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PRESIDENT'S THOUGHTS

by Brian Rich
Illinois PHCC President

September is here and we are looking forward to Labor Day. Labor Day was invented by Peter J. McGuire, a carpenter and labor union leader in New York. He thought American workers should be honored with their own day. Peter proposed his idea to New York's Central Labor Union early in 1882 and they thought the holiday was a good idea too. With four long months between Independence Day and Thanksgiving, Peter suggested a month halfway in between. The very first Labor Day was observed on September 5, 1882 in New York City where 10,000 workers paraded from City Hall to Union Square. Congress passed legislation making Labor Day a national holiday in 1894. **HAPPY LABOR DAY TO ALL!!**

I hope everyone was able to successfully complete their continued education hours in order to renew their plumbing license. I would like to thank Dan Black from PlumberClass.com for the interesting 4 hours of CEU's he provided in Deer Creek IL. Dan was a good speaker with a different way of looking at the education process making the 4 hours fly by and best of all everyone was properly distanced apart because you know what they say **"Plumbers Protect the Health of the Nation."**

It's also great that our children were able to return to school. Garrett is at the University of Illinois and gets COVID tested twice a week. Jacob, Amanda and Rachel returned to Columbia so Amanda can continue her Doctor of Veterinary studies at Mizzou. Rachel will soon be 2 and nothing makes me relax more than spending time with my granddaughter.

Work for GA Rich has been very strong. Despite the worries about COVID, we have had very little project interruptions. Our management team was very proactive early on following the CDC guidelines and incorporated many of our customer's new standards as our own standards. Though many of these additional steps have added a few minutes to everyone's day, it has kept our employees safe and employed. We at GA Rich view every one of the 99 team members as our most important asset.

The Illinois PHCC Virtual EXPO is up and running. If you have not yet loaded the mobile app or are looking for direction to, please look inside this issue for more

information.

I wish everyone well and until October, "Be Safe and Be Happy".

Brian 



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WELCOME TO THE ILLINOIS PHCC EXPO!

The Illinois PHCC is pleased to announce that the March 20, 2020 Expo that was unable to be held due to COVID-19, is now being held in a virtual format. The Illinois PHCC Expo South, scheduled for October 30th in Collinsville, has been cancelled and those exhibitors have been included in the virtual event.

The show uses the AgendaPop app and works **best on a smart phone or tablet**. While you can access it with a laptop or PC, there will not be as much information and usability.

You will be able to access exhibitors' company profiles, websites, contact information, and downloadable materials/brochures, and much more. This great source of product information will be available at your fingertips **24/7**. You can also network with exhibitors, inspectors, designers, and other industry colleagues.

This will not be a one day only event, but will be available for the remainder of 2020. You should visit the "show" often as materials will be **updated** as product lines are added or new information becomes available. There will be **giveaways** at various times and dates. Check back often to keep updated and to possibly win some **great prizes**.

The show platform will offer other valuable information. You can view the Auxiliary's Expo Program Book, get order forms for the Illinois Plumbing Code Book and the Auxiliary's plumbing t-shirts, and much more.

Visit the Illinois PHCC Facebook page or our website at www.ilphcc.com, for links and information on how to attend.



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Illinois PHCC Expo Mobile App Guide

The **Illinois PHCC Expo Mobile App from AgendaPop** is an easy and convenient way to navigate the virtual Expo on your Apple (iOS) and Android smartphones and tablets. It contains all of the event information that you'll need to make the most out of your experience.

We encourage you to download and install the app prior to the event!

2. Login

To take full advantage of the app, create an account or log in through your Facebook account.

Username: Your **email address**
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Change your password in Settings for your security.



1. Download the native app from the App Store or the Google Play store.

For iOS and Android devices, search the stores for “AgendaPop” — then download and install. Tap the AgendaPop icon on your device to open and type **ILPHCC** as the Organizer Code.



For an **HTML5 web version** (to use on a laptop, Windows phone, or Blackberry), direct your browser to:

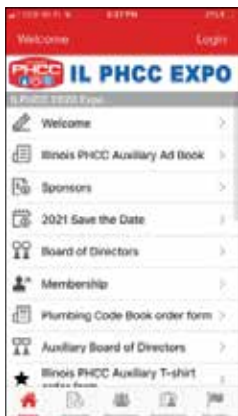
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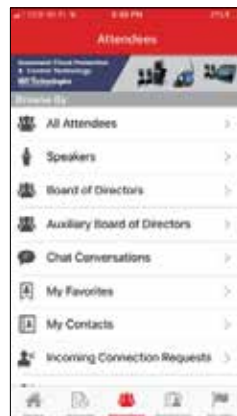
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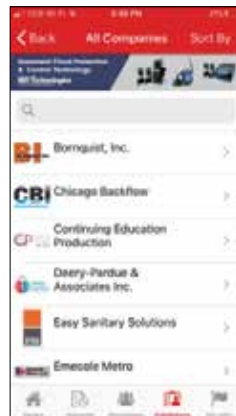
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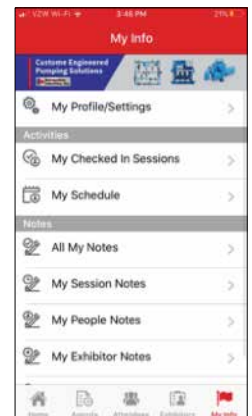
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PLUMBING CONTRACTOR REGISTRATION RENEWAL

All plumbing contractors registered with the Illinois Department of Public Health should have now received a renewal form that was mailed in late August. Even though you are renewing online, you must still email or fax the certificates of insurance and surety bonds. **Only send those documents by ONE of these methods.** Do NOT email and then follow up with a fax. Please refrain from mailing originals or hard copies via mail. This will only cause confusion and delay the process. IDPH highly **recommends emailing**, rather than faxing. The documents can be **either** emailed to dph.plumbing@illinois.gov or faxed to 217-524-5868.

Please make sure you look at all the materials carefully and submit your renewal as soon as possible - DON'T DELAY. Questions on renewals may be directed to the IDPH Plumbing & Water Quality Program at dph.plumbing@illinois.gov or 217-524-0791. 

IDOL CERTIFIED TRANSCRIPT OF PAYROLL

As a reminder, pursuant to PA 100-1177 and 820 ILCS 130/5.1, the Illinois Department of Labor is charged with developing and maintaining an online portal for *prevailing wage construction contractors* to file their certified payrolls with the department, otherwise known as Certified Transcript of Payroll portal. Beginning September 1st, 2020 – all certified payrolls for public works projects in Illinois **MUST** be filed with the Illinois Department of Labor. The Illinois Department of Labor held a training session on August 17th to help contractors become familiar with using the portal. For those of you who were unable to attend the training session, it is available online. The training can be viewed by clicking this link: <https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/certifiedtranscriptofpayroll.aspx>

The link also provides additional information, including downloadable forms. It is highly recommended that the individual who files certified payrolls for your company becomes familiar with using IDOL's Certified Transcript of Payroll portal. After reviewing the training and documents, if you have questions or concerns using the portal, please don't hesitate to contact me.

Thank you,

Jessica Newbold Hoselton
Executive Director
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MANDATORY SEXUAL HARASSMENT PREVENTION TRAINING

Public Act 101-0221 (commonly referred to as the Workplace Transparency Act), requires Illinois employers to provide sexual harassment prevention training to their employees on an annual basis, regardless of the size of the company.

Under this law, Illinois employers have until **December 31, 2020**, to train employees on sexual harassment prevention. The Act provides minimum standards that must be included in the training. To assist your business in complying with this new law, the Illinois Department of Human Rights has posted the following information on its website:

- A FAQ for Sexual Harassment Prevention Training
- Minimum Sexual Harassment Prevention Training Standards for All Employers

Employers must either develop their own sexual harassment prevention training program that equals or exceeds the minimum standards for sexual harassment prevention training outlined in Section 2-109(B) of the Illinois Human Rights Act, or they may use the model training provided by the IDHR. **The IDHR has released the model sexual harassment prevention training that can be used by Illinois employers.** The model training program can be downloaded by visiting <https://www2.illinois.gov/dhr/Training/Pages/State-of-Illinois-Sexual-Harassment-Prevention-Training-Model.aspx>

For more information please visit IDHR's website at www.illinois.gov/dhr/training.



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A MESSAGE FROM UAC CHAIR DAVE FRAME

I am writing to update you on the status of the Union-Affiliated Contractors (UAC) Enhanced Service Group (ESG) within the Plumbing-Heating-Cooling Contractors--National Association (PHCC).

PHCC's Union-Affiliated Contractors (UAC) Enhanced Service Group (ESG) is undergoing a transition in order to bring even greater value to its PHCC signatory contractor members. The PHCC Board of Directors agreed to convert the UAC into an ESG-branded Business Interest Group (BIG) for a period of three years. As a BIG, the UAC will focus on building its online community to house an abundant variety of valuable resources with free access by PHCC signatory contractor members as well as a discussion center for contractors to ask and answer questions. Over the coming months, our vision is for the UAC online community to provide even greater assistance to all PHCC signatory contractor members.

What does this transitional period look like for UAC?

- UAC will continue to provide information, education, and resources to its signatory contractor members.
- UAC membership dues will be free.
- The UAC Board of Trustees has been replaced with an Advisory Committee overseeing content development and maintenance of the UAC online community.
- The Advisory Committee Chair will continue to occupy the UAC voting seat on the PHCC National Board of Directors.

- PHCC will continue to recruit members and increase participation of signatory contractors within the organization.
- PHCC will continue to fund and support the Industry Relations Committee in its adjudication of labor management relations efforts.
- UAC will continue to act as PHCC's liaison with the United Association Union of Plumbers, Fitters, Welders, & Service Techs (UA).

After this 3-year transitional period, a determination will be made as to the best structure for servicing our valuable signatory contractor members. As the UAC Advisory Committee chairman, I look forward to working with the PHCC signatory contractor community to compile and distribute unique resources that you need. If you are interested in being directly involved with this effort, please don't hesitate to contact me (dave@frameplumbing.com). We would welcome your participation.

Many thanks.

Sincerely,

Dave Frame
UAC Chairman
Bob Frame Plumbing
South Bend, Indiana



SBA ALERT TO LOAN APPLICANTS: BEWARE OF EMAIL PHISHING SCAMS

The Small Business Administration is sending a cyber warning alert to loan applicants seeking federal aid in response to the Coronavirus (COVID-19) pandemic. Email phishing campaigns where malicious actors are impersonating the SBA and its Office of Disaster Assistance to collect personally identifiable information (PII) for fraudulent purposes have surfaced.

The SBA is particularly concerned about scam emails targeting applicants of the SBA's Economic Injury Disaster Loan Program asking them to verify their accounts using a third-party online platform to collect personally identifiable information.

It should be noted that any email communication from the SBA will come from email accounts ending in sba.gov, and nothing more. Loan applicants are being advised to look out for email scams and phishing attacks using the SBA logo. These may be attempts to obtain PII, access personal banking accounts, or install ransomware or malware.

Applicants are also advised to help protect their identity and privacy by never providing their full name, date of birth, social security number, address, phone numbers, email addresses, case numbers, or any other PII in public-facing comments or responses to third-party emails.

The SBA will not use a third-party platform to:

- Actively seek PII
- Search a third-party platform for or by PII, or
- "Follow" public users proactively without a waiver.

Borrowers who are in the process of applying for an SBA loan and receive email correspondence

asking for PII are cautioned to ensure that any application numbers referenced in the email are consistent with their actual application number. Loan applicants and borrowers are also advised not to click on any links or open any attachments, which are often used in phishing email scams.

The best way to avoid being scammed is to safeguard your information like money in the bank. Always be vigilant in protecting your personal information and data assets. If you suspect an email is associated with a fraud scam targeting the SBA, report it to the Office of Inspector General's Hotline at 800-767-0385 or online at <https://www.sba.gov/COVIDfraudalert>.

You can learn more about scams and fraud schemes on the SBA's website at

<https://www.sba.gov/COVIDfraudalert>.

Loan applicants who have questions about SBA's Economic Injury Disaster Loan program may call the Disaster Customer Service Center at 1-800-659-2955 (TTY: 1-800-877-8339) or send an email to disastercustomerservice@sba.gov.



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Do Your Part to Flatten the Curve! (The Other One)

Each year at PHCC's annual convention (CONNECT) the conference attendees get a chance to see the Foundation's work in action - apprentices working at the contest area, pictures of this year's scholarship winners, etc. And when we ask them to support our work for the next year, they generously do!

But what happens when a pandemic makes having a live event impossible? CONNECT is going virtual this year. So, our contractor volunteer team is asking for your help to **Flatten the Curve** – the usual spike of donations that we will not be able to collect in person this year at the PHCC National Convention.

What can be done? It's pretty easy - don't wait until CONNECT, just **hit the link below** to give now instead!

Count Me in to
FLATTEN THE CURVE!

Even better - InSinkErator, Ferguson, Bradford White, Kohler and others have stepped up their matching funds on these gifts. **Every gift you make will be doubled** in our fundraising total.

Even better than that – everyone who makes a gift of at least \$500 will receive a 5-pack of limited edition “Flatten the Curve” face masks, courtesy of PHCC VP Joel Long and President-Elect Hunter Botto.

Help **Flatten the Curve** - there's no time like now to make a world of difference!

<https://phccfoundation.org/invest>



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Dan Bonetti (left) and Ray Bonetti (right)



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TEMPERATURE ASSESSMENT DEVICES

By Michael Copp, Executive Vice President,
PHCC - National Association

There has been increased interest in temperature assessment devices as part of an overall COVID-19 response plan as businesses begin to reopen. There is some hesitancy in using these instruments because in part as the Federal Drug Administration notes in its article, *Non-contact Temperature Assessment Devices During the COVID-19 Pandemic*, “Some studies suggest that temperature measurements alone may miss more than half of infected people.” (Retrieved from the World Wide Web on July 23, 2020). Christine Berger, an attorney in New Orleans, noted that “It is not as simple as ordering an infrared thermometer off Amazon,” she said. “Before lining up your employees to scan their foreheads,” she cautioned, “consider the safety, privacy and employee relations concerns.” (Retrieved on the World Wide Web on July 23, 2020, here).

There are a number of considerations related to employers who choose to take employee temperatures, as outlined in the Society for Human Resource Management (SHRM) April 30, 2020, article, *A Guide to Employee Temperature Checks*, written by Allen Smith, J.D. (Retrieved on the World Wide Web on July 23, 2020):

- Measuring an employee’s body temperature is considered a medical examination and hence, results must remain confidential
- The CDC recommends that “Employers should measure the employee’s temperature and assess symptoms prior to them starting work. Ideally, temperature checks should happen before the individual enters the facility.” Employers may ask “employees to take their temperatures before coming to work and require them not to come in if they have a fever.”
- Employers should consider using devices such as thermal imaging cameras and or non-contact infrared thermometers over invasive

oral thermometers that could increase the risk of spreading the virus.

- Those administering the temperature check should be trained on proper procedures to include potential cleaning between uses and wearing appropriate personal protective equipment.
- Physical distancing and face coverings should be enforced while employees stand in line waiting to be checked.

Temperature checks should be part of a larger inquiry to prevent the spread of COVID-19:

- “Asking employees and visitors if they are exhibiting any symptoms of COVID-19 (e.g., fever, coughing, shortness of breath).”
- “Asking if they have any other high-risk factors as described by the CDC. Such factors include spending time in close quarters with a person with COVID-19 or having traveled to a high-risk area, as defined by the CDC, in the past 14 days.”
- Following CDC and WHO guidelines in following best practices and preparing and maintaining a safe and healthy workplace environment.

Contractors will have to determine what makes sense for their business regarding temperature assessments and they should consult their human resource and or legal expert to better understand and comply with EEOC, ADA and CDC requirements.

Source:

<https://www.fda.gov/medical-devices/emergency-situations-medical-devices/non-contact-temperature-assessment-devices-during-covid-19-pandemic>

<https://www.shrm.org/resourcesandtools/legal-and-compliance/employment-law/pages/eec-coronavirus-temperature.aspx>



HR Question OF THE MONTH

PROVIDE FFCRA LEAVE EVEN IN NEGATIVE CASES?

Question

We have many employees who have figured out that some doctors will write 14 day quarantine notes, even after they test negative for COVID. The employee goes to the provider, tells them they've been exposed to COVID, the doctor tests them, they come back negative, but then the doctor writes a 14 day quarantine order anyway and the employee submits that for FFCRA sick time. I don't see a way around this due to how the law is written, but it is getting very over-abused. Are we correct that we must provide the FFCRA leave whenever a doctor note advises it even in negative cases?

ANSWER

As you are likely aware, the federal Families First Coronavirus Response Act (FFCRA) provides up to two weeks/80 hours of paid time off (up to certain maximum amounts) if an employee is unable to work or telework because he or she:

1. is subject to a federal, state or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine due to COVID-19 concerns;
3. is experiencing COVID-19 symptoms and seeking medical diagnosis;
4. is caring for an individual subject to a federal, state or local quarantine or isolation order or advised by a health care provider to self-quarantine due to COVID-19 concerns;
5. is caring for the employee's child if the child's school or place of care is closed or the child's care provider is unavailable due to public health emergency; or

6. is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Paid sick leave, when an employee qualifies for it, is paid at either 100% or 2/3 of the employee's regular rate of pay, up to \$511 per day or \$200 per day, respectively, depending upon the reason for the time off. An additional ten weeks of leave can be taken in connection with reason number 5 above for employees who have at least 30 days' tenure with the employer, as an expansion of the federal Family and Medical Leave Act. Please see the Department of Labor's FAQ resource relative to the FFCRA at **Families First Coronavirus Response Act: Questions and Answers** for more information on FFCRA obligations.

The FFCRA Regulations are available at **29 CFR Part 826 Paid Leave Under the Families First Coronavirus Response Act** and at section 826.20(a)(3), they clarify reason number 2 above (i.e., advised by a health care provider to self-quarantine), which appears to be the reason for which the employees in question are seeking paid sick leave benefits under the Act, specifically as follows:

- "An Employee may take Paid Sick Leave for [this] reason ... only if:
- i. A health care provider advises the Employee to self-quarantine based on a belief that —
 - A. The Employee has COVID-19;
 - B. The Employee may have COVID-19; or
 - C. The Employee is particularly vulnerable to COVID-19; and
 - ii. Following the advice of a health care provider to self-quarantine prevents the Employee from being able to

HR Question OF THE MONTH

PROVIDE FFCRA LEAVE EVEN IN NEGATIVE CASES?

CONTINUED

work, either at the Employee's normal workplace or by Telework."

To the extent an employee meets this criteria, then he or she is arguably entitled to the paid sick leave benefits provided under the FFCRA. We recognize that this provision can potentially be subject to abuse if, as you describe, employees seek to secure a COVID-19 test (whether or not they have symptoms or have faced a known exposure) and are then advised by the health care provider who administered the test to quarantine for 14 days (or, presumably, until a negative result is returned, whichever is first, although it seems that in some cases these orders are being written subsequent to the negative result). To the extent an employee provides sufficient notice to the employer (discussed below) and demonstrates qualification, we are not aware that the employer can seek to deny benefits based solely on a suspicion that such employee has undertaken these steps intentionally to take advantage of the law and in order to enjoy two weeks of paid time off from work. That said, if employees can telework, the FFCRA benefits arguably would not apply.

In seeking leave under the FFCRA, note that an employee need not provide much information, and can do so verbally. The DOL summarizes the employee notice obligation in this regard as follow:

"When requesting paid sick leave or expanded family and medical leave, you must provide your employer either orally or in writing the following information:

- Your name;
- The date(s) for which you request leave;
- The reason for leave; and
- A statement that you are unable to work because of the above reason.

If you request leave to self-quarantine based on the advice of a health care provider or to care for an individual who is self-quarantining based on such advice, you should additionally provide the name of the health care provider who gave advice." See questions 15 and 16 at the first FAQ link above.

Finally, we note that at question 91 of its Frequently Asked Questions regarding the FFCRA (first link above), the Department of Labor makes clear that an employer is not prohibited "from disciplining an employee who unlawfully takes paid sick leave or expanded family and medical leave based on misrepresentations, including, for example, to care for the employee's children when the employee, in fact, has no children and is not taking care of a child." To this end, if the employer learns that an employee has knowingly and intentionally made a misrepresentation, to our knowledge the employer is not required to provide statutory benefits in such situation. That said, denial of benefits can expose the employer to liability, so the employer must ensure it has demonstrable evidence of fraud, and has otherwise fully complied with its statutory obligations, before it arrives at any such conclusion. Where employees legitimately secure a COVID-19 test and have a valid quarantine order from a healthcare provider, it may be difficult for the employer to successfully demonstrate that the benefits were secured under false pretenses (even if the employer suspects the same). Keep in mind that benefits paid under the FFCRA are eligible for reimbursement through tax credit (see [COVID-19 Related Tax Credits FAQs](#) for guidance on substantiating documentation to secure such credit). As well, employees who deplete paid sick leave for one purpose are not entitled to additional paid sick leave benefits under the Act should another qualifying reason arise later.

We provide this guidance with the caveat that it is based on what information has been made available concerning the FFCRA to date. Given how new it is, there is no case law to review to determine how the law is to be applied that would allow for an otherwise more detailed analysis. As well, it is our understanding that **Congress has challenged the DOL's interpretation of the FFCRA**, which may thus call into question whether the DOL's guidance will ultimately prove to be viable. The best way to stay up to date on this topic is to check back in at the DOL's website regarding **COVID-19 and the American Workplace** regularly at and through your HELPLINE portal where we continue to post additional information as it becomes available.



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PHCC CONNECT 2020 GOES VIRTUAL TO PROVIDE A DYNAMIC, INTERACTIVE ONLINE EXPERIENCE



With the health and safety of attendees, staff and the public top of mind during the current public health crisis, the Plumbing-Heating-Cooling Contractors—National Association (PHCC) announces that it will offer its annual conference, **PHCCCONNECT2020**, in a virtual format. The event, scheduled for Sept. 30-Oct. 1, will offer a valued-packed online program, full of high-quality education and networking opportunities.

“This decision to ‘bring CONNECT to you’ was made after much careful consideration and input from PHCC members,” said PHCC President Jonathan Moyer. “It was the right thing to do in these current times, and we embrace the opportunity to safely deliver this highly anticipated event in a new innovative, easy-to-use format.”

With the theme “Expand Your Vision for Success,” the virtual conference will offer high-caliber keynote speakers, timely and relevant educational sessions and new virtual networking events, with the added benefit of experiencing it all from the comfort of an office or home.

Program highlights include:

- More than 20 education sessions

- Inspirational and informative **keynote speakers**
- **Live Q&A** with select speakers
- A virtual **Product & Technology Showcase**
- **Reimagined networking** opportunities
- **Access to education session content** for 30 days
- **Affordable Experience** – No travel & hotel costs & reduced registration rates

The full schedule, session descriptions, and **registration information can be found at www.phccweb.org/connect.**

About PHCC

*The **PHCC National Association**, formed in 1883, provides legislative advocacy, education and training to approximately 3,300 plumbing and HVACR businesses and 65,000 technicians. Members of PHCC have access to a wide variety of services designed to increase their professionalism, grow their business and improve profitability. For more information about PHCC, visit phccweb.org.*



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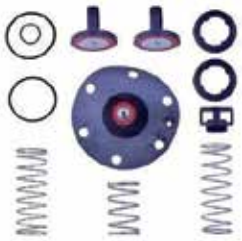
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RK 34-975XLC
Repair Kit for ¾"-1" 975XL

Kit Includes: (2) Check Poppet, 1st Check Spring, 2nd Check Spring, Relief Valve Spring, (2) Check Seat, (2) Check Seat O-Ring, Relieve Valve Seat, Relief Valve Seat O-Ring, Lube

Ames 7010046 – 2 ½"-10" Total Relief Valve Kit for a C/M 400/C500

Kit Includes: Complete RV with 36" Hose, RV O-Ring and Lube



Ames 7010097 – First Check Assembly 2 ½"-4" for Ames 2000/3000SS

Kit Includes: 1st Check Assembly, O-Ring and Lube

Ames 7010114 –Relief Valve Kit 2 ½" -10" for 4000SS RP and 5000SS RPDA

Kit Includes: Complete Relief Valve Assembly, Relief Valve O-Ring, Lube

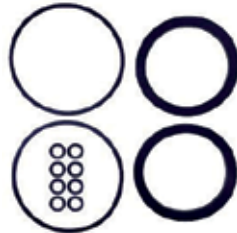


Watts: 0794090 – Complete Total Rubber Kit 4" for 909 RP; *Lead Free* (**Previously 0887751**)

Kit Includes: Check Disc, Cover O-Ring, Sleeve O-Ring, Piston O-Ring, RV Disc Assembly, Diaphragm, Piston

RK 4-350
4" 350AST, 4" 375AST

Kit Includes: (2) Check Disc Rubber, (2) Cover O-Ring, (8) Bolt O-Ring, Lube



Apollo-Conbraco: 40-004-A1 – ¾"-1" Major Repair Kit for 40-200 RP

Kit Includes: RV Bushing, RV Stem, Diaphragm Plate, (2) Poppet, RV Diaphragm, RV Seat Disc, (2) Check Seat Disc, Stem O-Ring, Bushing O-Ring, (2) Check Cap O-Ring, RV Spring, (2) Screw, (2) Retaining washer, (2) Check Seat, (2) O-Rings, RV Seat, RV O-Ring



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