



## *Upcoming Events*

**Monday, August 14th**

**Day at the Races (Del Mar Racetrack) flier on last page.**

**Wednesday, September 20th**

**Luncheon featuring the CSLB. The CSLB will give a presentation on the new Worker Comp laws and what we can do as an Association to assist with unlicensed activity and fraud.**

## President's Message

A few months ago, an attorney told me; "all roofing contractors hire illegal immigrants and pay them under the table". This week I was speaking to a roofer that made the claim that 90% of the entire workforce in our roofing industry are illegal. Now both these claims were made with no evidence or facts to support their arguments. I definitely hope neither is true but one thing appears to be true is that the immigration issue is a very hot political topic today and the roofing industry is right in the middle of it.

Today, it seems like every time you watch a newscast or read a paper there is some type of dialog on the pros and cons of the immigrant workers. Heavy amounts of pressure are being applied to our politicians in hopes of solving the disputes. Some support an effort to solve the problem by attacking the supply side of the issue. They believe it is too easy for aliens to get in to the country and once here there is no serious enforcement of current laws. This group believes we must strengthen the border with more federal funding and we must crack down on those in the country illegally by finding, prosecuting, and having them deported.

Others believe the only real solution to the problem is from the demand side, which would put the burden on employers that may hire illegal immigrants. Those feel if the demand for cheap labor would go down the immigrants would stop coming to the country. They feel the politicians must pass laws that would heap large fines on business owners and would even require jail time for owners that knowingly hire undocumented workers.

The more centrist approach is a bill sponsored by Senator McCain and Kennedy, which is supported by the President, many labor organizations and specifically the National Roofing Contractor Association (NRCA). This bill has many aspects to it including an allowance for a formal guest worker program.

This issue is not going away anytime soon, so that is why the SDRCA invited Assistant Special Agent Jennifer Silliman of US Immigration and Customs Enforcement (ICE) to address our membership in July. Assistant Special Agent Silliman is the head of the San Diego department; her office is the organization that is assigned through Home Land Security to enforce the current immigration laws.

Jennifer was asked to help our membership understand what does the current law require of employers when it comes to verification of illegal status during the hiring of employees and how can we avoid immigration problems with our workforce. She assured those in attendance if the employers follow the requirements of the I-9, and use a "reasonable" standard of verification on the documents accepted, the employer is on safe ground. For those employers that are committed to a legal workforce, Agent Silliman also shared with the membership a pilot program offered by the government called Employment Eligibility Confirmation. This program is set up on a current volunteer basis, in which employers that apply for enrollment can have all future applicants verified through the government to assure proper legal status. More information on this program is offered later in this newsletter. All employers should be keeping an eye on this volatile immigration issue because the climate is very hot, many believe the laws will change and they probably will not favor the business owner.

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## *TRI Certification In San Diego*

That's right, the Tile Roof Institute is having a certification program right here in San Diego. The program is scheduled for August 29th and 30th at the Del Mar Hilton. David Mann of Patriot Roofing has worked on a program in San Diego for some time and his efforts have paid off.

The SDRCA encourages contractors to attend this certification program. Call the SDRCA for more details.

### *New Member*

Custom Bilt Metals

### *NRCA Affiliate Relations Committee*

I have recently returned from Chicago after attending the mid-year meetings with the National Roofing Contractors Association. I had the opportunity to sit on the Affiliate Executives Council and the Affiliate Relations Committee. Many items were discussed during both sessions and Immigration Reform seems to be the hot topic for other associations and labor unions. Craig Brightup, Vice President of Government Relations, NRCA gave a detailed report on two pieces of legislation that are currently being discussed.

The Secretary of Commerce, Carlos Gutierrez, a member of President Bush's cabinet made an appearance and spoke during one of the sessions. The fact that a presidential cabinet member made the effort to speak to the roofing industry is encouraging and shows that the NRCA does have an influence at our highest government level.

The NRCA also provided an update for the SpecRight program that has been in place since February of this year. The class will teach attendees how to use NRCA's EnergyWise Roof Calculator software to illustrate how insulation costs can be recouped through energy savings. In addition, they also will learn what a cool roof is—and what it isn't. Other discussion topics include the latest trends in energy codes—including California's Title 24 and the Chicago Energy Code. Breakout sessions will give attendees the chance to take a more in-depth look at ASHRAE 90.1, energy codes and green roofing.

An update was also given that the International Roofing Expo will once again be held in Las Vegas, Nevada. Next year's event will take place the first week of March and be held at the Las Vegas Hilton.

I personally wanted to thank all the other Executives that attended these meetings. They shared their thoughts, ideas and gave me some tips. I learned a great deal while in Chicago and I hope that my experience will allow me to better serve the members of the SDRCA and the roofing community in the San Diego area.

James Robyn, Executive Director SDRCA

## **2007 Golf Committee Announces the Golf Event will be on June 8th, 2007**

**Mark your calendars now!**

### *Employers must pay on the last day!*

The California Labor Code requires that employees receive all earned and unpaid wages at the time of discharge from employment. Waiting time penalties equal to one day's wages for up to 30 days will be assessed for willful failure to comply. An employee's service to an employer is completed either by completion of the hired-for task or at termination by the employer. Both constitute a discharge as contemplated by law.

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## *A moment with Duke Le (All Seasons Enterprises)*

Our member interview for August



**Grew up in:** I was born in Dang Nang, Vietnam. My family escaped from Vietnam in 1978. I have been in San Diego since I was eight years old. San Diego is where I started all my education; from Erickson Elementary to Mira Mesa High school to graduating from SDSU in 1997. I have seen so many changes to San Diego within the 26 years and still loved it here.

**First job was:** When I was eight years old I had to help my father with his landscaping business. I learned to appreciate the sacrifices, hard work, and determination that my parents made to raise a family of 14 at an early age.

**Became a roofing contractor:** I started as a sales representative for Monierlifetile and then work for a metal roofing manufacture - Atas. During my years as a representative and manager for the roofing manufactures, I realized that the only way to be successful, to be able to reach the top is to make my own path. So, I started my own company.

**Most unusual roofing project:** The most unusual roofing project that I have ever been involved with was when we worked on a 203 squares Metal roof in Paramount and projected that the job was going to take 2 1/2 - 3 weeks to complete. With 28 men, and 3 1/2 days later, the project was completed. We all got a pretty good bonus at the end of the project.

**Challenging aspects of a roofing contractor:** One of the many challenges of being a roofing contractor is that we are working in a very competitive industry; what makes it more difficult is when we compete with companies that do not carry the same overheads such as workers' compensation and/or general liability.

**Hobbies:** I enjoy all types of outdoor activities and sports. I enjoy fishing, hunting, golfing, basketball, river rafting and compete in Martial Arts Tournaments when I have the time.

**Future of the roofing industry:** Like any other industries, changes with time will bring about new technologies. These advancements will enhance roofing products and applications. I'm continuing to look for new and improve products to better serve my customers in this competitive market.

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## *Employment Eligibility Confirmation, the "Basic Pilot"*

As an employer in the United States, you know that the use of fraudulent documents reduces the effectiveness of the employer-sanctions law in ensuring that your work force includes only individuals who are legally eligible to work. It can also cause severe disruptions and economic cost to your business. In an effort to address this problem, the Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) was signed. Among other provisions, the IIRIRA requires the Attorney General to test three additional methods of providing an effective, nondiscriminatory employment eligibility confirmation process, focusing on electronic confirmation.

The Basic Pilot program involves verification checks of the SSA and INS databases, using an automated system to verify the employment authorization of all newly hired employees by using Social Security Numbers and alien registration numbers.

- Participation is voluntary
- Form I-9 requirements will remain the same except that all "List B" identity documents must contain a photo.
- The employer must make verification inquiries within 3 business days of hire.
- Employers may not verify selectively, you must verify all new hires.
- Employers may not use the system for current employees when signing up for this program.
- Employers may not use the system to pre-screen.
- Employers may not use the system for re-verifying.
- The Basic Pilot program is free.
- The employer must post notices that they are participating in the Basic Pilot program.
- The system is used after the Form I-9 has been completed and the person has been hired.

The Basic Pilot Program removes the guesswork from document review during the I-9 process. It allows the employer to confirm employment eligibility of all newly hired employees. It improves the accuracy of wage and tax reporting. It protects jobs for authorized U.S. workers. It reduces discrimination on basis of citizenship and national origin. It discourages false claims to U.S. citizenship.

For further information:

U.S Immigration and Naturalization Service, SAVE Program-Basic Pilot  
888-464-4218

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### **\$200.00 Raffle Prize Drawing**

It is simple, print this page, fill out the form, mail it to the SDRCA office. You will then be entered in a drawing for \$200.00. Drawing will be held at the October Quarterly Dinner Meeting and you need not be present to win. Only one entry per person for each newsletter.

NAME: \_\_\_\_\_ Email: \_\_\_\_\_

# San Diego Roofing Contractors' Association

Monday, August 14th, 2006

## Day at the Races

Del Mar Racetrack, Stretch Run Grill  
Gates Open at 12 Noon, First Post 2:00 PM

The Stretch Run Grill are tables of four overlooking the home stretch of the racetrack.. Price includes admission to the track, program, lunch and one non-alcoholic beverage.

Keep in mind that this area is not shaded and that they are tables of four. Please try to keep signups to an even number of guests.

This event is limited to the first 80 people to send this form to the SDRCA office.

If sending in forms separately, please indicate who you wish to sit with at a table of four.

-----Keep upper portion -----Send lower portion-----

Day at the Races Reservation  
Due by Monday, August 7th, 2006

Company: \_\_\_\_\_

Attendee: \_\_\_\_\_

Attendee: \_\_\_\_\_

Attendee: \_\_\_\_\_

Attendee: \_\_\_\_\_

Please fill in your amount

\_\_\_\_\_ Attendees at \$40.00 member price = \$ \_\_\_\_\_

\_\_\_\_\_ Attendees at \$50.00 non-member price = \$ \_\_\_\_\_

Total Price = \$ \_\_\_\_\_

Check Enclosed    Credit Card listed below    Send me an Invoice    Use Advocate credits

Card Number: \_\_\_\_\_ Exp: \_\_\_\_\_

Name on Card: \_\_\_\_\_

SDRCA – 1113 Adella Ave., Ste. 100, Coronado, CA 92118

Phone/Fax: 888-825-0621

