# THE LEARNING CONTINUES

November 1, 2018

## **ROUNDTABLE MEETING**

Cocktail Hour: 6 PM -- Dinner: 7 PM
Milito's Fine Italian Restaurant
315 Walt Whitman Rd., Huntington Station, NY 11746

See details on page 6

OSHA 30 SAFETY TRAINING CLASS
October 20 & 27, November 3 & 10

See page 6 for details

FALL SEMINAR: SOFT SKILLS

November 17, 2018

See page 7 for details

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✓ Featured Article✓ Learning Opportunities✓ News Clips







**Brian Aull**Atlantic Contracting & Specialties, LLC

## From the **President**

On September 13th, MACC hosted another successful edition of our valuable event series, Survive & Thrive. Not only did we have a great turnout, the stories shared by our speakers served as great takeaways for all who attended. It is always incredibly beneficial to hear

from industry leaders about how they got to where they are and what can be learned from their experiences. I would like to extend a huge thank you to the speakers of the night, Matthew Sher and Jim Carlson. I know I can speak for everyone who attended by saying that we appreciate you taking the time to speak to all of us.

As we all know, the HVAC industry is ever changing. That's why being a part of an organization, like MACC, is extremely important. At MACC, we work hard to ensure that our members are up to date on the latest law changes, new technology, better business practices, etc., by bringing that information directly to members at our monthly meetings. MACC also focuses greatly on making sure that our members, and their employees, are properly trained and educated. We understand the true importance of investing in not only your own training, but the training of your new techs. Our Seminar Program has been a great success and we look forward to expanding it with new classes!

A recent change in our industry, and several others, is the new Site Safety Training (SST) Curriculum. Local Law 196 of 2017 requires certain workers and supervisors to receive safety training at construction sites that are required to designate a Construction Superintendent, Site Safety Coordinator or Site Safety Manager. In order to assure that our members are in compliance with this law, we have scheduled a 4-day OSHA 30 Training Class, which will begin in October. Be sure to check out our website for more information.

Our next membership meeting will be our annual Round Table Meeting, which will be held on November 1st at Milito's Restaurant in Huntington Station . Please keep an eye out for more information on topics that will be discussed. I look forward to seeing everyone there!

- Brian



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# Five Simple Solutions for Solving the HVACR Technician Shortage

The following article has been reprinted, in part, with the permission of ACHR News

Bruce Campbell, national accounts manager, supermarkets, United Refrigeration Inc., proposed building a technician workforce in a climate of shifting demographics. "There isn't a week that goes by that a contractor doesn't talk to me about the shortage of good, qualified refrigeration service technicians," Campbell said. But, in the face of the industry's most pervasive problem, Campbell offered five potential solutions for the industry to apply:

- Create internship programs to give candidates the experience of working as technicians;
- Pass on your knowledge and experience. Teach and mentor a candidate who shows aptitude;
- Encourage your state to develop a professional licensing program for HVACR technicians;
- Develop e-learning courses in refrigeration and make them available to vo-tech schools and other educational programs; and
- Partner with community colleges, and promote the development of more associate degree programs in HVACR technology.

#### **DEVELOP YOUR OWN TALENT**

Martin Luckcuck, director, north division facility maintenance, City Facilities Management (FL) LLC, Jacksonville, Florida, said he encourages contractors to be positive about developing their own talent. Contractors historically cite four negatives around training techs as opposed to hiring already skilled techs. They include:

- There is no good 'raw material' (i.e.; unskilled but eager people) out there;
- I can't afford to train somebody;
- Customers won't pay for two technicians on what are generally considered one-man jobs; and
- If I invest in training, my employee will quit once he or she learns the trade to get a few bucks more somewhere else.

However, Luckcuck refutes each of these.

- There is no good 'raw material' out there "There are plenty of technical programs out there teaching the fundamentals of HVACR, but unless you make the time and effort to engage them, you won't be able to make contact with the best students," Luckcuck said. Relationships must be built with the teachers. This will take a commitment."
- I can't afford to train somebody The bottom line is that companies can't afford not to train. "Everything from YouTube videos to supply house-sponsored events are out there for the taking. Also, current techs must be enthusiastic about sharing their knowledge, and that requires commitment from the company with some sort of reward for successfully contributing being offered.
- Customers won't pay for two technicians on what are generally considered one-man jobs The old argument was that you can't send a new guy out alone, because you don't know until you get there whether it's a minor or major problem. While this can be true, advances in technology help to reduce the risk.

"Cell phones, the internet, and FaceTime are tools available to most businesses and can be used to guide less experienced techs, even if it's just to take some initial steps while another tech responds to provide support," Luckcuck noted.

• If I invest in training, my employee will quit on me once he or she knows something, to get a few bucks more from some other shop — A key to avoiding this scenario is to have fair and realistic pay advancement policies in place.

"If a company offers good benefits, cares about work-life balance, and clearly lays out the advantages of staying with them, turnover can be minimized," Luckcuck said.

For the full article, including how to get involved with local vocational programs... and improving recruitment please log on to:

https://www.achrnews.com/articles/136684-five-simple-solutions-for-solving-the-hvacrtechnician-shortage



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### **Editor's Notes**

By Anthony N. Carbone

We have embarked on a programming event called "Survive and Thrive." Many HVAC outfits are at crossroads and have made decisions to either sell their businesses or buy existing businesses to grow. The reason many choose to buy other businesses is that a talent pool is already in existence and a customer base has already been established. Then the fun part begins as described by our speakers, the integration of these two cultures of businesses.

On one hand, the purchasing company with great intent to expand its' footprint wants this to work out easily. On the other hand, the company being purchased is usually apprehensive as "they do things their way." When there is a "new sheriff in town" some won't assimilate easily.

Unfortunately, there may be some castaways. One potential way to avoid this is to maintain the executives and leaders of the company being bought. It helps so the comradery is maintained. This allows the employee to still be directed by someone that the staff is familiar with and usually already respect.

The integration of two separate companies can be a challenge also from the perspective of the clients using the service of the company being purchased.

They are used to being billed in a certain way and the conversations with previous owners are at times built up relationships of trust.

With that being said the informal discussion and conversation are truly valuable to anyone leading an HVAC outfit.

Make it your business to join us for the informative conversations and knowledge you won't get anywhere else.

Any comments or suggestions: anthony @systematiccontrol.com Editor of MACC News

- Anthony N. Carbone

#### **NEWS CLIPS**

### Daikin Applied Launches OptiLine Hydronic Vertical Stacked Fan Coil

With the smallest footprint in the industry, Daikin's new OptiLine<sup>TM</sup> is the ideal solution when livable space is at a premium. Engineered for high-rise apartments, office buildings, dormitories, and hotels, OptiLine provides new levels of quiet, comfortable, and economical heating and cooling in a very slender package. Daikin engineers designed OptiLine to efficiently condition air from 300 to 1200 cfm, optimally matching a building's space restrictions and efficiency needs.

OptiLine leverages top efficiency to meet building owners' environmental requirements and budget demands. Using the lowest amount of energy possible, OptiLine can reduce energy costs by 30 to 50 percent compared to similar products currently on the market. Indoor air quality is a top concern and Daikin takes occupant comfort to the next level with OptiLine. With its variable speed motorized impeller the fan is able to run at the lowest possible RPM, typically reaching less than 60 percent capacity. This unmatched fan efficiency allows OptiLine to achieve noise criterion (NC) of less than 30 for the space, and to control humidity levels to create the most comfortable space for occupants.

For more information about Daikin fan coils, contact your local Daikin Applied sales office or visit www.DaikinApplied.com to find an office near you.

## Bryant Convenes its Fourth Annual Women in HVAC

As part of its longstanding effort to foster inclusivity and create an environment where women can excel in the heating, ventilating and air conditioning (HVAC) industry, Bryant Heating & Cooling Systems recently hosted its fourth annual Women in HVAC event in South Florida. Bryant is a part of UTC Climate, Controls & Security, a unit of United Technologies (NYSE: UTX).

Bryant welcomed approximately 170 women from across North America for leadership and business development training, heating and cooling best practice sharing and fellowship.

The participants are invited by leaders from Bryant and its distributors to attend the three-day event.

"This event marks a tremendous opportunity to share and learn from women who represent some of the sharpest minds in our industry," said Margo Richter, marketing manager, Bryant. "Bryant is well served by the power of this event to fortify our relationships and our shared commitment to serve the brand with renewed focus and energy."

"This event is unique in our industry and demonstrates Bryant's commitment to cultivating a world-class team from the factory to our channel customers," said Ann Matheis, associate director, marketing, Bryant. "I salute the women who apply their skills and focus throughout the year to grow the Bryant brand."





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# THE LEARNING CONTINUES

Following the success of our September 13 Survive & Thrive event, MACC is pleased to bring you more great learning opportunities for October and November.

Job Safety... Business-Building... Customer Service – These topics and more are part of our upcoming fall seminars and workshops designed to keep you on top of your game and ahead of the competition.

# **Center Stage: Roundtable Meeting**

"I find that the discussions that surround our Roundtable seminars are very open and frank and present valuable information from leaders in our industry. You can pick and choose the information that works for you. Each owner that participates is always available to elaborate on their thoughts."

James Padavan, Air Design Inc.

The popular MACC Roundtable event combines an awesome dinner together with the camaraderie of friends and business associates ... and a lively and engaging interactive discussion on topics of relevance and interest to everyone. The theme for the upcoming roundtable will be announced on our website shortly and will reflect the input and suggestions of our MACC members.

Roundtables are a great way to interact with other owners and share ideas. Many MACC members have worked for just one family business, and hearing how other companies do things can be very insightful. It's also one of the more fun events we have with everyone telling different "war stories".

Everyone is invited to shares their thoughts and opinions on the topics presented throughout the evening.

Thursday, November 1, 2018
Cocktail Hour: 6 PM – Dinner: 7 PM
Roundtable Location: Milito's Fine Italian Restaurant
315 Walt Whitman Rd., Huntington Station, NY 11746

# Safety Training Class: OSHA 30

"On the job site, Department of Buildings (DOB) requires that all workers and supervisors receive required safety training. Based on DOB statistics, training employees about OSHA workplace safety requirements will save you time and money. An effective safety training program results in fewer injuries and can lower workers' compensation insurance premiums. These are just a few of the many benefits of the program."

Robert McLaughlin, Asst. Director Electrical Training Center

This is a four-day class taking place on:

- 1. Saturday, October 20, 2018
- 2. Saturday, October 27, 2018
- 3. Saturday, November 3, 2018
- 4. Saturday, November 10, 2018

Class Time: 8:00 AM - 4:00 PM

Class Location: The Electrical Training Center

65 Elm Street, Copiague, NY 11726

Members - \$295 | Non-Members - \$395

(Class is limited to 40 students)

For more information on Local Law 196 of 2017 including more detailed information on the types of construction sites where training will be required and the types of workers that must be trained, visit the Department's website: https://www1.nyc.gov/assets/buildings/pdf/LL196\_SafetyPres.pdf

#### **Fall Seminar: Soft Skills**

"The Importance of Soft Skills in the HVAC workplace cannot be minimized. Your employees are your first contact with customers representing you when you are not there. I think most of us have an employee or two who are technically savvy, but lack some of the other skills that make a good employee such as showing up on time, showing up prepared, showing up in a clean uniform, etc. This class is really geared for the employer who has a great mechanic but lacks the soft skills."

#### Stu Ellert, Comfort Tech Mechanical

This is the first time the 'Soft Skills' seminar is being offered to MACC members. The seminar teaches the skills of making a good first impression and communicating with customers in a positive way. It also covers the three primary elements of a service call: The opening; performing the service; and the closing. Attendees will learn the basic conduct required for a service call and the service technician's role in customer relations.



Saturday, November 17, 2018 8:00 AM – 4:00 PM Class Location: The Electrical Training Center 65 Elm Street, Copiague, NY 11726 (Class limited to 12 students!)

TO REGISTER FOR COURSES PLEASE VISIT
WWW.MACCNY.ORG OR CONTACT THE MACC
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#### **Never Let Your Lien Time Run Out!**

Usually, when a contractor calls my office, there is a problem with a project. Many times, it is due to the lack of payment and the necessity to file a Mechanic's Lien. In other situations, a contractor may have abandoned the project and refused to return even though they have been paid for the work performed and materials furnished.

In the latter situation, the owner or the general contractor may have called my office because a subcontractor has refused to return to the project to complete its work. As a result, they are placed in a precarious position where they must complete the work with another contractor while maintaining a certain degree of control to avoid expending a substantial sum to finish the work.

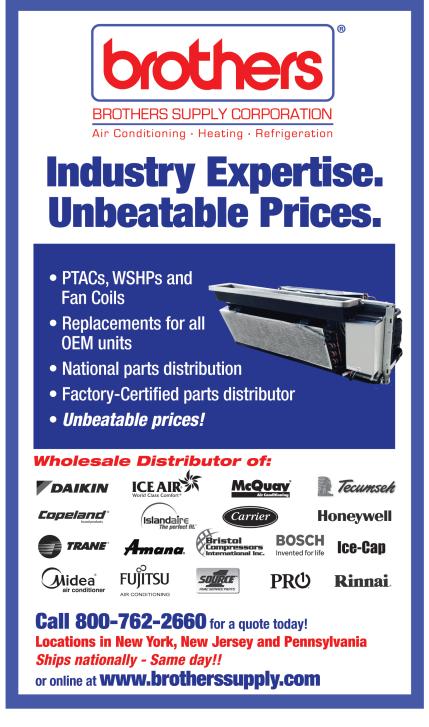
Many times, the abandoned subcontractor will file a Mechanic's Lien believing they are owed money. The Mechanic's Lien may very well be exaggerated and fraudulent, but it is used as a tool to try and extort the owner or the general contractor to pay something. The owner or the general contractor have various options available to them in such a circumstance. They can resolve the matter by agreeing to a certain sum in order to avoid unnecessary legal fees, costs, etc. They can bond the Mechanic's Lien; they can deposit money in court or they can compel the subcontractor to initiate foreclosure proceedings in order to bring the matter to a head.

At the same time, the owner or general contractor must document everything. Photos and videos must be taken of the site in order to establish the work performed to date and the work needed to be performed to complete the project. A review of the contract must be analyzed in order to determine whether termination notices are required. Finally, the owner or general contractor must interview completion contractors to allow for the project to be finished.

Once the calculations are determined, the owner or the general contractor can make a determination as to whether they want to pursue a claim against the subcontractor for all costs incurred due to the subcontractor abandoning the project.

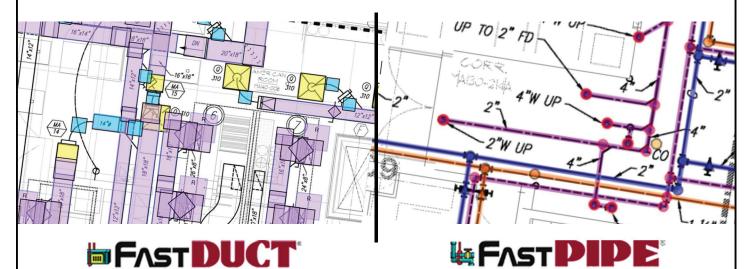
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For a free copy of a pamphlet pertaining to Mechanic's Liens and payment bond claims, kindly contact me or the Association.



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#### **NEWS CLIPS**

### **GLAS Smart Thermostat Available from Johnson Controls**

Johnson Controls announced that the highly anticipated GLAS smart thermostat is now available for online preorder at glas.johnsoncontrols.com and Amazon.com.

GLAS will initially be available for purchase at glas.johnsoncontrols.com, Amazon.com, Microsoft Store Online, as well as Microsoft brick-and-mortar stores in the U.S. It will cost \$319.

GLAS now works with Amazon Alexa and the Google Assistant in addition to Microsoft Cortana®, allowing users to control thermostat functions such as temperature changes with their voice using a smart device connected to each service, such as an Amazon Echo or Google Home speaker. Users can ask Alexa, the Google Assistant or Cortana to adjust the temperature, and the GLAS smart thermostat can be controlled hands-free. With these enhanced voice-control capabilities, GLAS creates a seamless experience communicating with a home.

Users can easily adjust, refine and redefine their space with simple voice control. Amazon Alexa, the Google Assistant and Microsoft Cortana allow users to check for and audibly receive indoor and outdoor temperatures, set increases or decreases in thermostat temperature and obtain the current weather forecast, among other skills.

"We are very eager for consumers to get their hands on GLAS and take advantage of its leading capabilities to make their homes more connected, comfortable and convenient," said Don Albinger, vice president & general manager, building management systems, Johnson Controls. "We've worked to expand the functionality of GLAS ahead of its launch and are excited to announce that GLAS now works with both Amazon Alexa and the Google Assistant. We are confident that customers will really value these enhancements that give them greater control over their space and more insight into critical data like air quality and energy savings."

For more information, visit glas.johnsoncontrols.com.







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### **People & The Workplace**

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#### Comprehensive Technology Policy: A Workplace Must-Have!

Considering how common smartphones have become in our daily lives, it's likely that most, if not all, of your employees bring a smartphone to work. As helpful as our handheld devices are (since we use them for everything), they can be distracting, and at times, can lead to bad publicity or security risks for a company. It should not be surprising to employers that the presence of smartphones in the office introduces a new set of concerns that must be addressed. Some of these concerns include ongoing distractions for employees, a decrease in employee productivity, and potential problems resulting from an employee's unmanaged social media. Studies have estimated that Americans spend over 5 ½ hours per day on social media. How much of that time is spent in the office? Whether your business has a smartphone policy that was drafted 5 years ago or your company simply does not have a policy addressing cell phone use or social media, it is critical to adopt a wide-ranging technology policy to effectively protect your company.

A comprehensive technology policy should include policies regarding use of smartphones and devices in the workplace and a social media policy for each employee's personal social media channels.

Your cell phone/smartphone/smart device policy should be drafted broadly to include all devices employees may bring into the office and should include the following topics:

- Smartphone etiquette: There is nothing wrong with telling your employees how you would like them to use their cell phones during work hours. However, a policy banning cell-phone use would be unreasonable and it is not likely employees would comply with the policy. Instead, aim to curb cell phone use by asking employees to use their common sense by taking personal calls or texting when only necessary, limiting the calls to brief sessions and speaking quietly when making or receiving personal calls. Employees should also be cognizant of cell phone use during meetings so as not to be preoccupied or distracting to others because they are texting or checking emails during the meeting.
- Accident prevention: If part of an employee's job entails driving a company-owned vehicle, not only should talking on a cell phone be prohibited (hands-free exceptions may be made), but textmessaging and any use of other functions of the device should be banned. If a call must be made, the driver should pull over to a safe place to make the call. Employers may also modify the voicemail greeting or have an automatic reply text sent to indicate the employee is unavailable to answer calls or return messages while driving.
- Company-issued devices: If your company provides your employees with company-issued phones or other devices, employees must be made aware that any communications sent on the device are company-owned property. Employees should have no expectations of privacy with respect to such communications. The policy should include a statement that the company-issued device is subject to review by the employer and that the employer owns the telephone number associated with the device.
- Anti-harassment policies still apply to smartphones and devices.
   Employers should be aware that inappropriate use of smartphones in the workplace can lead to potential sexual harassment claims and

litigation. Employers should emphasize that any use of a smartphone (i.e., sending inappropriate text messages to coworkers, etc.) is subject to the company's anti-harassment policies, including the sexual harassment policy.

• Camera usage: Most smartphones and smart devices are equipped with the ability to take pictures and videos. Employers may want to ban the use of all cameras on phones and devices during the workday to protect the privacy of the employer as well as fellow employees. Employees should be made aware that any proprietary information is property of the company and employees are prohibited from taking pictures or recording video of proprietary information. Depending on the business, this may include, but is not limited to, photos or video of any prototypes, notes from development meetings, upcoming product releases, customer receipts, etc. In addition, if a business has trade secrets or patents, employers should implement an absolute ban on any camera use in the workplace.

A strong social media policy should clearly outline what your company believes to be acceptable conduct online, even off-hours, in order to protect your company and your employee's rights. Your social media policy should address the following topics:

- Workplace conflicts should stay offline: Be sure to outline the procedures employees may use to air grievances before they choose to post about a situation online. However, employers may only request and cannot require employees to use the appropriate channels to resolve workplace grievances. Many employers do not realize that a social media policy may violate the National Labor Relations Act (NLRA) if it precludes employees from engaging in protected concerted activities. Employees also have a protected right to seek help from third parties on social media to improve their terms and conditions of employment. A social media policy should not discourage employees from discussing conditions and terms of employment or from sharing information about themselves or other employees with outside parties. Employees also have a protected right to seek help from third parties on social media to improve their terms and conditions of employment.
- Content restrictions: Your social media policy should specifically restrict employees from posting or sharing confidential or proprietary information on social media. In addition, any use of brand trademarks or company logos by employees should be used only in an approved manner.
- Consequences for unprofessional behavior online: Legally, employees may post whatever they choose on their personal social media channels (so long as they do not break any of the channel's terms and conditions). However, employers may discipline employees for online behavior during the workday when the employee is supposed to be working. To note, employers must consistently enforce this policy with respect to all employees.

If you have any questions about this article, or other employment law matters, please contact me at 516-921-3400 email me at ABPearl@pmphr.com.



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