

AUGUST 2012

AUGUST

August 11

ASA PAC Claybird Shoot
Blackhawk Hunting Club

August 15

Monthly Business Meeting
Syberg's on Dorsett

SEPTEMBER

September 12

Monthly Business Meeting
Soccer Park-Fenton

September 15-18

ASA Champions Academy
Alexandria, VA

September 27

Work in Progress Seminar
Mason Contractors Assoc.

OCTOBER

October 1

ASA MWC Golf
Tournament
Norwood Hills CC

October 10

GC Luncheon
Riverside Golf Club-Fenton

October 12-14

ASA MWC Strategic
Planning Board Retreat

October 17

Monthly Business Meeting
Syberg's on Dorsett

NOVEMBER

November 14

Monthly Business Meeting
Soccer Park-Fenton

As we are in the midst of ASA membership renewals, I thought it would be appropriate to ask anyone contemplating the financial decision regarding staying an ASA member to consider several items.

The value our members receive regarding Legislative efforts and contract review alone are worth the dollar amount of the annual renewal to most subcontractors. Others find the networking and access to subcontractor owners and leaders to be the driving force for them to retain their membership.

As we continue to offer additional opportunities for our members to network and visit with the quality General Contractors who embrace our organization, there are several points I would like to stress for a subcontractor on the fence in deciding to renew or join ASA.

First would be financial. A lot of firms have baseball, football, hockey or other venue tickets, solely for the purpose of entertaining clients, all of which are not inexpensive. So let's say you invite someone from a general contracting firm and their spouse to grab some dinner and attend a baseball game. Likely, by the time you factor ticket pricing, cost of dinner, parking, a refreshment or two at the game, you have a \$500.00 evening or more! This is a huge expense for most subcontractors.

Another reason would be time management. All of us, including the General Contractors have reduced staffs and far less time post-recession than we had in the heyday of our construction era. I have several relationships with individuals of major General contracting firms who have stated that they love the ASA events due to the number of subcontractors present for them to interface with and they target these events. Time is a huge factor for them as well, quoting a couple of them "do you know how many ball games or other sporting events I get asked to that I have to turn down because there just is not enough time to do them all?"

We routinely strategize who from Kaiser Electric will be attending an ASA event due to the General Contractors who will be in attendance. The annual renewal amount for ASA considering all the member value and the example above, in my mind is priceless.

Sincerely,
Steven J. Giacin
President, Kaiser Electric
President, ASA MWC

**Syberg's on Dorsett
2430 Old Dorsett Road
Maryland Heights, MO**

Directions: Exit Highway 270 North at the Dorsett Exit.
Turn right and make a left onto Old Dorsett Road.



The Tom Owens Memorial Scholarship is 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.

**ASA MWC NEEDS YOUR HELP
Consider joining a committee.**

Membership

(Tom Woodcock/Jennifer Tichacek)

Programs *(Steve Albart)*

Golf *(Jeff Jordan, Don Aulph)*

Legislative *(Tim Thomas)*

Awards Gala

(Molly Spowal or Rick Swanson)

BBQ

(Kevin Douglas or Rick Williams)

GC Expo *(Tim Thomas)*

Safety *(Mike Sicking)*

Brand Development/PR *(AJ Ford)*

Technology *(Brett Hodson)*

Contract Review *(Dick Stockenberg)*

Most committees meet every 4 weeks except during event planning time.

AUGUST MONTHLY MEETING SYBERG'S ON DORSETT Wednesday, August 15th

ASA MWC invites you to bring a spouse or family member to the Wednesday, August 15th meeting. Our speaker for the evening will be Detective Tony Stewart with the Internet Crimes against Children Task Force.

Detective Stewart will cover some very important topics regarding internet safety, including basic internet safety, common mistakes made on social media, GEO tagging and texting safety. An important topic for your business and home life. Attendees under 21, only \$20 to attend meeting the meeting.

The meeting begins at 5:30pm with BPI beginning promptly at 5:45pm. The following general contractors will be discussed at BPI.

- AJ Brown
- ARCO
- Demien
- EM Harris
- Pernikoff

If you would like to add a general to the list, please contact Susan Winkelmann or fill out a request at the meeting. You must have a current BPI agreement on file to participate in BPI.

NEW LOCATION FOR SEPTEMBER 12th & NOVEMBER 14th MONTHLY ASA MWC MEMBERSHIP MEETINGS

We have a NEW "south" location for our ASA Monthly Meetings in September and November. Both meetings will be held at St Louis Soccer Park in Fenton. Soccer Park is located just off I-44 and 270.

The September Monthly meeting will be held on the 2nd Wednesday of September, which is September 12, 2012. The November Monthly meeting will also be moved to the 2nd Wednesday of November, November 14, 2012, due to the Thanksgiving holiday.

10th Annual Claybird Shoot Benefiting The ASA MWC PAC

The 10th Annual Claybird Tournament to benefit the ASA MWC PAC is scheduled for **Saturday, August 11, 2012.**

Join us at the Blackhawk Hunting Club at 8:00 am. The cost to participate is \$100 per person, lunch and beverages included. (does not include shells). Contact Susan Winkelmann for more details. Don't miss out!!

Monday, Oct 1, 2012

The 25th Annual ASA MWC Golf Tournament is scheduled for Monday, October 1, 2012. Norwood Hills Country Club is the location and the day promises to be a great event for all participants.

Watch your email, the ASA MWC website, www.asamidwest.com; and our Facebook and LinkedIn pages for more information.

STEVE JOBS AND SUBCONTRACTORS

Richard A. Stockenberg

rstockenberg@sandbergphoenix.com

To kill time while driving through Iowa on the way to and from Lake Minnetonka, MN, this summer, Jan and I decided to listen to the audio version of Walter Isaacson's biography of Steve Jobs, the founder of Apple, who is credited with revolutionizing six industries: personal computers, animated movies, music, phones, tablet computing and digital publishing. From his adoptive parents' garage, Jobs grew Apple into the world's most valuable company in spite of his arrogance, crudeness, bullying tactics, and not because of them.

Jobs's life was about the intersection of technology and creativity. He was full of superlatives, insults, but mostly intuition and passion. He saw the world as black or white. To him, products and thoughts were either the worst or the best in the world. Hyperbole on short notice was his specialty. His goal and passion were perfection, not profits. Profits were simply what allowed him to pursue his quest to build the perfect integrated product.

Jobs's business model was to control the entire product. He insisted on controlling the hardware, software and content of any Apple product. He did not believe the purchaser of the product should change the battery or even operate an on/off switch. Jobs actually designed special screws for the hardware that were not compatible with most screwdrivers.

This is a concept that is not commonplace in today's construction industry. While GCs may yell and think they are in control while attempting to require subs to coordinate their own work, they do not control the design, means and methods, scheduling, marketing, sales and packaging in the way Jobs did. For example, there are few firms that do both design and construction without forming a special purpose joint venture with someone else. Interestingly, GCs are performing less of their work and subs have become true specialty contractors. What would happen in the construction industry if GCs created new divisions within their companies? I wonder how the number of disputes would be reduced to mere intracompany squabbles, instead of litigation, if GCs owned and operated their own MEP divisions. Or, why have electrical subcontractors not been able to benefit from having their own people do walls and ceilings so they can control and coordinate the installation of all of the wiring running inside the walls and above the ceilings?

Jobs did not care which of his divisions got the credit for successes or which was the most profitable. His concern was how the product could be made perfect. With his goal being the best product they could create as a team, he pushed engineers and creators to their absolute limits forcing technology to intersect with the humanities and the liberal arts. Indeed, many of the engineers who worked on the first Macintosh were poets and musicians on the side.

He insisted on hiring (or at least retaining) only the brightest and best. Jobs did not accept "No."

His intuition told him what could be done and he cajoled people to go beyond what they thought possible. Isaacson reports that many of those whom Jobs publicly berated, years later said Jobs pushed them into doing work they never thought themselves capable of doing. But Jobs also allowed people to disagree with him. He just got to win the arguments – most of the time. Even when he was persuaded to change his mind, he did not admit it. Instead, the next day he would advance the thought as his own.

If people at Apple could not excel in both technology and the arts, Jobs at least wanted them to collaborate and interact with each other. This concept influenced the design of Apple's headquarters. Jobs believed that the design of a company's office helped define and reflect who the company is. Thus, when Apple designed and built its own building, Jobs characteristically took charge to assure there were common areas where all the disciplines were forced to meet and collaborate. He also wanted the building to be as uncluttered as possible reflecting the culture of the company – less is more. This belief system led to Jobs insisting that Apple minimize the number of devices it creates so that it can excel in what it does. His control led to simplicity because he believed that nature loves simplicity.

His genius was found in his intuition, not book smarts. He never used market research. Instead, his belief was like that of Henry Ford. It was up to Jobs to tell the people what they want, not vice versa. He recalled that Henry Ford said that if Ford had asked the people what they wanted, they would have said, "A faster horse." Jobs was the creator who showed the public what they wanted and then he built it for them. Query: Should subcontractors take "value engineering" to a higher level and increase their leadership by challenging and offering new ideas and solutions?

There are some lessons: It is good to surround yourself with the best people you can hire, but always keep challenging them. If you produce the best product or service, profits will follow. Exercise control. It is essential to have a succession plan. If you have cancer, it is not smart to ignore the advice of your medical team. Jobs thought he could make his cancer go away because of his vegetarian diet and strong will. It is poignantly sad that Jobs thought he had to ask Isaacson to write his biography so that Job's kids would get to know him after he died.

For Jan and I, the ride home through Iowa was like the ride to Minnesota, that is, anything but boring as we listened to Isaacson's treatment of Jobs. Throughout the book Isaacson dwelled on Jobs's quest for control, but at the end he also noted that Jobs at no time made any effort to control the content of the book. If you have time left in your summer for a good book filled with nuggets, I recommend this one. If not, put it on your Christmas list.

Thank you to the following companies for their donation of St. Louis Cardinals tickets for this year's *Ticket for the Troops*.

Without your generosity this program would not be possible.

THANK YOU Tom McDonnell, George McDonnell & Sons for creating and executing this important program!

Affton Fabricating & Welding
AHM Financial Group, Inc.
Air Masters
American Steel Fabrication
ARCO Construction
Bazan Painting Company
Briner Electric Company
C & B Paving, Inc.
Central Stone Company
Clayco Construction
Dawson Dodd Heating & Cooling
ELCO Chevrolet Cadillac
Fabick
Fast Track Erectors
Fred Luth & Sons, Inc

George McDonnell & Sons, Inc.
Goedecke Company
Grant Contracting
Hammer Steel Inc.
Heitkamp Masonry
Helmkamp Construction Company
Irwin Products
J.D. Kutter Insurance Associates
JDS Masonry, Inc.
J.W. Terrill
KCI Construction, Inc.
Kohrs Truck & Auto Repair
Liberty Surety First
Mays-Maune-McWard, Inc.
Metzger McGuire
Montgomery Bank
O'Donnell Bonebrake & Company
Oreo & Botta Concrete Company
P & A Drywall Supply
RubinBrown
Sachs Electric
St. Louis Composting
Silver Eagle
Superior Waterproofing & Restoration
Thomas Industrial Coating
United Rentals
Volvo Rents
West Contracting

THANK YOU

to the following member companies that attended the July Business Meeting:

| | | | |
|---------------------------------------|------------------------------------|------------------------------------|----------------------------------|
| <i>AME Constructors</i> | <i>Cabinet Masters</i> | <i>George McDonnell & Sons</i> | <i>National Fire Suppression</i> |
| <i>AHM Financial</i> | <i>Cee Kay Supply</i> | <i>Greensfelder, Hemker &</i> | <i>Parkway Construction Svcs</i> |
| <i>Air Masters/Gateway Mech.</i> | <i>Common Sense Solutions</i> | <i>Gale</i> | <i>Premier Rentals</i> |
| <i>American Burglary & Fire</i> | <i>CORT</i> | <i>Interstate Trenching</i> | <i>RubinBrown LLP</i> |
| <i>American Steel</i> | <i>Duct Systems</i> | <i>Irwin Products</i> | <i>Sachs Electric</i> |
| <i>Fabrication</i> | <i>Ductz of West St. Louis</i> | <i>J.D. Kutter Insurance Assoc</i> | <i>Safety International</i> |
| <i>American Trailer & Storage</i> | <i>ELCO Chevrolet Cadillac</i> | <i>J. W. Bommarito Construc.</i> | <i>Satellite Shelters</i> |
| <i>Bazan Painting Company</i> | <i>Energy Petroleum Co.</i> | <i>Johnson Controls</i> | <i>Sandberg, Phoenix &</i> |
| <i>Berkley Surety Group</i> | <i>Enterprise Bank & Trust</i> | <i>KA Pazdera</i> | <i>von Gontard</i> |
| <i>Briner Electric</i> | <i>Envirotech Inc.</i> | <i>K & K Supply</i> | <i>Seal the Deal</i> |
| <i>Budrovich Contracting</i> | <i>Fabick</i> | <i>Kaiser Electric</i> | <i>Signature Craft</i> |
| <i>CE Jarrell Contracting</i> | <i>Firestone</i> | <i>Liberty Mutual Surety</i> | <i>St. Louis CNR</i> |
| <i>CNA Surety</i> | <i>Freeman Contracting</i> | <i>Midwest Hauling</i> | <i>Steamatic of St. Louis</i> |
| <i>C & R Mechanical</i> | <i>Frost</i> | <i>Montgomery Bank</i> | <i>UHY Advisors</i> |
| | | | <i>United Rentals</i> |
| | | | <i>Wiegmann Associates</i> |



Commercial Division

West County Nissan in Ballwin, MO, is pleased to bring Nissan's commercial vehicle expertise to business owners in our local community, Nissan's all-new NV van benefits from their coverage of more than **75 percent** of the global commercial vehicle market, and **75 total years** of experience. Wrap all of that together, add a generous splash of advanced engineering and technology, garnish with practical utility and you've got the brand new 2012 Nissan NV lineup.

West County Nissan is dedicated to help keep businesses on the move with the right equipment.

By choosing **West County Nissan** to build your fleet, you will not only get superior sales and service but you will also receive the following benefits:

- Managed & Automated Maintenance Services by your Personal Service Manager

- 24 Hour Emergency Towing Service with Loaners Available with Major Services
- Professional Needs Based and Solution Oriented Sales Staff To Build your Fleet

West County Nissan feels if you need one commercial van or truck for a sole proprietorship small business or a fleet of vans and trucks for a large corporation, you will find the Nissan Commercial Vehicles to be the right choice for your business.

Go to **www.westcountynissan.com** where you will find everything you need to know about our dealership and our commercial vehicles: from New Nissan prices and specs to current offers and incentives; from online finances application to an online services scheduler.

At **West County Nissan**, we are your one-stop-shop for all-things relating to Nissan commercial vans and trucks. Call one of our commercial vehicles managers today to set up an appointment at 636-394-0330. **West County Nissan** is conveniently located at 14747 Manchester Rd, just 1 mile west of highway 141 on Manchester Road in Ballwin, MO.

ASA-Midwest Council Monthly Meeting Schedule 2012

**NOTE CHANGE OF VENUE FOR
THE SEPTEMBER & NOVEMBER MTGS**

August 15, 2012
Syberg's on Dorsett

September 12, 2012
Soccer Park-Fenton

October 17, 2012
Syberg's on Dorsett

November 14, 2012
Soccer Park-Fenton

December 19, 2012
Syberg's on Dorsett-Casino Night



Monday, October 1, 2012

Norwood Hills Country Club

11:30 a.m. Tee Time

Reservations Required

25th Annual

ASA MIDWEST COUNCIL GOLF TOURNAMENT

Registration Includes:

- Attendance Prizes
- Greens Fees
- Golf Cart
- Lunch
- Course Beverages
- Dinner
- Cocktails
- Live & Silent Auction

Contact Susan Winkelmann 314-845-0855
asamidwest.com or susan@asamidwest.com



REGISTER TODAY!

\$1180 per foursome
(includes skins, mulligans, eagle challenge & putting contest)

Shoot Out Contest is \$20 per person, limited to 50 golfers

NEW COURSE GAMES THIS YEAR

BALLZOOKA
BREAK THE GLASS
SCATTER THE FLAGS

Sponsorships available, visit www.asamidwest.com for additional details



Steve Giacin, Kaiser Electric, ASA MWC President; Nikki Strong, Strong Consulting Group; Missouri State Representative Don Gosen; Tim Thomas, American Steel Fabrication, ASA MWC Past President.

Representative Don Gosen spoke to over 80 ASA members at the July 15th ASA Monthly Business Meeting at Syberg's on Dorsett. Rep Gosen gave an overview of the Additional Insured Bill (HB 1113), which he has sponsored in the Missouri House of Representatives.

ASA MWC EVENTS

PAC Claybird Shoot August 11, 2012

Golf Tournament October 1, 2012

GC Luncheon October 10, 2012

Casino Night December 19, 2012

Meet the GC Expo-January 23, 2013

Awards Gala April 13, 2013

King of BBQ June 19, 2013

July was a busy month of with legislators running in the August primary making their last efforts campaigning to secure a primary win on August 7. In addition, the Governor's deadline for signing or vetoing bills was July 14; therefore the first half of July was filled with the news of bill signings and vetoes.

The Constitutional deadline for the Governor to sign or veto bills passed by the legislature was July 14. If the Governor did not sign a bill or did not veto a bill, the bill simply became law. This year the Governor signed 98 bills, vetoed 12 bills and allowed one bill to become law without signage or a veto. During the legislative session, the Governor vetoed a bill that dealt with Workers' Compensation which impacted many including those in the construction industry. After the Governor vetoed the bill, the legislature worked with the Governor and other interested parties to pass HB1540 dealing with this same issue. The Governor signed that bill on July 10. As you may recall HB1540 specifies that an employee subject to workers' compensation provisions must be released from all liability for personal injury or death to a co-employee due to an accident or occupational disease. Another bill signed by the Governor that impacted the construction industry was HB1280 also signed on July 10. This bill establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer.

For a full list of all bills signed, vetoed or simply allowed to become law, please log onto <http://governor.mo.gov/actions/index.php>.

As I stated above the month of July has been a busy one with candidates campaigning in anticipation of the August Primary races. Due to re-districting there seem to be more important and controversial primary races this year than in years past. The Primary Election will be held on Tuesday, August 7. There are several important State Senate races that will be decided during the August primary. In the St. Louis area, Senate District 5 is up for grabs in a three-way primary between incumbent Robin Wright-Jones,

Rep. Jamilah Nasheed and Rep. Jeanette Mott-Oxford. In addition to this race, there are four other very heated State Senate races across the state that will be decided by the August Primary Election.

In addition to the State Senate races, another very tight and heated race is the Republican Primary race which will determine who the Republican candidate is that will run against U.S. Senator Claire McCaskill in November to represent the State in Washington. This very tight three way primary race is between former State Treasurer and State Senator, Sarah Steelman, current U.S. Representative Todd Akin and businessman John Brunner. As I stated above the winner of this race will take on Claire McCaskill in the November General Election which has already been predicted to be a tough race for Senator McCaskill regardless of who her opponent will be.

The primary election will also determine who the State's Lt. Governor will be. Current Lt. Governor Peter Kinder is being challenged by Republican Sen. Brad Lager. If Lager wins he will be the new Lt. Governor. If he loses, he will go back to the Senate and finish out his remaining 2 years as a Senator for his Northwest Missouri district. The two have run very negative campaigns for several weeks now and it will be interesting to see the outcome of this race.

Finally, I would like to encourage everyone to attend and support the ASA Claybird Shoot on Saturday, August 11. The event is always a great time and it is ASA's largest PAC fundraiser of the year! Contact Susan Winkelmann at the ASA office to register. Nikki Strong.

Is your company interested in being **featured**
in the **ASA Newsletter**?

We offer a free half page article
each month to our members.

It is free and easy to participate in our
Member Spotlight
Vendor Spotlight
ASA Soundbite

Contact Susan to submit an article for an
upcoming ASA Newsletter.
susan@asamidwest.com

If you think hiring a professional is expensive...

Wasting money AND wondering where
your equipment is? For years, our free
transportation and storage services have
been helping project managers sleep
better at night.



wait until you hire an amateur.



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PROFESSIONAL

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.

GOLF

The 25th annual ASA MWC Golf Tournament will be held on Monday, October 1, 2012. \$1180 per foursome, which includes your skins, mulligans, eagle challenge and putting contest.

New this year will be a number of "course games" to add to the ASA MWC fun. If you are interested in being a sponsor or would like to register a foursome, please contact Susan Winkelmann or co chairs Jeff Jordan or Don Aulph. Visit www.asamidwest.com for additional information..

We are still looking for volunteers for October 1st, let us know if you can help that day.

MEMBERSHIP

We are pleased to announce the appointment of Jennifer Tichacek with C & R Mechanical as the new co-chair of the ASA MWC Membership committee.

It is dues renewal time and time to solidify your ASA membership for the coming year. As always there are a ton of seminars, meetings and networking events on the schedule for 2012-13. There are many benefits of your ASA membership, don't miss out, renew today.

If you have any questions, feel free to contact the membership committee co chairs.
Tom Woodcock, Seal the Deal.
Jennifer Tichacek, C & R Mechanical

PROGRAMS

The program committee is busy planning ASA programming for fiscal year 2012-13. If you have suggestions or comments feel free to contact Steve Albart or Susan Winkelmann.

Upcoming meeting topics:

| | |
|-----------|-----------------------------------|
| August | Internet Safety |
| September | OSHA |
| October | Rivers, Roads, Railways & Runways |
| November | Workman's Comp |

SAFETY

The safety committee is open to all ASA members and meets the last Tuesday of the month at 4:00pm at Helen Fitzgerald's restaurant on South Lindbergh. New members are always welcome. If you are interested, contact Mike Sicking, Safety International, 314 486-3141.

CONTRACT REVIEW

The Contract Review committee has completed its review of the CBRE Service Contract. (Previously we reviewed CBRE's Master Independent Contractor's Agreement "C"). Next up will be the subcontract of Wright Construction Services of Chesterfield.

The committee meets monthly at the offices of Sandberg, Phoenix & von Gontard. For copies of subcontracts reviewed by the committee contact Susan Winkelmann.

Dick Stockenberg, Sandberg, Phoenix & von Gontard.

ASA Meeting Sponsor Opportunity

Highlight your company at an upcoming ASA Monthly Meeting

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

What do you get for \$250 ?

Full Color Sponsor featured on the 11x 17" placemat.

*Announcement at Meeting.
Slide in Meeting Presentation.
Recognition in Newsletter.*

Contact Susan Winkelmann
susan@asamidwest.com
314 845-0855

**Have an Ethics Program?
You're a Prime Candidate for
ASA's Excellence in Ethics Certificate**

Both private and public owners are increasingly requiring contractors and subcontractors to implement ethics codes and/or training programs. Federal government regulations, for example, require contractors and subcontractors working under federal contracts over \$5 million and lasting more than 120 days to implement a Contractor Code of Business Ethics and Conduct.

If your firm has implemented, or is in the process of developing, an ethics code or training program, it is in a favorable position to apply for the ASA Excellence in Ethics Certificate, which requires applicants to submit documentation of their ethics programs. Applications for ASA's 2012 certificate are due Dec. 7, 2012. The certificate is a great way to demonstrate your company's commitment to ethics and differentiate itself from the competition.

Learn more and download an application form under "Education and Events" at www.asaonline.com.

SAVE THE DATE

Take advantage of special rates and [reserve](#) your room at Planet Hollywood Resort and Casino in Las Vegas, Nev., for the ASA Business Forum and Convention 2013. Business Forum participants who stay at Planet Hollywood receive a \$400 discount off their convention registration fees and enjoy a discounted room rate of \$149 plus tax per night. The discounted room rate is available only through Feb. 19, 2013.

The Business Forum, which is set for March 21-23, 2013, is ASA's flagship national education and networking event. The convention will offer dozens of educational sessions designed to help construction subcontractors manage their businesses, as well as a GC Expo and other special events.

Planet Hollywood boasts luxurious accommodations, world-class shopping, gourmet dining, three acres of gaming action, a European spa, a designer pool, and perhaps the hottest nightlife on the Vegas Strip.

Visit the ASA Web site, www.asaonline.com, and click on "Register for an Event" to register and reserve your room.

**Take Your Leadership Skills to a
New Level at
ASA Champions Academy 2012**

You've taken the most important step toward becoming a leader in the construction industry — you joined ASA! The next step is to hone your leadership skills through continuing education at the ASA Champions Academy 2012.

Set for Sept. 15-18 at the luxurious Hilton Alexandria Old Town in Alexandria, Va., the Academy is designed to help you take your success as a leader to a new level, giving you deeper insights into what being part of "Team ASA" can mean for you and tapping your leadership potential.

The Academy features education workshops to help you achieve your chapter's government advocacy, membership and communications goals. For example, in the workshop "How to Plan a Chapter Legislative Initiative," you'll learn how to plan and execute an effective and successful legislative initiative.

In "Marketing Chapter Value With a Membership Benefits Statement," you'll discover how to market your chapter's value with tangible benefits for your prospects.

And, in "Focusing Your Chapter's Social Media Efforts," you'll learn which social media tools work best to accomplish your chapter's goals.

Learn more about these and other education Academy workshops under "Register for an Event" on the ASA Web site, www.asaonline.com. Register and reserve your sleeping room by Aug. 15, 2012, for special ASA early-bird rates.

What do you know about OSHA's Whistle Blower Protection Act?

Mike Sicking, Safety International, LLC

There has been a lot of press recently in the OSHA and private industries circles lately about the OSHA whistle blower protection act. OSHA has recently established an advisory committee to make recommendations on ways to strengthen the act and enforce the intent of the regulation. I think the name certainly is very self exclamatory, but what exactly are they enforcing and in what circumstances. I will attempt to extricate some of the intent and relay that to you in this article. The background is this:

The OSHA Act prohibits employers from discriminating against their employees for exercising their rights under the OSH Act. These rights include filing an OSHA complaint, participating in an inspection or talking to an inspector, seeking access to employer exposure and injury records, and raising a safety or health complaint with the employer. If workers have been retaliated or discriminated against for exercising their rights, they must file a complaint with OSHA within 30 days of the alleged adverse action.

If you as the employer want to stay out of trouble with OSHA and also a possible civil litigation proceeding here is what you must avoid, whether knowingly or unknowingly, ask yourself have I committed one of the following offenses?

- ✦ Blacklisting
- ✦ Demoting
- ✦ Denying overtime or promotion
- ✦ Disciplining
- ✦ Denial of benefits
- ✦ Failure to hire or rehire
- ✦ Intimidation Firing or laying off
- ✦ Making threats
- ✦ Reassignment affecting prospects for promotion
- ✦ Reducing pay or hours

There are certain activities protected by law that you as an employer must tolerate and not interfere with an employee:

- Initiating a proceeding under, or for the enforcement of, any of these statutes, or causing such a proceeding to be initiated;
- Testifying in any such proceeding;
- Assisting or participating in any such proceeding or in any other action to carry out the purposes of these statutes; or
- Complaining about a violation.

Many of the statutes specifically protect an employee's internal complaints to his or her employer, and it is the Department of Labor's position, as set forth in regulations, that employees who express safety or quality assurance concerns internally to their employers are protected under all of the whistleblower statutes administered by OSHA. Any employee who believes that he or she has been discriminated or retaliated against in violation of any of the statutes listed above may file a complaint with OSHA. Complaints must be filed within 30 days after the occurrence of the alleged violation under the OSH Act.

There no doubt will be amendments to the policy that is already in place. It is your job as an employer to stay on top of these amendments to best protect the rights of your workers and the continued health of your business.

As always, if you have any questions please feel free to contact me at any time.

Stay Safe!

Michael Sicking, Safety International, LLC

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 \$300/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

ASSOCIATION PARTNERSHIPS:

Mason Contractors Assoc.(MCA)

Contact Pam Holway
or David Gillick
(314) 645-1966



Next Meeting: September 4, 2012
www.masonrystlouis.com

American Society of Professional Estimators (ASPE)



Contact Mindy Funk or
Cyndi Walker
(314) 596-7695 or
(314) 781-1422

www.stlouis-aspe.org

SECURA Partnership

Secura Insurance offers broad comprehensive coverage at competitive rates for:

Property, Commercial General Liability, Inland Marine, Crime, Commercial Auto, Workers' Compensation, and Commercial Umbrella Liability

Members receive a 5% discount on commercial insurance package premium: Property, General Liability, Inland Marine (equipment) and Crime and ASA receives a 1% expense reimbursement PLUS 1% additional if annual loss ratio is 45% or less.



Call any Secura agent for details.

Notice of Dues Renewal

Dues Renewal notices were mailed in June. The renewal rate for the 2012-13 year is \$845

The ASA's fiscal year runs from July 1 through June 30, so your dues will be billed at a pro rated amount for your first FULL year, if you joined during the middle of the 2011-12 year.

When you receive your invoice, please contact Susan Winkelmann with any questions. susan@asamidwest.com or 314 845-0855

