Agreements Reached on 
New Collective Bargaining Contracts

SMACNA Mid-Atlantic and SMART Local Union 100 successfully reached agreement on both the Washington, DC and Richmond area labor contracts. The Washington Labor Committee was led by Dale Trunnell, president of Metro Mechanical Contractors and Immediate Past President of SMACNA Mid-Atlantic Chapter. Key changes of the Washington, DC contract are:

- Increases to the total package rate:
  - Year 1  3.0% $1.90 — Effective November 1, 2020
  - Year 2  2.6% $1.70
  - Year 3  2.6% $1.70

- While the new contract runs from July 1, 2020 to October 31, 2023, the above rate increase does NOT become effective until November 1, 2020. Employers continue paying at the current wage rate through October 31st of 2020.

- Extension of the Memorandum of Understanding (MOU) on ratios and Maryland’s mandatory paid sick leave laws.

Chairman Trunnell and his committee of Rob Delawder (Southland Industries), Frank Battaglino (Metro Test & Balance, Inc.), Mike Tabor (Stromberg Metal Works), and Vince McGowan (W.E. Bowers), worked diligently with SMART Local Business Manager and President Richie LaBille and his team in hammering out the details of this three-year agreement.

According to SMACNA Mid-Atlantic Chapter's Executive Director Bernie Brill, “Despite the challenges presented by the current pandemic, both sides were focused on reaching a fair deal that would promote a sustainable industry in the years ahead. Covid-19 has altered the thinking and direction of many industries including construction and as such has created much uncertainty.”

**Richmond Area**

The Richmond Labor Negotiating Committee was led by contractors Mike Pantele, R.S. Harritan Co., Mike Tabor and Vince McGowan. The committee reached a settlement with the new contract start date of July 1, 2020, but the new wage scale kicks off November 1st.

- Increase on total package:
  - Year 1  $1.30  2.86% — Effective November 1, 2020
  - Year 2  $1.15  2.40%
  - Year 3  $1.15  2.35%

(continued on page 2)
The new rates are scheduled to take effect on November 1, 2020 and increase each of the three years until the contract expires on October 31, 2023.

Just as with the Washington contract, those companies operating under the Baltimore and Richmond agreements will only need to report hours for July and August as they continue paying the SMACNA Industry Fund rate of $0.12. (Contractors are being given relief of $0.20 per hour for July and August of 2020. See article below for more details.).

In September and October the Industry Fund total will resume at $0.38 per hour for work performed under the Washington agreement; and $0.32 per hour for work performed under the Baltimore and Richmond agreements.

On November 1 those performing work under the Washington and Richmond agreements will begin paying $0.39 and $0.33 per hour respectively.

In the future, SMART Local 100 would like to have all jurisdictions, Washington, Baltimore, Richmond, etc.; working under one contract with separate sections to identify the unique needs and differences for each area.

Chapter Grants Relief to Members

Covid-19 Relief for Contractors—The SMACNA Mid-Atlantic Chapter Board of Directors in an effort to provide relief to contractors during the pandemic is not collecting the SMACNA Mid-Atlantic Sheet Metal Industry Fund ($0.26 per hour for Washington; $0.20 for Richmond and Baltimore) for the months of July and August.

However, all contractors are still required to report their hours and pay the $0.12 per hour that gets paid to the SMACNA (national) Industry Fund.

Normal contribution rates will return for September and October.

As of November 1, 2020 the SMACNA Industry Fund increases by $0.01 per hour resulting in a total payment of $0.39 per hour for hours worked under the Washington, DC agreement.

Please call the chapter office if you have questions or need more information.
Virginia Passes New Laws on Business

The Virginia General Assembly took a number of employee-favorable actions in its 2020 Session and its Reconciled Session in April 2020, which will require employers to revise their employment policies and procedures, including implementing a gradual increase in the minimum wage, expanding state anti-discrimination laws to include sexual orientation and gender identity discrimination, and creating new employer liabilities for misclassifying employees as independent contractors. In the most striking change, the General Assembly amended the Virginia Human Rights Act (VHRA) to now allow for a private right of action. Accordingly, many employees will obtain new rights of action against Virginia employers on 1 July 2020.

Minimum wage increase

The General Assembly passed legislation breaking with Virginia's long-held assimilation to the federal minimum wage of USD 7.25 per hour, and requiring employers to increase the minimum wages paid to employees to USD 9.50 per hour by 1 May 2021, USD 11.00 by 1 January 2022, and USD 12.00 per hour by 1 January 2023. The legislation includes additional provisions that could move the minimum wage to USD 15.00 by 2026, but the General Assembly would have to reenact the legislation by 1 July 2024, or the annual increases would rise at a slower rate tied to the consumer price index.

Employee misclassification

The General Assembly passed legislation to clarify the test by which workers will be classified as employees or independent contractors, and detailing the liability for employers engaged in such misclassifications. Specifically, the Virginia Department of Taxation will now determine whether an individual is an independent contractor by applying the applicable IRS guidelines, and all misclassifications made by the same employer at the same time, or within 72 hours, will be treated as a single offence. Employers that fail to properly classify workers as employees, or ask or require individuals to sign documents that misclassify workers as independent contractors, are potentially liable for up to USD 1,000 per misclassifications for a first offence, and increasing penalties for repeated violations. This law goes into effect on 1 January 2021.

In addition to clarifying the test by which workers will be classified as employees or independent contractors, the Virginia legislature created a private right of action for workers who allege they were misclassified as independent contractors or asked to sign a document that misclassifies them as independent contractors. If successful, claimants could be entitled to back wages and benefits (including the cost of benefits to which the individuals may have been entitled during the period of misclassification and which would have been covered by the employer if they were properly classified), and reasonable attorneys' fees and costs. This right of action is effective on 1 July 2020.

Exchanging Lee-Jackson Day for Election Day as state holiday

Governor Northam signed into law a bill that eliminates Lee-Jackson Day (commemorating Confederate generals Robert E. Lee and Stonewall Jackson), which was observed on the Friday preceding the third Monday in January (Martin Luther King, Jr. Day). In its place, the same bill makes Election Day a state holiday, which will take place on 'the Tuesday following the first Monday in November.' Though the text of the statute is silent on the matter, this law presumably goes into effect immediately.
**Gecko Glue Benefits**

By Jim Stewart

If your organization is constantly battling the right amount of inventory versus taking up too much room shop floor - fret no more! By the way, are you satisfied with the performance of your water based adhesive?

If you’re looking for a fast drying, quick tacking, cost effective, water-based adhesive to hold your insulation tight, then Ductmate’s new Gecko Glue Concentrate is your answer. This product is made on your shop floor to your desired viscosity! Easily mixed from 3,000 to 7,000 cPs. One of the benefits is a 'light coat' will achieve a superior bond. The 4 mil application dries in 25 minutes. It’s quick and clean; one drum and done! LEED compliant and environmentally safer.

Gecko Glue comes in a concentrate that makes 54 gallons, but smaller batches can be made, too. This product is ideal for organizations that use at least (1) 54 gallon drum per month.

Application temperature is between 20 degrees and up to 90 degrees. The shelf life is 18 months.

The entire product line is available in Gecko Gold, Gecko Silver or Gecko Concentrate.

Need help with the submittal? Call us! 1-800-245-3188.

All adhesives come in black or white with a viscosity range from 3,000 to 7,000 cPs. Watch the simple mixing video at Ductmate.com

**DUCTMATE**...for all your HVAC needs.

---

**SMACNA Leads the Way on H.R. 7049**

Contractors across the area and from across the country have experienced countless unanticipated safety, sanitation, and health protocols resulting from the economic downturn created by COVID-19. This oversight would be corrected if Congress passes H.R. 7079, *The Clean Start: Back to Work Tax Credit Act*, introduced by Representatives Darin LaHood (R-IL-18) and Stephanie Murphy (D-FL-7). If enacted, H.R. 7079 would permit businesses to apply the tax credit toward expenses for industry-recognized training and certification, purchase necessary cleaning products, tools, machinery, personal protective equipment, and other sanitary-related equipment.

Each business would be eligible for a 50 percent tax credit of up to $25,000 per location and up to a maximum of $250,000 per business entity. Eligible expenses must be made by March 31, 2021 to help offset increased expenses associated with a potential second wave of COVID-19 during the coming fall or winter. This is an important tax credit that directly addresses the productivity and cost burdens of post-pandemic construction that small business operations are experiencing. SMACNA has been advocating to Congress that necessary safety and health protocols will overburden small businesses and wipe out much of the construction project margin routinely expected before COVID-19. Unfortunately, The Paycheck Protection Program, passed into law this year, did not anticipate or contain provisions to cover these expenses.

---

**Sign up to Attend the SMACNA Mid-Atlantic Chapter & Sheet Metal Industry Fund Annual Meeting**

**When:** September 15, 2020 at 12:00 noon

**Where:** To Be Determined

**Cost:** Free to Members but everyone must register in advance!

Go to www.Smacnaatl.org or call 301/446-0002 x 100 to register!