



The Tool Box

Serving the Electrical, HVAC & Plumbing Industries Since 1912

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From The Desk of Harold P. Coxson, Jr. Ogletree Governmental Affairs, Inc.

Specter Predicts 60 Votes for EFCA Alternative Bill

If the original Employee Free Choice Act (EFCA) gave you a headache – a newly announced “compromise” is sure to give you a migraine. It should come as little surprise that Sen. Arlen Specter (D-PA) would be the one to announce at this week’s AFL-CIO convention in Pittsburgh that he and a small drafting party in the Senate had come up with an alternative bill to EFCA. While he stopped short of confirming support from those Southern Democrats who currently oppose EFCA, Specter said he is “confident” this legislation will have support from the 60 senators needed to break a Senate filibuster and that the bill will pass before the end of the year. Of course, incoming AFL-CIO president Richard Trumka immediately disavowed that there was, in fact, a “compromise” which the unions have agreed to on EFCA.

The terms of this compromise concept should come as little surprise to those who have been reading this column. As we have discussed in the past, Sen. Specter’s alternative bill would drop the controversial “card check” provision, but would include: (1) “ambush” union representation elections which would be held in reduced timeframes, perhaps in as little as five days from the union’s petition; (2) access for outside union organizers to meet with employees at work to promote unions; (3) triple back pay, fines, and other anti-employer sanctions for employer violations during the period of union organizing and first contract negotiations; and (4) “final offer” arbitration of initial collective bargaining negotiations where the union and the employer fail to agree on the terms of a contract. This arbitration concept would require the arbitrator to pick between the employer’s and the union’s “last, best offers,” as is the process in major league baseball arbitration. Of course, baseball arbitration only involves the issue of compensation; in the employment setting, the arbitrator would decide all of the terms and conditions of employment and of operating a business on which the parties have not reached agreement.

Whether Sen. Blanche Lincoln (D-AR) and other Democrats who have expressed opposition to EFCA will, in fact, vote for cloture on the alternative bill remains to be seen. The reality, however, is that every Democratic and Independent Senator, including the one replacing the late Sen. Edward Kennedy (D-MA), would have to be present and voting for cloture. And, of course, the Obama Administration has made clear that EFCA will come after health care reform. So, while not impossible, passage of this legislation this year is still a challenging prospect, but one the business community must not dismiss.

We knew, or have strongly suspected, that it would come to this. An alternative bill that would, in some respects, be worse than EFCA as introduced and that would borrow from the provisions of the defeated 1978 labor law reform bill from over 30 years ago. I know, because I helped stop that bill through a business coalition at least as large, if not larger, than the business coalition today.

That bill was stopped by one vote after a 19-day (i.e., full legislative month) Senate filibuster, with six cloture votes (which at that time was the most ever taken). It was stopped, however, only because of a concerted effort from the business community. My point is that this is no time for business to panic but it is also no time for the business community to feel over confident. The business lobby must stay the course, and even step up communications with their Senators. We stopped labor law reform over 30 years ago, and we can stop it again. Doing so, however, will require our continued focus and effort.

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Friday
October 23, 2009
5th Annual
Piedmont
MCASC
Scholarship
Golf Tournament
Woodfin Ridge
Golf Course
Inman, SC
Registration
Deadline
October 16, 2009
Sign Up Today!!!



“Tool Box Talks” - Safety Tip
FALLS - CAUSES AND CURES

Has this thought ever crossed your mind? The only way to be safe from falls is to avoid them! Avoidance is the key word. Let's explore just a few of the factors contributing to falls and their serious results. Here are some to think about.

Scaffolds - Never erect a temporary scaffold. Even if the job will only last a very short time, the scaffold should be erected as if you were going to use it indefinitely. Make sure you install all the cross braces both vertically and horizontally, be sure the scaffold is built on a level surface and fully decked, and don't forget to provide proper access.

Ladders - Select the right ladder for the job. Is it the right size, did you tie it off, did you inspect it prior to use? Always face the ladder when you climb and avoid carrying tools in your hands when climbing - one slip could send you down - use a hand line or pouch for the tools. Never stand on the top two steps.

Floor Openings - Any floor opening measuring 12 inches across or larger must be covered or protection provided by a standard guard rail with toeboard. A cover must be large enough and strong enough to prevent failure and be marked so that everyone on the job will be aware of its purpose. Guard rails must meet minimum strength requirements (See OSHA Standard 1926.500). Toeboards will prevent tools or materials from falling through the opening and injuring workers below.

Stairways - Slow down - don't run up or down. Avoid carrying objects that block your view of the steps. To help eliminate falls on stairways take your time, look where you step, and use the handrail. Keep stairways free of clutter to prevent tripping.

Housekeeping - A secure footing is a positive step in avoiding falls and good housekeeping is essential to secure footing. Debris, trash, oil and water left to accumulate on stairs, walkway etc. will lead to certain falls. A clean work-site is a safer worksite.

Watch your step! Stay alert! Avoidance and prevention is your first line of defense.

BE ON THE LOOKOUT FOR SLIPPERY SURFACES AND WALKWAYS. WINTER'S FROST, SNOW & ICE INCREASE YOUR CHANCES OF SLIPPING.

RSS Safety, LLC
 1122 Industrial Drive, Suite 113
 Matthews, NC 28105
 Telephone (704) 844-2519 Fax (704) 844-0291

Birth Announcement

Elizabeth Drew deTreville
Born September 21, 2009, 2:59 PM, 8 lbs 5 oz, 20 ins
Proud Parents: Blake & Bebe deTreville
Proud Grandparents: Phil & Beth Wilson
Control Management, Inc., Columbia

Welcome New Members

Billy Starrett - Southeastern Electrical Distributors, Inc.
North Charleston
Gary Bishop - Teton Industrial Construction, Inc.
Alpharetta, GA
Perry Barnard - The Tool Shed, Inc.
Greenville

Condolences

Mr. & Mrs. Steve Barwick & Family
On the loss of his mother
Vivian Lee Brown Barwick
Barwick Plumbing, Pinewood

Mr. & Mrs. Terry Hoff & Family
On the loss of her mother
Elizabeth R. Bigham
Metro Electric Company, Charleston

Mr. & Mrs. Scott Peak & Family
On the loss of his father
Jimmy Carlton Peak
The Trane Company, Charleston

Happy Anniversary

Mr. & Mrs. Taylor Brewer - 10/6
Mr. & Mrs. Harry King - 10/9
Mr. & Mrs. Pete Bailey - 10/19
Mr. & Mrs. Gary Kirkland - 10/19
Mr. & Mrs. Paul Prevatte - 10/19
Mr. & Mrs. Duwayne Jacobs - 10/28

Concerns

Lewis Caswell - W. O. Blackstone, Columbia
Charley Hipp - Hipp Properties, Charleston
Rhett Leake - James M. Pleasants Co., Charlotte
Richard Miller, Sr. - City Plumbing Co., Florence
Wyman Sox - Honorary Life Member, West Columbia

Build From The Inside Out

By: Ann Elliott, The Berkana Company

Weak infrastructure causes collapse when outside pressures are brought to bear. Many people dream of winning the lottery. Recently a man in South Carolina won more than \$200 million in the lottery. I wish him well.

Many lottery winners get a windfall and find themselves back where they started or in worse circumstances. They simply didn't have the infrastructure to support this dramatic change in their situation.

Entrepreneurs and business owners that are so busy working in their business, they see no benefit in taking the time, creativity and energy to develop a strong infrastructure. They rock along doing business as usual until a significant change puts them in a tail spin. The change can be a positive one or a negative one. It could be an effective marketing strategy and a massive influx of new business. It could be a significant down turn in the economy and a massive loss of business.

Consider this example. A small business is operating successfully without written systems or checklists a weak infrastructure. The owner is doing everything herself. All the "how to run the business" is safely locked inside her head.

Enter a significant amount of new business -- the lottery in a down economy. Without enough administrative support and an infrastructure to train new employees, she and her business are both at risk.

Here is what's at stake: ability to fulfill contracts; reputation of quality; possibility of losing money; health of the owner; and potential for future growth. This is a downward spiral in the making.

Hallmarks of Weak Infrastructures

- There are no systems in place
- All structures are within the owner's head
- The business is sustainable so long as nothing changes
- Positive or negative shifts are unmanageable
- Hiring, training and retaining good employees is difficult

What's the solution for business owners and leaders? Build with the future in mind. Work with today in mind.

Use the following nine guidelines to strengthen your infrastructure for success:

- **Start where you are now** - ground zero in a new enterprise or in an established company.
- **Use three functional areas to define your business:** marketing/sales; operations; administration. Read Michael Gerber's *The E Myth Revisited* to learn more.
- **Create a foundation that supports future development.** Whether you are a solo entrepreneur or the leader of a mega organization, develop a supporting infrastructure that can grow.
- **For an established company,** observe what is working, put it in writing, and implement it.
- **Refine it as you go to meet your evolving needs.**
- **Be willing to let go of what isn't working even though it worked well in the past.** Organizations can out-grow people, equipment, ideas, and processes.
- **Hire help where you need it.** Well trained, happy employees can make money for you.
- **Keep technology up to date.**

Here's the rest of the unfolding story of our client, the small business owner. One of the main objectives in my work with this successful entrepreneur was to create systems and organization in her business. She recognized that she was limiting her potential to grow her organization. Fortunately, we had made a lot of progress in developing her infrastructure. When "she won the lottery," her business was much better positioned to accept the work and *increase her revenues by 100% in a down economy.*

There's more to do, including training new hires, refining the systems we created and developing new ones. A thriving organization is organic. It is always looking for ways to improve.

What are you doing to strengthen or create your infrastructure for your business? It's not impossible to get the "ox out of the ditch" when you are in the midst of a firestorm. It is, however, more difficult than it needs to be. The best time to prepare for a significant shift in your business is before it happens. Build from the inside out.

Ann Elliott is a leadership strategist and founder of The Berkana Company LLC. She is the author of "What Successful Women Know About Leadership" (2005). As an experienced facilitator, trainer, and business consultant, she helps entrepreneurs and business owners build a thriving business that is efficient, profitable and a fun place to work. Ann speaks professionally at conferences, workshops and seminars. To schedule her for your event, contact: info @ berkanacompany.com or visit www.berkanacompany.com

2nd Annual Pee Dee Blast Sporting Clay Event Winners & Sponsors

The Pee Dee Area MCASC would like to take this opportunity to thank all the participants & sponsors for their generous support.

1st Place Team

Eastern Industrial Supplies/Federated Insurance
Chris Clark
Brad Eaddy
Wayne McKenzie
Brad Humphries

2nd Place Team

Longley Supply Company
Dee Hamilton
Keith Harrelson
Scott Stone
Bobby Stuggs

3rd Place Team

H. R. Allen, Inc.
Stan Harbourt
Michael Lalich
Steve Maynard
Jason Shorter

Individual High Score

Chris Clark

Lunch Sponsors:

Gasque Plumbing Company, Inc.
Longley Supply Company

Social Sponsors:

Carolina Insulation Contractors, Inc.
McCall's Supply Company
Precision Fab & Supply

Station Sponsors:

Charleston Winnelson
Eastern Industrial Supplies, Inc.
Heat Transfer Sales
Mechanical Equipment

Donations:

Backwoods Quail Club
Hepler Plumbing
Hilti, Inc.
Duwayne Jacobs
Low Country Guide Service & Expeditions
Neff Rentals
Pee Dee Area MCASC

Congratulations to MCASC Members
Listed In "The Southeast's Top Specialty Contractors"
Cullum Mechanical Construction, Inc.
Gregory Electric Company, Inc.
H. R. Allen, Inc.
Waldrop, Inc.

ELECTRICAL

Gregory Electric Company, Inc.
H. R. Allen, Inc.

PLUMBING

Cullum Mechanical Construction, Inc.

MECHANICAL/HVAC

Cullum Mechanical Construction, Inc.
Waldrop Mechanical Services

TELECOMMUNICATIONS

Gregory Electric Company, Inc.

Congratulations to MCASC's Newest Honorary Life Members

Cal Dent, Gene Hopkins & Joe McMurry



MCASC 2009 COURSE REGISTRATION



COMPLETE AND FAX OR MAIL TO MCASC

P.O. BOX 384, COLUMBIA, SC 29202

TELEPHONE #: 803-772-7834 FAX #: 803-731-0390

EMAIL: mflowers@mcasc.com WEBSITE: www.mcasc.com

NAME: _____

COMPANY: _____

ADDRESS: _____

PHONE: _____ **FAX:** _____

CITY: _____ **STATE ZIP** _____

EMAIL ADDRESS: _____

NAME ON LICENSE: _____

LICENSE NO.: _____ **STATE:** _____

Payment Method

- Please Invoice
- Check Enclosed for \$ _____

NOTE:

All Courses Will Be Held At
The MCASC State Office
Training Facility
1504 Morninghill Drive
Columbia, SC

NOTE:

WE OFFER A DISCOUNT
IF YOUR COMPANY REGISTERS
THREE (3) OR MORE
FOR THE SAME COURSE.
SEND 3...THE 4TH IS FREE

NOTICE:

ANYONE FAILING TO WITHDRAW FROM A COURSE
TWO WEEKS PRIOR TO ITS START WILL BE BILLED
FOR THE ENTIRE COST OF THE COURSE.
NO EXCEPTIONS.

PLEASE PLACE A CHECK BESIDE EACH COURSE YOU WISH TO REGISTER FOR:

NC & GA APPROVED

- 2009 Plumbing Code Changes Part 1, Part 2 and Boosting Profits in 2009
Part 1 & Part 2: NC License Types; P-I, P-II
Part 3: NC License Types; P-I, P-II, H-1-I, H-1-II, H-2, H-3-I, H-3-II, FS, FP
September 30, 2009 - Columbia
Time: 9:00 AM - 4:00 PM
Member: \$175.00 Non-Member: \$225.00

NC & GA APPROVED

- Checking Out 2009 Mechanical Code Changes Part 1, Part 2 and Maximizing Profits in 2009
Part 1 & Part 2: NC License Types: H-1-I, H-1-II, H-2, H-3-I, H-3-II
Part 3: NC License Types: P-I, P-II, H-1-I, H-1-II, H-2, H-3-I, H-3-II, FS, FP
October 14, 2009 - Columbia
Time: 9:00 AM - 4:00 PM
Member: \$175.00 Non-Member: \$225.00

NC & GA APPROVED

- 2009 Fuel Gas Code Changes Part 1, Part 2 and Maximizing Profits in 2009
Part 1 & Part 2: NC License Types; P-I, P-II, H-1-I, H-1-II, H-2, H-3-I, H-3-II, FP
Part 3: P-I, P-II, H-1-I, H-1-II, H-2, H-3-I, H-3-II, FS, FP
November 4, 2009 - Columbia
Time: 9:00 AM - 4:00 PM
Member: \$175.00 Non-Member: \$225.00

NC & GA APPROVED

- 2009 Fuel Gas Code Changes Part 1, Part 2 and Maximizing Profits in 2009
Part 1 & Part 2: NC License Types; P-I, P-II, H-1-I, H-1-II, H-2, H-3-I, H-3-II, FP
Part 3: P-I, P-II, H-1-I, H-1-II, H-2, H-3-I, H-3-II, FS, FP
December 2, 2009 - Columbia
Time: 9:00 AM - 4:00 PM
Member: \$175.00 Non-Member: \$225

Associate Member: ECOLAB WATER CARE

Ecolab Water Care is excited to become a part of MCASC. We have long standing relationships with mechanical contractors in the Carolina's and are looking forward to building new ones.

Ecolab Water Care has been described as a "mom and pop" operation backed by a 6 billion dollar, Fortune 500 company. This is due to the high level of personalized customer service we deliver and the cutting edge product research and development teams located at Ecolab's corporate headquarters.

We have strong partnerships with mechanical contractors, hospitals, and the food processing industry in the Carolina's. We specialize in boiler, cooling and waste water treatment. However, we offer an extensive line of consulting and system treatments including bid writing, total energy/water/waste management/reduction, and complete HVAC coil cleaning packages. We can design a program to fit any need.

In South Carolina Dick Harvey has been in the water treatment industry for over 23 years. He serves the Midlands area from his base in Lexington, SC. Bill Barber covers the Pee Dee and Coastal areas into Savannah. Bill started with Ecolab in 2008 with prior experience in treating primary reactor cooling systems, steam, and potable water systems as a US Navy Nuclear Submarine Officer. Rich Benson is based in the Charlotte, NC area and covers the surrounding areas in NC and SC. He has over 19 years in the business all from his current location and is the regional leader in new construction start up projects. Ecolab also has other associates that cover every area in the US in the event you have needs outside of the Carolina's.

In addition to the Carolina's team Ecolab has a full time research, technical support, and customer service team that is available to its associates and customers. The corporate teams help provide solutions to design or treatment needs that may require more intense research and work.

Please feel free to contact Dick at 803-315-9890, Bill at 843-352-4333, Rich at 704-904-0167, or you may also use our national customer service line at 800-75-Water to reach any associate or support team. We look forward to getting involved with the association and meeting everyone.

Ecolab Water Care
Phone: (843) 352-4333, Fax: (704) 822-9355

**Congratulations to our next Associate & Mechanical Members who will be
highlighted in the upcoming issue of "The Tool Box":
Southeastern Electrical Distributors, Inc., North Charleston - Associate Member
B & L Electric Company, West Columbia - Mechanical Member**

OCTOBER 2009 MONTHLY AREA MEETINGS

MIDLANDS AREA

Thursday, October 1, 2009 @ 5:00 PM Joint With ASHRAE
Location: Mill Creek Hunt Club, Bluff Road, Columbia
Sponsored By: Control Management, Inc.

**Topic: There will be a Round Table
discussion on out of state competition and
strategies to combat that competition.**

PIEDMONT AREA

Tuesday, October 13, 2009 @ 6:00 PM
Location: 70 Chrome Drive, Greenville
Sponsored By: Gateway Supply, Inc.

**Topic: "Marketing Upstate SC To The World"
Speaker: Richard K. Blackwell
Director, Investor & Public Relations
Upstate SC Alliance**

PEE DEE AREA

Thursday, October 15, 2009 @ 6:30 PM
Location: Roger's Barbeque, 2004 W. 2nd Loop Rd., Florence
Sponsored By: Carolina Insulation Contractors

**Topic: "Connecting Pee Dee Students & Adults
To Mechanical Careers"
Speaker: Cheryl Lewis, Coordinator
Pee Dee Regional Education Center**

COASTAL AREA

Tuesday, October 27, 2009 @ 6:00 PM
Location: 1553 Kings St. Ext., Charleston
Sponsored By: Transworld, Inc.

**Topic: "Grow Your Own Workforce"
Speaker: Michelle Marcus
Apprenticeship Consultant
Apprenticeship Carolina**



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Columbia, SC 29210
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Fax: (803) 731-0390
E-mail: mflowers@mcasc.com
www.mcasc.com

*Serving mechanical contractors in
South Carolina since 1912.*

MCASC Executive Board & Staff

Richard Miller, Jr., President
Jim Brewer, Vice-President
Dennis Brunink, Treasurer
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Jim Maguire, Associate President
Mona Flowers, Managing Director

Mechanicals make it happen -
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MCASC Vision Statement

The Mechanical Contractors Association of South Carolina (MCASC) will be the leading construction association in South Carolina for specialty contractors and suppliers in the electrical, mechanical (HVAC), and plumbing fields by serving its membership, the industry, and the Community in a vibrant and harmonious fashion.

MCASC Mission Statement

The Mechanical Contractors Association of South Carolina (MCASC) will provide its membership with:

- current business/technical information and support
 - a proactive political/legislative agenda
- a joint industry collaboration to improve relative business practices
- an ongoing effort to offer training opportunities for both professional and craft personnel
 - educational scholarships for deserving students
- the development of industry related career opportunities

The Association's objective for this mission is to enhance the future of the Construction Industry in South Carolina.