



Texas
MERIT+SHOP
Journal

October 2013

Defending the Rights of Merit Shop Contractors

**Union
Organizing in
Texas: The Calm
Before the
Storm?**

**Education
Reforms Passed
by the Texas
Legislature Good
For Industry**

**One-on-One with
Speaker Pro Tem
Dennis Bonnen**

**Texas Lien
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Defending the Rights of Merit Shop Contractors



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Letter From the Chairman



ROACH

Dear ABC of Texas Member,

What an honor and a privilege it is for me to be chosen to serve as your ABC of Texas Chairman of the Board for the next two years. I commit to you, that I will work with all the diligence I can muster to “fill the shoes” of my predecessors in continuing to guide our State organization in the success it has been able to achieve over the years. Since coming on to the Board several years ago, I have had the good fortune to be a part of an absolutely inspiring team consisting of my fellow Directors, one of the most talented administrators in the business, our President, Jon Fisher, and the greatest political counsel in Texas, Mike Toomey. This team has made your State organization the premier voice of the construction industry in our State Capital. If there is any substance to the philosophy that you may not have to be smart if you surround yourself with smart people, I am certainly living it on our Board.

I would like to take this opportunity to express my deepest appreciation and thanks for a job well done to our immediate Past Chairman, Mike Gremillion. It has been a true pleasure to serve on the Executive Committee under Mike during his term as Chairman. Mike’s candor and enthusiasm is going to be a tough act to follow. Maybe more importantly though, I must extend that same degree of thanks and appreciation to you, the members of our Chapters throughout the State, for providing the kind of talent you have sent to serve on our State Board. I am confident these fine folks will continue to justify your decision.

ABC has enjoyed not only another successful legislative session in our Capital, especially in the area of education, but we have had major success in the State Comptroller’s office regarding the State Margins Tax. And now, we are preparing to roll up our sleeves and join in on a collaborative effort to get busy on the Texas lien laws. Please know that your State Board works tirelessly to fight for the most positive business environment possible for our membership.

I am certain that ABC of Texas can count on the continued hard work and influence of each of the Chapters throughout the State in finding and supporting quality candidates to send to Austin and on your support of ABC of Texas as we work to be even more effective and influential on your behalf. I learned a long time ago that there are no insurmountable problems, there are only elusive solutions. Therefore, I am very excited about all the possibilities and I look forward to meeting all the challenges of these next two years.

Once again, thank you for allowing me to serve as your Chairman. I remain at your service.

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

Letter From the President



FISHER

Dear ABC of Texas Member,

First things first—I want to welcome your new Board Chair, Mark Roach. I look forward to a productive two years under his leadership.

Since I've been at ABC of Texas (and likely before), we've been blessed with really good leaders as Board Chairs starting with Roger Berry, then Andy Koebel, followed by Mike Gremillion. No one in the association business has had more supportive Board Chairs. I want to publicly thank each of you!

As you noticed when you received your Legislative Report, ABC of Texas had another successful legislative session (if you did not get one through VoterVoice, just email me at jon@abctexas.org with Legislative Report in the subject line). This is due in large part to the quality of legislators the voters send to Austin. Remember, the legislative session really begins with the election of the right legislators! Texas has been fortunate to have great leadership in the Legislature and among our statewide officeholders.

We were also able to prevail earlier this year in the Comptroller's office by reversing a seriously flawed interpretation of how to handle supervisory labor in determining cost of goods sold for the franchise tax. That alone saved member companies tens (if not hundreds) of millions of dollars since the taxes can be collected three years back. We owe Comptroller Susan Combs thanks for giving us the opportunity to work this out.

And, speaking of legislative success, it is definitely worth reminding everyone that the ball is now in our court concerning public education curriculum reform. The Legislature gave us a revised framework and it is up to us through our local chapters to communicate with school districts to encourage the use of curriculum that is useful to our industry—generally, NCCER since its certifications are broadly recognized and portable. If we do not follow through, we have no one to blame but ourselves.

Looking forward, we are currently engaged in a process to develop revisions to the state lien laws with the general concept that a contractor should not have to hire a lawyer to preserve a lien right. One of the attorneys representing ABC of Texas in a collaborative effort with the Texas Construction Association and Associated General Contractors-Texas Building Branch has an article later in this

issue. To that end, we will be working with construction associations and then with other stakeholders to try to seek agreement. Hopefully, we can also address making sure retainage is available in the case of a foreclosure (since that is money already earned) and that, when foreclosing, lenders must notify general contractors.

The Board has approved our biennial Legislative Awards. If we have a presentation in your chapter, please try to attend to show your appreciation to these legislators. I'll have an article on these in the January issue.

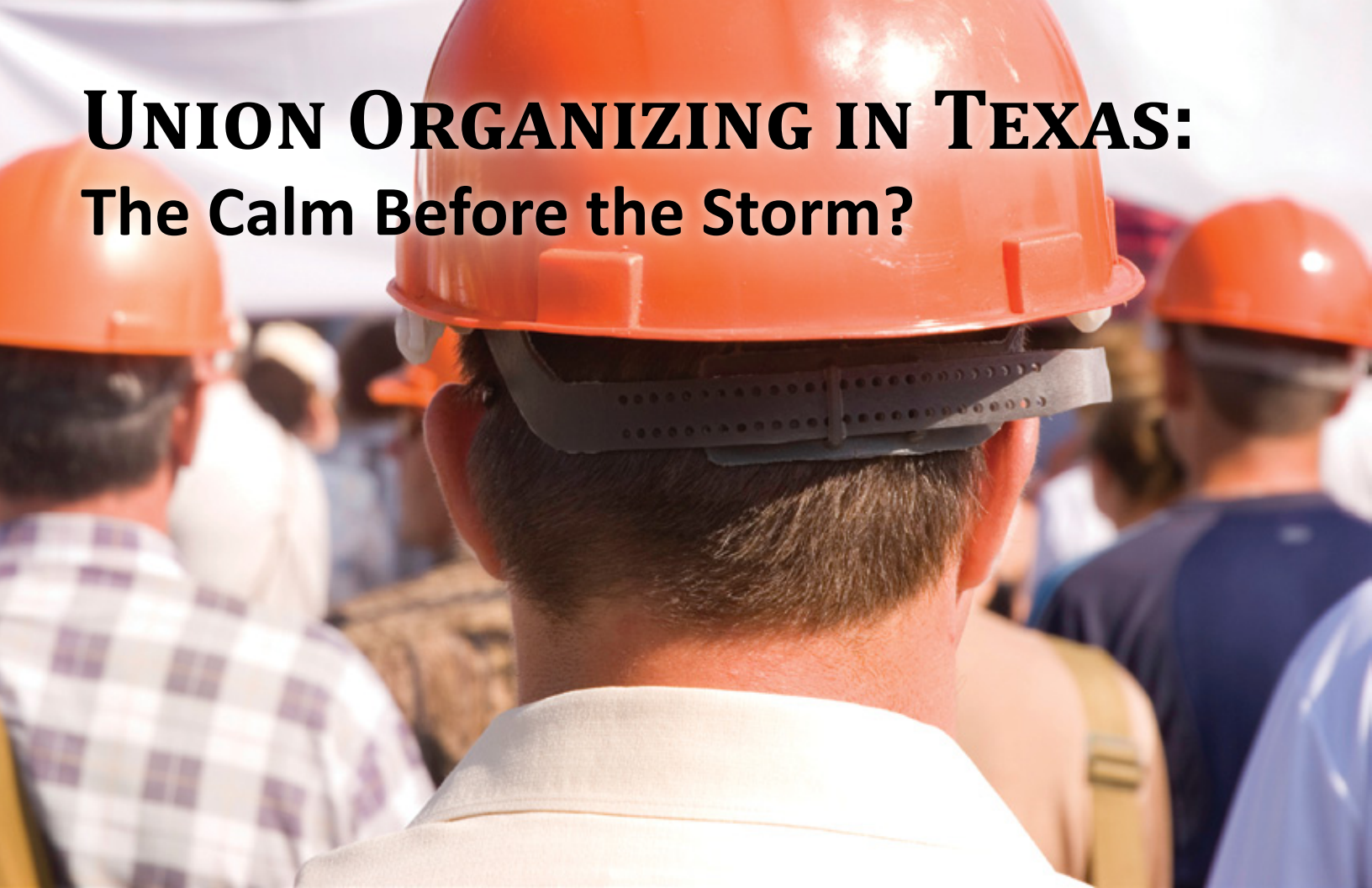
Hope to see you at one of your chapter gatherings soon.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jon Fisher', with a long horizontal line extending to the right.

Jon Fisher
ABC of Texas
President

UNION ORGANIZING IN TEXAS: The Calm Before the Storm?



Union membership continues to decline. Texas has historically enjoyed one of the lowest percentages of unionized private workforces in the country. There have been fewer organizing campaigns in Texas this year than in years past. Throughout Texas, there is a resurgence of capital improvement projects. Billions of dollars are being spent in the petro-chemical industry and construction employers are desperately trying to hire skilled craftsmen to staff these jobs. In response to these economic developments, the Building & Construction Trades Department convened a leadership summit in Houston to discuss how they can interject themselves into

After seeking large bargaining units at two refineries in Texas and losing both elections, the IUOE has refined its organizing strategy to seek smaller units known as “micro units.” A micro unit may include a single craft of employees at a job site rather than all of the employees who work at that location.

these projects. There is no doubt that the construction trade unions have their focus on Texas.

The IUOE (operators union) is actively seeking to organize these worksites. After seeking large bargaining units at two refineries in Texas and losing both elections, the IUOE has refined its organizing strategy to seek smaller units known as “micro units.” A micro unit may include a single craft of employees at a job site rather than all of the employees who work at that location. The smaller the number of employees in the proposed unit, the easier it is for a union to get the requisite number of votes to win an election. The pro-union National Labor Relations Board (“NLRB” or “Board”) recognizes small groups of employees or “micro units” as appropriate bargaining units. The U.S. Court of Appeals for the Sixth Circuit recently upheld the NLRB’s decision in Specialty Healthcare and Rehabilitation Center of Mobile, affirming that the Board has broad discretion to determine appropriate bargaining units for union representation elections, including narrow so-called “micro-units.”



JODON

The IUOE recently employed a micro unit strategy at another Texas refinery, targeting one of the nested contractors at the site. The IUOE only sought a bargaining unit comprised of certified crane operators and riggers, instead of a wall-to-wall unit of all of the contractor's employees at the site. The small unit coupled with the hiring of new employees who unbeknownst to the company had union connections resulted in a quick and easy election win for the IUOE. The unit only included fourteen employees, of which only 2 were long time employees of the company and the other employees were mostly hired within the last year. The IOUE will now have a daily presence at the jobsite and the opportunity to organize other crafts. This is a danger that every employer faces with the advent of micro unit elections and a shortage of skilled labor. The labor shortage makes companies even more vulnerable to hiring union salts and employees who have a history of union membership.

In addition to organizing through micro units, there have been a few examples of single crafts engaging in—one day economic strikes. An economic strike occurs when a group of workers refuse to work unless certain economic demands are met, such as payment of higher wages or per diem amounts. Economic strikes are considered protected concerted activity under the National Labor Relations Act. Consequently, employers are prohibited from disciplining or terminating employees who engage in a protected economic strike.

Although an employer is prohibited from taking disciplinary action against economic strikers, the company can permanently replace economic strikers. If the company permanently replaces any of the economic strikers, the company should not issue a termination of employment form or otherwise terminate their employment. The economic strikers remain employees of the company although they are not actively working. If the economic strikers want to return to work after they are permanently replaced, the company places the names of the returning strikers on a recall list. When a position opens for which a returning striker is qualified, the company then offers the position to the striker.

There is usually a union behind the coordination of the economic strike, waiting to file an unfair labor practice ("ULP") charge against the employer who retaliates or terminates employees for engaging in the protected concerted activity. Once the ULP charge is filed with the NLRB, the pro-union Board is routinely expanding the scope of the charge to see if the company has engaged in any other violation of employee rights under the Act. The NLRB's expanded investigation typically focuses on personnel policies contained in the employee handbook.

Although the overall level of union organizing in Texas is fairly low at this time, employers can expect to see an increase in representation elections as a result of the union's employment of micro unit organizing strategies. Also employers can expect more NLRB involvement in their non-union workforces as the Board expands its investigation of charges involving protected concerted activity.

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ABOUT THE AUTHOR:

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House Bill 5 Is A Game Changer For Construction Industry Recruitment Efforts



The future construction workforce has been significantly and positively impacted by recent education reforms passed by the Texas Legislature. Prior to this legislative session, the graduation requirements for Texas high schools were based on the 4x4 Plan, with a required four years of math, English, science, and social studies. In addition to completing the required courses, students were also required to pass 15 State end-of-course exams in order to graduate. The plan left little room for courses in Career and Technical Education (CTE), especially those courses in the trades which often require two hours or more of instruction each

day. Further, students who did not pass the end-of-course exams were required to be in additional hours of remediation within the school day, causing students to fall further behind in their courses, creating a climate for increased dropouts across the State.



MATULA

As our State and Nation face the exit of baby boomers from the skilled craft workforce, we can foresee shortages in these construction jobs. That exit, coupled with the anticipated expansion of construction sectors in oil exploration and production as well as increased activity in the manufacturing sector, is expected to create a shortage of 2 million skilled construction workers nationally within the next five years.

As our State and Nation face the exit of baby boomers from the skilled craft workforce, we can foresee shortages in these construction jobs. That exit, coupled with the anticipated expansion of construction sectors in oil exploration and production as well as increased activity in the manufacturing sector, is expected to create a shortage of 2 million skilled construction workers nationally within the next five years. We need to be attracting younger workers to careers in the skilled crafts, and that process can and should begin at the high school level. The limiting 4x4 curriculum not only failed to provide the opportunity for technical training while in high school, but would have added to the dropout problem for those students who cannot pass the State tests even though they have been successful in the classroom learning. The construction industry needs workers who have been successful in high school so that they can be successful in an industry which has become increasingly complex and technical.

The new legislation, House Bill 5, reduces the number of State tests from 15 to 5 and allows additional graduation options to

the “one-size fits all” 4x4 plan for high school students. Typically, 60% to 70% of Texas high school graduates do not go to college; high schools can now prepare these students with academic courses along with workforce skills while they are in high school. An important point is that the 60% to 70% of students who do not initially attend college still have the academic qualifications to pursue higher education any time they choose to do so. Our fine community colleges and regional universities have continued to enroll large numbers of non-traditional students who are successful in higher education and who have graduated from high school with something other than the 4x4 curriculum before it became the only option.

This change in direction was the result of several statewide initiatives from parents, educators, workforce stakeholders, and elected officials who recognized the long-term impact from such a restrictive high school plan. In Corpus Christi, Representative Todd Hunter created a taskforce of educators and industry leaders during the previous legislative session to propose education reforms. R. E. (Bob) Parker, President and CEO of Repcon, Inc., and a longtime ABC member, served as Chair of the Business Education Alliance of Texas which later merged its efforts with the Jobs for Texas Coalition, a broad-based coalition also concerned with the direction of the single option, high stakes testing movement in Texas education. These groups along with many other grassroots groups across Texas including students provided data and testimony for hearings on the House and Senate bills.

This monumental shift in Texas education is predicated on the reality of today’s workforce: A four-year college degree is not the only model for professional success. In fact, a four-year college degree does not prepare students for many needed careers. The Harvard study, “Pathways to Prosperity” details the need for other career models such as certifications that are required in several sectors of the economy including construction. This study projects that of 14 million job openings, nearly half will be filled by people with associate’s degrees or occupational certificates. The study also points out that “27 percent of people with post-secondary licenses or certificates—credentials short of an associate’s degree—earn more than average bachelor’s degree recipient.”

The projections of huge shortages of skilled craft personnel have spurred the construction industry and the facility owners that use their services to embrace new training programs that will produce the necessary craft personnel needed to build and maintain their massive projects. Certainly, this positive step taken by the Legislature is recognition of this need for multiple graduation options to better prepare our future workforce. However, this success in the Legislature is only the first step in implementing the needed changes in our public schools. Just as input and participation from industry and business were critical in the Legislative process, that same input and participation are even more critical to the success of the new graduation options. Specifically, the expansion of options for Texas secondary students is a call for action among the ABC Chapters of Texas. As superintendents across the State form action plans to create new CTE courses and formulate new graduation plans, ABC Chapters

can and should step forward to work with school districts in creating those plans. ABC Chapters can provide school districts with information on current and projected workforce needs and can provide construction professionals to connect curriculum with the needed workforce skills.

ABC Chapters can also provide the critical answer to the often asked school district question: “What curriculum is available for the Construction Trades?” The comprehensive NCCER curriculum offers industry-approved skills training using the carefully articulated learning objectives language required for successful education. Those objectives are concise, clear, and are connected to measurable student outcomes in both knowledge and performance. The NCCER program is based on existing national standards-setting organizations such as the American Welding Society (AWS), National Association of Corrosion Engineers (NACE), and other industry standards. The industry competencies articulated by these groups form the foundation of the NCCER programs—programs which lead to national certifications maintained through a national database of all students who complete those certifications. There is no need for Texas school districts to research industry skills to develop new curriculum—it already exists through the NCCER.

The NCCER competencies easily integrate into the Texas Education Knowledge and Skills (TEKS) where curriculum options currently exist and can form the basis for new TEKS as additional CTE program curricula are created. But, it is the local ABC Chapters that can help local school districts decide which NCCER programs should be offered based on existing and future workforce needs in their respective geographic areas.

Throughout the workplace, we see professionals whose everyday tasks require mastery of mathematics, science, and language as applied to their field whether it be medical support staff, engineering technicians, or construction professionals. These careers are not second-rate and are not for the uneducated and unskilled. But rather, they are careers that require highly trained workers. ABC construction professionals have always known this, and now we are needed to apply this knowledge to the formation of innovative high school programs that produce these highly trained workers. We now have the opportunity before us to mold and prepare our future workforce. Who better to do the job than ABC of Texas Chapters?

ABOUT THE AUTHOR:

Dr. Anne J. Matula is president of the Craft Training Center of the Coastal Bend, a non-profit educational institution funded by petrochemical plant owners and contractors (Valero, Flint Hills Resources, CITGO, DuPont, Lyondell, Brand Energy, and REPCON). Prior to her current position, she retired from Del Mar College where she worked for 23 years—the last 10 years as Dean of Business. She holds a B.S. and an M.B.A. degree from Texas A&I University and an Ed.D. degree from the joint program at Texas A&M Universities—Kingsville and Corpus Christi. She served for 15 years as a trustee for the Gregory-Portland ISD Board of Trustees—13 as President and 10 years on the Board for the San Patricio County Economic Development Corporation. She has taught in the Doctoral program at Texas A&M—Corpus Christi. She currently teaches in the evening at the University of the Incarnate Word, San Antonio—Corpus Christi Center.



One on One With...

STATE REPRESENTATIVE DENNIS BONNEN

Representative Dennis Bonnen serves the 25th Legislative District in the Texas House of Representatives representing southern Brazoria County and all of Matagorda County. First elected to the Legislature in 1996, he began his ninth term of office in January 2013.

At the beginning of the 83rd Session, Representative Bonnen was appointed by Speaker Joe Straus to serve as Speaker Pro Tempore of the Texas House and Chairman of the House Committee on Special Purpose Districts. Additionally, he is a member of the House Natural Resources Committee and was named Vice-Chair of the Joint Oversight Committee on Higher Education Governance, Excellence and Transparency. Along with these responsibilities, Representative Bonnen is concluding his two-year term as Sunset Advisory Commission Chairman.

At home in Brazoria County, Representative Bonnen serves as the honorary chairman of Brazosport College's "Count on Us" campaign. He is on the Board of Directors for Junior Achievement and is presently serving on the board of B.I.G. Love Cancer Care Services. He is an active supporter at youth events benefitting Brazoria County Fair, BACH, Boy Scouts and Girl Scouts, and the Boys and Girls Club.

Representative Bonnen is a graduate of Angleton High School and graduated cum laude from St. Edwards University in Austin with a B.A. in Political Science. St. Edward's honored him with their Alumni Achievement Award in 2001.

In addition to his legislative duties, Representative Bonnen is the CEO and Chairman of the Board of Heritage Bank in Pearland. He and his wife Kim and their two sons make their home in Angleton.

Last session, you served as Speaker Pro Tempore. What can you share with us about that experience?

I was honored and humbled that House Speaker Joe Straus put his faith in me to serve as Speaker Pro Tem, while also enabling me to expand upon the duties and responsibilities of this appointment. My challenge was to bring together House members from across the aisle to work in collaboration towards common goals rather than the divisiveness that inevitably leads to stalemates and ultimate failure. You can look at the many successes of the 83rd session— education reform, franchise tax reform, water funding— and see that the Speaker's vision resulted in many victories that move Texas forward. I also seized my role of working directly with my colleagues, especially the many new faces in the west chamber, to help guide their local priorities to the finish line so that they were able to return to their districts having accomplished what matters most to their communities.

What do you see as the biggest challenges facing the state going into the next Texas Legislature in 2015?

While the Texas Legislature passed legislation that moves us in a positive direction of meeting our transportation funding needs, much work needs to be done. With the continued oil and gas boom taking a toll on our highways, along with an expanding population, this is certainly a part of our state's infrastructure that will demand our continued attention. By 2015, we will also see the full implementation of ObamaCare, which will impact our state healthcare budget along with placing expensive burdens upon employers across the state. I foresee the need for the Texas Legislature to find additional funds to address the growing costs imposed upon Texas by the federal government, while also working to provide relief to business owners. And after nearly fifteen years, we will see new leadership in the Governor's office, which will also shape the legislative agenda and challenges that come before us.

What do you see as the greatest challenges facing the construction industry in Texas?

I was one of the very first legislators to speak out many years ago against inflexible curriculum requirements known as 4x4 in our public high schools. We were failing to recognize the diverse pathways to success available to our students, while simultaneously neglecting to address our local workforce needs. I worked closely with House Public Education Chairman Jimmie Don Aycock to pass an omnibus education reform bill, HB 5, and applaud ABC of Texas' active role in supporting its passage. As

a result, high school students will now have the flexibility to pursue alternate paths in their studies that best meet their future goals, such as a traditional four-year degree, technical college, or vocational training. The construction industry's challenge is to maintain its active and vocal position during the implementation phase of HB 5. It is vitally important for employers to communicate their workforce needs to local school districts and community colleges and form collaborations with them so that HB 5 results in the victories we intended.

What do you see as the greatest challenges facing merit shop and free enterprise advocates in the next Texas Legislature?

I anticipate a continued push by organized labor towards a mandate for government entities to use project labor agreements on tax-funded projects, which impose strict union mandates, discourage competition, and drive up costs. Free enterprise advocates must continue to fight for open competition in the bidding and awarding process for state government contracts. This can be achieved through legislation on a state level that prohibits these types of mandates.

What are your personal priorities next session?

My personal priorities next session largely focus on the needs of my legislative district. I will continue to ensure Brazosport College continues to have the funding and resources to meet my district's local workforce needs, while offering affordable and accessible education to traditional and non-traditional students. In 2003, I passed legislation authorizing Brazosport College and two other Texas community colleges to offer limited baccalaureate degree programs. My focus remains on collaborating with the college to expand upon the tremendous successes of this initiative on both a local and statewide level. Water is also imperative to both the chemical industry and rice farming community in southern Brazoria County and Matagorda County. While the 83rd Legislature successfully tackled water funding, I will work to ensure our state forges ahead with expedience and smart planning when dedicating these funds towards water projects. All of my legislative efforts are guided by my firm belief in low taxes, local control, and a common-sense regulatory environment that enables our communities and employers to thrive without government intrusion.

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How We Got Into This Mess And Where We Are Headed Next...

Many attribute the creation of the modern mechanic's lien to American founding father, Thomas Jefferson. While serving as Secretary of State, Thomas Jefferson first introduced the Mechanic's Lien Act (Md.) in 1791 to encourage construction of our nation's first capitol. Not long after, other states began creating their own mechanic's lien laws.

Texas' lien laws date back to the Congress of the Republic (1839) which enacted "An Act for the Relief of Master Builders and Mechanics of Texas." The first protection provided for Texas subcontractors appeared in 1844 via the passage of "An Act for the Better Security of Mechanics and Others." After the American Civil War, the Texas Legislature enacted filing deadlines based upon specific periods of time running from the accrual of the debt. We have this same debt accrual concept in our lien laws today. In 1871, the deadline for all claimants of every tier was established as six months after the debt became due. However, that filing period was later shortened for subcontractors to only 30 days after their accrual of indebtedness by the Legislature in 1885. But the prime contractors retained their right to file their lien for four months after the indebtedness accrued, a deadline which essentially still exists today. In the late 1800s concepts that we still use today such as retainage funds, definitions of "improvements" and time periods for filing affidavits were developed.

The most significant mechanic's lien law development in Texas in the last century was the enactment of the Hardeman Act in 1961. The Hardman Act involved a significant repeal of the previous lien laws and new articles also being added. Our present Texas mechanic's lien law, Chapter 53 of The Texas Property Code (1983), is essentially the modern edification of the Hardman Act. However, since then, there have been more than 127 revisions to Chapter 53. There have also been many appellate court decisions (both before and after 1983) with some times conflicting interpretations of the statute. As a result, Texas mechanic's lien laws are some of the most complicated in the country. Many times contractors are required to hire construction attorneys to help them send proper and timely notices and file affidavits of mechanic's liens.

The House Committee of Business & Industry issued an interim report to the House of Representatives in December 2012. In it the Committee described Chapter 53 as having "antiquated provisions" and overall as "a confusing patchwork which lacks the continuity needed for a well-coordinated statutory scheme." The Committee proposed that a "process for obtaining a lien should not be as treacherous for the claimant as exists in the current statute". The Committee also made general recommendations as to what such a new statutory scheme should include. But, because the issues are so complex and the stakeholders plentiful,



it was unrealistic to accomplish anything in such a short time frame.

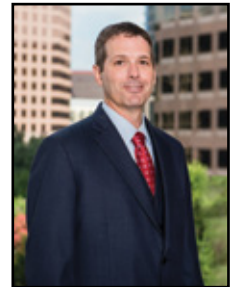
The leaders of ABC of Texas and other construction trade organizations at the statewide level all agree that if our lien laws are ever going to be reformed, the ones most affected will have to take it upon themselves to organize and unite. The only chance of significant lien law reform is to present an "industry bill" to the Legislature with broad support among the various stakeholders. A significant movement within the construction industry has developed to attempt the biggest reform of our lien laws in over fifty years. ABC of Texas is actively participating in the plan to develop as much agreement as possible and draft a bill to present to the 84th Texas Legislature when they convene in Austin in January 2015. This is a bold endeavor and will not be easily accomplished. This process will require navigating thru a spider web of conflicting political and economic interests and agendas. However, there is a lot of positive support for the plan and it is long past overdue. It is time to finally clean up the "confusing patchwork" that Texas Property Code Chapter 53 is today.

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Please send your comments and suggestions regarding lien law reform to Jason C. Spencer, Andrews Myers (Austin) at jspencer@andrewsmyers.com or 512-900-3032.

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SPENCER

ABC INITIATIVES AROUND THE STATE



Long time ABC Texas Gulf Coast Chapter Board Member, Mark Monical, Infinity Maintenance, gave the keynote address at the 37th Annual Craft Training Program Graduation.



Over 340 ABC South Texas members and guests attended the annual Excellence In Construction Awards Banquet - the largest crowd in three years. Twenty awards were presented, as well as the 2013 ABC-National STEP awards and the local Chapter awards.

TEXAS GULF COAST CHAPTER

The lazy days of summer arrived on the Texas Gulf Coast with the normal doses of heat, humidity, and mosquitos, but the ABC Texas Gulf Coast Chapter was welcoming a record number of graduates and guests to the 37th Annual Craft Training Program Dinner and Graduation. Long-time Board Member Mark Monical, Infinity Maintenance, gave the keynote address to an audience of over 200 graduates and their guests as well as numerous representatives from industry and contractor companies. Monical urged the graduates to look at this achievement as only another step toward continuing to learn and grow in their fields.

Although the Board of Directors took a respite during summer months from regular Board meetings, various committees and members were still at work. Board Chairman Gerald Andrews, National Board Member Lisa Bundick Woods, and President and CEO Terry McAlister attended the National Board Meeting in Washington D.C. in June. Additionally, McAlister attended the August Presidents' Conference in Denver. Representatives from the Board also received a glowing review of the 2012 audit during this last summer month.

Reports of increased training numbers at the college to begin the fall semester are indicative of the booming workforce flooding the area. Numbers for college classes as well as NCCER Skills Assessments done in-house have almost doubled since this time last year. Likewise, the chapter has welcomed a number of new members recently. This is especially exciting in addition to learning recently that the Texas Gulf Coast Chapter reported the highest percentage of membership retention in the national organization.

The next few months offer some exciting events for our ABC members, particularly for our newest members. The following 8 companies have joined since January 2013: Gresham Hall –

Honda Power Equipment; Efficiency Shoring and Supply; Industrial Material Corporation (IMC); Kelly's Contracting; Teledyne Technologies; Detail Products Inc; First State Bank-Louise; and Advanced Radiographic Technologies.

These members will have the opportunity to network at the ABC Supplier/Member Mixer and Shrimp Boil, and Texas Hold 'Em Poker Tournament, both held in October. The Texas Gulf Coast Chapter is working hard to support its members!

SOUTH TEXAS CHAPTER

Over 340 ABC members and guests attended the annual Excellence In Construction Awards Banquet held at the Westin La Cantera Resort—the largest crowd in three years. Twenty awards were presented, as well as the 2013 ABC National STEP awards and the local Chapter awards. All local winners were encouraged to enter at the national level. Last year SpawGlass Construction won three national EIC awards from the South Texas Chapter competition.

The chapter has been working with other organizations involved in the real estate, construction and development industry to help streamline and improve the construction and development process in this region. The chapter has begun hosting the bi-monthly meetings with the Bexar County Public Works Department. Participating industry organizations include the Real Estate of San Antonio, Greater San Antonio Builders Association, San Antonio Apartment Association, Professional Engineers in Private Practice, and the Consulting Engineers Council. These meetings have fostered better lines of communication and exchange of ideas and best practices.

U.S. Representative Lamar Smith was the guest speaker at the September General Membership luncheon. His remarks focused on immigration reform and the upcoming budget discussions. In

ABC INITIATIVES AROUND THE STATE



The Texo Chapter unveiled a program, which launches in October, that unifies and improves the entire regional industry's safety knowledge and performance. The program is hands-on, interactive and will be delivered at the Construction Education Foundation's (CEF) Safety Lab. It also meets OSHA standards.

The new Central Texas Chapter facility, which opened August 1st, is 4600 square feet, with office space, three training rooms and a shop area. The Chapter is a training facility for UT Arlington and conducts all the upper level OSHA classes and other safety classes.

In addition to hearing from ABC's good friend, companies that have been members for over 25 years were recognized and thanked for their commitment to ABC and merit shop construction.

Safety Leadership Group. It has also been developed with additional input from OSHA and other industry safety consultants.

The Chapter's Future Leaders Task Force conducted mock interviews and resume critiques for members of the University of Texas at San Antonio's ABC Student Chapter and construction management degree program. This was a great opportunity to help prepare the students for the upcoming career fairs.

Should legislation ever come forth that mandates safety training on jobsites, TEXO Safety First is, and will be, the answer. TEXO also believes this commitment is a necessary demonstration to the Owners, for which our members work, that as an industry we are committed to providing a safer and trained workforce.

The first Supervisory Leadership Training class was conducted in August, with 16 participants. The chapter's Director of Workforce Development, Hal Heintz, was one of the Subject Matter Experts who helped develop the new NCCER curriculum. The sold out class was so successful another one was scheduled for late September.

Most importantly, TEXO Safety First will help contractors collectively work towards zero incidents on all jobsites. For more information on the TEXO Safety First Program visit www.texasafetyfirst.com.

TEXO CHAPTER

CENTRAL TEXAS CHAPTER

The TEXO Chapter is pleased to introduce "Safety First." One of the Association's long-term goals – and current year initiatives – has been to create a program that unifies and improves the entire regional industry's safety knowledge and performance. This solution will become available beginning in early October.

On August 1st, ABC Central Texas moved into new office space, just down the street from the old location, to 2600 Longhorn Blvd., Ste. 105. The new facility is 4600 square feet with office space, three training rooms, and a shop area. The Chapter is a training facility for UT Arlington and conducts all the upper level OSHA classes as well as other safety classes. They also teach Plumbing and Electrical in the evenings using the NCCER curriculum.

TEXO Safety First is unique in the fact that it is hands-on, interactive and will be delivered at the Construction Education Foundation's (CEF) Safety Lab. The program meets OSHA standards, and while the first day's curriculum is 7.5 hours and intentionally focused on the essentials of commercial construction jobsite safety, individuals can return on day two to complete the 2.5 hours to receive their OSHA 10-hour card.

Over 185 people attended an August 13th networking event at Top Golf in Austin. Twenty vendors sponsored bays for the mini tradeshow. Members rotated to each of the vendors' bays and played a different game. A horn sounded every 10 minutes moving players from one bay to the next. While one person was hitting the golf balls at the targets, the other members visited with vendors about their company. There was free food and drinks available at all the bays. Prizes were given away at the end of the evening. Many members thought it was an outstanding networking event and are ready for the next one.

ABC INITIATIVES AROUND THE STATE



The ABC Greater Houston Chapter held a successful Fall PAC Clay Shoot to raise funds for the upcoming elections. Over 200 shooters enjoyed a beautiful day of clay shooting followed by a Bar-be-que lunch.

The Chapter also hosted a Golf Tournament on September 19th and are planning an EIC Banquet on October 10th. There are 30 entries this year for the Excellence in Construction Awards and 19 Safety applications were turned in for the Chapter Safety awards. All the winning projects will be listed in a special supplement in the Austin Business Journal which will be distributed in November.

GREATER HOUSTON CHAPTER

As mentioned in the July Texas Merit Shop Article by ABC of Texas President, Jon Fisher, the 83rd Texas Legislative Session “ended with significant progress” for the construction industry. Probably the most well-known bill, HB 5, was a giant feat for everyone, with its passage easing the weight of the labor shortage in the construction industry by allowing for a more conducive environment for craft training and recruitment in schools. Members of the Greater Houston Chapter had the privilege of hearing more about this topic at the July ABC Membership Breakfast featuring State Representative and ABC Member, John Davis, and ABC of Texas President, Jon Fisher, as they spoke about the significance of the bill in addition to other recent legislation. Also in attendance was State Representative and ABC Member Cecil Bell as well as several local candidates running for 2013 and 2014 elections.

With the adjournment of the 83rd session, the Greater Houston chapter has turned its focus to local candidates as Harris County gears up for the 2013 elections. So far, the ABC Greater Houston PAC has met with roughly ten candidates running for city council and various other positions. Grounding their decisions in ABC’s Merit Shop Philosophy as well as the need for workforce development, the committee plans on screening at least 10 more candidates for potential endorsements before the November election.

In order to raise funds for the upcoming elections, the PAC has been working hard to recruit members and draw contributions. This was evident at ABC’s 2013 Fall Clay Shoot, which took place late August. The committee sold “PAC Buddy Bundles,” an all-in-one package including mulligans and various pre-tournament games, in which 100% of the money received was put towards PAC. In addition, the committee had a “PAC Member Only” drawing for the chance to win a Benelli Super Vinci 12 Gauge Shotgun. Non-members were able to enter by joining the PAC for a minimum of \$25. David Wright with Whirlwind Steel Fabricators, a long-time member and PAC Trustee, was the lucky winner to take home the prize.

The ABC PAC’s annual Christmas Party will serve as the finale to its 2013 fundraising efforts. It will take place at the Pontikes’ home in Tanglewood on December 11th where the PAC will feature both a silent and live auction, the latter to auction off its “grand prize.” For information on how to get involved in ABC Greater Houston PAC or attend our next fundraiser, please visit www.abcgreaterhouston.org or call 713-523-6222.

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