#### OCTOBER 2023

#### **NOVEMBER**

November 15 BPI in a Box Lunch Mtg Subs & Suppliers Only Syberg's on Dorsett

#### **DECEMBER**

December 6 Casino Night Holiday Party Syberg's on Dorsett

#### **IANUARY**

January 17 Member BREAKFAST Mtg MAC West

January 31 Meet the GCs Expo St. Charles Convention Ctr

#### **FEBRUARY**

January 21 Member DINNER Mtg Syberg's on Dorsett

#### **APRIL**

April 20 31st Annual Awards Gala The Four Seasons STL

For a complete list of all upcoming ASA MWC meetings and events visit our website www.asamidwest.com

Fall is upon us and so approaches the close of another year. Fall is a great time to reflect on the past year's accomplishments and set our sights of the year ahead. That also makes it a perfect time for some strategic business planning. Perform a SWOT analysis (Strengths, Weaknesses, Opportunities, Threats), do a vision and mission statement review, engage in some scenario planning, or try your hand at some SMART goal setting (Specific, Measurable, Achievable, Relevant and Timebound goals) to layout your monthly, quarterly and yearly goals.

Strategic planning is not limited to business; organizations like this one have plans to make as well. Every October the ASA board meets to do just that. This is an opportunity to come together and chart a course for next year as well as the years to come.

It would be foolish to do this without the insight and recommendations of our members. Do you want to see more networking events? More educational presentations? More safety information? What additional information would you like to see on our website? Maybe you have an idea unrelated to any of those mentioned above.

That is why I am asking each member to e-mail me, call me, send a telegram, whatever mode of communication is best for you, and let me know what you would like from your organization. Afterall, this board is here to serve you.

For your own business, the techniques noted in the opening paragraph are a great place to start forming a strategic plan for 2024 and beyond. Good luck and happy planning!

Dennis Voss Golterman & Sabo President, ASA MWC 314-402-5444 | <u>DennisV@golterman.com</u> Syberg's on Dorsett 2430 Old Dorsett Rd. Maryland Heights, MO November 15 | 11:30 a.m. to 12:30 p.m. BPI in a Box Lunch | Subs & Suppliers Only

ASA members | \$25 | Lunch & BPI Session

### The ASA WOMEN'S COUNCIL | She's Built For This

The purpose of our women's peer group is to become a valuable resource for women in the construction industry and related fields. Our goal is to help woman Build. Community. by providing resources needed to build relationships; be a source of information & support; and to provide connections & networking opportunities to all women from our member companies and the STL construction industry as a whole!

For more information & to join our peer group contact the "She's Built For This" committee co-chairs:

Jennifer Church, United Rentals | <u>jchurch@ur.com</u>
Stephanie Woodcock, Too Creative | <u>stephanie@toocreativestl.com</u>
Susan Winkelmann, ASA Midwest Council | <u>susan@asamidwest.com</u>



# November 15, 2023 BPI in a Box Lunch Meeting

#### Syberg's on Dorsett

2430 Old Dorsett Rd | Maryland Heights, MO 11:30 a.m. to 12:30 p.m.

Join us for the BPI in a Box LUNCH Meeting on Wednesday, November 15th at Syberg's on Dorsett. 11:30 a.m. to 12:30 p.m. This meeting is for subcontractor & supplier members only, no associate members allowed for BPI meeting.

Business Practice Interchange (BPI) is an informal share session where ASA member subcontractors & suppliers can share their experiences with projects, general contractors, and owners. Only first-hand information is allowed to be shared. ASA is only providing a forum for the exchange of business information. Information exchanged by members must be current, accurate and first hand.

#### { BPI COMPANIES FOR DISCUSSION }

BROSS CONSTRUCTION
CCM CORPORATION
LACLAIR CONSTRUCTION SERVICES
MUSICK CONSTRUCTION
OPUS BUILDING GROUP
PFUND CONSTRUCTION
PLOCHER CONSTRUCTION
POETTKER CONSTRUCTION
SUPERIOR BUILDING GROUP

#### **MEETING AGENDA:**

11:30-11:50 a.m. | LUNCH 11:50 a.m. to 12:30 p.m. | BPI SESSION

Registration includes Lunch & BPI Session \$25 ASA Members | Subcontractors & Suppliers Only Register at asamidwest.com by Friday, November 10th

(Attendees not cancelled by 11.10.23..will be charged per ASA cancellation policy. No refund after 11.10.23. but you may always send someone in your place if you are unable to attend the meeting)

# ASA'S 18th ANNUAL CASINO NIGHT

Members Only Holiday Party

Interested in Sponsoring?
Visit asamidwest.com for details

Wednesday, December 6th 2023 Syberg's on Dorsett 6:30 p.m. to 10:00 p.m.

#### KICK OFF THE HOLIDAYS WITH ASA!



This is an ASA Member's Only event, but please register and bring your spouse or significant other, and join us for some holiday cheer ASA style!

\$85 per person includes Hosted Bar, Heavy Appetizers, Gaming, & a Chance to Win Great Prizes!

We will conduct a food drive to benefit the St Louis Area Food Bank, so please bring canned goods to donate to this worthy cause. Last year we collected over 500 lbs. of food, which provides meals to the area's most neediest families!

(No complimentary guests in December, as this is a members only event, which replaces our usual monthly meeting)

#### Register at www.asamidwest.com

(no shows not canceled by 12.1.23. will be charged per ASA cancellation policy. No refund after that date, but you may always send someone in your place!)

# Secure Cargo to Help Protect **Life and Property**

According to the National Highway Traffic Safety Administration (NHTSA), about 730 people are killed and 17,000 more are injured because of objects in the road each year. 81% of these crashes involve unsecured cargo on passenger vehicles.

When it comes to vehicle safety, avoiding collisions between vehicles is the foremost concern. There is another important aspect of vehicle safety that is often overlooked: cargo securement. Whether it is a commercial motor vehicle making a delivery, a pickup truck transporting equipment to a job, or someone moving furniture on top of their car, Subpart I - Protection Against Shifting and Falling Cargo. proper cargo securement is critical to helping prevent accidents. Improper cargo securement can lead to a number of bad outcomes including:

- Load striking another vehicle, cyclist, or pedestrian
- Damaged or lost load
- Vehicle instability or rollover due to cargo shifting
- Environmental damage
- Vehicle being placed out-of-service
- Issuance of citations to driver or business

The goal of cargo securement is to help prevent cargo from leaking, spilling, blowing, or falling from the vehicle as well as to prevent cargo from shifting on or in the vehicle. The Federal Motor Carrier Safety Administration (FMCSA) has defined cargo securement requirements for commercial motor vehicles. Specifically, FMCSA requires cargo securement systems be able to withstand forward force (80 cargo weight), lateral force (50 percent of cargo weight), and upward force (20 percent of cargo weight) to prevent cargo

#### In addition, cargo should be secured in one of three ways:

- 1. It can be transported in an enclosed vehicle that has walls of adequate strength, near a vehicle wall or other cargo so that there is no significant shifting or tipping.
- 2. It can be immobilized by a combination of structures of adequate strength, blocking and bracing to prevent shifting or tipping.

3. It can be secured with tiedown assemblies (chains, wire rope, steel strapping, synthetic webbing, cordage), dunnage, shoring bars, or a combination of these, Chocks, wedges, or cradles are needed to secure items that have a tendency to

FMCSA regulations detail additional requirements for cargo securement devices/systems and minimum number of tiedowns based on cargo characteristics (length and weight). Furthermore, there are commodity-specific requirements for commodities identified as most difficult to secure. These requirements can be found in 49 CFR 393,

It is important to inspect cargo to ensure that it is properly secured. FMCSA regulations require that cargo and securement devices be inspected before taking the vehicle on the road, within 50 miles of the start of the trip, and at regular intervals afterward (every 150 miles, every 3 hours of driving, or after each duty status change, whichever comes first).

#### Securing vehicles cargo passenger

The general principles of cargo securement can be applied to passenger vehicles. It is a best practice to secure cargo with straps, rope, or cargo netting. Always use rated equipment whenever possible. Large objects should be tied percent of cargo weight), rearward force (50 percent of directly to the vehicle or trailer and consider covering the entire load with a sturdy tarp or cargo netting. Balance the shifting. load properly to help avoid instability during travel. Your vehicle will drive differently when it is loaded due to the additional weight. Also be mindful of space limitations and do not load excessive amounts of cargo in or on the vehicle or trailer. Before departing, double-check your load to make sure it's secure and stop periodically on your journey to make sure cargo has not shifted. Finally, if you are uncertain about how best to secure the load, consider hiring a professional.

## ASA MIDWEST COUNCIL 2023 GOLF TOURNAMENT WINNERS | 10.2.23. | #buildingcommunity



FABICK RENTS | CHAMPION FLIGHT | -14 SOUTH COURSE



PAINTING SOLUTIONS | CHAMPION FLIGHT | -13 NORTH COURSE



SWANSON MASONRY, INC. | A FLIGHT | -8 NORTH COURSE



BOMMARITO CONSTRUCTION | A FLIGHT | -6 SOUTH COURSE



DRP COMMERCIAL RESTORATION | B FLIGHT | -3 SOUTH



O.J. LAUGHLIN PLUMBING | B FLIGHT | -5 NORTH COURSE

# Upcoming ASA Midwest Council Meetings & Events



November 15 BPI in a Box Lunch Meeting-Subs & Suppliers Only

Syberg's on Dorsett

December 6 ASA MEMBER ONLY HOLIDAY PARTY

Casino Night | Syberg's on Dorsett

January 17 ASA Monthly Member BREAKFAST Meeting

**MAC West** 

January 31 Meet the GCs Expo

St. Charles Convention Center

April 20 31st Annual Awards Gala

The Four Seasons Hotel STL



<u>SCAN QR CODE TO VISIT ASAMIDWEST.COM TO REGISTER FOR ANY EVENTS</u> <u>Event registration requires member login, contact susan@asamidwest.com with questions!</u>

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







THANK YOU TO OUR HOLE SPONSORS

36th ANNUAL GOLF TOURNAMENT | 10.2.23.

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### THANKS TO OUR 2023 GOLF TOURNAMENT SPONSORS









































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legislative session that ended last May.

included in order to prevent budget shortfalls down the road.

House members wasted little time once the session October. The Missouri Constitution requires judges began to successfully override 14 of Parson's vetoes, to retire by age 70, or they automatically forfeit their promptly sending those overrides to the Senate for pensions. their consideration. However, when the Senate gaveled in, Appropriations Chairman Lincoln Hough Next on the Capitol calendar is the Senate 2023 veto session with no veto overrides.

House Republicans met prior to the start of the veto session to elect their next Speaker of the House. Jonathan Patterson, who is the current Majority Floor leader, was chosen by his peers to lead the chamber beginning with the 2025 legislative session. Patterson, who is a physician from Jackson County, will continue in his role as floor leader during the 2024 session before taking over the role of Speaker in January 2025 as current Speaker Dean Plocher is term limited.

The month of September was a busy month as Governor Mike Parson held a flurry of ceremonial another veto session is in the books. Members of the bill signings in his Capitol office and throughout the General Assembly gathered in Jefferson City on state throughout the month of September, giving September 13 for the constitutionally mandated supporters and sponsors of various pieces of session. Veto session presents House and Senate legislation the opportunity to speak about their bills members the opportunity to attempt overrides of any alongside the Governor. All legislation passed during vetoes issued by the Governor on legislation from the the 2023 session became law on August 28 – unless the legislation provided for a later effective date.

As mentioned previously, Governor Mike Parson The makeup of the Missouri Supreme Court has issued more than 200 line-item vetoes on budget changed as Governor Parson recently appointed many infrastructure, Kelly C. Broniec to a seat on the high court. Broniec construction, and capital improvement projects had been serving as chief judge of the Eastern around the state, with many located in St. Charles District of Missouri Court of Appeals. She replaces County. Parson had informed members of the retiring justice George W. Draper III, who was General Assembly that the vetoes were necessary in appointed to the spot in 2011 by then-Governor Jay order to maintain a balanced budget throughout the Nixon. Draper stepped down after he had reached the current fiscal year, even though the state is sitting on mandatory retirement age of 70. The appointment of a record budget surplus. With current tax revenues Broniec is historic as it marks the first time the remaining flat, Parson believes cautious spending is majority of judges on the court are female. Judge Patricia Breckenridge will also announce her retirement soon as she will reach retirement age in

informed his colleagues that he would not take action Republican caucus in early November, where they on any of the Governor's vetoes, thus ending the will attempt to prioritize their legislative agenda for the next session. Prefiling of bills will begin on December 1. We will continue to keep you updated of any political happenings in Jefferson City and around the state. Nikki Strong, Strong Consulting Group.



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# **ASA Midwest Council Members**

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Bell Electrical Contractors

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Bi-State Fire Protection Corp.

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Montgomery Bank Murphy Company

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O.J. Laughlin Plumbing Co.

On Site Companies, Inc.

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Parkway Construction Services

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Pipe and Duct Systems

Precision Analysis, Inc.

Professional Metal Works, LLC

R.F. Meeh Co.

RIP Electric

Ravensberg, Inc.

Reinhold Electric, Inc.

Rental Supply

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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 Directorsusan@asamidwest.com or 314.845.0855



#### **SAFETY**

Check out the Safety page on the ASA website.

Member only access to monthly Tool Box Talks is included in your ASA membership!

For additional information regarding the ASA Safety Committee, or to join the committee, contact our Safety Committee Co-Chairs:

Rose Kastrup with CSA Advisors at (417) 761-4194 or Steve Williams with Bell Electrical at (314) 447-9071.

# **MEMBERSHIP**

### WELCOME TO OUR NEW MEMBERS: BARNHART CRANE & RIGGING GATEWAY FIRE PROTECTION SYSTEMS MIDDENDORF LOGISTICS

If you know a subcontractor who would 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. For Additional information contact our Membership Committee Chairperson, Chris O'Hagan, JD Kutter. (314) 444-4949 or <a href="mailto:chris@idkutter.com">chris@idkutter.com</a>.

#### **CONTRACT REVIEW**

Did you know ASA Midwest Council has an extensive library of General Contractor contracts on file? These contracts have been reviewed by the Contract Review Committee, and include comments/suggestions of changes you may want to request during your contract negotiations. The contracts are available to ASA members only, and can be requested by sending an email to susan@asamidwest.com

If you have questions regarding the contract review service offered to our ASA members, please contact the Contract Review committee chair, Dick Stockenberg, ASA MWC chapter attorney, The Stockenberg Law Firm; richard@stockenberglawfirm.com

#### **PROGRAMS**

Do you have suggestions for upcoming speakers and seminar topics? We want to hear from our members to ensure we are providing the best content possible to meet your needs! Who would you like to hear from at a meeting? If you have suggestions or feedback, please contact our Programs Committee Chair: Chris O'Hagan, <a href="mailto:chris@jdkutter.com">chris@jdkutter.com</a> or executive director, Susan Winkelmann; <a href="mailto:susan@asamidwest.com">susan@asamidwest.com</a>



# **SAVE THE DATE**

The Premier Education and Networking Event for Subcontractors, Specialty Trade Contractors and Suppliers

SUBExcel is like no other convention in the world, so it only makes sense to hold our 2024 edition in a city like no other in the world - New Orleans, one of the most historic cities in America.

World class music, food, architecture, and history. Birthplace of jazz, historical center of commerce, and a cultural attraction for people worldwide.

Sure - you're here to learn, hash out subcontractor concerns with colleagues, network, and reconnect with folks you haven't seen. But New Orleans is perfect for all of it!

Join us at SUBExcel March 6-9, 2024, and renew your love of this unique city with colleagues, friends, and family!

Visit (for convention information & registration) <a href="https://www.asaonline.com/2024-subexcel/">https://www.asaonline.com/2024-subexcel/</a>







#### Who is Not Covered by OSHA?



There are several categories of workers not covered by OSHA. Additionally, some members of a workforce are only covered in specific roles, while others are only covered in specific states or industries. Workers are not covered by OSHA in the following areas:

Volunteers & Temporary Workers Self Employed Workers Family Members of Farm Employers Industries Regulated by Another Agency State and Local Government Employees **Volunteers & Temporary Workers** 

Volunteers are generally not covered by OSHA - but there are exceptions. Volunteer firefighters may be covered by OSHA if they are remunerated for time spent serving the community, covered by workers' compensation, or regarded as public employees by the state or local government with

jurisdiction over the location they volunteer in.

There are also some special cases in which an agency has adopted an OSHA standard as one of its own and included volunteers in the coverage. For Workers in the publicly owned energy sector that may be exposed to example, when the Environmental Protection Agency adopted OSHA's ionizing radiation are covered by safety standards regulated by the Nuclear Hazardous Waste and Emergency Response standard, the Agency applied the standard to both paid and uncompensated workers.

Temporary workers that are paid by either an employer or a staffing agency are classified as employees and covered by OSHA. It is important to note that, regardless of who the payer is, if a temporary worker is assigned a job by a staffing agency, both the employer and staffing agency are accountable for the safety and health of the employee.

One final comment about volunteers and temporary workers not covered by OSHA is that if a workforce consists of both paid employees and volunteers, the workplace must comply with OSHA standards. Therefore, if a volunteer suffers an injury in a workplace accident that could have happened to a paid employee, the employer could still be cited and fined by OSHA.

#### **Self Employed Workers**

One significant category of workers not covered by OSHA includes the selfemployed - independent contractors, freelancers, or anyone else who works for themselves. Self-employed individuals are, by definition, their own employers and do not have employees of their own. As such, OSHA's standards, which were designed to protect employees from unsafe working conditions, do not usually apply.

However, there are exceptions. In the same way as an employer has to provide a safe working environment for volunteers when other members of the workforce are paid employees, employers must provide a safe working environment to self-employed individuals when self-employed individuals work on the premises.

Complications can arise when one self-employed individual subcontracts another self-employed individual to work with them or on their premises. In such cases, OSHA standards should not apply because both individuals are self-employed. However, depending on the nature of the work and state regulations, some OSHA standards may be applicable.

#### **Family Members of Farm Employees**

The applicability of OSHA standards to farms is a nuanced issue, particularly where family members of farm employees are concerned. Generally, farms with fewer than eleven employees are not covered by OSHA, and OSHA considers immediate family - parents and their children, Additionally, many workers not directly covered by OSHA are protected stepchildren, foster children, and spouses - to be excluded from the count indirectly by OSHA, by other health and safety agencies, or by a state plan. of employees.

the safety of their family members working there. Farms are encouraged to follow best practices in agricultural safety and health, and OSHA provides resources and guidelines to aid in this. Furthermore, certain regulations, such as those pertaining to labor camps, accidents, and hazardous substances, may still apply.

Again, there are exceptions to this category of workers not covered by OSHA. If a temporary labor camp is set up on a farm, or an employee (including family members of farm employees) has a fatal accident or sustains an injury that results in hospitalization, amputation, or the loss of an eye, temporary compliance with OSHA's standards and reporting requirements applies.

#### **Industries Regulated by Another Agency**

Some specific industries and workplaces are regulated by other federal agencies. In such cases, businesses in these industries and their workplaces are not covered by OSHA. Examples of this group include:

Most mining and milling operations fall under the Mine Safety and Health Administration (MSHA). However, OSHA standards may apply for some product types and post-mining processes (see Appendix B of the MSHA and OSHA Memorandum)

The working conditions of flight crews when an aircraft is in flight. These are overseen by the Federal Aviation Administration (FAA). However, FAA oversight does not apply to cabin crews in respect of noise, hazard communication, and bloodborne pathogens.

The safety and health of seamen aboard vessels is regulated by the Department of Transportation's Coast Guard agency, However, OSHA has the authority to enforce standards relating to discrimination and whistleblowing according to a 1983 Memorandum.

Regulatory Commission and the Department of Energy. All privately owned businesses in the energy sector are subject to OSHA standards.

#### State and Local Government Employees

While federal government employees are protected by OSHA, the situation differs for state and local government employees – including those in public schools and universities. OSHA only covers these employees in certain states with an OSHA-approved state plan. In other states, the safety and health of public sector employees fall under the jurisdiction of the state's health and safety agencies.

In 28 states and territories, the safety and health standards for state and local government employees are overseen by OSHA-approved state plans. Where state plans only apply to state and local government employees, federal OSHA standards apply to private employment activities. State plans are required to have standards and enforcement programs at least as effective as OSHA's.

How OSHA Applies	States			
State Plan Covering Private, State, Local Government	Alaska, Arizona, California, Hawaii, Indiana, Iowa, Kentucky, Nevada, Maryland, Michigan, Minnesota, New Mexico, North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and Wyoming.			
State Plan Covering State/Local Government Only	Connecticut, Illinois, Maine, New Jersey, New York, and the U.S. Virgin Islands			
Federal OSHA States	Alabama, American Samoa, Arkansas, Colorado, Delaware, District of Columbia, Florida, Georgia, Guam, Idaho, Kansas, Louisiana, Massachusetts, Mississippi, Montana, Nebraska, New Hampshire, Northern Mariana Islands, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Texas, West Virginia, and Wisconsin			

#### Who is Not Covered by OSHA? Conclusion

While it may seem like a large number of workers are not covered by OSHA, it is important to note the agency's influence is vast, covering most private sector workers and federal employees throughout the United States.

However, this doesn't mean that farms are devoid of all responsibility for For additional information regarding the ASA Safety Committee, or to join the committee, contact our Safety Committee Co-Chairs: Rose Kastrup with CSA Advisors at (417) 761-4194 Steve Williams with Bell Electrical at (314) 447-9071.

# INTERESTED IN SPONSORING AN UPCOMING MEETING? CONTACT SUSAN@ASAMIDWEST.COM FOR DETAILS

# Barnhart Crane & Rigging Gateway Fire Protection Systems Middendorf Logistics

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 <u>first time</u> non member guests are free of charge.

Please register your guest in advance by contacting <u>susan@asamidwest.com</u>

# **Mental Health Resources:**





# JOIN US FOR ASA'S 18th ANNUAL CASINO NIGHT

Members Only Holiday Party

Wednesday, December 6th Syberg's on Dorsett 6:30 p.m. to 10:00 p.m.

KICK OFF THE 2023 HOLIDAYS WITH ASA MIDWEST COUNCIL

visit <u>asamidwest.com</u> to register today!

# 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.

• Web	osite Rotating	\$450/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
• Busi	iness Card Monthly	\$125/Year
• Busi	iness Card Quarterly	\$70/Year
• Who	ole Page 1X	\$300 Per Issue
• Who	ole Page Quarterly	\$900/Year
• Clas	sified Ads	\$15 Per Issue

# **ASA Meeting Sponsorship**

Highlight your company at an ASA Monthly Meeting

Only \$250 to be a meeting sponsor. *Includes 2 Meeting Attendees* 

#### 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
314 845-0855



# Join a committee today!

# Membership

(Chris O'Hagan)

# **Education/Programs**

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(Jennifer Church | Steve Cummins)

#### **Advocacy**

(Chris Sauer | Walter Bazan, Jr.)

#### Awards Gala

(Rick Swanson)

#### GC Expo

(Walter Bazan, Jr. | Tim Thomas)

#### Safety

(Rose Kastrup | Steve Williams)

# **Brand Development**

(Stephanie Woodcock)

#### **Contract Review**

(Dick Stockenberg)

## **Young Leaders Peer Group**

(Ryan Hermann)

