



## New Hampshire/ Vermont Chapter

# ABC NH/VT

# Action News Letter

## April 2017

### DID YOU KNOW.....

In the past 5 years, New Hampshire Vermont Chapter of Associated Builders and Contractors has recognized members and presented over:

- ⇒ 120 Project Awards
- ⇒ 20 Sustainable Building Awards
- ⇒ 15 Community Service Awards
- ⇒ 300 Safety Awards

Be Recognized for your hard work and safety with ABC NH/VT

### ABC NORTHERN REGION BUSINESS DEVELOPMENT EVENT



FEEL FREE TO BE  
EST. 1982  
WOODSTOCK INN  
BREWERY  
NEW HAMPSHIRE, USA

NETWORK WITH INDUSTRY PEERS, RECEIVE  
VALUABLE INFORMATION ON HOW TO HELP  
FUND YOUR TRAINING PROGRAMS

Thursday, April 13th

WOODSTOCK STATION INN AND BREWERY

One trend that the industry hoped would fade away is, instead, raging on. The skilled labor shortage is a major concern for firms as employers struggle to staff their job sites. Firms are feeling the immediate impacts of the worker shortage, as it can lead to higher costs and longer project schedules. Contractors need to determine how to include the direct and indirect cost of providing a skilled workforce in their project cost, remain competitive and keep their customers.

- Offering meaningful training will help attract and retain workers to companies and the industry.
- Workers who are formally trained are typically more motivated in their careers, make better decisions and perform with a higher level of skill (with an investment of 1 percent of total project labor budget on training, there is an estimated 11 percent improvement rate in productivity).
- Human potential is replacing capital as the new dominant resource required for companies to expand and prosper.

Presenter: Michael Power of the Office of Workforce Opportunity will provide an overview of the process and answer your questions. To register for this event, [Click here](#)



### NH SECOND INJURY FUND MAY LIMIT YOUR COMPENSATION COST ONE OF ONLY 6 STATES WITH SECOND INJURY FUNDS OPEN TO CLAIMS

New Hampshire's Second Injury Fund gives employers an opportunity to limit their compensation costs in the event that an employee with a previous impairment sustains a worker's compensation injury. The worker's impairment can be of any type or cause, work related or not, as long as it is a permanent impairment and is serious enough to pose an obstacle to the worker in obtaining employment. The intent of the Second Injury Fund is to equalize the compensation cost that the employer and their insurance company must pay for impaired and non-impaired workers, thereby removing a potential barrier to the employment of previously injured or impaired workers.

The Fund will reimburse 50% of all medical and indemnity paid over \$10,000 within the first 104 weeks and 100% reimbursement thereafter on claims where the employer-known (in writing) pre-injury permanent impairment combines with the second injury to create a greater disability. Notice must be filed within 100 weeks of the date of injury or death.

Continued on page 2.



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### NH SECOND INJURY FUND MAY LIMIT YOUR COMPENSATION COST

ONE OF ONLY 6 STATES WITH SECOND INJURY FUNDS OPEN  
TO CLAIMS *continued...*

Initially, the claim for a re-injured worker is handled no differently than a normal claim. However, the employer's insurance company makes out a Second Injury Fund application. The amount of Second Injury Fund reimbursement to the insurance company varies depending on the date of injury and the amount of benefits paid. The amount of Second Injury Fund reimbursement to the insurance company varies depending on the date of injury and the amount of benefits paid. The second Injury Fund reimbursement is credited to the employer's account and the rebate is reflected in the employer's insurance premium. Employer's liability for worker's compensation costs are limited for impaired employees who become disabled from a work injury.

Before a case can be reimbursed, employers must take certain steps. At the time of hire, or as soon after hire as the information becomes known to the employer, employers must note in writing of their knowledge of the employee's impairment. In the event of a Second Injury Fund claim in the future, this written record will need to be produced as evidence that the employer knew of the worker's impairment prior to the subsequent injury. The written record can take any form you wish as long as:

- The information is recorded in writing.
- The record clearly identifies the employer, employee and the date that the record was created.
- The record presents information about the worker's limitations caused by the impairment.

This is the only step the employer needs to take. The insurance company will ask the employer for a copy of the record to initiate the process of applying to the second Injury Fund. If the record is not available, the case will not be eligible for reimbursement from the fund.

Notice of a possible claim against the Second Injury Fund must be provided by the insurance company within 100 weeks from the date of the worker's injury.

### USDOL TO BEGIN PREVAILING WAGE AND BENEFIT SURVEY FOR STATE OF VERMONT

#### *HERE IS SOMETHING I BET YOU DID NOT KNOW*

If you perform Federal prevailing wage projects, or if you may perform federal prevailing wage projects in the future, this information is for you: When establishing prevailing wage rates and fringe amounts for a county, if the total of all survey forms received by the Federal Department of Labor result in data for 6 or more employees in a classification (i.e. carpenter) and the data is from 3 or more companies on private (not federal prevailing wage) projects, then that is the data used to determine the wage and fringe amounts. If the Federal Department of Labor receives data below the 6 and 3 threshold, they will include any data submitted from federal prevailing wage projects. In other words, the amount of data needed to influence the wage and fringe amounts that you must pay on federal prevailing wage projects is not very great. **YOUR SURVEY DOES MAKE A DIFFERENCE.**



It is also worth noting that if 51% or more of submitted wage and fringe data for a classification is the same to the penny, that becomes the wage and fringe amount for that classification. The only data that is the same to the penny is data submitted for union contractors/projects by their respective union (collective bargaining agreements). Again, **YOUR SURVEY INFORMATION IS IMPORTANT AND MAKES A DIFFERENCE**. If you do not submit and contribute to the data, you may be enabling a union majority of survey forms and unrealistic, not truly prevailing, rates and fringe benefit amounts.

So, now is your chance! The US Department of Labor will be conducting a survey of Building, Heavy and Highway construction projects active and on-going between 2/1/16 and 1/31/17 in the state of Vermont. Any project with a value of \$2000 or more, public or private is included. At this time, the survey collection is scheduled to begin 5/1/17 and end 10/31/17. The electronic form is available at [US Department of Labor Link](#). Hard copies may be obtained by contacting ABC. PLEASE, if you would like assistance completing the forms contact ABC.



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### REMINDER, STATE OF VERMONT PREVAILING WAGE LAW CHANGES

Not to be confused with the Federal Prevailing Wage law (Davis Bacon), a reminder that Vermont's State Construction prevailing wage requirements have changed (**in bold**):

Starting July 1, 2016:

For State construction projects with a cost exceeding \$100,000.00 and which is authorized or funded in whole or in part by a capital construction act pursuant to 32 V.S.A. § 701a shall provide that all construction employees working on the project shall be paid no less than the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey **plus an additional fringe benefit of 42 and one-half percent of wage**, as calculated by the current Vermont prevailing wage survey.

Starting July 1, 2017:

For State construction projects with a cost exceeding \$100,000.00 **or construction projects with a cost exceeding \$200,000.00** which is authorized **and is at least 50 percent funded** by a capital construction act pursuant to 32 V.S.A. § 701a shall provide that all construction employees working on the project shall be paid no less than the mean prevailing wage published periodically by the Vermont Department of Labor in its occupational employment and wage survey **plus an additional fringe benefit of 42 and one-half percent of wage**, as calculated by the current Vermont prevailing wage survey.

“Fringe benefits” means benefits, including paid vacations and holidays, sick leave, employer contributions and reimbursements to health insurance and retirement benefits, and similar benefits that are incidents of employment.

For a manual with detailed information about the Vermont State Construction Prevailing Wage law, including the established wage rates by area, [Click here](#).



### ABC STEP Awards

Stand out from the rest.

Apply today for the ABC National STEP Program.

Safety is a Core Value—With STEP, You Can Build Upon It.

[Application Deadline May 5th](#)

[STEP Application Form](#)



### ABC Chapter Safety Awards

The ABC NH/VT Safety Awards are interested to convey ABC's strong support of safety performance in full Recognition of the fact that each firm has the responsibility for execution of safety, to ensure an overall safe workplace...

The deadline for this application is May 19th, 2017

[Get your Form here](#)



### Excellence in Construction Entry Form

Don't Miss out on your opportunity to highlight your company, projects and people.

All Applications must be received by 6/30/2017

[Get your Excellence in Construction entry form Today](#)



## Action News Letter

### New Hampshire/ Vermont Chapter

#### ABC YOUNG PROFESSIONALS GROUP ELECTS 2017 LEADERSHIP

Next event, Thursday, April 20, Red Hook Brewery



Congratulations to the 2017 Board members of the NH/VT Associated Builders and Contractors Young Professionals Group. They are planning events and activities to develop, empower, and connect young professionals in an effort to help enhance their professional development and business success within the construction industry:

Mark Makmann - 2017 Chair  
Metro Walls, Inc.

Greg Sereni - 2016 Chair  
Secondwind Water Systems, Inc.

Michael Browning - 2014 Chair  
Metro Walls, Inc.

Darren Standish  
Fulcrum Construction

Jeff Comeau - Treasurer  
Merrimack Building Supply

Matt Nadeau - Vice Chair  
Nathan Wechsler & Co.

Kaitlyn Gibson  
Fusion Mechanical Services

Katie Lopes  
North Branch Construction

Nicholas Morse  
EnviroVantage

Sean Hussey  
Thunderbolt Innovation

Michael Finnegan  
Granite Financial Partners

Teagan Simkins  
PROCON, Inc.

Carl Masteller  
Denron Plumbing and HVAC

Matthew V. Burrows, Esq.  
Gallagher, Callahan & Gartrell, P.C.

Mark your calendar and encourage emerging industry leaders to be at the next ABC YPG event:

Thursday, April 20, 2017

6:30pm 8:30pm

Redhook Brewery

[Click here to register](#)

You don't have to be a YPG member to attend! Registration includes a Redhook Brewery pint glass, brewery tour, beer samples, appetizers, and a 15% discount on full-priced items in the Redhook Brewery gift shop.

#### Up Coming Events



Only 1 week left to Register

Thursday, April 13, 2017  
Northern Region  
"Celebrate Spring"  
Join in the conversation and learn  
about how you can  
Fund your Training Program

[Register Today](#)



ABC NH/  
"Swing into Spring"  
Golf Tournament  
Friday, May 12, 2017  
At  
Breakfast Hill Golf Club

Foursome Price: \$820  
Singles Price: \$230

[Register now before it is full!](#)