



Subcontractors Association of the Metroplex

PUNCH LIST

The voice of the Subcontractor's Industry

THE FINAL GAVEL



Subbie Sam Says

If you eliminate the temptation for someone to loot your company, you will be a lot more financially secure.

Inside this issue:

- SAM Elects new officers. **1**
- Hot Air Blog—Report on the Texas Legislature **1**
- May Program **2**
- Woodwright wins an award **2**
- Upcoming programs **3**
- Overtime Pay **3**
- Faces in the Crowd **2-3**
- Our Officers **4**

LEGISLATIVE WRAPUP

The gavel fell on another legislative session on Monday, June 1. As expected, it was a wild ride of a legislative session, with lots of new legislators feeling their way around, so speak.

Of the four targeted bills supported by our legislative Representatives, the Texas Construction Association, one has been passed and sent to the governor for signature. Send the Bill 1081, Dealing with Consolidated Insurance Programs, requires that the sponsor of a CIP must furnish critical information regarding the terms and conditions of the insurance package prior to the beginning of the contract and, further, that copies of the insuring contracts for the CIP be provided promptly upon request.

Because Controlled Insurance Programs rely heavily upon a "shell game" of differing policy provisions, deductibles and expenses in order to justify their existence in most cases, the legislative mandate that the existence of, and terms of, these programs be disclosed is extremely valuable. We salute the efforts of the TCA in getting this important bill passed – now, let us hope that the governor doesn't veto it!

OTHER INTERESTING BILLS

Pre-Litigation Requirements for Condominium Owners' Associations in Construction Defect Cases-HB1455 calls for condominium associations with eight or more units will now have to have approval from at least

67% of the Association members, following an inspection and independent third-party report regarding the condition of the condominiums, before filing suit. This measure should restrict the abuse of groundless construction defect lawsuits on condominiums.

Public-Private Partnerships-HB2475 was passed to establish a center for alternative finance and procurement within the Texas Facilities Commission, to consult with governmental entities as to best practices for procurement and financing of public/private partnership projects and governmental construction.

Spike Cutler is SAM's Legal Counsel, as well as SAM's representative to the National Subcontractors Alliance Attorneys Council.



Spike Cutler of Cutler-Smith

SAM ELECTS NEW OFFICERS

In accordance with our bylaws, the directors of SAM are elected by the members, and the officers are elected by the board of directors. At the board meeting of May 14, The following were elected:

President: Paul Holden of Facility Construction Services. Paul will also continue to be our representative to the Texas Construction Association Board.

Vice President: Gary Ardis of Anderson Asphalt and Concrete Paving.

Secretary/Treasurer: Carrie Edomm of Astro Sheet Metal. Carrie was re-elected as Treasurer and was elected to be SAM's Secretary.

All of the members of SAM should be grateful to the long and tireless service of Immediate Past President, James Mayhew. James has served in excess of 10 years as SAM's President, and he formalized our Business Practices Interchange and will remain it's chairman. We hope that he remains SAM's poet laureate.

SAM'S MEMBER ACCESS IS FIXED!

SAM website's Member Access area is fixed - if you got to the website at www.SAM-DFW.org , you'll see a link to register on the left side of the home page- follow the directions, and you'll be in!

MOVING YOUR COMPANY TO ITS SWEET SPOT

Thanks to Jim Brewer of MasterThink for presenting our May program.

Jim went through all the different disciplines that a company has to coordinate to work together to put it in the best position to make a profit.

Jim showed us graphically what is required for a company to arrive at its most profitable position.

There was a lively discussion after his presentation and it got all the attendees thinking about where their companies

need improvement.

SAM member Jim Brewer provides business consulting to companies in trouble to get them back on track, and to successful companies to make them even more profitable.

SAM MEMBER HIGHLIGHTS

All of us are proud of our companies. If you would take the time to write a small article on your company, or send in any news that you would like to share, SAM would like to publish it in our Punch List.

Send to: execdir@sam-dfw.org

WOODWRIGHT WINS AWARD

SAM member Woodwright Floors has been honored by the National Wood Flooring Association as the Best CNC/Laser Cut Wood Floor of the Year.

With over 3,000 members, the NWFA has presented over 200 awards since it began in 1990. A panel of judges made up of industry leaders and professionals evaluate each individual category and this

year, there were 78 entries from the U.S., Canada and Russia Steve Welch, president of Woodwright says, we are so proud to be honored with this award and even more proud to be part of this industry. We will continue striving to reach ever higher levels of craftsmanship.

Below is a picture of Woodwrights award winning medalion.



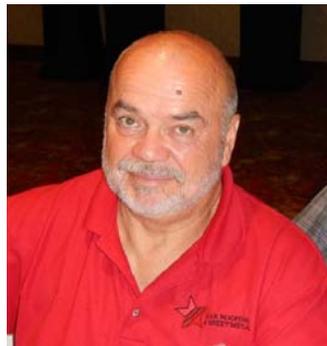
Top: Jim Brewer presenting our May Program. Bottom: Jeff Webb of the Texas Construction Association.



David Kahl of Drywall interiors



Pam Thompson of Anderson Asphalt and Concrete Paving



Steve McDaniel of Star Roofing and Sheet Metal



Joe Chenoweth of Armor Wealth



Debbie Denman of DDC Fuel Services



Board Member MaryEllen Evans of Trade Management

HOW DO EMPLOYERS CALCULATE OVERTIME?

UPCOMING PROGRAMS

An employee with an hourly rate of \$12 per hour works 45 hours in a week and also receives a \$50 bonus and \$50 in lodging. The employer must combine all the sources of compensation:

$$(45 \text{ hours} \times \$12) + (\$50 \text{ bonus}) + (\$50 \text{ lodging}) = \$640$$

This total divided by hours worked will provide the employee's true hourly rate for the week, \$14.22, and time and a half must be calculated from this number (\$14.22 x 1.5 = \$21.33).

$$\text{So this employee's total pay for the week would be } (40 \text{ hours} \times \$12) + (5 \text{ hours} \times \$21.33) + (\$50 \text{ bonus}) + (\$50 \text{ lodging}) = \$686.67.$$

Conversions to Hourly Rate:

- **Salaried with fixed 40-hour week.**
- The overtime rate is 1 1/2 times the rate per hour (weekly salary divided by 40) for all hours over 40 hours per week.
- **Salaried with fixed week of fewer than 40 hours.**
- The overtime rate is 1 1/2 times the rate per hour (weekly salary divided by number of hours that the salary is intended to compensate) for all hours over 40 hours per week.
- **Salaried with irregular week.**
- Employees who are paid a salary and whose hours vary from week to week receive an overtime premium calculated as follows: For each hour worked over 40, add one-half the rate per hour for that week. The rate per hour is the

- weekly salary divided by the actual number of hours worked in the workweek.
- **Semimonthly salaries.**
- The salary is multiplied by 24 and divided by 52 to obtain a weekly rate.
- **Monthly salaries.**
- The salary is multiplied by 12 and divided by 52 to obtain a weekly rate.
- **Job or day rate.**
- If the employee is paid a flat sum for a day's work or for doing a particular job without regard to the number of hours worked, and if s/he receives no other form of compensation for services, his or her regular rate is determined by totaling all the sums received at such day rates or job rates in the workweek and dividing by the total hours actually worked. The employee is then entitled to extra half-time pay at this rate for all hours worked in excess of 40 in the workweek.
- **Piecework.**
- When an employee is employed on a piece-rate basis, his or her regular hourly rate of pay is computed by adding together his or her total earnings for the workweek and dividing by the number of hours worked in the week. For overtime work, the pieceworker is entitled to extra half-time pay at this rate for all hours worked in excess of 40 in the workweek.

Reference: HR Daily, Steve Bruce, April 3, 2013,

July's dinner program will be a legislative update on what the legislature did to us and did for us during this year's session. As it's said, ignorance of the law is no excuse, and this will give us a chance to learn what's changed in the way we need to do business.

August we hope to have an entertaining and informative program from Elias Vela of OSHA. Elias is a regular contributor.

September is McGraw-Hill's construction Forecast and is a must see program for Subcontractors.

October dinner program will be Elsa G. Ramos of the Texas Employment Commission to speak to our members on the hiring and firing of employees and how it effects unemployment claims.

November will be our ever popular Lien and Bond Claim Seminar for a lunch and early afternoon seminar.



As a SAM member, you are also a member of the Texas Construction Association.



Board Member Tim McSorley of Storage Equipment



First time visitor, Cary Stone of Sunstate Equipment



Karen Ensley of Cutler Smith, Standing in for Spike.



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>



Our Association Officers

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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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**SUBCONTRACTORS—
THE ONES WHO RE-
ALLY BUILD THE
BUILDING**