



Subcontractors Association of the Metroplex

PUNCH LIST

The voice of the Subcontractor's Industry



Subbie Sam Says.

You plan for the future at your work, but you also need to remember to plan for the future of your family.

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Most subcontract agreements have dispute resolution provisions which call for either mandatory arbitration, or arbitration at the option of the general contractor. Agree to mandatory arbitration at your risk!

Arbitration is touted by its proponents for various reasons, principally revolving around alleged savings in cost and time.

Arbitration fans tout cost savings, but savings only can be realized in arbitration by removing the procedural protections inherent in litigation. Most commonly removed: the right to comprehensive discovery, the ability to ask questions, see documents and examine witnesses, all to gather information needed to prosecute or defend your dispute.

In commercial construction, subcontractors are subject to all of the conditions of the job, expected to assume every risk, financial or casualty, of the construction process. In arbitration, discovery is generally limited to exchanging "relevant" documents and a very limited right to conduct depositions.

Savings in time can be realized in the arbitration process, because when you agree to arbitrate, and select an arbitrator, matters move pretty quickly; this can be a real benefit compared to extremely-crowded court dockets which are common these days.

Another arbitration problem is direct cost. Disputes between subs and general contractors and/or owners usually include substantial sums owing to subs for work performed. A claiming sub must pay the arbitration administrator a substantial filing fee.

There are many skilled arbitrators, or "neutrals," as they're sometimes called in the arbitration community, but by its nature, you will find more who are more aligned with owners and general contractors, that with subcontractors.

Arbitration can be highly beneficial for disputes of limited scope and value; we often recommend that dispute resolution provisions in subcontract be modified to provide for mandatory arbitration for disputes

dilated up to a limited number, perhaps \$25,000 (the number can vary based on the size of the project), with arbitration of larger disputes only by mutual agreement at the time of the dispute.

One final warning: if a contract includes arbitration in a foreign state, under that state's laws, those foreign-state provisions may well be enforceable, in spite of Texas law to the contrary; federal courts have held that arbitrations which are subject to the Federal Arbitration Act sidestep state law on jurisdiction, venue and controlling law.

Arbitration can be the right process, but don't agree, in ad-



Gary Jean of Tepco Contract Glazing



It's good to see Joe Cooper of Garland Concrete back with us

SUBCONTRACTORS GOT US TO THE MOON



Matt Mooney of Corgan Associates brought us to our feet!

Matt Mooney of Corgan Associates brought us a great program for June. Matt went through the history of the Apollo missions and showed how Subcontractors, performing extraordinary service made the difference in creating a truly monumental ac-

complishment. Matt kept us entertained and had our rapt attention throughout his presentation. His depiction of subcontractors as the heroes of the space program did translate to our jobs in the construction industry. We

had a good turnout for the meeting and everyone that attended was glad that they came. Matt received the first and only standing ovation after his presentation.

Thanks to Jeff Webb of the TCA for leading us to this

PUBLISH YOUR NEWS

Very often your fellow subcontractors can lead business your way...but only if they know what your business is. We have a wide variety of trades represented as members of SAM, and a good many quality service and material suppliers as well. Wouldn't it be nice if all our members knew what you do and particularly what you do well, so when their customers are looking for a subcontractor or supplier that does what you do, they can (with confidence) recommend your company to do the job. SAM will publish news or write ups on your company when there is space available in the Punch list.

We would also like to put a "Member Highlight" on the website for our members on a rotating basis.

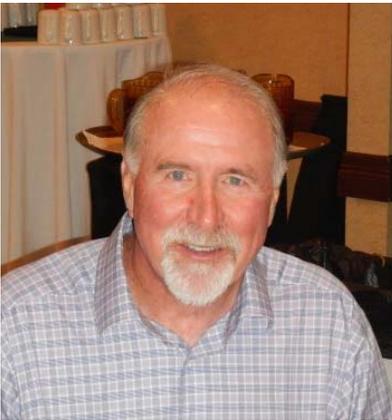
The more your friends know about what you do right, the more you can do right for new customers. Let Pete Snider know your news so he can put it in the spotlight in front of your fellow members.



SAM Treasurer Carrie Edomm with Austin Paxton, both of Astro Sheet Metal



All SAM members are also members of the National Subcontractors Alliance, the largest Subcontractor Advocate in the USA.



Jeff Webb of the TCA



Board member, Tim McSorley of Storage Equipment



Board member MaryEllen Evans of Trade Management with Doug Cook of City Wide Mechanical



First time visitor, Taylor Faerber of Enterprise Fleet Management



TIRED OF GEN Y? HERE COMES GEN Z!



Various Generational experts have various birth dates for Gen Z but guidance is 1995 to 2015 and more importantly this generation is after Millennials. Research has already shown us that Gen Z differs in many ways from the Gen Y's. In total Gen Z makes up 26% of the U.S. population and is characterized as the most diverse generation in U.S. history. Research shows they also have the shortest attention span (an average 8 seconds) and true digital natives. Praise our educators with that challenge! What makes the Gen Z's different than Gen Y cohort according to Melissa Murray Bailey, president for Americas at Universum, a global research and advisory firm specializing in employer branding headquartered in Stockholm, "the key thing we see with this group is that they're global, they're well-connected and they've had to deal with a lot of uncertainty. Generation Z came of age in a post-Sept. 11 world saturated with news of terrorism, war and economic distress. This has caused them to be target-oriented, planning careers and seeking job security earlier than previous cohorts", Bailey said.

Here are the significant differences from

the Gen Y cohort:

1: Gen Z is ready to work.

Many would consider joining the workforce right out of high school. They saw the previous generations saddled with student loan debt and want to avoid that as much as possible.

2: Gen Z has an intense entrepreneurial spirit.

Many would rather start a business than become an employee. They want to be their own boss and make an impact.

3: Gen Z wants success in their own hands.

Success is being redefined by Gen Z which means work/life balance and job security. This is shared by the Millennials as well. Gen Z wants to be autonomous, much like Gen X, dedicated to a cause, whereas Gen Y wanted to work for a cause company, Gen Z wants to be dedicated to a cause.

4: Gen Z wants to find a job that fits their personality.

However, they may worry about underperforming.

5: Gen Z is global.

They are global, well-connected and have dealt with a lot of uncertainty and therefore may be able to react to unplanned and/or unexpected business environments.

As employers have realized the challenges of the Millennials in their workplaces, the Gen Z cohort will have another set of expectations when entering the workplace. The best advise to employers is to continue to educate yourselves on this cohort.

NOT GETTING ENOUGH SLEEP? YOU'RE NOT ALONE.



Reference: Mauer, R (2/26/2016) What HR Should Know About Generation Z. SHRM.org

According to Charles A. Czeisler, professor of sleep medicine at Harvard Medical School stated " people sleep an hour to an hour and a half less a night, on average, than they did 50 years ago". The United States is SLEEP-DEPRIVED and this has a negative effect on workplace safety, employee health and productivity. According to Czeisler insomnia costs the country \$63 billion a year in lost productivity. Furthermore, inadequate sleep is linked to cancer, diabetes and cardiovascular disease, he said. People getting less than six hours of sleep at night are five times more likely to be obese and have a 56 percent increase in risk for Type 2 diabetes.

Sleep deprivation is on the rise because of these factors:

Longer commutes to work.

More time spent indoors away from natural light that tells the body when it's time to go to sleep.

More medical conditions like sleep apnea, which can be brought on by obesity and a sedentary lifestyle.

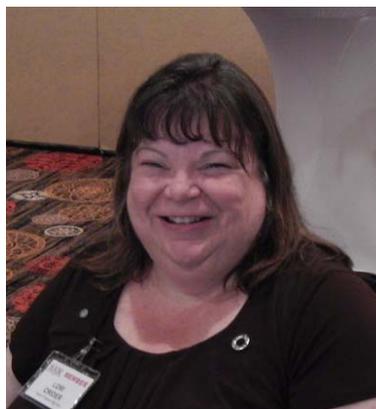
Omnipresent screens, such as smartphones that emit blue light that make it harder to fall asleep.

A culture that values overwork.

Companies can be compassionate employers by educating the workforce on the importance of sleep, how to deal with sleep disorders, safety concern of employees



Newlywed Jennifer Bertram of Enterprise Fleet Management



Lori Crider of Semi-Trailer Big Box





Subcontractors Association of the Metroplex



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The Subcontractors Association of the Metroplex was founded with the purpose of creating an affordable forum for Subcontractors to exchange information and learn from each other how to be better business men or women.

Sam is a member of the National Subcontractors Alliance, the largest Subcontractors association in the USA, and also a member of the Association of Specialty Contractors where we have a voice in National Legislation. SAM is also a member of the Texas Construction Association, the unifying voice of the trades in the Texas Legislature and as such all SAM members have access to all the benefits of the TCA.

Sam is also allied with the National Federation of Independent Business who has a voice in the Texas Legislature on small business issues.

Your Source for Subcontractor's information.



Visit us at:

<http://www.sam-dfw.org>



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If you're not a member of SAM, you should be.

Call Pete Snider for a membership application.

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THE ONES WHO RE-
ALLY BUILD THE
BUILDING**