

West Coast Roofing Contractors Association, 1971 W. Lumsden Road Suite

February 2020 Volume 25, Issue 1



Presidents Podium

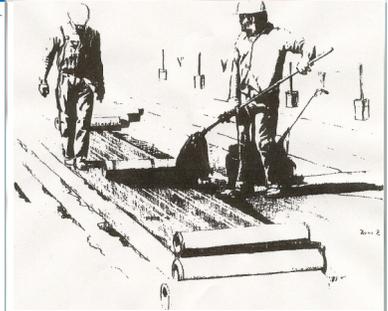
By John Kenney

Dear WCRCA Member:

Looking back through our historical archives, it has been seven years since we last published our newsletter. We at WCRCA hear our membership requests, and we are back in circulation once again.

I want to start this month's podium by saying how honored I am to be serving as your President of the West Coast Roofing Contractors Association for 2020. I promised some exciting announcements that would be coming in February, so there is no better time than now to announce them.

- WCRCA has formed the Roofing Education Foundation. We finally received our 501 (c)(3) organization status from the IRS. This status will allow all donations to our foundation to be fully tax-exempt and will enable us to be eligible for grants. Through this foundation, WCRCA will focus on workforce development, training, and education. More information will become available to the membership throughout the upcoming months.
• We are pleased to announce that we have signed up with Cotney Construction Lobbying to represent WCRCA and The Roofing Education Foundation interests in Tallahassee. They are also adding a great membership benefit to all our members. I am enclosing their brochure at the end of the newsletter for you all to review.
• This may be old news to some, but it is worth re-mentioning to our membership. WCRCA is an Affiliate to our State Organization FRSA. As an affiliate, we represent Roofing Contractors and Associate Members from Hillsborough, Pasco, and Pinellas Counties. So get the word out. The more members we have, the stronger we can be representing the Industry.
• Trent Cotney has been General Counsel for WCRCA for 20 years this year, and since those humble beginnings representing us here in the Tampa Bay Area, he has started his firm Cotney Construction Law with offices around the United States. He is currently General Counsel for many Affiliate Roofing Organizations, Including FRSA, WSRCA, and many others. I am proud to announce that Trent and the firm were



“Serving The Roofing Industry Since 1976”

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SPECIAL POINTS OF INTEREST

- WCRCA has formed the Roofing Education Foundation
• We have signed up with Cotney Construction Lobbying to represent WCRCA and The Roofing Education Foundation interests in Tallahassee



selected by NRCA in December to represent them as their General

Counsel. We could not be represented in the Industry by a more exceptional person. He has given so much over the years to fight and protect our rights.

Our membership meetings are held on the second Tuesday of each month except during the month of the FRSA Convention and Expo. This month's meeting, we are having the presentation for both the Byron Curry and Joe Whatley awards. I realize by the time you read this newsletter; we will have already had the meeting because we are sending the newsletter out till after the meeting this month. We will announce the winners in March's release.

As you have just read, we have many exciting things going on this year and much more to come.

Respectfully

Your President

John Kenney

“As you have just read, we have many exciting things going on this year and much more to come”

INSIDE STORY HEADLINE

This story can fit 75-125 words.

Selecting pictures or graphics is an important part of adding content to your newsletter.

Think about your article and ask yourself if the picture supports or enhances the message you're trying to convey. Avoid selecting images that appear to be out of context.

Microsoft Publisher includes thousands of clip art images from which you can choose and import into your newsletter. There are also several tools you can use to draw shapes and symbols.

Once you have chosen an image, place it close to the article. Be sure to place the caption of the image near the image.

COTNEYS CORNER

OSHA INCREASES MAXIMUM MONETARY PENALTIES FOR FOURTH STRAIGHT YEAR

On January 10, 2020, OSHA announced a 2% increase in the maximum monetary penalty it can levy against an employer for committing safety violations, effective as of January 15, 2020. The 2% increase raises maximum penalties for serious, other-than-serious, and posting violations – which includes conduct ranging anywhere from a failure to post an OSHA citation near a hazard after it is issued, all the way to committing a violation where there is a substantial probability of death or physical harm to an employee – to \$13,494 per violation. Monetary penalties for failure to abate hazardous conditions have also increased to \$13,494 *per day* after the abatement date has lapsed. OSHA issued the largest increase in monetary penalties for “willful” or “repeated” violations, which now carry a maximum civil penalty of \$134,937 – over \$2,000 more than the maximum amounts authorized just one year ago.

This is the fourth-straight year that OSHA has increased its maximum civil penalties, and we can only expect much of the same for the foreseeable future – as the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 formally requires OSHA to adjust its monetary penalties each year to match inflation rates and changes in the Consumer Price Index.

This increase in monetary penalties is forcing employers to come to grips with the fact that failing to comply with OSHA's safety standards and regulations is not getting any cheaper. And while contesting OSHA citations one-by-one may be a viable, short-term option, implementing a comprehen-

sive, OSHA-compliant safety plan that helps to prevent and eliminate hazards on a job site *before* a citation is issued is likely the most cost-effective long term solution.

Disclaimer: The information contained in this article is for general educational information only. This information does not constitute legal advice, is not intended to constitute legal advice, nor should it be relied upon as legal advice for your specific factual pattern or situation.

Cotney Construction Law is an advocate for the roofing industry and General Counsel of WCRCA. For more information, contact the author at 866.303.5868 or go to www.cotneycl.com.



INSIDE LOBBYING

The first month of the 2020 Legislative Session is now complete. At the beginning of session, Governor DeSantis shared his top priorities in his State of the State Address, most notably occupational deregulation and mandatory use of E-Verify. As we enter the second half of session, the window is closing for bills that have not been heard in committees.

Occupational Deregulation

An increasing number of municipalities and counties are requiring individuals to obtain licenses for scopes of work that are not within the purview of Chapter 489, F.S., and, therefore, not regulated by the DBPR (e.g. painting, flooring, cabinetry, etc.). One of the Governor's main campaign platforms was deregulation of occupations. As anticipated, the Governor has placed significant political pressure on the Legislature to deregulate occupations that do not substantially correspond to the job scopes identified in Chapter 489, F.S.

There are two sets of bills pertaining to local licensing. First, there is SB 1336 and HB 3 (filed by Sen. Perry and Rep. Grant) – both bills preempt local governments from imposing or modifying licensing requirements on occupations not regulated by the DBPR. In other words, if the license isn't required by Chapter 489, F.S., the local government cannot require someone to have it. In pertinent part, SB 1336 and HB 3 state the following:

"A local government, as defined in s. 163.21(1), may not require a person to obtain a license for a job scope which does not substantially correspond to the job scope of one of the contractor categories defined in s. 489.105(3)(a)-(o) and (q) or authorized in s. 489.1455(1). For purposes of this section, job scopes for which a local government may not require a license include, but are not limited to, painting, flooring, cabinetry, interior remodeling, driveway or tennis court installation, decorative stone, tile, marble, granite, or terrazzo installation, plastering, stuccoing, caulking, canvas awning, and ornamen-

E-VERIFY

Due to significant political pressure, SB 664 will be considered by the Judiciary Committee on Tuesday, February 11th at 2:00pm. The Senate and House leadership continue to voice their concerns regarding blanket E-Verify requirements. With that said, the Governor has not changed his position and it will be interesting to see how the Judiciary Committee votes on SB 664.



tal iron installation.”

HB 3 has passed its assigned committees and is now waiting for its first reading on the House floor. This is not surprising as the House passed an identical bill to HB 3 last year. It is important to note, there is a fundamental difference between HB 3 and SB 1336. HB 3 contains an expiration date of July 1, 2022, for all local government occupational licenses. SB 1336 allows local governments to require local licenses so long as that specific local license was imposed before October 1, 2020. Due to this underlying issue, it is unlikely that total preemption will occur this session.

The second set of bills is the compromise version, SB 890 and HB 1161 (filed by Sen. Perry and Rep. Plakon, respectively). These bills would allow local governments to require local licenses, but also permit individuals who hold a valid, active local license to work within the scope of such license in any other local jurisdiction without needing to: (1) obtain an additional local license, (2) take an additional exam, or (3) pay an additional local license fee. For example, if someone obtains a painting license in Tampa and then wants to do painting work in Jacksonville, Jacksonville cannot require the person to take another exam or pay another license fee (i.e. it requires local governments to have reciprocity). Both bills have made it through their first committee stops with two more remaining before they are heard on the floor.

E-Verify

On October 24, 2019, Sen. Tom Lee filed SB 664 requiring all employers to utilize the federal E-Verify system. However, several major industries, including agriculture, construction and tourism, have opposed the bill. On January 10, 2020, Rep. Cord Byrd filed a compromise version (HB 1265), which only requires public employers and employers who contract with the state or local municipalities to utilize E-Verify. Governor DeSantis has made very clear he does not support the compromise version, and the Republican Party of Florida recently took a formal position backing the Governor’s stance.

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February 2020

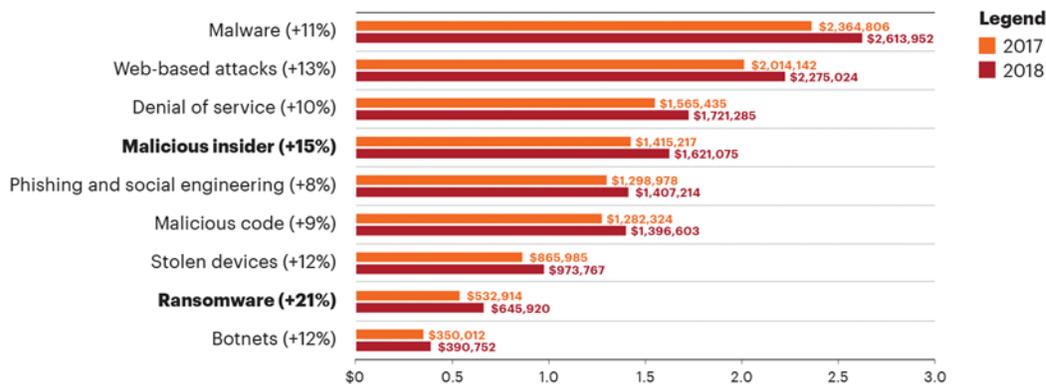
Dear Member:

Imagine you're at home on a Sunday, and despite a New Year's resolution and promise to your spouse that you're going to ease up on the weekends, you check your work email on your phone a few times. Nothing there. "Hmm, odd," you think. "Usually, there's some update or question from our team, customer, or vendor in my inbox. Oh well, I will have a nice quiet Sunday for a change." And you go about your day.

The next day, you head to the office and turn on your computer. But instead of your usual login screen, you're looking at a blue screen with text saying: "We control your network. We have locked all your files and records. If you wish to regain access to your data and your hardware, transfer \$35,000 in bitcoin to the account below. Otherwise, all your data is ours and we will destroy it."

You have no email or network. Your billing, accounts payable, receivables, inventory, job histories ... all toast. Anything not on paper or in a separate backup drive that can't be accessed from the infected network is now held ransom by a hacker who caught himself a fish. Your office infrastructure, data, and

People-based attacks have increased the most



systems you use to run your business are gone, and you're about to have a very bad day.

Unfortunately for thousands of small businesses, including NRCA members, they don't have to imagine this scenario; they've lived it. According to surveys conducted by the Small Business Authority and National Cybersecurity Alliance, 85% of small-business owners believe their companies are safe from hackers. But research by the same consortium indicates roughly 40% of all attacks are on small businesses, and nearly 60% of those companies are out of business within six months because of the financial damage. The average cost of a cybercrime hit on a small- or medium-sized business in 2014 was more than \$200,000. According to the international business consulting firm Accenture, malware attacks cost 50 days' worth of manhours for their victims.

Cyber risks can come from many sources, but the biggest culprits are humans and email: According to Verizon, 94% of malware was introduced by email and roughly half of the attachments used by criminals to gain access to your system are Microsoft Office files with .doc and .dot extensions.

According to the data security firm Semantic, small businesses have the highest targeted email rate with roughly 1 in 300 emails containing some sort of malware. And Accenture reported ransomware costs reached \$11.5 billion in 2019 with a business falling victim to it every 14 seconds.

It's not a matter of whether you will be targeted but when. CNBC reported findings from an insurance provider that indicated more than half of all small companies suffered a breach within the past year and 40% were hit multiple times.

Not all attacks are the same. Some are ransomware, demanding payment to get your data back. Many attacks you may not know are happening; hackers could simply use a portion of your computer capability in the background to "mine" bitcoin without you knowing; it's cheaper for them to steal computers throughout the world than buy or build their own. IBM reports the typical timeframe from breach to containment is 304 days in these cases. Some attacks are 'denial of service' (your website goes down because they bombard your server to be a nuisance, for example). But make no mistake, though nuisance attacks occur, 71% are financially motivated. They're hitting you because you're a vulnerable, easy target.

And the attacks are getting more sophisticated. Phishing, a term used to describe an email that looks like it's from a legitimate source, now accounts for roughly 1 in 3,000 emails nationwide. And 65% of attackers use spear-phishing where the malicious email contains even more personal, legitimate contextual information to mask its true intent. Gone are the days of a Nigerian prince sending you an email to help him get his gold back. The next email attack you'll get will look like it was sent from your foreman or from you to employees asking them to review a document.

So what do you do in a war where we're outgunned with 480 new viruses being created every minute? Different companies will have different resources, but there's some fundamental, free and low-cost solutions all contractors should consider to keep their networks more secure.

Keep your software up to date. It can be annoying, but many updates are done to patch vulnerabilities the software company has identified. If you're running Windows 7 software or older, frankly you're a sitting duck. You may think it works fine (and that's probably true), but Microsoft, for better or worse, stopped updating or monitoring that software. There are known holes that hackers can use to easily access your system. It may cost to update the software or buy a new computer, but upgrading is important.

Educate and train yourself and your team. If someone is interacting with your computer system, he or she is a risk factor. Only one-third of employees receive annual cybersecurity training. You can have the most robust tech security in place, but someone on your team making a mistake will still likely be the entry point for a hacker. Teach your team the importance of being mindful of links they click, attachments they open and what they share. Talking about it once won't get the job done, though. It needs to become a regular topic to have it sink in. There are all sorts of cybersecurity courses you can purchase for your team to take periodically.

Ensure systems have current and updated firewalls and/or antivirus software. Although keeping the applications and operating systems up to date is important, basic security software can expand your protection.

Keep timely, secure backups. If your network is hijacked, you will breathe easier knowing all your data is on a separate, secure backup drive, as well. It will still be a pain to get it all loaded again but exponentially easier, faster and cheaper than having to re-enter the past year's worth of invoices into your system or losing all your historical account histories, etc.

"More than half of all small companies suffered a breach within the past year and 40% were hit multiple times."



"In a war where we're outgunned with 480 new viruses being created every minute."

"If your network is hijacked, you will breathe easier knowing all your data is on a separate, secure backup drive, as well."

Explore insurance coverage. Make sure the insurance covers what you need or want it to. Policies vary, but insurance can be a backstop against the risks and threats that arise from viruses or hackers.

There are dozens of other tips and steps to take, but the ones I mention can instantly put you on better footing. I've included a number of links to articles and cyber to-do lists [here](#). Please read them and take the risks seriously. Whether you believe it or not, there's some new-age Nigerian prince seeking the gold to be found in your company's computers.

Until next time,



McKay Daniels
COO

Cover Boards: The One Roofing Product You Should be Using

By: Rick Damato

As part of a low-slope roofing system, I think one of the most underrated and underappreciated components is the cover board. It's left out altogether in many cases, which I believe is a shame.

There are many types of cover boards, and I realize I'm lumping them all into one category, which some will argue is inappropriate. For the sake of this brief note, however, let's just set that aside.

There are many reasons you want to include a cover board. For the building owner, the difference is going to be the thermal and moisture performance of the finished product. With most low-slope roofing systems going over metal decks, the base layers of the system are to provide thermal protection and a suitable substrate for the roof membrane covering. The base layer is also part of the air, vapor, moisture, and fire protection scheme for the building.

To accomplish this, the typical specification calls for enough layers of polyiso roof insulation to meet code for the prescribed thermal resistance value. It's always bothered me a little that the thermal resistance requirements are recognized equally for insulation installed in one layer, or two, or more. They're recognized equally whether they are mechanically fastened or applied with adhesives, at least on paper.

But are they equal in terms of downstream performance of the roofing system and in terms of actual thermal resistance?

To begin with, I've always believed that multiple layers of roof insulation are far superior to single layers. Multiple layers of roof insulation are going to provide closer to a monolithic system than one as the seams are covered by staggering joints one layer over the other. It would be difficult to count the dollars lost in thermal efficiency of the system over the life of the roof. A small, incremental difference, but over the expected life of the membrane (and subsequent roof coverings), it may be significant. A low-slope roofing system with a cover board always delivers two layers, even if the thermal requirement is met with one layer of polyiso. A cover board may also provide nominal protection for the polyiso.

I also believe that the quality of the substrate the roofing membrane comes to rest on is more important than many owners may realize. In small, incremental ways, such as building movement and prevailing winds, the wear on the membrane over time should be less when it rests on a stable, firm substrate. And how about the thermal break you get when the metal fasteners and plates are covered by an adhesive-installed cover board?

It seems like a shame to put all that insulation on just to run screws through it, telescoping the heat or cold (and moisture?) from the outside to inside the space. Compared side-by-side, I do not see how covering the fastening system, even by a minimum thickness cover board, would not perform the best.

I realize adding a cover board isn't the least expensive route to a completed low-slope roofing assembly. I am, however, suggesting that you consider the addition of a cover board anytime it's left out of a specification. The alternate may be acceptable to the well-educated owner and, I believe, will result in a better finished product.

“Compared side-by-side, I do not see how covering the fastening system, even by a minimum thickness cover board, would not perform the best.”



Workers installed 1/4-inch DensDeck Prime cover boards under both roof systems, while 1/2-inch DensDeck Prime was used to span metal deck flutes on uninsulated sections of the roof. Photo by Aerial Innovations of TN, Inc. Courtesy of Georgia-Pacific Gypsum.



February 11th 2020

Iavarone's

Lunch Program

Speaker: Richard Hunter | Principal Adjuster| Hunter Claims, LLC

Byron Curry Award & Joe Whatley Award

March 13th, 2020

WCRCA Golf Outing @ River Hills Country Club

April 14th, 2020

Iavarone's

Lunch Program

Speaker: Jonathan Wolf

Business Development Manager| Tampa/ Hillsborough EDC

May 12th 2020

Iavarone's

Lunch Program

Speaker: John Kenney| COO Sutter Roofing

Speaking on 2020 Building Code Changes

June 9th, 2020

Iavarone's

Lunch Program

Speaker: Ron Abbott & Ted Haynes

BBL Fleet | Fleet Management

July 2020

No Member Meeting

FRSA Convention and Expo

Gaylord Palms Resort & Convention Center

July 15th – 17th

August 11th 2020

Iavarone's

Lunch Program

TDT

September 8th 2020

Iavarone's

Lunch Program

TDT

October 13th 2020

Lunch Meeting

Product Demonstration

Atlantic Equipment

2250 Massaro Blvd,

Tampa, FL 33619

WCRCA Officers

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Michael Black - Vice President

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Benjamin Lute - Treasurer

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Jason Howard - Secretary

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Board Members, Directors, & Chairpersons

Directors	Phone	Term Expires
John Kenney, Sutter Roofing Co	863-354-1963	2023
Michael Black, Sutter Roofing Co	407-509-3978	2021
Benjamin Lute, Cotney Construction Law	813-579-3278	2021
Jason Howard, Suncoast Roofers Supply	727-401-1323	2023
James Montague , Sutter Roofing Co	813-299-3549	2021
Richard Dart , ABC Supply	813-248-0050	2023
Brian Aderhold , Aderhold Roofing Corp	813-526-2710	2020
Wayne Heironimus , Delta Rep Group	727-822-6535	2021
Sean Pomeroy , Atlantic Equipment	813-528-1781	2021
WCRCA General Counsel—Trent Cotney , CCL	813-579-3278	N/A

Affiliate Directors

FRSA - Trent Cotney , Cotney Construction Law **813-579-3278**

NRCA - John Kenney, Sutter Roofing Co **863-354-1963**

Committee Chairpersons

Speaker Committee - Mike Black **813-663-9667**

Education Committee - James Montague **813-299-3549**

Membership Committee - Whitney Jackson Beasley ,
Wayne Heironimus **813- 666-5355**

Website - Michael Black **407-509-3978**

Events Committee - James Montague , Wayne Heironimus
Richard Dart, Sean Pomeroy **813- 666-5355**

Budget Committee - John Kenney , Benjamin Lute **813- 666-5355**

Charities Committee - Michael Black, James Montague **813- 666-5355**

New Member Benefit Announcement



MEMBER BENEFIT

- Monthly reports during session and Committee weeks to track the progress of bills that affect the construction industry
- Access to CCL's Tallahassee Lobbyist Office for meetings
- 10% off the monthly price of lobbying subscriptions plans as WCRCA members, which includes advocacy for your company's issues and meetings with your local representatives in Tallahassee

ABOUT US

EXPERIENCE. COMMITMENT. CHANGE.

Cotney Construction Lobbying is committed to the construction industry. Our lobbyists provide comprehensive lobbying and government advocacy services for construction firms, associations, contractors, manufacturers, and suppliers.



Legislative Work



Executive Advocacy



Bid Work

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