

DISPATCH

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16 *Overtime Rule*

19 *Water. Rest. Shade. — Keeping Workers Safe in the Heat*



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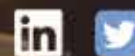
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A Defining Moment

BY HELENE WEBSTER, EXECUTIVE DIRECTOR

Most people go through life just the way they are taught. They grow up going to school, graduate with a degree, get married, have children, and teach their children to do the same thing all over again. I grew up that way. My sister and I lived with our grandparents. Our grandfather had his doctoral degree in astronomy and taught at the local community college. Our grandmother had her master's degree in education and originally taught in the Florida school system until eventually retiring and ended up raising their granddaughters. The expectation was always to go to college, get a degree, and start a career. That is just what everyone did. So, I did. What makes my story interesting is that I can pinpoint one exact defining moment that "changed my stars."

One day, while working 3 jobs in the fitness industry and trying to make ends meet, I received a call from one of my best friends, Debra. She said, "I think I have found you a job." That's crazy — a "job," what an absolute understatement. She went on to say, "I had a meeting with a man named Bob Wilkinson. He is the Executive Director of the Independent Electrical Contractors Association and is looking for a Membership Director. He said he was looking for someone just like me, and I told him, 'I just happened to know somebody just like me!' So, I gave him your telephone number. He is going to call you." Okay ... He is the Who? Of What? This was the defining moment in my life that ultimately changed my stars. If you oblige me a little more, I can explain.

I knew nothing about the electrical industry. All I knew was when you flip a switch, the lights go on, and when you plug something in, electricity makes it work. That's it. What else is there to know? I mean, I heard the story about Ben

Franklin and the kite. I read about how many failures Thomas Edison had before he eventually invented the incandescent light bulb. Electricity. One of the modern marvels of the 20th century; an incredible invention now taken completely for granted. I mean, I never really paid attention to how those switches and plugs got into buildings (I never really thought about it because I never had to), but all that was about to change. Now ... back to my defining moment.

Bob Wilkinson indeed called me, interviewed me, and gave me the job. My first week, I moved into my new office. I was now an executive for the "only trade association designed exclusively for the electrical contractor," and although I had a college degree, my real education was about to begin. What is all this? What is a Master, Journeyman, or Apprentice? What do you mean apprentices have to have 8,000 OJT (On the Job Training) hours before they can take a test to be a Journeyman and then another 4,000 OJT hours to sit for their Master's License? That is 4–6 years of training! That is almost as long as a medical doctor! And license? You mean something other than a driver's license?

I was a deer in headlights. The first week, I closed my office door, called my friend Debra, and cried, literally cried, "I am never going to learn all this! I am not going to be able to do this job!" "Okay," Debra answered, "But how about you give it more than just one week?" You see, I was worrying about nothing. Bob had told me when he hired me that I didn't need to know about the electrical industry. "We've got that covered. I need you to use your PR and Marketing skills. We need more contractors. That is what I want you to concentrate on, getting more contractor members." So, I dug in and started meeting people in the electrical trade, and what amazed me (and still amazes me to this day) was the quality of the individuals I met. My description of them is this: salt of the

Earth, kind, giving, incredibly smart, funny, fun to be with, hardworking, mechanical, resourceful, and wealthy. What?! Wealthy? How can that be? Most of them only graduated high school! Some of them not even that! That is not how I was raised. I was taught that the only way one could be successful was to go to school and get a degree. How in the world can all of these folks run successful businesses, hire other people, pay salaries, buy houses, cars, boats, and ranches, work hard, play hard, and not have college degrees?!

It has been over 14 years now since I first moved into my office. I have learned so much about the electrical industry that I often surprise even myself. I have also become educated in the nonprofit world that continues to help me learn ways to run "the only trade association exclusively designed for the electrical contractor."

I have made wonderful friends (some of my friends are as close as family), and Bob Wilkinson? The man who started as my boss? I now call him my mentor, my advisor, and most importantly, my friend. He has seen me grow in confidence, knowledge, and acceptance, and he has helped me every step of the way. One of the biggest life lessons I learned through this experience is that people can take different roads to find success. Not everyone needs a degree. Some of the most successful and happy people I have met never darkened a college classroom door, and they are amazing and incredibly intelligent, and most of them would give you the shirt off their back.

As my friend Bob Wilkinson always says, "These are folks you can ride the river with. You know when the rapids hit, they will do their part." Answering that phone call from Bob Wilkinson was, without a doubt, THE defining moment that completely changed my stars. I bet you have one too! Do you know your defining moment, and did you let it change your stars?

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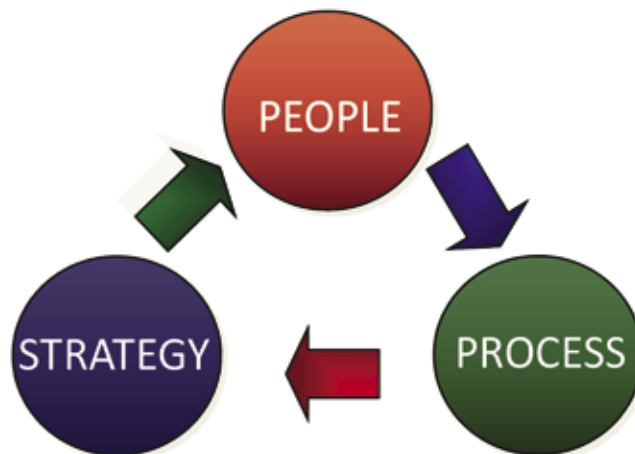
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Robert G. (Bob) Wilkinson Retires

*“Do not go where the path may lead, go instead where there is no path and leave a trail.”
— Ralph Waldo Emerson*

On October 1, 2020, Robert G. (Bob) Wilkinson retired as Executive Director of the Independent Electrical Contractors Association, Texas Gulf Coast Chapter. Bob has retired to a home in Wimberley, Texas where he lives with his wife of 45 years, Gwen. They are enjoying living a quieter lifestyle in a nice neighborhood with deer and new friends. They also live only a couple of miles from their son, Bobby, daughter-in-law, Lisa, and their 5 grandsons — Trey, Johnny, Art, Will, and Thad.

If you know Bob, you know he did not retire without first blazing a trail in life and in the electrical industry. He went to work at the age of 15 (1963) as a vacation helper for Williams Electric. He was able to be a commercial truck delivery driver at 16 and after high school worked as a licensed apprentice.

On June 26, 1968 Bob joined the Navy as an Electrician's Mate. During the years that he served in the military, he made third class petty officer in 11 months, second class petty officer in 2 years, and was up for another promotion when he decided to leave in 1972, when he drove home from California, got a job as an electrician the day he returned, and started his civilian life.

Bob received his Journeyman's license in 1973 and his Houston Master's License in December of 1978 and went into business as a Union Contractor. Before State Licensing was passed, Bob carried at least 40 Master's Licenses from all different municipalities.

Bob's father told him early on, “Son, this union will not be around for you by the time you need them, so consider leaving.” In 1982 he left the union and went open shop with his company Electrex, where he partnered with Bill Canton. He and Bill grew up on the same street in Houston and have been best friends all of his life.

In 1983, Bob joined the local IEC Chapter in Houston, where he was immediately elected to the

Board of Directors at the age of 35. He was sent to all the national board meetings as their delegate and worked diligently to learn all there was to know about the IEC Trade Association.

Unfortunately for Electrex, in 1986 the market crashed, and so did the construction industry. Almost overnight, bankruptcy courts sided with many companies that owed Bob and Bill a lot of money. The outcome put them out of business in 1988.

Reeling from the loss of his business, Bob decided to focus some time and energy as a Cub Master for the Boy Scouts when his son Bobby was 8 years old and went on to become his Scout Master. In 1989, Bob earned the prestigious Silver Beaver Award

from the Boy Scouts and the St. George's Medal from the Episcopal Church.

On July 1, 1989, Bob was hired as Executive Director of the IEC when the chapter only had 35 paying members. He was given six months to turn things around. In less than 90 days, IEC TX Gulf Coast Chapter was up to 80 members, and within a very short time, went from worst to first in the national group of chapters.



A few of Bob's other accomplishments are:

- Started teaching all of the Journeymen and Master's classes at the IEC.
- Was appointed to the Houston Electrical Board in 1990 (along with Robert Jones).
- From April 1995 – September 2015, he served 20 years on National Electric Code (NEC) Panels; Chairman of Code Panel 2; and served on several National Fire Protection Association (NFPA) sub-committees.
- In 2006, he was the first ever open shop contractor to serve on the Technical Correlating Committee.
- Served as an Expert Witness for many legal battles.
- At the IEC national level, Bob has spent over 30 years serving on committees such as: A&T; Membership; Executive Director Council; and (at his suggestion) the President's Advisory Council.
- In 2008 he joined his local VFW and consequently served as Commander from 2015 – 2018.



We think you can agree that Bob Wilkinson has left quite the trail. We wish Bob much happiness in his retirement!

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Evaluate Your Mental State Behind the Wheel

At times, our thoughts can feel like they're racing faster than the traffic around us while we're on the road — but letting our minds stray behind the wheel is a form of distracted driving. Mental distractions can be just as dangerous as physical ones, whether we're consumed by anger, worry, and stress, or just simply letting our minds wander.

This wandering is also known as "inattention blindness," or looking but not seeing. You may have experienced inattention blindness if you've suddenly found yourself pulling into your destination and wondering how you got there. This autopilot mindset means that your brain was less focused on the important task of driving safely, leading to slower reaction times behind the wheel.

Mental distractions to be mindful of while driving include:

- Worrying
- Daydreaming
- Strong emotions, including road rage
- Being too caught up in music or podcasts
- Overly engaging in conversation
- General stressors, such as the pandemic, family matters, or future plans

Driving with intention can be a safe way to combat inattention blindness. Drivers who are in tune with their personal mental state and who use situational awareness can better anticipate the actions of others on the road and react appropriately. April is Distracted Driving Awareness Month and an excellent time to teach company drivers about inattention blindness and remind them:

- Multi-tasking is a myth. Studies have proven that our minds can only focus on one thing at a time.¹
- Take a few deep breaths when feeling strong emotions.
- Never engage with aggressive drivers on the road — emotionally or physically.
- If weather permits, open a window for fresh air to help stay alert.
- Listen to the radio as a less interfering task alternative.²
- Plan ahead: have directions ready, check the weather, and pack all needed items before leaving.
- Take care to not "zone out" when driving on familiar roads or routes. They may know the road, but they can't anticipate the actions of other vehicles, pedestrians, or animals.
- Take personal accountability for their mental state behind the wheel. Only they will recognize when inattention blindness starts, so it is their responsibility to stay focused on the road.

Above all else, remind them that you want them to make it home safely today and being cognitively aware and present while driving can help prevent a devastating crash and save lives — so evaluate your mental state before you drive.

¹. "Understanding Driver Distraction," National Safety Council, 2020 <https://www.nsc.org/road-safety/safety-topics/distracted-driving/distracted-brain>

². "Driving and Multitasking: The Good, the Bad, and the Dangerous," by Menno Nijboer, Jelmer P. Borst, Hedderik van Rijn, and Niels A. Taatgen, *frontiers in Psychology*, 2016 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5100650/>

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OVERTIME RULE

On March 7, 2019, the Department of Labor (DOL) announced a proposal that would raise the salary level for time-and-a-half pay eligibility exemption to \$35,000 per year. The proposed regulation includes many of the recommendations that the American Society of Association Executives (ASAE) suggested during the Request for Information, the 2014 Obama Administration rulemaking, and the 2017 comment period. The proposed rule does not implement automatic updates. The Obama-era rule would have increased the salary threshold to \$47,476.

The overtime rule has been identified as a major area of concern for nonprofit employers. Labor Secretary Alexander Acosta said the salary threshold proposed by the department under the Obama administration was excessive and too burdensome on many employers. The Obama-era rule would have increased the salary threshold to \$47,476. Secretary Acosta suggested, however, that the current minimum salary level of \$23,660 should be updated, which leads us to the current proposal of \$35,000.

ASAE's comments focused on how potential changes to overtime eligibility would impact associations and other nonprofit employers. As it did with the Obama-era rule, ASAE emphasized that the organization is not against increasing the overtime salary threshold, but that creating a "one-size-fits-all" salary threshold for overtime eligibility across the country — irrespective of cost-of-living differences — would not be workable for many employers. Based on the federal government's inflation calculator, ASAE suggested that an inflation-adjusted minimum salary level of \$30,830 would be an appropriate threshold for overtime eligibility moving forward. That said, ASAE considers the proposed threshold of \$35,000 as reasonable.

While this issue is progressing, we expect future delays in its implementation as the DOL faces potential challenges in court. ASAE staff continues to monitor this issue closely.

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WATER. REST. SHADE.

Keeping Workers Safe in the Heat

Houston is coming into that time of year again! It is very important to have a plan on job sites that will keep your workers safe in the heat and humidity.

OSHA's Heat Illness Prevention campaign, launched in 2011, educates employers and workers on the dangers of working in the heat. Through training sessions, outreach events, informational sessions, publications, social media messaging, and media appearances, millions of workers and employers have learned how to protect workers from heat. Our safety message comes down to three key words: Water. Rest. Shade.

Dangers of Working in the Heat

Every year, dozens of workers die and thousands more become ill while working in extreme heat or humid conditions. There are a range of heat illnesses, and they can affect anyone, regardless of age or physical condition.

Employer Responsibility to Protect Workers

Under OSHA law, employers are responsible for providing workplaces free of known safety hazards. This includes protecting workers from extreme heat. An employer with workers exposed to high temperatures should establish a complete heat illness prevention program.

- Provide workers with water, rest, and shade.
- Allow new or returning workers to gradually increase workloads and take more frequent breaks as they acclimatize or build a tolerance for working in the heat.
- Plan for emergencies and train workers on prevention.
- Monitor workers for signs of illness.

Resources

OSHA's Occupational Exposure to Heat page explains what employers can do to keep workers safe and what workers need to know — including factors for heat illness, adapting to working in indoor and outdoor heat, protecting workers, recognizing symptoms, and first aid training. The page also includes resources for specific industries and OSHA workplace standards. Also look for heat illness educational and training materials on www.OSHA.gov — "Publications" page.

SPEED

THE PROBLEM

While speeding is dangerously common, it is also a complicated behavior that varies by driver and situation. Speeding directly contributes to traffic injury severity and is estimated to be involved in about one-third of all U.S. traffic fatalities.¹

Speeding reduces a driver's ability to steer safely and increases the vehicle's stopping distance which extends the distance traveled while the driver reacts to a dangerous situation.

THE DRIVER

PERCEPTIONS OF SPEEDING

Longer trips can increase the temptation to speed. Some drivers speed during short trips, depending on the situation, or believe they can get away with it where traffic zones change. Still others belong to a group of drivers who make a habit of speeding.

Driving skills can't compensate for excessive speed. A driver should determine at what speed he or she can safely operate the vehicle and how to adapt when driving conditions change. Drivers should consider:

- The legal speed limit
- Weather and visibility/sightline
- Traffic conditions
- A vehicle's weight, center of gravity, load, and stability
- The effect speed has on stopping distance
- Road surface conditions
- Road configuration (e.g., curvy, hilly, flat, etc.)
- Their physical and emotional condition

It Happens

The driver was running late making a delivery and was speeding. When traffic came to a halt from road construction, the driver could not stop in time and struck the rear of another vehicle. This caused a four-car chain reaction, resulting in multiple serious injuries.

THE RECOMMENDATION

A CHANGE IN BEHAVIOR

Posted speed, ticket speed, and safe speed seem to represent "set points" identified by drivers. While the posted speed is perceived as a technical limit, drivers have different interpretations about how fast they can drive before receiving a ticket and what is considered a "safe" speed. These perceptions, along with each situation and the driver's personality and past experiences, influence his/her pattern of speeding. Resist the temptation to speed and eliminate the need to rush by allowing ample time to reach your destination safely.

Deliberate speeders represent a distinct driver type.² Their behaviors and attitudes are outside of the norm, and they tend to have a favorable attitude toward speeding. They speed substantially more than other drivers, and often engage in more aggressive and deliberate types of speeding. The deliberate speeders also reported engaging in other risky driving behaviors more frequently. Consider your own behavior and attitude toward speeding. Set a good example for your company by driving at a speed appropriate for the conditions, but in no event exceeding the posted speed limit. Changing these attitudes and behaviors can help reduce speeding-related crashes.

Employee Survey

- Do you accelerate when a traffic light turns yellow?
- Do you decrease your speed during bad weather or in road construction zones?
- Do you make a full stop at stop signs?



¹National Highway Traffic Safety Administration. Motivations for Speeding. DOT HS 811 672. October 2012.

²National Highway Traffic Safety Administration. Motivations for Speeding—Additional Data Analysis. DOT HS 812 250. March 2016.

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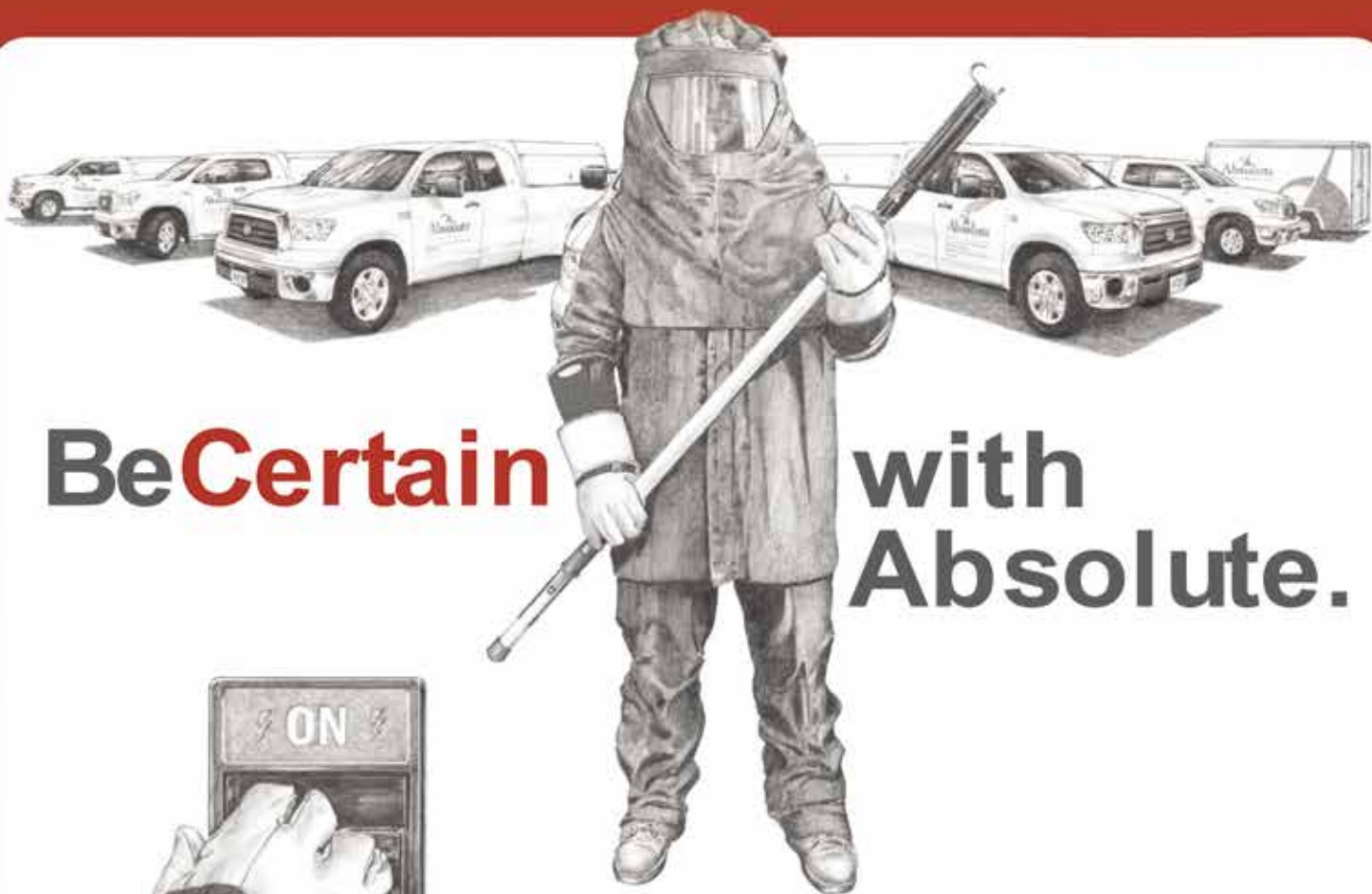
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Choosing Safer Activities

		Unvaccinated People	Examples of Activities	Fully Vaccinated People
			Outdoor	
Safest			Walk, run, wheelchair roll, or bike outdoors with members of your household	
			Attend a small, outdoor gathering with fully vaccinated family and friends	
			Attend a small, outdoor gathering with fully vaccinated and unvaccinated people	
Less Safe			Dine at an outdoor restaurant with friends from multiple households	
Least Safe			Attend a crowded, outdoor event, like a live performance, parade, or sports event	
			Indoor	
Less Safe			Visit a barber or hair salon	
			Go to an uncrowded, indoor shopping center or museum	
			Attend a small, indoor gathering of fully vaccinated and unvaccinated people from multiple households	
Least Safe			Go to an indoor movie theater	
			Attend a full-capacity worship service	
			Sing in an indoor chorus	
			Eat at an indoor restaurant or bar	
			Participate in an indoor, high intensity exercise class	

Get a COVID-19 vaccine



Prevention measures not needed



Take prevention measures

Wear a mask, stay 6 feet apart, and wash your hands.

- Safety levels assume the recommended prevention measures are followed, both by the individual and the venue (if applicable).
- CDC cannot provide the specific risk level for every activity in every community. It is important to consider your own personal situation and the risk to you, your family, and your community before venturing out.



www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/participate-in-activities.html

cdc.gov/coronavirus

CS324153K

Updates to OSHA's Recordkeeping Rule: Reporting Fatalities and Severe Injuries

OSHA's updated recordkeeping rule expands the list of severe injuries that all employers must report to OSHA. Establishments located in states under Federal OSHA jurisdiction must begin to comply with the new requirements on January 1, 2015. Establishments located in states that operate their own safety and health programs should check with their state plan for the implementation date of the new requirements.

What am I required to report under the new rule?

Previously, employers had to report the following to OSHA:

- All work-related fatalities
- Work-related hospitalizations of three or more employees

Starting in 2015, employers will have to report the following to OSHA:

- All work-related fatalities
- All work-related inpatient hospitalizations of one or more employees
- All work-related amputations
- All work-related losses of an eye

Who is covered under the new rule?

All employers under OSHA jurisdiction must report all work-related fatalities, hospitalizations, amputations and losses of an eye to OSHA, even employers who are exempt from routinely keeping OSHA injury and illness records due to company size or industry.

An amputation is defined as the traumatic loss of a limb or other external body part. Amputations include a part, such as a limb or appendage, that has been severed, cut off, or amputated (either completely or partially); fingertip amputations with or without bone loss; medical amputations resulting from irreparable damage; and amputations of body parts that have since been reattached.

How soon must I report a fatality, severe injury, or illness?

Employers must report work-related fatalities within **8 hours of finding out about them**. Employers only have to report fatalities that occurred within 30 days of a work-related incident.

For any inpatient hospitalization, amputation, or eye loss, **employers must report the incident within 24 hours of learning about it**. Employers only have to report an inpatient hospitalization, amputation, or loss of an eye that occurs within 24 hours of a work-related incident.

How do I report an event to OSHA?

Employers have three options for reporting the event:

- By telephone to the [nearest OSHA Area Office](#) during normal business hours.
- By telephone to the 24-hour OSHA hotline at 1-800-321-OSHA (6742).
- OSHA is developing a new means of reporting events electronically, which will be available soon at www.osha.gov.



What information do I need to report?

Employers reporting a fatality, inpatient hospitalization, amputation, or loss of an eye to OSHA must report the following information:

- Establishment name
- Location of the work-related incident
- Time of the work-related incident
- Type of reportable event (i.e., fatality, inpatient hospitalization, amputation, or loss of an eye)
- Number of employees who suffered the event
- Names of the employees who suffered the event
- Contact person and his or her phone number
- Brief description of the work-related incident

Employers do not have to report an event if it:

- Resulted from a motor vehicle accident on a public street or highway. Employers

must report the event if it happened in a construction work zone.

- Occurred on a commercial or public transportation system (airplane, subway, bus, ferry, streetcar, light rail, train).
- Occurred more than 30 days after the work-related incident in the case of a fatality or more than 24 hours after the work-related incident in the case of an inpatient hospitalization, amputation, or loss of an eye.

Employers do not have to report an inpatient hospitalization if it was for diagnostic testing or observation only. An inpatient hospitalization is defined as a formal admission to the inpatient service of a hospital or clinic for care or treatment.

Employers do have to report an inpatient hospitalization due to a heart attack, if the heart attack resulted from a work-related incident.

Where can I find more information?

For more information about the updated reporting requirements, visit OSHA's webpage on the revised recordkeeping rule at www.osha.gov/recordkeeping2014.

This is one in a series of informational fact sheets highlighting OSHA programs, policies, or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is 202.693.1999; teletypewriter (TTY) number: 877.889.5627.



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