NLBMDA Tells OSHA 2016 Letter of Interpretation Contradicts 2010 Crane Rule

NLBMDA met with OSHA’s Directorate of Construction to raise concerns about a 2016 Letter of Interpretation that addresses an aspect of the material delivery exemption to the OSHA crane rule. OSHA issued the crane rule, which includes the material delivery exemption, in 2010 after extensive consideration by the agency and input by stakeholders, including NLBMDA. The Letter of Interpretation, issued in June 2016 in response to a question posed by an equipment manufacturer in November 2010, has created confusion for dealers and contractors alike regarding the final stage of the delivery process when material is boomed up to the upper level of a structure under construction. Prior to the Letter of Interpretation, dealers followed the plain meaning of the rule’s exemption for material delivery. NLBMDA’s current position after its meeting with OSHA is that dealers should continue to follow the plain meaning of the exemption as discussed HERE.

Thank you to our April & May Professional Development Hosts & Sponsors!

What’s Happening

May 13-15, 2019
Estimating 1-2-3
Eagan, MN

May 15, 2019
HR/Legal/Lien Law
Sioux Falls, SD

June 1, 2019
MN Cocktails & Crafts Tour
Minneapolis, MN

June 18, 2019
NE Golf Outing
Eagle, NE

June 20, 2019
IA Golf Outing
Ames, IA

Don’t Miss the Final Spring LumberTech Classes
Make sure your staff is ready for the busy summer. Sign up today for the May LumberTech classes.

Estimating 1-2-3, May 13-15 – Eagan, Minnesota ONLY 8 Seats left in this class

"Excellent learning tools for anyone involved in the construction and/or home improvement industry."

Students choose, based on their skills, between attending Day 1 & 2; Day 2 & 3 or ALL three days.
Day 1 - Estimating 1 Introduction to Residential Construction & Blueprint Reading
Day 2 - Estimating 2 Basic Residential Material Take-off
Day 3 - Estimating 3 Advance Residential Material Take-off

HR - Legal - Lien Law, May 15 *NEW DATE* – Eagan, Minnesota
Owners, Managers & HR Personnel - Learn human resource best practices, common contracts LBM dealers are using and discuss what lien law is and how to use it to make sure you get paid.
2019 “Inland Northwest” Mill Tour
September 29 – October 4, 2019
REGISTRATION OPENS END OF MAY!
NLA's 2019 Mill Tour will take us to the “Inland Northwest" - also known as the eastern Washington and Idaho Panhandle region. Recognized for its timbered mountains, jagged peaks, emerald green hillsides and pristine lakes, this trip is sure to ignite your visual senses!

Join fellow lumber yard dealers on this amazing annual tour and get educated on the lumber & building product industry in this region while also touring must-see area attractions.

TENTATIVE TRIP HIGHLIGHTS
Please note – the items below are all tentative at this point and have yet to be officially confirmed. Locations listed may change. A detailed brochure will be emailed as well as the registration form with pricing and more information about the trip.

Industry Tours
- Boise Cascade Plywood Mill in Kettle Falls, WA
- Vaagen Brothers Lumber Sawmill in Colville, WA
- Potlatch Plywood Mill in St. Maries, ID
- Coeur d’Alene Tree Nursery in Coeur d’Alene, ID
- Edgewood Log Homes in Athol, ID
- Coeur d’Alene Wood in Post Falls, ID

Attractions & Fun
- Sierra Silver Mine Tour in Wallace, ID
- Lake Coeur d’Alene Dinner Cruise in Coeur d’Alene, ID
- Spokane City Tour in Spokane, WA
- And much more, including free time to explore, hike, etc.

This has been a sold-out event the last two years. For that reason, an interest list is currently being established until May 10th. Those on the interest list will receive the registration materials first. If we do not sell out all seats to those on the interest list, only then will registration be opened up to the entire membership!

Steps to Ensure Your Spot
1. If you haven’t already, get your name on the interest list today by emailing Jodie Fleck at jfleck@nlassn.org.
2. Watch for the Registration Alert Email in the latter half of May. This is not the registration materials...this email is just the notification of when the official registration will open up so that you can make sure your schedule is clear and don’t have to wonder if you’ve missed it. This alert will come out about a week before the registration opens up. It WILL contain the detailed brochure so you can read about the trip and take some time to make your decision.
3. Watch for the Official Registration Email to be sent to you on the date listed in first email. When you see it come through, print the registration form off, fill it out, and email it back to Jodie at jfleck@nlassn.org immediately for your best chance at a seat. You will receive a confirmation back either way indicating if you secured your requested spots or if we no longer have spots available.

QUESTIONS? Contact Jodie at 763-595-4058 or jfleck@nlassn.org.
On behalf of the Northwestern Lumber Association Board of Directors and staff, thank you to all the members who renewed their membership for the 2018-19 year! Additionally, we welcome several new members!

For those 2017-18 members who have not yet renewed – it’s not too late!

You can still send in your renewal information with payment for your 2018-19 membership dues. Your membership and all the associated benefits will be reinstated upon full payment of your dues.

In the meantime, those 2017-18 members who have not renewed their membership will be receiving a cancellation notice and your member benefits will cease. If not renewing was simply an oversight, please contact the NLA office to renew.

For any membership or services information, please contact Lindsay or Cody to discuss further details.

Once again, we thank you for your continued support of Northwestern Lumber Association and wish you a busy and prosperous 2019!

Upcoming Special Events

NLA has planned some exciting events and we want YOU to join in on the fun!

Our newest event is the MN Cocktails & Crafts on June 1st in Minneapolis! Please join us in Minneapolis for a tour of a brewery, a distillery and a cidery. Sit back and relax while we chauffeur you around the area and enjoy a wonderful time networking with NLA members. Get a taste of local flavor and learn about brewing and distilling processes. Click HERE to register!

In June, NLA will host its annual Nebraska and Iowa Golf Outings. Nebraska will take place on Tuesday, June 18th. Iowa will follow on Thursday, June 20th. We welcome all skill levels and encourage you to participate. Our generous sponsors always make sure that there are plenty of great prizes to win as well. To register for the Nebraska golf outing, click HERE. To register for the Iowa golf outing, click HERE.

There is something for everyone and our events can be a great opportunity to connect with your fellow members or build relationships with clients away from the yard. Please consider joining us for an event; we think you will be glad you did! If you have any questions or would like to sponsor an event, please reach out to our office at 888-544-6822.

Sponsorship Opportunities

Spend a little, get a lot! Joining us at one of our upcoming events? Can’t be there in person but want to contribute? Make your brand go further by sponsoring some of the fun! Everyone will thank you for:

- Snacks
- Prizes
- Meals
- Transportation
- and more!

We’ll make sure all the attendees know just who to commend for bringing some extra joy! Link to the sponsorship form and descriptions HERE.
DOL Releases Proposed Rule on Overtime Rate Regulations

Recently, the U.S. Department of Labor’s (DOL) Wage and Hour Division (WHD) released a proposed rule that would update the regulations governing regular rate requirements, which define what forms of payment employers include and exclude in the “time and one-half” calculation when determining workers’ overtime rates.

- The proposed rule focuses primarily on clarifying whether certain kinds of benefits and perks must be included in the regular rate. NLBMDA will provide input to the DOL on the impact this update might have on the industry.
- The proposed rule includes clarifications to confirm that employers may exclude the following from an employee’s regular rate of pay:
  - The cost of providing wellness programs, onsite specialist treatment, gym access and fitness classes, and employee discounts on retail goods and services;
  - Payments for unused paid leave, including paid sick leave;
  - Reimbursed expenses, even if not incurred “solely” for the employer’s benefit;
  - Reimbursed travel expenses that do not exceed the maximum travel reimbursement under the Federal Travel Regulation System and that satisfy other regulatory requirements;
  - Discretionary bonuses, by providing additional examples and clarifying that the label given a bonus does not determine whether it is discretionary;
  - Benefit plans, including accident, unemployment, and legal services;
  - Tuition programs, such as reimbursement programs or repayment of educational debt.

The proposed rule also includes additional clarification about other forms of compensation, including payment for meal periods, “call back” pay, and others. For questions, contact Kevin McKenney at kevin@dealer.org.

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HR Question of the Month: Establish Workplace Safety/Weapons Policy?

Provided by Federated Insurance

Question

Our company does not have a specific safety in the workplace or weapons policy; is it advisable that we establish one?

Answer

It is a best practice and our recommendation that employers establish and implement a safety/anti-violence policy that is clearly communicated to employees (and where applicable, visitors), and in some cases this may include a training component, as well as a weapons policy (though the latter depends upon the applicable state’s firearm regulations). While to our knowledge there is no federal law specifically mandating workplace violence policies in all cases (although this may be required in certain industries, such as healthcare for example), as noted, occupational safety and health laws do require employers to ensure that their workplaces are safe. Admittedly it may not be possible to eliminate all risk with 100% certainty, but employers must still ensure that they are proactive in both identifying potential risks in the workplace and seeking to implement preventative and corrective measures (which can, as noted, also include workplace violence training). Employers that do not take measures to protect the workplace against violence can be held liable for acts that occur there.

Click HERE to read entire article.

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BlueTarp Financial Releases Its 2018 4th Quarter Building Supply Index

BlueTarp Financial – the leading credit management company for B2B suppliers – released its Q4 2018 Building Supply Index. The Q4 2018 seasonally unadjusted average declined from 131.39 in 2017 to 130.73 the first year-over-year slowdown since Q2 2016.

The decline was driven by a drop in consumer confidence that peaked at 137.9 in October, the highest in nearly two decades, but saw a dip to 128.1 in December.

Click HERE to view complete news release and HERE to view supply index.
BUSINESS FOR SALE

ADA BUILDING CENTER is for sale due to retirement. A profitable lumberyard, Building Center has served Ada and surrounding communities for over 76 years. 7.7 acres located in Norman County on the east edge of Ada, Minnesota, on State Highway 200. 88' x 170' with 30' x 16' showroom display floor - office, shop and storage all under one roof (1,740 sq. ft. display area with 384 sq. ft. office space, 864 sq. ft. insulated shop, 11,972 sq. ft. cold storage). 44' x 97'6" warehouse with 12' x 97'6" open lean (4,290 sq. ft. warehouse with 1,170 sq. ft. open lean). Equipment and inventory. Contact Danny or Dave at (218) 784-3661.

Lumber Dealers - If interested in submitting a classified ad that will be published online, in the Scene...in a Flash! newsletter, and Building Products CONNECTION, please contact Melanie Hullman at mhullman@nlassn.org or (763) 595-4050.

If interested in placing a display ad in the Building Products CONNECTION or the Scene...in a Flash newsletter, contact Erica Nelson at erica@pierreproductions.com or 763-497-1778.

In the Spring, I have counted 136 different kinds of weather inside of 24 hours.

Mark Twain