



THE BASESHEET

OUR MISSION IS *YOUR SUCCESS*

VOLUME 14, NUMBER 1 | FIRST QUARTER, 2013

GREETINGS FELLOW ARCA MEMBERS:

2013 membership and sponsorship renewal invoices have all been mailed. If for some reason you failed to receive one just call the ARCA office and they will send out another copy. Like all other businesses ARCA is trying to establish the FY13 budget and prompt payment will allow us to finalize priorities, programs, projects and training schedules. I want to thank all of you in advance for your continued support.

While the economy continues at a sluggish pace and we continue to be bombarded by negative news I am pleased to inform you that the accident rate of the roofing cadre in Arizona has gone down. We are bucking a national trend that saw incidence rates go up in our profession so we must be doing something right. I want to thank all the companies that have adopted a high standard for workforce safety and have committed to train their employees in safe practices. In this edition you will see a partial listing of the safety classes already scheduled for this year. More will be added to accommodate your needs. Call the ARCA office and let them know what type of training you require and every effort will be made to honor your request in a reasonable time frame.

With the new year comes new opportunities and this is an ideal time to select one or more of the 18 ARCA committees and volunteer to make our association stronger and better. Volunteer as little or as much as your busy work schedule allows but get involved. It is a great networking opportunity and we are always open to fresh ideas.

After the last convention I received numerous comments from members indicating that they were tired of Prescott as the site to host convention. We are in a real bind for alternative sites. The majority of the participants indicated that they want to escape to cooler weather after the long hot Arizona summer and there are only a few hotels big enough to host a convention of our size in Prescott, Flagstaff, Sedona or Payson. We seek bids from all these other venues but the Prescott Resort continues to be the best value for our members convention dollars. Other sites room rates are \$50-85 per night more for the rooms, food and drink costs are higher or they lack adequate convention facilities to keep all our planned activities under one roof. The Board evaluates the pro's and con's of where to stage the events and recently the Prescott Resort offers us the best choice to hosting a profitable event. We are currently seeking bids on where to host the 2014 convention site and will keep you posted on our decision.

Sincerely,

Sal Flores

*Sal Flores, President
Arizona Roofing Contractors Association*



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NOTICE TO OUR ASSOCIATION PARTNERS

SCF Arizona, Your Work Comp Specialist | Provided by Tod Dennis, Association Coordinator

The National Council on Compensation Insurance, the organization that recommends what workers' compensation insurance rates should be to state insurance departments nationwide, has announced several changes that may affect your members' premium beginning on Jan. 1, 2013. Below is a summary of the changes coming in 2013:

- Rates - An average 4% overall rate increase. Because some professions carry more risks than others, the actual increase to your premium will depend on your occupational classification code. For example, the increase in the standard base rate for manufacturing is 1.2% but for contracting it is 6.4%.
- Split e-mod - For the first time in 22 years, the NCCI will increase the "split point" used in calculating experience modifiers. The change is expected to lower e-mods for about two-thirds of the companies affected. Only a small percentage of our customers - less than 5% - will experience a higher e-mod, while others will see a reduction. The e-mod is the adjustment of annual premium based on previous loss experience. An e-mod of greater than 1 increases a company's premium; the premium decreases if the e-mod is less than 1. The change to the split point is in response to rising medical costs. NCCI values claims costs at or below \$5,000 as primary losses and applies the full value when calculating experience modifiers. It defines losses above \$5,000 (the split point) as excess losses and discounts their value. The NCCI has determined the \$5,000 is too low, so it gradually will increase the split point during the next three years. Beginning Jan. 1, the split point will be \$10,000. On Jan. 1, 2014, it will rise to \$13,500, and on Jan. 1, 2015 it will become \$15,000 (plus two years of inflation adjustment).
- Corporate officers - Payroll determination for executive officers is based on a state-specific weekly minimum/maximum wage. In Arizona, the weekly minimum is \$950 and the maximum is \$3,700. This means that if your payroll falls outside the minimum/maximum wage range for corporate officers, it will be adjusted, resulting in a premium change.
- Indemnity increase - Arizona law requires that workers' compensation benefit payments must keep pace with the state's average weekly wage; therefore, beginning Jan. 1, the maximum monthly benefit payments will increase more than \$100 to a total of \$4,185.78. Any of the above factors could affect your members' policies when they come up for renewal in 2013. Your Association representative will be more than happy to provide answers to any questions you or your members may have.

As an SCF member, you should:

- Designate a health provider from SCF's Preferred Connection Network and to encourage their employees to use that provider if they are injured on the job.
- Create a return-to-work program to provide an injured worker light duty as he or she recuperates.
- Report all injury claims in a timely manner.
- Teach your workers about workplace safety on a continuous basis. (They can download a free safety template from our website, scfaz.com.)
- Take advantage of SCF's loss control services by scheduling a visit by one of our loss control consultants to help review their company's safety plan as well as point out potential hazards at their work site.

If you would like more information on workplace safety please contact your Association Coordinator Tod Dennis.

SCF ARIZONA

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OSHA Training Requirement Update

Have You Heard About OSHA's Modified HazCom Standard? OSHA is requiring that employees are trained on the new label elements (i.e., pictograms, hazard statements, precautionary statements, and signal words) and safety data sheet (SDS) format by December 1, 2013.

The three major areas of change are in hazard classification, labels, and safety data sheets.

Hazard classification: The definitions of hazard have been changed to provide specific criteria for classification of health and physical hazards, as well as classification of mixtures. These specific criteria will help to ensure that evaluations of hazardous effects are consistent across manufacturers, and that labels and safety data sheets are more accurate as a result.

Labels: Chemical manufacturers and importers will be required to provide a label that includes a harmonized signal word, pictogram, and hazard statement for each hazard class and category. Precautionary statements must also be provided.

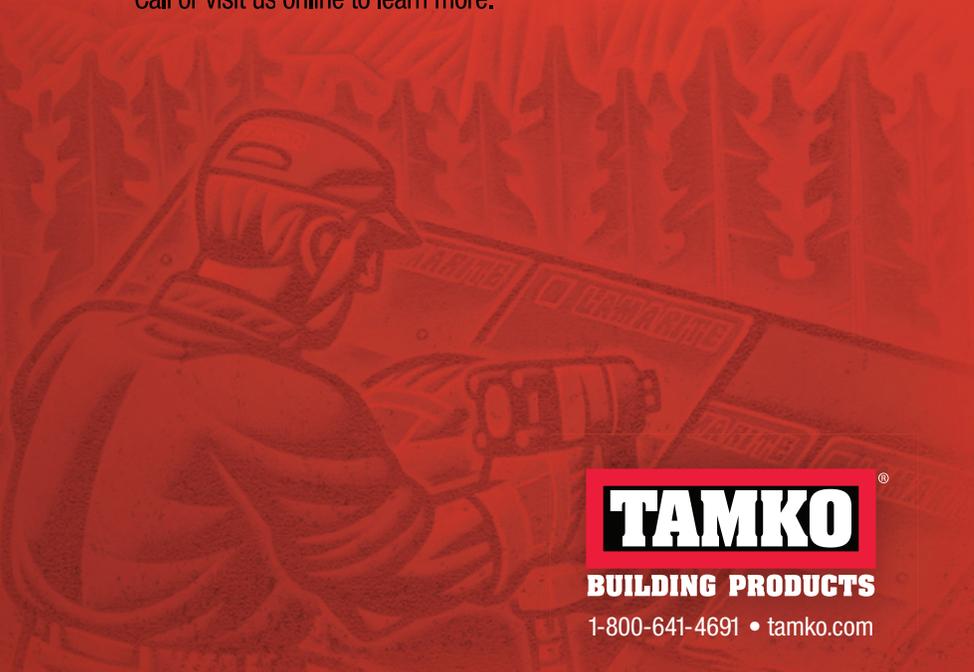
Safety Data Sheets: Safety data sheets will now have a specified 16-section format.

ARCA's Safety Committee is working on developing classes and obtaining videos to facilitate training beginning in June 2013. Special training flyers will notify you when they are available. 

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Curb Mount



Remote Mount



Gable Mount



A 20-watt solar panel ventilates up to 1,600 sq. ft.,* operating from dawn to dusk without having to prop up the panel toward the sun. The unit is made with tough tempered glass.

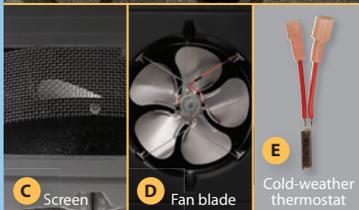
B High-performance housing molded with UV-stabilized ABS color-dyed plastic to prevent damage from sunlight and provide stability. May be painted to match roof color.

Heavy-duty motor whisper-quiet direct-current variable-voltage 1-36 VDC hardened stainless steel shaft and zinc-plated steel motor housing, dynamically balanced for excellent performance.

C Screen 1/8" heavy-gauge stainless steel screen provides protection from insects and animals without impeding airflow.

D Fan blade 12"-diameter one-piece aluminum 5-blade fan operates with no harmonic noise.

E Optional cold-weather thermostat automatically disengages the fan when the temperature falls below 50°F. This is particularly useful in regions that experience a significant amount of cold dry air.



Mount	Color	Model #
Surface	Black	31001286
Surface	Brown	31001287
Surface	Weathered Wood	31001288
Curb	Black	31001281
Curb	Brown	31001282
Remote	Black	31001284
Remote	Brown	31001285
Gable	Black	31001283
Thermostat	N/A	31001280

All housing material is UV-enhanced ABS plastic and may be painted to match roof color. All models available with optional cold-weather thermostat.

*1,600 sq. ft. based on 3/12 roof slope with open attic space. For larger areas, multiple ventilators will be necessary. The number of ventilators required will vary depending on roof slope, attic configuration and sq. ft. of open air inlets. For the ventilation requirements of your building, please contact an architect or building professional.

To obtain a copy of the most current version of this poster, visit us online at tamko.com or call us at 1-800-641-4691.
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Legislative Update



State of Arizona:

The Arizona legislature convened on January 14th with 27 of 90 legislators taking the oath for the first time. There have been changes in both the House and Senate leadership positions and numerous key committee chairman positions. It will take a while to determine if the Contractors Coalition legislative agenda will have a chance at passage. We will continue to pursue proportional liability issues to ensure that subcontractors are only held liable for the actual percent of damages that they contributed to versus liability shifting techniques currently allowed. We have also agreed in principle to lend support to the transaction privilege tax simplification effort that would allow the state to centralize tax collection and reapportion back to the municipalities. This would result in construction related materials being taxed at the point of sale, not at the point of construction and eliminate multiple reporting requirements to numerous municipalities.

Federal:

The 112th Congress finally adjourned Jan. 2, only one day before the new 113th Congress convened Jan. 3, after approving a compromise tax bill that has many implications for businesses. Below is an overview of key tax provisions in this legislation, as well as other recent developments of interest to the roofing industry.

Tax Rates

On Jan. 1, Congress approved the American Taxpayer Relief Act (H.R. 8), legislation to avert the so-called “fiscal cliff” of automatic tax increases and spending cuts. This legislation permanently extends all existing individual income tax rates for individuals earning up to \$400,000 (\$450,000 for couples). Rates for individuals above these thresholds are increased from 35 percent to 39.6 percent for taxable years beginning Jan. 1, 2013. Capital gains and dividend tax rates increase from 15 to 20 percent for taxpayers above these thresholds while remaining the same for other taxpayers. This is the first time tax rates have increased in nearly two decades, and the increased rates will affect a significant portion of U.S. business owners who pay taxes at the individual rate. The increase in tax rates is estimated to raise about \$600 billion in revenue for the government (compared with extending all existing tax rates beyond 2012) during the next decade.

Estate Tax

After years of uncertainty and the threat of increasing rates, Congress finally has made the estate tax rate permanent for family-owned businesses. H.R. 8 sets the estate tax at 40 percent and maintains the current \$5 million exemption per individual (indexed for inflation). Given that the estate tax was scheduled to revert to its pre-2001 level of 55 percent with a \$1 million exemption, this is a decent outcome.

Section 179 Expensing/Bonus Depreciation

For years the maximum investment threshold for Section 179 expensing has fluctuated. H.R. 8 increases the maximum amount that may be deducted from \$125,000 to \$500,000 on purchases made for new and used qualifying equipment and software. The phase-out threshold is increased from \$500,000 to \$2 million. Both thresholds are effective for tax years 2012 and 2013, after which they automatically will revert to \$25,000 and \$200,000, respectively, unless Congress decides to extend them.

Alternative Minimum Tax

Originally passed in 1969 to ensure the wealthy taxpayers could not avoid income taxes, the alternative minimum tax (AMT) was never indexed for inflation. In recent years, Congress periodically would pass legislation to “patch” the AMT to prevent more families and businesses from being subject to the AMT. H.R. 8 permanently indexes the AMT for inflation retroactive to Jan. 1, 2012.

Energy-Efficiency Tax Credits

H.R. 8 extends numerous tax credits and deductions that had expired, including two home energy-efficiency tax credits. The first is the Section 45L credit of up to \$2,000 for new and renovated residences that meet energy-efficiency requirements as set by the Department of Energy and are certified to reduce energy consumption by 50 percent under the 2006 International Energy Conservation Code. The second is the Section 25C credit that allows deductions of 10 percent of cost, up to \$500, for energy-efficiency improvements to residences, including most ENERGY STAR® roofing products. These credits had expired at the end of 2011 but were reinstated retroactively for 2012 and now are set to expire Dec. 31.

Health Care Law Employer Requirements

On Dec. 28, the Internal Revenue Service (IRS) published compliance information for employers with respect to the “shared responsibility” (employer mandate) provisions of the 2010 Affordable Care Act (ACA), which take effect in 2014. Also, on Jan. 2, the Department of the Treasury released a proposed regulation that will govern the employer requirements of the ACA. The law will require all employers with 50 or more “full-time equivalent” employees to provide government-approved health care benefits to employees or pay a penalty to the IRS. Additionally, covered employers who provide health coverage also may face penalties if the benefits are not deemed to be “affordable” under the law. Employers are advised to begin preparing for compliance with the ACA now to fully understand the law’s complex employer requirements. The IRS compliance information can be obtained on the IRS website at www.irs.gov/uac/Newsroom/Questions-and-Answers-on-Employer-Shared-Responsibility-Provisions-Under-the-Affordable-Care-Act. 

The Importance of Stretching and Warming Up (And How to Do it)

BACK INJURY PREVENTION

The best way to prevent back injuries is to learn to lift properly. A few common sense tips can help you avoid injury.

- Stretch frequently throughout the day in order to loosen up and keep your muscles prepared for work.
- Check the weight of an object before you lift it by lifting a corner of the load.
- Get help if the object is heavy.
- Use equipment such as hoists, dollies, handcarts and forklifts whenever possible.
- Check the intended path of travel before you move an object to make sure that the path is clear.
- Before lifting, place one foot beside the load and one foot behind it. Make sure your feet are placed firmly so that you will not lose your balance.
 1. Firmly grasp the object you intend to lift. Keep your arms and elbows close to your body.
 2. Always keep the object you are lifting close to your body.
 3. Lift with your legs to support the weight. Lift the object straight up and don't twist or lean.
 4. Hold your head up when you lift, to keep your spine in its natural curved position.
 5. Do your best to maintain the curve in your lower back while lifting.

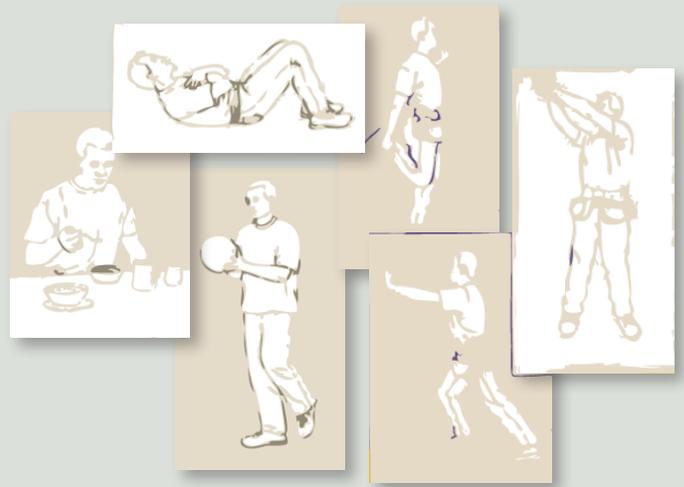
It's important to maintain your body's power position.

- Doing this will greatly reduce your chance of injury and give you the most lifting power.

Getting help from other employees will allow you to do your job efficiently and safely.

- If an object is heavy, ask a coworker for assistance.
- Communicate with the person assisting you, so you lift the load and set it down at the same time.
- If possible, both persons should carry the load while facing forward.
- If the load is very heavy, take rest breaks.

Typically, back injury does not occur from one incident. It is the result of improper lifting over a long period of time. That's why it's so important to lift



properly each and every time. You never know what will trigger a painful injury.

GENERAL BACK CARE

Principle:

A healthy lifestyle helps keep your back healthy.

1. Eat Healthy Foods:

Your body needs a balanced diet to stay healthy and recover effectively from day-to-day wear and tear and injury.

2. Exercise:

Physically demanding work does not equal regular exercise. A balanced exercise program includes strength training, endurance activities, and stretching.

3. Stay Active:

An active lifestyle helps you keep in shape and reduces stress.

STRETCHING AND WARM-UP

Principles:

No pain, no bouncing, hold for at least five seconds and breathe!

1. Warm-up:

Stretching is important because it prepares your body for the work it will perform. Warm muscles generate more force with less effort than cold muscles. Also, warm muscles are less likely to tear.

2. Let Your Body Breathe:

Oxygen is the fuel your body needs to work. The most effective way to deliver oxygen to your body is to stretch. Stretching helps clean toxins from your body and allows in more oxygen.

3. Be Kind To Your Body:

The human body likes balance. The longer you stay in one position, the faster your body wears out. A simple stretch in the opposite direction can slow down your body's wearing-out process. 🏠

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ROC Update

By Rhonda LaNue (Lyons Roofing), ROC Committee

The past few months the ROC appears to be going through some significant personnel changes. Prior to the December IAC meeting, Jessica Fotinos, the Chief of Legal, resigned from the ROC to go back into the private sector. She will be joining Israel Torres at Torres Consulting and Law Group. (Israel Torres was a previous Director of the Registrar of Contractors).

Additionally, since the retirement of Bob Davies (Chief of Compliance) in late 2012, Bob Mechsner was appointed as the interim Chief. As of last month, Bob Mechsner is no longer with the Registrar. The new Assistant Chief of Compliance is now Jeff Wills. Jeff was an inspector with the Registrar for a number of years.

One of the primary goals and focus for the ARCA ROC committee is to assist members with compliance issues (complaints), and as such it is imperative for us to have a good strong working relationship with this department in particular. To establish this, an introductory call was made to Mr. Wills to familiarize him with the ARCA ROC committee and discuss our goals, one of which includes assisting the ROC with compliance, as well as discussing the pending workmanship standards revisions.

Jeff relayed that there are a number of policy and personnel changes that will continue to happen in the near future within the ROC. He is not sure when/if a Chief of Compliance will be hired as of yet or what his role will ultimately be in regards to our proposed new standards. He did, however, tell me that the agency

is working on updating a number of standards as well as policies within the department.

The past few IAC (Industrial Advisory Committee) meetings revolved around reviewing some statutes that were in the legislature and providing feedback to the ROC on these proposed rule changes.

For those of you interested in the statutes and rule changes, or any other matter regarding the ROC, you can email me at rlanue@lyonsroofing.com and I would be happy to provide you with any information I have. 🏠

Postage Rate Increase

The increase will make first-class mail postage cost 46 cents. The Postal Service will also begin a new global “forever” stamp that will let customers send letters first-class to anywhere in the world for a flat rate of \$1.10.



The USPS cannot raise stamp prices more than the rate of inflation, which is 2.6 percent, without Congressional permission. The USPS lost almost \$16 billion last year and has sent a request to congress to increase stamp prices by 5 cents, which has yet to be implemented. The new cost will increase shipping rates by an average of 4 percent.

IRS releases 2013 standard mileage rates

The Internal Revenue Service (IRS) has announced the 2013 optional standard mileage rates for calculating deductible costs associated with using an automobile for business, charitable, medical, or moving purposes.

On Jan. 1, 2013, the standard mileage rates for the use of a car, van, pickup or panel truck will be 56.5 cents per mile for business miles driven. The standard mileage rate will be 24 cents per mile driven for medical or moving purposes and 14 cents per mile driven in service to a charitable organization.

During 2012, the business mileage rate was 55.5 cents and the medical and moving rate was 23 cents.

ARCA 2013 Calendar of Events

Date	Event	Location
February 7-8	OSHA 10-Hour class in Spanish	Hampton Inn (Tucson)
February 14-15	OSHA 10-Hour class in English	ARCA office (Phoenix)
February 21-22	OSHA 10-Hour class in Spanish	ARCA office (Phoenix)
February 28	TRI Installer Certification Class	ARCA office (Phoenix)
March 1	TRI Installer Certification Class	ARCA office (Phoenix)
March 19	Dinner Meeting (Tucson)	Old Pueblo Grille (Tucson)
March 20	Dinner Meeting (Phoenix)	DoubleTree Inn (Phoenix)
April 5	Spring Sporting Clays Tournament	Ben Avery Clay Target Center (Phoenix)
April 18-19	OSHA 10-Hour class in English	ARCA office (Phoenix)
April 25-26	OSHA 10-Hour class in Spanish	ARCA office (Phoenix)
May 17	Spring Golf Tournament	Oakwood Golf Course (Sun Lakes)
May 30	NRCA Industry Fall Protection from A-Z	TBD (Phoenix)
June 20-21	OSHA 10-Hour class in English	ARCA office (Phoenix)
June 22	Phoenix Charity Bowling Event	AMF Christown Lanes
June 27-28	OSHA 10-Hour class in Spanish	ARCA office (Phoenix)
July 13	Tucson Charity Bowling Event	Golden Pin Lanes
August 22-23	OSHA 10-Hour class in English	ARCA office (Phoenix)
August 29-30	OSHA 10-Hour class in Spanish	ARCA office (Phoenix)
October 3-5	ARCA Convention and Trade Show	Prescott Resort (Prescott)
October 17-18	OSHA 10-Hour class in English	ARCA office (Phoenix)
October 24-25	OSHA 10-Hour class in Spanish	Hampton Inn (Tucson)
December 12-13	OSHA 10-Hour class in English	ARCA office (Phoenix)

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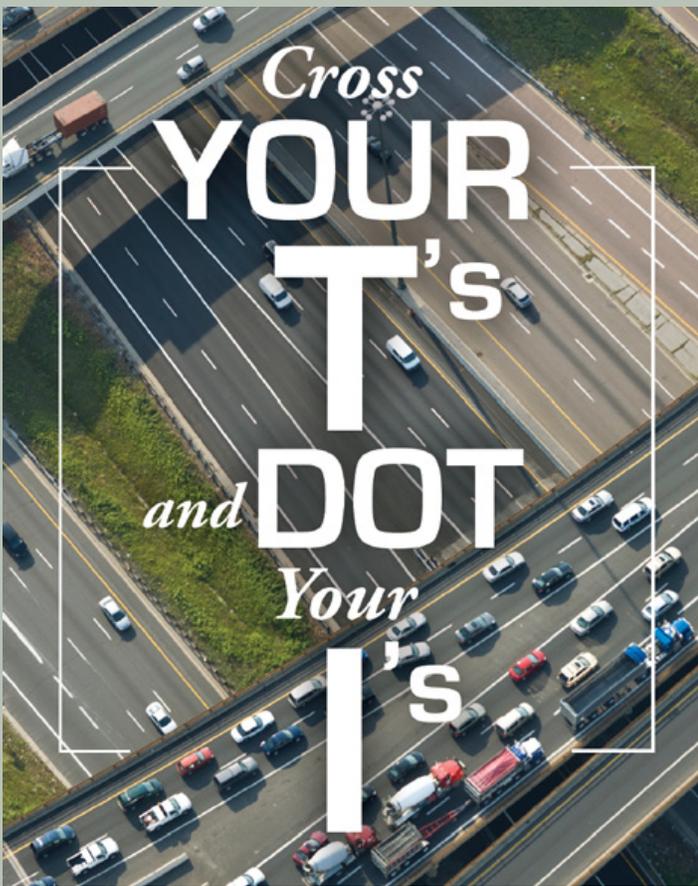
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Knowing DOT's rules will prevent costly fines and disruptions.

*By Harry Dietz
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You face daily challenges of complying with a variety of regulatory requirements imposed by federal and local government agencies and departments. A government agency may demand specific action from you regarding environmental protection, occupational safety, fire prevention, building construction and maintenance, company licensing and taxation.

With respect to commercial motor vehicles (CMVs) and trucks used in a roofing company's daily operations, the Department of Transportation's (DOT's) Federal Motor Carrier Safety Administration (FMCSA) has regulatory authority, and it is critical you are aware of and comply with FMCSA's rules.

FMCSA originally was an agency of the Federal Highway Administration; since 2000 it has been part of DOT. Its primary mission is to prevent CMV-related fatalities and in-juries. FMCSA develops regulations to test and license CMV drivers and enforces regulations intended to ensure the safe movement of hazardous materials on U.S. roads and highways.

CMV

FMCSA defines a CMV as any self-propelled or towed motor vehicle used on a highway for interstate

commerce to transport passengers or property when the vehicle:

- Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 10,001 pounds or more, whichever is greater
- Is designed or used to transport more than eight passengers, including the driver, for compensation
- Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation
- Is used for transporting hazardous materials requiring placarding

CDL

For purposes of obtaining a CMV commercial driver's license (CDL), the federal standard requires states to issue a CDL according to the following license classifications:

- Class A: Any combination of vehicles with a gross combination weight rating of 26,001 pounds or more provided the gross vehicle weight rating of the vehicle(s) being towed is in excess of 10,000 pounds
- Class B: Any single vehicle with a gross vehicle weight rating of 26,001 pounds or more or any such vehicle towing a vehicle not in excess of 10,000 pounds gross vehicle weight rating
- Class C: Any single vehicle or combination of vehicles that does not meet the definition of Class A or Class B but is either designed to transport 16 or more passengers, including the driver, or any size vehicle used in the transportation of a quantity of hazardous materials requiring a placard

Drivers who operate special types of CMVs must pass additional tests to obtain an endorsement placed on their CDLs. Endorsements allow drivers to operate specialized CMVs such as those carrying hazardous materials requiring a placard (H endorsement).

Generally, for flammable and combustible liquids and gases, the hazardous materials aggregate amount requiring placarding is 1,001 pounds or more; such hazardous materials may include propane tanks, solvent-based adhesives, cleaners, coatings and mastics. The critical compliance issue to remember is that once the 1,001-pound threshold is met or exceeded on any load regardless of vehicle type, a placard is required and the driver must have a CDL with an H endorsement.

Alcohol testing

FMCSA regulations require drug and alcohol testing for any CMV driver required to have a CDL. Alcohol consumption is restricted during the period when a CDL driver is performing safety-sensitive functions.

A safety-sensitive function means from the time a driver begins work or is required to be ready to work until the time he or she is relieved from work and all responsibility for performing work. This may include time waiting to be dispatched, inspecting or servicing the CMV, loading or unloading, time at the controls and time spent attending a disabled vehicle.

Performing safety-sensitive functions is prohibited while consuming alcohol, while having a breath alcohol concentration of 0.04 percent or greater as indicated by an alcohol breath test, or within four hours after consuming alcohol. FMCSA regulations provide five required alcohol testing categories an employer must conduct:

- Post-accident—after all accidents involving a fatality

and accidents where a citation has been issued to the driver indicating the driver's performance may have contributed to the accident

- Reasonable suspicion—after a trained supervisor or company official observes behavior or appearances characteristic of alcohol misuse

- Random—unannounced testing before, during or after performing safety-sensitive functions

- Return-to-duty—conducted after a driver has violated alcohol regulations and returns to performing safety-sensitive functions

- Follow-up—unannounced testing for drivers who have returned to performing safety-sensitive functions (At least six tests must be conducted during the first 12 months after a driver has returned to work. Follow-up testing may be extended for up to 60 months after a driver has returned to work.)

Refusing to submit to an alcohol test or consuming alcohol within eight hours after an accident or until tested for alcohol also is prohibited under the regulations.

Drug testing

Drug testing includes the five categories of alcohol

testing plus pre-employment testing. Drug tests are conducted using urine specimen collection with strict protocols and chain-of-custody requirements, and the sample analysis must be performed by laboratories certified and monitored by the Department of Health and Human Services. The specimens are analyzed for the following drugs or drug categories:

- Marijuana
- Cocaine
- Amphetamines
- Opiates
- Phencyclidine (PCP)

Be vigilant about safety

FMCSA's Office of Research and Technology indicates a commitment to safety from management carries over to drivers. In its Tech Brief: Commercial Motor Vehicle Driver Retention and Safety, FMCSA states companies surveyed said since their safety incentive programs were initiated, the incidence of insurance claims, workers' compensation claims and crashes reduced 65 percent. FMCSA notes many safety-related incentive programs include recognition and safety bonuses for passing certain milestones for accident- and incident-free miles driven.

FMCSA rules are complex, and violations may result in substantial fines. A driver

who uses a handheld cellular device or cell phone or texts while operating a CMV may receive a \$2,750 fine, and the fleet owner may receive an \$11,000 fine unless the fleet owner has a written policy forbidding the use of the devices and the driver in question has signed off agreeing not to use those devices.

Operating CMVs is an everyday occurrence in the roofing industry and essential to a successful business. You must be committed to safety, establish driver qualification procedures and manage CMV operations to stay in compliance. 

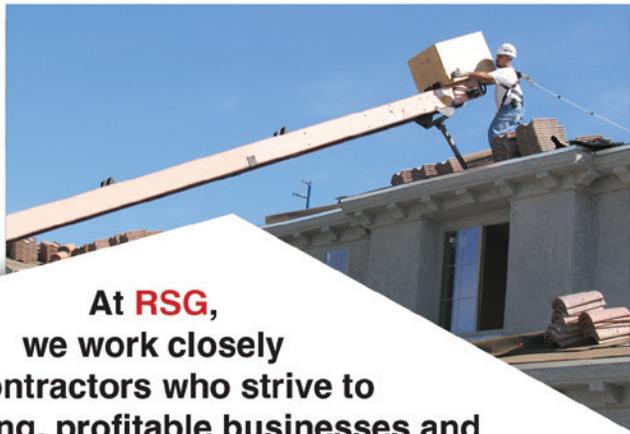
Why Safety is Good Business

According to DOT's FMCSA:

- In 2005, there were 5,212 fatalities and 91,993 injuries from large-truck crashes.
- A crash with injuries costs about \$200,000 per crash.
- The average cost of a large-truck crash involving a fatality is \$3.6 million per crash.
- Crashes are devastating in terms of fatalities and injuries, financial costs, damaged reputations, the inability to attract and retain good drivers, and general goodwill in the industry and community.

The good news is many crashes are preventable:

- In 1997, 22 percent of large-truck fatal crashes involving more than one vehicle were speed-related.
- In 2003, about 2 percent of drivers with a CDL used controlled substances and 0.2 percent consumed alcohol (0.04 or higher blood alcohol content) while performing their duties.
- About 5.5 percent of fatal truck crashes are caused by driver fatigue.
- In 2005, of the 696 CMV drivers who died in truck crashes, 344 were not wearing safety belts. In 2006, a study found only 59 percent of CMV drivers wear safety belts.



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who want to avoid the consequences of inaccuracies
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- Helping you secure the jobs you bid on with unmatched in-depth product and industry knowledge
- Giving you straightforward answers from beginning to end. At RSG we keep our promises.

OUR DEDICATED BRANCH TEAM HAS YOU COVERED BY:

- Triple-checking each order before it leaves our warehouse in order to drastically reduce errors
- Ensuring that deliveries are made in a safe and timely manner and by displaying a personable and professional attitude to your customers.
- All this to ensure optimal accuracy, from order placement to billing, giving you the peace of mind needed to focus on your core business

*We truly believe success in this industry is shared, and we've helped more contractors launch, build and sustain profitable businesses with unmatched expertise and support.
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Fax: 520.745.5183



Your Warranty May Be Longer Than You Think



By Tim Ducar

Many residential roofing contractors have told me that they limit their warranties to two years. They do this to mirror the jurisdiction of the Registrar over defective construction. Contractors can limit their express warranties to two years by stating in the contract with the customer that the warranty lasts for two years.

However, the law implies warranties—that is, warranties that exist because the law says they exist, not because parties to the contract have agreed upon the warranty. Three examples include Lemon Laws (e.g.: if you purchase a defective car that cannot be fixed within four attempts, you can obtain a refund), Warranties of Merchantability (e.g.: the seller of an item warrants the item is worthy of being sold) and Fitness for a Particular Purpose (e.g.: the seller warrants that a item sold will work for a specific use).

If you never have a workmanship issue, you never install roofs. Warranty issues can be avoided but not eliminated.

As to residential contractors, the law implies warranties of good workmanship and habitability upon them. The implied warranty of good workmanship and habitability can be claimed by purchasers of new housing as well as subsequent purchasers of a residence. As to the subsequent purchasers, the warranty applies to defects that could not have been discovered with a reasonable inspection prior to its purchase. Because a claim based upon this implied warranty is six years from the date of discovery of the defect, your company's exposure to a lawsuit could be lengthy. The implied warranty of good workmanship and habitability cannot be waived by a contract provision.

For example, assume you re-roof a residence. After the third year, the homeowner alleges that your workmanship was substandard. The homeowner waits five more years, and then files a lawsuit against your company. Because the homeowner filed the lawsuit within six years of the date of discovery the alleged defect, the lawsuit will be

timely.

However, there is a cut off to your liability. Under Arizona law, any lawsuit based upon a claim of poor residential workmanship or habitability must have been commenced within nine years. As a result, after nine years, your company cannot be sued by your customer for breach of the implied warranty of workmanship or habitability, irrespective of when your customer discovers the allegedly defective work.

If you never have a workmanship issue, you never install roofs. Warranty issues can be avoided but not eliminated. If you are notified of a workmanship issue, and your company performed the work within the prior nine years, it is best listen to your customer and try to do what is necessary to repair the roof. On the other hand, assuming you only have an express warranty of two years in your contract, the customer may not know that his or her implied warranty extends past your explicit two year warranty. In that case, you may find that you can use your customer's ignorance to your advantage. 🏠

Timothy D. Ducar is an attorney practicing primarily in the area of construction law and business litigation. He practices in Arizona, California, Nevada and Utah. He will provide you a DVD and written materials that discuss increasing collections at no cost. He can be reached at (602) 277-9338.

Welcome New ARCA Members

ARCA extends a warm welcome to our newest Members who recently joined the association:

- ★ SmartWrap Vehicle Wraps
Tim Hilcove, 623-889-0862
- ★ Ultra Foam LLC
Frans Kuoppala, 602-710-6454

Office for Lease

6623 N. 67th Ave., Glendale, AZ. 85301, Zoned M-1

Yard is 2.12 Acres, office is 1385 sq ft. and can hold up to 13 desks; great for a mid size company looking to grow.

Sheds and steel containers for secure lock up. Wired for alarm and has security cameras.

If interested call Ron Brown, President of Jim Brown and Sons Roofing Co at Office - 623-247-9252

Space for Lease

ARCA has two unused offices to lease:

Both are in excess of 115 sq. ft. (13' x9')

\$400 a month (for each office) includes utilities, desk, chairs and file cabinets. If interested, contact our office at 602 335-0133

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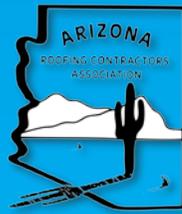
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ARCA



SPRING 2013

GOLF TOURNAMENT

Friday, May 17th | Oakwood Golf Course in Sun Lakes

24215 South Oakwood Boulevard, Sun Lakes, AZ | COST: \$95 for ARCA Members (\$125 for non-members)

Check-in opens at 7:00 AM | Shotgun Start is at 8:00 AM Sharp | Barbeque lunch following play

Format is Two-Person Scramble - TWO FLIGHTS
Dress code is collared shirts and no denim.

Deadline to Register is
Friday, April 26th
Limited to First 90 Entries Received!

Prizes will be awarded for 1st, 2nd and 3rd Place (in two flights)
"Closest to Pin," "Longest Drive," and "Longest Putt" Award will also be presented

Registration Form

Player Name _____ Company _____

Contact Person For Entry: _____ Phone _____

Payment

Pay By Check: Please make checks payable and remit to: **ARCA Golf** **OR Pay By Credit Card:**

Credit Card # _____ Exp. Date _____ Zip Code _____ Sec. Code _____

Total Amount \$ _____ Authorized Signature _____

Registration forms and payment can be returned by

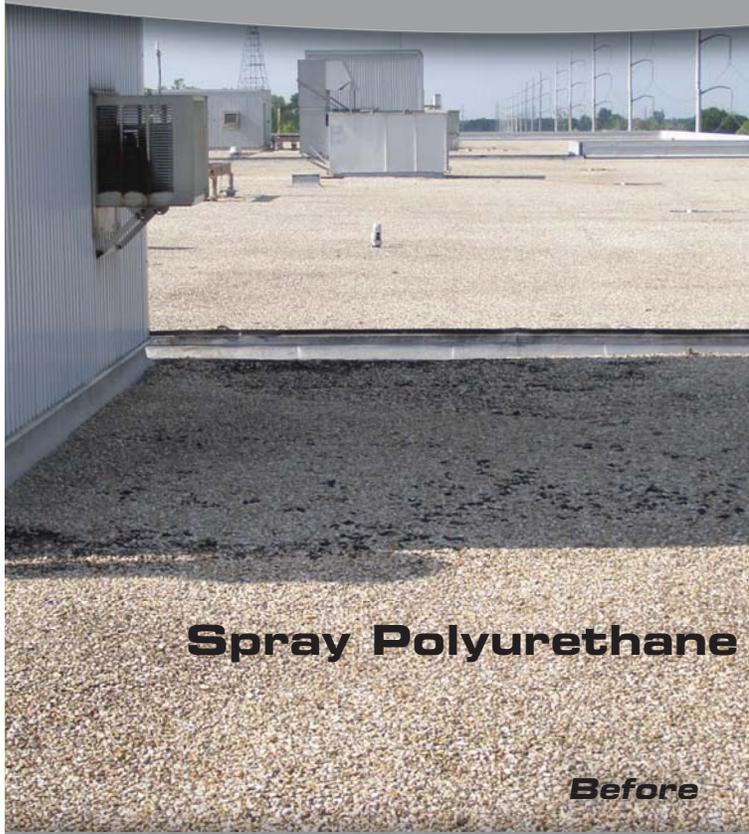
- mail at 5050 N. 8th Pl., Ste. 6, Phoenix, AZ, 85014
- email at acreighton@azroofing.org
- fax at 602 335-0118



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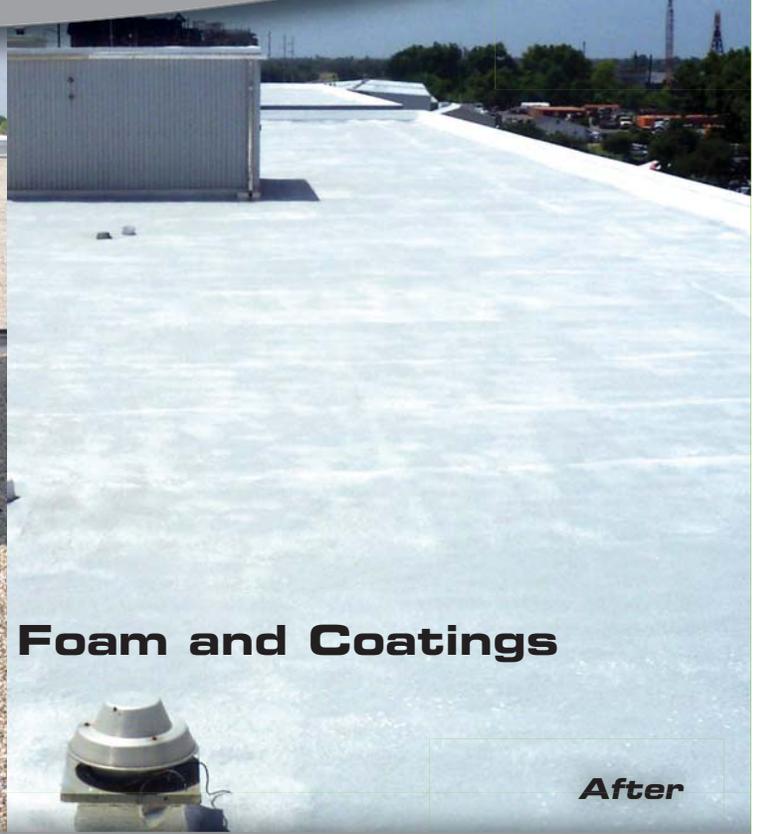
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Before



Foam and Coatings

After



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SEVENTH ANNUAL

SPRING SPORTING CLAYS TOURNAMENT

Friday, April 5, 2013, 8:00 AM at Ben Avery Clay Target Center
\$85 for ARCA Members/Guests, \$125 for Non-Members

Cash prizes for winners in various flights, plus lots of door prizes!

Coffee and donuts served from 7:30 to 8:00 AM. Lunch will be served following the tournament.

REGISTER TO SHOOT

Name: _____ Email: _____

Name: _____ Email: _____

Name: _____ Email: _____

Name: _____ Email: _____

BECOME A SPONSOR

The Arizona Roofing Industry Foundation (ARIF) has established a scholarship program to assist employees, immediate family members of employees, or the immediate family of ARCA members who plan to pursue post-secondary education in college and vocational programs. A minimum of two \$2,500 scholarships are offered each year for full-time study at any accredited post-secondary institution of the student's choice. Join us and help provide academic scholarships to ARCA Members by selecting a sponsorship level below. ***If you wish to contribute at the Title, Gold, or Silver level, now is the time; you will receive complimentary entry into BOTH this and the convention tournament.***

- TITLE SPONSOR - \$2,000 (\$1,870 is tax deductible)** Your company will be recognized in the Basesheet and in both convention programs. Additionally, your name and logo will be displayed on a banner at the event, at each shooting station and at the luncheon following each tournament. You will also be awarded space for two shooters at both the 2013 Spring and Convention Tournaments.
- GOLD SPONSOR - \$1,000 (\$870 is tax deductible)** Your company will receive recognition in the Basesheet and in both convention programs. You will also be awarded space for two shooters at both the 2013 Spring and Convention Tournaments.
- SILVER SPONSOR - \$500 (\$435 is tax deductible)** Your company will be recognized in both convention programs, as well as the banner at the tournament. You will also receive one complementary shooter registration at both the 2013 Spring and Convention Tournaments.
- BRONZE SPONSOR (100% retail value of contribution is tax deductible)** Anyone contributing prizes for either of the two tournaments will get their company or personal name on a display board set up at the tournament.
- SHOOTING STATION SPONSOR - \$250 (\$250 is tax deductible)** Your company will be recognized with signage at one of fifteen stations. Sponsors have the option of offering additional prizes for hitting colored clays at their station.

_____ Please print name above for sponsorship recognition

Company _____ Contact Person _____

Address _____ City _____ State _____ Zip Code _____

Phone _____ Fax _____ Email _____

➔ ALL CHECKS MUST BE MADE PAYABLE TO: THE ARIZONA ROOFING INDUSTRY FOUNDATION* (ARIF)

OR PAY BY CREDIT CARD:

Credit Card # _____ Exp. Date _____ Zip Code _____ Sec. Code _____

Total Amount \$ _____ Authorized Signature _____

Please send completed form with payment to: ARIF, 5050 N. 8th Pl., Ste. 6, Phoenix, AZ, 85014
Pledges can also be faxed to 602 335-0118. Questions? Call 602 335-0133 or email arca@azroofing.org.

* \$50 of each registration is tax deductible. Pursuant to Internal Revenue Code Section 170(f)(8), I certify that the Arizona Roofing Industry Foundation services in whole or partial consideration of the above contribution is a tax-exempt nonprofit corporation (ID 38-3799558) and is qualified to accept charitable contributions under IRS Code 501 (c)(3). Retain this letter as documentation for tax purposes.



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3 New Benefits to Help ARCA Members Save Money

ARCA is excited to announce three new exclusive benefits that will help our Members (and their employees) save money. Read on below to find out how you can benefit from these new partnerships.

Staples Advantage

Staples Advantage® is the preferred office supplier of AZ Roofing Contractors Association. As a member, you're eligible to save on all your office supply purchases. This program allows members of AZ Roofing Contractors Association and its affiliates to maximize their buying power across the nation and receive low, contracted pricing on over 30,000 products.

You can count on us to provide you with:

- Easy online ordering through StaplesLink.com
- All the supplies you need, including office products, breakroom supplies, janitorial supplies, technology supplies, furniture, eco-friendly products and more
- FREE delivery on orders over \$50

To enroll, [click here](#).

For more information about your member benefit program, contact:

Russell Kipnis, Staples Advantage Account Manager
714-868-4162
Russell.Kipnis@staples.com

Crown Dental Plan

SAVE up to 60% on dental procedures Crown Dental Plan. Crown Dental Plan is a dental benefit plan that is NOT INSURANCE...NO high monthly premiums, NO waiting periods, NO benefit limits, NO co-pay/deductibles. Crown Dental Plan is offering ARCA members 20% off the annual Crown Dental public membership rate. For as little as \$79.95/year you can now receive high quality dental care from more than 270 dentists and specialists Valley-wide. Enroll on-line by pasting the link below into your browser

to select your dentist and complete membership application. Contact Karla (480) 964-7449; karla@crowndentalplan.com with questions.

Enrollment information.

Benefits include:

- Super savings on all dental procedures
- No deductibles or co-payments
- No annual maximum
- No waiting periods or pre-existing condition exclusions
- Broad choice of quality dentists and specialists
- Specialist rates reduced by 20%

Services include:

- Endodontics (extensive root canals)
- Orthodontics (braces)
- Oral Surgery (TMJ, major extractions)
- Prosthodontics (bridges and dentures)
- Periodontics (gum treatment)

[Click here](#) to enroll.

PTRX Smart Saver RX Card

It costs you nothing and can save you lots. The PTRX Smart Saver RX Card program offers you the opportunity to save big on your prescription drugs. There is no monthly or annual fee to participate in this program. You simply visit one of our 60,000 retail pharmacies (including chains and independents), present your card and a valid prescription to the pharmacist, and the pharmacy will apply the discount.





ARIZONA ROOFING CONTRACTORS ASSOCIATION MEMBER CONTACT FORM

If you need to update your email address or fax number, or if you'd like to sign up additional employees to receive this newsletter and other ARCA notices, please fill out and return this form.

Name: _____ Company: _____ Date: _____

How would you prefer to receive ARCA correspondence?

- By email By fax

Please provide current contact information below:

PRIMARY CONTACT: _____

FAX: _____

EMAIL: _____

If email is your preferred method of receiving event notices, legislative updates, and other ARCA news, is there anybody else in your company who should receive this information as well?

- No, please send ARCA news only to me.
 Yes, please also send ARCA news to the following contacts:

NAME	EMAIL ADDRESS

PLEASE RETURN THIS FORM TO ARCA

FAX: 602 335-0118
EMAIL: acreighton@azroofing.org

MAIL: 5050 NORTH 8TH PLACE, SUITE 6
PHOENIX, ARIZONA, 85014



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Solar panels (which are dark in color by nature) can create areas of high temperatures up to **190°F** on adjacent roof surfaces. Other highly reflective architectural structures (such as mirrored glass) can act as solar magnifiers and concentrate sunlight onto nearby roof surfaces. This concentrated sunlight can be far more intense than ambient sunlight — leading to premature membrane failure.

EverGuard® Extreme™ TPO is the next generation in TPO membranes—with the best guarantee in the industry!

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PLATINUM SPONSORS

EAGLE ROOFING PRODUCTS

Charter Platinum Sponsor

TAMKO ROOFING PRODUCTS

Charter Platinum Sponsor

A P O C

13th Year Platinum Sponsor

ROOFING SUPPLY GROUP

13th Year Platinum Sponsor

A B C SUPPLY COMPANY

10th Year Platinum Sponsor

E-LAS-TEK ROOF COATINGS

5th Year Platinum Sponsor

KM COATINGS MFG., INC.

4th Year Platinum Sponsor

GAF MATERIALS

3rd Year Platinum Sponsor

STAR ROOFING

1st Year Platinum Sponsor

SILVER SPONSORS

ALLIED BUILDING PRODUCTS

ATLAS ROOFING CORPORATION

BORAL ROOFING

CARLISLE SYNTEC

COPPERSTATE ROOFING

CST RISK MANAGEMENT

HENRY COMPANY

INCA ROOFING

JIM BROWN & SONS ROOFING

JOHNS MANVILLE

OMG, INC.

OWENS CORNING

PERFORMANCE ROOF SYSTEMS

PIONEER ROOFING

POLYGLASS, USA

ROOFING CONSULTANTS OF AZ

STARKWEATHER ROOFING

UNITED COATINGS

WESTERN COLLOID

GOLD SPONSORS

CLASSIC ROOFING

GORMAN SERVICES

LYONS ROOFING

MALARKEY ROOFING PRODUCTS

PRO-TECH PRODUCTS

STEWART BUILDING & ROOFING SUPPLY

TECTA AMERICA ARIZONA, LLC

BRONZE SPONSORS

A-2-Z ROOFING

ALAN BRADLEY ROOFING

ATAS INTERNATIONAL

BITEC. INC.

COLDWATER ROOFING

DAS PRODUCTS

DIVISION SEVEN SYSTEMS

FIRESTONE BUILDING PRODUCTS

FREELITE - SKYLIGHTS

GRYPHON ROOFING & CONSTRUCTION

HEALTHY STRUCTURES

HUNTER PANELS

IMAGE ROOFING

JEV ROOFING

KY-KO ROOFING SYSTEMS

MAC ARTHUR COMPANY

METAL PRODUCTS

METRIC ROOFING

NATIONAL COATINGS

NEW LIFE ROOFING

O'HAGIN'S

PACIFIC SUPPLY

QUAIL RUN BUILDING MATERIALS

ROCK ROOFING

ROOFING SOUTHWEST

SCOTT ROOFING COMPANY

SECTION 7 MARKETING

SUNRISE HAULING SERVICES, LLC

VERDE INDUSTRIES