

Statewide Edition
August 26, 2005

MEMBER

The
Business Council
of New York State, Inc.



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Apprenticeship Requirements

On

PRIVATE WORK?

Over the past several months, we have seen a proliferation of towns, municipalities and public entities considering and, in many cases, *enacting* local laws which mandate apprenticeship requirements on public construction work in New York State. Ironically, organized labor began the '*public*' infiltration of this requirement in Long Island, and now they have launched the '*private*'

attack in the same place - Suffolk County, Long Island! *How can they affect private work, you ask???* These 'private' requirements appear to be rearing their ugly heads in the form of town ordinances that add to the town's existing requirements for the issuance of building permits. The ordinance requires that a contractor applying for a permit for a commercial building, sized at 100,000 square feet or more, must demonstrate that the '*general contractor, contractor, or sub-contractor*' possess NYSDOL apprenticeship agreements appropriate for the type and scope of work to be performed. As far as we can tell, the town of Huntington has approved such an ordinance, and the town of Riverhead is currently considering a similar ordinance.

ABC, with the assistance of Tom Walsh, an attorney at Jackson Lewis, has developed some important talking points related to this issue which detail the argument that there is no legal authority under state law that allows a town council to base building permits upon apprenticeship. In addition, we argue that such an ordinance is pre-empted by the National Labor Relations Act, and has adverse consequences on the town and its residents.

Unions will continue to work for the expansion of apprenticeship requirements in every sector and with any public or private entity that will listen. ABC will continue to fight these efforts to legislate away your competitive rights, *but we need your help*. Please call your ABC Regional VP if you have any information that a town or entity is considering an apprenticeship requirement of any type or form.

Summary Results of Zogby/Public Service Research Survey

Zogby International, on behalf of the Public Service Research Foundation, conducted a survey about **union interest** and **worker satisfaction** during the period of June 14 through June 21, 2005. Some of the major stat's revealed from the survey of 802 workers nationwide included:

- ❑ 56% of all the non-union workers say they would vote against bringing a union into their workplace.
- ❑ **Most noticeable**, 60% of the workers aged 30 to 49 indicated they would not support unionizing.
- ❑ 61% of the men, and 50% of the women would oppose unionizing
- ❑ 70% of the workers say their company cares about them as individuals
- ❑ 81% of the workers say they have a good relationship with their immediate supervisor
- ❑ 64% of the workers say they believe there are opportunities to advance with their present employers
- ❑ 56% of survey participants say they oppose PLA's

For more information on this survey conducted on behalf of the Public Service Research Foundation, visit: www.zogby.com

ABC Empire State Chapter 2005 Board of Directors

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ABC's Excellence in Construction Awards

ABC Member Benefit of the Month

The Excellence in Construction Awards program, one of ABC's annual competitions, recognizes the *'best of the best'* construction projects nationwide, and eligible ABC member companies have the opportunity to showcase their outstanding construction projects in a variety of public relations efforts.

Considered by some as the *'premiere competition'* in the construction industry, the esteemed panel of judges for this awards program have included representatives from the U.S. Army Corps of Engineers, the American Institute of Architects, Design/Build Institute of America, Willis Group, and Engineering News-Record magazine.

ABC invites you to enter your best project(s) in the 2005 Construction Awards competition.

For information on entry forms and deadlines, and registration fees, visit: www.abc.org and click on the Excellence In Construction link on the right.

Questions on this member service can be emailed to: eic@abc.org.

NCCER offering 'Web-Based' skills training for Crew Leaders

NCCER is pleased to announce its' web-based training course for crew leaders. This course is designed to provide introductory leadership skills to (crew) leaders required to supervise crews. This course is provided 'on-line', and can be accessed and completed at the student's convenience. The course skills are provided in professional, interactive method incorporating sound, graphics, and short movie clips.

For more information, and a *'demo'* of this course visit: www.nccer.org



Spotlight on ABC Empire State Member -

'Ken Gardiner'

ABC congratulates Ken Gardiner on achieving the professional credentials of *'Certified Construction Financial Professional'* (CCFP). Ken, a partner at Dannible & McKee LLP (Central NY ABC member), is the first professional in the Central New York region to achieve this accreditation. The ICCFP is a not-for-profit Corporation established to promote the highest standards of construction financial management through the credentialing of construction financial professionals. Ken has over twenty years experience in accounting, and currently serves as the Treasurer of the ABC Empire State chapter. In addition, Ken is Chairman of the New York State Society of CPA's Construction Contractors Committee, and is Secretary/Treasurer (and Founder) of the Central New York Chapter of the Construction Financial Management Association. **CONGRATULATIONS, KEN!**

ABC EMPIRE STATE CHAPTER Launches Redesigned Website

After many weeks of intensive design and planning, the Empire State Chapter is proud to announce the unveiling of its new website, www.abcnys.org, designed to facilitate users with fast and easy access to news and information, legislative and regulatory activity, business opportunities, and education and training.

Although some areas of the website are still under construction, we encourage you to visit the website and begin accessing the information immediately. **And let us know what you think!**

We want to ensure that the website is user friendly, and provides **YOU**, our members, with the information and resources that best assist you in maintaining and growing your business in New York State.

ABC WORKERS' COMPENSATION TRUST

The **'Trust'** you can depend upon. To confirm your eligibility for lower workers' compensation costs, call Reller Risk Management: (315) 432-8210