



Heating & Air Conditioning Contractors of Maryland, Inc.

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How Does Your Website Fit into Your Media Mix?

By Adams Hudson

It doesn't matter how hard you work, how nice your office space is, how clean and colorful your trucks are... these days, if you don't have a website, people wonder if you're a real business.

Your website is a portal to the world, and that is something to take seriously. However, a website is NOT your marketing savior. But it does have advantages others cannot touch. It has mind-blowing, inexpensive potential. Yet most do it poorly, so it does not matter. Here are 5 "musts" for your site's success:

1. **Your website is not a shrine to your greatness.** It is a method for communicating the prospect's benefits. Write and sell in terms of the prospect's gain... not yours.
2. **You must have a sales letter**, preferably from the owner or other position(s) of authority. Why? Because websites have a tendency to be highly impersonal. Undo the impersonality with some "me to you" communication. Write like you speak. Earn their trust. Tell prospects why you care about them and earning their business. Insert an electronic signature and/or a photo of the letter writer. Warm the site; don't freeze it.
3. **You must offer free but valuable information.** Those who use newsletters know the power of "positioning" yourself as a helpful expert. Your website can take this info "interactive" where customers can click, learn, and understand why you are an expert and thus their best contracting choice. It's subtle, but terrifically effective.
4. **You must gather visitor information** via "more free info" or other free service: A filter with a tune-up, an estimate, an energy survey... *whatever it takes* to grab the prospect's contact info. If you don't do this, it's like NOT putting your phone number in an ad. Why bother? Total waste. Get names or you lose.
5. **Use a simple "auto-responder"** to thank your prospects for their visit and to assure them that the "free" service you mentioned is en route or scheduled. This responder is generally free from your site server.

In all the marketing you do, do not forget that very few allow 24/7 usage. Even fewer allow the prospect to sift in and out of the message at *their* control, and as of right now, only one does all of this with the ability to allow your customer to speak back and transact business. That, dear friends, is your website. Build it; modify it; respond to it; and watch the customers keep coming back.

2021 Lobbying Goals

HACC was very happy with our Lobbying efforts in 2020. We were successful in getting our bill passed into law on May 8th. We met with 56 legislators and other stakeholders. We worked with MWA to improve the Apprentice Tax Credit. It was a great year!

We have signed a contract to continue working with AnnDyl for the 2021 legislative session. We are excited for some of the advocacy goals we have set:

1. Grants to pay for the first year of an apprenticeship program in HVAC and other critical clean energy trades
2. Healthy homes/buildings incentive (in the form of rebate or tax credit) for installation of IAQ devices

We hope to meet in person or in Zoom with many politicians over the next session. If you are interested in participating with legislature members from your district, please let us know.

WELCOME NEW MEMBERS

ABC Cooling and Heating, LLC

13219 Miles Road
Baltimore, MD 21220

Atlantic Air, Inc.

4497 Foxtail Road
Hampstead, MD 21074

Harford Refrigeration

7915 Philadelphia Road
Baltimore, MD 21237

Kelly Mechanical Services, Inc.

533-A Rock Spring Road
Bel Air, MD 21014

ROSA Heating and Cooling

9211 Colorado Avenue
Randallstown, MD 21133

HR QUESTION ? of the month



Pay Salaried Non-exempt Employee for Actual Hours Worked?

Question

If a salaried non-exempt employee works more than 40 hours in a workweek, the employer must pay overtime. If a salaried non-exempt employee works fewer than 40 hours in a workweek, may an employer pay them based on their actual hours worked (e.g., 38 hours)? It does not seem fair to the hourly employees if they are docked for working fewer than 40 hours in a workweek and yet a salaried nonexempt employee would not be.

Answer

As background, non-exempt employees need only be paid for the time that they actually work. Apart from statutory paid sick leave requirements under some states' laws and now federal law (the latter pertaining to COVID-19 absences) or any contract providing otherwise, no federal or state employment law requires that they be paid when they do not work.

Regardless of the form of compensation paid to nonexempt employees (i.e., hourly, salary, piece-rate, etc.), employers must ensure that such personnel earn compensation that equates to at least minimum wage for each hour that they work, plus overtime at the rate of one and one-half times the regular rate of pay for hours worked in excess of 40 in a workweek. When a non-exempt employee is paid on an hourly basis, it is easier to ensure that minimum wage and overtime requirements are met, and the calculations are often simpler to compute (assuming no additional remuneration). Indeed, the employer simply multiplies the number of hours worked by the hourly rate of pay for straight time hours, and uses the applicable 1.5 multiplier for any overtime hours worked. For this reason, many employers choose to pay non-exempt employees by the hour.

That said, it is not unlawful to pay non-exempt employees on a salary basis and some employers do so. If a non-exempt employee is paid on a salary basis, the employer must still ensure that minimum wage and overtime requirements are satisfied. This means that the employer must take care to ensure, each week, that when the salary paid to any non-exempt is divided by the number of hours that were worked (of which such employee should be keeping accurate records), the result is not a sub-minimum hourly rate of pay. If it is, the

HR QUESTION ? of the month



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employer must true-up the compensation to meet the minimum wage standard. Employers must also ensure that salaried, non-exempt employees are properly paid if overtime hours are worked. This is ordinarily done by first determining the employee's regular rate of pay and then computing an appropriate overtime amount based on how many hours over 40 were worked that week (if the employer uses the fluctuating workweek method of compensation, please note that the recent federal guidance addresses the implication of bonuses, see **Fact Sheet #82: Fluctuating Workweek Method of Computing Overtime**). Because these calculations are often more administratively burdensome, it is less often the case that employers pay non-exempt employees on a salary basis. That said, so long as minimum wage and overtime requirements are satisfied, this is a lawful means of paying such employees.

Getting specifically to your question and assuming there is no contractual prohibition and the fluctuating workweek method is not in use, there is no law that prohibits an employer from prorating a non-exempt employee's salary commensurate with time missed from work. (That said, if the employer does so, it begs the question of why the employer is utilizing a salary basis of pay in the first place -- it may be easier to simply pay by the hour.) The employer should ensure that its policies and practices support salary proration for non-exempt employees and that no contract is violated if this done. You indicate that the employer presently pays certain non-exempt employees a weekly salary regardless of the number of hours worked, such that if fewer than 40 hours are worked in the workweek the same salary is still paid to them (whereas hourly workers are paid only when they work). There is no law that prohibits this, per se, although again the employer must still take care to ensure that minimum wage and overtime requirements are met.

Letter from the Executive

Hello Friends,

If you did not see, we will be starting an online Journeyman Review Prep class this upcoming Saturday. Let us know if you want to get a student enrolled.

We are actively recruiting for our 2021 Board of Directors. Please let us know if you are interested in attending a meeting or learning more about what we do behind the scenes. It is a great way to give back to the industry. The board meets once a month.

Stay Safe,
Stephanie Anderson, MBA, IOM

Member Personals

Happy Birthday to...

Nancy Ennis wife of Steve Ennis of Columbia Heating Products

Jack Van Horne of Arundel Cooling & Htg.

Pete Coakley, of UPD Co.



Happy Anniversary to...

Richard and Roberta Foard of Foard Enterprises.

James and Louis Kemp of Aireco Supply

Dan and Nancy Heavrin of Statewide Contracting

Tom and Patty Deimler of B&B Air Conditioning

HACC OF MD BOARD OF DIRECTORS -- 2020

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Second Vice President – John Van Horne, Jr., Arundel Cooling & Heating Co.

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Glenn Conklin, Coastal Heating

Richard Foard, Foard Enterprises, Board Member Emeritus

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