



# Nailed It!

Pointed News for You

Southern Building Material Association

December 2009

This Month's newsletter is sponsored by Vann & Sheridan Attorneys, L. L. P. visit [www.southernbuilder.org](http://www.southernbuilder.org) for more info

Vann & Sheridan Attorneys at Law:  
Serving Construction Suppliers and Businesses with Their Legal Needs



Happy Holidays to All from the  
Executive Committee, Board and Staff of SBMA

## 2010 Building Products Buying Show February 3-4



SBMA's 2010 Building Products Buying show will be held Feb. 3-4 at ShowPlace in High Point, North Carolina. Plan to join us before the show for **NAHB's Business Management** and **Green Building for Building Professionals**. Casey Vorhees will give his famous

**Estimating Clinic.** We have planned special seminars on *Energy Efficiency...How Building Will Change in 2010 and Beyond* with Sam Raskin. Sam managed Energy Star (a joint program of the U.S. Environmental Protection Agency and the U.S. Dept of Energy) since its inception. After the seminars, join us across the street for lunch sponsored by **ECMD Companies** and tour the show floor. Steve Monroe will talk on *Marketing Your Product* on Thursday morning followed by Edsel Charles, President of Market Graphics Research who will talk on *New Housing in 2010*. Registration information is enclosed or you may register on line at [www.southernbuilder.org](http://www.southernbuilder.org).

After the show we have a special treat planned. We will have a working lunch with two exceptional workshops. **Craig Webb, Editor of ProSales will give a special report followed by a panel discussion with a contractor, 2 dealers and a supplier on what kind of activity they see for Spring and Summer and how they are planning for it.** The show floor is filling up with many new exhibitors as well as many you are familiar with from past years. If you are interested in exhibiting, please call SBMA at 800.849.1503 or visit our website at [www.southernbuilder.org](http://www.southernbuilder.org). **See enclosed promotional sheets for seminar information and registration! BRING YOUR CONTRACTORS! They will really appreciate it!**



From last year's show. Meeting rooms were overflowing, the show floor was full. We expect even more attendees this year.

**The Southern Building Material  
Association**

**MANAGEMENT  
NEWSLETTER**

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**From Our Members**

**David Brandenburg, VP of Residential Sales** for **Cox Industries, Inc.** is one proud dad! His daughter, Emily Brandenburg, a senior defender and goalkeeper on the Francis Marion University women's soccer team, has been named to the first-team *ESPN The Magazine/CoSIDA Academic All-District III* Team. A native of Martinez, GA, Brandenburg has compiled a perfect 4.00 grade point average as a political science major. She was one of only four non-ACC student-athletes on the 11-player first team. Congratulations Emily!

**Rocco Building Supplies**

I am proud to announce that the Rocco Building Supplies employees met their 2009 goal this week of 4,385 days (12 years) without a loss time accident. Also, as we also celebrate our 40<sup>th</sup> year in business this year we are appreciative of the support the members and staff of SBMA have given us.

Best regards,  
Fontaine Canada

**Creative Destinations**

*Lou Hannah*

**CANCER** is a MEAN disease which attacks at random regardless of social status, age, gender or race. All of us know of at least one friend or relative that has been hit with some form of this dreaded disease.



I am now three years cancer free and I am going to celebrate. I have planned a "cruise for charity" for September 5 - 12, 2010 on The Serenade of The Seas. The ports of call are San Juan, Barbados, St.Lucia, Antigua, St.Maarten and St. Croix. For every stateroom sold Creative Destinations will donate \$150 to the Susan G. Komen For The Cure breast cancer research.

This is my small way of giving to an organization that, hopefully, one day will find a cure.

If you would like to join me on "my" cruise, visit our website,

[www.creativedestinationsinc.com](http://www.creativedestinationsinc.com) and fill out the profile sheet or call me at 866-377-7170. A small deposit will secure your cabin. Get the word out to all your relatives and friends and let's do our part in raising some substantial funds for breast cancer research.

**"Tee Off For The Troops"  
October 19- 23**

**Haywood Builders Supply or The  
Design**



**Center of  
Sylva** helped to support the men & women deployed over-seas. They asked people to donate their

*gently* used golf equipment  
(Clubs, Bags, Balls, Tees etc).

They said if you didn't happen to have any "Gently Used" golf equipment they would gladly accept NEW! Go buy a box (or two) of balls, tees etc and drop them off. In addition to golf supplies monetary donations to help ship these items were most welcome. It costs \$35 to ship a set of clubs to Iraq. Checks should be made out to :

GIVE2TROOPS, Inc  
3109 Landmark Street  
Greenville, NC 27834  
*It's a GREAT cause!!*

**Lumberman's Wholesale Distributors, Inc.** of Nashville TN is celebrating its 40<sup>th</sup> year in business, serving the retail lumber industry since 1969.

## **Employment Policy Needed to Address Mobile Phone Usage While Driving**

*James Vann*

In North Carolina, effective December 1, 2009, it will be unlawful to drive a motor vehicle and use a mobile telephone or other similar digital technology for email, texting, access to the internet or games.



This law sets forth limitations as to what type of electronic information is or is not allowed while driving. The law makes it unlawful to:

- manually enter multiple letters or text as a means of communicating with another person; or
- read any electronic mail or text message sent or stored;
- However, this limitation does not apply to any name or number stored in the mobile telephone or other digital device nor to any caller identification information.

Thankfully, the prohibitions of this law do not apply if your motor vehicle is parked or stopped. This raises the question as to whether you can text and email while your vehicle is stopped at a traffic sign or traffic light. The law also is not applicable to emergency personnel. The law does allow the use of global positioning systems or wireless communication devices used to send or receive data as part of a digital dispatch system. The law also allows the use of voice operated technology which will grow in popularity.

### **The Need for an Employment Policy**

Restricting the use of technology for sending and receiving text messages, emails, and other similar communications while driving makes sense. As a business concern, we need our employees to be accessible while out of the office. Email and/or texting are obviously an easy way to stay in touch. However, safety requires more concentration to driving.

The concern for employers is potential liability. There have been multiple accidents

across the country where one or more of the drivers were accessing text messages or emails while driving. This has become and will remain a likely source of liability for employers.

Employers should have a comprehensive written policy which addresses the use of electronic communications while on behalf of the employer. After the policy is adopted by the employer, the policy should be properly communicated to all of the employees and consistently enforced.

### **Distributors plan for comeback** *Home Channel News*

There is the feeling among regional distributors that good times are around the corner, according to [PRO Group](#) CEO Steve Synnott. Meanwhile, [Distribution America](#) president Dave Christmas said now is the time to take advantage of the slowly recovering economy.

These were among the ideas generated during the joint PRO Group and Distribution America Annual Executive Planning Conference at the Marco Island Marriott Resort in Marco Island, Fla., Nov. 2 to 4. The two distribution groups were hoping to create a blueprint for growing

"This conference is well-timed for PRO member wholesalers to refine and finalize their plans for steady 2010 expansion in regionally targeted markets," Synnott said.

DA's Christmas said this is a crucial time for taking advantage of the slowly recovering economy. "The overall attitude among the DA membership going into the Executive Planning Conference is one of guarded optimism," he said. Christmas added that 2010 will be a prime time for regional distributors because familiarity with the market will be valuable in the coming months, as hardware stores, lumberyards and home centers look for an edge.

Also at the conference, Jeannette Kellogg, VP sales and marketing for Genova Products, said the conference helps Genova look to align her business with its customers. "We just can't operate the way we always have. All of our

companies -- manufacturers and distributors -- need to be looking for opportunities," she said.

Trip Powell, president of H.B. Davis Seed Co. and a PRO Group distributor member, is attending the conference for the first time. "I think that it is important for business leaders, particularly at this period in time, to keep their field of vision as wide as possible. That means talking to other businesses both in and out of their type of trade," Powell said.

Corey Jensen, director of sales for Black & Decker/DeWalt, said the annual conference is a time to introduce new products and consult on best practices. "It's a way to build upon the successes of the past to keep the business momentum moving in the right direction," Jensen said.

For Lynn Dawson, VP purchasing for PRO Group member Wallace Hardware, the conference was an opportunity to meet with vendors and discuss new programs and new introductions planned for the year ahead.



### **OSHA releases ANPR on combustible dust standard** *J.J. Keller*

OSHA published an advance notice of proposed rulemaking (ANPR) in the October 21 edition of the Federal Register as an initial step in development of a standard to address the hazards of combustible dust. The public must submit comments by January 19, 2010.

Combustible dusts are solids ground into fine particles, fibers, chips, chunks, or flakes that can cause a fire or explosion when suspended in air under certain conditions. Types of dust likely to combust include metal (aluminum and magnesium), wood, plastic or rubber, coal, flour, sugar, and paper.

OSHA has been conducting a Combustible Dust National Emphasis Program (NEP) since October 2007. The NEP has resulted in an unusually high number of General Duty Clause violations, indicating a strong need for a combustible dust standard. The General Duty

Clause is not as effective as a comprehensive combustible dust standard would be at protecting workers. Responses to questions posed in the ANPR will help the agency propose an effective combustible dust standard.

In addition to public comment, the agency also will conduct stakeholder meetings and will analyze all information and comments received from the public in developing a proposed rule on combustible dust.

### **Comments can be submitted:**

Electronically at [www.regulations.gov](http://www.regulations.gov)  
Fax, including attachments, that are no longer than 10 pages in length to the OSHA Docket Office at (202) 693-1648

Regular mail, express delivery, hand (courier) delivery, and messenger service. Submit three copies of comments and any additional material (e.g., studies, journal articles) to the OSHA Docket Office, Docket No. OSHA-2009-0023 (or Regulation Identifier Number (RIN) 1218-AC41), Technical Data Center, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350.

### **Injury and Illness Recordkeeping: Take it Step by Step** *J.J. Keller*

Now more than ever, employers must understand how and when to record employee injuries and illnesses, as well as what not to record. Taking a step-by-step approach through the maze of regulatory requirements can help you determine if your company is covered, and if so, how to document and maintain accurate records of work-related injuries and illnesses.

#### **Step 1: Determine whether the recordkeeping rule applies**

In general, all employers covered by the Occupational Safety and Health Act are required to keep work-related injury and illness records. However, employers with 10 or fewer employees, and businesses in low-hazard

industrial classifications are exempt from routinely recording injuries and illnesses.

**Step 2: Make sure that you use the correct forms**

There are three forms that you must be aware of — OSHA 300 Log of Work-Related Injuries and Illnesses, OSHA 301 Injury and Illness Incident Report, and the OSHA 300A Summary of Work-Related Injuries and Illnesses.

**Step 3: Determine the employment status of your workers**

In addition to full-time, part-time, and seasonal workers, you have to record the injuries and illnesses of employees who are not on your payroll, such as temporary and leased workers — if you supervise them on a day-to-day basis.

**Step 4: Decide if an injury or illness is work-related**

Work-relatedness is presumed for an injury or illness resulting from an event or exposure occurring in the workplace.

**Step 5: Determine if a case is recordable**

An injury or illness is recordable if it is work-related, a new case, and results in any of the following outcomes:

- Death,
- Days away from work,
- Restricted work or job transfer,
- Medical treatment beyond first aid,
- Loss of consciousness, or
- A significant injury or illness.

**Step 6: Decide if a case is new or a continuation**

An injury or illness is considered a “new case” if the employee:

- Has not previously experienced a recorded injury or illness of the same type that affects the same part of the body, or
- Previously experienced a recorded injury or illness of the same type that affected the same part of the body but had recovered completely (all signs and symptoms had disappeared) from the

previous injury or illness and an event or exposure in the work environment caused the signs or symptoms to reappear.

**Step 7: Determine if the injury/illness is a privacy case**

OSHA has identified certain types of workplace injuries or illnesses to be “privacy cases” where the employer must conceal the employee’s identity. If you have a privacy concern case, you cannot enter the employee’s name on the 300 Log. Instead, enter “privacy case” in the space normally used for the employee’s name.

**Step 8: Record specific types of cases**

These types of cases must be recorded:

- Work-related needle stick injuries and cuts from sharp objects that are contaminated.
- Situations where employees are removed from hazardous situations because of over-exposure to hazards — called medical removal.
- Work-related hearing losses of 10 decibel shifts that result in a total 25 decibel shift above audiometric zero.
- Occupational exposure to Tuberculosis.
- Work-related injuries and illnesses related to musculoskeletal disorders.

**Step 9: Report fatalities and hospitalization incidents**

You must report to OSHA each fatality or multiple hospitalization incident within 30 days of the incident.

Verbally report to OSHA the death of an employee or the inpatient hospitalization of three or more employees as a result of a work-related incident.

Form 300A, Summary of Work Related Injuries and Illnesses is to be posted February 1 –April 30. The forms will be available on SBMA’s website [www.southernbuilder.org](http://www.southernbuilder.org) in January.



## Computer workstation setup plays critical role in reducing symptoms of musculoskeletal pain *J.J.Keller*

Many companies purchase ergonomic desks and chairs to create safe and comfortable computer workstations for their employees. However, a recent study shows that setup and adjustment is critical in reducing pain related to poor work postures.

A study conducted by Jasminka Goldoni Laestadius, MD, PhD, of The World Bank's Joint Bank/Fund Health Services Department, examined two groups of workers to see whether a proactive approach to ergonomics — which used a professional ergonomist to setup and adjust computer workstations — could actually reduce pain and other symptoms in office workers.

Based on the results, the proactive approach reduced symptoms of musculoskeletal pain and eyestrain, but only for workers receiving an expert workstation setup. This group also had a significant increase in productivity. Neither group had a significant reduction in sick leave.

According to the researchers, a reduction in symptoms was clearly related to improved work postures, which means that equipment such as an adjustable chair does not add value unless properly adjusted. Therefore, to be effective in reducing pain and improving productivity, a proactive ergonomics program needs to include an individual workstation assessment.

### HOW TO KILL A BUSINESS

DON'T ADVERTISE!

Just pretend everyone knows your product and service offerings.

DON'T ADVERTISE!

Tell yourself you don't have time in this market to think about promoting your business.

DON'T ADVERTISE!

Convince yourself that your company's longevity automatically brings customers in the door.

DON'T ADVERTISE!

Forget that there are potential new customers who would do business with you if they were encouraged to do so.

DON'T ADVERTISE!

Tell yourself advertising costs too much.

DON'T ADVERTISE!

Ignore the fact that proper promotion is an investment in marketing and not an expense.

DON'T ADVERTISE!

Be sure to eliminate or reduce your advertising budget.

DON'T ADVERTISE!

Forget that your established customers like to be reminded that you appreciate their business with advertising specialties or other loyalty programs.

Ask yourself an important question. Why is it a business person wakes up after sleeping under an *advertised* blanket, on an *advertised* mattress, pulls off *advertised* pajamas, takes a shower in an *advertised* enclosure, washes with *advertised* soap, shaves with an *advertised* razor, dresses with *advertised* clothes, drinks *advertised* coffee while reading *advertising* in the newspaper, rides to work in an *advertised* car, writes with an *advertised* pen but discounts the value of *advertising* and frequently can be heard saying "advertising doesn't pay"!

Why then does he advertise his "going out of business" sale?

In the coming months, SBMA will be offering you a number of "budget conscience" marketing ideas and promotional products that could help provide your business a much needed spark. Whether you have your marketing strategy in mind, want to reward your existing loyal customers or just need some fresh ideas, we are excited about helping you with some new programs. Also, in our next article we will share some research and interesting facts about advertising specialties and their effect on customers and prospect.



**Happy Holidays**