



TENNESSEE ASSOCIATION OF ROOFING CONTRACTORS

THE VOICE OF LICENSED PROFESSIONAL
ROOFING CONTRACTORS

TARC Newsletter

Winter Edition 2016

PRESIDENT'S CORNER

By Robert Smith, Jr., TARC President

It seems like I just wrote an article about the summer being over and football just beginning. Wow has time flown by! The holidays have come upon us and TARC events are just around the corner. As I write this, the Thanksgiving turkey is in the oven. As we plan our events around the Christmas season, let's remember to plan for TARC's upcoming events as well!

As the season ends, a new begins. And with it, TARC's 2017 dues will be going out sometime in Mid-January. They will remain the same price for 2017 and will be due by Jan. 31. TARC is planning on sending out a membership recruitment letter to all Licensed Roofing Contractors who are not members. If you know of those who are not members, be sure to share our membership marketing materials with them and invite them to our upcoming Mid-Winter Meeting in Brentwood.



Our Mid-Winter Meeting will be on Friday, Jan. 13, 2017 at the Four Points by Sheraton in Brentwood, TN. The Associate Member's meeting and Board Meeting will be on Saturday, Jan. 14. On Friday, will have a full line-up of speakers who will present us with some very interesting topics, such as aerial imagery estimating, TOSHA updates for roofers, what to expect as a business owner with the election results, contractual issues and insurance, and a special workshop by the Dale Carnegie Institute of Learning. The ladies are planning a Spa and Wine party, so there is something in it for them!

NRCA's Proforeman Class will also be on Friday, Jan. 2017 at the Four Points by Sheraton. The class will run in a breakout room and will break with us for a shared lunch! We really need your support for this class. Please get your people signed up now and make it a point to contact as many people as possible and invite them to send their Foreman! We cannot have the level II class without completion of this class.

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This year has flown by for me. I hope everyone has had a great year!
Have a safe and happy holiday season!

Robert Smith, Jr.
TARC President, 2016-2017

Shooting for Scholarships: TARC's Fall Skeet Shoot



In October, TARC tried our hand in skeet shooting in Charleston, Tennessee at the Benton Sporting Clays facility. To change things up, Mitch Watson of CRS Supply, Chattanooga, and Todd Hartman of Larimer Shannon Group, put together an outdoor vendor's exhibit for each of the shooting range stations. TARC saw over 75 participants during the event!

"I feel that it was a really successful event!" Mitch said, "We had people participate that haven't been to

a TARC event in years! I think too that the vendor stations allowed time for the Associates to mingle and get to know the Licensed Contractors, an important aspect to our association right now."

The event sold out on all sponsorships and brought in around \$1,500 in scholarship money, and just over \$6,000 in profits. A board meeting was held in the clubhouse



prior to the shoot followed by a barbeque lunch, sponsored by the Larimer Shannon Group. Todd Hartman brought in his crafted horse trailer/smoker and prepared all of the food. The event finished up with \$1500 worth of prizes given away to lucky ticket holders. Among the items given away included a rifle, a kayak and several Yeti coolers.



MARKET UPDATE

NRCA Action Alert: Oppose OSHA Regulatory Overreach on Drug Testing Policy

The NRCA is working with members of Congress to mitigate OSHA's regulatory overreach with respect to its "Improve Tracking of Workplace Injuries and Illnesses" regulation. The agency is attempting to ban mandatory post-accident drug testing, which is used by many roofing contractors to promote a safe workplace. NRCA urges you to immediately contact your representative to help generate opposition in Congress to OSHA's new policy, which is detrimental to workplace safety.

In May, OSHA published its final regulation to

records electronically to the agency so such records can be posted online for public inspection. NRCA opposed this regulation for a variety of reasons and testified before the House Workforce Protections Subcommittee to outline its members' many concerns about how it will negatively affect safety in the roofing industry.

OSHA's regulation unexpectedly suggests the risk of retaliation against workers for reporting injuries is so great there must be a limit to mandatory post-accident drug testing despite the fact the tool is widely used to determine whether drugs or alcohol were a factor in the injury. The preamble to the final regulation expresses OSHA's opposition to the mandatory post-accident drug testing, but the actual text is silent about the permissibility of this common *contn'd on page 5*

TARC Members Spotlight: John Maxwell

Work and Extraordinary Opportunities to Happiness



As you enter the modern offices of Maxwell Roofing & Sheet Metal, your eyes are immediately drawn to the beautiful photographs of many diverse types of roofing projects completed in recent years by this 60-

year-old family business, led by President John Maxwell. John is understandably proud of his company’s work; but today he is more interested in talking about the “dignity of work.”

“The great value of work is not in the money

opportunity to do just that.

I’m happy to say that in TARC, for example, there are a lot of good people that are trying to do this. This industry is often maligned, and to the extent that it is, by people who don’t know us. Of course, there are some ‘scalawags’ as Bobby Herbert would say. The people in the commercial roofing business in Tennessee do it the right way. They care and that is an honorable thing.”

John found himself thrust into a leadership position at an early age after a ladder accident shortened his father’s career in 1982. John was at that time a 27-year-old estimator and says,

“Everybody answered to Mr. Maxwell. When he fell, the organization was broken. What did he

“Forty years ago, a roofer needed to know how to mop and roll – swing a mop of asphalt and roll the felt. “

(although that is a necessity), but rather in the value over and above that is in the service we bring to others. It is a vital ingredient to our happiness. The great news about this industry is that roofing DOES matter.

The business needs to honor the worker. In small businesses, we have the power and the latitude – the freedom – to design our business model to do that. We all like to matter; to want our lives to accrue to someone’s benefit other than our own. People want to matter. Our work is an extraordinary

do? How do we re-define our business?”

The good news was that he had competent and caring people on the team and the business grew stronger and better. Maxwell Roofing & Sheet Metal Company is first and foremost a family business. Pictures of John’s family adorn his office – his wife, Betty Ann, his four children, David, Rachel, Sarah and Kathleen; and his two grandsons. John, along with his brother, Dan Maxwell and Keith Stiles are the principal owners today. The values of this family business continue as *contn’d on page 6*

PROFOREMAN CLASS I

Friday, Jan. 13, 2017

during the Mid-Winter Meeting

Roofing Industry Government Policy Outlook for 2017

By Duane Musser, Vice President of Government Relations at NRCA



As we enter 2017, NRCA will be working to capitalize on several key government relations priorities on which we have been working on for many years. NRCA expects the new Republican-controlled Congress and President-elect Donald Trump to address issues of importance to the roofing industry early in the year, including tax reform, regulatory reform, the Affordable Care Act, and possibly immigration reform.

During the 2016 campaign, Trump proposed dramatic cuts in tax rates as a component of comprehensive tax reform, and his plan largely mirrors the “Better Way” tax reform proposal released by House Republicans last June. Trump’s plan has three rates on the individual side of the tax code at 12, 25 and 33 percent based on income levels and would slash the corporate rate to 15 percent, with active business income in pass-through companies also being taxed at this rate. The House Republican proposal also proposes full expensing of capital investments, including real property such as commercial roofs. Finally, Trump has proposed a new infrastructure spending program that may be considered as a component of tax legislation.

NRCA has been working to build relationships with lawmakers on the tax-writing committees in Congress for many years to lay the foundation for tax reform. We are now well-positioned to ensure that any tax legislation benefits the roofing industry by providing for lower tax rates that better enable our members to grow their businesses.

Another key issue for NRCA members is the expanding regulation of virtually every aspect of business operations. Regulations from federal agencies, most notably the Occupational Safety and Health Administration, have had significant

effects on roofing contractors in recent years. NRCA attempted to engage with the Obama administration to have roofing industry concerns with regulations address, but was largely rebuffed.

During the campaign, Trump proposed a moratorium on new federal regulations and indicated his administration will review existing regulations to evaluate their effects on jobs and the economy. Clearly, a moratorium on new regulations and more sensitively to the impact of regulations on economic growth should be a welcome respite for roofing contractors from the status quo.

Given the torrent of new regulations affecting our industry, NRCA has made passage of regulatory reform legislation by Congress a priority. Among other reform initiatives, NRCA supports the Regulatory Accountability Act, which will strengthen protections for businesses against intrusive regulations by providing for more rigorous cost-benefit analysis and transparency in the agency development process. This bill has been approved by the House several times in recent years but has stalled in the Senate, and also faced a veto threat from the Obama administration. The chance for passage of this legislation has improved substantially given the election results, and NRCA will be working to get regulatory reform over the finish line in 2017.

With the announcement in October that premiums for health plans purchased for 2017 under the Affordable Care Act will rise by 25 percent on average, the law is ripe for major modification. During the campaign, Trump pledged to repeal the law and replace it with an alternative that provides truly affordable coverage. As part of their Better Way proposal, House Republicans have outlined several market-oriented reforms that would completely transform the ACA. The NRCA is looking forward to working with Congress to enact legislation that can truly make healthcare benefits affordable.

Another priority for many years for the NRCA

has been passage of immigration reform that meets the needs of the roofing industry, given that NRCA members indicate workforce development is one of their biggest challenges. On this issue, the outlook for activity in 2017 is more uncertain.

Donald Trump, of course, has made his hardline stance on illegal immigration one of his signature issues. While it is unclear exactly how a Trump administration will proceed with respect to immigration issues, it will likely include initiatives designed to enhance border security and strengthen enforcement. Additionally, Republicans in Congress are likely to pursue legislation to mandate the use of the E-Verify program for all employers and other workplace enforcement initiatives. Finally, given



Trump's "enforcement-first" approach to immigration, he may not be receptive to legislation NRCA supports to create a guest worker program that enables employers to legally hire immigrant workers when necessary to fill job openings.

The NRCA continues to be actively involved on federal policy issues even while the new Congress and Trump administration debate these and other issues. Our goal is to ensure that government policies provide greater opportunities for entrepreneurs to start and build businesses in the roofing industry.

Duane Musser is Vice President of Government Relations at the National Roofing Contractors Association, where he oversees and directs the association's work on government policy and political matters. Duane will be presenting at TARC's annual Mid-Winter Meeting on Friday, Jan. 13 in Brentwood, TN.

MARKET UPDATE: *cont'd*

safety promotion tool. Instead, OSHA relies on ambiguous terms such as "reasonable policy" and "reasonable employee" to convey the agency's view that many current employer safety policies would be unacceptable under the new regulation.

Many employers are interpreting the regulation as a prohibition of mandatory post-accident alcohol and drug testing despite the legitimate interests in having such testing to promote safety and deter employee use of drugs on the jobsite. Rep. Phil Roe (R-Tenn.) will be sending a letter to Dr. David Michaels, Assistant Secretary of Occupational Safety and Health that highlights the safety benefits of post-accident testing and concerns about the procedural flaws in the development of the regulation. The letter urges OSHA to reconsider the unsupported and procedurally unjustified position OSHA has taken and revoke the language related to post-accident drug testing.

Take Action Now

Representative Roe is circulating the letter among his colleagues in the House, and NRCA is working to convince more House members to sign the letter and get OSHA to reverse this misguided policy. NRCA urges you to contact your representative in Congress and urge him or her to sign the Roe letter to OSHA.

Contact your Representative and Communicate the Following Message:

Dear Representative _____,

As one of your constituents, I urge you to sign the letter with Representative Phil Roe to the Occupational Safety and Health Administration asking the agency to reconsider its opposition to mandatory post-accident drug testing.

- Post-accident drug testing is a legitimate and necessary tool needed by employers to promote safety and deter employee use of drugs in the workplace.
- OSHA's drafting of the regulation is being used to implement this counterproductive policy that was procedurally flawed and lacked input from employers and other stakeholders.

TARC Members Spotlight: John Maxwell

Work and Extraordinary Opportunities to Happiness Cont'd

the third generation becomes involved. Two of John's four children work with him: David as Operations Manager and Kathleen as the Marketing Director.

On April 21, 2016, Mayor Megan Barry helped Maxwell Roofing & Sheet Metal celebrate their 60-year anniversary with a proclamation that reads in part: "This milestone is the result of continued professional, outstanding and exemplary service to its customers and to the citizens of Nashville and Davidson County."

When asked about the changes he has seen in his 40 years in the business, John replies:

"The industry has changed so much in the last 40 years. The roofer has to be half-chemist now. We're dealing with all kinds of adhesives and membrane products, insulation materials, sheathing materials – all these different kinds of materials that have to be installed using different techniques, different combinations— thousands of different combinations of materials that comprise the various roofing systems. It is no small feat. Forty years ago, a roofer needed to know how to mop and roll –

swing a mop of asphalt and roll the felt. Those were the two kinds of skills in commercial roofing. Today, everything is different."

When asked about the future, John says that the labor shortage is the single biggest challenge we face today. He has high hopes that the Tennessee Association of Roofing Contractors can work together to find answers and bring in more people interested in the value of hard work and making a difference.

He has high praise for the recent leadership of TARC, "Rick Ragan, Curtis Sutton, John McNicholas, and Robert Smith have made great strides in bringing education to the forefront of what we do. The Proforeman Classes are a tangible benefit to our members. We sent several to the Proforeman Level I Class, and look forward to the level II Class."

In addition to leading the 70 employees of his company, John has been instrumental in improving the Skyline North Area Business community, and is active at St. Henry's Catholic Church.

Mid-Winter Meeting Agenda

Friday, Jan. 13, 2017

8:00 AM	Registration / Breakfast
8:30 AM	<i>Federal Legislative and Political Update</i> Duane Musser, Vice President of Government Relations, NRCA
9:30 AM	<i>TOSHA Update</i> TN Department of Labor & Workforce Development
10:45 AM	Refreshment Break
11:00 AM	<i>What are the Greatest Risks for Roofing Contractors Today?</i> Patrick McCain, Commercial Insurance Advisor, The Crichton Group
12:00 PM	Networking Lunch
1:15 PM	<i>Changing the Way Contractors Sell and Homeowners Buy</i> Mark Raines, Director at EagleView Technologies
2:45 PM	Refreshment Break
3:00 PM	<i>Special Workshop</i> Mark Roberts, Dale Carnegie Training of TN
4:30 PM	Reception

**Ladies Spa &
Wine
Retreat
2 PM**

2017 MID-WINTER MEETING 01.13.17

ROOFING INDUSTRY UPDATES

PRESENTED BY



FOUR POINTS BY SHERATON | BRENTWOOD, TN

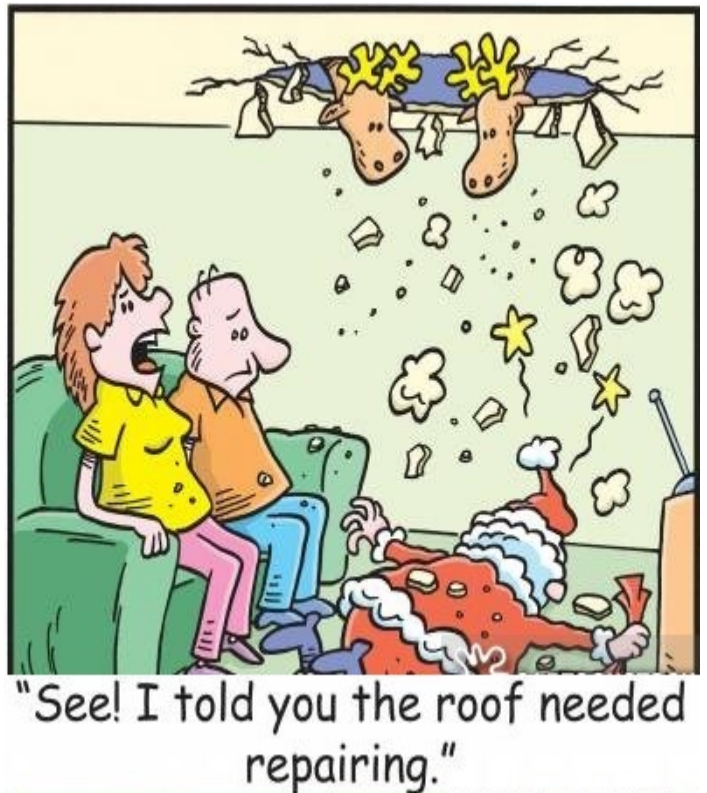
PROFOREMAN CLASS I



Four Points by Sheraton | 760 Old Hickory Blvd
Brentwood, TN 37207

Looking for a way to establish a career path for your best field workers while getting a competitive advantage? TARC is hosting the official NRCA PROFOREMAN Class Level I at a special member pricing! Register your top crew members!

REGISTER TODAY AT TARCROOF.COM



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HAPPY HOLIDAYS



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