The annual fall business meeting is now history. We again had near record attendance for a fall business meeting. The following is a recap of those in attendance:

- **Members**: 152
- **Speakers & Guests**: 5
- **Total Attending**: 157

The fall business meeting really began with a half-day pre-meeting seminar on **Fall Protection** that was held on Tuesday afternoon, October 20, 2015. Forty-two members attended the seminar. Mark Damon with Damon, Inc., in Brookings, Oregon, was the seminar leader. He provided the members with ideas and techniques for improving fall protection safety that they could take back to their businesses for implementation. Mark discussed the following topics during the seminar:

- **History of Fall Protection**
- **OSHA Standards for Fall Protection**
- **Proper Inspection of Equipment**
- **Proper Use of Fall Protection Equipment**

We began the fall business meeting with committee meetings and a Board meeting on Wednesday morning. During the meeting, the Board approved the 2016 operating budget. The Board voted **not** to increase the annual membership dues. This is the **fourth year** that the annual dues will remain at $675 for contractor member firms and $475 for associate member firms. The advertising rates for 2016 will remain at the same level as last year. The Board is very appreciative of our members’ financial support and anticipates a 100% renewal in 2016.

Gary Auman, MICA’s legal counsel, gave the first of his two-part presentation on Wednesday. He provided the members with an update on OSHA’s **confined spaces in construction final rule**. This rule took effect on August 3, 2015, and was fully enforceable starting on October 2, 2015. Gary discussed the definition of a “confined space” and explained how such spaces can and do affect the insulation contractors on most projects. He stressed the importance of having a “competent person” evaluate every job site prior to the start of work in order to identify any confined spaces that may impact the worker. If you would like a copy of his slide presentation, contact the MICA office, and we will send you a copy.

The second presentation on Wednesday was conducted by MICA Board members, Chip Dorsey and Nate Brink, President of the Associate members of MICA. They presented a concept and proposal to help identify product modification and product development from a targeted application audience. The proposal was to develop a contractor survey to assist in identifying missing or desired attributes of products manufactured for the insulation industry by MICA associate member firms. The concept was supported by the attendees and Nate and Chip will be developing the survey instrument over the next couple of months.

On Wednesday afternoon, we once again held our three concurrent forums dealing with member issues. We had a union contractor forum, an open shop contractor forum, and an associate member forum, all running simultaneously. This approach allowed all of the members to participate in craft issues without being part of a formal committee. All three sessions were very well attended.

(Continued on page 5)
PRESIDENT’S MESSAGE

TO: THE MICA MEMBERSHIP

Hello MICA!!!

I hope everyone had a great October!

As we head into November, it is a great opportunity to reflect on the successful fall business meeting that was held October 20-22, 2015, in Omaha, NE. I have always enjoyed that the event has been in Omaha. The Embassy Suites has been a perfect host location. The Old Market has its own character and history, but most importantly, the setting allows for collaborating with the MICA family. I have enjoyed the friendships that I have developed over the years at MICA, and I am grateful to be a part of such a great organization.

We had a good number of people attend the pre-meeting safety seminar on Tuesday. The topic was fall protection conducted by Mark Damon (president of Damon, Inc.). He made fall protection really interesting with some history, a drop truck that included live demonstrations as well as some examples of fall protection equipment and accessories. Immediately following the presentation was a table-top display of safety products offered by some of our associate members.

There was a great turnout for the regular fall business meeting. There were a little over 155 registered members and speakers in attendance. We had several good presentations throughout the event. One of the presentations was conducted by Jeff Seeley (CEO of Carew Inter-

national). His topic was on how to effectively market ourselves to clients. Thanks to all the speakers and to all the associates that participated in the table-top displays.

Thanksgiving is just a few weeks away. What a great time of the year to spend with family, count our many blessings, eat some good food, and of course, watch some football.

For those of you frying a turkey, here are some safety tips.
1. **Stay Away from The House** – Set up the turkey fryer more than 10 feet away from your home and keep children and pets away. Never leave it unattended.
2. **Find Flat Ground** – The oil must be even and steady at all times to ensure safety. Place the fryer on a flat, level surface and carefully gauge the amount of oil needed.
3. **Use a Thawed and Dry Turkey** – Make sure your Thanksgiving turkey is completely thawed and dry. Extra water will cause the oil to bubble furiously and spill over. If oil spills from the fryer onto the burner, it can cause a fire.
4. **Monitor the Temp** – Use caution when touching the turkey fryer. The lid and handle can become very hot and could cause burns. Also be sure to keep track of the oil’s temperature - some fryers do not have their own thermostats.
5. **Be Prepared** – Have a fire extinguisher (multipurpose, dry-powder) ready at all times in the event that the oil ignites.

How is your favorite football team doing?

Go Hawkeyes!!!!!

Nathan Heilman
MICA President
(Continued from page 1)

Our Wednesday evening reception included table top displays by 33 of our associate member firms that are classified as manufacturers. The reception and table top displays were open for viewing for 90 minutes, and the members actively participated for the entire session.

We began the Thursday morning session with a presentation by Jeff Seeley, Chief Executive Officer of Carew International, a leading sales training and leadership development provider. Jeff’s presentation combined both interpersonal and functional skills into a strategically focused experience. The first part of the program focused on the importance of effective listening and provided the mental framework for letting the customer know that you are interested, care and want to be helpful. The second part provided a strategic thought process for discovering the customer’s individual differences.

Julie Schmitz and Premal Kadakia with Heartland Financial USA, Inc., gave a presentation on the value that commercial and purchasing card programs can bring to your business and how these programs can help increase your company’s profitability. This was a most informative presentation.

We concluded the meeting with a two-part presentation on asbestos containing material and the OSHA requirements when dealing with hazardous materials. Randy Milbrath, Senior Project Manager with Terracon Consultants, Inc., in Omaha, gave us a refresher on asbestos, why it was used, and the need to identify asbestos containing materials in buildings. Gary Auman followed up the refresher with a review of the OSHA rules regarding hazardous material. He again stressed the need for and use of a “competent person” on the job site.

The fall business meeting was designed to help members to “Think Safety”, and they did. Our record attendance was a testament to our members’ involvement in their industry association.

The members were reminded of the winter Board and committee meetings that are scheduled for January 21 — 24, 2016, in Key West, Florida.

You are all encouraged to begin planning your attendance at our 59th annual spring convention to be held June 20 — 23, 2016, at the Chateau on the Lake Resort in Branson, Missouri.
VERTICAL STANDING SEAM PANEL INSULATION SYSTEM

Cost Effective • Low Maintenance • Custom Manufactured
High Quality • Superior Longevity • Easy Installation

ATTENTION
Insulation Contractors!

RIDGLOK IS THE BEST CHOICE FOR A FAST AND SIMPLE INSTALL. CALL OUR EXPERTS TO LEARN MORE.

MINIMAL DOWN TIME DURING INSTALLATION

855.RIDGLOK • RIDGLOK.COM
Manufacturer of the patented IPS Inspection Port, the cost effective way to access piping and vessels when performing CUI inspections.

Features and Benefits:
- Watertight Seal without Screws, O-Rings or Caulk
- Installs Easily without Special Tools
- Reduces Installation Time

PICTURES FROM THE FALL SEMINAR
Dyplast is the right choice for energy efficiency and economics for mechanical pipe insulation.
Tested, Vetted and Proven

FABRICATED PIPE
- Isocyanurate
- Extruded Polystyrene
- Foamglas®

INSULATION SUPPLIES
- PVC Jacketing
- Fittings
- Metal Jacket
- Rubber & fiberglass

EASY ORDERING · FAST TURNOVER · SUPERIOR CUSTOMER SERVICE

816-756-2000 · Fax 816-756-2002 · Toll Free 1-800-882-0110
3327 Roanoke Rd · KCMO 64111
Results from the Bureau of Labor Statistics' Survey of Occupational Injuries and Illnesses released recently show that private industry employers reported nearly 3 million non-fatal workplace injuries and illnesses in 2014. While the total recordable cases incidence rate fell 0.1 cases per 100 full-time workers, the rates for cases involving days away from work and for cases of job transfer or restriction only were unchanged.

After reviewing the report, Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels issued the following statement:

"Today's Bureau of Labor Statistics report shows that too many workers are still being injured or sickened on the job. Every year, millions of workers are injured at work and that is simply unacceptable. We must redouble our efforts to make sure that employers provide workers with the protections and training they deserve”.

"Workplace injuries and illnesses have a devastating effect on workers, their families, and the businesses where they occur. These injuries and illnesses contribute to the pressing issue of income inequality: they force working families out of the middle class and into poverty, and keep the families of lower-wage workers from entering the middle class and achieving the American Dream”.

"Everyone benefits when there are fewer injuries and illnesses. OSHA is committed to continue increased efforts to ensure every employer is fulfilling its responsibility to protect the safety and health of its workers."
Your Customers Are Concerned About...

Corrosion Under Insulation (CUI)

NDTSeals.com
800.261.6261

Clip and Keep

Quality Fabricated Industrial & Commercial Insulation Products

Obed Mendoza
General Manager
obed@ptffabricators.com

Quality and Excellence
The Right Fit Every Time
Any Piping Configuration

"There is a PTF solution for every conceivable insulation task."

Obed Mendoza

What We Do

Fabricated Pipe
Extruded Polystyrene
Foamglas®
Isocyanurate
Phenolic

Insulation Supplies
Fittings
Metal Jacket
PVC Jacketing
Rubber & fiberglass
PICTURES FROM THE FALL BUSINESS MEETING
The Original Choice in Insulation
Since 1943
We started our fall business meeting with a pre-meeting seminar on fall protection safety. Our legal counsel, Gary Auman, reiterated the importance of safety and the necessity for a well structured company safety program. We then reviewed the importance of providing an asbestos free work environment for our employees. The following three articles are reasons why we, as a professional trade association, continue to help educate you on sound business practices:

**ROOFING CONTRACTOR CITED FOR EXPOSING WORKERS TO FALL HAZARDS**

Peak Roofing Inc. in Abilene, Texas, fined $53,900

Employer’s name: Peak Roofing Inc. in Abilene, Texas

Citations issued: Oct. 21, 2015

Investigation findings: The company was cited for one willful violation for exposing workers at a jobsite in Abilene, Texas, to falls from heights greater than six feet without providing fall protection. Peak Roofing has been cited for exposing workers to fall hazards at three different workplace locations in Texas since 2011. In May, the U.S. Department of Labor’s Occupational Safety and Health Administration opened the investigation after receiving a complaint. As part of a nationwide outreach campaign, OSHA is working to raise awareness among workers and employers about the hazards of falls from ladders, scaffolds and roofs.

Proposed Penalties: $53,900

Quote: “Falls in construction are preventable. It is the employer’s responsibility to plan ahead to provide the right equipment and train everyone to use the equipment safely,” said Elizabeth Linda Routh, OSHA’s area director in Lubbock.

Information: Peak Roofing, a roofing contractor headquartered in Houston, has 15 business days from receipt of its citations to comply, request an informal conference with OSHA’s area director, or contest the citations and penalties before the independent Occupational Safety and Health Review Commission.

**OSHA CITES BROOKLYN CONTRACTOR FOR FATAL WORKER FALL**

NEW YORK - Vidal Sanchez fell to his death at a Brooklyn work site on April 1, 2015. It should not have happened.

The 51-year-old laborer, who worked for Brooklyn-based J&M Metro General Contracting Corp., fell while raking freshly poured concrete at the unprotected 6th floor edge of a building under construction at 360 Neptune Ave. in Brighton Beach.

An inspection by the U.S. Department of Labor’s Occupational Safety and Health Administration found that Sanchez and his co-workers were not provided required fall protection equipment, such as harnesses and lifelines, and their employer had not trained them on how to minimize fall hazards. As a result of its findings, OSHA cited J&M Metro General Contracting on Sept. 30 for one willful violation for the lack of fall protection and five serious violations for the other hazards.

“Mr. Sanchez’s death could have been prevented by J&M Metro General Contracting,” said Kay Gee, OSHA’s area director for Brooklyn, Manhattan and Queens. “This employer knew fall protection was required, but did not supply lifesaving equipment that would have prevented this fall.”

OSHA’s inspection identified other fall-related hazards, including missing stairway guardrails, a defective extension ladder, unprotected floor holes and construction debris in stairways and work areas.

“Too many construction workers die needlessly in falls each year. This includes nine such employees in New York City this year,” said Robert Kulick, OSHA’s regional administrator in New York. “We remind employers that these are people, not numbers. Employers must use appropriate and effective required fall protection measures at all times.”

To raise public awareness and reduce fall-related hazards and injuries, OSHA has an ongoing Fall Protection Campaign to help workers and employers identify and address fall hazards and safeguards.

J&M Metro General Contracting faces $84,600 in proposed fines. The company has 15 business days from (Continued on page 18)
Distribution International acquires: Insulation Fabricators, Inc. (IFI) is now owned by Distribution International.

Certain things go better together — like pipes and custom-fitted insulation. Like next-day turnaround and on-time delivery. Like a global supply network and one-to-one client support. With insulation expertise that spans more than three decades and five custom fabrication facilities throughout the Midwest, IFI shares DI’s commitment to delivering a consistently higher degree of customer satisfaction: a more-than-welcome addition to the DI family.

Ted McNabb, President and CEO
INSULATION FABRICATORS, INC. (IFI)

Contact:
sales@tepinc.com

Locations:
North Dakota Office
2702 7th Ave S
Fargo, ND 58103
(701) 237-0071 phone
(701) 232-0400 fax

California Office
114 Viking Ave
Brea California 92821

IPS
INSPECTION PLUG STRATEGIES, LLC
SEAL YOUR NDT INSPECTION POINTS QUICKLY, EASILY AND STRATEGICALLY WITH THE TRULY WATERTIGHT SYSTEM.

TMLX SILICONE®
INSPECTION PORT
Patented

• We also manufacture:
• System II Inspection Ports
• System V Inspection Ports
• TML Inspection Ports
• Labels in various styles and sizes

☑️ Designed for use with aerogel blanket applications
☑️ Also fits traditional thicker insulations
☑️ Self-sealing attachment with smooth and corrugated jacketing
☑️ Installs without screws but accommodates them if needed

INSPECTION PLUG STRATEGIES, LLC
2437 Bay Area Blvd. #147 • Houston, TX 77058
Phone: 281-480-4406 • 1-800-914-4406 • Fax: 281-486-4363
mcb@inspectionplugstrategies.com • www.InspectionPlugStrategies.com
receipt of its citations and proposed penalties to comply, meet with OSHA’s area director, or contest the findings before the independent Occupational Safety and Health Review Commission.

**CHICAGO ROOFERS EXPOSED TO DANGEROUS ASBESTOS HAZARDS**

**Employer names:** Continental Contractors, Niles, Illinois and Local Roofing Inc., Gurnee, Illinois

**Citations received:** Oct. 16, 2015

**Investigation findings:** The U.S. Department of Labor's Occupational Safety and Health Administration's Chicago North Area Office cited a contractor and subcontractor for exposing workers to asbestos hazards while replacing a commercial roof in the 4200 block of N. Knox in Chicago.

Continental Contractors was cited for 11 serious violations carrying proposed penalties of $21,600. Local Roofing, which had been subcontracted to demolish, remove and replace the building's roofing system, was issued nine serious violations carrying proposed penalties of $48,510.

The companies were cited for failing to:

- Conduct an exposure assessment for asbestos.
- Establish a respiratory protection program.
- Use engineering controls such as a HEPA vacuum and dry sweeping to clean-up material likely to contain asbestos.
- Train workers on asbestos hazards.
- Provide personal protective clothing.

**Quote:** "Asbestos exposure can cause chronic lung disease and cancer. No worker should be exposed to this potentially life-ending substance without being trained and provided protective equipment," said Angeline Loftus, OSHA's area director for the Chicago North office in Des Plaines.

**SKILLED LABOR SHORTAGE INTENSIFIES DESPITE ECONOMIC RECOVERY, ACCORDING TO FMI 2015 TALENT DEVELOPMENT SURVEY**

FMI Corp, a leading provider of investment banking and management consulting services for the engineering and construction industry, has just released its 2015 Talent Development Survey in the Construction Industry, and the results reveal intensifying labor shortages, a widening gap between employer offerings and employee demands, and a lack of standard processes and frameworks among the top findings in the survey.

“People-development is critical to companies’ future success and ability to stay competitive. It is especially important in an environment of skilled labor shortage and increasing competition.” said Chris Daum, president of FMI Capital Advisors. “Firms need to have strategic and holistic processes in place for recruiting and retaining talent in order to stay viable today and in the future.”

The survey, taking insights from executives and employees of companies in the E&C industry, presents findings on various aspects of people development, including talent retaining, labor force structure and dynamics, standard processes and frameworks, measurements, succession plans and corresponding company development strategies. The survey examines the challenges and trends impacting the construction industry as well as identifies the training strategies that are now required to maximize performance and development.

**Skilled Labor Shortage Grew Over 30 Percent**

One of the leading findings is that skilled labor shortages are intensifying and broadly affecting construction firms. The survey shows 86% of respondents reported that their company was experiencing skilled labor shortages, compared with only 53% two years ago, a 30% increase in the gap. This situation stems from the structural mismatch of labor capabilities and employer demands, as well as the continuing fallout of the last recession. Moreover, the extent of labor shortages is probably more severe than expected and is starting to impact construction firms nationwide.

The survey also reveals an intriguing mismatch where employee engagement is concerned, especially among millennials. Employers surveyed cite offering competitive pay (89%), providing an enjoyable work environment (81%) and offering training opportunities (76%) as the top-three methods they use to retain key talent in the
Setting The Standard for 32 Years

We specialize in fabricating custom heads.

Custom fabrication of rigid insulation into shapes and sizes for all kinds of pipes, fittings, valves, vessels and specialty heads.

- STYROFOAM®, TRYMER®, PHENOLIC, & FOAMGLAS®
- Accessories for all insulation jobs.
- Cut to fit aluminum with Polysurlyn & safety hem.
- We specialize in ammonia refrigeration.
- We stock RG-2400LT™

For pricing and information, contact sales at: www.cookbro.com
superior cold weather performance, easy handling
and application, true zero perm performance

over
60
years

offering proven products
for a truly integrated system

INTRODUCING

ALUMAGUARD LITE WHITE

• Glossy White Finish
• Meets ASTM E 84 (25/50) Smoke and Flame requirements
• Excellent Chemical Resistance
• Cold weather acrylic adhesive allows installation down to 10°F
• High puncture and tear resistance
• Zero permeability
• Easy to install with no special tools required
• Excellent emissivity

Polyguard
Innovation based. Employee owned. Expect more.

Follow us on our social network

Made in USA

For more information: (w) www.PolyguardProducts.com/mas (p) 214-515-5000
construction industry. Conversely, millennial employees list the top three important factors for keeping them engaged are competitive pay (29%), work-life balance (23%), and personal development (16%).

Other key findings include:

- Companies in the construction industry lack processes to develop and promote high-performing employees
- Executives and field manages are expected to have the highest attrition rates over the next five years
- The majority of firms don’t connect training expenditures and performance management metrics
- Annual performance reviews are a top priority for increasing employee performance and development
- Having a defined and well-communicated vision is critical to retaining key talent, regardless of age.

Business Implications
The Talent Development Survey in the Construction Industry offers a roadmap for companies looking to strengthen existing people development programs and build out future talent-retaining strategies. Companies can benefit from developing a firm-wide vision that encourages culture and building project management and field supervision capacity. In the meantime, companies can invest in creating and implementing an effective performance management process.

Randy Nemchin, a senior consultant at FMI, presented the findings of the survey report at AGC Construction HR & Training Professionals Conference on October 9th, 2015.

FMI REVISES 2015 CONSTRUCTION GROWTH UPWARD TO 6 PERCENT MANUFACTURING, LODGING, OFFICE, AND AMUSEMENT AND RECREATION AMONG TOP GROWING SECTORS

Construction activities are forecasted to grow at 6 percent through 2015, up from the previous forecast of 5 percent in Q2, according to the recently released Q3 FMI Construction Outlook.

Construction growth is not only predicted to rise this year, but is also expected to climb to 7 percent, reaching $1.09 trillion in 2016, the highest total since 2008, unadjusted for inflation. However, as construction gets busier, productivity improvement becomes more of a challenge.

“Improvements in productivity will be critical for achieving growth and sustaining margins in the years ahead,” said Chris Daum, President and Senior Managing Director of FMI Capital Advisors, Inc. “We expect to see the use
Thermafiber, Inc.
3711 West Mill Street
Wabash, IN 46992
Phone: (888) TFIBER1
Fax: (800) 294-7076
www.thermafiber.com

- Industrial Felts, Boards and Blankets
- Fire/Smoke-Stop Systems
- KFAC® 19 High Temp Block
- KFAC® SR High Temp Board
- Industrial Bulk Wool
- Metal Mesh Blankets
- ThermaTex® Needled Blanket
- ThermaWrap 80
- SoundZero® Black Acoustical Blanket
The Q3 FMI Construction Outlook forecasts growth for 17 sectors, across residential, non-residential and non-building groups. Manufacturing continues to be the fastest-growing construction sector this year at 18 percent, but other strong markets for 2015 include lodging, office, and amusement and recreation, all experiencing double-digit growth.

With an expected 8 percent drop this year, power construction is one sector that has cooled down in 2015. The power industry is in flux due to changing fuel supplies as well as variable rates of growth in alternative energy sources such as solar and wind.

Forecasts for some key sectors:

**Manufacturing** – Manufacturing is currently the fastest-growing construction sector at 18 percent for 2015. FMI expects that rate to slow in 2016 to just 5 percent. Continued low energy prices will hold down capacity growth in the oil and gas sector, but help spur expansion in other areas of manufacturing, extending the current boom in the petrochemical sector, in addition to other areas.

**Lodging** – Lodging construction continues a trend of rapid growth of 15 percent for 2015 and an expected rate of 12 percent for 2016 to $20.8 billion. The current pace is expected to slow to only 8 percent in 2017. Increased business travel and rising room rates are combining to bring this market back from overbuilt prerecession levels.

**Office** – Construction has slowed since reaching 21 percent in 2014, but the current rate of 15 percent growth for 2015 continues to show that there is still steam in the office construction recovery. This growth is expected to carry over into 2016 and beyond, but at a slower rate. Continued growth in the technical sector and in larger metropolitan areas such as New York City will keep rents and absorption of new space high.

**Residential** – After three years of rapid growth, single-family and multifamily construction have cooled somewhat. Single-family construction is expected to end the year at 9 percent growth and multifamily is expected to realize 11 percent growth for 2015.

**Power** – After a strong year in 2014, power construction has slipped 8 percent in 2015 but is expected to regain 3% of that in 2016 to reach $96.7 billion. The power industry will continue to consolidate as the average consumer reduces power use, although demand will continue to grow due to population growth.

**SUBCONTRACTORS ‘CANNOT BE STRICTLY LIABLE’ FOR INSTALLING MATERIAL THAT COMPLY WITH SPECIFICATIONS, ASA TELLS CALIFORNIA COURT OF APPEAL**

A California court case will determine whether a construction subcontractor can be held “strictly liable” for installing material on a project that complied with specifications which the subcontractor did not write, and which was approved by the architect.

The American Subcontractors Association, the Association of the Wall and Ceiling Industry, and the Roofing Contractors Association of California, in an *amicus curiae* brief filed on Sept. 25, 2015, in the case of Joel Hernandezcueva vs. E.F. Brady Company, Inc., argue that a subcontractor cannot be strictly liable for installing material that complied with specifications. “To impose a burden of strict liability on a subcontractor for installing material that complied with specifications because years later it is identified to have a dangerous component would impose liability on a party who did not specify or approve the material installed,” the organizations wrote. “Further, strict liability on subcontractors would place liability on a party who does not control the risk. It would also broaden liability in construction thereby raising insurance rates to contractors throughout California, which in turn would unnecessarily raise construction costs in a still struggling economic environment. This would place undue burden on the Construction Industry that is unnecessary to protect the public.”

The underlying dispute involved litigation by an individual dying of cancer allegedly caused by asbestos in products that E.F. Brady Company, Inc., installed in a commercial building project as a drywall subcontractor to C.L. Peck Contractor in the 1970s. E.F. Brady purchased the products at issue (drywall, drywall compound, and fireproofing products) to complete its subcontract work on the building. Decades later, from 1992 to 1995, Joel Hernandezcueva was a janitor at the Fluor Daniels Building in Long Beach, California. Hernandezcueva’s job duties included cleaning up after improvement work and cleaning areas that contained the asbestos drywall and joint compound the subcontractor had installed in the 1970s. Several years after leaving his job, Hernandezcueva was diagnosed with life-threatening mesothelioma.

In 2013, Hernandezcueva and his wife sued numerous defendants, including the subcontractor. The plaintiffs claimed that Hernandezcueva contracted mesothelioma because of his exposure to asbestos in the Fluor Daniels Building in the 1990s. They asserted several theories of recovery and sought to impose strict liability on the subcontractor. The subcontractor moved for Judgment of Partial Nonsuit, asking the court to dismiss the plaintiff’s strict liability claims against it. The subcontractor argued that strict liability does not apply to subcontractors. The subcontractor noted that the fire-proofing materi-

(Continued on page 30)
Mechanical Insulation
Pipe
Board
Wrap

Insulation for Process
Piping &
Industrial

PVC & Metal
Fittings

Rubber Tubing
& Sheet

Tapes &
Accessories

MacArthur Co.
Employee Owned
Building for Generations
HIGH TEMPERATURE INSULATING SOLUTIONS

Three fiber grades:
- Superwool® (AES) fiber
- Kaowool®, Cerablanket® (RCF) fiber
- Denka® Polycrystalline (PCW) fiber

Benefits
- Reduces thermal conductivity and energy loss: improved insulation 20%
- Provides significant energy savings compared to other tested AES and RCF fibers
- Pyro-Bloc® modules are the market leading contractor preferred module of choice for furnace, boiler and kiln linings.

WDS® Flexible Pipe insulation
WDS Flexible Pipe offers the low thermal conductivity needed in hot piping applications to ensure that materials inside hot piping are insulated from ambient conditions, in addition to protecting workers from burns from coming into contact with non-insulated hot piping.

DRYERWRAP™
- UL and ULC listed for 1-hour protection inside rated wood frame construction
- Flexible, 1/2" thick
- Tested on 30 gage 7" round and 26 gage 10" x 4" rectangular duct
- Dryer vents in multi-family housing

Benefits
- Optimized installation costs
- Optimized installation space
- More flexible than alternative wraps
- Improved safety with applications specific testing

Morgan Advanced Materials
PO Box 923 • Augusta • Georgia • 30903
NASales@morganplc.com
www.morganthermalceramics.com
MICA members, thank you for your continued support of our high-quality industrial and commercial mastics, coatings, adhesives, and sealants!

Chad Loula
Territory Manager
Office:  (651) 653-1517
Cell:    (651) 202-5438
E-mail:  Chad.loula@hbfuller.com

Fosterproducts.com

K-FLEX USA
A Complete Insulation System
Designed for Lasting Performance

CLOSED CELL ELASTOMERIC INSULATION

- Non-SIL or Pre-SIL/Pre-Glued
- Thermal k: 0.245 @ 75°F
- Permeability: 0.01 perm-in
- 2560-foamed up to 2” thickness
- Temperature Range: -29°F to 220°F
(-20°F to 200°F with PSA)

K-FLEX CLAD® JACKETING
Non-Metallic Protective Jacketing in Laminate or Polymeric Form

PIPE SUPPORTS AND FITTINGS
pre-fabricated accessories to complete your system

Contact marketing@kflexusa.com for product samples and technical information.

www.kflexusa.com • marketing@kflexusa.com • 800-765-6475

ISO 9001 Certified
K-FLEX USA
INNOVATION IN INSULATION
PLUMBING  HVAC/R  COMMERCIAL/INDUSTRIAL  MARINE  OIL&GAS  ACOUSTIC
ISO-9001 Certified
INDIANAPOLIS, IN 800-765-6475
WITH THIS MUCH INNOVATION, WATER DOESN'T STAND A CHANCE.

WeatherJacs® patented weathertight family of products are designed for quicker, easier and safer installation while providing a greater resistance to water penetration. For more information visit idealproducts.ca

Ideal Products
1 888 877 7685
Malvern, PA | Indianapolis, IN | Atlanta, GA
www.idealproducts.ca | @Ideal_Products | Instagram @idealproducts | LinkedIn
DELIVER

Our quality. Your success.

Micro-Lok® HP

- Consistent performance
- Clean, finished appearance

Johns Manville
al was not its own product, it was not a manufacturer of the product, and it was not in the business of selling drywall, fireproofing or other construction products — it had merely purchased and installed the construction materials to complete its subcontract work. The trial court agreed. It held that the subcontractor could not be strictly liable for installing the allegedly defective products at issue. The trial court allowed claims against the subcontractor to proceed only on the question of whether it was negligent when it installed the asbestos-related products. After a 17-day trial, the jury returned a verdict finding that Hernandezcueva suffered exposure to asbestos from products the subcontractor installed in the 1970s, but the subcontractor was not negligent. Shortly after this decision, Hernandezcueva died. Plaintiffs have appealed the decision to the California Court of Appeal, Second Appellate District, Division Four.

ASA and the other organizations urged the California Court of Appeal to affirm the trial court ruling holding that E.F. Brady could not be strictly liable for installing material approved by the owner’s architect and required by its contract to comply with specifications that it did not write. “The decision of the trial court is in accord with established case law recognizing a clear distinction between a subcontractor, a manufacturer, and those who place a product into distribution,” the organizations wrote. “The equities courts have established through developing the doctrine of strict liability do not favor extending liability to one who installs materials that is (a) required by specifications prepared by others, (b) purchased from others, and (c) merely installed as required by Contract.”

ASA and the others warned that if the appeals court reverses the trial court, “it will change long-standing California law and unfairly impose liability on California subcontractors for risks they do not control. This would be a severe inequity not only for E.F. Brady but for other future similarly situated subcontractors who call California home and help build this state.”

THE PASSING OF RITA SLEEPER

The MICA office has been informed of the death of Rita Sleeper. Rita was a long-time MICA member. She and her husband, Thomas Edgar Sleeper, owned and operated Mechanical Insulation Company in Kewanee, IL. Following Ed’s death on August 25, 1987, Rita assumed the Presidency of the company. She later turned the business over to her late son, William Sleeper of Galesburg, IL, and Stephen Sleeper of Omaha, NE. Memorials may be directed to Visitation Catholic Church or the Illinois Cancer Center. Cards of sympathy for the family and the memorials be sent in care of the funeral home; Schueneman Tumbleson Funeral Home, 219 East Second Street, Kewanee, IL 61443.

DODGE MOMENTUM INDEX JUMPS IN SEPTEMBER

The Dodge Momentum Index moved 5.8% higher in September to 133.5 (2000=100) from its August reading of 126.2. 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 impetus behind September’s gain was a 12.0% increase from the previous month in institutional building planning. State and local budgets, which finance many projects in the institutional category, continue to recover from their recessionary weakness. With this support, planning for new institutional buildings has trended upward over the past year, although in a saw-tooth pattern. Commercial construction, on the other hand, is at a more mature stage of its recovery and planning has been relatively more stable. Planning in the commercial category increased 1.8% in September.

There were a total of eight projects entering planning in September with a value that exceeded $100 million, split equally between commercial and institutional projects. In the commercial building sector, a $330 million office building for Fannie Mae in Washington DC, and a $150 million alteration of an office complex in Plano, TX entered planning. Within the institutional building sector, a $400 million hospital in Rockford, IL, and a $230 million clinic addition in Weston, FL entered planning.

NIA ANNOUNCES FUTURE MEETING DATES AND LOCATIONS

The National Insulation Association (NIA) is pleased to announce upcoming dates and locations for training programs, and NIA’s Annual Conventions. Each of these events provides targeted opportunities for NIA members and mechanical insulation professionals to improve their skills, develop professional networks, and grow their businesses.

NIA’s 61st Annual Convention and WIACO, April 20-23, 2016, Boca Raton Resort and Club, Boca Raton, Florida
NIA’s 62nd Annual Convention, March 29-April 1, 2017, Sheraton Wild Horse Pass Resort & Spa, Phoenix, Arizona
NIA’s 63rd Annual Convention, April 18-21, 2018, Hyatt Regency Grand Cypress, Orlando, Florida
SureShotII changes your concept of pin welding...times TWO. Be it Cupheads, Weld Pins, or even Weld Studs -- SureShotII can deliver. With updated Hybrid Technology and Dual Operating Power, SureShotII uses the best of all worlds to provide Capacitor Discharge fastener welding second to none. In the lightweight and rugged packaging you’ve come to expect from SureShot (weighing in at 18 lbs.) this Welder has the power to weld virtually any Stud fastener known to the CD application market: with only 110volt (or 220volt incoming power). User-friendly, the system offers multi-level safety and operational designs to get the job done quickly, safely and reliably --- truly delivering the power of "II".

Your SINGLE SOURCE
Insulation Fastening StudWelding Specialists

1-800-852-8352 • 450 Richard Street • Miamisburg, Ohio 45342 • midwestfasteners.com
FOAMGLAS® INSULATION.

PROTECTING INSULATION SYSTEMS ALONG WITH THE REPUTATIONS OF THOSE WHO DESIGN AND BUILD THEM.