

CRCA TODAY

SPRING 2018

The Magazine
of Roofing and
Waterproofing
in Illinois
and Beyond

Building Leaders for the Future
OSHA Recordkeeping Refresher
Anti-Trust "Antics"



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YOUR ONE-STOP METAL DECK SHOP!

Building Leaders for the Future

By Troy Wormley


Business leaders today are faced with a progressively more complicated and multi-faceted workforce. In the past, one may have been able to demand results and give ultimatums. This certainly is not our work environment today. Factors such as multi-structured organizations, new technologies, workplace instability, and rigid competition requires today's successful leaders to modify their techniques and adapt their decisions accordingly.

The roofing industry is no different, and in our world, these changing conditions happen every hour of every day within all our member businesses.

Through our leadership we must create a strategic advantage, as well as foster change and innovation for its people. By creating and maintaining customer loyalty and truly understanding all perspectives, globally and locally, we can provide insight to assist our people in analyzing issues they face. Our leadership must also provide them sound judgement and aid them to think more strategically. Whether it is bidding a job for labor and material, or providing the labor and material, we all must master these factors.

A valued employee is one that possesses knowledge, functional expertise and initiative, and can promote themselves. A great leader will help establish plans, manage and improve processes, and drive execution, which will in turn create positive change for the business processes and its sales. This change fosters and creates an exceptional team environment, which makes the whole company successful and the desire to maintain that success. I urge you to be courageous and willing to champion these efforts if we are to obtain the results we hope for.

Being a leader in today's environment is very challenging but can be extremely rewarding to our next generation of leaders if managed correctly. Building relationships and developing talent pools is a strong starting foundation. We must coach and develop our people while engaging and inspiring them to fully see the big picture. Teaching them to manage conflict and not shy away from it, builds great character. Open communication and strong listening skills will lead them to many successes. All of this will enable them to obtain the one great goal of earning one's complete trust and loyalty.

Strong leadership is the key to sustained success for our member companies and our industry. By mentoring these individuals, it will truly allow our industry to thrive for years to come. So, no matter what type of member leader you are, remember, you will always be a valued individual of this association and, in turn, a valuable employee to your organization. 



Troy Wormley, W.B.R. Roofing Company, Inc.
2018 CRCA President

2018 CRCA Health & Safety Seminar . . . A look back at 2017 and forward to Silica

By Frank J. Marino, CSP



Frank J. Marino, CSP

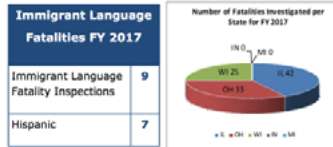
This year's Health and Safety Seminar at the 2018 Chicago Roofing Contractors Association focused on 3 topics: OSHA update, 2017 inspection results, and the new OSHA silica standard. The seminar was very well received by a record attendance audience.

In the 2017 fiscal year, OSHA showed a slight decrease in fatalities in Region 5. However, falls continued to lead the construction industry with regards to fatalities. Additional statistics are identified in the graph below:

REGION V FATALITY STATISTICS

Fatalities under OSHA's jurisdiction in Region V

Fiscal Year 2017	Fiscal Year 2016
End Date: September 30th	End Date: September 30th
100	112



FATALITIES BY EVENT AND INDUSTRY SECTOR

	FY 2017		
	CONSTRUCTION NAICS 23*	MANUFACTURING NAICS 31* - 33*	OTHER
CAUGHT	4	4	18
ELECTROCUTIONS	7	0	1
FALL	14	0	12
FIRE & EXPLOSION	0	6	2
OTHER/ PENDING	2	4	3
STRUCK-BY	7	5	11
TRENCH CAVE-INS (ALREADY INCLUDED IN CAUGHT)	0	0	0
TOTAL	34	19	47



Type of Violation	Current Maximum Penalty	New Maximum Penalty
Serious Other-Than-Serious Posting Requirements	\$12,675 per violation	\$12,934 per violation
Failure to Abate	\$12,675 per day beyond the abatement date	\$12,934 per day beyond the abatement date
Willful or Repeated	\$126,671 per violation	\$129,336 per violation

For the past few years, OSHA has adjusted the penalty structure based on the Consumer Price Index (CPI). This change always takes place on January 1.

Every year, Safety Check, Inc. performs 350 health & safety inspections on behalf of the Chicagoland Roofing Council (CRC)/Local 11 Health & Safety Committee. This year, Safety Check, Inc. was able to pull statistics from those inspections and provide a breakdown of recommendations for the benefit of its members.



(Safety Check Inc. Graph)

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Crystalline silica is a common mineral found in the earth's crust. Materials like sand, stone, concrete, and mortar contain crystalline silica. It is also used to make products such as glass, pottery, ceramics, bricks, and artificial stone.

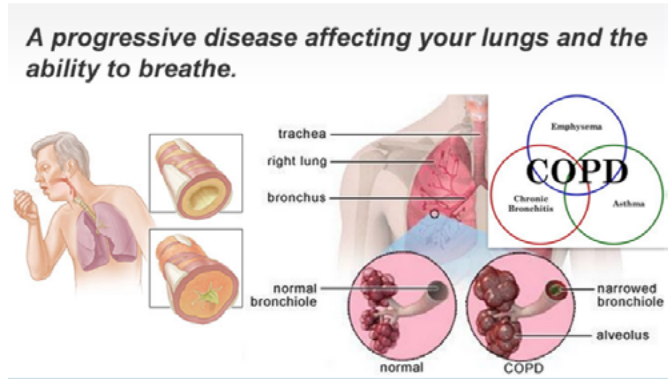


Respirable crystalline silica—very small particles at least 100 times smaller than ordinary sand you might find on beaches and playgrounds—is created when cutting, sawing, grinding, drilling, and crushing stone, rock, concrete, brick, block, and mortar. Activities such as abrasive blasting with sand; sawing brick or concrete; sanding or drilling into concrete walls; grinding mortar; manufacturing brick, concrete blocks, stone countertops, or ceramic products; and cutting or crushing stone result in worker exposures to respirable crystalline silica dust. Industrial sand used in certain operations, such as

foundry work and hydraulic fracturing (fracking), is also a source of respirable crystalline silica exposure. About 2.3 million people in the U.S. are exposed to silica at work. (OSHA, 2018)

Workers who inhale these very small crystalline silica particles are at increased risk of developing serious silica-related diseases, including:

- Silicosis, an incurable lung disease that can lead to disability and death;
- Lung cancer;
- Chronic obstructive pulmonary disease (COPD); and
- Kidney disease.



To better protect workers exposed to respirable crystalline silica, OSHA has issued two new respirable crystalline silica standards: one for construction, and the other for general industry and maritime. OSHA began enforcing most provisions of the standard for construction on September 23, 2017 and will begin enforcing most provisions of the standard for general industry and maritime on June 23, 2018 (OSHA, 2018).

References:

www.osha.gov

Stay tuned for more safety updates in the next issues of CRCA Today.

Frank Marino is Vice President at Safety Check, Inc., a safety consulting firm in the Chicago area. Reach Frank at fmarino@safetycheck.com. Frank has extensive experience in roofing safety.

CRCA Trade Show & Seminars Recap— Roofing Technical Issues

By CRCA Staff

The Chicago Roofing Contractors Association (CRCA) has worked closely with the National Roofing Contractors Association (NRCA) since NRCA's inception. NRCA's Mark Graham presents annually to the CRCA Trade Show & Seminars and we always appreciate his program. This year's technical update included the following:

Code update—The 2018 International Building Code, Energy Conservation Code, Fire Codes are being revised for the 2021 codes. For the new 2018 IBC, a new requirement for wind uplift of the roof assembly was voted into the code. The American Society of Civil Engineers (ASCE) publishes ASCE-7, revised in 2016, and in the 2018 IBC. The new ASCE-7-16 document increased wind resistance for certain sections of the roof. NRCA has updated its roofwinddesigner.com website to assist with wind calculations based ASCE-7-16.

Illinois & Chicago—The City of Chicago has its own code. The Chicago Building Code has a content unique to the densely populated region. Other State of Illinois municipalities adopt the International Building Code (IBC), Fire and other codes. The State has chosen to adopt the most recent version of the International Energy Conservation Code (IECC). Look for an August 2018 adoption of the 2018 IECC and March 1, 2019 effective date. CRCA's George Patterson is on the Illinois Energy Advisory Committee that reviews proposals. Low slope roof insulation above deck is still minimum R-30 continuous insulation.

Roof drainage concerns—Chapter 15 of the International Building Code covers roofing and directs users to Chapter 11 of the International Plumbing Code (IPC) for roof drains. IPC's Chapter 11 states minimum size drain openings. According to the IPC, the result of roofing material extension past the drain opening means the drain opening would reduce the flow of water off the roof. NRCA mentioned contractors need to beware of this issue as roof collapse can result if roofing membranes restrict water flow into the drain area. Second, 'Retrofit Drain Inserts', also reduce drainage capacity, possibly violating the plumbing code

requirement. NRCA also reminds that the IBC 2009 added secondary drainage is required, with the 2015 IBC adding some exceptions.



Moisture in concrete roof decks—NRCA published an Industry Update on this issue in August of 2013. Check it out at: <http://nebula.wsimg.com/4084bf64b4f2d73770cfbc8009a54d65?AccessKeyId=8A1E1C5CE54C0A798602&disposition=0&alloworigin=1>

NRCA has been watching this issue about effect of moisture in concrete roof decks on roof assemblies for years and published an article in the September 2017 Issue of *Professional Roofing Magazine*. Dr. Matt Dupuis, SRI, Inc., presented research findings from Phase II of the study on concrete and moisture funded by NRCA, CRCA and others. Graham's recommendation to the CRCA Members and audience was to . . . *Rethink roof deck "acceptance"*. Watch for an article devoted to this topic in the summer issue of *CRCA Today*.

Metal stud-frames & parapet walls—When metal stud backup is used to build parapet walls, roofing contractors "need more guidance on base termination/attachment details". Because the wall is open in between vertical studs, it needs to have a continuous fastening backer of strength enough to hold the roof down to the code mandated wind uplift pressures.

CRCA's Industry Affairs and Technical Committee is pleased to work with NRCA's resources. Between the Technical Services, Risk Management, Legislative and many other areas of expertise, there are some well versed experts.

Thank You to NRCA and Mark Graham, for all you do for the industry!

Roof Talk—CRCA Member Spotlight



Editor's Note: Each Issue of CRCA Today will feature individual CRCA Members and the products and services they offer. Watch for more information in upcoming issues!

Company: Raths, Raths & Johnson, Inc.
Locations: Willowbrook and Chicago, IL
Business Founded: 1966
Number of Employees: 34
Joined CRCA: Spring 2017

What services does your business offer?

Raths, Raths & Johnson, Inc. (RRJ) is a nationally recognized engineering, architecture, and forensics consulting firm that specializes in the investigating, design, repair, and testing of building structures, enclosures, and materials.

Our staff provides an integrated approach to building enclosure services that combines knowledge of science, materials, and construction methods to analyze structures and building system performance. RRJ has developed proven strategies, expert knowledge, and quality assurance testing capabilities to prevent and resolve envelope performance, distress, and deterioration. Just a few of our consulting services include roofing/waterproofing design, structural analysis, peer review, failure investigation, expert witnessing, condensation analysis, and building enclosure commissioning. We also offer a full range of field/laboratory testing informed by ASTM standards such as condensation testing, air and water leakage, and instrumentation arrays for example.

Where do you see your business in 10 years?

RRJ will continue to build on its reputation as one of the top forensic engineering practices in the U.S. through expansion of talent and expertise in our staff. We also expect to further advance our long-term relationships with the design and construction community in Chicago as well as to better service our national clients by continued geographic expansion.

What is your best business memory to date?

Opening our second office location in downtown Chicago was very gratifying. Knowing that we had built our practice from the ground up on strong foundations gave us the confidence to branch out. The results were being able to better respond to client needs and finding room for our growing staff to expand their practice and knowledge base.

How did you learn about CRCA?

It is hard to design a roofing system in Chicago and not know about CRCA. The influence of the group is evident well beyond the world of contracting.

If you attend CRCA events, can you describe a benefit of attendance?

We find the different perspective of the construction process very valuable to our practice as designers and investigators. The stories shared at CRCA inform many of our design decisions and make our work product better immediately and in the long run.

What value does CRCA membership bring to you?

Too often designers get tunnel vision with bid lists and product selection and always return to one or two providers. CRCA provides us the chance to see the whole range of qualified installers and manufacturers to deliver better and more competitive services to our clients.

What advice would you give a new CRCA member?

Reach a little further than your comfort zone. There are a lot of opportunities to expand your understanding and connect with others you would not otherwise interact with. You never know what you'll find.

Is there anything additional that you would like to add that was not asked/mentioned?

The services of roofing and building enclosure consultants are not exclusively valued by building owners and institutions. Contractors often come to RRJ for assistance with quality assurance field testing, trusted 3rd party advice and troubleshooting, as well as our ability to translate design documents to highlight the common coordination stumbling blocks and the most essential steps to keep ahead of issues during construction.



CRCA thanks Carole Ceja for her input and active involvement in CRCA 

Sharing Best Practices Benefits EVERYONE

A relentless commitment to sharing attic ventilation best practices has helped roofing professionals AND homeowners across North America

By Paul Scelsi



Back in 1998, Air Vent embarked on a FREE technical program for residential roofing pros across North America dedicated to proper attic ventilation principles. I have

had the special privilege of presenting a version of it for the CRCA Trade Show attendees the past two winters. The 20th anniversary (1998-2018) of *Attic Ventilation: Ask the Expert™* Seminar is a good time to look back on what attendees say the program has meant to them and the roofing industry.

From the start, the goal of the program was to arm the industry with scientifically proven best practices as it pertains to attic airflow. Some of that science came from Air Vent Inc.'s own testing. For example, for the most efficient flow of air through an attic so that it can help to fight heat buildup, moisture buildup and ice dams, it's essential that it be *continuous* along the entire ridge (at the roof's peak) and *continuous* at the roof's eave (low on the roof). Only continuous airflow balanced equally with intake and exhaust vents delivers this highly efficient flow. The combination of ridge vents and soffit vents deliver this. Additionally, only ridge vents designed with an external baffle use the wind to pull extra air out of the attic through the vent. That's because the external baffle takes advantage of the Bernoulli Principle, in which the wind deflects up and over the ridge vent's external baffle to create a pocket of low pressure above both sides of the vent's airflow louvers. This low pressure literally pulls air. It's stronger than thermal effect (warm air rising). And it only requires the slightest of wind speeds, as slight as a gentle breeze.

But soon, the program expanded due to the generous participation of the attendees. They started sharing their *field-proven* best practices. And, then it snowballed. Today, the seminar is packed with contractor-provided,

real-world information we're able to neatly package and deliver across North America in person.

Installation Insights

From the ever-expanding and tremendously popular "Installation Tips & Mistakes" shared during the programs, here are a handful that have had an impact on attendees.

- "Don't mix types of exhaust vents (*because it could short-circuit the system*) and make sure the ratio of intake and exhaust venting is equal," (*because balanced attic ventilation is most efficient*). – Chris Kostopoulos, Project Manager, Mike Huddleston Roofing Systems, Mansfield, TX.
- "Check with the manufacturer of the soffit vent to be sure the Net Free Area is sufficient for the exhaust vent being used," (*because if the exhaust vents do not have enough intake they can pull the missing air from themselves and ingest weather*). – Richard Turner, Owner, Turner Remodeling, High Point, NC
- "Keep the exhaust vents all on the same elevation (*because the lower vents could become the intake vents they are not designed to be*) and do not mix exhaust vent types," (*once again, short-circuiting!*). – Benjamin Black, Project Manager, Jon Wright Industries, Irving, TX.

Credibility and Sales Boost

The open sharing of information during the Q & A portion of the seminar is impressive to witness.

"In this chaotic time of running a company sometimes it's easy to forget the importance of explaining WHY to a homeowner. You just try to get the quote to them and hope they choose your company," says Sabrina Johnson, President, KDCCO Home Improvement, Akron, OH. "When I attend this seminar, it solidifies the importance of communicating the WHY and RATIOS needed for proper ventilation. It also sets me apart from the other

contractors making me more knowledgeable and professional and setting a standard for the homeowner as to why they should choose me."

Solving Problems


Some attendees pick up tidbits that help them tackle a tricky project. Others learn about ventilation products they were unfamiliar with previously that expands their offering to homeowners.

"We were reroofing a condo complex and were placing orders for materials at the same time we attended this seminar," says Chris Teem, owner, Priority Restoration, Centennial, CO. "It hit me like a ton of bricks just as the topic of solar powered fans surfaced during the seminar listening to how they function and in which situations they are best used. This is what we need for the condo project. We ordered 24 of them the next day."

Knowledge is Power

One of the most-used and appreciated tips came courtesy of former Air Vent engineer Dustin Ciepliski in

2001. "The best tip I have learned at the seminar is the calculation shortcut 'divide attic square footage by 2' which equals square inches of intake needed and square inches of exhaust needed," says Jake Jacobson, Vice President, SF5 Construction, Little Elm, TX." Jacobsen uses this shortcut as a quick estimate, not as a final calculation, especially for steep roofs.

To the thousands of roofing contractors, builders, remodelers, wholesale distributors, inspectors, architects, designers, code officials, and others in the roofing industry who attended and participated, thank you. It has been my privilege to be the host of the Air Vent seminar since 1998. 

Paul Scelsi is marketing communications manager at Air Vent, Inc. and has presented on Attic Ventilation at the CRCA Trade Show & Seminars in 2017 and 2018. He is chairman of the Asphalt Roofing Manufacturers Association Ventilation Task Force. For more information, visit www.airvent.com.

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I-9 Employee Eligibility Forms & ICE Enforcement—How to Protect Yourself and Your Company

By CRCA Staff



Chris Thomas

CRCA welcomed Chris Thomas, Esq., to the 2018 CRCA Trade Show & Seminars. Thomas is an attorney with Ogletree Deakins who specializes in employee issues representing employers nationally on issues such as employee eligibility.

To open the program, Thomas stated that ALL employees, not just minorities, need to have employee eligibility forms on file at companies who employ the workers. This applies to both office and field staff.

Why document that employees are eligible for work in the USA? The US Immigration & Customs Enforcement (ICE) has direction to 'focus resources . . . on the criminal prosecution of employers who knowingly hire illegal workers in order to target the root cause of illegal immigration'.

The ICE Strategy, published 1/10/2018, is to:

1. Conduct I-9 Form Audits and Impose Civil Fines
2. Arrest and Prosecute Employers who engage in knowing employment of unauthorized workers.
3. Encourage participation in ICE Mutual Agreement between Government and Employers program to instill culture of compliance.

As a result, ICE has tripled its number of officers and increased the number of actions by five times.

Thomas recommended that all employers have properly and timely completed I-9 Employee Eligibility Forms. He mentioned that employers need to believe in good faith—through proof—that they've hired an employee eligible to work in the USA. He also suggested that employers should properly run E-Verify inquiries where it's required.


There is a new I-9 form required as of September 18, 2017. Make sure you have updated forms as according to ICE, "ICE is going to be tougher on these issues". He mentioned that the employer is not required to be a document expert, but that the documents be accepted and, according to ICE, "reasonably appear to be genuine and relate to the person presenting them". Consider using government issued picture IDs, employment authorization card, or immigrant visas to verify the name on the I-9. Most people will be honest about their identification. Mr. Thomas recommended watching for fraud where it's suspected.

The I-9 Employee Eligibility documents are required to be kept by employers for either three years from hire or one year from the date of termination, whichever is later.

The civil penalties for violations to the I-9 Employee Eligibility Forms range from \$539–\$4313 per defective form when knowing that the employer is employing illegal aliens. Paperwork violations range from \$216–\$2156 per defective form. Do the math . . . it can add up fast if there are a lot of violations. And, criminal penalties kick in when there is a pattern of knowingly hiring unauthorized workers. It can even result in a forfeiture of assets.

Key precautions include, as outlined by ICE include:

- Use E-Verify for all new hires.
- Use SSNVS for wage reporting.
- Establish a written I-9 Compliance Policy.
- Establish compliance and training programs.
- Allow only trained personnel to complete I-9s.
- Perform annual internal I-9 audits.

As with all regulatory compliance issues, consider contacting your company attorney with questions, concerns and for review of policies that pertain to this subject. 

OSHA Recordkeeping FAQs

By CRCA Staff



(OSHA Photo)

CRCA would like to thank Safety Check Inc.'s Jim Meegan, who presented an important webinar this spring to CRCA members on OSHA Injury and Illness Recordkeeping and Reporting. OSHA uses this information to evaluate the safety of the workplace and to understand industry hazards. Back in 2015, OSHA updated the list of exempted industries and expanded the list of severe work-related injuries and illnesses that employers must report to OSHA.

Each February through April annually, employers must post a summary of reportable injuries and illnesses recorded the previous year. Also, certain employers are required to submit information electronically as well. For example, employers with 20–249 employees and in certain high-risk industries are required to submit 300A form information by July 1, 2018.

Meegan's webinar provided in depth information to CRCA members. Below are some frequently asked questions by roofing contractors and construction employers. To learn more or read the full OSHA Recordkeeping regulation, 29 CFR 1904, visit: www.osha.gov/pls/oshaweb/owastand.display_standard_group?p_toc_level=1&p_part_number=1904.

Who Needs to Report?

- All industries in agriculture, construction, manufacturing, utilities and wholesale trade are included.

Who Is Exempt?

- If company had 10 or fewer employees during the last calendar year. When counting, be sure to include number of employees in entire company, including temporary employees that you supervise on a day to day basis.
- Some industries in the transportation, retail and service sectors may be exempt. Visit www.OSHA.gov for a complete list.

If Reporting Is Required for Your Industry, What Steps Need to Be Followed?

If you answer "YES" to any of these questions below, record the injury or illness:

1. Did the employee experience an injury or illness?
2. Is the injury or illness work-related? (Remember that the work environment is defined as where one or more employees are working but also includes the equipment or materials used by employees during their work.)
3. Is the injury or illness a new case?
4. Does the injury or illness meet the general criteria or the application to specific cases? These include death, days away from work, restricted work activity, medical treatment beyond first aid, loss on consciousness or significant injury or illness as diagnosed by a Physician or Licensed Health Care Professional (PLHCP)

As with most regulations, there are exceptions to injuries or illnesses that surface. These include symptoms that arise due to a non-work-related event or exposure, personal tasks outside assigned working hours, personal grooming, self-medication for non-work-related conditions, motor vehicle accidents in parking lot or access road during commute, common cold or flu, mental illness (unless employee voluntarily provides a licensed health care opinion that related from work) to name a few.

Traveling?

OSHA states that an injury or illness that occurs while the employee is traveling while engaged in work activities in the interest of the employer, is considered "work-related." Note: If the employee takes a detour for personal reasons during this travel, this becomes "non-work related."

What About Work at Home?

Injuries and illnesses experienced by an employee while working at home is considered "work-related" if they occur while the employee is performing work for pay and is directly related to the performance of work rather than the general home environment. If the employee is performing personal tasks while working at home, unrelated to their employment, and gets injured, these are exempt from reporting.


GENERAL RECORD CRITERIA—an injury or illness that meets the criteria for being work related is recordable if it results in one or more of the following:

- Death (any work-related fatalities must be reported within 8 hours.)
- Days away from work (all work-related inpatient hospitalizations, all amputations and all losses of an eye must be reported within 24 hours.)
- Restricted work activity
- Transfer to another job
- Medical treatment beyond first aid
- Loss of consciousness
- Significant injury or illness diagnosed by a Physician or Licensed Health Care Professional

Employers must enter each recordable case on the required OSHA forms within 7 calendar days of receiving information that a recordable case has occurred. (Fatality/Catastrophe Reporting time frames are sooner.) These forms can be kept on a computer as long as they can be produced as required by OSHA's Standard, 1904.35 and 1904.40. Familiarize yourself with the specific instances when an employee's name should not be entered on the OSHA 300 form. These could include mental illness, HIV infection or an injury or illness resulting from sexual assault to name a few.

CREATING COMPANY POLICY—As an employer, you are responsible to create a reasonable reporting procedure for workplace injuries or illnesses and then implement. Be careful to ensure that this policy does not deter an employee from accurately reporting a workplace injury or illness. Employers are also

prohibited from discriminating against employees for reporting these injuries or illnesses. Employees have the right to access their OSHA 300 and 301 Form as well after a specific time limit.

OSHA's focus is to improve access by employers, employees, researchers and the public on workplace safety and increase the ability to identify and abate serious hazards. To learn more, visit www.OSHA.gov or www.safetycheckinc.com. 



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Code Corner

By CRCA Staff



CRCA's Industry Affairs Committee collaborated with the City of Chicago Department of Buildings to develop roofing specific clarifications for the Chicago Energy Conservation Code and

Chicago Building Code, called, the City of Chicago's Code Memorandum on Roof Requirements. The clarifications are applicable to new and existing buildings located where Chicago's Municipal Code is required.

The new definition below appears in the Chicago DOB's Code Memorandum on Roof Requirements. There were several key issues that were dealt with in this document including 'roof peel', flashing heights, the number of roofs allowed on a building, ice barrier membrane requirements, spaced sheathing and shingle application and more.

One key point in the Chicago Memorandum on Roofing is that when roofing work takes place on existing buildings, it's for water resistance rather than for thermal resistance. In code-speak, that's a big paradigm shift.

The City of Chicago's position seems to be where a roof covering top layer, or roof membrane, is 'peeled' off the substrate, that another roof covering (membrane) can be installed without making the minimum (min) R-30 continuous insulation (ci) mandatory. This allows the building owner and manager the ability to replace **low-slope** roof covering adding life to the existing insulation, keeping it from landfills, without adding lots of new roof insulation, in certain conditions.

ROOF COVERING REPLACEMENT: Where an existing roof covering is removed, exposing insulation or sheathing and a new roof covering installed. This occurs typically in ballasted single ply roof systems, lengthens the life of the insulation in serviceable condition, and is allowed where the energy usage of the building does not increase.

(The 'roof peel', operation is referenced in the State of Illinois' Frequently Asked Questions area. More on that next issue of *CRCA Today*.)

There is another section in the City of Chicago Code Memorandum that allows the building owner and manager to NOT have to meet minimum R-30 continuous insulation requirements where the rooftop flashing heights are too low. Most important, because of the paradigm that the scope of work is to keep the water out of the building, it does not require administrative relief, or approval from the Authority Having Jurisdiction to comply. All that's required for this relief is a statement of the amount of insulation to be provided and a description of the reason for not meeting the min. R-30 c.i. That's for the City of Chicago only. For variances to codes in the suburbs, consult with the local AHJ for final approval of the variance. More on insulation thickness relief in the next issue of *CRCA Today*.

Steep Slope Roofs: the CRCA office used to get a lot of calls from angry homeowners whose insurance companies would not pay for ice barrier membrane during roof replacements on existing homes.

Ice dams occur when ice builds up at steep slope roof edges backing water upslope under shingles, shakes, slate or tile, causing leaks in the building. Some older roofs might not have the ice barrier membrane installed. Because the City of Chicago Code did not list ice barrier membrane specifically, insurance companies would deny paying for the material on steep slope roofs. Even if the International Building Code did require ice barrier membrane, the insurance company still would not pay for it as it was not prescriptively written into the Chicago Code.

Here's what the City of Chicago's Code Memorandum says to clarify this point:

- City of Chicago code section 13-196-530 (c) states "The roof shall be tight and have no defects which admits rain and roof drainage shall be adequate to prevent rain water from causing dampness in the walls." The code requires that the building be kept dry but does not specify how to do that.

Due to the winter freeze/thaw cycle in Chicago, the creation of ice dams is a common hazard for roofs. To protect the building and walls against water infiltration from ice forming along the eaves, a barrier consisting of a self-adhering polymer modified bitumen sheet that seals around nail holes shall be used and extended from the lowest edges of all roof surfaces to a point at least 24 inches inside the exterior wall line of the building. Other vulnerable areas such as valleys, ridgeline, and around penetrations shall be protected appropriately as well. For roofs with slopes of a minimum of 8" in 12", apply the ice barrier to extend to a point at least 36" up slope from the lowest edges of all roof surfaces. The ice barrier requirement is not necessary on structures that contain no conditioned space.


When the scope of work is **roof replacement** versus **roof recovering** due to the condition of the substrate insulation and/or sheathing, then the scope shall include the removal of all existing layers of roof coverings down to the roof sheathing. Any existing ice barrier membrane may remain in place; however, an additional layer of ice barrier membrane shall be installed over the existing.

As CRCA's members are both Low and Steep Slope Contractors, CRCA also worked additional clarification

with the City of Chicago that deals with spaced sheathing, usually found under wood shingle or wood shake roofs. The City specifically calls this out and states that new sheathing is required to install shingles over the decking. Even the manufacturers installation instructions state this as well.

CRCA's Technical/Industry Affairs and Steep/Shingle Committees worked together to clarify this point for building owners and managers in the City and beyond. We create value for existing CRCA Members through helping the building owner get recognized value. We need you to let building owners know how we're working to provide value to your building owner customer.

Why is CRCA doing this work at the City of Chicago when it benefits non-members too? Simple, because it's the right thing to do.

If your company is not a CRCA Member, join CRCA today. Why? We work for you and your customer, to help you provide the best value for the building owner's roofing dollar; and, it's your dues dollars that pays for this work. We need you to keep CRCA's voice strong in Chicago and beyond. For more information, visit www.CRCA.org or info@CRCA.org today! 

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Anti-Trust “Antics”

By Bob Dunleavy



Bob Dunleavy

Federal and state anti-trust laws have been around a long time and are intended to promote open and fair competition in business. You need to know a little about these laws so you don't find yourself in an awkward position—“jail.” Trade and professional associations are quite vulnerable to claims of illegal restraint of trade even though they are customarily non-profit organizations. The reason for this is that associations are normally comprised of competitors, or potential competitors, and association activities provide an excellent opportunity for them to reach tacit or explicit agreements on a variety of business practices, some of which are illegal. Concerted action which raises prices or lowers the quantity or quality of available goods is always suspect. Here are some of the “basics” about anti-trust regulations which will help you avoid penalties of up to \$1 million for individuals and \$100 million for business organizations and up to ten years in jail. The stakes are high!

Associations and their members are given broad opportunities to engage in joint action such as lobbying, but they must avoid activities which reduce competition among themselves or hold their suppliers or customers to some type of reduced competition. The leaders of the association need to be vigilant to ensure that illegal conduct does not occur. At gatherings of members, we all need to be careful not to say or do something which could be considered an unlawful conspiratorial agreement. For example, at a dinner meeting, one owner of a business told another that he took pricing seriously and planned on implementing a price increase in the near future. The second owner expressed a similar sentiment and prices were actually increased by these competitors at relatively the same time. The Federal Trade Commission (FTC) sued both companies. Another potential violation can occur when one manager of a company speaks with a competing manager and urges

the reduction in production in order to increase demand and, in fact, that reduction actually occurs.

Not only can the individual members be held liable, but also the association can be held responsible for the discussions its members have. Sometime ago, the National Association of Music Merchants was charged by the FTC with allowing its meetings to serve as a forum for rivals to disseminate or exchange competitively sensitive information. Competing retailers of musical instruments discussed strategies for raising retail prices, margins, minimum advertised price policies, and other related items. The association had sponsored the meetings and set the agenda to assist in discussions. Interestingly, there was no evidence that the discussions, in fact, led to unlawful collusion. This consent decree illustrates that anti-trust considerations in association activities remain alive and well and must be respected by the members and officers of any association. But remember, the discussion doesn't have to come during the actual meeting. Conversations at the bar before or after an event (or on the golf course) can be equally as lethal.


Some of the types of activities which are automatic violations include agreements fixing prices, boycotts of competitors, suppliers, or others (joint refusal to deal), agreements allocating markets, and agreements where a company dominating a market ties the purchase of one product to the requirement to purchase another. Unlawful pricing agreements can include arrangements on discounts, formulas for establishing pricing, credit terms, warranties, surcharges, mark-ups, understandings regarding advertising restrictions, the limitation of output or production, and an agreement not to engage in competitive bidding.

No poaching of employees' agreements between two or more employers prohibiting each other from soliciting or hiring their respective employees can violate anti-trust law under certain circumstances. On January 19, 2018, the Department of Justice announced that it intends to publish additional guidance on the issue and then enhance enforcement efforts. Watch for the developments.

Here are some tips for reducing the risks of anti-trust violations:

- Avoid agreements or understandings related to pricing or advertising.
- Avoid agreements or understandings that result in a boycott of products or services.
- Avoid agreements or understandings allocating markets among competing companies.
- Do not try to prevent your supplier from selling to your competitor.
- Adopt an anti-trust compliance policy to assist your company in compliance.
- Ensure that your association has an anti-trust policy and that the Board members, officers and committee persons are well trained.
- Utilize membership eligibility and expulsion criteria which are objective.
- Follow a well-prepared agenda at each meeting which has been scrutinized in advance for anti-trust concerns.
- Collect and disseminate member survey information through a third party with anonymous participation and aggregated dissemination of the information.

Many associations conduct annual training sessions for their board members and committee persons in order to ensure compliance, and most have strong anti-trust policies. Familiarize yourself with your policy and alert your association staff to any perceived violations promptly.

Training sessions customarily include discussions regarding the responsibilities and liabilities of association directors and officers, anti-trust considerations, and association membership issues. Many associations conduct these types of annual training sessions for their officers, directors and trustees. Good governance dictates that your company and the associations with which it is affiliated remain ever vigilant to avoid anti-trust antics. 

Bob Dunleavy is an Ohio State Bar Association Board Certified Specialist in Labor and Employment Law. He is a member of the American, Ohio State and Dayton Bar Associations and is an active participant on the Labor and Employment Law Committees of each. He is also a member of the ABA's Forum Committee on Construction Law. For further information regarding anti-trust matters or for information regarding good governance training sessions for your company and the associations with which you are affiliated, contact Bob at Taft/Law (937) 641-1743.





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Industry News

By CRCA Staff

CRCA Committees—The CRCA Committees have been quite active in the first quarter of 2018. CRCA's successes come from the 100+ volunteer leaders and staff working together to build a great roofing industry in Chicagoland and beyond at the State of Illinois as well. See new developments below:

- **Industry Affairs Committee** met to discuss technical issues and 2018's initiatives at the State of Illinois, City of Chicago and International Code Council. They will be meeting with City of Chicago Dept. of Buildings Commissioner Judy Frydland as well as Mayor Rahm Emanuel. Many CRCA leaders also participated in the March Washington DC legislative Fly-In, discussing roofing and construction specific issues with U.S. Legislators.
- **Steep and Shingle Committee** provided speakers for CRCA's Trade Show & Seminars and are working with local municipalities to create a universal roofing specific permit application.
- **Affiliate Relations** is a brand new CRCA committee, designed to develop and expand CRCA's relationships with other construction and design associations. Stay tuned for more information coming soon!

CRCA March Membership Meeting—Managing Workers Compensation Claims—Recap



CRCA's Safety Committee and Frank Marino of Safety-Check, Inc., CRCA's Safety Consultant, organized the March 13 Membership Luncheon. Dr. Raj Khanna, a retired sports medicine and injury rehab physician, spoke generically about how to prevent

injuries and speed the injured back to work, minimizing workers compensation claims.

Dr. Khanna's outline included several key points:

- **Detailed History**—The physician needs to understand the patient's history. Was this an old injury? Chronic?

- **Objective Physical Exam with Goniometer Measurement**—An examination should include flexibility measurements that are quantifiable and not just an emotional statement that says, 'it feels bad'.
- **Accurate Diagnosis**—The physician is responsible for submitting an accurate diagnosis after a thorough examination.
- **Reasonable Treatment Plan**—Treatment must be consistent with the work performed, and within the patient's capabilities.
- **Understanding the Patient's Job**—Through a complete understanding of the patient's work life, the physician can make an accurate prescription—therapy, medications, etc.
- **Earning the Patient's Trust/Confidence**—The key to any recovery is the trust that's built between the caregivers and the patient. Khanna mentioned that very few patients actually try to "game" the workers compensation system. Most want to get back to work to support their families and get back to everyday activities. That's nice to hear from the person who is treating these workers every day.

Dr. Khanna's program was presented on behalf of CompCorePro. CRCA appreciates this committee outreach and recruiting Dr. Khanna to speak. His wealth of experience as an owner of several medical clinics that specialized in workers compensation claims was shared graciously and effectively.

CRCA's Legislative Consultant Margaret Vaughn

has been hard at work monitoring IL Legislation in relation to Roofing and Waterproofing issues as well as construction. Some of the issues being watched and action urged on are:

- IL HB 732 became law last fall, winning a veto override, defining what building owners' employees can perform on their employers' roof. Public Act 100-545 limits the scope to "Roof Repair" as defined by the International Building Code. Roof Replacement, Roof Recover and Torching must be performed by an Illinois Licensed Roofing Contractor.

- IL SB 237—CRCA, along with many other organizations and industry professionals worked to fight a proposed ban on the sale and use of coal tar pavement sealant by Illinois municipalities. Many CRCA members and others came together to protest this, citing no credible evidence to warrant such a ban.
- SB 3052—CRCA members worked with the Illinois Mechanical & Specialty Contractors Association’s (IMSCA) in efforts to support legislation to amend the retainage on construction contracts (typically at 10%). Abusive retainage practices hurt many, including roofing contractors. This important legislation would cap retention on private, commercial construction projects at 5% once 50% of the contract is completed. Having passed the IL Senate, the important legislation is on its way to the House.

Visit www.CRCA.org to learn more about IL legislative issues.

CRCA’s Chicagoland Women in Roofing (CWIR)

welcomed Jennifer Holsinger, National Sales Manager for Hunter Panels to the late April meeting. Holsinger shared her career journey as well as some life lessons:

- **Know Your Customer**
- **Ask for the Order**
- **Listen, Listen and Listen Some More**
- **Don’t be Afraid to Ask for Your Next Job or Role**

She also stated that the “Roofing Industry develops Lifelong Relationships” and encouraged all to mentor other new young talent and others in the roofing industry.



CRCA President Troy Wormley with Jennifer Holsinger (CRCA Photo)

CRCA’s Foundation Becomes Official!

CRCA received the IRS’s 501 (c) (3) classification in late 2017 and have officially launched the CRCA Foundation! This important entity’s mission is to:

“To advance and support the construction, roofing and waterproofing industry in the Chicago area through funding and support of philanthropic causes, research and education.”

Individuals and companies can become CRCA Foundation members with a variety of funding levels. These members will meet once a year to oversee existing projects and consider new projects that address critical industry issues. Join M.W. Powell Company and consider becoming an inaugural CRCA Foundation Member today! (Editor’s Note: Moses Powell was one of CRCA’s original pioneers and this firm continues to lead by being the first contributor to the new CRCA Foundation.)



George Patterson & Rod Petrick congratulate Tony Roque as the 1st CRCA Foundation Contributor (CRCA Photo)

CRCA’s Emerging Leader Group Event—This growing group of CRCA’s newer leadership continued to build relationships at a spring K-1 Racing networking event. This group has also launched a Mentor Network to help connect up-and-comers in the roofing industry by pairing them with roofing industry leader. Interested? Contact jessica@crca.org for more info. Visit www.CRCA.org for more information on the August BBQ and Charity Run too!



(CRCA Photo)

CRCA Trade Show & Seminars—The CRCA Trade Show Committee is already hard at work on the January 17–18, 2019 event. Planning is underway on some new and exciting seminars such as Workforce Recruitment, Responsible Spec Writing and Ventilation. The committee is also developing a steep-slope program, “Anything But Shingles,” which will include information on cedar shake, metal roofing, metal shingles and more.

CRCA extends great thanks to the CRCA Trade Show committee for all the hard work!



(CRCA Photo)



NEW CRCA Associate Member Packages—CRCA’s Membership & Marketing Committees joined forces to develop a new program for Associate Members. The idea was to provide CRCA Associate

Member Packages, where members can buy items not available to non-members and gain exposure. The publicity is in *CRCA Today*, CRCA’s Directory, www.CRCA.org website home, member list and events pages. There’s even a limited opportunity to have a tabletop display at CRCA Membership Luncheons and signage at ALL CRCA Events, including the CRCA Trade Show & Seminars. Plus, CRCA dues for the year are included And, it’s all wrapped up in one check, once a year. Contact info@CRCA.org for more information.

OTHER INDUSTRY NEWS

Debate on the ICC’s 2021 Family of Codes—ICC’s 2018 Committee Action Hearings (CAH), took place in Columbus, OH April 15–25. This year’s hearings offered ICC members and other building safety professionals the opportunity to provide input on proposed code changes. This year’s hearings cover the International Building Code’s (IBC) Chapter 7, Fire and Smoke Protection Features, along other chapters and the International Fire Code, International Wildland Urban

Interface Code and more. The International Energy Conservation Code and many Chapter 15 topics—the Roofing Section of the IBC—debate takes place in 2019.



State of Illinois Energy Code Adoption Process—The update

cycle for the 2018 Illinois Energy Conservation Code has begun. CRCA’s proposals to amend the code were submitted March 31, 2018. The Illinois Energy

Conservation Code currently is based upon the ICC’s 2015 International Energy Conservation Code.

The revisions will put the 2018 IECC into play in Illinois. To date, we’ve had two teleconferences covering CRCA’s amendments to the 2018 IECC. There’s still several more teleconferences to go. Topics being debated include the following existing building issues:

- Add “roof covering peel” as a defined term in addition to roof recover and roof replacement.
- Add relief for when flashing heights won’t allow insulation thicknesses for compliance.
- Define tapered insulation as average R-value vs. minimum R-value.
- Clarify that crickets and saddles for slope to drain are repairs.

The requests that CRCA has provided come from calls that contractors have made to CRCA stating that this would be good for buildings and their customers. We do have some opposition to these common-sense proposals.

The proposals are heard by the Illinois Energy Conservation Advisory Council. CRCA’s George Patterson is a member of the Council and brings much field knowledge to the many issues.

The Illinois Workers’ Compensation

Commission recently released an Insurance Compliance Newsletter, reminding Illinois Employers of the regulations involved with workers. Outreach Coordinator Gloria Jimenez reminds employers that:

1. If the employer has just one employee, even if part-time, the employer must provide workers’ compensation insurance. The fine if the employer knowingly fails to provide this is up to \$500 per day for every day of non-compliance, with a minimum fine of \$10,000. This can also include being charged with a Class A misdemeanor if negligent or if knowingly fail, this could be increased to a Class 4 felony.

- If you are a sole proprietor with no employees, you can elect to come under the Act, except in the case of Extra-Hazardous Occupations. For more information, contact gloria.jimenez@illinois.gov.

NASFM, Grenfell Tower & Roofing—Six months after flames engulfed a London high-rise and sparked concerns about similarly-clad buildings around the world, a tool aimed at making buildings safer was developed by The National Association of State Fire Marshals' research foundation. The free risk evaluation tool is available on www.FireMarshals.org.

What's this have to do with Roofing? Roofing contractors with Sheet Metal expertise sometimes install Metal Composite Materials/Panels (MCM) on buildings as part of their 'building envelope' contract.

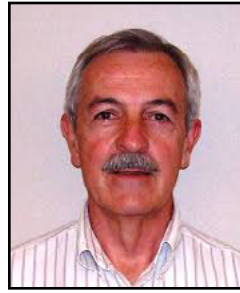
MCM Combustible exterior paneling, a 2" air space and insulation, fueled the flames that enveloped Grenfell Tower on June 14, 2017, killing 71 people, authorities said. An Associated Press review found the same panels on several U.S. buildings, and some of the owners were unaware of the potential danger.

The fire marshals group says the new Risk Evaluation Matrix can help assess fire risks based on materials used, a building's occupancy and other criteria. There are code requirements for using these panels.

NFPA Documents on Roofing—Did you know that the National Fire Protection Association (NFPA) has documents on roofs? NFPA 203, *Guide on Roof Coverings and Roof Deck Constructions*, was published in 2000. It focuses on roofs from a fire-resistance perspective. NFPA's Fire Protection Research Foundation published a document on Commercial Roof-Mounted Photovoltaic System Installation Best Practices focusing on Hazard Assessments. NFPA 256 is the Standard Methods of Fire Tests for Roof Coverings. Chapter 38 of the NFPA 5000, Building Construction and Safety Code, has a section on vegetative roof coverings.

NFPA's documents are used nationally and internationally. While their building code is not used much in the USA, it is still maintained by NFPA's Committees on a three-year development cycle. NFPA standards are also maintained by committees as well. For more information, contact www.nfpa.org.

Friends of CRCA Retire



(RCI Photo)

Dennis McNeil, RRO, RRC and RCI Fellow and Member Emeritus recently retired from Building Technology Associates, Inc. McNeil, an active member in the Chicago Area Chapter of RCI is a long-time roof consultant. He began his career with a small commercial roofing contractor in Detroit over fifty years ago. He enjoyed dealing with existing buildings and developing a process to resolve when problems occurred. McNeil will continue to keep involved with the construction industry as a Habitat for Humanity volunteer.



(ARCON Photo)


Steve Mulvihill, Principal at ARCON Associates, Inc., began his career with Balluff and Balluff as a project architect and formed ARCON Associates, Inc. in 1979. He specialized on the building envelope, with a heavy focus on schools. He was a frequent speaker to CRCA and other roofing associations and also published several articles on building envelope issues. Mulvihill and his wife volunteer for medical missions to Bolivia, Ecuador, Kenya and the Philippines organized through the Diocese of Joliet.

CRCA thanks both Steve and Dennis for their years of service to the roofing industry!



NRCA's Future Executive Institute Class Enrollment opens—NRCA announced that applications for the next FEI-9 are now being accepted for classes that start September 24-27, 2018. Contact www.NRCA.net for more information.

CRCA Members, if you are not a NRCA Member, consider joining. CRCA works closely with NRCA on various code and standards issues in Chicago, at the State of Illinois and also the International Code Council's International Building and Energy Codes.

While on membership, if you know a roofing company that is not a CRCA Member but should be, email their contact to us at info@CRCA.org and send them to www.CRCA.org to learn about all of the incredible member benefits. 

CRCA Contractor Members

The Contractor Members of the Chicago Roofing Contractor Association install all types of roofs, including reflective single ply, modified bitumen, built up, gravel, reflective coatings, shingle, shake, slate and tile, vegetative garden or photovoltaic coverings. From formation following the Great Chicago Fire of 1871, CRCA Members have moved with the times and technology, yet continue to maintain some of the same goals set forth over 140 years ago. To find a CRCA Professional Contractor, visit www.CRCA.org.

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Industry Calendar



James C. Mansfield

In Memory

CRCA lost a great leader on February 2, 2018 with the passing of James C. Mansfield, Sr. at age 90. Jim was a 3rd generation roofer and spent his entire life around the roofing business.

He served as a CRCA Director, Vice President and President and was 1980's Clyde Scott Award Recipient, CRCA's highest honor.

He was involved in many committees including the CRCA/Local 11 Labor Committee, was a Health and Welfare Trustee, and worked with other leaders at Industry Affairs in Washington DC during the 1973 Oil Crisis. He was also a Trustee of the Local 73 Sheet Metal Union Apprenticeship. His real passion was the CRCA Scholarship Committee where he and others launched the program, which has awarded almost \$300,000 since 1995.

He was a Director at the Midwest Roofing Contractors Association (MRCA) and the 2006 James Q. McCawley Award recipient, MRCA's highest honor. He also volunteered on the MRCA Scholarship Committee.

An innovator, Jim and Mansfield Roofing installed one of the first ever rubber roofs at O'Hare Airport as single-ply roofing was developing and helped pioneer the Ice Barrier industry by installing self-sealing/adhered rubberized asphalt membranes at roof edges to flash gutters and prevent leaks from ice dams. Mansfield was one of the first to try many of the newer single ply systems, while not forgetting the traditional built up roof, slate, tile and other classic roofs. A friend and mentor to many, Jim will be missed by all.

CRCA welcomes the following new members since the Winter *CRCA Today* Issue!

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Connelly Roofing, Inc.
Deluxe Roofing Inc.

E. Ariel Roofing Solutions LLC
GC Roofing LLC

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East Lake Metals LLC
FT Synthetics Inc.
IB Roof Systems
Leading Edge Safety

Liftoff Crane Services LLC
Paramount Adjusters Inc.
PlyGem Roofing
Sentry Building Innovations
Solatube International
Siplast

To learn more about these firms, visit www.CRCA.org and visit the member list! To learn more about CRCA Membership benefits, contact info@CRCA.org!

June 3, 2018*

CRCA White Sox Outing
www.CRCA.org

June 21, 2018

CRCA CWIR Meeting
Topic: Code
www.CRCA.org

July 10-14, 2018

NRCA Midyear Meetings, Chicago
www.nrca.net

July 12, 2018*

CRCA Industry Day Golf Outing
www.CRCA.org

August 11, 2018*

CRCA Kane County Cougars Outing
www.CRCA.org

August 25, 2018*

CRCA / Emerging Leader BBQ & 5K Run
www.CRCA.org

September 18, 2018*

CRCA Membership Meeting & Lunch
Topic: Employee Handbook Development
www.CRCA.org

October 18, 2018

CRCA Emerging Event

October 24-26, 2018

MRCA Conference, NB.
www.mrca.org

November 13, 2018*

CRCA Membership Meeting & Lunch
www.CRCA.org

*CRCA Members only and their guests.

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The CRCA Foundation is registered with the Secretary of State of Illinois as a charitable, not-for-profit corporation (No. 7122-868-1) and with the US Internal Revenue Service as a 501(c)(3) tax-exempt organization, Federal Tax ID# 82-2888590.