



# Scene *...in a flash*

5905 Golden Valley Road, Suite 110 • Minneapolis, MN 55422  
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**July 2010, Vol. XVII, No. 7**

**Friday, September 10, 2010**  
 NLA Investment Committee Meeting  
 NLA Executive Committee Meeting  
 Lake Okoboji, Iowa

**Friday, September 11, 2010**  
 NLA & NLI Board Meeting  
 Lake Okoboji, Iowa

**Tuesday, September 21, 2010**  
 1:00 pm  
 Iowa Fall Golf Outing  
 Lake Panorama National Golf Course  
 Panora, Iowa

**Wednesday, September 22, 2010**  
 1:00 pm  
 Nebraska Fall Golf Outing  
 Indian Head Country Club  
 Grand Island, Nebraska

**Thursday, September 23, 2010**  
 9:00 am  
 Nebraska Sporting Clay  
 Heartland Shooting Park  
 Grand Island, Nebraska

### Routing Slip

Pass this around to others in your company for their information.

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## Elections Fast Approaching

At the mid-point of the upcoming election, there are some very interesting, contested races across the country. In Illinois, for example, a debate about trustworthiness has put both parties in the spotlight in the contest to replace appointee Sen. Roland Burris (D). Democrats had a complicated primary in early February, won by state treasurer Alexi Giannoullias, who has been forced to defend his tenure at a collapsed

family banking enterprise. Republicans nominated Rep. Mark Kirk (R 10), who apologized for mischaracterizing his military record.

If you are interested in learning more, subscribe to the free LudPAC updates at this web site: <http://www.lat.org/files/NLBMDA-E-Update-062810.pdf>. LudPAC is the national political action committee for our industry.

## New Postings if You Have Federal Government Contract

The Department of Labor issued its final regulations implementing Executive Order 13496, *Notification of Employee Rights Under Federal Labor Law*, in late May. Executive Order 13496 requires that employers with Federal government contracts valued in excess of \$100,000 post a notice at worksites where activities "related to" the performance of the contract are performed. The notice sets forth details regarding the right of employees to unionize. Subcontractors who perform work "necessary to" the primary contract are also required to post the notice.

THE AFFIRMATIVE ACTION CONTEXT – IT IS MORE EXPANSIVE.

Covered employers who do not post a notice may lose individual contracts or be debarred from all Federal contracts.

The law firm of Jackson Lewis has prepared a comprehensive Special Report to answer employers' questions and provide guidance regarding the new posting requirements. The Special Report may be accessed here: [http://www.jacksonlewis.com/events/pdf/Cont\\_Oblig\\_SR.pdf](http://www.jacksonlewis.com/events/pdf/Cont_Oblig_SR.pdf).

Employers are required to comply with the new posting requirements upon the execution of a covered federal contract solicited after June 21, 2010. NOTE THE DEFINITION OF FEDERAL CONTRACTOR IS NOT THE SAME AS IN

If you have any questions about the Final Regulations implementing Executive Order 13496, please feel free to contact Jonathan Spitz at Jackson Lewis's Atlanta office at (404) 525-8200.

## NLA Elections

Ballots for the election of new board members for the Northwestern Lumber Association will be distributed by August 6th. Please complete your ballot and fax

it by August 13<sup>th</sup> to (763) 595-4060 or mail it to the NLA office postmarked August 13<sup>th</sup>. Thank you!

## NLA Sponsors Lead RRP Certification Training with ComplyAbility

The EPA has delayed enforcement of the new Lead RRP Certification requirements. Remodelers, renovators and painters must be enrolled in a Lead Safe course by **September 30, 2010** and must complete it by **December 31, 2010** to avoid heavy fines by the EPA.

NLA is working with ComplyAbility (based out of Kansas) to offer LeadSafeOnline, a combination online and hands-on training that leads to certification. LeadSafeOnline has been approved by EPA and all states in the NLA area, including Wisconsin. The first 6 hours of training are taken online at a time convenient for the student. After completing the online section, the student must take 2 hours of hands-on, in-person training.

NLA is sponsoring the in-person training. There will be 2-hour sessions in eastern Iowa, the Des Moines area, and the Omaha area in early December. There will also be hands-on sessions at the Northwestern Building Products Expo on January 11, 2011. Since we expect business to be slow between the end of December and January 11, the Expo sessions will be timely for most people.

Wisconsin participants may wish to consider taking the hands-on training in eastern Iowa or at Expo.

It will be up to our dealer members to let their customers know about this opportunity and to get their own employees enrolled. NLA and ComplyAbility have developed a flyer that you can distribute by mail, email, fax or in person to your customers. Duplicating and distributing this material and talking to your customers will be the only expense and effort needed from our members. NLA will pick up the cost of setting up the hands-on sessions and paying the trainers' travel costs.

A flyer will be distributed to you and posted on our web site to give you more information about the training and how to register online. The flyer will include NLA's special codes for a discounted rate of only \$175 for the complete training. Please watch for emails, links to the materials, faxes and letters that will include more details. In the meantime, contact Suzanne Lechtman by email at [slechtman@nlassn.org](mailto:slechtman@nlassn.org) or call (800) 469-8744 for more information.

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## Introducing Federated's Shield Network<sup>SM</sup> One-Stop Online Resource Library Available to Federated Clients Includes New "Drug and Alcohol Free Workplace Program"

Federated Mutual Insurance Company announces the development of Federated's Shield Network<sup>SM</sup>—an online risk management resource for our clients. It is designed as a one-stop source that offers our clients 24/7 access to risk management services and materials using the convenience and efficiency of the Internet. It offers access to Federated brochures, forms, signs, multimedia, and support, as well as a gateway to services provided by vendor partners who specialize in disaster planning, employment-related practices, employee screening, and employee training.

Federated's Shield Network devotes an entire section to our new Drug and Alcohol Free Workplace Program with tools and materials to make implementation of a program simple and cost-effective. It offers help for either workplace or Department of Transportation programs, including policy statements, employee

communications, training materials for employees and supervisors, instant testing devices, a laboratory network, and even legal consultation. A DVD is also available that helps impress the importance of dealing with this risk.

Federated's Shield Network serves as an enhancement, not a replacement, for the personalized service our clients currently receive from their local marketing representatives and risk consultants. It is another value-added advantage that supports our goal to help create risk management programs that are tailored to meet the individual needs of our clients.

Property and Casualty insureds can access Federated's Shield Network through their web site at [www.federatedinsurance.com](http://www.federatedinsurance.com). For questions or assistance, contact Bill Daly at (800) 533-0472.

## Fall Special Events

### Panora, IA

**GOLF** - Tuesday, September 21<sup>st</sup>, 2010. Enjoy 18 holes at the Lake Panorama National Golf Course with your friends, colleagues, and coworkers. The scramble starts at 1:00 PM and will be followed by a BBQ by the lake.

### Grand Island, NE

**GOLF** - Wednesday, September 22, 2010. Join your colleagues, coworkers, and friends for the 9 hole Nebraska Fall Golf Outing at the Indianhead Golf Course. Tee times begin at 2:30 PM. Following golf, we will include a fabulous burger buffet.

### GRAND ISLAND PRE-SHOOT DINNER

— Wednesday, September 22 - If you don't golf and plan to arrive by 6:00 PM on the 22nd for the sporting clay event on the 23<sup>rd</sup>, please join us for the burger buffet at the Indianhead Golf Course. It's only \$20.00 and will give you a chance to catch up with your friends before the shoot.

### GRAND ISLAND CLAY SHOOT

- Bring your shotgun(s) to Heartland Public Shooting Park on Thursday, September 23<sup>rd</sup> for the Nebraska Sporting Clay shoot. This 100 target event will begin at 9:00 AM with lunch to follow. Coffee and rolls will be served before the shoot begins.

For those of you who have access to a computer, you may download registration forms from our web site at [www.nlassn.org](http://www.nlassn.org) and click on Special Events. You may also contact Guy at (800) 896-5140 or (612) 839-7288 for more information. We will include a form in a special mailing for members who don't have access to a computer.

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## Merritt joins NLA Staff

Susan Merritt has joined the NLA staff as Director of Conventions and Tours. Her background in special event planning and exhibitor trade show management will provide the necessary experience to manage NLA's three, soon to be four, trade shows plus our annual mill tour. Her direct dial number is (763)594-4058/ (800)896-5134 and her email address is [smerritt@nlassn.org](mailto:smerritt@nlassn.org).

## NLBMDA Applauds Congressional Passage of Swipe Fee Fix

The National Lumber and Building Material Dealers Association (NLBMDA) applauded the inclusion of the swipe fee fix in the recently-passed financial services reform bill.

The provision represents a major victory for retailers and consumers alike as it will require credit card companies to set fees for debit cards that are "reasonable and proportional" to the cost of processing transactions. It also allows for retailers to set minimum purchase amounts for credit cards of up to \$10, and it allows retailers to offer incentives for customers to use cheaper forms of payment -- such as cash or pin-based debit cards.

The swipe fee fix would give the Federal Reserve authority to cap the debit card swipe fees and requires that they be "reasonable and proportional" to the actual cost incurred. Analysts expect that change to reduce fees to less than half of their current rates.

The bill -- H.R. 4173, Restoring American Financial Stability Act of 2010 -- which includes the swipe fee fix amendment sponsored by Senate Majority Whip Richard Durbin, D-Ill., was passed in the Senate by a vote of 60-39. H.R. 4173 passed the House on June 30. It now heads to President Obama's desk for his signature to become law.

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## OSHA Adopts NLBMDA Changes in Final Crane Rule

*"At a time when the building material industry is facing extreme economic conditions, I am very pleased that NLBMDA (National Lumber and Building Material Dealer Association) was able to help influence the language in the final OSHA Crane Rule that will effectively exempt dealers from having to comply with the costly requirements for almost all building material deliveries utilizing articulating boom cranes,"* said NLBMDA Regulatory Affairs Committee Chair, Chris Yenrick, COO of Smith Phillips Building Supply in Winston-Salem, NC. *"This major accomplishment could not have been achieved without the expertise of NLBMDA's staff and members, with special thanks to Frank Moore, NLBMDA Regulatory Counsel, and Patrick Mossie, Safety/Fleet Manager for Pro-Build, who provided expert testimony at OSHA's hearings on this issue."*

Without this exemption, articulating/knuckle-boom trucks would have been subject to the same requirements as tower cranes and other large equipment, including crane operator certification, training, site assessment and inspections, fall protection and an additional signal person on site, among others. The rule has been under development since 2003.

*"OSHA's proposed crane rule had the potential to dramatically impact how LBM dealers deliver materials to jobsites, increase costs per dealer by the thousands and subject them to onerous certification and training requirements,"* said NLBMDA Chairman Dan Fesler, CEO of Lampert's in St. Paul, MN.

For more information on the OSHA Crane Rule, visit [www.osha.gov/cranes-derricks](http://www.osha.gov/cranes-derricks).

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## Ken Wilbanks Facilitates NLA Roundtable

This year's roundtable participants have told us what a great experience the annual roundtable has been for them personally and for their business. This year the roundtable experience will take participants to a new level of intensity. Think of it as an executive level retreat for time of looking deep into your business for discovering what works and what does not.

Our new roundtable facilitator, Ken Wilbanks, places great emphasis on

operations, strategies to improve from your current financial position, and executive managerial skills. *"I coach the coaches,"* says Ken, *"to motivate them, encourage them and fine tune their skills. If the owners/coaches are not motivated, how will their employees?"*

The deadline to register for the October 20-22 roundtable is fast approaching. Contact Suzanne at 800-469-8744 for the details.

## OSHA Offers Valuable Information on Compliance

In a recent conversation, OSHA representatives have offered some valuable information regarding state and federal compliance. One representative noted, *"OSHA is currently focusing their efforts"* on the lumber industry and has been making several stops at lumber yards, saw mills and woodworking operations to ensure proper compliance with state and federal regulations. These visits will be a continual focus for the remainder of the year.

OSHA and NLA recommend continual updating of any/all OSHA materials. The following are helpful resources to assist in your efforts:

### Iowa Occupational Safety & Health – Division of Labor

Phone: (515) 242-5870

Website: <http://www.iowaworkforce.org/labor/iosh/>

### Minnesota Department of Labor & Industry

Phone: 1-800-DIAL-DLI

Website: <http://www.dli.mn.gov/OSHA>

### Nebraska Workforce Development

Phone: (402) 471-4717

Website: <http://www.osha.gov/>

### North Dakota & South Dakota OSHA Office

Phone: (701) 250-4521

Website: <http://www.osha.gov/>

### Wisconsin Department of Workforce Development

Phone: (608) 441-5388

Website: <http://www.osha.gov/>

### Let NLA Help!

NLA provides OSHA & DOT Manuals containing General Safety Programs, Workers Compensation, Fleet Safety, Emergency Plans and Personal Protective Equipment/Preventative Programs. Contact Amber at (763) 544-5822 or (888) 544-5822 for more information.

# 2010 NLA ROUNDTABLE REGISTRATION FORM

Name \_\_\_\_\_ Company \_\_\_\_\_

Address (street &/or PO number) \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

- I would like to attend the NLA Roundtable session scheduled for Wednesday, October 20 – Friday, October 22, 2010

**There is only one rule relating to attendance – competitors cannot attend the same meeting. Priority will be given based on the date this form is received.**

- Enclosed is a check for \$300 (payable to Northwestern Lumber Association) for enrollment in Building Materials Operations Comparison (BMOC) and to serve as deposit for the Roundtable.
- Charge \$300 to my Credit Card (circle one)    MasterCard    Visa

**DEADLINE EXTENDED  
RESPOND BY AUGUST 20**

## Credit Card Information

Name on card \_\_\_\_\_

Signature \_\_\_\_\_

Account number \_\_\_\_\_

Expiration date \_\_\_\_\_ Security code (back of card) \_\_\_\_\_

Please return form with payment to Northwestern Lumber Association, 5905 Golden Valley Road, Suite 110, Minneapolis, MN 55422, or fax to (763) 595-4060. For further information contact Suzanne Lechtman at (763) 595-4050 or (800) 469-8744.



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