

## 2008 BRD OF DIRECTORS

### CHAIRMAN

**Rich Lambert**  
Pro Con, Inc.  
603/ 623-8811

### 1ST VICE CHAIR

**Mark Stock**  
Multi-Weld Services, Inc.  
603/ 746-4604

### TREASURER

**Christine Fletcher**  
Secondwind Water Treatment  
603/641-5767

### DIRECTORS

**Joe Blanche**  
TD Banknorth Insurance  
(Group Trust Administrator)  
800/ 581-4667

#### Michael Dion

Metro Walls, Inc.  
603/ 668-2648

#### Kevin Duffy

Longchamps Electric, Inc.  
603/ 625-5954

#### Brian Hooper

MSI Mechanical Systems, Inc.  
603/ 890-6900

#### Jerry Kingwill

Cobb Hill Construction, Inc.  
603/ 224-8373

#### Scott Knightly

EnviroVantage  
603/ 679-9682

#### Don Lawton

The Lawton Company, Inc.  
603/ 444-0900

#### Ken Merrow

Trumbull-Nelson Construction Co.  
603/ 643-3658

#### Robert Trahan

Palmer & Sicard, Inc.  
603/778-1841

#### Leighton White

Leighton A. White, Inc.  
603/673-2294

## NATIONAL DIRECTORS

### Rick Gagliuso

Gagliuso & Gagliuso, PA  
603/595-4500

### Paul DeLorie

Hampshire Fire Protection  
603/ 432-8221

all serious concerns that must be addressed by Congress. The unique nature of construction demands that benefits be portable to reflect the reality of the industry workforce. Reforms must include expanded access, as well as affordable options that will accommodate the need for construction employees to move freely from job site to job site and across state lines for the duration of various projects. ABC believes that health care is best administered on free market principals. ABC strongly supports extending the ERISA preemption currently available for larger, self-insured corporate plans and union plans, to bona fide trade associations to allow banding together across state lines, increasing purchasing power, reducing costs and improving access to coverage.

**UNION OFFICIALS CAN BE SUED FOR JOB TARGETING --** The practice of Job Targeting, also known as "market recovery funds", collects fees from union members for providing financial subsidies to union contractors on projects where they face competition from non-union (merit) contractors. The U. S. Supreme Court has held that job targeting is allowed as long as the union acts in its self interest and does not work in concert with other groups. Two years ago merit shop steel erectors, including ABC member American Steel Erectors, filed claims against Iron Worker Local 7, in Boston, alleging that the union, in concert with its signatory employers, had engaged in violations of federal Anti-Trust laws by using targeting funds to take work away from merit shop employers. The U.S. District Court decided against the merit shop contractors. The case was appealed, with support from ABC's Construction Legal Rights Foundation. On August 1, 2008 the Circuit Court of Appeals reversed the decision of the lower court, stating that the case must be sent back to the U.S. District Court for further review of disputed issues of material fact. The Circuit court also noted that the Union's use of union member dues to provide Market Recovery monies to employers was, potentially, also a violation of federal law prohibiting employee kickbacks to employers. The case will now go to trial or a settlement will be negotiated between the employers and the union.

**SUBCONTRACTOR SELECTION MAY BE IMPACTED BY JOB TARGETING --** ABC subcontractors should be aware of job targeting and the potential impact it may have on the subcontractor selection process by

GC/CMs who are signatory to the union representing your trade. Your number may be interesting until union target funds make the union number more competitive. Be especially conscious of language in invitations to bid that actually make the request to union subcontractors to "please contact your local business agents and request target relief funds if available".

**FORECAST OF CONSTRUCTION ECONOMIC ACTIVITY TO BE PRESENTED THU OCTOBER 23<sup>rd</sup> --** On Thursday, October 23, at the Event Center at CR Sparks, ABC will be hosting a member business development / networking meeting that will feature a presentation on construction related economic data and trend analysis specific to our region. ABC has contracted with the Sage Policy Group of Baltimore MD to provide projections for construction spending, growth, employment, pricing and other valuable information. The presenter, Anirban Basu's expertise and presentations have made him one of the Nation's most engaging and entertaining economist.

Do not miss this opportunity to gain insight on trends important to your business and to network with industry peers.

Thanks to our event sponsors to date ... please contact Paulette at the Chapter Office for sponsorship details.

**ABC MERIT CHOICE**  
**ABC SELF-INSURED GROUP TRUST**  
**BAKER, NEWMAN & NOYES**  
**COBB HILL CONSTRUCTION, INC**  
**DALE CARNEGIE - NH**  
**GAGLIUSO & GAGLIUSO, PA**  
**INFANTINE INSURANCE, INC.**  
**PELLA WINDOWS & DOORS, INC.**  
**WALLBOARD SUPPLY, INC.**

## SEPTEMBER

W 17	7:30AM	Trenching, Excav, ConfSpaceEntry
	8:30AM	Excellence Committee
Th 18	7:30AM	10-Hr OSHA - Part A / Concord
	3:00PM	Board Meeting @ Centennial Inn
W 23	8:00AM	Dynamics of Modern Marketing
Th 25	7:30AM	10-Hr OSHA - Part B / WRJct, VT
W 29	4:00PM	Concrete & Reinforcing Mats - Begins
Th 30	8:00AM	LEED Trng - Exam Prep - Begins
	4:00PM	Construction Math - Begins