

# DEPARTMENTAL NEWS

THE WASHINGTON CONNECTION · RESEARCH & EDUCATION · MARKETING ISSUES · THE LEGAL ASPECT

## The Washington Connection

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### Never Give Up What Is Jurisdictionally Ours

Over the past few years there have been numerous issues—both jurisdictional and contractual—raised over two provisions of our work jurisdiction: roof tear-off and vacuuming. Unfortunately we continue to see a significant amount of roof tear-off and vacuuming being subcontracted to non-signatory employers, or in some cases assigned to other union crafts, without regard to the long-term effects it will have on our union.

Article II Section 5 of our Constitution clearly defines this scope of work in our jurisdiction. It is the work of this union and has been instrumental in generating a large percentage of our union's man hours throughout our history.

The impact of losing this work is threefold. First, it costs our members hours directly in terms of wages and benefits. The members may not feel the effect if they are employed at the time, but in essence their future work opportunities are diminished, as is the potential to gain new members. Second, failure to protect this work contributes to shrinking our overall market share, which is contradictory to our ongoing effort to increase our market share.

Finally—I cannot stress enough—is the effect that these lost hours have on our health and welfare, pension and training programs. We cannot continue to push more money into these programs to make up the difference, as we have done in the recent past. The only real solution is to increase the amount of overall hours and members working in the union sector.

The majority of our locals have subcontracting language in their collective bargaining agreement which prohibits, or restricts to some degree, subcontracting any work covered by the agreement. For the most part our locals do a tremendous job ensuring that the jurisdiction of our union is protected.

Unfortunately, however, we are still experiencing situations where work—specifically, vacuuming—is being subcontracted when essentially this can be prevented (i.e. when a subcontracting clause exists, or the job is under the NMA or a PLA). We constantly hear the excuse that “if the contractor used the union bid, they would have lost the job.” This may be true; however, maybe we need to look at the long-term consequences of our actions and not the short-term rewards. Once we demonstrate a willingness to concede a portion of our work, where does it stop? Will we concede material handling and hoisting and job site clean-up next? If we are willing to abandon one portion of our jurisdiction, trust me, they will eventually try it with other work.

Our jobs as leaders are to protect our jurisdiction and to expand our market share. We are in a highly competitive job market right now, where jurisdictional disputes are high, competition for work is brutal and there is a tendency to attain work at any cost. But that cost should not concede everything we have fought for over the last century. History has shown that once you lose the work, it is nearly impossible to get it back.

We need to figure out a long-term strategy to rectify the problem and not sacrifice members' hours. A strategy, however, can only be developed on a local level by the leadership with the support of the members.

### Roofing Efficiency Jobs Act (REJA) Update

I continue to lobby on the Hill along with representatives of the NRCA for support of the Roofing Efficiency Jobs Act (REJA). Formerly known as GREETA, or the Green Roof Energy Efficiency Tax Act, REJA would remove an obstacle in the tax code to job creation and achieve greater levels of energy efficiency in commercial buildings.

Between 1981 and 1993 the depreciation schedule for non-residential property was increased from 15 to 39 years; however, the average life of a commercial roof is only 17 years. This is only an incentive for building owners to **delay** the replacement of older, failing roofs with new energy-efficient technology that reduces energy consumption. Passing H.R. 2962: Roofing Efficiency Jobs Act of 2011 would provide for a twenty-year depreciation schedule for commercial roofs that meet a specific benchmark energy



efficiency standard. This sensible depreciation schedule is consistent with the life of a roof and will accelerate the demand for such roofs by removing the disincentive for building owners to complete retrofits of failing roofs.

It is estimated that by accelerating demand for energy-efficient roofs, **approximately 40,000 new jobs would be created** among roofing contractors and manufacturers. It would also create a savings of about \$86 million in energy costs in the first year, add about \$1 billion in taxable annual revenue and offset carbon emissions by 1.2 metric tons.

REJA was introduced by Representatives Tom Reed (R-NY) and Bill Pascrell (D-NJ) in the fall of 2011.

To date we have 61 bipartisan House sponsors. On the

Senate side the companion bill is S. 1575: Energy-Efficient Cool Roof Jobs Act, which was introduced by Senators Ben Cardin (D-MD) and Mike Crapo (R-ID). To date we have 10 bipartisan Senate co-sponsors.

I cannot thank enough the locals that have taken the time out of their busy schedules to contact their House and Senate representatives regarding REJA. It has made an enormous difference in our ability to gain sponsors and momentum to move this legislation forward. Passage of REJA would make a huge impact on the lives of our members and the whole roofing industry, creating job opportunities which are sorely needed in this country. For that reason we will continue working diligently to seek passage of this legislation. ■

## Helmets to Hardhats REMINDER

Support our veterans by utilizing the Helmets to Hardhats program.

Just a reminder: as you recruit future applicants for your JATCs, please keep in mind the men and women who have served our country.

Also, remember to keep your local union profile updated on Helmets to Hardhats' website ([helmetstohardhats.org](http://helmetstohardhats.org)). Accounts need to be updated once a year. If you have not registered your local union office and JATC, please do so as soon as possible. You can help a veteran gain a career in the roofing industry by completing these simple steps.

