

Wisconsin Chapter NECA  
2200 Kilgust Rd.  
Madison WI 53713

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# Watts News

July 2010

## NECA Convention in Boston

NECA's convention will be held in Boston again this year, and the lineup for technical and management seminars is very promising once again. A quick list includes "Creating your own work" model, a class on solar, wind and alternative energies, LEED and the electrical contractors' role, and tapping into ARRA stimulus funds. In addition to the education offerings is the electrical industry's largest trade show, which is included in your registration fees. Visit with familiar and new vendors as you see first-hand the latest technologies and gadgets available to make your contracting business more productive and profitable. The general sessions feature keynote speakers Dr. Robert Ballard, discoverer of the Titanic shipwreck and Chief Warrant Officer Michael J. Durant, whose story is chronicled in "Black Hawk Down". If you have never attended a NECA convention, this might be the year to give it a try and find out what many NECA members already know, there are many benefits to be gained from attending!

The convention kicks off with an opening reception at Jillian's, a local night club with a great view of the action at Fenway Park. The closing celebration will be held Tuesday, October 5 and will feature The Fab Four, a Beatles tribute band. For the spouses, there are enrichment programs including the "Wicked Good Chowda Smackdown" on Monday.

The dates are October 2 - 5, and the Wisconsin Chapter will once again be staying at the Marriott Copley Place hotel. The hotel is conveniently located in Boston's Back Bay neighborhood, is attached to the Copley Place mall, and is within walking distance of many wonderful dining establishments.

Boston, first incorporated as a town in 1630 and as a city in 1822, offers its visitors a host of historical sites to tour, including the Freedom Trail which traces Paul Revere's famous midnight ride and historic Old State House, the site of the first public reading of the Declaration of Independence in Massachusetts. Visit the USS Constitution the world's oldest commissioned warship that is still afloat, and for those of you who are sports buffs, a trip to Fenway Park may make your visit even more memorable.

The Early Registration deadline is August 13 (you will save on registration fees and hotel rates by registering by this date) so head online now to check out the details: [www.necaconvention.org](http://www.necaconvention.org). For additional assistance, contact Rachel at the Chapter Office (608) 221-4650.



IBEW's President Ed Hill recently announced that all Inside Local Unions are expected to develop a "Recovery Agreement" to allow them to begin to capture all the work they are currently "not doing". The Recovery Agreements are expected to be in place by Labor Day, Monday, September 6, 2010, and will include provisions for a competitive wage/fringe package, CW/CE classifications, Code of Excellence language and full portability of manpower, among other things.



As you may know, some locals already have a "Small Works" type agreement, and three locals; 158, 577 and 890 have a CW/CE Agreement in place already. The remainder of the local unions would all be required to implement these types of agreements to help the contractors become more competitive, especially in areas (i.e., commercial work) where they are not currently securing projects.

It is an initiative that has been needed in most areas for a while and we hope the parties will be able to negotiate some good working tools.

We will keep you updated as to progress made this summer.

## Electrical Project Management Seminar

NECA is holding an Electrical Project Management seminar September 16-17 at Lake Lawn Resort in Delavan. The two-day seminar, created and presented by Professor Awad S. Hanna, is intended to provide tools for project managers, field supervisors and office staff, regardless of their level of experience. Participants will learn the techniques of effective project management with a "turn-key" construction project that will begin with the initial project proposal and continue all the way through the completion phase of the project. Topics covered include planning the work, controlling costs, best practices for tools and work layout, labor costs, estimating project risks, and handling changes in scope.

Professor Hanna's seminars continue to be among the most popular instructors in MEI, and his seminars have proven results for contractors who have utilized his techniques. This latest seminar was developed after extensive research and contractor involvement, much of it based here in Wisconsin. The seminar itself focuses on successful delivery of small to medium-sized projects, something many of our member firms consider to be their core business.

Because it is a two-day program, the Chapter has a block of rooms available at Lake Lawn Resort at a special rate of \$155 per night, which is available until August 16, 2010. To book your hotel room, contact the resort at (800) 338-5253 and ask for the NECA room block.

The registration form for the seminar is enclosed, or contact Rachel at the Chapter Office (608) 221-4650 if you have questions regarding the seminar.

## Schulz Wins Honors in District IV

Wisconsin Chapter NECA Governor Gerald "Jerry" Schulz was honored at the Midwestern Regional Spring Conference with bestowal of the District IV Industry Leadership Award. The award is presented to a NECA member who has demonstrated outstanding leadership and service to NECA in advancing the electrical industry.



Jerry has been Chapter Governor since 2008 and was Chapter President for three years prior to that. His involvement with NECA began with his employ with Superior Electric, which was sold to Michels Power in 1997. He continues to work for Michels to this day, currently serving as Vice President of Electrical Engineering, Design and Project Development.

Jerry has served on many committees in the Fox Valley area including Labor-Management since 1980. He recently stepped down from the Apprenticeship Committee after serving the Fox Valley Division for 29 years.

Congratulations Jerry – it is an honor that you certainly deserve!

## From the Desk of Attorney Randy Andersen



### DEALING WITH PAST DUE ACCOUNTS

In these tight economic times, business owners should consider all of the options for collecting and dealing with past due accounts.

One of the first questions which should be asked by an electrical contractor when dealing with a problem account, is whether lien rights exist. Preserving the right to file a lien requires prompt action, and it is easy to miss deadlines. The same goes for claims involving government projects and projects where a payment bond exists. The contractor needs to take prompt action to protect its rights.

Business owners are frequently asked to “work with” customers to allow more time for payment of a past due balance. When faced with such a request, the first question which should be asked is whether there is a logical plan for paying the balance owed. It often makes sense to require a written payment plan with a specific payment schedule, signed by the debtor. This can be accomplished by having the debtor sign a promissory note.

In exchange for allowing time for payment, the contractor should determine whether there are ways to enhance the prospects for collection.

One possibility is to require a personal guaranty signed by one or more of the principal owners of the business. Wisconsin’s statute of frauds (Section 241.02, Wisconsin Statutes) requires that a personal guaranty must be in writing and signed by the person guarantying the obligation.

Savvy creditors also will explore the opportunity to obtain collateral for the obligation, such as a mortgage against real estate. It is advisable for the creditor to work with its own attorney in obtaining a mortgage, to make sure that the document is properly drafted, signed and recorded, and also to make sure that the creditor knows and understands the priority of its mortgage with respect to other liens against the property.

Another form of collateral which may be available is a lien against assets other than real estate (such as equipment or inventory). This type of lien is obtained by having the debtor sign a security agreement and filing a UCC financing statement with the appropriate governmental entity (in Wisconsin, this is usually the Wisconsin Department of Financial Institutions). UCC liens in Wisconsin can be accessed and viewed on line at [www.wdfi.org](http://www.wdfi.org).

When obtaining collateral such as a mortgage or UCC security interest, the creditor who “perfects” its interest first usually has priority over other creditors. The rule is “first in time, first in line.”

Obtaining a personal guaranty and/or collateral to secure payment of an obligation will often make the difference in whether the creditor is ultimately paid, particularly if the debtor ends up in bankruptcy. One important note, however. If the debtor is a consumer who incurred the debt for personal, family or household purposes, the Wisconsin Consumer Act may apply. The Consumer Act places limitations on the manner in which a debt can be collateralized, and includes penalties for violating those provisions. Competent legal advice should be obtained before proceeding.

### August 2010

- August 4**  
Madison Membership  
Janesville-Beloit Membership
- August 5**  
La Crosse Membership
- August 9**  
Kenosha-Racine Membership
- August 11**  
Fox Valley-Northeast Joint  
Membership
- August 12**  
Indianhead Membership
- August 19**  
Wisconsin Valley Membership

### Upcoming Meetings

**July 24 - Code Class**  
Wisconsin Dells

**September 16-17-Electrical  
Project Management**  
Delavan, WI

**October 2-5, 2010**  
NECA Convention  
Marriott Copley Place - Boston,  
MA

Attorney Randy Andersen can be reached at

Law Offices of Kay & Andersen,  
LLC

One Point Place, Suite 201  
Madison, Wisconsin 53719

Phone: 608-833-0077

Fax: 608-833-3901

AGC of America has put out a call for Congress to provide more funding to projects to continue to stimulate the economy as the construction industry continues to struggle to recover from the recession.

Construction spending shrank again in May, dropping 8 percent from a year earlier, although homebuilding and stimulus-funded public works increased from year-ago levels, according to AGC's analysis of new Census Bureau data.

Seasonally adjusted construction industry employment slipped in June to the lowest total since July 1996 while the industry's unemployment rate remained at 20.1 percent, more than double the average for all workers, according to AGC's analysis of new federal figures.

"The recession may have ended a year ago for most of the economy, but for construction, job losses and business closures continue every month," said Ken Simonson, chief economist for AGC. Simonson urged Congress not to let construction funding for highways, transit and airports lapse.



Do you have a code question for Tom? Let us know and we'll ask him to answer it in a future newsletter.

## Hertel's Code Update Class Goes On!

As reported last month, the Chapter's annual Summer Meeting was cancelled this year as a cost-saving measure to the Chapter. The good news is that the Chapter has scheduled Joe Hertel to present a six-hour code update class for NECA members in lieu of this meeting.

The class will be held on Saturday, July 24, 2010 from 9:00 a.m. to 3:00 p.m. in Wisconsin Dells, at the Wintergreen Resort Hotel, conveniently located just off I-90/94 on Highway 12. The cost of the seminar to all NECA members is just \$40, which includes a lunch for all attendees. Joe has approved this class for 6 CEUs to be applied to the Journeyman or Master Electrician certification, and the course will be tailored specifically to our electrical contractors.

Joe has asked that attendees bring a 2008 NEC Code Book to the seminar with them for reference.

A block of rooms is available at the hotel for those who wish to come in the night before the seminar, at a rate of \$95 per night. Members should contact the hotel directly if they wish to reserve a room (608) 254-2285.

The registration deadline for the seminar has been extended. Call Rachel at the NECA Office (608) 221-4650, to register or if you have questions.

## Tom's Code Corner

**Question:** We are installing a new hot tub on an existing concrete patio. The 2008 NEC requires "Equipotential Bonding" plane around outdoor pool and hot tubs. How can I meet this requirement?

**Answer:** NEC 680.26(C)(2) indicates that an equipotential bonding grid under perimeter surfaces. The perimeter surface extends 3-foot horizontally beyond the inside walls of the pools or hot tub. It includes paved and unpaved walking surfaces.

The grid can consist of reinforcing steel rods connected together with tie wires. Or an alternative means is a minimum 8 AWG bare solid copper conductor. The conductor(s) shall follow the contour of the perimeter surface and be located 18 to 24-inches from the walls of the pool or tub. The conductor shall be located 4 to 6-inches below the surface. Only listed splices are permitted. The 8 AWG conductor shall be bonded to the hot tub or pool.

This requirement does not apply to listed, self-contained spas or hot tubs as long as the unit walls are nonmetallic. In addition, the new requirement to bond the water in 680.26(C) does not apply to this type of listed self-contained unit.

## MANPOWER STATISTICS

For the Month of -- May 2010

Local Union #	14	127	158	159	388	430	577	890	TOTAL
	=====	=====	=====	=====	=====	=====	=====	=====	=====
Local Contractors: NECA	8	2	4	17	5	5	3	6	50
Non-NECA	29	9	14	15	7	18	8	14	114
<b>Total Local Contractors:</b>	<b>37</b>	<b>11</b>	<b>18</b>	<b>32</b>	<b>12</b>	<b>23</b>	<b>11</b>	<b>20</b>	<b>164</b>
Traveling Contractors: NECA	9	8	5	4	4	5	4	6	45
Non-NECA	7	9	5	3	1	2	0	2	29
<b>Total Traveling Contractors:</b>	<b>16</b>	<b>17</b>	<b>10</b>	<b>7</b>	<b>5</b>	<b>7</b>	<b>4</b>	<b>8</b>	<b>74</b>
<b>TOTAL # OF CONTRACTORS - LOCAL AND TRAVELERS:</b>	<b>53</b>	<b>28</b>	<b>28</b>	<b>39</b>	<b>17</b>	<b>30</b>	<b>15</b>	<b>28</b>	<b>238</b>
Contractors More Than Two Months Delinquent in N.E.B.F.	5	2	1	4	3	0	1	0	16
Total Number of Contributing Contractors in Area:	58	30	29	43	20	30	16	28	254
Employees: NECA	327	34	99	550	181	32	141	162	1526
Non-NECA	213	96	217	54	38	56	51	48	773
<b>TOTAL EMPLOYED:</b>	<b>540</b>	<b>130</b>	<b>316</b>	<b>604</b>	<b>219</b>	<b>88</b>	<b>192</b>	<b>210</b>	<b>2299</b>

<u>Union #</u>	<u>NECA Division Name</u>
14	Indianhead/La Crosse Divisions
127	Kenosha Division
158	Northeastern Division
159	Madison Division
388	Wisconsin Valley Division
430	Racine Division
577	Fox Valley Division
890	Janesville-Beloit Division

NOTE: These figures only reflect employees of contractors not more than 2 months delinquent in their N.E.B.F. payments.

By now you have probably heard about the EPA's new regulations on lead paint, and in April we held a lead paint remediation seminar for our NECA members so they could be certified. The EPA has now decided that they will delay the enforcement of this regulation at this time, delaying the enforcement to October of 2010. The original deadline for contractors to be certified for lead-safe renovations was April 22, 2010, however several organizations and businesses as well as lawmakers protested the measure, arguing that it would drive up costs for homeowners and would expose contractors to litigation and fines. While the deadline remains April 22, the EPA has said it will not take action against renovation and repair firms who are not certified until October. Individual renovation works have until September 30 to apply for classes.

## Man-hour Comparison Chart

### Local and Chapter Man-hour Comparison

	Hours May-10	Hours May-09	2010 vs. 2009	% Change	Hours 2010 YTD	Hours 2009 YTD	2010 vs. 2009	% Change
<b>Local #14</b>	88756	64230	24,526	38%	439123	293743	145,380	49%
<b>Local #127</b>	27185	29656	-2,471	-8%	122787	123799	-1,012	-1%
<b>Local #158</b>	46331	38284	8,047	21%	262706	205324	57,382	28%
<b>Local #159</b>	82994	86625	-3,631	-4%	430919	387492	43,427	11%
<b>Local #388</b>	32031	38208	-6,177	-16%	128085	175168	-47,083	-27%
<b>Local #430</b>	15491	17936	-2,445	-14%	77439	86446	-9,007	-10%
<b>Local #577</b>	26945	30341	-3,396	-11%	145415	152662	-7,247	-5%
<b>Local #890</b>	35473	30084	5,389	18%	156737	164335	-7,598	-5%
<b>Chapter</b>	<b>355206</b>	<b>335364</b>	<b>19,842</b>	<b>6%</b>	<b>1763210</b>	<b>1588969</b>	<b>174,241</b>	<b>11%</b>

\*YTD numbers are January through May

## NECA and ECPAC Support Ryan

The Wisconsin Chapter recently had an opportunity to meet with Representative Paul Ryan (R) Janesville, and present him with an ECPAC campaign donation. At the meeting, our Political Leadership Council member, Mark Hady, presented Representative Ryan with position papers on some of NECA's hot topics in legislation. Janesville-Beloit Division Chairman Steve Foley was also present at the meeting to represent the contractors' interests.

As some of you know, Representative Ryan has been quickly earning a name for himself in Washington and is well on his way to becoming a powerful figure in the U.S. House of Representatives. He has also continually shown a real interest in meeting with NECA's members and learning more about how he can help the electrical contracting industry, and how pending legislation impacts our member firms. We look forward to a continuing relationship with Representative Paul Ryan.



## And New Candidate Reid Ribble

NECA and ECPAC have thrown their support behind a new and relatively unknown candidate for U. S. House of Representatives, Reid Ribble (R) Appleton. Ribble is running against incumbent Democrat Steve Kagen. Mr. Ribble attended the recent Fox Valley-Northeast Division meeting to meet with NECA's members and discuss industry challenges. He is well-qualified to do so, as he has been a roofing contractor since 1976 when he joined his family's business. He became President of the company in 1981 and has continued to serve in that capacity.

The NECA members were quite pleased with their discussions with the candidates and also took the opportunity to present an ECPAC campaign donation at the meeting as well. We wish him luck on the campaign trail. It would be good to have a construction ally on Capitol Hill!

Pictured are (left to right) Joel Westphal (QWEST Electric), Russ Timmers (Van Ert Electric), Ribble, Jerry Schulz (Michels Power) and Mark Hady (Hady Electric).

