

Texas

January 2015

MERIT SHOP

Defending the Rights of Merit Shop Contractors

Journal

How ABC Is Promoting
Workforce Development
In Texas

2015 ABC of Texas
Legislative Priorities

ABC Chapter Initiatives
Around The State



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ONE-ON-ONE

WITH STATE REP. CHARLES 'DOC' ANDERSON

Texas State Representative Charles "Doc" Anderson Discusses
House Bill 123 from last session and His Personal Priorities
For The 84th Texas Legislature

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Letter From the Chairman



ROACH

Christmas is behind us and I hope that each of you enjoyed your happiest Holiday Season ever. As for me, I continue to be blessed beyond what I deserve. We have so much of an abundance in this great State of Texas.....blessings beyond measure. It is a new year, filled with all kinds of possibilities waiting for us to make a reality. It is time to go to work and use these blessings to leave a better State than was handed to us.

With that said, an opportunity for a great start is right around the corner with the start of the 84th Legislative Session. Jon Fisher has done an excellent job in his letter and article in this

issue of outlining our Legislative priorities for this Session and describing the process in general. What we now need is "emphatic emphasis". That we get from you, our members. The window of opportunity is our upcoming Legislative Day, which will take place February 9 & 10, 2015 in Austin. I know that we all share a deep passion for our industry. There is no greater resounding affect than seeing that passion displayed in person for all our legislators to witness. There is no more effective manner in delivering our message than in large numbers as we carry it to the Capitol - so make plans to be in Austin for this event. Please let your local chapter staff contact know you are coming.

I want to take this opportunity to give a special thanks to some special folks (known as Friends of ABC of Texas) who have gone above and beyond in their support to ensure that ABC of Texas continues to grow and be the leading voice of the construction industry in Austin. They are - ISC Constructors, LLC (Mike Gremillion), Repcon, Inc. (Bob Parker), Andrews Myers, P.C. (Ben Westcott), The Gardner Law Firm (Wes Johnson), Infinity Construction Services (Buck Blevins), Large and Sons (Lawrence Wilcox), ABC-Texas Mid Coast Chapter, and ABC-Texas Coastal Bend Chapter. They have reached into their pockets and coffers and have made generous contributions to the ABC of Texas effort. They continue to make the seemingly impossible, possible.

In this new year, thanks again to all the Chapters for sending a great group of individuals to serve on our ABC of Texas Board and to each member for allowing us to serve you. Please lean on us. At your service, I remain.

Mark Roach
2013-2015 ABC of Texas Chairman of the Board
Dealers Electrical Supply

Letter From the President



FISHER

This is my fourth Legislative Session as your State President. As is the norm, we have an ambitious list of priorities and very little time to get them enacted.

When speaking about the Texas Legislature, I always remind audiences that our post-Reconstruction constitution provides very little time for legislation to be enacted. With time as an enemy of legislation, it is always easier to kill bills than to pass them.

Because of the short time frame (140 days with the first 60 days dedicated to introducing bills—only 80 days left to pass non-emergency matters), every single piece of legislation is competing for the Legislature's time.

First on the Legislature's priority list is always Appropriations. The state government must be funded for the next two years.

Second in priority are emergency items, significant problems, and issues championed by leadership in either house or by statewide elected officials.

Everyone else's issues are a lesser priority than those two. Since many groups have legislative agendas, we all compete for that little slice of time left for the Texas Legislature to consider our requested statutory changes. Every day that ticks by makes for a narrower "funnel" for legislation to pass through. Consequently, late in the session, sometimes a day or two delay can kill a bill. Even early in the session, a wasted week can be critical.

The Texas Legislature does not pass bills quickly either. Most bills sit in committee at least a week after a hearing to ensure that the bill is properly vetted. Committee reports also take time to get filed. No bill goes directly to the floor of either house. The House's agenda is set by the House Committee on Calendars and the Senate's agenda is set by the Lieutenant Governor (through a process of recognition for suspension of rules).

Of course, we also have end of the session deadlines which take that 80 days and shorten it even more.

I hope you can appreciate the tremendous effort put forth by the members of the Texas Legislature each session to leave home and come to Austin to work for the State of Texas. We are very fortunate that our citizen Legislature takes this responsibility seriously and has helped Texas become the best state in the nation by far.

Texas remains the best place to do business, the best place to raise a family, and the best place to work and play.

As you participate this session in our advocacy efforts, remember that the Legislators are just like you and me—after all, we elect them. Each represents different constituencies that reside in the respective districts as well as the state as a whole.

These are the people who have made, and continue to make, Texas great!

Sincerely,

Jon Fisher
ABC of Texas
President

THANK YOU

The following ABC of Texas Members have provided financial support which is above and beyond their normal dues commitment.

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(as of December 2014)

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84TH TEXAS LEGISLATURE

ABC of Texas Priority Issues



The ABC of Texas Board set priorities for the next Texas Legislature at the April 17, 2014 Board Meeting in Austin. As is the norm, we expect priorities to evolve as we are confronted with the priorities of others whose perspectives may differ from ours. Generally, these issues are what we work on until and unless we are threatened with anti-business or anti-construction initiatives.

Fortunately, the next Texas Legislature appears to be very friendly to business issues in particular. That presents us with the opportunity to make some gains where the opportunities present themselves. This article will try to cover each of those issues selected by the board in a paragraph.

Our number one priority issue deals with ensuring that Texas remains neutral so far as requiring (or preventing) the use of pre-hire collective bargaining agreements when state resources are used on construction. The state's ability to prevent these project labor agreements (PLAs) is limited by the National Labor Relations Act. The state cannot regulate labor practices preempted by this federal law. But, if the state has a financial interest in a construction project, acting in its proprietary interest, it can ensure that its resources are protected from practices that could unnecessarily inflate construction costs (union work practices are a big cost-driver). That is why ABC of Texas is trying to pass

Neutrality in State Government Contracting—to ensure the wise use of state resources in construction and to ensure that both union and non-union contractors are on a level playing field. This legislation would have no effect on the prevailing wage law. Contractors would be free to use, or not use, a PLA.

Another issue that should be acted upon involves ensuring that statutory retainage is available in case of a foreclosure (Retainage/Trust Fund). ABC of Texas will join with TCA and AGC-TBB to support a means of assuring that statutory retainage (which protects project owners from liability in excess of the retainage) is available to contractors and subcontractors in the case of a default or foreclosure. Unfortunately, the common practice appears to be to have the lender withhold the amount of the retainage, meaning the money never becomes construction trust funds. This practice does not protect the owner since the money was not retained. The practice generally only becomes a problem when there is a foreclosure by the lender and the contractors and subcontractors are left with no effective lien rights. Legislation was set on the House Calendar in time to pass last session, but was killed by a point of order dealing with the bill analysis.

Also, there currently is no requirement that a lender tell anyone except the project owner when funds are cut off for a project. Thus, general contractors and subcontractors are left to improve

the facility with no hope of getting the last progress payments, the retainage, or payment for any work performed before those parties discover funds have been cut off. Many lending institutions either provide for such circumstances by contract or immediately notify the general contractors. But, some have not. There needs to be a provision requiring lenders to notify those performing work on the project when funding has been terminated. We call this issue “Lender Notice”.

Some governmental entities have used different scores for the exact same experience when evaluating proposals under alternative delivery systems. There needs to be some transparency and consistency when alternative delivery systems are used to avoid the appearance of manipulation of the results. ABC of Texas intends to support legislation that provides the opportunity for a losing bidder to receive an explanation if the same governmental entity has scored the same criterion differently using the same information within the past year.

There is a lawsuit pending before the Texas Supreme Court challenging our existing school finance system. When the court rules, the Texas Legislature will likely have to address school finance. That has always meant a tax bill. ABC of Texas needs to be prepared to prevent or minimize additional taxes on the construction industry. In addition, there may be an opportunity to modify or eliminate the current franchise tax. ABC of Texas will be vigilant to try to protect the construction industry from any unfair tax burden.

Legislation was passed in 2013 to provide a waiver of sovereign immunity for state governmental entities for breach of construction contracts. While an important first step, this legislation did not provide the same coverage as the waivers for other governmental entities in Texas. This statute needs to be consistent with the waivers of sovereign immunity for construction contracts with other governmental entities in Texas.

Legislation was passed in 2013 to provide a waiver of sovereign immunity for state governmental entities for breach of construction contracts. While an important first step, this legislation did not provide the same coverage as the waivers for other governmental entities in Texas. This statute needs to be consistent with the waivers of sovereign immunity for construction contracts with other governmental entities in Texas. ABC of Texas

will be working with AGC-TBB to try to provide some uniformity among the various breach of contract waivers of sovereign immunity or simply to revise the state waiver of sovereign immunity to be more consistent with that for local governments. It is important to bear in mind that even if the state provisions were consistent, legislative action in the form of an appropriation is generally needed for a significant payment.

The construction industry has been unfairly criticized for rampant worker misclassification (classifying employees as contractors). Of course, this type of misclassification is not unique to any one industry and may even be more rampant in others. To address the fact that worker misclassification gives violators a competitive advantage over those following the law, ABC of Texas has been willing to address the issue provided that contractors are only responsible for their own hiring decisions, legitimate use of individuals as contractors is protected, and employers are not subject to increased penalties for good faith mistakes or arbitrary agency decisions. There have been bills in the past that attempted to restrict the use of individuals as contractors even if the IRS definition applies clearly. ABC of Texas worked with other groups last session to craft a bill that addresses our concerns about legitimate use of individuals as contractors while providing additional penalties for those in the construction industry that intentionally misclassify their employees as contractors.

Of course, there are other issues we will face that did not make the priority list. Those Issues are:

- Consolidated Insurance Programs (CIPs)—Many contractors and subcontractors, as a condition of working on a project, must use either an owner-controlled or contractor-controlled CIP. Since risk management is an integral part of any business, it is critical that those bidding on jobs be able to ascertain if the insurance coverage is adequate for the individual contractor’s or subcontractor’s risk management. For example, it is quite common for owner-controlled CIPs not to include coverage for the 10-year statute of repose. There will likely be legislation which will require the Texas Department of Insurance to write rules dealing with disclosure of CIP coverage to those bidding on projects.
- Purchasing Cooperatives—Site-specific construction is inappropriate for the use of interlocal contracts offered through purchasing cooperatives (with the exception of job order contracting). While purchasing cooperatives offer great savings for local governments when dealing with items

(Continued on page 9)

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FEBRUARY 9-10, 2015
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Tuesday, February 10, 2015

7:00am Breakfast

7:30am Program

9:00am Visits with Legislators

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Monday, February 9, 2015

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Join fellow members of Associated Builders and Contractors from around the State as we meet with our elected officials to discuss issues important to the construction industry and Free Enterprise on Tuesday, February 10th. Also, make plans to attend the February 9th Welcome Reception the evening before our visits.

Special room rates are available to ABC Members at \$209 for the night of February 9th. To reserve your room, call (800) 222-8733 and mention the group name "ABC" or reserve online at www.austinsuites.doubletree.com and enter the special promo code "ABC" when prompted. The discounted rate will only be available until midnight on January 19th, 2015!

To RSVP for the 2015 ABC Legislative Day or learn more about the event, please contact your local chapter at the corresponding number below.

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for which there are economies of scale, construction is site-specific. There is the potential, when using purchasing cooperatives for construction services, for there to be manipulation in the bidding process, particularly when bidding specifications favor a particular manufacturer. ABC of Texas has favored legislation in the past dealing with this issue.

- Immigration—ABC of Texas believes that immigration is a federal issue. Recognizing that the federal system is broken, we are sympathetic to those who try to address immigration issues on the state level, but still do not necessarily believe that is the proper venue. It is important in any state immigration statute dealing with employers, that employers not be held liable if the employer is a victim of fraud. It is critical that employers who attempt to follow the law in good faith not be subject to additional penalties on the state level.
- Lien Law Reform—Quite simply, the Texas Lien Law is too complicated. ABC of Texas is working with other construction industry groups—primarily AGC-TBB and TCA—to develop a simplified approach that can be embraced by most if not all stakeholders. Of course, the devil is in the details and this

project faces considerable barriers if a proposal is perceived to create a significant new disadvantage to any large stakeholder. The goal is to simplify the preservation of lien rights and eliminate complicated tripwires without upsetting the balance in the current scheme. This issue may not be ripe for this session of the Legislature, but is kept on the list because it is an issue.

As you can tell, the ABC of Texas Board has set a very ambitious legislative agenda. Please stay alert to requests for participation in our advocacy efforts this next session. And, plan to attend our Legislative Day, February 9-10, 2015. Details can be obtained at your local chapter.



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One on One With...

STATE REPRESENTATIVE CHARLES "DOC" ANDERSON

A graduate of the Texas A&M School of Veterinary Medicine, Doc Anderson has served as a small animal veterinarian in Waco since 1981. He and his wife Sandie have been married for 34 years, and have a son and three grandsons.

After over 20 years of advocacy for small business through statewide committees on both the Texas Association of Business and the National Federation of Independent Business, as well as appointment by Governor Rick Perry to the Texas Small Business Advisory Council, Doc was elected to represent District 56 (Waco & McLennan County) in 2004. He has been re-elected five times.

Representative Anderson has served for 5 terms as Vice-Chairman of the House Committee on Agriculture and Livestock, as well as previous service on other committees, such as Elections, House Administration, and the House Select Interim Committee on Energy & Environment. Additionally, he holds appointments to the statewide Agricultural Policy Council, the multinational Energy Council, and agricultural, energy, and environmental task forces in both the National Conference on State Legislatures (NCSL) and American Legislative Exchange Council (ALEC). Representative Anderson is a Board Member of the Texas Conservative Coalition Research Institute (TCCRI), and the international organization State Agricultural and Rural Leaders (SARL).

Legislative highlights include: securing new headquarters funding for Company F of the Texas Rangers in Waco, major legislation concerning school bus safety belts, punishment for child predators (Jessica's Law), legislation banning the hallucinogen salvia divinorum, and a Constitutional Amendment approved by voters in 2011 to extend property tax exemptions to the surviving spouse of veterans who had already gained such exemption due to their 100%, service-connected disability.

For his efforts to preserve and enhance key local and state institutions, such as the Waco Center for Youth, Texas State Technical College, and rural transportation networks throughout Texas, Rep. Anderson has been honored in 2013 by the Cenikor Foundation, the Association for Community Transit, and the Texas Auctioneers Association Legislator of the Year. He is also consistently ranked in the top tier of organizations dedicated to reviewing "pocketbook" issues for Texas taxpayers, including Texas Conservative Coalition, Americans for Prosperity, the Texas Association of Business, and Young Conservatives of Texas. He was also recognized for being an outstanding alumnus of Texas A&M College of Veterinary Medicine & Biomedical Sciences.

Please describe your background.

I graduated from Texas A&M University with a Doctor of Veterinary Medicine Degree in 1981. In 1983, Sandie and I moved to Waco, and opened a small animal veterinary practice, where it still stands today. Being a small business owner has a significant insight to the importance of the legislative process.

What is your view of the free enterprise system?

The free enterprise system provides the greatest quality of life to the greatest number of people in all strata of society to a greater degree than any other economic system. It is the actual guardian of our very American liberty. Are there abuses? Almost certainly, however, competition has a knack for correcting these abuses in a free market environment. On balance, the American free enterprise model is more efficient than the European model. The main reason is simply that relatively we have less state and federal government intrusion into our economics. However, this scenario is currently in jeopardy, and it is fast changing with an overreaching federal government, accompanied by mismanagement in so many arenas. Government bureaucracies and their mindset inhibits personal initiative and growth. The opposite is also true—less government overreach, mandates, regulations, and taxation will lead to more production, increased jobs and a stronger economy.

Last session, you authored HB 123, which addressed concerns about the potential for bid-rigging in roofing contracts. In fact, you carried similar legislation in 2011. Any observations you wish to share about your experiences carrying this bill?

I was honored to carry House Bill 123, and referring back to the free enterprise discussion, it is imperative and fundamental that we have a free and open process for providing services. The very basis of the free enterprise system is an open bidding process, free from impediments such as proprietary specs or unwarranted favoritism. This system unhampered allows for the "invisible hand" in the free market to work its magic. In the long run, this will produce better products at a lower cost to the taxpayers. One of the experiences I found carrying this legislation, is a realization and need to continually educate stakeholders as to the benefits of this free market capitalism throughout the process.

ABC of Texas strongly supported HB 1548 last session dealing with collective bargaining agreements in state-funded projects. You supported the bill in the House, but it died in Senate committee. Do you think we will have a better chance of passage this session?

Also in keeping with the free enterprise system it is imperative to minimize union influence and collective bargaining agreements in state funded projects. Texas is a right to work state and we need to be vigilant in our effort to protect that right. The legislature is

a continually shifting paradigm, while I am hesitant to speculate on the outcome of legislation, I will note that we have seen a conservative shift in the Senate.

What are your personal priorities for the 84th Texas Legislature?

As with each approach to session, my main priorities are to ensure that I represent the hardworking residents of McLennan County, and the citizens of Texas to the best of my ability. We need to keep Texas growing, continue to improve infrastructure, and thwart unneeded and unnecessary tax increases, because increased taxes is equivalent to defunding mandates on Texas families.

What does the 84th Legislature absolutely have to do for the session to be a success?

First, we must honor the spending cap (don't spend all the money!). We also need to continue our efforts to control the border in order to protect Texas citizens and taxpayers. In addition, we must protect our Texas liberty by resisting federal overreach (example: Education System-Common Core; Energy System-EPA Proposition 111, Endangered Species Act; Healthcare System-Affordable Care Act), and thereby help protect our state sovereignty (the 10th Amendment to the US Constitution).

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Workforce Development Around The State



One of the most challenging issues that ABC Members face each day is a workforce shortage. For years, a perfect storm has been brewing for the construction industry and its impacts are far reaching. Business owners, contractors, and even the general public can see the repercussions from the waves of those who have falsely proselytized the “ills” of the construction industry as a non-viable career choice.

Today, many groups are working hard to reverse the negative perception of the construction industry by demonstrating the endless possibilities that a career in construction can provide. The following highlights several ABC of Texas chapters who have implemented programs locally to work towards a workforce shortage solution.

ABC Texas Gulf Coast Chapter

The Texas Gulf Coast Chapter’s recent efforts for Workforce Development include NCCER sponsorship of six high schools; scholarships for deserving students; resume distribution; a bi-annual Construction Exhibition; a plant tour for school counselors and administrators; and a nine-week intensive training course for unemployed seeking to learn a craft.

The chapter has sponsored local high schools for many years, providing NCCER curriculum, materials, and Certificates of Completion for CORE (Introductory Craft Skills). Approximately 100-150 high school students earn this certificate yearly. Some earn additional credit for modules in Level I. Students interested

in continuing may apply for one of twelve \$1000 scholarships at a partnering local community college toward an Advanced Certificate or an Associate’s Degree. Senior students also submit resumes for distribution to local contractors.

Bi-annually the chapter hosts a full day, hands-on craft event for 400 junior/senior high school students. Over 100 contractor and industry volunteers help students in activities involving hand & power tools, scaffold building, rod bending, instrumentation, insulation, pipefitting, crane and welding simulation and operation of heavy equipment.

Recently, one industry partner hosted an event for counselors and administrators inside their plant. Wearing hard hats, safety goggles, and gloves, school leaders spent time talking to craftsmen on the job. Much interest was generated for school leaders regarding the variety of crafts, thus providing a better understanding and more specific information to share with students making career choices. At the same time, administrators identified course needs for the career paths and endorsements in HB 5.

Finally, in partnership with our local community college and Workforce Solutions, the chapter sponsored two sessions of the Jumpstart Program, a nine-week training program for millwright, electrical, and pipefitter helpers. With the exception of a required hair-follicle test for admission, this training was free to grant qualified applicants. Graduates were eligible for interviews with local contractors. Since June, approximately 45 graduates

have received job offers with local companies. A third session is planned for spring 2015.

ABC Central Texas

Since the Fall of this year, the Central Texas chapter has been focusing heavily on bolstering its workforce development value proposition. In November, the chapter held its first annual Safety Rodeo in conjunction with the chapter's partnership with OSHA. The half-day format featured five separate 45-minute sessions on topics including fall protection, lift training, ladder safety, and electrical safety and presented OSHA education certificates to more than 120 attendees from over 30 different companies. Participant feedback was overwhelmingly positive, and chapter leadership is very excited for the future of this great safety-first event.

In addition to committing resources to grow safety, craft and apprenticeship training, the Central Texas chapter has long been the sponsoring agent for NCCER certifications and credentials. Every year since the beginning of the program the chapter has helped provide more than 2,000 students from 185 high schools and colleges with nationally recognized training certification in areas such as welding, electrical, plumbing and HVAC.

The future of the workforce development program at ABC Central Texas is bright and being driven by some of the most knowledgeable volunteer leaders in the industry. With their vision and the high demand for training in the area, the Central Texas chapter is creating the right recipe for success in workforce development.

ABC Texas Coastal Bend Chapter

Educational post-secondary institutions are the key in providing an educated and skilled workforce. Not only are the local colleges doing their part, but Craft Training Center of the Coastal Bend (CTCCB) is also responding to the increased demands for workers. CTCCB is a unique post-secondary training facility that teaches industrial crafts where high school students and adults earn national training credentials, certifications and licenses in a Department of Labor Apprenticeship Program. Getting students ready for the workforce is a major objective of the CTCCB, but giving Coastal Bend high school students a jump start on future careers immediately after high school graduation is also a major goal.

Starting students through the education pipeline begins with summer programs for middle school students in Grades 6-8 at the CTCCB. The two week summer program gives these youth a hands-on experience in welding, plumbing, electricity rigging, scaffold-building, fall-protection, safety, pipefitting, hand tools, power tools and construction mathematics plus it also teaches students soft skills like being on time, shaking hands, respect, establishing eye contact, and speaking clearly. The students must submit to drug testing before being accepted in the program and are subject to random drug tests while participating in the intense camp. Dr. Mike Sandroussi believes that starting students early is critical to getting them ready for the workforce. "Students need to learn early that craft skills training will provide a great quality of life. All of our students at CTCCB understand this concept and are attaining training credentials that will impact their quality of

life in a positive manner," states Dr. Sandroussi.

Also preparing for future careers are high school students and adults. Over 300 students from 19 school districts are enrolled in the training program this year. The adult program consists of approximately 320 adults and the CTCCB has over 20 off-site locations throughout the state called Accredited Training Education Facility (ATEF) consisting of over 400 students. All courses are taught using curriculum designed by the National Center for Construction Education and Research (NCCER). NCCER develops and publishes a world-class national curriculum created by Subject Matter Experts throughout the United States. NCCER certification is often required by area employers for employment. The NCCER curriculum facilitates school districts in meeting the new requirement of House Bill 5 for career pathways to earning training credentials, certifications and licenses. All classes meet or exceed Texas Education Agency requirements and through CTCCB programs, students may earn the following: Career & Technology Education (CTE) credit, NCCER training credentials, Del Mar College Continuing Education credit, CTCCB graduation credit and AWS certifications. Many of the high school students participate in local, state and national competitions during the year. The main focus of the training program is to produce a well-educated drug free craftsman. The CTCCB has been commissioned to develop these craftsmen in order to develop a productive workforce in the area. The CTCCB is an organization that has received local, state and national accolades including recognition in the Wall Street Journal.

ABC Greater Houston

Construction spending in the United States has continued to grow. In 2014, nonresidential construction spending has increased 1% on a monthly basis and 4.3% year over year. The increase in construction has created demand for skilled labor in the industry. Owners and contractors are searching for ways to advertise a construction career to skilled and high potential labor. Developing a larger workforce is turning into one of the largest concerns among contractors and most contractors agree that the solution can be found in the next generation.

Ask most people about a career in construction and expect a hesitant and misinformed answer. As in most industries, jobs have become more specialized. The construction industry is no different. Every phase of construction has become highly specialized, filled with highly skilled contractors. Contractors are in high demand and their skills have created a great opportunity to create and expand a career. This is the message contractors want to send the next generation; that the construction industry provides a career with a marketable skill and isn't comprised of low hourly wage jobs.

In Houston, ABC is working to market this message to high school and college students. The Association has worked with state legislators on Texas House Bill 5, encouraging students to consider new career and technology education course development options. These classes would provide industry-recognized credentials and certificates, marketing the student's skills to employers. The Construction & Maintenance Education

(Continued on page 14)

Foundation (CMEF) in Houston is providing classes with industry trained instructors with the ability to certify qualified students in many different trades. These classes are available to high school and college students and are seen as a viable alternative and complimenting skill to a traditional four year college degree.

TEXO Chapter

During the fourth quarter of 2014 TEXO members participated in several professional development programs geared toward communication, productivity improvement and specific programs to improve individual soft skills in the workplace.

The TEXO Safety First program continues to experience an overwhelming demand as the classes are sold out weeks in advance. The program will have over 2,000 TEXO member employees trained by the end of 2014.

In a continuing effort to showcase the opportunity for a career in the construction industry, TEXO members sponsored and volunteered their valuable time on October 29th to our Construction Education Foundations annual Build Your Future Career Day. An estimated 1,800 Students from high schools throughout North Texas took part in the event. This event not only increased the awareness of the hard work and contributions of our craft professionals, it more importantly put the foundation in place for the young men and women in attendance to begin considering a career in construction.

As a result of the Texas Legislative commitment to creating a proactive approach to allow students to pursue opportunities in careers such as construction, TEXO and its craft training program (CEF) stand ready to meet the educational and on the job training needs TEXO members have come to expect.

Texas Mid Coast Chapter

The Texas Mid Coast Chapter has been educating the area workforce since 1982. Factors positively impacting the economy in the area are: an ongoing energy boom, stable industrial production, corporate profitability, a booming stock market, active consumers, job growth, and low interest rates. We want our workforce to be skilled, efficient and safe.

The chapter offers NCCER classes as an Accredited Training Sponsor and Assessment Center, specifically focusing on Construction Site Safety courses.

Texas Mid Coast also offers an array of Safety Courses such as: OSHA 10, OSHA 30, First Aid/CPR, Trenching & Excavation, Fire Protection & Prevention, Confined Space Entry, Scaffold User, Personal Protection Equipment, Fall Protection, Heat Related Illness, Articulating Boom Lift, Scissor Lift, and Globally Harmonized System.

By partnering with member construction firms and local schools, ABC is investing in students' lives to prepare them to be successful construction professionals and future leaders.

These workforce efforts will continue to expand over the years and illustrate the rigor and relevance the chapter offers the construction industry.

South Texas Chapter

The South Texas Chapter's workforce development efforts can be grouped in to four areas – apprenticeship education, safety training, construction career outreach, and other education programs.

The Apprenticeship Education component is a U.S. Department of Labor-approved program currently offered in four trades – carpentry, electrical, plumbing and sheet metal. Over 150 students are enrolled in the 2014/2015 school year. Classes are held at the St. Philips College campus. The chapter worked with the Alamo Community College District's (ACCD) St. Philips College in achieving its status as a NCCER accredited training facility.

Safety is priority number one. As such, the chapter conducts OSHA 10 Hour and OSHA 30 Hour classes on a regular basis, and conducts a variety of safety seminars and training sessions covering topics such as Fall Protection, Rigging & Scaffolding, Trenching & Shoring, OSHA's "Fatal Four", and Electrical Hazards. Chapter Safety Training Evaluation Process (STEP) participants are eligible for the ABC/OSHA Partnership. The South Texas Chapter is one of the top ten chapters in the country with regards to contractor STEP participation.

Outreach efforts include working with area school districts utilizing the NCCER curriculum, participating in high school and college career fairs, providing industry tours for high school counselors, conducting job site visits for students, working with Goodwill Industries in identifying career opportunities for their client base, and encouraging and working with school districts to develop and provide construction education programs.

The ABC-South Texas Chapter offers the most comprehensive construction education program in South Texas. In addition to the apprenticeship program and various safety training classes, the chapter offers a "Basics of Construction" course, Basic and Advanced Print Reading, Supervisory Leadership Training, Project Management training, task-specific training, Crew Leader training, and other classes in demand.

To learn more about ABC of Texas and it's workforce development efforts, visit www.abctexas.org.



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ABC INITIATIVES AROUND THE STATE



ABC Greater Houston Members gathered at the 2014 PAC Christmas Party to celebrate the end of another successful year and raise additional PAC funds to support business friendly candidates.



ABC Texas Gulf Coast Members have lots to celebrate in the New Year, including the soon-to-be-complete new office building.

ABC Greater Houston Chapter

The ABC Greater Houston chapter had a busy November. The ABC-Political Action Committee endorsed forty-five candidates in the Houston area. Forty-two out of the forty-five ABC endorsed candidates won their 2014 mid-term election; a testament to a pro-business voter voice. The Houston-PAC screened and spoke with almost all Houston area elected officials informing them about the construction industry and learning about their campaigns. The information gathered was shared with members and Houstonians trying to create informed voters and decrease voter apathy.

With the Texas Legislative Session around the corner, members were engaged with their Representatives about upcoming legislation. Both commercial and industrial contractors told the candidates of the pending industry issues and answered many questions asked by candidates. Trade Associations provide a unique service to our elected officials by providing industry specific information that cannot be learned by an outsider in time for every vote. ABC takes this burden very seriously and knows that a Texan democracy depends on industry leaders to innovate and reform the construction industry. Every candidate ABC met with learned something new about the construction industry through these non-partisan screening and endorsement efforts, just as members learned more about each candidates' community needs.

The same process starts all over as ABC gets ready for the 2015 City of Houston elections. Hopefully the right candidates have the same success as 2014. ABC's Legislative Task Force will also be reviewing bills coming out of the Eighty-Fourth Texas Legislature and be in communication with members about each bill. The task

force is comprised of contractors, subcontractor, suppliers, and construction attorneys proving to be an excellent resource for the Texas Legislature. The 2014 elections brought about change, but ABC is excited about the future of the construction industry.

ABC Texas Gulf Coast Chapter

The fourth quarter has been busy to say the least! A rain-drenched Golf Tournament, a Membership Event and Luncheon highlighting STEP Awards, a Shrimp Boil, a Texas Hold'Em Poker Tournament, a Construction Exhibition for 400 high school students, a local competition for ABC National Craft Championships qualifier, an annual Goal Planning meeting, a Christmas Party for members, a Toy Drive, and a Food and Clothing Drive had everyone running! But most exciting is the construction on the new facility that is in full bloom despite several rain delays! The Chapter has been busy watching cement pours, walls erected, wires pulled, picking out furniture and colors, signing contracts, and more. Exciting but never-ending! The office is scheduled to open the end of the first quarter 2015.

While events, parties and even the new facility is exciting, the Texas Gulf Coast Chapter knows the importance of the PAC and appreciates the effort of ABC of Texas to coordinate PAC funding efforts. In addition to supporting that initiative the Chapter is making more contributions to local politicians who have long supported the chapter. The work of both state and national on the behalf of local chapters has been tireless.

In September, the Membership Event and Luncheon featured BASF VP Scott Brandenburg who updated members on numerous expansions planned for the near future. In addition, 25 Texas

ABC INITIATIVES AROUND THE STATE



The October ABC Texas Coastal Bend General Membership Luncheon kept the upcoming election in mind by inviting candidates from the Congressional race, to the Mayor's race, to the Districts Judges, to At-Large City Council candidates and city and county clerks to participate once again.

Gulf Coast Chapter members were recognized with STEP Awards: eight Gold, ten Platinum and seven Diamond. The membership events have been the highlight of this year as the Chapter has welcomed 15 new members and achieved a 98% retention rate in 2014. In fact, the Texas Gulf Coast Chapter joins an elite group of only 4 chapters who were recognized at the recent ABC National Leadership Conference for both growth and high retention in 2014! Congratulations also to Iowa, Pelican and Western Michigan for these achievements! Growth and retention are a testament to the value placed on membership in ABC, particularly here at Texas Gulf Coast.

In addition to members who value the impact of the PAC and the many benefits provided through ABC National, the Chapter is an extremely civic-minded and generous organization. Contributions to numerous local charities have been made through a variety of fund-raising events. This year was no exception. So with one year in the books, the Board has already set new goals for 2015 that will bring more opportunities to connect with fellow members, support the community and one another.

ABC Texas Coastal Bend Chapter

ABC-TCB had a very active Fall Season in 2014. The Chapter hosted the 13th Annual Skeet and Trap Shoot as well as an IBCA Sanctioned BBQ Cook Off in September with a record number of shooters. Every year, a portion of the proceeds from the fundraiser goes direct to the PAC account. This year, more money was raised for the PAC than in previous years. Thank you to the hard working and dedicated committee for all the time volunteered to get this event going. Also, a great big thank you to all who participated and those who sponsored the event.

Also in September, was the first "Election Connection" mixer that was sponsored by Rabalais I & E Constructors. All candidates from the area were invited to join members for a laid back evening without an agenda to allow members the opportunity to meet and socialize one-on-one with the candidates who were running to represent their areas. It was a great turnout with just about every candidate on the ballot making an appearance and mingling with the members. It served as an excellent atmosphere to really get to talk with and ask concerning questions of those wanting to be elected.

The October General Membership Luncheon kept the upcoming election in mind by inviting candidates from the Congressional race, to the Mayor's race, to the Districts Judges, to At-Large City Council candidates and city and county clerks races to participate once again. Each was allowed time at the microphone to speak to members and explain why they were running for office and what they intended to accomplish if elected. It was another opportunity for members to meet the candidates and become more informed voters at the ballot box.

The Chapter is excited to report that the election results in the area were all favorable and members look forward to a new legislative session and working hard to support the construction industry in the political arena!

ABC Central Texas Chapter

In an election year that saw considerable gains for Merit Shop-friendly candidates both nationally and statewide, the ABC Central Texas chapter is poised to take advantage of multiple legislative opportunities in 2015. Atop that laundry list of priorities sits the potential to ban wasteful and discriminatory project labor agreements (PLAs) in the state of Texas. The current make-up of the state legislature is the friendliest it has been in years, and the probability of success lies on a very thin margin – a very attainable goal for our association.

Working in a state so committed to free enterprise is truly a gift to be thankful for, but the insurgence of organized labor threatens the liberty to win work based on the merits of individual companies – particularly in Austin. Passing legislation to require open bidding in the state of Texas, or even legislatively establishing a type of neutrality in contracting that lets merit shop contractors continue to operate as they have, would have an immense trickle-down effect on local governing bodies.

While members are mostly thriving, there is an ever-present specter of unfriendly mandates and calculated over-regulation to

(Continued on page 18)

ABC INITIATIVES AROUND THE STATE



In November, the ABC South Texas Chapter hosted the Sporting Clays Shoot at the National Shooting Complex. This event was moved to November due to the hot August weather. While the shooting competition was hot, the weather wasn't with a high the upper 40s and a brisk 20 mph north wind.



The Texas Mid Coast Chapter has had a great training year. As an Accredited Training Sponsor and Assessment Center, the chapter offered NCCER classes, with a special focus on Construction Site Safety courses.

keep members from continuing to build this great city in the way that has long been enjoyed. It is the chapter's main priority to be present, vocal and helpful this legislative session to help sway a decision on an effective PLA ban in our favor – for the good of ABC and for the good of member companies.

To learn more about the potential impact of increased union presence and the dangers of emerging project labor agreement issues, visit www.thetruthaboutplas.com – ABC's online resource for knowing the stakes on this very important issue.

ABC South Texas Chapter

The fourth quarter of 2014 was busy and successful. From the various special events, seminars and luncheon programs to government affairs activities, the chapter covered a lot of ground. November saw the election of ABC PAC supported candidates Will Hurd (Texas U.S. Representative District 23) and Rick Galindo (Texas House District 117) and all of the judicial candidates. ABC volunteers helped get out the vote, put up signs and encouraged support, not only in these two important campaigns, but other local races as well. Prior to the election the chapter hosted a Judicial Candidates' Reception to give members the opportunity to meet the candidates and educate them on the construction process. During this time period, the chapter hosted its quarterly meeting with the City of San Antonio's Development Services Department and San Antonio Fire Department. This provides members the opportunity to have project specific questions/concerns addressed, discuss improvements to the plan review, permitting and inspections processes, and foster stronger lines of open communication between the construction community and two local regulating entities. The chapter also hosted a legal issues seminar covering recent change and new regulatory

efforts by the DoL, OSHA, EEOC and NLRB, and how to respond to unwanted union tactics. Along those lines, the speakers passed around a sign-in sheet that most attendees didn't read but signed anyway just to demonstrate how easy it was to organize.

The chapter hosted three successful events over this time period. The Fall Golf Tournament at the Fair Oaks Ranch Golf Course had over 220 players competing on the two courses. The tournament was completed in record time (a little over 4 hours). In October the second annual Fall Fishing Tournament was held in Rockport, Texas. Of the eighteen teams, all but three boats participated in the weigh-in. Guess whose boat had engine problems? Then in November, there was the Sporting Clays Shoot at the National Shooting Complex. This event was moved to November due to the hot August weather. While the shooting competition was hot, the weather wasn't with a high the upper 40s and a brisk 20 mph north wind. All in all, another great event.

The second Infection Control Risk Assessment (ICRA) class was held at the TEXO offices in October. With increasing interest and demand another class is scheduled to be held in Dallas the last Friday of January. The chapter was instrumental in securing NCCER Accredited Training Center status for the St. Philips College Southwest Campus. The annual Apprenticeship Graduation ceremony was held in late September, where over 40 students received their graduation certificates. Over 120 parents, children, spouses, grandparents, and employers joined the students for this special luncheon.

ABC INITIATIVES AROUND THE STATE

ABC Texas Mid Coast Chapter

The Texas Mid Coast Chapter, audited in November, is proud to announce a three year accreditation awarded by ABC National. They were honored to host Doug Curtis and Danielle Woodall from the ABC National office for a couple of days.

An NCCER audit was successfully completed in October with the retention of the Accredited Training Sponsor and Accredited Assessment Center credentials. Workforce efforts will continue to flourish with safety programs offered and partnerships with members strengthening.

The Texas Mid Coast Chapter staff is preparing for an eventful 2015! The new year starts off with the 32nd Annual Installation of Officers and Awards Banquet on January 22. Participation by the membership is at an all-time high with new member benefits, expansion of committees, and a very busy Plans Room with a coordinator introducing new projects.

TEXO Chapter

TEXO Government Affairs advocates remained very busy during the election season. Meetings were held with 42 candidates seeking office to either the Texas House or Senate. TEXO continues to promote a pro-growth agenda emphasizing the free-enterprise system and limited government intrusion.



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