. We are growing as a committee, and are always looking for more members. Please consider sending someone from your staff to join our committee. Let's be **Always Safety Aware!** Due to everybody's busy schedule please call to confirm we are meeting this month. Call Rose Kastrup at 417 761-4194 for more information about the Safety Committee. Our new Safety Committee Co-Chairs are Rose Kastrup with CSA Advisors & Steve Williams with Bell Electrical.

PROGRAMS

The ASA Programs Committee is putting the finishing touches on 2019. Our goal is to continue to provide relevant programming to all our members. Registration information for our First Quarter Seminar will be open shortly. "What Banks and Bonding Companies Look For" will help you better understand how to maximize cash flow, bank credit and bonding capacity by providing an increased understanding of the Work In Progress schedule and deeper insight into your company's balance sheet and income statement. Additionally, we continue to focus on our friends on the Illinois side of the river by hosting a GC Lunch with Contegra in June. As always, we hope that you had a great 2018 and that 2019 brings you much prosperity. If you have questions, please contact either of our Programs Committee Co-Chairs **Chris O'Hagan, chris@jdkutter.com OR Steve Albart, salbart@enterprisebank.com**



*Learn How to Obtain High Quality Data
for Use in Decision-Making by Those
Who Have a Financial Stake
in the Success of Your Company*

in the ASA Webinar:

“Work-In-Progress Reporting”

Tuesday, January 8, 2019

12:00 p.m. – 1:30 p.m. ET / 9:00 a.m. – 10:30 a.m. PT

Complimentary for ASA members!

To Register:

Call (703) 684-3450, Ext. 1321

Inaccurate, overly optimistic or overly conservative WIP reporting can have negative repercussions, including tax penalties, added costs for lines of credit, increased bonding rates, and unpleasant surprises to a contractor's bottom line. In this webinar, learn the challenges and techniques for obtaining high quality data from operations personnel for use in decision-making by all the parties that have a financial stake in the success of the company.

Presenter: Stephen Blankenship, Ennis Electric, Manassas, Va.

Interactive Format:

- View this webinar on your computer screen, or project it on a wall/screen.
- Ask the presenter questions.
- Listen to the presenter on your headset or dial in. Use your computer's speakers or a speaker phone so everyone in the room can listen.



OSHA's Use of Drones During Workplace Inspections

*Steve Williams
Bell Electrical Contractors*

Earlier this year, OSHA issued a memo formalizing its use of drones for inspection activities, and, according to a recent report by Bloomberg Law, it used drones for 9 inspections this year.

The memo indicates that OSHA can use drones for a number of purposes, including inspection of inaccessible or unsafe areas, for technical assistance in emergencies, and during compliance assistance activities. The memo sets forth the parameters OSHA must follow when using drones, but it also indicates that OSHA is exploring the option of obtaining a Blanket Public Certificate of Waiver or Authorization (COA) from the FAA to operate drones nationwide.

The memo states that OSHA must obtain express consent from an employer prior to using a drone on any inspection. In addition, on-site personnel must be notified of the inspection to ensure cooperation and safety. The flight report and any data collected by the drone becomes a part of the inspection case file.

OSHA's use of drones has the potential to expand its violation-finding capabilities during any inspection. Drones allow OSHA a bird's-eye view of a facility or construction site, expanding the areas that can be easily viewed by an inspector. While most inspections can and should be limited in scope, OSHA can cite employers for violations that are in plain sight. **Employers must consent** to the drone use, but the question remains as to how the scope of an investigation might change if an employer refuses.



In addition, it is unclear if that policy will change if OSHA is granted a Blanket Public COA from the FAA to use drones nationwide for inspection purposes.

Employers should be aware of this policy and the fact that drones may be a requested part of their next OSHA inspection. Employers may want to give some thought to their facilities and construction sites and whether drones can be safely flown without causing damage to equipment or processes. If employers allow OSHA to use drones during an inspection, the employer may wish to be involved in the development of the flight plan and attempt to get copies of any collected data. And remember, your express consent is required.

The memo in its entirety is available for you to read on the Safety Page of the NEW ASA Website. Visit

<https://asamidwest.com/category/safety/> to read the full report.

*****WATCH YOUR EMAIL FOR THE SAFETY AWARD APPLICATION FOR THE ANNUAL ASA MIDWEST COUNCIL SAFETY AWARD! APPLICATIONS ARE DUE BY FEBRUARY 18, 2019.***

YOU WILL NEED TO INCLUDE YOUR OSHA 300A FORM FOR 2018 ALONG WITH THE COMPLETED APPLICATION TO BE CONSIDERED FOR THE ASA SAFETY AWARD.

WINNERS WILL BE CHOSEN USING A BLIND EVALUATION PROCESS BY THE SAFETY COMMITTEE**

*Questions? Contact ASA Safety Co Chairs:
Rose Kastrup, CSA Advisors; OR
Steve Williams, Bell Electrical Contractors.*

INTERESTED IN SPONSORING AN UPCOMING MEETING?
ONLY \$250-CONTACT [SUSAN@ASAMIDWEST.COM](mailto:susan@asamidwest.com) FOR DETAILS!

NO NEW MEMBERS THIS MONTH

*Help ASA Midwest Council continue to grow, by inviting someone who would benefit from ASA membership, to join us at the next monthly meeting. All first time **non member** guests are free of charge.
Please register your guest in advance by contacting susan@asamidwest.com*

Join a committee today.

Membership

(Chris O'Hagan/Matt Tucker)

Programs

(Chris O'Hagan/Steve Albart)

Golf (Jennifer Church)

Advocacy (Tim Thomas)

Awards Gala

(Molly Spowal /Rick Swanson)

Construction Showcase & BBQ

(Amy Heeger/Rick Williams)

GC Expo

(Walter Bazan, Jr. /Tim Thomas)

Safety

(Rose Kastrup/Steve Williams)

Brand Development

(Stephanie Woodcock)

Contract Review

(Dick Stockenberg)

Contact a committee chair today, to join a committee!



WOMEN OF ASA WE NEED YOU!!

**WE ARE FORMING A WOMEN'S PEER GROUP
AND NEED ALL WOMEN OF ASA TO JOIN US!
WATCH YOUR EMAIL FOR
DETAILS COMING SOON!**

Sponsorship Rates

Sponsorship opportunities are available in the ASA newsletter. Rates are very reasonable but are limited. Below are the rates. If interested, please call Susan at 314 845-0855.

- Website Rotating \$420/Year
- Website Static \$1,000/Year
- 1/4 Page Monthly \$300/Year
- 1/4 Page Quarterly \$125/Year
- 1/2 Page Monthly \$500/Year
- 1/2 Page Quarterly \$225/Year
- Business Card Monthly \$125/Year
- Business Card Quarterly \$70/Year
- Whole Page 1X \$300 Per Issue
- Whole Page Quarterly \$900/Year
- Classified Ads \$15 Per Issue



ASA Meeting Sponsorship

Highlight your company at an
ASA Monthly Meeting

It is only \$250 to be a meeting sponsor.

What do you get for \$250?

Full Color Sponsor Flyer
Slide in Meeting Presentation.
Microphone time to present company
overview to meeting attendees!
Announcement at Meeting.
Recognition in Newsletter.

Contact Susan Winkelmann
susan@asamidwest.com

