



THE WIRE



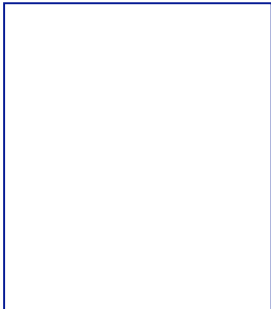
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Message from the President

By John J. Murphy



For the past two years, I have been honored to serve as President of one of the outstanding Chapters in the finest construction industry trade association. Over the course of my term, neither the industry nor the Chapter stood still and for me, these two years have been interesting, exhilarating, occasionally frustrating and always fulfilling. It has been my good fortune to work with and enjoy the support of outstanding leaders

within our Chapter and its staff, NECA's national organization, the IBEW and the construction industry itself. I am extremely proud of our accomplishments because they were the product of hard work, creativity and partnership. When reflecting upon those achievements, three stand out most prominently because they serve as monuments to what can be achieved when people of good will work together for the benefit of an industry that will always be greater than the sum of its constituencies.

The Drug-Free Workforce Initiatives in Locals 164 and 456 are outstanding examples of what can be accomplished when NECA works together with its IBEW partners to take the lead on a crucial industry issue. Richard "Buzzy" Dressel and Joe Egan exhibited tremendous leadership by installing these programs in the face of opposition from within their own ranks and, absent their efforts, it is difficult to envision a scenario whereby these initiatives would have advanced beyond the planning stage where they had previously been mired. Consequently, the Chapter and IBEW Locals 164 and 456, are recognized as industry leaders working to

(Continued on Page 3)

NECA Builds Momentum In Trenton

Bill Eliminating Electrical Contracting Loophole Nears Passage

As the election year heats up and Trenton's annual budget battle is joined, NECA is building momentum for several important legislative initiatives. NECA-drafted legislation mandating that only qualified persons perform electrical work on public buildings and other public facilities has been making good progress towards enactment. This bill will amend current licensing exemptions allowing any public employee to perform electrical work in schools or other public facilities, regardless of the individual's qualifications, to mandate that individuals performing such work possess a "Qualified Journeyman Electrician" card or equivalent. The Assembly version of the bill, A3317, sponsored by Assemblymen Prieto (D-32) and Biondi (R-16) was released from the Regulated Professions Committee and approved by the full Assembly in a 79-0 vote. The unanimous vote tally belied efforts by bill opponents, including school board officials, school administrators and some public sector unions, to derail the legislation. NECA countered their efforts by meeting with key legislators in both party caucuses to keep the focus on the bill's benefits while working with opposition groups to reach middle ground on some language without compromising its effectiveness. The bill next heads to the Senate Floor where its sponsors, Senators Paul Sarlo (D-36) and Sean Kean (R-11), will be pushing for its passage at the next voting session. Looking ahead, NECA has been meeting with senior staff in the Governor's Policy and Counsel's offices to discuss the bill and allay their concern over allegations that it will increase government costs in the face of budget cutbacks.

NECA has also been closely following the work of the NJ Law Review Commission which has proposed a number of changes to the Lien Law. These proposals are currently being drafted into legislation. NECA has been asked to play a central role in crafting the legislative strategy for this initiative and has accepted the challenge of managing this complex bill, the most intricate it has worked on since the PLA or Prompt Pay Reform legislation, through, hopefully, enactment by the Governor.

NECA, in addition to its own carefully crafted legislative wish-list, is obliged to join the fight for or against many other bills that may impact its members. For example, NECA and other industry groups endeavored to amend legislation allowing Stop Work Orders to be issued on projects where a contractor has been alleged to have violated workers compensation rules by

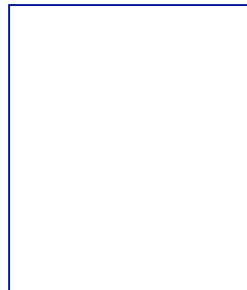
(Continued on Page 4)

INSIDE THIS ISSUE

- 1 President's Column
- 1 NECA Builds Momentum In Trenton
- 2 Executive Director's Column
- 2 Grace Period for Previously Adopted Electrical Code
- 3 Calendar of Events
- 4 ElectricPAC Contributors
- 4 Introducing "The Hot Zone" (our new safety column)

Executive Director's Report

Roger Simonds



On April 2nd I received a letter from Messrs. Ron Slember and Connie DesRochers, Chairman and Executive Director, respectively, of the Construction Roundtable of New Jersey (CRTNJ). The subject of the missive was to inform NECA and other building and construction trade associations of the "drastic economic downturn" facing most of the major

corporations located in our state. For myriad reasons enumerated in the letter, the CRTNJ asks each trade association to negotiate a wage freeze for the balance of 2009 and 2010. Following the receipt of this letter, I sent a communication to each of our four IBEW Business Managers asking if they would consider a total package "adjustment" for the remaining two years of our term. I did indicate, in a clear fashion, that the Chapter was NOT attempting to renege on the term and conditions for which we bargained last spring. However, if adjustments to the Total Package rates and work conditions would help secure more work, thereby increasing employment opportunities for the respective Local's rank and file, we would certainly like to consider them. And while, to date, I have not heard back from any of our Locals, I will try to remain optimistic.

On another issue of great concern to most members is that of defining Gross Labor Payroll (GLP) for the purposes of fund audits. Let me first indicate that the Chapter believes in the audit process and would never try to interfere with any Taft-Hartley Fund's ability to conduct audits as prescribed by its respective Trustees. However, we DO believe that the details

(Continued on bottom right, **Executive Director**)

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Asst. Executive Director ... Eric J. Sivertsen
Administrative Assistant ... Monica Margaritis
Bookkeeper Jean Tenpenny
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Grace Period for Previously Adopted Electrical Code

On April 6, 2009, the State of New Jersey has adopted the National Electrical Code/2008 as the electrical subcode. As per N.J.A.C. 5:23-1.6, Grace period, for a period of six months following the operative date of a subcode revision, applicants may submit a complete permit application, including all prior approvals, to be reviewed under the code in force immediately preceding the subcode revision. Provided that the application is complete, the construction official and applicable subcode officials shall perform the plan review and issue construction permit(s) based on the code in force immediately prior to the operative date of the subcode revision. This grace period shall apply only to revisions of subcodes.

Therefore, if an applicant would like to use the previously adopted electrical code, the National Electrical Code/2005, he or she must indicate which code they are using at the time of application. This complete permit application must be submitted prior to October 6, 2009.

Source: Code Assistance Unit 609-984-7609

(Continued from above left, **Executive Director**...)

and method of how an audit should be conducted should be clearly defined for all employers. That definition should not be determined AFTER the audits have begun! As of this writing, there is litigation and a Labor/Management related to this very thorny matter. We will keep you abreast of any breakthroughs on the question.

While in general I refrain from discussing budgetary matters in our newsletter, I believe that is important for members and others reading this column to know that the Chapter's financial picture remains strong. Of course, like most other organizations, we have experienced the fallout from the poor economy and setbacks in the financial sector. However, the conservative approach to investing and budgeting long employed by the Finance Committee and the Administrative Maintenance Fund Trustees has proven its wisdom by keeping the Chapter in good financial stead.

A year ago the new V-D-V Division was just getting underway. Today, due in large part to Eric's hard work and the support of Chairman Stephen Demcsak, the division now boasts eleven members and we believe we will add several others throughout the year. This Division has enjoyed very active participation from its Members who have been working to forge a new meeting agenda that better addresses the issues affecting V-D-V and Tel-Data contractors. In addition, as we gear up to negotiate our Communications Addendum, we will be requesting your concerns and proposed changes to this state-wide agreement.

On the Chapter's social agenda, please **mark your calendars** for Chapter Deep Sea Fishing: July 7th and August 6th. Our Annual Golf Outing is October 5th at Rockaway River Country Club. And our new annual Chapter Gala will be held on November 20th at **The Stone House in Warren, NJ**. Please note the change in location for this event. Once again, we will be having a Monte Carlo gaming theme which was a tremendous hit with our members last year.

Finally, I wish all of you an enjoyable spring season. You work hard so enjoy yourselves, family and friends....**SAFELY!**

NECA Calendar

MAY

5/8 MIDDLESEX DIVISION

PLACE: GIRASOLE (BOUND BROOK)

TIME: 12:00 NOON

5/12 MONMOUTH-OCEAN DIVISION

PLACE: COLTS NECK INN (COLTS NECK)

TIME: 12:00 NOON

5/13 HIGHLANDS DIVISION

PLACE: BASKING RIDGE CC (BASKING RIDGE)

TIME: 12:00 NOON

5/14 HUDSON-BERGEN-ESSEX DIVISION

PLACE: STONY HILL INN (HACKENSACK)

TIME: 12:00 NOON

5/19 VDV DIVISION

PLACE: CHAPTER OFFICE (MOUNTAINSIDE)

TIME: 12:00 NOON

JUNE

6/11 EXECUTIVE COMMITTEE/BOARD OF DIRECTORS

PLACE: CHAPTER OFFICE (MOUNTAINSIDE)

TIME: EXECUTIVE COMMITTEE 2:00 PM

BOARD OF DIRECTORS 4:00 PM

6/11 CHAPTER DINNER MEETING

PLACE: TBD

TIME: 6:00 PM

JULY

7/7 CHARTER FISHING TRIP

PLACE: THE BARVIC (POINT PLEASANT)

TIME: 7:00 AM

AUGUST

8/6 CHARTER FISHING TRIP

PLACE: THE BARVIC (POINT PLEASANT)

TIME: 7:00 AM

October 5th

Robert G. Byrne Memorial Golf Outing
Rockaway River Country Club
Denville, New Jersey

November 20th

Chapter Gala
Stone House
Warren, New Jersey

(Continued from Front Page, **President...**)

improve not only jobsite safety and the general health and well-being of our workforce but to provide us with an edge over our non-union competition!

I had the rare opportunity to serve during a term that saw us engage in two consecutive years of contract negotiations and therefore preside over the implementation of the new collective bargaining process we codified in our bylaws several years ago. While negotiations are always tense, nerve-racking affairs that strain the bonds of common purpose we share with our IBEW partners, these proceedings were largely characterized by the reason, constraint and amity that I hope will be the hallmark of future bargaining sessions. That we were able to achieve settlements benefiting all parties without harming our industry is a testament to the hard work and good judgment exercised by the leadership of the IBEW, our Chapter Staff and every Chapter Member who participated in the process.

Finally, I am proud to have overseen the launching of our V-D-V Division. While the V-D-V industry had long been important to our Chapter, we lacked the infrastructure to adequately represent the interests of this vital constituency. Recent amendments to both the National and Chapter bylaws allowed us to remedy this deficiency and in late 2007 we became one of only two chapters to create a V-D-V Division. Today, this Division is comprised of a very active membership and I am delighted with its rapid growth and the positive impact this dynamic group has had on the Chapter.

While the past two years certainly brought their share of challenges, it was also a period of growth and accomplishment. And, if it seems like I am excited with the progress of the last two years, I am even more optimistic about the prospects for the future. Even as our economy struggles mightily to gain momentum, we know that this too shall pass. Just as we have survived economic doldrums in the past, each in turn being labeled "the worst," we will emerge from this recession and hopefully be prepared for the next economic expansion that will fuel a new era of construction.

Accordingly, we must consider how our actions impact the landscape of the industry. While none of us are immune to the economic pressures pushing us to sharpen our pencils on bids and economize on our overhead, we must take care that, in our zeal to become leaner and more efficient, we neither diminish the value of the services we provide nor cut the muscle from our operations where we seek to remove fat. The answer to our problems lies not in the stockpiling of work at impossibly low numbers nor the reduction of already low margins, for, just as a backlog of solid, profitable work can act as a life preserver when heading into the choppy economic seas of a recession, it can just as surely serve as an anchor, if it is taken for too low a number or under poor terms, when the eventual recovery takes hold. All of us can certainly recall instances where we took on projects for the purpose of remaining busy only to be harmed when we were not paid promptly or when our number was too low or when ruinous contractual terms were imposed upon us. Since it may take only one project of this type to send us into a downward spiral from which recovery is difficult if not impossible, we must resist the siren song of bad work and keep our powder dry for the better days that surely lie ahead.

I will close with thanks to all of those individuals with whom it has been my pleasure to work over my term- I truly appreciate all of their support and assistance. As I pass the baton to my worthy successor, Neil Vitale, I wish him all of the best during his term and pledge my support to him and the Chapter in their future endeavors. I also leave him with a few words of wisdom, "Time flies when you're having fun!"

ElectricPAC Contributors Supply the Power Behind the Chapter's Political Muscle

The Chapter's growing list of legislative achievements has been made possible by the generous financial support Members have provided to **ElectricPAC**, its political war chest. These contributors are standing up for an entire industry but, they cannot do it alone. We hope that every Member will join them by participating at the Club Level that best suits their ability to contribute.

Honor Roll of 2008 ElectricPAC Contributors
(as of 12/31/08)

President's Club (\$3,000 +)

Scholes Electric & Communications (\$5,000)
Tore Electric Company

Governor's Club (\$2,500)

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Chairman's Club (\$1,500)

Eii Inc.
Modern Electric Company
Spark Electric Company
Star-Lo Electric, Inc.

Founder's Club (\$1,000)

BW Electrical Services LLC
Boz Electrical Contractor, Inc.
Lessner Electric Company
Maul Electric, Inc.
Sal Electric Company, Inc.

Ambassador's Club (\$ 750)

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Gold Club (\$ 500)

Century Electric, Inc.
Electro Maintenance, Inc.
Huen Electric of New Jersey
Larkin Service Corp.
MJM Electric, Inc.
Mehl Communications, Inc.
S & J Electrical Contractors, Inc.
Eric Sivertsen
Starko Electric Services, Inc.
Tru-Val Electric Corp.

Silver Club (\$ 250)

ABG Electric Company, Inc.
Leading Edge Safety & Health, LLC
William F. Lubeck Company, Inc.
Power Electric Company, Inc.

Bronze Club (\$ 100)

D'Anna Electric Corp.
DPR Electric, Inc.
Hockenbury Electrical Company, Inc.
Progressive Electric Company, Inc.
Roger Simonds

The Chapter thanks these Members for supporting its government affairs program and their commitment to the industry. Their contributions have fueled the achievements of NECA's legislative program and are laying the foundation for future success!

(Continued from Page 1 **NECA Builds Momentum in Trenton ...**)

clarifying that any such order would apply only to the contractor charged with the infraction rather than the entire project. NECA is also fighting to prevent the passage of legislation allowing letters of credit in lieu of bonds. This bill was held from consideration at a Senate Committee meeting following intervention by NECA and other allied contracting organizations and, when it was again posted before the Committee, this coalition worked with the Chairman and the Bill Sponsor to have the legislation removed from the agenda altogether. Another bill that NECA has successfully bottled up in Committee would create new exemptions in the licensing law for landscaping work and the installation of central vacuum systems.

Another proposal of interest to NECA firms is A1009, sponsored by Assemblyman John Wisniewski (D-19), which mandates advance approval for the replacement of a named subcontractor. Additionally, the bill, which has been released from the Assembly State Government Committee, provides that the State or State Authority could terminate a contract with a firm upon a transfer of ownership which would "materially affect the ability of the contractor to perform." Finally, the Legislature is working to strengthen and expand the prevailing wage law, with S2340, sponsored by Senate Majority Leader Steve Sweeney (D-3) and Senator Barbara Buono (D-18), which will require prevailing wage to be paid on any projects which are the beneficiary of any funding from the Board of Public Utilities.

Following the approval of the State Budget by the end of June, the Legislature will break for summer recess and will most likely not return to Trenton until after the November elections. All 80 seats in the General Assembly will be up for election, but the main focus will of course be the Governor's race. While New Jersey is typically a Democratic state, this year Governor Corzine faces a serious challenge. In a recent Quinnipiac Poll the Governor had 37% job approval, along with 58% disapproval on his handling of the economy. Likely Republican Candidate Chris Christie led the Governor in a head to head match up by 46-37. Obviously there is still a long way until Election Day and as we all know politics in New Jersey is extraordinarily fluid.