

The Midwest Wireman

BY ELECTRICIANS, FOR ELECTRICIANS

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Special points of Interest:

- CE/CW Update
- License Renewal
- Davis Bacon & you

*“If hard work
were such a
wonderful thing,
surely the rich
would have kept
it all to them-
selves.”*

-Lane Kirkland

Inside this issue:

Tricks of the Trade	2
License Renewal	2
Bid Day	3
Dangers of being paid Cash	4
Davis Bacon	5
Low Voltage Cabling	6

New Website

www.ibew22.org

The next time you are at the computer surfing the info-tubes, stop by the new and improved www.ibew22.org. We have been hard at work rebuilding the website so that it is more interactive and has more information for our members and the general public. You'll find videos highlighting our programs and projects, updated picture galleries, links to important job information, an interactive calendar and many more ways to get involved with the local. Cruise on by and see for yourselves!

CW/CE Update

We are proud to report that IBEW LU 22 contractors currently have 34 Construction Wiremen and 3 Construction Electricians working. The program kicked off June 1st and we are taking applications from people nearly everyday. These new classifications have proven effective in securing work for our contractors. They can build a crew with a lower composite rate, and we can bring more members into our ranks and provide education to those who want it. This program gives us the flexibility and opportunity to stay competitive in a growing market.



UNITED WE BARGAIN, DIVIDED WE BEG?

Tricks of the Trade

Use a Balloon to Plug Unused Conduits: Plug unused conduits with a balloon and spray foam. First blow up the balloon to where it fits snugly inside the conduit. Stick the balloon about 6 inches back in the pipe, then fill the rest with spray foam. The balloon stops the foam from spilling down the pipe, and the conduits can be opened easily for future use.

Finding A Lost Wire Or Box: If you need to find a wire stub or box buried by drywall, use this trick to locate it. First turn on the circuit, then take a directional compass and pass it by the area where the box or wire should be and observe the compass needle. The EMF of the energized wire will attract the needle and lead you to it.

Use #2 To Grind Paint Off: Need to grind paint off a junction box to insure a good bond, but don't have a wire wheel or abrasive bit handy. Keep a piece of # 2 wire in your truck. Cut a piece about 3" long, leaving about 3/4" of copper showing. Flare the ends of the strands slightly, put it in your drill and go to town on that paint.

Use A KO Filler To Enlarge A Hole: If you need to enlarge a hole in a cabinet or box, use this trick if you don't have a knockout punch readily accessible. Take a KO filler and install it in the hole to be enlarged. Bend all the tabs out as tight as possible. Then you can make pilot hole in the KO filler and enlarge the opening without the hole saw jumping around.

LICENSE RENEWAL & REGISTRATION 2010

With all of the mailings from the State Nebraska and Iowa about renewing your license there is no reason to not get it done and stay current with your credentials. I used the online renewal procedure for Nebraska and it took less than 5 minutes. The last requirement was to fax my continuing education certificates into the state electrical office at **(402) 471-4297**. Pretty simple stuff. One thing to keep in mind is your continuing education must be completed by December 31 and will no longer be accepted after that date.

When renewing your Iowa electrical license, you can review their web page to find your name and associated continuing education hours approved by the State of Iowa at http://www.dps.state.ia.us/fm/electrician/continuing_ed/pdfs/entered_master.pdf Also you may renew online with Iowa.

Remember that the City of Omaha Journeyman and Contractor Registration is due as well.

We have renewal forms available here at the IBEW Office for Nebraska, Iowa, and the City of Omaha Registration and can be picked up from 8:00 AM to 4:30 PM Monday through Friday at 8946 L Street.

Union Vs. Nonunion on bid day

A couple months ago I spoke with a well known foreman for a non-signatory electrical contractor and the topic of project bids came up. He got me started thinking when he said "Our Company's bids on projects are right up there real close and competitive with the Unions bids. That's why we are still in business while the other guys are going out of business."

At the time, the discussion quickly moved on to other topics and I wasn't able to address this. I wanted to talk more about what having similar bids might mean. Any bidding contractor has the job's spec book and the prints that must be used when it comes to material and project information. If the job is properly estimated by all the bidders, there really shouldn't be much difference in material costs. Some contractors can get preferred pricing at a wholesale house, but it still won't make that big of a difference.

So, the material is there, mark-up for overhead, profit, etc., and the final bid prices are relatively the same. And yet a union contractor pays his Journeyman workforce a wage and benefits package of \$44.10 per hour. This non-union contractor pays their Journeyman workforce anywhere from \$14 to \$23 per hour. If the final bids are relatively the same in price, where does the difference in wages go?

We have all heard the story about the contractor who came in \$500,000 under the rest of the bids. We shake our heads. He must have missed something. He left all that money on the table. He's going to go out of business.

My point is about the concept of leaving money on the table. Profit is not a bad thing. All contractors need to be profitable to remain in business. If we shake our heads at the contractor leaving money on the table, what about the individual electrician? If you are going to work as a construction electrician don't leave all that potential money on the table. You might consider earning the most in wages and benefits that are available to you, when the bids on the same project's are relatively the same.



Dangers of being paid cash

It might seem like a sweet deal to take that offer to work for cash. Call it money under the table, whatever you want. It's illegal, and it will hurt you in the long run. Employers have been avoiding payroll taxes and misclassifying their employees for years. Employees need to realize that getting paid cash is a deliberate attempt to deprive employees of their due wages, workman's compensation, unemployment insurance and social security benefits among other things.

The Obama administration is taking notice and launching numerous investigative and enforcement strategies aimed at employers that abuse their workforce in this manner. In addition, the state of Nebraska has passed it's own statutes and employed enforcement personnel.

The Employee Classification Act LB 563 was enacted in Nebraska on April 13, 2010, to clarify when a person working on a construction project is an "employee" and not an "independent contractor." The appropriate government agencies (IRS, Social Security, Workman's Comp, FICA, Unemployment Insurance, and State taxes) must be notified of the worker's status.

Some things people don't realize about being paid in cash is that a person cannot collect unemployment benefits based on cash earnings. The earnings that a properly classified worker receives are reported to the state and used to calculate their unemployment benefits in the event that they are laid off. Also, improperly classified workers are not counted in the Workman's Compensation Insurance program. This means that if you are paid cash, and get hurt on the job there has been no workman's comp premium paid in on your behalf.

Also, being paid in cash affects the amount of Social Security Benefit that a person can collect at retirement. This may seem like a long way off, but Social Security Benefits are paid based on the reported amount of money withheld over a person's lifetime.

Consider another possibility of working for cash. Even though an employer may say its strictly cash, unbeknownst to you they may still file a 1099 tax form to report their expenses for your hours worked. This will report your earnings to the IRS, which will cause you to be liable for taxes in full on those hours worked . It happens over and over. Don't let it happen to you!



Davis Bacon and You cont.

Now and then the Midwest Wireman is told an interesting story. While we are still trying to "get the facts," it appears a major investigation is underway regarding proper "Davis Bacon" wage payment for electrical workers on a federal project in the area.

Apparently this employer has been investigated before, and was Federally ordered to pay his employees a large amount of back wages. Now we hear he's up to his old tricks again, only this time there is substantially more money is on the table.

Any time a contractor secures a federal work project, they must pay their employees wages and benefits in accordance with the Davis Bacon Act. It is the law, and if the employer is paying less than the prevailing wages, they are stealing what is legally entitled to you and your family.

We thought we should review a few Davis Bacon questions and answers for educational purposes in case you land on a Davis Bacon job, so here we go:

Question: How much should I be paid?

Answer: Every time a Davis Bacon job is bid there is a "Wage Decision" issued for the crafts needed on that job. These rates of pay and benefits are set and must be paid to all workers. This information must be posted in the General Contractors area!

Question: The wage decision lists benefits in a certain dollar amount and the company I work for does not offer any benefits, what happens? Do they have to pay me benefits?

Answer: If your employer doesn't pay benefits, you should receive the hourly wage, plus the dollar amount of the benefits listed in the wage decision. If your employer does offer benefits, one thing to watch for is, if the price of your health insurance goes up with out the benefits improving.

Question: I don't have my Journeyman license yet, do I get paid as an apprentice and how much?

Answer: Everyone on the job should receive the Journeyman wage determination amounts except for apprentices enrolled in a "Registered" apprentice program and have been "Certified" by the Department of Labor, Office of Apprenticeship and Training. Just going to a tech school that you pay tuition for, even though you might have a city or state apprentice card, doesn't mean you are in a "Registered" apprentice program. If you are not then you should receive the Journeyman wage listed in the determination.

Question: Can my boss pay me more than the wages listed?

Answer: Absolutely! As long as you receive at least the wages and benefits listed your boss can always decide to pay you more than that.

Question: What if I am on a job and I am getting paid something different than electrician wages?

Answer: If you are doing electrical work then you should be getting electrician wages. Let's say if you are working on a heavy highway job (maybe out on the Interstate doing lighting) you might be listed as a lineman, then you should get the posted lineman wage, but usually when you work in buildings or on private property (like airports or even weight stations), then you should receive electrician wages.

Question: If I work on a line job, does only one person on the job get lineman wages and everyone else get "grunt" wages?

Answer: No there are ratios for linemen just like the Nebraska and Iowa State Electrical Board's Apprentice to Journeymen ratio. If there are 10 people on the job with 1 getting Journeyman wage and the rest getting the lower "grunt" listed wages, then something is wrong. Don't forget there are equipment operators listed in the outside lineman wage determinations as well, and if you operate equipment like trenchers, boom trucks, or backhoes then you should get that wage as well.

Question: What happens if the employer wants me to give money back when I work on a Davis Bacon job or maybe work for lesser wages than I normally make on another job, is this OK?

Answer: No that is not OK, in fact your employer might be in violation of the Copeland (Kick Back) Act which is a law to prevent this from happening. Say he has been told to pay you \$500 because you were under paid on a certain Davis Bacon job, and he gives you the check but wants you to sign it back to him, or work on another job for less money or even for free, he is in real trouble now!

The Department of Labor Wage and Hour Division and it's investigators are there to help you. All you have to do is give them a call, they will look into your issue, and they won't tell the employer who is making the inquiry. Their job is to ensure you receive the wages and benefits you earned on these jobs. After all, your employer bid the job using these wage rates, and YOU EARNED THEM!!!

You can contact the Department of Labor Wage and Hour Division at [\(402\) 221-4682](tel:402-221-4682) or at 111 South 18th Plaza, Suite 2238 Omaha, NE 68102

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Remember, They Can't Do It Without You!

PRIDE IN THE PRODUCT

No matter what kind of job you do, it's important to someone. It should be important to you.

- ◆ **Pride**-the specific mostly positive emotion that is a product of praise or independent self-reflection
- ◆ **Product**-A consequence of someone's efforts

This picture here is a perfect example of a person taking the time and giving the effort it takes to do the job right.

End Result

1. Satisfied Customer = more work!
2. Satisfied Boss = longer employment!
3. Self Satisfaction = sense of achievement!

