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MICA FALL 2020 EDUCATIONAL SEMINAR

In past years, we have combined an educational seminar with the fall business meeting. This year, the Board voted to cancel the fall business meeting due to the COVID-19 pandemic, but they deemed it vital that MICA still sponsor a free half-day educational seminar. This year’s seminar will be a “virtual” seminar offered remotely. We (MICA) wanted to provide an educational seminar that would be of benefit to all of our members. We are drawing upon the support of the NIA and its success in offering educational seminars remotely through a virtual classroom.

This year’s seminar course, Understanding Specifications for Insulation, has been developed by the NIA, and they have agreed to allow us to host it. The course instructor is Mr. Ron King. Ron has been part of our industry for over 50 years and brings a wealth of knowledge and experience to his role in facilitating this seminar. Ron has held executive management positions with a national distributor/fabricator, an accessory manufacturer, and a specialty insulation contractor. He was awarded the NIA’s President’s Award in 1986 and again in 2001. Ron King is a Past President, Honorary Member, and Consultant for NIA.

The Board is sponsoring this seminar as one of the many benefits that come with your membership in MICA. This half-day seminar will be held on Wednesday, October 14, 2020; from 1:00 p.m. central time to approximately 5:00 p.m. The seminar is open to all MICA members. Registration information was emailed and mailed to the membership earlier this month.

In keeping with our initial fall business meeting plans, the Board of Directors will conduct its fall meeting on Friday, October 15, 2020. The Board has several items to discuss. One of which is the approval of the 2021 operating budget. The Board will be setting the dues structure and advertising rates for 2021. If you have any items that you would like to Board to consider, please contact the MICA office with your request.

Thank you for your continued support of MICA.
PRESIDENT’S MESSAGE

TO: THE MICA MEMBERSHIP

“It’s not what you look at that matters: it’s what you see.”

Henry David Thoreau, American poet, essayist, and philosopher

Well, Labor Day has come and gone, and summer is winding down. I hope everyone had a happy and safe Labor Day weekend. We spent the weekend celebrating Megan’s birthday as a family. What a year it has been so far! A pandemic, tornadoes, fires and two hurricanes pounding the South at the same time. I sure hope there is not a major catastrophe in November. The debates should make for good entertainment, though.

We have had a few webinars since my last newsletter, and I hope everyone has found them useful. You will be hearing more shortly about the specifics regarding what is going to happen virtually in October. Hopefully, we will meet in person before my MICA presidency is over...

Last month, I thanked many people for their efforts during this time, but I forgot to mention two very important people, Tom and Cindy. They are spending a lot of time behind the scenes renegotiating our contracts with the hotels and numerous other things that we don’t even know about. So thank you for everything you have done and continue to do for our association.

To close this month’s newsletter, I’d like to share a brief story. Over the Labor Day weekend, my 82-year-old mother fell and broke her hip. My mom is a very devout Catholic and remains very active. She works retail 30 to 35 hours a week. She swears working is what has kept her alive. One might say she has had a tough life. Her father passed away when she was fairly young. Her first pregnancy resulted in a full-term stillbirth, and she has endured four miscarriages. Her youngest daughter passed away at the age of five, her husband died when he was only 59, and a son died at the age of 49. A few years ago, I discovered my mom was giving 25% of her already limited income to the Catholic Church every year. I told her it wasn’t necessary to give that much to the Church. She looked at me for a minute and said, “But God has been so good to me, I feel that is what I should give.” Her answer blew me away. A lot of people dwell on the tragedies that have occurred in their life, but not my mom; she chooses to realize and appreciate all the blessings instead. Perspective.

Everyone be safe and stay healthy!

“Your perception creates your reality. You can look at life and see scarcity or abundance. It depends on your mindset.”

Joe Vitale, spiritual teacher and author

Sincerely,

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ROCKWOOL Introduces ProRox Mat (Wrap) Insulation for Plant Equipment

New insulation offering incorporating the award-winning WR-Tech™ Water Repellent Technology ensures effective CUI protection for the entire plant.

Houston, Texas: ROCKWOOL Technical Insulation recently introduced its next-generation ProRox® Mat (Wrap) MA 961 insulation for large diameter pipework, vessels, columns and other plant applications requiring design flexibility. ProRox Mat (Wrap) incorporates ROCKWOOL’s proven WR-Tech (Water Repellancy Technology) to provide proven protection against corrosion under insulation (CUI) by keeping steel pipes, vessels and columns as dry as possible.

CUI is a pervasive problem in many insulated plant processes, attributed to the ingress and migration of water through the insulation to the metal surfaces of piping, vessels and other plant equipment. If left unchecked, CUI leads to leakages or ruptures, process stoppages or even a shutdown of the entire plant.

A CUI event can negatively impact the plant’s health, safety and environmental (HSE) metrics and damage the company’s reputation. CUI is also an expensive problem, accounting for an estimated 10% of a plant’s overall maintenance costs and 40% - 60% of its pipeline maintenance costs.

Award-winning protection

The ProRox MA 961 is the latest offering in ROCKWOOL Technical Insulation’s line of ProRox stone wool insulation products. It effectively combats CUI with the addition of WR-Tech, a revolutionary binder technology that coats each individual fiber of the ProRox insulation with an inorganic, hydrophobic additive during the production process.

This technology gives the insulation dramatically improved water repellency. In fact, the patent-pending WR-Tech makes the insulation five times more water repellent (at 482°F/250°C) than standard EN-compliant stone wool, even after heating and aging.

The innovative WR-Tech is garnering accolades from the industry at large. The technology was awarded the prestigious 2019 Corrosion Innovation of the Year Award by NACE International’s Materials Performance Magazine. WR-Tech was one of 10 technologies out of more than 50 nominees to receive the coveted award, thanks to its growing track record of significantly advancing corrosion control.

WR-Tech was first successfully launched on ROCKWOOL's ProRox mandrel wound pipe sections, where it quickly proved its added value in combatting CUI in several applications. Engineers are upgrading their specifications, while contractors and installers are frequently applying this solution to both new-build and maintenance projects.

(Continued on page 9)
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“With each new application, WR-Tech is proving itself to be the most effective solution to help mitigate CUI,” says Jason Hammond, Vice President of Americas for ROCKWOOL Technical Insulation. “Now, with WR-Tech as part of our ProRox MA 961 insulation, plant operators can confidently protect their large pipework, vessels, and other insulated equipment from CUI—extending the run life of their processes while lowering their maintenance costs.”

ProRox MA 961 is available for fast, efficient delivery wherever our customers need it. The product is one of several ROCKWOOL products available in our Houston warehouse. The facility is fully stocked for on-demand product orders and access for freight 24 hours a day, 7 days a week.

With WR-Tech as part of ProRox Mat (Wrap), complete pipeline systems—including bends—can now be protected from the hazards of CUI. The result: safer plant operations, reduced environmental impact and lower total maintenance costs.

**NIA's FALL SUMMIT IS FULLY VIRTUAL!**

As we look ahead to November and Fall Summit 2020, NIA leadership has determined that for the safety of our members, NIA's Fall Summit 2020 will be held fully virtually. Fall Summit will feature the same quality education sessions, committee meetings, and networking events that you expect from NIA and that make this event a highlight each fall. We are committed to reconnecting with our members and committees in a safe environment, and we look forward to welcoming even more attendees to this virtual event. Registration is open for the full event, which is taking place over the week of November 2. Now you can learn, connect, and enjoy from your virtual office and not worry about flight delays or travel expenses! A full schedule will be available soon on NIA’s website.

**About the Fall Summit**

NIA’s Fall Summit is an annual members-only event that brings together the mechanical insulation industry for education, training, and networking. Fall Summit is designed to “Educate, Engage, and Elevate,” by providing actionable content and networking opportunities for attendees to build their businesses. Education, peer-to-peer learning, and the exchange of ideas are important components of the member-led industry sessions.

**U.S. DEPARTMENT OF LABOR PROPOSES RULE TO CLARIFY EMPLOYEE AND INDEPENDENT CONTRACTORS STATUS UNDER THE FAIR LABOR STANDARDS ACT**

WASHINGTON, DC – The U.S. Department of Labor announced a proposed rule clarifying the definition of employee under the Fair Labor Standards Act (FLSA) as it relates to independent contractors.

“The Department’s proposal aims to bring clarity and consistency to the determination of who’s an independent contractor under the Fair Labor Standards Act,” said Secretary of La-
FUTURE MICA MEETING DATES

CANCELED—Fall 2020 Annual Fall Business Meeting — October 15 & 16, 2020, Omaha Marriott Downtown, Omaha, NE.

Fall 2020 Educational Seminar — October 14, 2020, 1:00 p.m. to 5:00 p.m. central time. “Understanding Specifications for Insulation”, Virtual Presentation by Ron King.


64th Annual Spring Convention — June 21 — 24, 2021, Hyatt Regency Coconut Point Resort, Bonita Springs, FL.

Fall 2021 Annual Fall Business Meeting — October 14 & 15, 2021, Omaha Marriott Downtown, Omaha, NE.

65th Annual Spring Convention — June 20 — 23, 2022, TBD.

MICA MEMBER ADDRESS/INFO. UPDATES

Be sure to inform the MICA office of any changes or corrections to your listing for either the MICA Directory, e-mail correspondence or mailing address. Even if you update your company listing on the MICA website, please inform the MICA office of the changes. We try to be as current as possible with your help.
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Advises that the actual practice is more relevant than what may be contractually or theoretically possible in determining whether a worker is an employee or an independent contractor.

This Notice of Proposed Rulemaking (NPRM) is available for review and public comment for 30 days after it is published in the Federal Register. The Department encourages interested parties to submit comments on the proposed rule. Today’s web posting offers the public more time to review the NPRM before the comment period begins.

WHD’s mission is to promote and achieve compliance with labor standards to protect and enhance the welfare of the Nation’s workforce. WHD enforces federal minimum wage, overtime pay, recordkeeping, and child labor requirements of the FLSA. WHD also enforces the paid sick leave and expanded family and medical leave requirements of the Families First Coronavirus Response Act, the Migrant and Seasonal Agricultural Worker Protection Act, the Employee Polygraph Protection Act, the Family and Medical Leave Act, wage garnishment provisions of the Consumer Credit Protection Act, and a number of employment standards and worker protections as provid-

(Continued from page 9)

bor Eugene Scalia. “Once finalized, it will make it easier to identify employees covered by the Act, while respecting the decision other workers make to pursue the freedom and entrepreneurialism associated with being an independent contractor.”

“The rule we proposed today continues our work to simplify the compliance landscape for businesses and to improve conditions for workers,” said Wage and Hour Division Administrator Cheryl Stanton. “The Department believes that streamlining and clarifying the test to identify independent contractors will reduce worker misclassification, reduce litigation, increase efficiency, and increase job satisfaction and flexibility.”

The Department’s proposed rule would:

• Adopts an “economic reality” test to determine a worker’s status as an FLSA employee or an independent contractor. The test considers whether a worker is in business for himself or herself (independent contractor) or is economically dependent on a putative employer for work (employee);

• Identifies and explains two “core factors,” specifically the nature and degree of the worker’s control over the work, and the worker’s opportunity for profit or loss based on initiative and/or investment. These factors help determine if a worker is economically dependent on someone else’s business or is in business for himself or herself;

• Identifies three other factors that may serve as additional guideposts in the analysis: the amount of skill required for the work; the degree of permanence of the working relationship between the worker and the potential employer; and whether the work is part of an integrated unit of production; and

• Advises that the actual practice is more relevant than what may be contractually or theoretically possible in determining whether a worker is an employee or an independent contractor.

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(Continued on page 15)
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ed in several immigration related statutes. Additionally, WHD administers and enforces the prevailing wage requirements of the Davis Bacon Act and the Service Contract Act and other statutes applicable to Federal contracts for construction and for the provision of goods and services.

The mission of the Department of Labor is to foster, promote and develop the welfare of the wage earners, job seekers and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

**MIDWEST FASTENERS, INC. ANNOUNCES RELEASE OF REVISED AND UPDATED WEB-SITE**

Industry leading website features new tools and updated features.

Miamisburg (Dayton) — Midwest Fasteners, a leading source for Insulation Fasteners and Studwelding Systems, announces the publication and release of its revised internet website: [https://www.midwestfasteners.com/](https://www.midwestfasteners.com/). With a go-live date of September 1st, the Midwest URL on the worldwide web will be updated with a whole new look, feel, and set of tools for all users.

From the updated and user-friendly Home-Page throughout the feature pages which users have come to expect from MIDWEST, the site is filled with useful information and references on MIDWEST products, services, and application geared support resources. All types of Studwelded and Insulation Fastening applications are included like Insulation Hangers and Self-Stick Anchors, Weld Pins, Cuphead Weld Pins, Capacitor Discharge Studs as well as Arc Stud Welding.

The site continues to provide Equipment and Fastener references for the complete line of MIDWEST Insulation Fasteners and Weld Studs. Studwelding equipment Manuals, How-To Videos for installation of Insulation applications, as well as a full Library of published MIDWEST resources are found on the revised site. As always, the complete MIDWEST fastener catalog can be found with reference to all types of Weld Pins, Weld Studs, StudWelding Accessories and Insulation Fastening accessory products.


**CONSTRUCTION STARTS POST SOLID GAIN IN AUGUST**

NEW JERSEY — September 16, 2020 — Total construction starts rose 19% in August to a seasonally adjusted annual rate of $793.3 billion. Gains were seen in all three major building sectors: nonresidential building starts rose 16% and residential building climbed 12%, while nonbuilding construction jumped 40% over the month. While large projects certainly influenced

(Continued from page 12)

(Continued on page 18)
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the August gains, removing those projects would still have resulted in a gain for the month.

Year-to-date through the first eight months of the year, starts were 14% lower than in the same period in 2019. Nonresidential starts were 24% lower and nonbuilding starts were down 20%, but residential starts were down less than one percent. For the 12 months ending August 2020, total construction starts declined 6% from the 12 months ending August 2019. Nonresidential building starts fell 13% and nonbuilding starts were 9% lower in the 12 months ending August 2020, while residential building starts rose 3%. In August, the Dodge Index rose 19% to 168 (2000=100) from the 141 reading in June. The Dodge Index was down 8% compared to a year earlier and 6% lower than its pre-pandemic level in February.

“Construction starts continue to make up ground following the nadir in activity in April,” stated Richard Branch, Chief Economist for Dodge Data & Analytics. “Residential and commercial construction are driving the gains, while the public side of building construction is proving to be a drag on growth. The regional pattern has also evened out with gains in starts seen in every region but the Midwest in August — somewhat muting the concern over the potential impact of rising COVID cases in the South and West. The nascent recovery in starts, however, will face challenges as summer turns to fall. The expiration of enhanced unemployment insurance benefits and small business loans that were provided in the CARES Act, the budget crises facing state and local governments, and the impending expiration of the FAST Act on September 30 will all have a dampening effect on starts.”

Nonbuilding construction posted a 40% gain in August to a seasonally adjusted annual rate of $184.4 billion nearly reversing the sizable decline in the previous month as two large projects pushed activity higher. Starts in the utility/gas plant more than doubled, while environmental public works posted an 89% gain and highway and bridge starts moved up 13%. Miscellaneous nonbuilding starts lost 5%.

The largest nonbuilding project to break ground in August was the $1.3 billion Wastewater Control Plant in San Francisco CA. Also starting during the month were the $888 million Dania Beach Clean Energy Center in Dania Beach FL and the $310 million new Aztec Stadium at San Diego State University in San Diego CA.

Through the first eight months of the year, total nonbuilding starts were down 20% compared to the same period in 2019. Starts in the highway and bridge category were up 1%, while the environmental public works category dropped 15%, the miscellaneous nonbuilding sector fell 34%, and the electric power/gas plant category plunged 45%. On a 12-month rolling basis, total nonbuilding starts were down 9% in the most recent year compared to the 12 months ending August 2019. Starts in the street and bridge category dipped 2%, while starts in the electric power/gas plant category were down 12%. Environmental pub-
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lic works starts pulled back 8% and miscellaneous public works starts dropped 21%.

**Nonresidential building** starts in August were also aided by large projects in the office and manufacturing sectors leading to an increase of 16% to $236.7 million. Removing these projects, however, would not have prevented an increase in nonresidential building starts. Commercial starts rose 36% and manufacturing starts soared 201%. Institutional starts, however, fell 7% despite small gains in education and healthcare.

The largest nonresidential building project started in August was the $1.0 billion Facebook Data Center (Project Woolhawk) in Gallatin TN. Also starting during the month was the $740 million Texas Instruments Fabrication Plant in Richardson TX and a $700 million mixed-use office and hotel project in Boston MA.

On a year-to-date basis, total nonresidential building starts were 24% lower than in the first eight months of 2019. Institutional building starts dropped 16%, while commercial starts slid 27% and manufacturing starts were 47% lower than a year earlier. Over the 12 months ending August 2020, total nonresidential building starts were down 13% from the 12 months ending in August 2019. Commercial starts were 16% lower, institutional starts were down 13%, and manufacturing starts slipped 1%.

**Residential building** starts moved 12% higher over the month in August to a seasonally adjusted annual rate of $372.1 billion. Multifamily building starts increased 62%, while single family starts fell 3%.

The largest multifamily structure to break ground in August was the $549 million Mana’olana Place Mixed Use in Honolulu HI. Also starting in August were the $500 million Pacific Park Mixed Use Development in Brooklyn NY and a $250 million condominium building at the Union Theological Seminary Space in New York NY.

Through the first eight months of 2020, residential construction starts were down less than one percent versus a year earlier. Single family starts grew 4%, while multifamily starts slid 11%. For the 12 months ending in August 2020, total residential starts gained 3% with single family starts up 6% but multifamily starts down 4%.
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WASHINGTON — During Small Business Week, the Internal Revenue Service reminds business owners and self-employed individuals of the employer credits available to them during COVID-19.

These credits were specially created to help small business owners during this unprecedented time. During Small Business Week, the IRS wants to ensure all eligible people know about the relief these credits provide.

**Employee Retention Credit**

The Employee Retention Credit is designed to encourage businesses to keep employees on their payroll. The refundable tax credit is 50% of up to $10,000 in wages paid by an eligible employer whose business has been financially impacted by COVID-19.

The credit is available to all employers regardless of size, including tax-exempt organizations. There are only two exceptions: State and local governments and their instrumentalities and small businesses who take small business loans.

**Qualifying employers must fall into one of two categories**

1. The employer's business is fully or partially suspended by government order due to COVID-19 during the calendar quarter.

2. The employer's gross receipts are below 50% of the comparable quarter in 2019. Once the employer's gross receipts go above 80% of a comparable quarter in 2019, they no longer qualify after the end of that quarter.

Employers will calculate these measures each calendar quarter.

**Paid Sick Leave Credit and Family Leave Credit**

The Paid Sick Leave Credit is designed to allow business to get a credit for an employee who is unable to work (including telework) because of Coronavirus quarantine, self-quarantine or has Coronavirus symptoms and is seeking a medical diagnosis. Those employees are entitled to paid sick leave for up to 10 days (up to 80 hours) at the employee's regular rate of pay up to $511 per day and $5,110 in total.

The employer can also receive the credit for employees who are unable to work due to caring for someone with Coronavirus or caring for a child because the child's school or place of care is closed, or the paid childcare provider is unavailable due to the Coronavirus. Those employees are entitled to paid sick leave for up to two weeks (up to 80 hours) at 2/3 the employee's regular rate of pay or, up to $200 per day and $2,000 in total.

Employees are also entitled to paid family and medical leave equal to 2/3 of the employee's regular pay, up to $200 per day and $10,000 in total. Up to 10 weeks of qualifying leave can be (Continued on page 24)
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counted towards the Family Leave Credit.

Employers can be immediately reimbursed for the credit by reducing their required deposits of payroll taxes that have been withheld from employees' wages by the amount of the credit.

Eligible employers are entitled to immediately receive a credit in the full amount of the required sick leave and family leave, plus related health plan expenses and the employer's share of Medicare tax on the leave, for the period of April 1, 2020, through Dec. 31, 2020. The refundable credit is applied against certain employment taxes on wages paid to all employees.

How will employers receive the credit?
Employers can be immediately reimbursed for the credit by reducing their required deposits of payroll taxes that have been withheld from employees' wages by the amount of the credit.

Eligible employers will report their total qualified wages and the related health insurance costs for each quarter on their quarterly employment tax returns or Form 941 beginning with the second quarter. If the employer's employment tax deposits are not sufficient to cover the credit, the employer may receive an advance payment from the IRS by submitting Form 7200, Advance Payment of Employer Credits Due to COVID-19.

Eligible employers can also request an advance of the Employee Retention Credit by submitting Form 7200.

The IRS has also posted Employee Retention Credit FAQs and Paid Family Leave and Sick Leave FAQs that will help answer questions.

Updates on the implementation of the Employee Retention Credit and other information can be found on the Coronavirus page of IRS.gov.

U.S. DEPARTMENT OF LABOR RELEASES WORK-RELATED INJURY AND ILLNESS DATA

WASHINGTON, DC – The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has released work-related injury and illness data electronically submitted by employers. The agency has posted Form 300A data for calendar years 2016, 2017 and 2018, as well as a data dictionary.

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Electronic submissions are required of establishments with 250 or more employees that are currently required to keep OSHA injury and illness records, and establishments with 20-249 employees that are classified in specific industries with historically high rates of occupational injuries and illnesses.

The fact that an employer provided data does not mean that the employer is at fault, that the employer has violated any OSHA requirements, that OSHA has found any violations, or that the employee is eligible for workers’ compensation or other benefits.

For more information, and a link to the Injury Tracking Application, visit the Injury Tracking Application Electronic Submission of Injury and Illness Records to OSHA.

**DODGE MOMENTUM INDEX INCHES UP IN AUGUST**

NEW JERSEY – September 8, 2020 – The Dodge Momentum Index increased 1.8% in August to 126.5 (2000=100) from the revised July reading of 124.2. The Momentum Index, issued by Dodge Data & Analytics, 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 non-residential buildings by a full year. In August, the commercial component rose 3.3%, while the institutional component moved 1.2% lower.

The August increase in the overall Momentum Index is the second consecutive rise and a further sign that the construction sector continues to post a modest recovery following the large declines in April and June. This recovery, though, is uneven. The commercial component has risen 9% from its June low and is just 13% below its 2018 peak fueled by increased planning activity for warehouse and office projects. The institutional component, however, has declined for five consecutive months and has yet to hit bottom. The institutional component is now 34% below its recent peak. The public side of the building market is suffering as state and local government revenues have declined, creating budget cuts across the country. This has led to a significant pullback in education projects entering planning, placing substantial downward pressure on the institutional component of the Momentum Index.

In August, 11 projects each with a value of $100 million or more entered planning. The leading commercial projects were a $262 million UPS distribution facility in Mebane NC and a $200 million Amazon distribution center (Project Star) in San Antonio TX. The leading institutional projects were the $150 million BayCare South Florida Baptist Hospital in Plant City FL and the $125 million second phase of the Veterans Memorial Arena in Binghamton NY.
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