



Wage Theft Not a Local Issue

Miami-Dade County passed the state's first wage theft ordinance in 2010. Palm Beach County has also implemented a pilot project with the Legal Aid Society to tackle the issue, and the Broward County Commission recently asked the county attorney to write a wage theft ordinance.

"Wage theft" can include workers not being paid overtime or minimum wage, being forced to work during meal breaks or work off the clock, or not paying them at all.

Workers advocates say the entire state needs to follow South Florida's example to protect the employment rights of workers.

The Florida Retail Federation supported a state bill that would have overturned Miami-Dade's wage-theft ordinance and prevented others. The legislation failed earlier this year.

Samantha Padgett, deputy

general counsel, said the retail group will continue to seek a **"statewide solution"** through the court system or Legal Aid Society.

"What we're looking for is a balanced way to address this issue, a system that is fair to the employee and the employer," she said.

A recent report issued by the Progressive States Network stated: *"Florida has exactly zero laws on the books that would incentivize employers to stay honest."*

Of course, in some cases employers are not withholding pay out of maliciousness, but rather out of ignorance to the law or financial business issues. Either way, it is clearly a problem throughout the state.

Although Florida state may not have current statutes to protect workers from wage theft, Florida workers still have many wage rights under the federal Fair Labor Standards Act.

Member News

Plaza Construction Group Florida, LLC, has started two new projects. Founder Brad Meltzer, President, announced that Plaza commenced work May 16 on The Perry South Beach Hotel, Resort, Spa and Condos. Meltzer also announced that Plaza commenced work June 20 on the Dadeland Mall Kendall Wing Expansion. Completion is slated for March 2013.

Miller Construction Co. is building a 25,000-square-foot Ashley Furniture HomeStore at 3775 N. Federal Highway, Oakland Park.

The new store will be built to achieve Leadership in Energy and Environmental Design (LEED) certification from the U.S. Green Building Council. Miller is focused on maximizing the store's environmentally friendly potential - from conserving energy and water, to incorporating regionally-sourced materials and recycling 75 percent of construction waste.

On August 3, 2012, Central Concrete Supermix, Inc., d/b/a **Supermix**, completed the acquisition of all ready-mix plants and related assets from **Continental Florida Materials, Inc.** ("Continental") a subsidiary of Lehigh Hanson, Inc. and the Heidelberg Cement Group. The acquisition included ten (10) ready-mix concrete batch plants in southeastern Florida and approximately 80 trucks.

September 2012
Vol. 23, No. 09
Ft. Lauderdale,
Florida



Dadeland Mall Expansion

Zachary Schuenger's Blood & Bone Marrow Donor Drive



Thursday, September 6th
at the CASF Offices
2929 NW 62nd Street
Ft. Lauderdale

from 7 a.m. to 12 noon
and 3 p.m. to 8 p.m.

Construction Cleaning & Building Maintenance

Each month Construction FOCUS features a CASF member company, selected by drawing a business card from among those attending the monthly networking breakfast. The next breakfast, sponsored by Balfour Beatty Construction Co., will be held on Thursday, September 20, 7:30 a.m. at the Courtyard by Marriott-Cypress Creek in Ft. Lauderdale.

A&S Total Cleaning was founded in 1989 by Todd Wolf. The company started out with just four employees and now has over 160 skilled janitorial technicians. They currently have one main corporate office in Deerfield Beach, but are looking to expand and open offices in both Miami and

north of Palm Beach. With the help and dedication

of the company's key people: President Todd Wolf, VP Rob Schwartz, Senior Executive Associate to the President Ana Rivas, and General Manager of the Construction Cleaning Division Adriana Santovena, the company's expansion goal seems easily attainable in the near future.

A&S Total Cleaning's primary business is

Construction cleaning, however they also have a complete Janitorial and Maintenance division offering Handyman services. They mainly deal with commercial developers, residential builders, property managers, building owners, home owners, associations and medical and health facilities. Some of the services they provide include: facility management, demolition, remodeling, space preparation for move-in, cleaning up after move-out, electrical, pest control, trash removal, asphalt services and even locksmith. In 2000, A&S merged with Ace Pressure Cleaning & Sealing in order to expand their residential and commercial cleaning services to include high pressure cleaning.

The company constantly strives to achieve 100% customer satisfaction and always comes through for

their customers in a crunch. By always using the latest building maintenance equipment, office cleaning techniques and commercial janitorial supplies, they always meet and exceed the highest standards of cleanliness and building appearance. A&S is known for their excellent communication, superior workmanship, quality control and extremely high integrity by those who know them. "We are like a secret, but once we do work for you, you will always be loyal to us," states Schwartz who has been with the company for 13 years.

Over the years, A&S has done cleaning work for a number of Nordstrom and Macys locations, hundreds of shopping centers, and thousands of office buildings and banks. Some of A&S's more recent rough/final touch up construction, pressure and window cleaning jobs include the Miami Metro Tri Rail, the NSU Science Lab in Dania, and the Coconut Creek Casino. In the future, they plan to do work on Miami Dade College and the Optima Plaza in Miami.

A&S Total Cleaning just recently joined CASF in June of this year and they look forward to taking advantage of what CASF has to offer. "So far, the networking has been very good and there are many great opportunities to meet new potential customers", expresses Schwartz.

A&S Total Cleaning's corporate office is located at 1015 W. Newport Drive, Deerfield Beach, FL 33442. For more information call 954-570-1165 or visit www.totalcleaning.com.



TOTAL CLEANING
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Construction Focus is the official publication of the Construction Association of South Florida. Article suggestions and submissions for publication consideration should be forwarded to the Executive Vice President.

Distracted Driving: Developing a Company Policy

By David Barry,
Willis National Technical Director

We are in the age of information and connectivity. We can instantly access nearly limitless amounts of information via a device that fits in the palms of our hands, and we can almost always be reached by phone, text or email. The availability of unlimited instant information has led to improvements in business and productivity but has also been identified as a major safety concern while driving. When cellular telephones were first introduced, their use was limited mainly due to costly service plans and limited areas of reception. Unlimited plans and extended service areas have led to a surge in cell phone use. When email and text messaging became available on phones in the late 1990s, usage jumped dramatically and continues to climb.

The dangers of using a wireless device while operating a motor vehicle have been known for some time and yet many drivers still engage in this dangerous behavior. Many people originally saw this as a problem with younger drivers only. Recent studies show, however, that drivers between the ages of 30-39 are the group with the highest proportion of fatal crashes caused by distracted driving.

Government Involvement

In November of 2011 the Federal Motor Carrier Safety Administration published a final rule that imposed sweeping changes on the ways commercial motor vehicle operators are allowed to use handheld

devices. The new rule also established some significant fines for both the vehicle operator and the employer if the driver was found to be in violation.

Some of the other significant highlights of the new rule include:

- ◆ No driver shall use a wireless device while operating a commercial motor vehicle.
- ◆ No commercial carrier should require or allow their drivers to use a wireless device while operating a commercial motor vehicle.
- ◆ If a driver is convicted of violating the rule two times in a three-year period, they can lose their license for up to 60 days; up to 120 days for a third conviction.
- ◆ Individual drivers can be fined up to \$2,750 for a violation.
- ◆ Businesses can be fined up to \$11,000 for their commercial drivers who violate this rule.

While the Federal Motor Carrier Safety Administration rules only apply to commercial vehicles and drivers, many states are now considering similar rules, penalties and fines for non-commercial drivers. The Occupational Safety and Health Administration (OSHA) along with the Department of Transportation have also recently created a distracted driving initiative. The OSHA and DOT initiative is focused on employers prohibiting texting while operating motor vehicles and follows an executive order signed by President Obama that prohibits federal workers from texting while driving. The announcement of the initiative clearly states that requiring texting while driving or not prohibiting it is a violation of the OSHA act of 1970, and employers will be cited for lack of enforcement.

What Should a Business Do?

It is important to create a formal wireless device use policy and to document that you have trained your staff on the elements of the policy. When developing or reviewing a wireless device use policy, some best practices to consider include:

- ◆ Reevaluate policies that were written in the past. Many were written before the advent of the smart phone and simply address talking on a phone while driving. An up-to-date policy will cover all communication aspects of the new phones that are available.
- ◆ Create a stand-alone policy so the message does not get lost in another larger policy.
- ◆ Make the policy simple, short and easy to understand. A long or convoluted policy that discusses other topics makes relaying the expectations harder to communicate.
- ◆ A policy should not contain conditions on when a wireless device can and cannot be used while operating a motor vehicle. Many employers are simply stating that a driver is not allowed to use a wireless device whenever they are operating a motor vehicle. It is also common for a policy to state that a vehicle must be off of an active roadway and in park before a driver is allowed to communicate on or even touch a wireless device.
- ◆ Hold your drivers accountable if they fail to adhere to the policy. Document the violations and follow through with disciplinary actions according to your company policy.
- ◆ Investigate technologies that will help to limit or track use of wireless devices while operating vehicles. Technologies available include applications for smart phones that automatically "bounce" calls and messages while the vehicle is in movement and in-cab electronic devices that can sense device use, track it and warn staff that they are in violation of company policy.
- ◆ Retrain your staff on the policy on a regular basis. Document the training.



CONSTRUCTION
FOCUS

CONSTRUCTION ASSOCIATION OF SOUTH FLORIDA

3500 NW 9TH AVENUE
FORT LAUDERDALE, FL 33309

ROUTE TO:

2012 Rockin' Membership Appreciation Party

Thursday, August 23
at Hugh's Culinary

