HAPPY THANKSGIVING

Thanksgiving marks the start of another Holiday Season and the end of yet another year. This next month will be filled with family gatherings, holiday shopping, Hanukah, and Christmas and New Year’s Eve parties.

Our fall season here in the Midwest has been unseasonably warm, but has provided us with a taste of winter during this Thanksgiving weekend. This year Thanksgiving arrived very late in November, which means that Christmas will be here before we know it. This year, Thanksgiving has a very special meaning for the Shimerda family. Our middle daughter, Sarah, was married back in March. She and her husband, Noah, informed Cindy and me that we would be grandparents next March. She is beginning to “show” and Cindy had a baby shower for her over the weekend. We are most thankful that the pregnancy has been uneventful, and we are looking forward to spoiling our grandchild!

Thanksgiving, is a time to reflect on the many blessings that have been bestowed upon us and our families wherever they may be. We give thanks for living in America where we are truly free to live as we please and to worship as we please. We are truly blessed to live in a society where we have the opportunity to voice our opinions freely.

As Cindy and I reflect on our year, we as a family have much to be thankful for. God has continued to bless us with good friends and good health. Our daughter, Mary, continues her work with Woodmen Life Insurance company, daughter Sarah is going to be a first-time mother, and Anna, the accountant, still works for the accounting firm, KPMG, and is based out of their Omaha office. She travels most every week and continues to bank her frequent flyer miles and Marriott points!

As we reflect upon our many blessings, it is also important to reflect upon those among us who are less fortunate in health and prosperity. We extend our sympathies and prayers to those families that have lost a loved one this past year. We have experienced the loss of loved ones within the MICA family of members. At this time of Thanksgiving, we reflect on their lives and how we have been blessed with knowing them and sharing in the memories.

The concern for others and the willingness to help out has been and continues to be an endearing trait among MICA members. As current members struggle, you are there to support them. As new members join our MICA family, you all welcome them and make them feel at home. But most of all, you are all willing to help them become better insulation professionals. You come from such diverse backgrounds, but you all reflect true Christian values in your personal and professional lives. Our association is truly blessed to have such strong members. Cindy, our daughters, and I are most grateful to be a part of MICA and to have MICA a part of us. You have made and continue to make MICA a blessing to our family.

Tom Shimerda, MICA Executive Secretary
PRESIDENT’S MESSAGE

TO: THE MICA MEMBERSHIP

Hello MICA!!!

I hope everyone is having a good November to date! Thanksgiving is upon us, and I’m very excited to spend it with my family, enjoying some good food and football. Of course, that means many of us will be traveling for the holiday season.

As I write this, we are experiencing our first snow of the season. This is a great time to get vehicles ready for winter driving. Here is a checklist and tips for safe winter driving as provided by safercar.gov and the NHTSA.

- **Get your vehicle serviced** – No one wants to break down in cold or snowy winter weather.
- **Check your battery** – When the temperature drops, so does the battery power. It often takes more battery power to start a vehicle in cold weather.
- **Check your cooling system** – Make sure you have enough coolant and that the mix of coolant to water is sufficient for your region of the country.
- **Fill your windshield washer reservoir** – Make sure the reservoir is filled before a snowstorm, especially with “no-freeze” fluid.
- **Check your windshield wipers and defrosters** – Safe winter driving depends on maintaining the best visibility possible.
- **Verify floor mat installation** – Incorrect or improperly installed floor mats in your vehicle may interfere with the operations of the accelerator or brake pedal.
- **Inspect your tires** – Make sure they are properly inflated, the tread is sufficient with no uneven wear and that the rubber is in good overall condition.
- **Know your vehicle** – Every vehicle handles differently; especially when driving on wet, icy or snowy roads. Take time to learn how to best handle your vehicle under winter weather driving conditions.
- **Plan your travel and route** – Keep yourself and others safe by planning ahead. Check the weather, road conditions and traffic. Don’t rush and allow plenty of time. Keep your gas tank close to full.
- **Stock your vehicle** – Carry items in your vehicle to handle common winter driving tasks, such as cleaning off your windshield, as well as supplies that you might need in an emergency.
- **Learn what to do in a winter emergency** – If you are stopped or stalled in winter weather, follow these safety rules:
  - Stay with your car and don’t overexert yourself.
  - Put bright markers on the antenna or window and keep the interior dome light turned on.
  - To avoid asphyxiation from carbon monoxide poisoning, don’t run your car for long periods of time with windows up or in an enclosed space. If you must run your vehicle, clear the exhaust pipe of any snow and run it only sporadically – just long enough to stay warm.
- **Protect yourself and your loved ones** – Always wear seatbelts, don’t text or engage in any activities that may distract while driving, and never leave children unattended.

Go Hawkeyes!!!!!

Nathan Heilman
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<td>708-352-9663</td>
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OSHA SEEKS PUBLIC COMMENT AS IT UPDATES SAFETY AND HEALTH PROGRAM MANAGEMENT GUIDELINES

The U.S. Department of Labor’s Occupational Safety and Health Administration is seeking public comment on an updated version of its voluntary Safety and Health Program Management Guidelines. First published in 1989, the guidelines are being updated to reflect modern technology and practices.

These guidelines are intended to help employers establish health and safety management plans at their workplaces. Key principles include finding and fixing hazards before they cause injury or illness, and making sure that workers have a voice in safety and health.

The updated guidelines should be particularly helpful to small- and medium-sized businesses. They also address ways in which multiple employers at the same worksite can coordinate efforts to make sure all workers are protected.

"The goal of safety and health management is to prevent workplace injuries, illnesses and deaths," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "Employers who embrace these guidelines will experience lower injury and illness rates, and their progress in improving the safety culture at their worksites will contribute to higher productivity, reduced costs and greater worker satisfaction."

For more information and to review the draft guidelines and provide comment, visit OSHA’s Safety and Health Program Management webpage. Comments will be accepted until Feb. 15, 2016. Comments can also be posted directly to www.regulations.gov using Docket #OSHA-2015-0018.

The guidelines are advisory only and do not create any new legal obligations or alter existing obligations created by OSHA standards or regulations.

OSHA REQUESTS COMMENTS ON GUIDANCE DOCUMENT THAT ADDRESSES WHISTLEBLOWER RETALIATION

The Occupational Safety and Health Administration is seeking comments on a draft document intended to help employers develop a program to protect employees from retaliation when they raise concerns about workplace con-
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**Protecting Whistleblowers: Recommended Practices for Employers for Preventing and Addressing Retaliation** will help employers create a non-retaliatory environment in the workplace and will provide practical guidance on protecting whistleblower rights for public, private, and non-profit employers. The document contains sections on how to ensure leadership commitment, foster an anti-retaliation culture, respond to reports of retaliation, conduct anti-retaliation training, and monitor Progress and Program Improvement.

The draft document is based on recommendations of the Whistleblower Protection Advisory Committee in its document, *Best Practices for Protecting Whistleblowers and Preventing and Addressing Retaliation*.

The Occupational Safety and Health Act prohibits employers from retaliating against employees for exercising their rights under the OSH Act. OSHA also enforces the whistleblower protection provisions of 21 other statutes relating to asbestos in schools, cargo container safety, aviation safety, commercial motor carrier safety, consumer product safety, environmental protection, consumer financial protection, food safety, health insurance reform, motor vehicle safety, nuclear safety, pipeline safety, public transportation safety, railroad safety, maritime safety, and securities laws. For more information, please visit www.whistleblowers.gov.

Comments on the document will be accepted until Jan. 19, 2016, and will be considered by OSHA when preparing the final document for issuance.

We are especially interested in comments related to ensuring that:
- Anti-retaliation concepts are described clearly,
- Important features of an anti-retaliation program are included,
- Challenges in implementing these practices are addressed,
- Issues specific to small businesses are addressed.

Comments should be submitted to www.regulations.gov using the docket number OSHA-2015-0025. Please note that all comments will be publicly posted as written; do not submit personally identifiable information such as Social Security numbers and birthdates.
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RESEARCHERS CONCLUDE THAT OSHA CITATIONS, PENALTIES REDUCE WORKPLACE INJURIES

A new study from the Institute for Work and Health concludes that citations with penalties from inspections reduce workplace injuries. Researchers performed a systematic review to determine the effectiveness of the enforcement of occupational safety and health regulation in creating incentives for firms to focus on safety and health issues. While mixed evidence was found on the effectiveness of the general threat of an inspection, the study found strong evidence that actual citations and penalties reduce the frequency or severity of injuries.

This study builds on the findings from several other recent studies showing that injury rates decrease at an establishment in the years following an OSHA inspection. "This confirms what we have been saying for a long time – that OSHA inspections and penalties are important and effective components of a comprehensive strategy to improve workplace safety and health," said Assistant Secretary Dr. David Michaels. "That's why we have made strong, fair and effective enforcement one of OSHA's primary objectives in this Administration." To better meet this goal, OSHA recently changed the way it measures its inspections to give greater weight to those that are more impactful.

OSHA’s mission is to assure safe and healthful workplaces by setting and enforcing standards and by providing training and education, outreach, and compliance assistance to employers and workers.

U.S. LABOR DEPARTMENT PROPOSES RULE TO HELP EMPLOYERS, SPONSORS GROW, DIVERSIFY THEIR APPRENTICESHIP PROGRAMS

The U.S. Department of Labor’s Employment and Training Administration announced a proposed rule to update existing Equal Employment Opportunity regulations for Registered Apprenticeship programs. The proposed rule would serve to ensure equal opportunity for all Americans to take part in these apprenticeship programs regardless of race, sex, color, national origin, disability, age, genetic

(Continued on page 15)
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R-value

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The proposed rule would improve on existing regulations by:

- Extending protections against discrimination to include a broader swath of America's workforce, including protections based on disability, age (40 or older), sexual orientation, and genetic information.

- Simplifying and clarifying the affirmative steps employers and sponsors must take to ensure equal opportunity in apprenticeship.

- Providing new apprenticeship programs with more time to develop initial affirmative action programs, as well as providing all apprenticeship programs that meet their responsibilities under the rule with additional flexibility in how often they must update their plans.

- Simplifying and clearly defining the process for analyzing the talent available in the labor market to establish clear and achievable goals for diversity in apprenticeship.

- Clarifying the outreach, recruitment, and retention activities expected of employers by specifying four specific and common-sense required activities, such as advertising openings and partnering with educational institutions to recruit diverse talent.

- Creating a more flexible framework for the Office of Apprenticeship and States to provide technical assistance and work with apprenticeship programs that are not meeting their affirmative action responsibilities to bring them back into compliance.

The public will have until Jan. 5, 2016, to provide comments on the proposed rule. Comments can be submitted electronically at http://www.regulations.gov. Additional information about the proposed rule is available at www.doleta.gov/oa/eeo.

GET READY FOR MORE COSTLY FINES IN 2016...

While President Obama has not yet signed it into law, a new budget bill has already been passed through Congress and the Senate with language that approves OSHA fines being increased substantially in 2016. This federal budget bill has been agreed upon between Republicans in Congress and the Obama administration. The fines could increase almost 80% in one year and increase annually by the rate of inflation thereafter.

One section of the bill entitled, "Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015," states that OSHA would be allowed a "catch up adjustment," apparently dating back to the last time OSHA fines were increased in 1990.

From October 1990 to September 2015, the Consumer Price Index, upon which the increase would be based, rose 78.24%.

As an example, applying that increase to the current maximum, OSHA penalties would produce these results:

- The maximum repeat or willful violation fine would increase from $70,000 now to $124,768, and

- The maximum serious violation fine would increase from $7,000 to $12,477.

The bill calls for the adjustment to "take effect not later than August 1, 2016." Along with the one-time catch-up increase, OSHA penalties could increase each year using the CPI. This is similar to other agencies, who do the same thing including the FDA, EPA and EEOC. "Unscrupulous employers often consider it more cost effective to pay the minimal OSHA penalty and continue to operate an unsafe workplace than to correct the underlying health and safety problem," OSHA chief David Michaels said about previous bills that would increase agency penalties.
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THE PASSING OF EDGAR T. BEVERAGE, SR.

Ed Beverage, known to family and friends as “Eddie” or “Dr. Drink”, passed away suddenly while on business in Bangkok, Thailand on October 18, 2015.

He was born in Mansfield, Ohio but has lived most of his life in the Akron area. Ed graduated from Akron Garfield High in 1969 and joined the Army Reserve and National Guard from 1970 to 1975. He worked for George J. Meyer/Akron Package Machinery from 1971 to 1988. In the fall of 1988 he became a valued partner and friend of The Miller Group. He met the love of his life in 1983 and they married in 1987. They combined their two families and lived in Hartville for the past 28 years.

Eddie loved to travel with his beloved wife, Aggie. Their favorite places included Puerto Rico in the winter and Palm Desert, California in the fall. When not traveling, he enjoyed just staying home and working together on their 3½ acre property, or his many cars and tractors. He also enjoyed dining out at their favorite restaurants like “The Bistro, Flemings and Louie’s”. Ed was a family man through and through, he loved to have his children and grandchildren around. On special occasions he would get his Corvette or Model A out and they would stand in line for a ride with “Papaw”. Friends were always welcome for cocktails at the “Beverages”, he loved it when they stopped by.

Bill Miller, long-time MICA member, informed us of the passing of his partner and good friend, Ed. Even though Ed was not an active participant in MICA, he was a staunch supporter of the insulation industry and association involvement. Ed actively participated in the Central States Insulation Association. For those who knew Ed, he will be missed. Cards of sympathy for the family may be sent in care of Bill Miller at The Miller Group, P.O. Box 14570, Copley, OH 44321.

EEOC ISSUES FISCAL YEAR 2015 PERFORMANCE REPORT

The U.S. Equal Employment Opportunity Commission (EEOC) achieved record results in its enforcement efforts during fiscal year 2015, which ended Sept. 30, the agency reported in its annual Performance and Accountability Report.

"In this 50th anniversary year of the Commission, we recognize the progress we have made and the challenges we have ahead," said EEOC Chair Jenny R. Yang. "This is a pivotal moment to renew our national commitment to combating discrimination. There is a growing awareness across racial and ethnic lines—that we must do more as a country to address issues of equality. As we look ahead to the challenges that remain, our country must continue to invest the resources necessary to fulfill the promise of equal employment opportunity."

Significant agency accomplishments in fiscal year 2015 include the following.

EEOC secured more than $525 million for victims of discrimination in private, state and local government, and federal workplaces. This included $356.6 million for victims of employment discrimination in private sector and state and local government workplaces through mediation, conciliation, and settlements; $65.3 million for charging parties through litigation; and $105.7 million for federal employees and applicants. Importantly, in each of these categories, the agency obtained substantial changes to discriminatory practices to remedy violations of equal employment opportunity laws and prevent future discriminatory conduct in the workplace.

Systemic cases address patterns or practices of discrimination or policies that have a broad impact on a region, industry, or a group of employees or job applicants. In fiscal year 2015, EEOC resolved 268 systemic investigations before filing litigation, obtaining more than $33.5 million in remedies. In litigation, EEOC resolved 26 systemic cases, six of which included at least 50 victims of discrimination and 13 that included at least 20 victims.

The agency's outreach programs reached 336,855 people during the year through participation in 3,700 no-cost educational, training and outreach events. EEOC's national Training Institute trained over 12,000 individuals at more than 140 events that focused on the agency's Strategic Enforcement Plan (SEP) priorities, including small businesses, vulnerable workers, underserved geographic areas and communities, and emphasized new statutory responsibilities, issues related to migrant workers, human trafficking and youth.

EEOC achieved record success in its conciliation of private-sector charges, with 44 percent of conciliations successfully resolved and 64 percent of systemic investigations resulting in voluntary resolutions. These achievements helped EEOC better managed its charge workload, leading to a 6 percent increase in charge resolutions, even as workers filed more charges of discrimination compared to fiscal year 2014. EEOC resolved 92,641 charges (Continued on page 21)
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and received 89,385 charges in fiscal year 2015.

EEOC filed 142 lawsuits alleging discrimination during fiscal year 2015. This included 100 individual suits and 42 suits involving multiple victims or discriminatory policies (versus discriminatory treatment), of which 16 were systemic suits. Legal staff resolved 155 lawsuits alleging discrimination. At the end of the fiscal year, EEOC had 218 cases on its active docket, of which 48 (22 percent) involved challenges to systemic discrimination and 40 (18 percent) were multiple-victim cases.

In our federal sector program, the agency resolved 6,360 hearings complaints and secured more than $94.9 million in relief for federal employees. EEOC also resolved 3,850 appeals of agency decisions on federal sector complaints, including 42.4 percent of them within 180 days of receipt, and secured more than $10.7 million in relief.

In fiscal year 2015, EEOC continued to implement its Strategic Plan for Fiscal Years 2012-2016, which the Office of Management and Budget authorized the Commission to extend through fiscal year 2018, and the related SEP.


NEW CONSTRUCTION STARTS IN 2016 TO GROW 6% TO $712 BILLION ACCORDING TO DODGE DATA & ANALYTICS

Dodge Data & Analytics (http://www.construction.com) released its 2016 Dodge Construction Outlook, a mainstay in construction industry forecasting and business planning. The report predicts that total U.S. construction starts for 2016 will rise 6% to $712 billion, following gains of 9% in 2014 and an estimated 13% in 2015.

“The expansion for the construction industry has been underway for several years now, with varying contributions from each of the major sectors,” stated Robert Murray, chief economist for Dodge Data & Analytics. “Total construction activity, as measured by the construction starts data, is on track this year to record the strongest annual gain so far in the current expansion, advancing 13%. Much of this year’s lift has come from non-building construction, reflecting the start of several massive liquefied natural gas terminals in the Gulf Coast region, as well as renewed growth for new power plant

(Continued on page 30)
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The 2016 pattern by more specific sectors is the following:

- Single family housing will rise 20% in dollars, corresponding to a 17% increase in units to 805,000 (Dodge basis). Access to home mortgage loans is improving, and some of the caution exercised by potential homebuyers will ease with continued employment growth.

- Multifamily housing will increase 7% in dollars and 5% in units to 480,000 (Dodge basis), slower than the gains in 2015 but still growth. Low vacancies, rising rents, and the demand for apartments from Millennials will encourage more development.

- Commercial building will increase 11%, up from the 4% gain estimated for 2015. Office construction will resume its leading role in the commercial building upturn, aided by more private development as well as construction activity related to technology and finance firms.

- Institutional building will advance 9%, picking up the pace after the 6% rise in 2015. The educational facilities category is seeing an increasing amount of K-12 school construction, supported by the passage of recent school construction bond measures.

- Manufacturing plant construction will recede an additional 1% in dollar terms, following the steep 28% plunge for 2015 that reflected the pullback by large petrochemical plant starts.

- Public works will be flat with its 2015 amount, as a modest reduction for highways and bridges is balanced by some improvement for the environmental public works categories. A new multiyear federal transportation bill is being considered by Congress, and is expected to achieve passage in late 2015 or during the first half of 2016. The benefits of that bill will show up at the construction site later in 2016 and into 2017.

- Electric utilities and gas plants will fall 43% after a sharp 159% jump in 2015. The lift coming from new starts for liquefied natural gas export terminals will be substantially less, and new power plant starts will recede moderately.

The 2016 Dodge Construction Outlook was presented at the 77th annual Outlook Executive Conference held by Dodge Data & Analytics in Washington, D.C. Copies of the report with additional details by building sector can be ordered athttp://analyticsstore.construction.com/index.php/2016-dodge- construction-outlook?sourcekey=PRESREL.

DODGE MOMENTUM INDEX DECLINES IN OCTOBER

NEW YORK – November 6, 2015 – The Dodge Momentum Index fell 4.8% in October to 125.2 (2000=100) from its September reading of 131.5. The Momentum Index is a monthly measure of the first (or initial) report for nonresidential building projects in planning, which have been shown to lead construction spending for nonresidential buildings by a full year. The October decline for the Momentum Index nearly reverses September’s large gain (up 5.2%), which had been fueled by a sharp jump for institutional building projects at the planning stage. The institutional building sector so far in 2015 has trended upward, but with some volatility on a month-to-month basis that’s reminiscent of this sector’s upturn in the early stages of its prior recovery back in the previous decade. In October, planning for institutional building projects dropped 4.5% after surging 10.6% in September, while commercial building projects retreated 5.0% after September’s 1.7% gain. Compared to the same month a year ago, the Momentum Index in October was still up 4.8%, with increases for both the commercial and institutional sectors, up 6.3% and 2.6% respectively.

There were a total of eight projects entering planning in October with a value that exceeded $100 million. For the commercial building sector, the leading projects were a $500 million mixed-use facility at the Mall of America in Minneapolis MN and a $151 million warehouse and distribution complex in Newark NJ. For the institutional building sector, the leading projects were a $350 million hospital in Washington DC and a $110 million hospital in Bethesda MD.
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