



## *Upcoming Events*

**Wednesday, October 18th**

**Dinner Meeting, SAFETY! Ladder safety, Silica, and Heat illness.**

Flier attached

## President's Message

A few weeks ago a very distraught friend (Tom) was standing at my doorstep asking for some advise. He seemed to be in a difficult situation involving another contractor doing work at his home.

He related to me a series of bad events that had happened to he and his wife in the last few days. Let me start by mentioning, Tom and his wife are recently retired, good, honest, hard working blue-collar people. In retirement the most valuable thing they have is their house (which is paid off). Tom decided he would do something nice for his wife by remodeling their kitchen and other small upgrades in the 40-year-old house.

Tom acquired only one estimate and signed a \$23,000 contract to have the work done. After a few days all was well and seemed to be going great on the project. However, while the contractor's employees were busy at their craft, one worker started spraying lacquer finish to the cabinets in the kitchen. This worker was unaware that older model ovens can have a live pilot light, as did my friend Toms'. Lacquer fumes soon hit the pilot light, and bam, the kitchen explodes! Other workers were able to quickly extinguish the fire in the kitchen to keep the damage down to a minimum. However, the worker spraying the lacquer is badly burned and spends a week in the burn unit. When Tom visits the worker in the hospital he is informed that the contractor has told the hospital he does not "carry worker compensation insurance".

So my friend Tom is now standing at my door, having paid the contractor \$11,000 of the \$23,000 contract (with the job about 1/4 completed) now he has a fire damaged kitchen (of course the contractor does not "carry general liability") and a badly burned worker that will most likely sue Tom and his wife. The Contractor is telling Tom that his is not required to carry worker comp insurance because, of course; all of his worker our independent contractors.

The first thing that comes to my mind is the many times I have sat in front of homeowners and told them that they need to verify that all the companies they are considering hiring do indeed abide by state laws and have worker comp coverage for all employees and general liability insurance because it will "protect them from problems in the future". Unfortunately Tom never asked me. I don't know how this will shake out for Tom and his wife but it is very likely the injured worker will name them in a lawsuit for his damages.

Had Tom verified first that the contractor he hired was a legitimate and fully insured contractor he very possibly could have still had a tragic accident in his kitchen but the difference now he realizes, the contractors insurance companies would be taking care of the liabilities in this lose versus now standing at my door step wondering if his wife's new kitchen will cost them their house in future law suits.

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## *Euphemism of the Year?*

This summer, the members of the Association of Trial Lawyers of America voted to change the organization's name to the "American Association for Justice." Citing the negative image associated with the term "trial lawyers," the group believes the new name "better reflects the group's mission of promoting justice." With this name change the group has actually managed to ascend from a dizzyingly high level of hypocrisy to an even higher one – hard to believe that was possible. Let's hope the group is turning over a new leaf, with fewer lawsuits accompanying the new name.

Article by: R. Craig Silvertooth, Director of Federal Affairs, NRCA – Washington Office

## *Heat Illness Regulations*

The State of California has adopted new permanent regulations requiring employers to protect employees who work outdoors from HEAT RELATED ILLNESSES. Among other things, employees must have access to at least 1 quart of potable drinking water per hour; must have access to shade or other cooling measures, such as misting machines; and must be trained in preventative measures. Fines for violations range from \$200 to \$2500 depending on the violation's nature and severity. This was published in the recent NRCA update. This topic will also be covered in our October Dinner Meeting.

## *Elk announces photo contest*

Elk Premium Building Products has announced its "Most Impressive Hybrid Roof" photo contest. A photo of a Prestique, Grande, High Definition, or Domain Winslow roof can be submitted to [www.winelkhybrid.com](http://www.winelkhybrid.com).

# **2007 Golf Event June 8th, 2007 Mark your calendars now!**

## *On the National Front*

On September 5, GOP House and Senate leaders announced they intend to pass legislation that would strengthen border security, but hedged on prospects for a broader immigration bill that would include a new guest worker program or a path to earned legalization for undocumented immigrants. House leaders confirmed that game plan on September 8 when they reiterated their intention to pursue border security measures and shun, for the time being, comprehensive elements such as legalization and guest-worker programs. Their comments indicate that Republicans want to pass a limited immigration bill before the November elections and avoid politically dicey issues involving new worker programs and addressing the undocumented population.

In private meetings with GOP leadership the past week, NRCA has confirmed that any legislation that might be considered would focus solely on border security – there would be no provisions sanctioning employers. Separately, Senate Majority Leader Bill Frist (R-Tenn.) said more money would be directed to border security efforts through appropriations bills for the departments of Defense and Homeland Security.

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## *September Luncheon Recap*

On Wednesday, September 20th, the CSLB educated us on some important items. Roger Hayes who is an inspector with the CSLB gave us insight on several issues. There are ways the SDRCA can assist Roger in cracking down on unlicensed activity. If you suspect unlicensed activity you should either fill out the online form (found at the CSLB website) or call the hotline to report such activity. If you have trouble with the online form at the CSLB website, we also have them available at [www.sdrca.com](http://www.sdrca.com). The CSLB has 20 agents working in Southern California, two of those are designated to San Diego. Response times to reports of unlicensed activity varies. This is based on the schedule of the agents. There are instances when the agents are in court for several weeks, thus the response time will be lengthen. However, there are response times within hours of a report. In order for the CSLB to cite unlicensed activity, the CSLB must either catch the construction in the act, or have the cooperation of the homeowner. It is important for us to report unlicensed activity immediately even though they may not be caught in the act. The more reports we give, the better chance of cracking down on this type of activity.

AB 881 was also addressed and the interpretation was that you must have a Workers' Compensation policy in effect. If you currently have an exempt status and do not acquire a Workers' Compensation policy and forward a certificate to the CSLB by January 1, 2007, your license will be suspended. Roger reported that he did not believe staff leasing was breaking any laws, as long as the contractor has a Workers' Compensation policy that is current.

The SDRCA thanks Roger for his time and for a successful event.

### *San Diego Roofer Ordered To Pay \$119,000 In Restitution To State Fund*

The 43-year-old owner of a San Diego roofing business must pay \$119,000 in restitution to the State Compensation Insurance Fund as part of his sentencing for workers' compensation insurance fraud. Arturo Cuevas, 43, owner of Cuevas Roofing & Painting, Inc./Western Pacific Design & Development, Inc., was also sentenced to three years probation after pleading guilty to insurance premium fraud. Cuevas had been insured with State Fund since October 1999.

Working on a tip, the San Diego County District Attorney's Office contacted State Fund, which reviewed Cuevas' workers' comp policy. A search of company documents turned up evidence that Cuevas paid thousands of dollars in cash to employees but failed to report the wages to State Fund.

In a press release, Donna Gallagher, State Fund Fraud Investigation Program manager, praised the San Diego County District Attorney's Office prosecution of workers' comp fraud cases, saying it's led to the recovery of several million dollars.

Thank you to RCAC for this update.

### *Structural Materials Changes Location*

The new location is 2270 La Mirada Drive in Vista. This is a larger facility with modern offices and a much easier access. Off of Sycamore and Business Park. Do not go to the old location as you will only be directed to the new location. There are no products at the old location. The phone number and fax number have stayed the same.

### *Press Releases*

Again, I would like to encourage all members to submit press releases for your company. Manufacturers can inform our readers about new products and/or special discounts. Suppliers can inform our readers about the happenings in their yards. Press releases will be inserted at the end of the newsletter.

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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

Wednesday, October 18th, 2006

The Butcher Shop Steakhouse  
5255 Kearny Villa Road  
San Diego, CA 92123  
858-565-2272

October Quarterly Dinner Meeting  
5:30 PM – 6:30 PM Social  
6:30 PM – Dinner & Program

## *Safety – Ladder, Silica, Heat Illness*

New ladder ext. and OSHA bucket to be raffled off after the ladder safety presentation.



Sponsored By:

OSHA presentation on new Heat Illness Guidelines by Wende Carleson. Wende is the Manager for the San Diego Area Cal/OSHA Consultation Services office. Her office provides no-cost consultative services to employers working within San Diego and Imperial Counties.

Brighter Concepts, Inc.

Presentation on Silica Dust issues given by Kirk Harold, safety consultant for Safety Compliance Company.

The SDRCA will also feature a \$200.00 raffle prize but you must send in an entry from the newsletter  
-----Keep upper portion -----Send lower portion-----

SDRCA Dinner Meeting Reservation  
Due by Thursday, October 12th, 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 dinner credits

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

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

SDRCA – 1113 Adella Ave., Ste. 100, Coronado, CA 92118      Phone/Fax: 888-825-0621

MonierLifetile



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**Media Contact:** Tammie Beckstead  
949-585-8219

[tbeckstead@monierlifetile.com](mailto:tbeckstead@monierlifetile.com)

## **NEW ROOFING SYSTEM ASSEMBLY SAVES ON ENERGY BILLS**

**IRVINE, CA. (June 20, 2006)** – MonierLifetile announced today it will introduce a new energy efficient roof assembly this summer, called the MonierLifetile Energy Efficient Roof (EER).

According to the U.S. Department of Energy, more energy is consumed in the building sector than in either industry or transportation, with 53% of energy usage being consumed in heating and cooling. The latest statistics state that Americans spent more than \$95 billion yearly to heat and cool buildings. A large percentage of this energy was lost through the buildings' envelopes: walls, roofs, floors, doors and windows.

Advances in building envelope technologies are the key to reducing overall building energy consumption and costs. MonierLifetile has been aggressively pursuing increased energy efficiency by developing new technologies, and products to further reduce energy consumption and costs.

Five years ago, MonierLifetile was invited to participate in a "cool roof" study funded by the California Energy Commission. Although MonierLifetile's management knew tile roofing was cooler than asphalt shingle and other similar roofing products, there was very little main stream American research. The tests were conducted at the Oak Ridge National Laboratory in Roane County, Tennessee where 75 percent of the laboratory's studies are funded by the U.S. Department of Energy.

When testing concrete roof tile systems, researchers discovered that they had to alter the research to account for the air space between the roof deck and tiles. The tests completed by Oak Ridge took this inherent air space a step further by recognizing that certain roof assemblies – the components used to waterproof and support the roof tile – make a significant difference, in energy efficiency. By elevating the roof tile off the deck and allowing for air flow through a 'vented' sub assembly, the cool roof effects are substantially greater. Today this air space is referred to as "sub tile ventilation".

“As it turns out, the air space between the tile and the roof deck has a significant effect on heat transfer into a building,” said Jerry Vandewater, technical services manager for MonierLifetile. “The research proved that regardless of a color, the air space is an effective barrier against heat gain.”

Based on Oak Ridge’s research findings, MonierLifetile is introducing a new cool roof assembly this summer called the MonierLifetile Energy Efficient Roof (EER). The assembly consists of several patented products and technologies: MonierLifetile’s Vented Eave Riser, which allows air flow to enter thru the eave of the roof; elevated battens, which raise the batten off the roof deck allowing air flow up the slope of the roof; and MonierLifetile’s vented hip and ridge products, Figaroll, and Zephyr Roll, which allow air to flow out the ridge of the roof while providing weather blocking protection.

MonierLifetile’s management team is also proposing that the *California Energy Commission’s* 2008 Energy Efficiency Code for residential construction, recognize sub-tile venting as an energy efficient assembly eligible for energy credits and /or rebates. Builders receive credits for using energy efficient construction if the products, systems or assemblies are tested and certified as energy efficient by the Cool Roof Rating Council.

**About MonierLifetile:**

MonierLifetile LLC, with headquarters in Irvine, CA, is backed by the strength and financial resources of Lafarge SA based in Europe, and Boral Ltd. based in Australia. MonierLifetile employs more than 1,350 people at 13 manufacturing plants and service offices throughout the United States. For the ultimate in value, durability and beauty, choose MonierLifetile—the nation’s leading manufacturer of concrete roof tile. For more information about MonierLifetile or its products, visit our website at [www.monierlifetile.com](http://www.monierlifetile.com).

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MonierLifetile



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**MEDIA CONTACT:**

Tammie Beckstead

(949) 585-8219

[Tbeckstead@monierlifetile.com](mailto:Tbeckstead@monierlifetile.com)

**MonierLifetile Introduces Technologically Advanced  
Self-Adhesive Underlayment Solution**

**PCBC, SAN FRANCISCO, June 20, 2006** --\_MonierLifetile, the nation's leading manufacturer of concrete roof tile, today introduced MLT TileSeal™, an advanced self-adhesive underlayment for tile roof applications. MLT TileSeal augments the company's Roof System Component product line, a comprehensive offering of products designed to enhance the integrity, durability and aesthetic appeal of tile roof systems.

Developed to replace costly and potentially dangerous hot-mop applications, MLT TileSeal provides a watertight seal around the roof, in less time and without the need to use tar. The water-resistant cover is also ideal for roofing areas including eaves or valleys where an underlayment must provide extra protection against severe weather conditions such as wind, rain and ice.

The flexible nature of MLT TileSeal's woven polyester surface enables roofers to save significant installation time and cost while delivering lasting performance. And, unlike other competitive products available in the market, MLT TileSeal is highly resilient and virtually impossible to tear.

"Raising the standards of roof installation is a primary focus for MonierLifetile," said Alfredo Romero, product manager, MonierLifetile's Roof System Components. "The addition of this advanced self-adhesive underlayment to the company's roof system

component line is further evidence of our commitment to providing the building industry with solutions they can use to complete their projects correctly and cost-effectively.”

MLT TileSeal’s modified asphalt base provides a nail-sealable surface that will help to protect the homeowner’s roof for years to come. Unlike other peel and seal underlayments that can wrinkle when rolled out, MLT TileSeal rolls out even and flat for a fast installation. And, while other products can be extremely slippery when wet or very sticky when warm, MLT TileSeal’s woven-polyester surface provides traction to help increase safety for roofers during installation.

The new underlayment bonds quickly to itself with a three-inch self-adhesive strip, staying flat and secure. It does not easily pull or shift under high foot traffic or stacked tile. Unlike other competitive brands, which require covering immediately after inspection, MonierLifetile specially developed its material to be UV resistant for up to six months without protection.

In areas affected by extremely high winds such as those found in Florida, MLT TileSeal’s advanced woven polyester material bonds effortlessly with foam. It meets all current Florida building codes and has been approved by building officials in Miami-Dade County, Fla., for use on all buildings in the area.

It can just as easily be used for mechanically fastened roofing projects where the underlayment provides nail seal-ability to maintain an effective weather barrier. While installation is straightforward, MonierLifetile technical representatives are available to provide assistance to roofers who may have questions or require additional help.

MonierLifetile believes that its collection of components when properly installed and used, comprehensively result in superior roof installations, performance and longevity. Other products available in the company’s enhanced roof system component line include vented eave risers, Wakaflex, patented Elevated Batten Systems and Hip & Ridge solutions Figaroll and Zephyr Roll.

For additional information on MonierLifetile’s TileSeal or any other roof system component solution, contact MonierLifetile at 800-5571-TILE (8453), or visit our Website at [www.monierlifetile.com](http://www.monierlifetile.com).

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For more information about MonierLifetile or its products, visit our website at [www.monierlifetile.com](http://www.monierlifetile.com). Or write to MonierLifetile, 7575 Irvine Center Dr. Suite 100, Irvine, CA 92618.