

**TENNESSEE**



**PLUMBING-HEATING-COOLING  
CONTRACTORS ASSOCIATION®**

*Best People. Best Practices™*

# The TN PHCC Newslink

November/December 2020

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## **“ROPES” Safety Program Launch Coming in 2021**

The PHCC Zone 2A, (Tennessee, Georgia and North Carolina) has been working on a member benefit safety program called “ROPES”- Recognizing Outstanding Proactive Efforts in Safety.

With the tremendous efforts of the PHCC Zone 2A Director, Jonathan Byrd, and representatives from each of the zone state associations, the program is designed to assist PHCC contractor members in evaluating and recognizing exemplary safety practices in the industry.

The completed program will offer a comprehensive yet easy-to-use evaluation survey with topics as simple as tool and vehicle inspection to more involved procedures such as Safety Meetings and OSHA reporting. Each of the questions and categories will have details and explanations for the topics that will help contractors evaluate and institute better safety procedures in their companies.

Jonathan Byrd previewed the program at the Zone 2A meeting in Brasstown Valley, GA last month. He asked the group, “Where do a companies profits come from?” Jonathan then outlined the proposed program and how “Quality, Production and Safety” are the three contributors to profits and described how this program can fill the safety gap. The program not only provides a benchmark of safety for companies, but also offers areas and topics to work on to increase safety.

The program is being tested currently and due for launch sometime in January. The TN PHCC will award our contractors that complete the “ROPES” safety program at the annual convention on April 29th in Knoxville. More information will be available soon. If you would like to be on the committee that works with the program and monitors the progress, please contact the state office.

## **A Second Chance TN PHCC Clay Shoot Challenge!**

**Saturday, November 21, 2020**

8am to 12pm

**Chilhowee Sportsman's Club  
7601 Old Railroad Bed Road, Maryville**



**Join us for sportsmanship and fun at our last state event of the year!**

Registration on page 5

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## **123rd Annual TN PHCC Trade Show**

**April 29th, 2021**

*Save the Date!*

Knoxville Expo Center, 5441 Clinton Highway, Knoxville TN

# Member News

## Upcoming Date Reminders...

November 21: TN PHCC Clay Shoot Challenge, Maryville TN (registration form included on page 5 of this Newslink)

February 6: TN PHCC Winter Board Meeting, Meadowview Marriot, Kingsport TN

February or early March TBD: TN PHCC Day on the Hill, Nashville TN

April 28-29, 2021: TN PHCC Annual Events- Trade Show, Convention, Tool Show, Apprentice Contest and Apprentice Awards Banquet, Knoxville Expo Center, Knoxville TN

April 30, 2021: TN PHCC Golf Classic, Location TBD

*Please note- All members are invited and encouraged to attend state board meetings, please RSVP to the State Office.*

## Chapter Meetings:

Knoxville- 4th Monday, 11:45am, Bearden Banquet Hall, 5806 Kingston Pike, must RSVP to [appschooll@taphcc.com](mailto:appschooll@taphcc.com)  
For Middle TN and Northeast TN Chapters, please contact the state office for available information.

## Mission Statement:

*"The TAPHCC is dedicated to serving and improving the PHC industry by providing opportunities for continuing education, communication, social networking, and business improvement.*

*We are dedicated to the protection of the environment and the health and safety of our society."*

## Welcome New Contractor Member:

### Buckner Plumbing

4413 Central Avenue Pike  
Knoxville, TN 37912  
865-237-9646  
Contact: Matt Milani

## TN PHCC Online Apprentice School is Open for 2021 Enrollment



Our online program is registered as part of the national apprentice system with the US Dept. of Labor Employment and Training Administration-Office of Apprenticeship. The program is powered and accredited by the NCCER (National Center for Construction and Education Research) Connect online program.

The training program is designed to provide students the opportunity to learn the textbook fundamentals of the **HVAC or plumbing** trades. The training course must be supplemented by a Plumbing or HVAC employer through on-the-job training. NCCER Certification is achieved by completing the on-line assignments for each module and passing a proctored Competency Test at a designated time and location. There are two employer options for apprentices: NCCER credentials only or add US Dept. of Labor registration as a Certified Apprentice. The apprentice must reside at least 50 miles outside of Knoxville in order to enroll in the online program.

Registrations are being accepted for the 2021 Plumbing I and HVAC I courses.

*More information and registration details can be requested online at [taphcc.com](http://taphcc.com).*

## PHCC Membership Renewals

PHCC National announced there will not be a rate change for their portion of the 2021 membership dues. The Tennessee state and local dues will also remain the same for 2021. Membership renewal invoices will be mailed in November and there is a discount off the annual rate for paying in full by December 31st.

## Scholarship Deadline- March 1st

The annual TN PHCC Scholarship Awards honor and further the education of worthy students with \$1,000 per student annually. All contractor and associate members are encouraged to notify their employees and their children and grandchildren to apply.



The deadline for receipt of applications is March 1st. We look forward to helping students take advantage of this valuable member benefit.

*Please visit the TN PHCC website at [www.taphcc.com](http://www.taphcc.com) for a scholarship application.*

## TN PHCC Newslink Wins National Communication Award

At PHCC CONNECT in October, the PHCC of Tennessee received a prestigious Communication Award from the PHCC Association Executives Council (AEC). The award states, "Outstanding Achievement in Production of Communication in Newsletter/Directory." The award for our entry, the Tennessee PHCC Newslink, (the newsletter you are currently reading) was chosen for this achievement from all of the entries from state and local chapters.



# Member News

## TN PHCC Clay Shoot Challenge Results



On Friday, September 11th at the Crossville Shooting Sports Park in Crossville, the TN PHCC held its first annual event for 2020. It was a beautiful day for the Clay Shoot Challenge which hosted 40 shooters at the new venue shooting park.

First place was earned by the "Lazy Shooters" team of Andy Street (A6 Sales), Eric Neumair, Hunter Neumair and Michael Barfield. They scored a combined 331 out of 400 clays.

Second place went to the HVAC Inc. team of Keith Rhymmer, John Roberts, Joe Leonard and Mark Clevinger with a score of 252.

***Thank you to our sponsors!***

**Title Sponsor–  
Federated Insurance**

**Lunch Sponsor–  
LAARS Heating Systems**

**First Prize Sponsor–  
Milwaukee Tool**

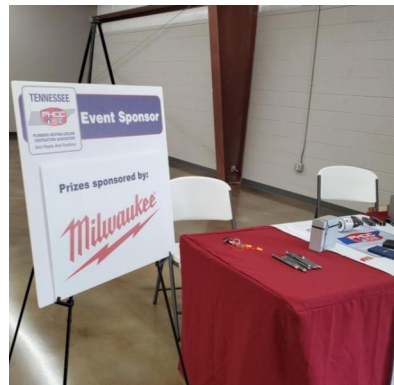
**Beverage and Snack Sponsor–  
Scott's Plumbing**



First Place Team– the Lazy Shooters



Second Place Team– HVAC Inc



**Stand Sponsors– Tennessee 811,  
Scott's Plumbing and  
Hobbs & Associates**  
(continued on next page)



# Member News

## TN PHCC Clay Shoot Challenge (cont.)

The "New Shooters" group from our new event at the Clay Shoot Challenge is shown below. Six new shooters received 2 hours of instruction by certified teachers and learned gun safety and shooting techniques. This new event offered the opportunity for guests to try out a shooting event and hone skills for future tournaments. The group had a great time with the contests and the instructors and the new shooters assured us that this event should be offered in the future.



Members of the New Shooters Event

### Companies sending teams or shooters:

Keefe Plumbing, A6 Sales, Hobbs & Associates, Scott's Plumbing, Breeding Insulation, HVAC Inc, Ferguson, Pioneer Heating & Air, Laars Heating Systems, Stowers Rentals, Tim Morales & Associates, Arzel Zoning, Perfect Construction and Henderson Winnelson





# TN PHCC Clay Shoot Challenge

Saturday, November 21, 2020

8 am to noon (lunch served)

Chilhowee Sportsman's Club

7601 Old Railroad Bed Road, Maryville



**Please join us for a fun morning of fellowship and sportsmanship at our Clay Shoot Challenge!**

**Included:** Sporting Clay Challenge includes 100 clays, prizes and lunch.

**Fees:** \$495 per 4 person team or \$125 per person, (you will be combined to a team).

**Options:** Carts are available for a \$50 rental fee.

Ear and eye protection are required and will be available. You must bring your own ammo, (also available at the course). Ammo cannot be larger than 7 1/2. Shells must be approved by course at registration. Loaner guns will be available with instruction for new shooters, (must request in advance so we have them available for your use). All participants must sign the course waiver before participation.

You may sign up as an individual, partners or a team. If you do not have your team member names, you may print "TBD" below.

Team Name: \_\_\_\_\_

Shooter 1: \_\_\_\_\_

Company: \_\_\_\_\_

☐ Cart?

Shooter 2: \_\_\_\_\_

Company: \_\_\_\_\_

☐ Cart?

Shooter 3: \_\_\_\_\_

Company: \_\_\_\_\_

☐ Cart?

Shooter 4: \_\_\_\_\_

Company: \_\_\_\_\_

☐ Cart?

Total Registration Fee enclosed \$ \_\_\_\_\_

Return completed form with your payment to: TAPHCC, 9041 Executive Park Dr., Ste 220, Knoxville, TN 37923, email to Office@taphcc.com or call the office with your credit card payment (3.5% handling charge) 865-531-7422. Fax number: 865-531-7045

Please contact me about sponsorship opportunities for the Tournament: ☐

Company Contact: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_



We reserve the right to cancel the tournament and refund any monies if we do not receive the minimum number of registrations or a COVID restriction occurs.

For more information please email: [taphcc@bellsouth.net](mailto:taphcc@bellsouth.net)

Elite Sponsor





# State News

## Tennessee PHCC Wins the PHCC Zone 2 Challenge!

On October 17th, PHCC Zone 2 members from Tennessee, Georgia and North Carolina competed in the annual challenge at Brasstown Valley Resort in Young Harris, GA. The competition is part of our annual PHCC Zone 2A meeting to network and share information and education within our Zone. This year PHCC of Georgia hosted the event and chose axe throwing as the team challenge.

<b>Tennessee</b>	<b>67</b>
Georgia	54
North Carolina	51

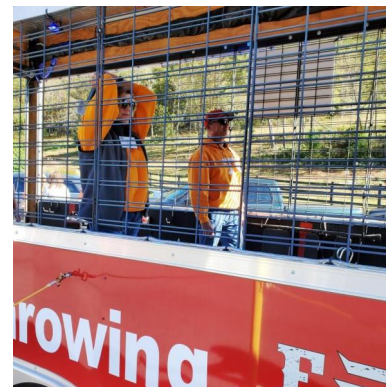
The members representing the Tennessee PHCC Team were: Travis Scott, Teresa Mayes, Gordy Noe, Terry Self and Bill Jacoby. Gordy Noe scored the highest of any competitor with a 25 overall and didn't miss a single throw at the target.



TN PHCC # 1 Axe Throwing Team



Next year is Tennessee's year to host and we give a big thank you to PHCC of Georgia for hosting a fun event this year!





# State News

## TN PHCC Danny Burnette Golf Classic Results

After two 2020 date changes, the 28th Annual Tennessee PHCC Danny Burnette Golf Classic was held on October 23rd at the Willow Creek Golf Club in Knoxville. The weather was outstanding and the spectacular fall colors and cool temperatures made a welcome change to the annual golf event. The golf tournament benefits the TN PHCC scholarship program.

The teams competed in a 4-man scramble tournament and prizes were awarded for first, second and third place. There were also contests held on and off the course including putting, closest to the pin and longest drive.

### The results:

**1st Place- Kenny Pipe and HEP Plumbing Team:** Mark Mutta, Curtis Lee, Austin Hancock and John Kwiatkowski

**2nd Place- Ferguson Team:** Ben McClanahan, Trey Bridges, Dahl Gosnell and Daniel Bryant

**3rd Place- Northwest Plumbing and Gray Hodges Team:** Steve Graham, Eric Hibler, Ed Medford and Richard Emison  
(continued on next page)



*Thank you to all of our golfers and sponsors for your support of the TN PHCC scholarship program!*





# State News

## TN PHCC Danny Burnette Golf Classic Results (cont.)



### Winners:

Closest to the Pin Contests: Drew Dawson with Wiggs, Haun and Bohan Sales and John Kwiatkowski with HEP Plumbing

Longest Drive Contest: Tyler Haggard with Chris Haggard Plumbing

Putting Contest: Tyler Haggard (winner) and Chad Sanders with Pioneer Heating & Air (farthest putt, our tape measure wouldn't go that long...)

Milwaukee Tool Raffle: Mike Karl with Trane

### Thank you to our sponsors:

Merryman-Farr: Lunch Sponsor

Hobbs & Associates: Prize Sponsor

Gray Hodges: Balls and Tees

Tee Signs: Arzel Zoning Technology, Inc., Breeding Insulation Knoxville, Coastal Supply, Federated Insurance, Ferguson Knoxville, Hobbs and Associates, Keefe Plumbing, Kenny Pipe, Merryman-Farr, Northwest Plumbing, Reeder Chevrolet, TIS, Toto USA

Photos counter-clockwise from top left: First Place Team, Third Place Team, Milwaukee Tool Raffle Winner, Longest Drive, Putting Contest Winner and Farthest and Closest to the Pin contest winners.





# Business News

## COMPLIMENTARY WEBINAR

### Cost-Effective Solutions for Mid-Pandemic Workplace Controversies

Tuesday, November 17, 2020  
12:00 p.m. Central

#### Webinar highlights:

We will identify seven types of challenges and recurring problems that employers face today, and we will discuss cost-effective solutions your organization can implement to reduce risk while preparing for year-end and for 2021.

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NOW!**

This activity meets HR Certification Institute's® criteria for recertification credit pre-approval.

This webinar is provided by Enquire™, a company wholly independent from Federated Insurance, with the understanding that Federated Insurance does not provide legal or employment advice.

## US Department of Labor Provides Work From Home Guidance

The Wage and Hour Division of the U.S. Department of Labor (DOL) has published guidance addressing employer obligations to track employee hours while teleworking. Under the Fair Labor Standards Act (FLSA), employers are required to compensate employees for all "hours worked." **Hours worked includes any time the employee spent that was "suffered or permitted" by the employer, even if it is not requested or authorized by the employer.**

Importantly, the guidance applies a "reasonable diligence" standard to determine when employers have "reason to believe" work was performed. This standard focuses on what work time employers should have known about, not what they could have known.

Though employers could be liable if they actually know of an employee working uncompensated hours, employers are not required to sift through any available data (e.g., network access times or phone calls to supervisors) to determine whether employees are accurately recording time.

*Please contact SESCO at 423-764-4127 or [sesco@sescomgt.com](mailto:sesco@sescomgt.com) to learn more about their professional firm and the services that they provide to their valued clients in all industries across all states.*

## DOL Issues Opinion Letter Regarding Permissible Use of the Fluctuating Workweek Method of Compensation

The U.S. Department of Labor (DOL) has issued an opinion letter addressing whether the fluctuating workweek method of compensation (FWW) may be used when an employee's weekly hours fluctuate only above and not below 40 hours per week. **The DOL concluded there is no requirement, under the Fair Labor Standards Act (FLSA) or its interpreting regulations and guidance, that an employee's hours worked fluctuate below 40 hours per week when utilizing the FWW.** The DOL noted that courts have generally reached the same conclusion.

The opinion letter also reaffirms a related point regarding deducting pay for employee absences. **Generally, when using the FWW, an employer may not deduct pay for absences occasioned by the employee. However, there is an exception to this general prohibition for deductions related to an employee's willful absences, tardiness, or infractions of major work rules. This exception has been explicitly incorporated into the recently amended FWW rule.**

#### FWW Generally

The FWW is an alternative method for computing overtime pay, which allows an employer to pay a nonexempt employee a fixed salary plus an overtime rate of one-half the employee's regular rate, rather than the standard "time and a half." In order to utilize this alternative method for computing overtime, the following criteria must be met:

- The employee works hours that fluctuate from week to week;
- The employee receives a fixed salary that does not vary with the number of hours worked in the workweek;
- The fixed salary is sufficiently large to satisfy the minimum wage rate requirements for every hour worked; and
- The employee and employer have a clear and mutual understanding that the fixed salary is compensation for all hours worked each workweek regardless of the number of hours worked.

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# Business News

## New Tennessee Pregnancy Accommodation Law Effective Oct 1

The “Tennessee Pregnant Workers Fairness Act” requires every employer with at least 15 employees to make a reasonable accommodation for an employee’s or prospective employee’s medical needs arising from pregnancy, childbirth, or related medical conditions, unless such accommodation would impose an undue hardship on business operations. The new law goes into effect on October 1, 2020.

No covered employee can be required to take leave because of medical needs arising from pregnancy, childbirth, or related medical conditions if another reasonable accommodation would be possible. Further, an employer may not take any adverse action against the employee for requesting or using a reasonable accommodation under these circumstances, including, but not limited to, counting an absence related to pregnancy.

If medical certifications are required of other employees needing an accommodation, then the employer may require an employee with a pregnancy- or childbirth-related medical condition also to provide certification from a healthcare professional to support any request for temporary transfer, job restructuring, light duty, or absence from work.

The law specifically states that it does not provide protections greater than those afforded to other employees who might require reasonable accommodation.

- If the employer would not otherwise hire or promote the employee due to lack of qualification, for instance, it is not required to hire or promote the employee because the employee is pregnant or affected by any other condition related to pregnancy or childbirth.
- If a light duty position would not be provided to another, non-pregnant “equivalent” employee, a new position does not have to be created for the pregnant employee.
- Additional or extended breaks taken as part of an accommodation do not have to be paid if other employees are not entitled to similar paid breaks
- No employer is required to construct a permanent space dedicated to the sole purpose of expressing breast milk.

Employers should review their policies, practices, and communications as they relate to hiring, discrimination, accommodation, and leave so that appropriate notices are provided at hire and upon learning of an employee’s pregnancy or need for accommodation. SESCO recommends employers review employee handbooks annually for compliance.

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## Tennessee Breaks Voter Turnout and Participation Records— *GoVoteTN*



A record-breaking 3,045,401 Tennesseans, or over 68 percent of active and inactive registered voters, cast ballots in-person during early voting and on Election Day or absentee by-mail in the Nov. 3 presidential election.

Voter turnout and participation handily beat the previous record set during the 2008 presidential election when 2,618,238 cast their ballots.

“For months, our office has worked with election commissions and health officials across the state to ensure that in-person voting was clean, safe and secure,” said Secretary Hargett. “Traditionally, Tennesseans prefer to vote in-person. We’ve said it for months, and yet again, voters showed their confidence in the safety precautions in place and their preference to cast a ballot in-person by showing up in record numbers at the polls.”

Counties must submit certified election results to the Division of Elections by Monday, Nov. 23.

Unofficial election results are available on their website at [elections.tn.gov](http://elections.tn.gov).

“We would not have seen the record numbers of voters have such a smooth voting experience during a pandemic without the months and countless hours of planning by Tennessee’s 95 election commissions, administrators, and staff,” said Coordinator of Elections Mark Goins. “Thanks to the roughly 17,000 poll officials who stepped up to serve their communities and carry out all the planning to provide Tennesseans with a safe and secure in-person voting experience.”

Tennessee also broke the early and absentee by-mail turnout record during the two-week early voting period in this election. A comprehensive report of in-person and absentee by-mail turnout during early voting by county with comparisons to 2016 and 2012 is available on [GoVoteTN.com](http://GoVoteTN.com)



# Business News

## Why Construction Careers Aren't Middle Skills

– Kelsey Zibell

No one wants to be average. No one strives to be the 'World's Most OK Student' or to choose a career that is moderately exciting with moderate pay that would provide moderate happiness. Why would you? With so many exciting careers and opportunities at your disposal, you shouldn't strive for average.

As the skills gap continues to deepen in America and career opportunities grow, it has become increasingly important to show students and young adults the benefits of a career in construction. The effort to recruit, train and retain individuals to the industry is often hurt by outdated terms and assumptions about construction.

To dispel these assumptions, let's walk through why careers in construction *aren't* blue collar or middle skills – as they are so commonly called.

### Stop Using These Terms!

**Blue Collar:** Portrayed as a less desirable choice and as a career that does not require education or skills.

**Middle Skills:** Evokes thoughts of mediocrity instead of the high skills craft professionals learn.

### Blue Collar

As stated, 'Blue Collar' work is portrayed as a career that requires no education or skills. But this couldn't be further from the truth!

This assumption stems from the fact that most skilled craft professionals do not need a college degree to work in their craft. By bypassing a college education, there is an assumption that they are uneducated or unskilled. The stigma around individuals who do not go to college is harsh. People assume they are working dead-end jobs, living paycheck to paycheck or working in an industry that doesn't require expertise and knowledge. Those in the construction industry know this stereotype isn't true.

For an individual to become fully trained as a construction craft professional, they must go through eight to 12 years of training. This training is often completed through apprenticeship programs, where students learn through hands on training and real-life experience. In an apprenticeship, students start earning a wage as they get their education while getting a head start in their career. Blue collar is also an outdated title that represents an outdated view of the industry.

In fact, careers in the crafts have been publicly called 'blue collar' as early as 1924! Used to describe the darker colors tradesmen wore in contrast with the popular term 'white collar,' the name became a symbol of the working class. But while some still embrace the term, it can also be used to frame the construction career path as less desirable and less dignified than other options.

With all of the growth and innovation in construction since the 1920s, it's time to rebrand.

After all, funding for U.S.-based construction technologies increased by 324% in 2018. Job sites are also safer than ever before, and construction projects are taking steps to become more environmentally friendly and sustainable. The values of hard work and craftsmanship still remain, but many of the negative stereotypes are no longer valid.

As the industry continues to become more advanced and sophisticated, it establishes itself as an industry of choice. This shift needs to be reflected in the way the industry is talked about. Working in construction is no longer a blue collar job, but a career in the skilled crafts.

### Middle Skills

Though careers in construction have been traditionally called middle skill jobs, this description ignores the level of expertise and training that goes into a craft career. With classes, credentials, apprenticeships and assessments – skilled craft professionals do not fit the mold for having *just* middle skills. These individuals have spent years learning and perfecting their trades. Stating that they have middle skills is understating their talents.

Middle skills careers also carry the implication that they will leave you stuck in the middle. This also isn't true. With skilled craft careers in high demand, they are offering high salaries for professionals who possess the knowledge and skills required to be successful in their craft.

When you pair high salaries with little to no debt, skilled craft professionals are getting a head start in their careers and making a livable wage sooner than college-attending students. With opportunity for career advancement and increasing salaries, craft professionals are set to enjoy financial security and a comfortable lifestyle.

Construction careers are so much more than middle skill or blue collar jobs. They are lifelong careers in skilled craft positions that require expertise, knowledge and high levels of skill.





## The TN PHCC Newslink

TENNESSEE ASSOCIATION OF PLUMBING -  
HEATING - COOLING CONTRACTORS, INC.

9041 Executive Park Drive - Suite 220  
Knoxville, TN 37923



## STATE ASSOCIATE MEMBERS SUPPORTING PHCC

### **ASSOCIATE MEMBERS listed**

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A6 Sales  
Arzel Zoning Technology  
Atmos Energy  
Beaty Chevrolet Company  
Ben O'Neal Company  
Boiler Supply Company  
Charlotte Pipe & Foundry  
Coastal Supply Company  
Enviro-Systems  
FC<sup>2</sup> Sales Inc.  
Federated Insurance Company  
Ferguson, Knoxville  
Ferguson, Nashville  
Freeland Chevrolet  
Geny Insurance  
Gray Hodges Corporation  
Hajoca- Kingsport

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Hendersonville Winnelson Co.  
Hobbs & Associates  
Hoffman & Hoffman  
James M. Pleasants Co.  
Kenny Pipe & Supply Inc.- Knoxville  
Lewis Thomason- Knoxville  
Lewis Thomason- Nashville  
Life Insurance Company of Alabama  
Lytx  
Mercedes Benz of Knoxville  
Mid America Marketing  
Milwaukee Electric Tool  
Murfreesboro Nissan  
Mutual of America  
Peacock Sales Company  
PDI- Plumbing Distributors Inc.  
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South Knox  
Stowers Rentals  
Sunbelt Marketing  
Tennessee 811  
Tim Morales and Associates  
Titeflex Corp– Gastite Division  
TIS Insurance Services  
Tradesmen International  
Trane  
Trillium Construction  
United Testing & Balancing  
Victaulic  
Viega  
WM McClain Company  
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Willis, Towers, Watson PC.

## TENNESSEE



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**SILVER**