

EmbroidMe will host September meeting

One of Miami Valley NARI's newest members, EmbroidMe, will host a supplier night meeting on Wednesday, September 22.

EmbroidMe can custom make many embroidery products, and they also supply imprinted advertising specialties and promotional items.

The meeting starts at 6:00 p.m., September 22, at 5824 Wilmington Pike. Call the NARI office at 937-222-6274 to RSVP for the meeting.



September Events

MVNARI Golf Classic

Date & Time

8:00 a.m., Wednesday, Sept. 21

Location

Beavercreek Golf Club

Cost

\$70 per player

September Supplier Night

Date & Time

6:00 p.m., Wednesday, September 22

Location

EmbroidMe

5824 Wilmington Pike

Cost

Hosted by EmbroidMe

Call the MVNARI office at 937-222-NARI or send e-mail to dayton@naripro.org to make reservations for this meeting.

Membership Breakfast

Date & Time

7:30 a.m., Thursday, September 23

Location

Original Pancake House

1516 Miamisburg-Centerville Rd.

Cost

Free, with a prospective member

Open forum proves popular at August meeting

It was the least structured meeting of the year, but the August lunch meeting of Miami Valley NARI proved to be one of the best attended and most popular. Over 30 members came to join in a free-wheeling discussion of problems and solutions. Unfortunately, there wasn't time to get to every issue of interest. Unfortunately for him Tim Garrison, Home Towne Construction, wasn't present to collect the prize when his name was pulled in the attendance lotto drawing.

Ruling may lower lumber prices

There may be relief in sight for contractors and their customers who have been plagued with near record-high lumber prices.

A recent decision by a North American Free Trade Agreement (NAFTA) panel has cleared the way for removal of tariffs on Canadian timber that have been an important factor in lumber prices for the past two years.

Countervailing and anti-dumping duties totaling more than 27% on Canadian lumber have been in place since May of 2002. Twice before, NAFTA determined that the domestic lumber industry's threat of injury allegations were baseless and contrary to law. In each instance, the case was remanded back to the U.S. International Trade Commission.

In its latest decision, the NAFTA

panel, which consists of three Americans and two Canadians, unanimously concluded that the ITC was "simply unwilling to accept this (NAFTA) panel's review" and "has consistently ignored the authority of this panel in an effort to preserve its finding of threat of material injury."

The ITC was ordered "to make a determination consistent with the decision of this panel that the evidence on the record does not support a finding of threat of material injury and to make that determination within 10 days."

In late August the price of framing lumber was just slightly less than \$500 per 1,000 board feet, up more than 40% from the beginning of the year. The price of framing lumber hit an all-time high of \$519 per 1,000 board feet in 1994.

NARI offers remodelers a wide range of benefits

by Jeff Miller, CR, CLC

Hurst Total Home

What does being an award winning contractor mean? Does it mean that you do a better job of selling and producing a higher quality product? It could be, but not necessarily. What does it mean to the consumer? When you call on your next prospect, could it be the difference between working with that client or having a project flit away to be produced by an award-winning contractor? Yes, it can mean the difference. Do you do inferior work if you have never won an award? Probably not. Chances are the only thing that separates you from award winning contractors is the time and effort needed

to produce a high quality entry.

Those of you who have entered and won CotY awards realize the potential marketing and sales tool that CotY awards present. Granted you are not guaranteed to win if you enter, but you are definitely guaranteed not to if you don't.

If you are planning to enter, you should have your projects selected and working on putting the entry together. There are numerous categories, kitchen, bath, additions, interior and exterior, whole house and specialty to mention a few. Entry forms are available in the Nari office or from the website. You should plan to enter your projects in the regional competition and for national

exposure. The entry form is on the national website, www.nari.org under the awards link. Deadline for local entries including a \$55 fee for single entry and \$45 fee for each for team member for team entries is December 6 by 5 p.m. For regional and national entries, binder orders must be received by December 1 at 5 p.m. and entries must reach the national office by January 7 at 5 p.m.

If you have never submitted a CotY entry and have questions, or just not sure where to start, please call the NARI office and Melissa will provide assistance. This could include pointing you to another contractor with experience with a similar project. As I mentioned before, you can't win unless you enter. All other things being equal, who would you pick to do your next project?

Don't forget to join us on September 21 at Beavercreek Golf Course for our golfing adventure and at 7:30 a.m. September 23 at the Original Pancake house on Rt. 725 and October 14 at the Golden Corral on Miller Ln. for our membership networking breakfasts.

Miami Valley REMODELER

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The mission of MVNARI is:

- 1 To establish and maintain the association's firm commitment to developing and sustaining programs that expand and unite the remodeling industry, as well as ensure the industry's growth and security.
- 2 To encourage ethical conduct, sound business practices, and professionalism in the remodeling industry.
- 3 To present NARI as the recognized authority in the remodeling industry.

This mission is carried out by:

- 1 Promoting the common business interests of those engaged in the industry.
- 2 Sponsoring educational programs and activities for members.
- 3 Enlightening consumers to the needs and advantages of home remodeling and maintenance, thereby improving the nation's housing inventory.
- 4 Recommending legislative and regulatory action which safeguards and preserves the remodeling industry and stimulates the marketplace.



The Miami
Valley NARI
Golf Classic
is September 21
at Beavercreek
Golf Club.

The new overtime rules--are you confused?

by Bob Dunlevey, *Dunlevey Mahan & Furry*

There has been much publicity, and more than enough political posturing over new wage-hour regulations that became effective last month. In this article Dayton attorney Bob Dunlevey, of Dunlevey, Mahan & Furry, cuts through all the hype and political sniping to present the essential facts about the new rules.

August 23 came and went leaving employers with new wage-hour regulations and a bunch of unanswered questions. The true story is that very few are affected one way or the other, but many employers are catching on that they have not been following basic wage-hour laws for years. Here is some of what you need to know.

The new law primarily deals with three groups of employees previously exempted from overtime - the "white collar" employees - executives, administratives and professionals. These groups still are exempt from overtime if they meet the new requirements which are much like the old ones but the employee must now earn at least \$455 per week (\$23,660 per year).

Each category of employees must have certain duties and responsibilities as well to qualify for the exemption. You need to get the check list and determine if your white collar employees still meet the tests - chances are they do.

Pay attention to the administrative exemption. Employers in the past have frequently called secretaries and admin assistants exempt when, in fact, they were not exempt before and are not exempt now. These employees must exercise in-

dependent judgment in performing office work directly related to the management or operations of the business.

Discretion and independent judgment are required in significant matters. For example, your assistant H.R. person probably is not exempt. Work in accounting, budgeting, quality control, purchasing, marketing and safety may qualify. Some of the other changes are:

■ Highly compensated employees performing non-manual work and earning \$100,000 per year are now exempt if they perform at least one duty of the white collar exemptions; chances are anyone earning \$100K is already exempt. Remember, even if a blue collar worker, such as a skilled craftsman, earns \$100,000 there is no exemption.

■ Computer employees earning \$455 per week or \$27.63 per hour and who perform creative, sophisticated functions like design, development, analysis and consulting are exempt. Yes, they can be hourly. Merely fixing your crashed computer, however, probably does not create exempt status. This exemption is going to be overused by employers who attempt to misclassify computer operators as exempt. Remember, the actual duties, not the job titles, control the ability to exempt for this and all white collar positions.

■ Outside salespersons remain exempt but their primary duty must be making calls away from the place of business but non-exempt work may

now exceed 20% if the primary duty is outside sales. If the 20% restriction previously imposed barred you from exempting your salespersons this may be an opportunity for reclassification. Sales by telephone or internet is not outside sales.

■ Deductions from salary for disciplinary suspensions of one or more full days for violation of work rules will not blow the exemption from overtime. The misconduct cannot be for poor attendance or performance, but instead serious things like sexual harassment or substance abuse. Previously, if you docked an exempt employee a day of pay and suspended for disciplinary reasons, you violated the law - unless it was a safety rule violation. Deductions for one or more days is still permitted for personal affairs but you can't deduct for 1/2 days. Deductions from salary of one or more days occasioned by sickness/disability is permitted if a plan for providing some type of sick pay exists. This doesn't mean the employee must get paid under the plan for each and every day of sickness. If the employer has a short term disability plan and the salaried employee doesn't get paid for the day off because of a waiting period, the deduction is still o.k. Deductions for jury duty or court appearances are not permitted for salaried employees but their pay may be offset by what they get for appearance fees. Deductions for FMLA absences are permitted.

■ Executives in "sole charge" of a branch or store are no longer exempt merely because they are in charge of the facility.



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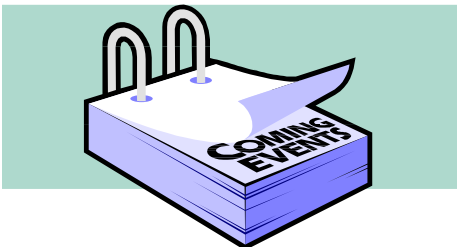
New overtime rules

(Continued from page 3)

■ First and last weeks of employment - you can pay just for the actual hours worked and not lose the exemptions.

■ Grievance procedure to avoid loss of exemption by innocent mistake - if you have a published policy forbidding improper pay practices which contains various components including a complaint procedure and meaningful adjustment of pay mistakes, you probably will not lose the exemption with this new safe harbor provision. Create a policy today.

Many employers are learning that their pay practices have been wrong for a long time. Now is the time to have your wage-hour practices audited for compliance by employment law counsel. The Department of Labor has formed a task force to ensure compliance with the new laws and may knock on your door.



MVNARI Golf Classic

September 21
Beavercreek City G.C.

September Dinner Meeting

Supplier Night at EmbroidMe
September 22
5824 Wilmington Pike

Membership Breakfast

September 23
Original Pancake House
Route 725, Centerville

October Dinner Meeting & Mini-Seminar

Geology/Soil Issues
October 27
Neil's Heritage House

NARI members to build dog houses

Remodelers, who occasionally find themselves in the doghouse with family and sometimes customers, have the opportunity to design and build their own digs by participating in the Miami Valley NARI Designer dog Houses for Charity Program.

The program will match members of Miami Valley NARI with charities to design, build, promote, and display doghouses that will be raffled off during HomeWorld 2005, February 10-13. All proceeds will go to charity.

The program officially launched on September 1 and conclude with the HomeWorld 2005 show in mid-February 2005. To participate all you need to do is agree to use your professional knowledge and experience to design and build an out-of-the-ordinary doghouse.

MVNARI will provide

- Publicity photos
- All raffle related materials and labor

- Publicity for your company's participation
- Publicity for your charity's participation
- Signage
- Recognition via the association's publications and website
- Supplier contacts for materials
- Communication with charity



The dog houses will be on display at HomeWorld 2005. They will be awarded to show visitors through a raffle, not an auction. Show visitors will purchase raffle tickets and deposit them in boxes with the dog house(s) they hope to win.

Participating dog house builders can designate the charity they want to support.

For more information about the program and a copy of the Memorandum of Understanding participants are asked to submit contact the Miami Valley NARI office at 937-222-6274.

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