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FROM THE DESK OF THE PRESIDENT

Regarding the American Worker

s contractors in the union construction and maintenance industry, we are constantly remade, reshaped and redesigned by the world around us. Compare our behaviors and attitudes now with the same time last year. Chances are we will notice major differences in what we do and how we act because of the coronavirus pandemic: social distancing, wearing face masks, using hand sanitizer more frequently, working from home instead of the office, etc. Some changes were abrupt and jarring, but others happened more subtly. Perhaps we haven't fully realized just how dramatically our everyday life has changed in the last few months because we've been so busy.



BY STEVE JOHNSON, PRESIDENT, GEM, INC.

But we must pay attention. We are living through one of the most stressful periods in recent history, and if we don't deal with it the right way — and help those around us do the same — it could negatively affect our lives, our families, our jobs and the entire industry. Now that we're several months into the COVID-19 pandemic, it's a good idea to step back and evaluate where we stand.

Recently, Dictionary.com published an article highlighting many words and phrases created during the COVID-19 crisis. It was fascinating to see how our common, everyday language has transformed itself in such a short period of time. Here are a few examples:

Doom-scrolling: Scrolling through the news feed on your smartphone and reading all the depressing and scary virus-related headlines.

COVID-15: Another play on words, this time combining COVID-19 with "freshman 15," which is used to describe the weight many college students put on in their first year away from home. "COVID-15" describes the extra pounds many people pack on after they start working from home — and closer to the refrigerator — as a result of office closures.

Quarantini and coronarita: Cocktails and martinis people make when they are quarantined at home and can't go out.

While these are funny examples, some of the new words — such as "doom-scrolling" and the references to alcohol — have dark undertones and hint at potential problems. Reading the news every day can be scary and depressing, especially for folks already dealing with relationship or health problems. And excessive drinking at home as a way to deal with the stress of the pandemic is certainly nothing to joke about.

In early July, TAUC held an informative webinar titled "Construction in Crisis: Preventing Suicide and Substance Abuse." Several experts noted how the pandemic has exacerbated these long-standing industry problems. As I mentioned, men and women grappling with serious emotional issues or addictions are already vulnerable. The constant barrage of negative news about the rising death toll and packed hospitals may compound the problem. Even seemingly simple requirements such as social distancing or wearing masks can be highly stress-inducing for some people.

So what can we as contractors do to help? By practicing mindfulness on the job — mindful of our attitudes, our words and (especially) our actions — perhaps we can help workers dealing with tough circumstances get through the day a little easier. If we can positively affect employees' attitudes daily, we will reap huge rewards in terms of efficiency, productivity and peace of mind. Here are a few quick tips:

- Not everyone views change the same way. What you might consider a small or minor change to workplace procedures (wearing a mask, for instance) might be viewed differently by someone else. Don't dismiss their concerns out of hand. Take people at their word when they express misgivings. Take the time to listen. Go the extra mile and explain why the changes are necessary and let them know you'll do whatever you can to help them get comfortable with the "new normal."
- Give employees the resources they need. Do your workers know where to go or whom to talk to if they're filled with anxiety about COVID-19 — or anything else? Do you have an on-site EHS professional ready to handle such situations? Work with the local unions on these types of issues; many of the larger locals have trained staffers ready and able to help.

- Take the temperature of the room. We're busier than ever

 I get it. But as leaders and supervisors, we can't forget the importance of simply stopping and looking around from time to time. What's the mood of the crew today? What's life like in the trailer on the jobsite? We don't live in a vacuum. The outside world pushes in on our thoughts and feelings more than ever. If you notice a persistent negative shift in attitudes, talk to your EHS professional or seek out a counseling expert to see what you can do.
- Regard for people. Showing regard for people means listening to people's concerns, learning about their struggles and understanding that everyone has different obstacles to

face and different experiences in their lives that differ from our own. Regard for people means caring. Caring about how our words, actions and attitudes affect the people around us. Caring and understanding about viewpoints different from our own and caring enough to be willing to evaluate and change our approach when needed.

COVID-19 isn't going away any time soon. More outbreaks or severe quarantine restrictions might be just around the corner. These will affect your workers as well as their families and friends. We may not be able to stop the world from reshaping all our actions, but we can make a greater effort to ensure that we don't forget what's most important: people.

We are living through one of the most stressful periods in recent history, and if we don't deal with it the right way — and help those around us do the same — it could negatively affect our lives, our families, our jobs and the entire industry.

New ob, with the second second

BY STEVE LINDAUER, TAUC CEO

s I write this, it's mid-July, and everyone I know is tired of dealing with (and talking about) COVID-19. Unfortunately, we don't have a choice. Here in the Washington, D.C., area, the virus is still running rampant, and most area governments have implemented some type of mandatory face mask ordinance. Social distancing — a phrase no one had heard of a few months ago — is now second nature to most people, and when my wife and I go to the grocery store, we dutifully follow the directional arrows on the floor, telling us which way to walk down each aisle. It's a new world, whether we like it or not.

As construction industry professionals, though, we don't have the luxury of sitting around and complaining about the situation. We don't have the time. Our contractors, building trades partners and owner-clients are, quite literally, working around-the-clock to ensure the country's lights stay on and major assembly plants keep rolling. When they do find a spare minute or two, rather than use that time to vent their frustrations, our members jump on a Zoom call to share new ideas and strategies with their peers on various TAUC committees — Industrial Relations, Innovation and Technology, EHS, Government Affairs and Local Employer Organizations.

From my vantage point as CEO of TAUC and Impartial Secretary/CEO of NMAPC, I've been able to view the last few months from a unique perspective. Since the pandemic hit in early spring, I have spent most of my days doing one of three things: coordinating, connecting or communicating (sometimes all at once). I work with our staff to coordinate both organizations' response to COVID-19; for instance, we created a webinar series from scratch to replace the canceled TAUC Leadership Conference and have held regular "virtual roundtables" with members to make sure that everyone knows what's going on and that nothing falls through the cracks. On the NMAPC side, we issued an addendum to the NMA that allowed power plants across the country to maintain the reliability of the electrical grid during the darkest days of the COVID-19 emergency. The addendum provides flexibility to signatory contractors working at power plants in site lockdown or quarantines and ensures they can fulfill their duties safely.

I also help to connect contractors with representatives from the building trades and owner-client communities, and vice versa. Now, more than ever, it's important to make sure that when a problem arises, the right people are talking to one another. And together, we all strive to communicate with our members and bring them the latest information they need to do their jobs, whether it's analyzing a new OSHA regulation or issuing a "call to arms" on an important legislative or regulatory issue, such as pension reform.



Steve Lindauer is the CEO of The Association of Union Constructors and also serves as Impartial Secretary and CEO of the National Maintenance Agreements Policy Committee, Inc. (NMAPC).



We were prepared. More important, we had always been prepared we just didn't know it.

The Big Lesson

So what have I learned after more than four months in the COVID-19 trenches? What great wisdom and insights have I gleaned from week after week of conference calls and virtual meetings with top construction executives from across the country?

My main takeaway is that TAUC and NMAPC were ready to handle the situation from day one. We were prepared. More important, we had always been prepared we just didn't know it.

Now, before you accuse me of arrogance and bragging, let me explain. No, we didn't have a hundred boxes of face masks and hand sanitizers stashed away in a closet somewhere. That's not what I'm talking about. When I say we were prepared from day one, I mean that both TAUC and NMAPC were built on similar foundations. From the beginning, both organizations were designed to adhere to a core set of underlying principles. You've heard them before.

Safety. Productivity. Quality. Strength. Communication. Transparency.

When you spend nearly 50 years living those principles — not just paying lip service to them — you're ready for the unexpected, whether it's a devastating recession (2008) or a global pandemic (2020). Both TAUC and NMAPC were actually well-positioned. No one saw COVID-19 coming, but when the pandemic reached crisis proportions, we didn't have to reinvent the wheel or hold an emergency meeting to figure out what to do. The answer was simple: Do what you've always done, but pivot tactically. The playbook had been written long ago.

The performance of TAUC and NMAPC during the COVID-19 situation is a tribute not to current leadership but to the professionals who built both organizations over the decades. I'm thinking of leaders such as Joseph La Rocca, founder of TAUC's predecessor group and the first Impartial Secretary of NMAPC. Or Jim Willis, longtime NMAPC president, who came from the labor side and fervently preached the gospel of tripartite cooperation.

And then there's Emmitt Nelson. Emmitt never worked for TAUC or NMAPC, but he

still had a huge effect on our growth and evolution by single-handedly creating the zero-injury movement and transforming the safety culture of our industry. Today, thanks to Emmitt and others like him, apprentices are trained to look out not just for themselves but for their co-workers, too. They are taught that it's their duty to speak up and point out unsafe practices and environments. In the 21st century, we see Emmitt's legacy play out in new and unexpected ways. What began with a desire to prevent physical injuries has blossomed into a grassroots movement to help craftworkers with substance abuse, depression and thoughts of suicide, too. The safety culture Emmitt cultivated is also more than able to handle COVID-19; men and women on jobsites now openly talk about the importance of wearing masks and social distancing, something he couldn't have conceived of in the 1970s and 1980s as he developed the zero-injury concept.

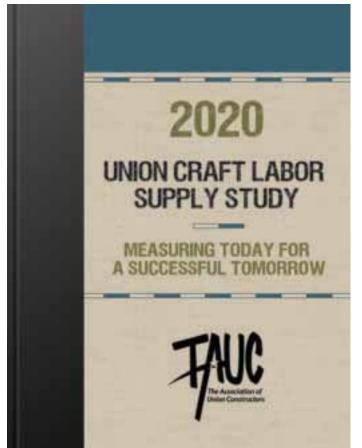
Good ideas survive. In the right hands, they can be used to successfully meet new challenges that their creators never anticipated. And solid principles don't fade away — they only get stronger. Those are my takeaways, so far, from the Year of Coronavirus. I wish everyone a safe and healthy summer.

Study: Craftworker Shortage Was Easing Slightly Before COVID-19 Crisis

BY DAVID ACORD

abor shortages in the union construction and maintenance industry were still prevalent in early 2020, but respondents to a survey conducted between mid-January and mid-February reported that the problem had leveled off somewhat. Then the COVID-19 pandemic hit, upending conventional wisdom and compelling contractors, labor representatives and owner-clients to deal with a dramatically altered business landscape.

Nevertheless, the wealth of data generated by the sixth annual TAUC Union Craft Labor Supply Study gives construction professionals an in-depth understanding of the "state of play" in the industry before the crisis. This information—especially the



detailed charts and analysis on regional labor supply levels broken down by industry, region and individual crafts—will assist contractors and labor as they begin the long post-coronavirus recovery process. Knowing which areas of the country were experiencing labor shortages or surpluses pre-COVID-19 will be especially helpful in gauging where to allocate scarce resources.

The Association of Union Constructors (TAUC), in conjunction with the Construction Labor Research Council (CLRC), utilized a rigorous scientific methodology to analyze more than 800 responses to a multiquestion survey sent earlier this year to a cross section of contractors, union representatives and owner-clients.

> The large sample size and carefully worded questions combine to make this one of the most useful labor-supply reports available, and the only union-specific study focusing on construction and maintenance.

> In terms of the labor shortage, the survey found that the pre-COVID-19 narrative had shifted from a growing shortage to a

stable shortage. That is, after a number of years where the industry saw increases in shortage data, in 2019 there was a "leveling off." Over the past three years of survey results covering 2017-2019, the range of responses (varying from large shortages to surpluses) has been quite consistent. But while the data has plateaued, the laborshortage issue hasn't disappeared; it has just stabilized. The big question is how the COVID-19 pandemic will affect labor supply in 2020 and beyond, a topic we will cover extensively in next year's survey.

Also, new to the study this year is an examination of the prevalence of per diem payments in the industry. Nearly half of the respondents said their organization paid per diems in 2019 and the average amount was \$84.50. These payments were most common in the civil, manufacturing and utility industries; in terms of regional distribution, per diems were more prevalent in the New England, Southeast and South Central areas of the country.

A copy of the complete report is available for free download at:

www.tauc.org/laborsupply.

The pre-COVID-19 narrative had shifted from a growing shortage to a stable shortage.



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All the Drama Movies Aren't on Netflix

BY MARK BRESLIN



Mark Breslin is a strategist and author of several books, including most recently, The Five Minute Foreman: Mastering the People Side of Construction. Visit his website at www.breslin.biz or contact him at 925-705-7662.

ow many of you, when flipping through the channels, will stop and re-watch a movie you've seen five or 10 times? All of us. *The Godfather. The Shawshank Redemption. Rocky. The Departed. Jurassic Park. Titanic.* My weakness is *Gladiator.* I've watched that probably 10 times. You know what's going to happen; you know all the lines. You enjoy it for its familiarity, not the surprise or shock of something new.

Well, that is exactly the situation our industry finds itself in again. One of two movies is going to play for you beginning later this year and probably through 2021. And it won't be on Netflix.

These two movies represent the economics of our construction marketplace. And if you have been at this for any length of time, you have seen them both at least two or three times — maybe four if you have some gray hairs.

The first movie, most recently rereleased in 2008, is rated five stars. Let's call it Desperately Shoveling Cash. The plot: The government sends out massive infusions of federal infrastructure dollars to put America to work. Infrastructure is the dependable, proven and fastest way to put people to work. From the Great Depression to the financial crisis, government turns to us to generate economic firepower. If we watch this movie, there is cheering and fist-bumping. The good guys win, and in the end, the infrastructure work bridges the gap to the other side of the recession. If this is going to happen, it will be decided in 2020, and most likely in the next 60 to 90 days.

The other movie is a one-star, lowbudget horror flick. Let's call it *Slashers at the Jobsite*. In this one, the feds cannot (or will not) agree on solutions before the election, so the states are on their own. That situation leads to slashing sources of funding for the entire market.

Except for the bipolar stock market, the economic indicators say the sky is kind of falling — and if not now, pretty damn soon. Public entities are already getting nervous with tax revenue in steep decline and capital budgets looking ripe for reassignment. Private construction owners looking ahead probably need Xanax. Industrial expenditures are more or less on hold. Building offices in the Zoom world? Maybe later. And finally, there's uncertainty on whether we will see a V recovery, a U recovery or the Nike Swoosh recovery.

OK. So what to do? Watch that crappy movie. Again. Let's check out your viewing history.

U.S. Recessions Affecting Our Industry

- 1980-82
- 1990-91
- 2001
- 2008-09

Unless you are among the many new apprentices^{**} or college graduate project managers who have never seen a hard down-market cycle before (welcome to the real world, sons and daughters), the downturn movie is mostly the same. And that familiarity should be an asset, because it means you know the plot.

So, before we grind through it again, 2020 is a time to sit down with your management team and ask the key questions that everyone needs to address before a market cycle change:

• What did we learn from watching and living the last versions of this movie?

Disciplined ROI is the name of the game: to improve operational or economic outcomes for your companies.

> Let us remind ourselves that this is not new and that market cycles are normal in our business.

- What is our operational edge that we need to focus on right now?
- What market pivots would be smart to make now that will pay off later?
- What discretionary versus essential investments do we need to make in people, programs, technology, training or equipment to get to the other side?
- What sacred cows, processes, legacy BS, B-C players or other barriers need to be eliminated, because a good shock to the system is a fine time to enact change?
- What sacrifices, economies or leaning out can and should we make to roll through market instability? Where is the maximum ROI?

I have seen both of these market trends, and, as an organizational leader, I am not freaked out or left wondering what to do. I always have tried to think and act in "what is most important to the members NOW" mode as much as possible so that when the shit hits the fan, my organization never faces conflicting resource priorities.





Rusty Brown is the Environmental Health and Safety Director for Kiewit Power Constructors Co. and Chair of the TAUC Environmental Health and Safety Committee.

Editor's Note: This is the first article in a threepart series on safety innovations on the jobsite. Future articles will explore the topics discussed below in greater detail.

but not satisfied" are two simple

but important phrases that have become the driving forces in the Kiewit safety program. We can all get caught up from time to time with the details of construction operations and lose focus, which is why I believe we can do better. Kiewit has taken a proactive approach to learning and understanding from our labor force.

No one wants to see someone get hurt on a project. So why not get all parties involved in the safety program? Kiewit has learned over the years that when we have a good partnership with labor, injuries and incidents are greatly reduced.

Several years ago, we started breaking down incidents by craft. Then we opened a dialogue with those crafts and discussed what we could do to influence positive changes on our projects. The idea was to have a true partnership in safety and give everyone a sense of ownership over the outcomes.

The first partnership we created was Craft Voice in Safety (CVIS). The CVIS program is a direct line of communication between craftworkers and project management. Members of the CVIS program are selected by their peers based on their safety mindset and leadership in safety. Workers selected to the CVIS team continue to work on their tools, but they also make themselves available to listen and help



solve issues that co-workers may have. The CVIS team meets with the project-management team to discuss any issues that may arise on the project.

Another key component of the CVIS program is "rodeos," or demonstrations of proper safety practices. CVIS members will work with project management to develop and present these rodeos at meetings with other craftworkers.

The second key partnership between management and crafts involves hiring

No one wants to see someone get hurt on a project. So why not get all parties involved in the safety program? Kiewit has learned over the years that when we have a good partnership with labor, injuries and incidents are greatly reduced.

craftworkers as safety-team members. Having a member of the safety team who has a better understanding of the work being performed has proved invaluable across many of our projects. The craftworkers who transition to the safety team can have conversations with their peers that a noncraft safety person may struggle with.

Both of these innovations have significantly affected our overall safety performance. We have better-educated workers, and everyone feels they have a voice in safety. The bottom line is that everyone deserves to work in an environment free of things that will get us hurt.

Until next time - stay safe!

Connections BY JIM DALEY, JJ WHITE AND INC.



Jim Daley is the Chair of TAUC's Industrial Relations Committee and Executive Vice President of Operations for JJ White Inc.

A lot has changed since I wrote my last column in early March, just before the coronavirus prompted a prolonged nationwide shutdown. I hope that every TAUC member, as well as every reader of *The Construction User*, is staying safe and finding ways to remain productive. Whoever you are, wherever you call home, and wherever you do business, I know that your life has been affected by the pandemic in ways both large and small. In this month's column, I'd like to share a few quick updates on how the TAUC Industrial Relations Committee has adapted to the unexpected.

TAUC has always focused on ways to connect our members with one another. In the past, we've achieved that primarily through meetings and conferences. But COVID-19 forced us to improvise on the fly and find alternative ways to make sure our contractors could stay in touch with one another, exchange ideas and

offer advice. After our spring Leadership Conference was canceled (including our scheduled committee meeting), we quickly came up with the idea of "virtual roundtables." These short, online videoconference meetings allowed members to update the committee on how their companies were responding to the various logistical upheavals caused by COVID-19. How were they handling work-from-home mandates? What kinds of software were they using to ensure everyone stayed on the same page? Contractors discussed what worked (and what didn't) in a frank and open environment. The online roundtable concept proved extremely popular, and so far we've held two of them-one in April and another in June, with more planned for later this year.

The first roundtable also sparked a great idea—we surveyed the committee membership to find out just how severely the pandemic had cut into their business. The overwhelming majority of respondents indicated that at least 30% of their work had been postponed and would remain so for at least seven to 12 months. We can glean a couple of insights from this information. First, a portion of this work may very well go away entirely with end users simply scrapping capital projects or deferring maintenance out even further. On the other hand, should the majority of postponed work come back, it could make for another tight labor market when we are able to put crafts back in the field.

When looking back on the first half of this year and everything our industry has gone through, I have gleaned one lesson. When uncertainty hits, we don't necessarily need more control—we might just need to do a better job of utilizing the skill sets and intelligence of our team members. That's what we're doing with the Industrial Relations Committee, and so far, the results have been promising.



When uncertainty hits, we don't necessarily need more control – we might just need to do a better job of utilizing the skill sets and intelligence of our team members.

Thomas J. Reynolds Awards for Excellence in Construction Safety & Health 2020 Winners

Category One

Over 1 Million Hours Worked Without a DART Case

BHI Energy I Specialty Services LLC Graycor Industrial Constructors Inc. Harder Mechanical Contractors, Inc. Nooter Construction Company Solid Platforms, Inc. Songer Steel Services, Inc. Walbridge Aldinger Company

Category Two

500,000–1 Million Hours Worked Without a DART Case

Construction & Turnaround Services, LLC Gallagher-Kaiser Corporation M.J. Electric Matrix North American Construction Inc. Monarch Welding & Engineering, Inc. Performance Mechanical, Inc. Superior Electric Great Lakes Company

Category Three

100,000–499,999 Hours Worked Without a DART Case

APComPower Inc. **Burnham Industrial Contractors** Dearborn Mid-West Company DLZ Industrial, LLC Genesys Industrial Corporation George V. Hamilton, Inc. Henderson Services, LLC Lytle Electric Company Inc. M & O Insulation Company Meccon Industries, Inc. Niles Industrial Coatings LLC **Onex Construction** R.L. Bondy Insulation LLC Smart Energy Insulation - Toledo Mechanical, Inc. Stevenson Crane Service, Inc. Swan Electric Company Thermal Solutions, Inc. Universal Piping Industries, LLC

Category Four

Less than 99,999 Hours Worked Without a DART Case

Chemsteel Construction Company Delta Nooter Fuellgraf Electric Company Hayden Wrecking Corporation M & O Environmental Company Smart Energy Insulation - Michigan Mechanical, Inc. StructSure Scaffold Solutions LLC

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Mascaro Construction Company, L.P. Matrix North American Construction. Inc. McCarl's Inc. Morrison Construction Company MPW Environmental Services, Inc. NAES Power Contractors Performance Contracting, Inc. Pioneer Pipe, Inc. RMF Nooter. Inc. Ryan & Associates, Inc. Sargent Electric Company Stevens Engineers & Constructors, Inc. Superior Construction The Boldt Company The Jamar Company The State Group Industrial (USA) Limited Triangle Enterprises, Inc. Tron Mechanical, Inc.

About the Awards

Established in 1983, the Thomas J. Reynolds Awards for Excellence in Construction Safety and Health were named in honor of a long-serving member of TAUC's predecessor organization, the National Erectors Association (NEA). A U.S. Navy veteran, Thomas J. Reynolds spent more than forty years in the construction industry, starting out as a union ironworker, boilermaker and millwright.

From 1955 to 1976 he held a variety of high-level safety positions at Bethlehem Steel, culminating in his appointment as Supervisor of Plant Protection and Safety at the company's Burns Harbor, Indiana facility. He went on to serve as Corporate Manager of Safety for Morrison Construction Company for many years.

In 1980, Mr. Reynolds assisted in writing proposed construction safety standards for OSHA. In 1986, he was invited by Labor Secretary William Brock to join OSHA's Advisory Committee on Construction Safety and Health, becoming the first NEA member to participate on this prestigious panel. The appointment was a fitting capstone to a career dedicated to advancing worker safety.

Crisis & Collaboration

BY JIM KOLB, PARTNER SUMMIT STRATEGIES GOVERNMENT AFFAIRS, LLC

The nation is going through an unprecedented public health and economic crisis because of COVID-19. The long-term fallout will not be known for many years. However, if previous economic downturns and declines in the stock market and investment returns are a guide, it is fair to assume that the effect on multiemployer pension plans will be significant.

Before this turbulent period, the overall health of the multiemployer pension system was not good. The Pension Benefit Guaranty Corporation (PBGC), the federal backstop for multiemployer pension plans, reported that its multiemployer program had a \$65.2 billion deficit in fiscal 2019. This was up from \$53.9 billion in fiscal 2018 and does not reflect the effect of COVID-19. The report projected that the multiemployer pension program would be insolvent by 2025.

While the vast majority of multiemployer pension plans aren't in danger of insolvency, the looming failure of a few systemically important plans continues to endanger the health of the overall multiemployer pension system. The current crisis threatens to speed up the impending insolvency of failing plans and contribute to the weakening of healthy plans. Because plans depend on investment returns and the ability of plan sponsors to contribute on behalf of plan participants, the current market volatility and economic slowdown can further undermine the system. Addressing the risk facing these plans will require a comprehensive federal solution to prevent employer exits, bankruptcies and mass withdrawals that could lead to plan failures and increase the PBGC's liability.

The federal government has undertaken an unprecedented effort to respond to the economic slowdown by enacting trillions of dollars in stimulus programs. TAUC has been working with other signatory contractor organizations and several of our building and construction trade union partners to urge policymakers to also take steps to strengthen multiemployer pension plans as part of the federal response to the pandemic.

Future legislation should provide financial assistance to failing plans — which have been further weakened by the market volatility and declines in employer contributions because of the slowdown and also allow for reforms to multiemployer pension plans to retain existing contributing employers and expand the number of signatory contractors.

If previous economic downturns and declines in the stock market and investment returns are a guide, it is fair to assume that the effect on multiemployer pension plans will be significant. The longer Congress waits to act, the more expensive any future solution becomes. The time to act is now, before more multiemployer plans lack the assets to continue to provide benefits.

Recent Developments

In May, the U.S. House of Representatives passed legislation providing \$3.5 trillion in COVID-19 relief - H.R. 6800, the HEROES Act - which included significant multiemployer pension relief and reforms. Specifically, H.R. 6800 included a special partition program to allow the PBGC to rescue failing multiemployer pension plans. This program would allow the PBGC to take over parts of failing plans for the most at-risk pensions over the next four years. Under this provision, plans that would otherwise fail could be restored to financial viability by removing ("partitioning") the pension costs for participants who never worked for surviving employers. Responsibility for the pension liabilities of these "orphaned" participants would become the responsibility of the PBGC. Removing these liabilities from failing plans would ensure that participants receive full benefits while providing plans with the path to long-term solvency.

This approach would both protect the pension benefits and retirement security of participants in failing plans while addressing the long-term solvency and viability of the pension plan. It would also remove the threat of unsustainable contribution rates and withdrawal liability facing the remaining signatory contractors.

Jim Kolb is a partner with Summit Strategies Government Affairs LLC



We were also very pleased that the HEROES Act included the Give Retirement Options to Workers Act (GROW Act), which would authorize the voluntary use of hybrid composite plans. This vital reform to the multiemployer system would provide trustees an additional tool to ensure that plans remain solvent for the long term.

TAUC and our construction industry and building trades union partners have long supported legislative efforts to authorize these innovative plan designs that would allow trustees of multiemployer plans to ensure plan participants continue to have lifetime retirement security at no cost to the federal government or to participants of multiemployer pension plans. Composite plans would also protect contributing employers from market volatility and unfunded pension liabilities and would be critical to maintaining the viability of contributing employers and strengthening the overall multiemployer system.

TAUC and a number of our contractor association partners recently commissioned a study to demonstrate the benefits of composite retirement plans in the face of the coronavirus pandemic and related market declines. That study, by the Groom Law Group, found that participants in composite plans fared significantly better after the 2008 financial crisis (and thus far during the current coronavirus pandemic) than plans that stuck with traditional defined-benefit multiemployer plans. The study highlighted the stability and security that composite plans could provide and demostrated the benefit to both participants and employers if Congress authorized their use.

Now that the House has acted, attention turns to the Senate and Majority Leader Mitch McConnell (R-KY). As of this writing, both chambers continue to clash over several aspects of the relief package and a final deal has not yet been reached.

Authorizing the voluntary use of composite plans is key to providing stability to multiemployer pension plans, security to plan participants, and removing uncertainty and risk to signatory contractors. We are glad the House included comprehensive reform in its HEROES Act. We remain hopeful that the Senate will follow suit soon. This is vital to the longterm viability of the multiemployer pension system.

ASSOCIATIONNEWS

TAUC Welcomes New Board Members, Announces Other Leadership Assignments

TAUC recently announced several changes to the Board of Directors and related member leadership positions.

Two members were elected to the Board of Directors: Todd Doenitz of Barton Malow and Seth Abraham of Kalkreuth Roofing & Sheet Metal.

In related moves, board member Mike Haller of Walbridge was elected Second Vice President of the TAUC Executive Committee. The Board also approved the election of Timothy Hoch of APM as Chair of TAUC's new Innovation and Technology Committee; Matt Hedke of Barton Malow will serve as Vice Chair.

Additionally, Chuck Binkowski of Barton Malow; Greg Trueman of Alberici; and David Brenner of Segal all concluded their terms as members of the Board of Directors. The Board — and TAUC as a whole — thanks them for their hard work and service.



The Data-Driven Construction Business

Why Leveraging Data Is the Key to Success in the 21st Century

BY ANI ABRAHAMIAN, SVP, ENGINEERING AT PROCORE

While the amount of data produced every day is staggering, even more so is the fact that it's increasing exponentially by the hour. In fact, experts estimate that by 2025, the global population will have generated about 175 zettabytes of data. To put that in perspective, a zettabyte is roughly equal to a trillion gigabytes.

As we have seen in the construction industry, more data means greater efficiencies, time savings, and improved project delivery. But there's also a downside: the sheer volume of information coming in on a daily (even hourly) basis makes it challenging for contractors to utilize the data to its full capacity. In fact, studies show that 96% of all data goes unused in the engineering and construction industry.

But it is precisely here, in what many people might perceive as an industrywide challenge, where businesses can find a massive opportunity — one that has the potential to set their company apart from their competition. The reality is, businesses that are able to leverage actionable insights from their data gain a competitive advantage over those who don't, and here's why.

Leveraging data and insights enables businesses to mitigate risk in two key areas. First, they can spot trends and risk areas so they are able course correct before a project derails. Secondly, they are able to use that data for better forecasting. In other words, data helps businesses be proactive, rather than reactive, so they can stay one step ahead of any surprises.

Top Eight Data Trends in Construction

With more businesses utilizing digital solutions, we are indisputably in a new era of construction. While teams may not have a construction crystal ball to predict what the future will hold, they can look at current trends to better understand where the industry is headed. This enables them to equip themselves with the tools they need today to better prepare for tomorrow. Here's a breakdown of the top eight data trends:

1. The amount of data is growing

As I mentioned above, as projects become more complex, the amount of data is also increasing — and managing that data efficiently is no longer a nice-to-have luxury but a necessity. Relying on manual processes or disparate solutions means information is often captured in siloed systems and data is fragmented. As a result, teams have no way to gain a comprehensive view of project performance, making it difficult to accurately forecast and improve future results. On the other hand, managing data in a constructive way will help businesses outperform those that do not.

2. Data is more accessible than ever before

Research suggests that the construction workforce is getting more techsavvy and collaborative. Plus, the cost of technology is more affordable, Wifi is more accessible, and with 1.3 billion connected devices worldwide, it's easier than ever to share data and collaborate efficiently. The reality is, technology is driving new ways of working — both on site and off — and it's enabling teams to make better data-driven decisions from anywhere.

3. Integrations offer enhanced insights

According to FMI, 90% of all data generated in construction is unstructured.



Ani Abrahamian is the Senior Vice President of Engineering at Procore where she is responsible for overseeing all of the company's global engineering efforts. Prior to joining Procore, Abrahamian spent 13 years in engineering at Salesforce where she held leadership roles on the mobile engineering team and was responsible for the Salesforce Mobile App, the company's flagship mobile application.

What's more, 30% of companies use different softwares that don't integrate with each other, meaning that data is stored in different devices (desktop to mobile) and different formats (emails. PDFs, blueprints, timecards). But managing data with an array of disparate solutions isn't a sustainable way to manage projects, let alone a business, for the long-term. Integrations allow different solutions to "talk" to one another - enabling streamlined communication and reduced double entry. Most importantly, teams can access enhanced reporting and analytics across projects.

4. Platforms consolidate data into one place

In order to obtain useful insights, your solutions not only need to talk to one another, but they also should be consolidated in one centralized solution. Unlike a single solution that only addresses one business need at a time, a platform is a streamlined system that connects solutions through integration. Similar to a physical platform, digital platforms provide a base structure, or scaffold, onto which multiple components can attach (a solution for accounting, another for scheduling, and so on). This means all project information lives in one place, and stakeholders - from the site to the office - have one source of truth to ensure information is accurate, up-todate, and efficient.

5. Greater project visibility leads to more informed decisions

Digitization is changing the landscape of how work is performed and managed, and it's providing greater transparency to a historically fragmented industry. Notably, platforms provide stakeholders with more accurate, real-time access to data – leading to more efficient and informed decisions. This is because platforms are able to look at overall performance across projects and the company as a whole. Not only does this give teams a single source of truth, but it creates better alignment across all stakeholders - from owners to general contractors to specialty contractors. It also allows executives to see a high-level overview of project health, enabling them to identify areas of improvement to drive greater productivity, less risk (and waste), and higher profits down the road.

6. Data supports safer jobsites

Leveraging data helps teams stay on schedule and under budget, and it also supports a safer workplace. Many safety accidents happen as a result of rushing to get the job done or lack of attention. Better forecasting leads to fewer on-site surprises and last-minute changes, allowing teams to dedicate more time to the task at hand – and that means fewer mistakes and injuries. What's more, businesses now have the ability to leverage machine learning which tracks trends and can automatically detail where accidents are most likely to happen and what types most frequently occur. With insights like these, contractors can design safer jobsites to mitigate future risks.

Continued on page 32

PROCORE®

With more businesses utilizing digital solutions, we are indisputably in a new era of construction. While teams may not have a construction crystal ball to predict what the future will hold, they can look at current trends to better understand where the industry is headed.



TOP NMA CONTRACTORS

2019	2018	Change	Change Contractor	Website	City & State	Work Hours
	2	+1	Matrix North American Construction Inc.*	www.matrixnac.com	Canonsburg, PA	2,692,951
	1	Ļ	Enerfab Power & Industrial, Inc.*	www.enerfab.com	Cincinnati, OH	2,483,519
	5	+2	RMF Nooter, Inc.	www.rmfnooter.com	Toledo, OH	1,711,868
	10	9+	BMWC Constructors, Inc.*	www.bmwc.com	Indianapolis, IN	1,467,452
	15	+10	Graycor Industrial Constructors Inc.*	www.graycor.com	Oakbrook Terrace, IL	1,410,707
	ŝ	'n	Chapman Corporation*	www.chapmancorporation.com	Washington, PA	1,391,535
	00	+1	Solid Platforms, Inc.*	www.solidplatforms.com	Portage, IN	1,325,976
	18	+10	International Industrial Contracting Corp.*	www.iccusa.com	Sterling Heights, MI	1,317,883
	13	+4	Barton Malow Company*	www.bartonmalow.com	Southfield, MI	1,208,484
	4	9-	BrandSafway Industries LLC	www.brandsafway.com	East Hazel Crest, IL	1,140,251
	6	-2	GEM Industrial Inc.*	www.rlgbuilds.com/companies/gem-inc	Walbridge, OH	1,021,306
	36	+24	Nooter Construction Co.*	www.nooterconstruction.com	St. Louis, MO	879,778
	65	+52	AZCO Inc.*	www.azco-inc.com	Appleton, WI	876,767
	16	+2	Industrial Contractors Skanska*	www.usa.skanska.com	Evansville, IN	821,439
	12	'n	Hayes Mechanical Inc.	www.hayesmechanical.com	Chicago, IL	742,194
	7	6-	SSS, Inc.*	www.songerservices.com	Washington, PA	738,192
	31	+14	Motor City Electric	www.mceco.com	Detroit, MI	736,390
	17	÷	Construction & Turnaround Services, LLC*	www.inservusa.com/ construction-and-turnaround-services	Tulsa, OK	736,289
	23	+4	Lakehead Constructors, Inc.	www.lakeheadconstructors.com	Superior, WI	650,308
	26	9+	C.R. Meyer and Sons Company*	www.crmeyer.com	Oshkosh, WI	645,073
	11	-10	Sterling Boiler & Mechanical, Inc.*	www.sterlingboiler.com	Evansville, IN	594,793
	47	+25	Aristeo Construction*	www.aristeo.com	Livonia, MI	585,230
	N/A		John E. Green Co.	www.johnegreen.com	Highland Park, MI	584,379

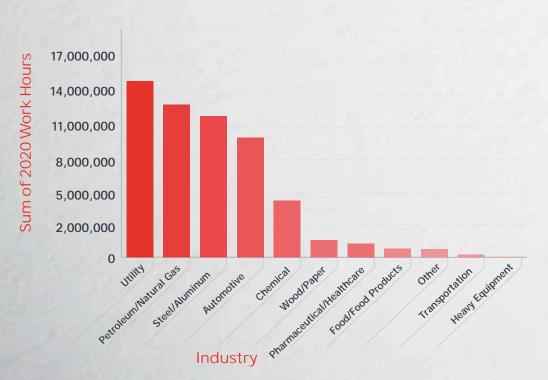
The National Maintenance Agreements Policy Committee, Inc. (NMAPC) is proud to showcase the top signatory contractors and owners that utilized the NMA in 2019. Here are the top 50 signatory contractors that performed the most construction and maintenance work hours under the NMA last year. **TAUC Governing Members are denoted by an asterisk next to their name and shaded row.** Work hours figures are based on data received through mid-July 2020. Together, these 50 contractors performed more than **36 million work hours** under the NMA program in 2019. If your company is signatory to the NMA and is not on this list, but you did a significant number of work hours under the program, it may be due to the fact that you are not adequately reporting your work hours on NMAPC.org. For assistance in reporting work hours, please feel free to contact the NMAPC office at (703) 841-9707, ext. 118. After the Top 50 list, you will find a listing of the top owners that utilized the NMA, as well as breakdowns of NMA work hours by craft, industry and state.

001 631000	0H 331,989	492,949	487,847	477,137	469,538	461,953	460,021	446,003	434,491	418,232	402,208	398,286	384,321	382,794	371,124	365,903	365,117	344,399	342,526	331,243	330,909	328,636	313,735	302,721	300,761	300,092	293,343
Middlohurz University	Middleburg Heights, UH	Hebron, OH	Troy, MI	St. Louis, MO	Iron Mountain, MI	Bismarck, ND	Hammond, IN	Duluth, MN	Wichita, KS	Appleton, WI	Joliet, IL	Rossford, OH	Princeton, NJ	Philadelphia, PA	Sterling Hgts, MI	Warren, MI	Greenville, SC	Rogers, MN	Tuscaloosa, AL	Marietta, OH	St. Louis, MO	Walbridge, OH	Houston, TX	Crown Point, IN	Lancaster, PA	Auburn Hills, MI	Indianapolis, IN
	www.stevensec.com	www.mpwservices.com	www.seglc.com	w ww.paynecrest.com	www.mjelectric.com	www.icinorthdakota.com	www.mcco.com	www.jamarcompany.com	w ww.pipingequ.com	w ww.theboldtcompany.com	www.brockgroup.com	w ww.ipscontractor.com	w ww.aecom.com	w ww.jjwhiteinc.com	w ww.theconticorporation.com	w ww.monarchwelding.com	w ww.fluor.com	w ww.turbinepros.com	w ww.mcabeeconstruction.com	www.pioneergroup.us	w ww.alberici.com	www.rlgbuilds.com/companies/ rudolph-libbe-inc	www.apacheip.com	www.acmsgroup.com	www.dayzim.com	www.giffininc.com	www.bowenengineering.com
Charana Environara 0 Constructore 155 *	stevens Engineers & Constructors, Inc.*	MPW Environmental Services, Inc.	Superior Electric Great Lakes Co.	PayneCrest Electric, Inc.	M.J. Electric*	Industrial Contractors, Inc. (ND)	Morrison Construction Company*	The Jamar Company*	Piping & Equipment Company	The Boldt Company*	Brock Industrial Services	Industrial Power Systems Inc. (OH)	AECOM Energy & Construction, Inc.*	J.J. White Inc.*	Conti Corporation	Monarch Welding & Engineering, Inc.*	Fluor Constructors International, Inc.*	TurbinePROs	McAbee Construction, Inc.	Pioneer Pipe, Inc.*	Alberici Constructors*	Rudolph/Libbe, Inc.	Apache Industrial United, Inc.	ACMS Group, Inc.	Day & Zimmermann NPS, Inc.*	Giffin, Inc.	Bowen Engineering Corp.
ц -	G+		L-	+13	+27	Ľ-	80 +	Ļ	+35	-12	-14	+201	'n	6-		+21	+1	84	+14	+19	-17	Ļ	+131	+16	-24	+97	-11
00	67	25	19	40	55	22	38	30	67	21	20	236	33	28	N/A	60	41	49	56	62	27	44	177	63	24	146	39
V.C	74	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50

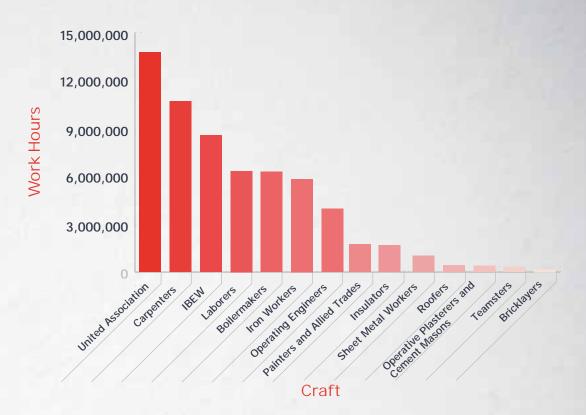
TOP 10 NMA Owner-Clients Ranked by 2019 Work Hours

Rank	Owner	Work Hours
1	BP Products North America, Inc.	4,738,747
2	General Motors Company	4,488,030
3	United States Steel Corporation	4,416,048
4	Ford Motor Company	3,129,876
5	American Electric Power	2,686,468
6	Husky Energy, Inc.	2,530,611
7	ArcelorMittal	2,415,425
8	Cleveland-Cliffs Inc.	2,391,763
9	Fiat Chrysler Automotive	2,371,489
10	PRO-TEC Coating Company	1,602,307

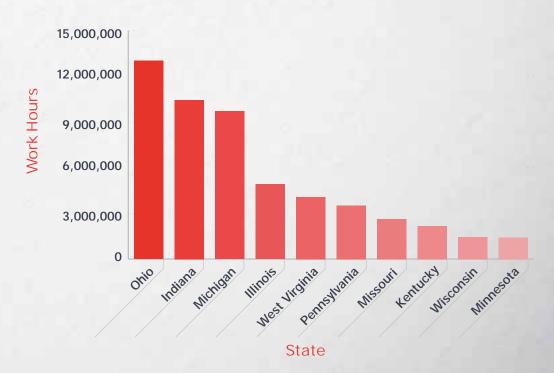
NMAPC 2019 Work Hours Reports by Industry



2019 NMA Work Hours by Craft



Top 10 NMA States Ranked by 2019 Work Hours



Top 10 NMA Contractors -Utility Sector Ranked by 2019 Work Hours

Rank	Contractor	Work Hours
1	Enerfab Power & Industrial, Inc.	1,973,106
2	BMWC Constructors, Inc.	915,981
3	BrandSafway Industries LLC	719,754
4	Hayes Mechanical Inc.	697,226
5	MPW Environmental Services, Inc.	438,586
6	Industrial Contractors, Inc. (ND)	409,868
7	Industrial Contractors Skanska	390,467
8	Matrix North American Construction Inc.	381,567
9	Sterling Boiler & Mechanical, Inc.	375,198
10	AECOM Energy & Construction, Inc.	370,359

Top 10 NMA Contractors -Petroleum/Natural Gas Sector Ranked by 2019 Work Hours

Rank	Contractor	Work Hours
1	RMF Nooter, Inc.	1,539,371
2	Chapman Corporation	1,075,144
3	Graycor Industrial Constructors Inc.	1,045,499
4	Nooter Construction Co.	875,959
5	Construction & Turnaround Services, LLC	724,376
6	Solid Platforms, Inc.	702,804
7	BMWC Constructors, Inc.	390,447
8	Piping & Equipment Company	367,237
9	M.J. Electric	354,555
10	Amex Nooter LLC	287,588

Top 10 NMA Contractors -Automotive Sector Ranked by 2019 Work Hours

Rank	Contractor	Work Hours
1	International Industrial Contracting Corporation	1,317,883
2	John E. Green Co.	584,379
3	Motor City Electric	511,034
4	Superior Electric Great Lakes Co.	487,256
5	Aristeo Construction	446,700
6	Barton Malow Company	411,734
7	Conti Corporation	355,950
8	Giffin, Inc.	300,092
9	Ideal Contracting, LLC	213,092
10	The State Group Industrial (USA) Limited	186,927

Top 10 NMA Contractors -Steel/Aluminum Sector Ranked by 2019 Work Hours

Rank	Contractor	Work Hours
1	Matrix North American Construction Inc.	858,067
2	Barton Malow Company	639,240
3	SSS, Inc.	562,456
4	Lakehead Constructors, Inc.	562,235
5	AZCO Inc.	548,266
6	Stevens Engineers & Constructors, Inc.	441,869
7	Morrison Construction Company	394,832
8	Solid Platforms, Inc.	392,845
9	Graycor Industrial Constructors Inc.	342,602
10	ACMS Group, Inc.	268,832

What to Say When Everyone Is Afraid

For Contractors, Learning How to Communicate During a Crisis Has Never Been More Important

> By David Acord, Director of Communications, TAUC & NMAPC

othing exposes a company's strengths and weaknesses like a crisis. Just as poorly built houses rarely withstand a hurricane, businesses lacking strong foundations almost always fail when an unexpected storm hits. But other organizations — led by executives with the foresight to prepare for even the most severe disruptions — are able to survive galeforce winds and, in many cases, quickly regain their foothold in the marketplace.

A few months ago, our industry experienced the mother of all unexpected storms in the form of the COVID-19 pandemic. Welllaid plans were thrown out the window, and projects that had been in the works for years were literally scrapped overnight. It was the ultimate test; some companies passed while others didn't. Many are still struggling, unsure of their ultimate fate.

What separates the winners from the losers? No two contractors are alike, of course, and each company faces its own particular set of challenges. But the same set of fundamental principles that guided savvy contractors through the crushing recession of 2008 and any number of other crises over the years can also help them navigate the COVID-19 situation. In this article, I'd like to shine a spotlight on one principle in particular that is often overlooked even by experienced executives. It can be summed up this way:

Companies that consistently survive "worst-case scenarios" almost always have leaders who know how to communicate effectively during a crisis.

"Crisis communication" is a term often associated with public relations. If a company's food makes a lot of people sick, the CEO calls in an expert to handle the messaging, deal with the media and hopefully fend off a wave of lawsuits. But that's only half the story. Contractors also need to know how to communicate during a crisis like COVID-19. While most of you will never have to address a room full of reporters and news cameras, you will have to talk to your own employees, building trades partners and owner-clients. This type of crisis communication is internal — within the confines of your immediate company or industry as opposed to external, where you address the general public.

Our industry's greatest asset has always been our people. During a crisis, we need everyone locked in, focused and ready to meet the challenge. Morale and productivity go hand in hand. People can't perform at the highest level if they are worried and confused about what's happening around them, especially during an event as unsettling as a global pandemic. Management's job is to communicate in a clear, consistent and ethical manner so that their concerns are addressed. Regardless of how your company performed during the first few months of the COVID-19 pandemic, mastering the basics of internal crisis communication can set you up for success down the road. If you're in relatively good shape, following these simple rules can put you in an even stronger position moving forward. And if you're struggling, then understanding how to better connect with your employees and partners can only improve your situation.

An Unlikely Role Model

In the early 1930s, in the depths of the Great Depression, President Franklin D. Roosevelt began broadcasting a series of live radio messages from the White House that came to be known as the Fireside Chats. They were enormously popular with an American public that was quite literally at the breaking point. Millions were unemployed, and many families didn't know where their next meal would come from. Banks were failing left and right. It got so bad that Roosevelt had to shut down the entire banking system. In the midst of all this, he took to the airwaves to speak directly to Americans, explain the situation and lay out what the government was doing to make things better.

The first Fireside Chat, on March 12, 1933, was an instant hit. The President's words buoyed the nation's spirit. People grew more confident that he could be trusted to make the right decisions for the country. With a few skillfully placed words, he pulled the U.S. back from the brink of utter disaster.

What worked for FDR can work for you, too. The communication and persuasion techniques he used are just as effective today as they were in the 1930s. Let's see how you can put them to use in your own organization.

During a crisis, we need everyone locked in, focused and ready to meet the challenge.



Know Your Purpose

The first thing to do is figure out why you need to communicate with your employees or business partners. Whether you choose to conduct an in-person meeting or arrange a conference call over Zoom, make sure your reason is simple and clear. "Just getting together to chat" won't cut it. Engaging in a rambling, unfocused monologue while a crisis is raging will erode employees' confidence in you and make things much worse. You may wish to address false rumors, provide an update on the financial health of the company, or speak frankly about layoffs and cutbacks. Regardless, remember that to most people, a crisis represents uncertainty and chaos. Your job as a leader is to provide the antidote to that chaos by being calm, prepared, focused and disciplined.

Simple and Steady Gets It Done

In his Fireside Chats, FDR spoke in a friendly, conversational tone and used simple, everyday language to get his point across. As his speechwriter Samuel Rosenman once noted, "He looked for words that he would use in an informal conversation with one or two of his friends." While the Great Depression was a hugely important and dramatic event that very nearly destroyed the country, FDR deliberately chose not to use an important and dramatic tone in his radio chats-just the opposite, in fact. Why? Because doing so would have stirred up listeners' already frayed emotions. And that would have gotten in the way of his main goal: to persuade Americans that things were going to be OK and the government had the situation in hand. FDR. in other words, knew how to read the room. He chose a tone and style that worked with, not against, his purpose for speaking in the first place.

Roosevelt avoided using big words and complex language in his chats in order to minimize confusion and reach the maximum number of listeners. As the Museum of Broadcast Communications noted, "Eighty percent of the words FDR chose were among the 1,000 most commonly used words in the English vocabulary. He also relied on stories, anecdotes, and analogies to explain the complex issues facing the country. For example, he used a baseball analogy to describe the first two months of the New Deal: 'I have no expectations of making a hit every time I come to bat. What I seek is the highest possible batting average, not only for myself, but for the team.'"

FDR also got to the point as soon as possible. There were no long preambles or flowery language in the Fireside Chats. Look at the plain, no-frills way he began his very first radio address in 1933: "I want to talk for a few minutes with the people of the United States about banking ... I want to tell you what has been done in the last few days, why it was done, and what the next steps are going to be." Quick, basic, and we're off to the races.



The Truth and Nothing But

You might find it insulting to be reminded to tell the truth. But when you talk to your employees in the middle of a crisis, it is often very tempting to gloss over the real problems and imply that everything will be OK. Why? Because you want them to feel better, you don't want them to worry unnecessarily, or you feel guilty. "Let me do all the worrying," you think.

While wanting to protect your workers from pain is admirable, it's also misguided. Your goal should be to tell them the truth in a professional and measured way. Holding back important facts simply delays the inevitable—and you risk an even greater backlash when the truth finally comes out (and it always does).

Conclusion

As we head into the second half of 2020 and beyond, COVID-19 will continue to throw wrenches into our industry's welllaid plans. And if by some miracle the virus fades away, another crisis will quickly show up to take its place. As a leader, you need to be prepared to communicate with your extended team (employees and business partners) in a way that makes a bad situation better. FDR changed the attitudes of tens of millions of Americans with a few short radio messages. By following his example, you can turn around your organization, too.

FDR's Tips for Communicating During Tough Times

FDR's Fireside Chats are a master class in crisis communication. Here are a few more helpful tips gleaned from the President's radio addresses.

Tell them what you're going to tell them. Begin by giving your listeners a road map to your upcoming comments by quickly stating what topics you are going to discuss. Set the goal early: "I want to talk about..." or "I'm here to give you a quick update on X, Y and Z" helps focus your listeners and keeps them engaged. If you have several topics to discuss, use verbal "directional arrows" like First, second and last to keep everything organized and flowing.

Speak plainly, not eloquently. A major crisis is not your moment to shine. Your employees are afraid and worried, perhaps even fearful of losing their jobs. They don't want eloquence. They don't want to hear your thoughts on perseverance during tough times; they want to hear your nuts-and-bolts plan for making things better. Focus on practical actions: "Here's what's happening, and here's what we're going to do."

Don't forget your ABCs. In this case, ABC stands for "Always Be Clear." Avoid using technical or business terminology that some employees may not understand. Leave no employee behind — everyone should be able to follow your discussion.

Use the Emergency Room Technique. Imagine you receive a call late at night that one of your children has been in a car accident. You and your spouse rush to the emergency room and are met by a doctor. Ask yourself what you would want the doctor to say first. Should he introduce himself or talk about the weather? Should he reel off his qualifications and talk about all the car accident victims he's treated in the past? Of course not. You want information about your child's condition, and you want it right now. Likewise, when you address your employees in the midst of a crisis, think of yourself as the doctor in the emergency room. Cut out the small talk and give them the facts about the situation as quickly and succinctly as possible. Facts are the antidote to panic and fear.

Rip off the bandage. If there is bad news — layoffs, the loss of a big contract, etc.—be upfront and announce it early in your comments. Don't keep people waiting for the other shoe to drop. Once you've given them the bad news, immediately follow up with mitigating action steps: tell them what will happen next and lay out what management is doing to bring the company back to full strength.

Give them skeletons. Your management team has come up with a brilliant plan to deal with the current crisis. You have detailed reports, loads of Excel charts and an awesome PowerPoint that you can't wait to share with everyone. But that would be the wrong move. If you're in the middle of a crisis, resist the urge to get bogged down in the details. Forcing your employees to sit through an hourlong presentation while they are worried about their next paycheck is torture. Instead, give them a skeleton of your plan—a brief, accurate outline that hits the high points.

Anticipate objections. Before delivering your comments, read through them and try to anticipate objections or questions some of your more skeptical employees might have. "Now, I know what you're thinking" or "You might be wondering" are good ways to introduce these objections and deal with them.

TAUC News Briefs

NMAPC Cancels ZISA Gala



The National Maintenance Agreements Policy Committee, Inc. (NMAPC) has cancelled the Zero Injury Safety Awards[®] (ZISA[®]) Dinner and Gala, originally scheduled for October 22, 2020 at the National Cathedral in Washington, D.C. While the in-person event will not move forward, tripartite teams that achieved zero

injuries on projects will still receive their awards, and NMAPC will honor the winners with a special online celebration.

"This is not how anyone expected the 20th annual ZISA® Gala to turn out," said NMAPC Impartial Secretary/CEO Steve Lindauer. "We were all looking forward to gathering together and celebrating two decades of hard work and tripartite commitment to the zero-injury philosophy. But at the end of the day, we could not in good conscience schedule a large physical event while the coronavirus remains a significant public health concern for our industry and our country. Doing so would be contrary to both expert guidance and the NMAPC's fundamental commitment to safety."

Lindauer added, "For our industry, 2020 has been a master class in adapting to unexpected circumstances, embracing uncertainty and finding new ways to innovate and move forward in the face of extreme challenges. COVID-19 may have forced us to cancel the Gala, but rest assured, ZISA® itself is not cancelled. We are in the final stages of auditing this year's applications and will soon be notifying the winning tripartite teams."

This year's winners will receive their physical awards in the mail later this fall. In addition, NMAPC is working on a special 20th anniversary video that will soon debut on our website. We will also publicize the winning teams via our website and social media channels.

"I want to personally congratulate every tripartite team that achieved zero injuries on their projects - not just in the current awards cycle, but over the last twenty years," Lindauer concluded. "We will get through this, and ZISA® will continue to represent the highest ideals of the union construction and maintenance industry for another twenty years — and beyond."

Aristeo Welcomes Lars Luedeman as New CFO

TAUC Governing Member Aristeo has announced that it recently hired Lars Luedeman as its new Chief Financial Officer.



Luedeman previously served as Executive Vice President, Chief

Financial Officer, and Treasurer at Barton Malow. He also has extensive advisory experience in the automotive and steel industries, as well as a background in investment banking. "His approach to integrating advanced financial strategies, new technologies, and construction-specific accounting principles will directly benefit Aristeo," the company said. "Since starting at Aristeo, Luedeman has immediately become a critical asset, working with the rest of the leadership team to successfully navigate the company through the current economic environment."

"I have really hit the ground running since starting at Aristeo," Luedeman stated. "This company has built a solid reputation as one of the leading construction solutions providers in the industry and I am honored to be part of the team that will lead the organization forward."

"Lars has been a perfect fit for the Aristeo team," added President Michelle Aristeo Barton. "He has demonstrated many of the same values that we hold dear at Aristeo, including our commitment to integrity, ingenuity, grit, and excellence. We've appreciated his unique insight over the last few months and look forward to continue working together in the years to come."

New Book of Decisions Update Available

The latest update to the NMAPC Book of Decisions, approved on July 15, 2020, is now available online: Bulletin XXII - 4: Lockout and Work Stoppage - Requirements When Owner/ Client's In-Plant Employees Are on Strike

To download the update in PDF format, please visit the Book of Decisions page at **www.nmapc.org** and go to the "Recent Book of Decisions Updates" in the right-hand column. On the same page, you can also download an updated copy of the complete Book of Decisions in PDF format (you will need your NMAPC username and password to download the book).













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What Does the Supreme Court's LGBTQ Ruling Mean for Contractors?

BY KATHARINE MEYER, ESQ, GKG LAW, P.C.



An individual's homosexuality or

Katharine Meyer is a Principal at GKG Law, P.C. in Washington, DC. For the past 19 years, Katie has been a member of the firm's Association Practice Group, which provides legal advice to nonprofit organizations throughout the United States.

n the spring issue of *The Construction User*, I discussed sexual harassment in the construction industry. Typically, I like to tackle a variety of topics in this column, but the Supreme Court's recent decision which effectively makes it illegal in the U.S. to fire employees based on sexual orientation or gender identity — is a bombshell. Even more surprising, the 6-3 ruling was written by Neil Gorsuch, one of the more conservative justices on an already conservative court. Therefore, I am compelled to write about employment law once again.

In the June 15 ruling, the Supreme Court held that an employer that fires an employee for being gay or transgender violates Title VII of the Civil Rights Act of 1964. In the opinion, Justice Gorsuch stated: "An individual's homosexuality or transgender status is not relevant to employment decisions. That's because it is impossible to discriminate against a person for being homosexual or transgender without discriminating against that individual based on sex."

Below are the answers to several common questions regarding this decision:

Why is this decision important? In 27 states, including Texas, Florida and Arizona, there are no explicit state laws that protect gay or transgender employees from employment discrimination. Employees in those states now are protected under federal law and have recourse if they are fired or otherwise discriminated against because of their sexual orientation or gender identity. If a company in these states discriminates against a gay or transgender worker, it transgender status is not relevant to employment decisions.

can face significant penalties, depending on the facts of the case and the size of the employer.

What is Title VII of the Civil Rights Act? Title VII protects employees against discrimination based on race, color, national origin, sex and religion. Under Title VII, an employer may not discriminate with regard to any term, condition or privilege of employment. It is enforced by the Equal Employment Opportunity Commission.

What are the penalties if an employer is found to have violated Title VII? An employer that violates Title VII can be ordered to pay damages, including back pay, injunctive relief, out-of-pocket expenses, court costs and attorney's fees. Additionally, an employee can be awarded compensatory and punitive damages, which are capped at \$50,000 to \$300,000, depending on the size of the employer.

Does this law apply to just employee termination? No. Title VII covers all types of workplace discrimination, including harassment, the failure to hire, train or promote, or the failure to provide benefits to an employee.

Is every employer covered under this new ruling? No. Employers with fewer than 15 employees are not covered under the Civil Rights Act. However, those smaller employers still are governed by state and local discrimination statutes. Therefore, even if state law does not prohibit this type of discrimination, city or county ordinances may.

Additionally, independent contractors are not covered by anti-discrimination laws, because they are not employees. Be aware, though, that if a company treats an independent contractor like an employee, a court could find that that individual is actually an employee. In that case, these discrimination laws would apply.

Are there any caveats to this decision? Gorsuch stated that some employers may have valid religious objections to hiring gay or trans workers. It is possible that the 1993 Religious Freedom Restoration Act may protect employers that, for religious reasons, do not want to hire gay or trans individuals.

So what does this mean for the construction industry? For companies that do business in states that already offer protections to gay and transgender individuals, not much should change from a legal standpoint. However, this decision gives companies the opportunity to reiterate their anti-discrimination policies and remind workers that harassment against gay and transgender employees is strictly prohibited in the workplace.

Companies in the 27 states that do not protect gay and transgender employees

Embracing Innovation — and a New Challenge

BY TIMOTHY HOCH



Timothy Hoch is Information Technology and Innovation Director at APM. He also is Chairman of TAUC's Innovation and Technology Committee.

ello, TAUC members! My name is Timothy Hoch, and I am honored and humbled to have been elected as the first chairman of the newly formed Innovation and Technology Committee. I would like to introduce myself and provide a little background about my life and experiences.

Technology has always been my fascination. Entry-level courses in electronics and computer programming sparked my interest in the developing digital world, but it would be several years before I would decide to make technology a career. Working as a machinist apprentice while attending community college provided many opportunities to explore multiple interests, and each semester I enrolled in a technology course of some type. I didn't realize then that I was building a path toward an amazing career and that I was seeking opportunities that provided indepth training along a defined career path.

Eventually, the perfect opportunity presented itself, and in April 1991, I enlisted in the U.S. Air Force as a computersystems technician. The Air Force offered everything I was in search of — technical training, knowledge, experience, leadership development and a career path — as well as several things I didn't know I was seeking, including discipline, camaraderie, exposure to new cultures and new ways of thinking, and a broadened worldview. Most important, the Air Force introduced me to my beautiful wife, Sherri, and we will celebrate 29 years together later this year.

Advanced education and training are core competencies Air Force leadership encourages and provides, and I was fortunate to be offered multiple opportunities to grow my skill set. My family supported me through the challenges of completing multiple degrees and earning a commission as an Air Force Cyber Operations officer. Our time in the Air Force took us around the world, including a five-year assignment in Japan and multiple deployments to the Middle East and Africa. After nearly 24 years, I made the difficult decision to retire in November 2014 and sought my next opportunity.

Retirement brought me to the Houston area, and in January 2015, I started a new career with APM, an organization whose visionary leadership created an IT and Innovation Director position focused on exploring and implementing new technologies and digital tools. APM has embraced innovation as critical to the future of the company, and over the past five years, the business and its operations have rapidly evolved. APM pivoted toward developing a custom jobsite-management suite that has fundamentally changed the way our superintendents execute on the jobsite. Internal objective-oriented teams are established to rapidly execute LEAN projects, accomplishing singular tasks that create business value.

The value of analytics and big data has been unlocked, leveraging years of company data to fine-tune processes and operations. Over the past 18 months, pilot programs have launched to investigate tools using predictive analytics and artificial intelligence, and our team continually seeks to evaluate new technologies. **Our drive is to lead change, rather than allow change to lead us.**

At this point, you may be asking, what is the ultimate goal of all these initiatives? The answer is simple - to use the power of technology and innovation to inspire the APM culture of safety, productivity and excellence. Safety is and always will be our top priority, and all our technology projects have the objective of maximizing the time APM superintendents spend at jobsites to ensure safe task execution. The more efficient our digital systems are, the less time our superintendents need to spend with them. The less time they need to spend with their computer, iPad or smartphone, the more time they can be present and directly lead their craftspeople. Improving safety is an ongoing challenge, and one that must be our priority.

Speaking of challenges, leading the Innovation and Technology Committee will certainly be a new one for me. I am thankful for the opportunity and look forward to

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At APM, our ultimate goal is to use the power of technology and innovation to inspire our culture of safety, productivity and excellence.

Embracing Innovation — and a New Challenge

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learning about how other businesses engage in this realm. What technologies have been implemented that made a difference? What innovative or transformative ideas are you investigating? How are you leading change? How well has your workforce accepted change? I am open to any ideas or recommendations that can help shape our committee. I look forward to hearing from you!

I will leave you with a quote that is more than 200 years old but is still applicable today:

Lead the ideas of your time and they will accompany and support you. Fall behind them and they will drag you along with them. Oppose them and they will overwhelm you. —Napoleon Bonaparte

All the Drama Movies Aren't on Netflix

Continued from page 10

Disciplined ROI is the name of the game: to improve operational or economic outcomes for your companies.

So the show is about to start. The coming attractions look mixed. Settle back with your popcorn and take a breath. The year 2020 will likely be decent based on backlogs and current market momentum. But the path ahead is clearly one requiring additional forethought and vision. I can tell you that the theater is packed (social distancing doesn't apply here) as we ride it out together. And for the questions of ROI, though we cannot guarantee a happily-ever-after ending, you are going to want your team aligned in the seats behind you watching your back.

** Note: Every apprentice, PM or other employee who entered the workplace in the last 10 years has never seen a downturn. In fact, they have been employed in a period of unprecedented opportunity. The ability to manage expectations, emotions and compensation will be another management challenge in 2020 and beyond.

The Data-Driven Construction Business

Continued from page 17

7. Businesses are leveraging data to gain a competitive edge

Today's leading construction businesses are using data not just to survive but to thrive. In fact, they're leveraging data to gain key insights to help them outperform their competition. By leveraging an integrated solution like Procore Analytics, which offers insights from project data, teams are able to improve forecasting, extract trends from larger datasets, and identify patterns with machine learning. Teams are able to visualize their data while moving in between reports and dashboards, all while gaining granular insights to help guide their business. This helps them reduce risk, make faster data-driven decisions, and more accurately forecast to maximize project results. Procore is a TAUC Legacy Partner.

8. Industry insights help businesses navigate uncharted waters

Shortly after the COVID-19 pandemic, Procore released the Construction Activity Index. The data utilizes aggregated jobsite activity from Procore as well as publicly available information to measure construction activity during the COVID-19 outbreak. It provides data on everything from how states are reopening, sheltering-in-place orders, and changes in worker hours. It gives businesses insight into how COVID-19 impacts construction businesses and is enabling analysts, economists, and government officials to make projections. This kind of data is helping businesses not only navigate current changes in the industry but also helps them make better business decisions going forward.

A New Era of Construction

Construction represents about 13%, or \$10 trillion, of global annual GDP and employs 7% of the global workforce. As one of the world's largest industries, those numbers will only increase. Projects, teams, and construction businesses will continue to grow and become more complex.

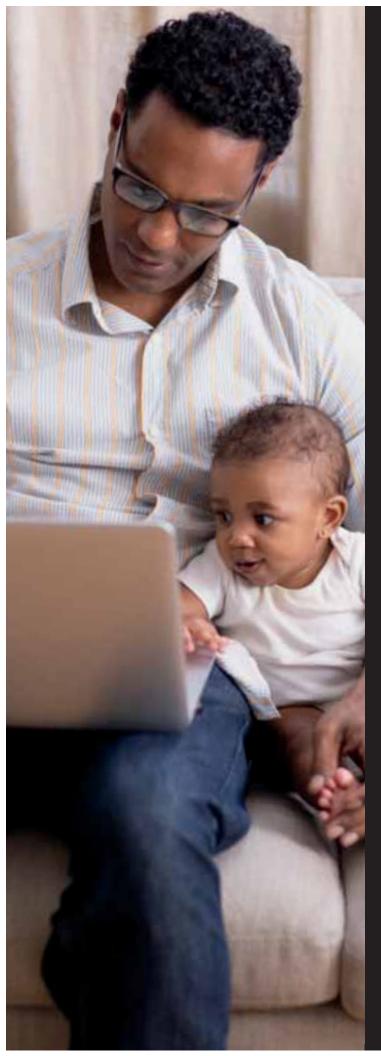
More than ever before, businesses have an opportunity to take their people, processes, and profits to new heights. They have the ability to learn from past projects, make better decisions going forward, and benchmark against peers. They can predict risk and minimize waste. They have an infinite amount of data to help them improve, right in the palm of their hands.

As we look to the future of construction, the volume of data will continue to grow at an astonishing rate. However, it's up to each business to leverage those insights in an efficient and effective way to drive their company, and the industry, forward.

What does the Supreme Court's LGBTQ Ruling Mean for Contractors?

Continued from page 30

need to review their employee policies to ensure that they prohibit the discrimination of gay and transgender employees. Additionally, employers should provide proper discrimination and harassment training to all their employees. Ultimately, companies can be held liable for the illegal actions of their employees. Companies, therefore, need to make it clear that discrimination against gay and transgender workers will not be tolerated. Any complaints should be promptly investigated, and quick and decisive action should be taken against any offenders.



Manage construction from anywhere.

We face an unprecedented challenge but we face it together. Here's how we can help.



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"In these increasingly strange times, Procore has been the anchor that allows us to continue sharing information quickly and accurately. The support we have received has been exceptional."



Kevin Rohr Preconstruction Design Manager, Greiner Electric

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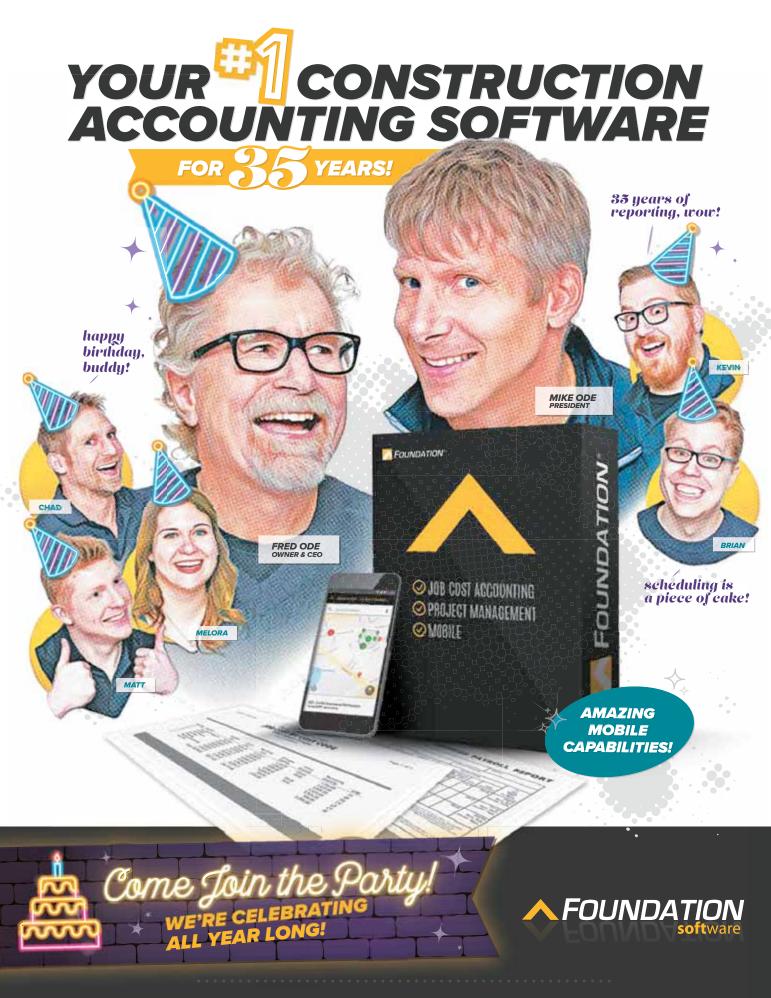
eLearning Resource Center

The National Maintenance Agreements Policy Committee, Inc. (NMAPC) has been serving the union construction and maintenance industry for more than 40 years. We negotiate and administer the National Maintenance Agreements (NMA), a series of collective bargaining agreements utilized by more than 2,000 industrial construction and maintenance contractors employing members of fourteen international building trades unions.

Now, the NMAPC has created a comprehensive web-based resource center to help contractors, clients and crafts more effectively utilize the NMAPC Program.

The NMA I.Q. eLearning Resource Center is the web-based resource for "all things NMA." It is designed for newcomers and industry veterans alike, and equally useful to all members of the tripartite community – contractors, building trades unions and owner-clients. It offers easy-to-follow online tutorials and short videos on virtually every aspect of the NMA, from a "How does it work?" general overview to detailed instructions and explanations on more technical aspects of the Agreements.

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