

# MANUFACTURING MATTERS

## Manufacturing Lobby Day Success!



*Photo courtesy of The Business Council of New York State, Inc.*

On March 1, 2017, MACNY members joined together with our Alliance partners in Albany for our 10th Annual Manufacturing Lobby Day. This year, we decided to focus on four major issue areas that the members deemed most critical to address in this year's legislative session: Taxes/Economic Development, Workers' Compensation, Apprenticeship and Workforce, and Energy. Within each of these four groups, the teams then assembled active agenda lists to discuss with each of the elected officials in meetings scheduled based on committee assignments.

This year, with many of the pieces of legislation included as part of the budget, our membership

prepared and discussed the details of specific pieces of legislation, educating elected officials and staff on the various impacts on the State's manufacturing sector. The three bills introduced regarding workers' compensation, the proposed Property Tax Credit to 100%, and the Year Two Apprenticeship Program funding were all discussed with the over 25 legislative lobby visits that were conducted as part of the day.



*Photo courtesy of The Business Council of New York State, Inc.*

Thanks to all who attended and supported our 10th Annual Manufacturing Lobby Day!

### Inside This Issue:

#### **Page 3 Government Relations:**

**Workers' Compensation Legislative Bills Part of Budget Proposal**

#### **Page 4 President's Message:**

**Manufacturing Jobs for a New Generation**

#### **Page 6 Energy Solutions:**

**NYSERDA Programs to Help Minimize Energy Cost Increases**

#### **Page 7 Learning & Development:**

**Why Not?**

#### **Page 8 HR Solutions:**

**Corporate Social Responsibility & Sustainability**

#### **Page 10 PEB Update:**

**PEB Preparing Students for Careers in STEM; P-TECH Update**

#### **Page 12 Apprenticeship Update:**

**Apprenticeship FAQ Part II**

#### **Page 13 Legal Alert:**

**The Current Status of OSHA's Injury and Illness Reporting Rule**

# MORE WITH PRINT

Dupli launches [MoreWithPrint.Com](http://MoreWithPrint.Com)

Printed Business Envelopes Business Stationery Marketing Materials  
Stik-Withit® Products Invitations Fridge Strips™



## Keep Your Print Local.

### Set-Up Your Account Today

Design, Upload Files and Order all Online at [MoreWithPrint.Com](http://MoreWithPrint.Com)

Call 1 800-937-6535 for More Information



## Maximize Your Membership

Do you want to...

- learn more about MACNY's services and how to better utilize your membership?
- meet our staff and, more importantly, have an opportunity to meet other MACNY members and learn more about what they do in our community?

We are excited to be holding Maximize Your Membership sessions on the second Thursday of each month from 9 AM - 10 AM. Mark your calendars for our next three meetings...

**April 13    May 11    June 8**

Please contact Cindy Nave at [cnave@macny.org](mailto:cnave@macny.org) or 315-474-4201 ext. 11 to sign up for any of our upcoming sessions!

## Follow us on Social Media! Stay up to date with What's Happening at MACNY & PEB



@macnymfgnys



Manufacturers Association  
of Central New York



@MACNY\_MfgAssoc



MACNY - The Manufacturers  
Association

## Join Us!

### MACNY's 20<sup>TH</sup> ANNUAL GOLF TOURNAMENT

**MONDAY, JULY 24<sup>TH</sup>, 2017**  
**BELLEVUE COUNTRY CLUB, SYRACUSE**  
**SPONSORSHIPS AND FOURSOMES AVAILABLE**

**CONTACT DEBBIE SINDONE AT**  
**(315) 474-4201 x24**  
**OR DSINDONE@MACNY.ORG**  
**FOR DETAILS AND SPONSORSHIP**  
**OPPORTUNITIES**



Karyn Burns

VP, Government Relations & Communications

## Workers' Compensation Legislative Bills Part of Budget Proposal

One specific area during Manufacturing Lobby Day that was discussed in great detail is workers' compensation. Currently, there are three active pieces of legislation that are moving through each of the branches, and if passed, will have great impact on the high costs and burdens associated with workers' compensation.

This year's legislative package addresses the two major cost drivers in the system; Scheduled Loss of Use award (SLU) and the failure, since the 2007 reform, to adhere to the statutory durational caps for Permanent Partial Disabilities (PPD). Addressing these two issues will provide cost savings of up to 10 percent each, producing significant premium relief for NYS employers, assuring a more financially stable compensation insurance market, while preserving indemnity and medical benefits for injured workers.

- S.4520 (Akshar) specifies that duration caps for permanent partial disability claims will start at the date of injury. One of the major provisions of the 2007 workers' compensation reform package was a more than doubling of the maximum weekly benefit, indexed to the average weekly wage, from \$400 to now over \$852. To help offset these significant cost increases, the legislation also adopted durational caps on permanent partial disability (PPD) claims of up to 10 years. Pre-reform, New York was the only state allowing "lifetime" PPD claims. Unfortunately, the 2007 legislation failed to clearly address the start date for durational caps, and the average time from the date of injury to the date of disability rating (and the commencement of duration caps) in New York had skyrocketed to over eight years

after the 2007 reforms. Due to some efforts by the workers' compensation board, that number has come down to about four and a half years, but still far longer than ever anticipated by the 2007 legislation. This is due to the desire by claimant attorneys to extend the total time of benefits far beyond the 10-year cap. This bill will correct the flaw in drafting in the 2007 reforms and begin the 10-year duration "clock" at the date of injury.

- S.4554 (Amedore) limits "scheduled loss of use" awards to cases with 85% impairment ratings; in these cases, injured workers would utilize the SLU award adjusted for indemnity benefits for lost time. SLUs are now used by less than half of the states. New York's compensation statute still uses this antiquated model, under which injured workers receive indemnity benefits for lost work and lost earnings, while also paying significant lump-sum payments based on which body part was injured. These additional SLU awards have no relationship to lost time or lost earnings. This system gives five and six figure windfalls to claimants who may not actually miss any days of work. In fact, NYS Workers' Compensation Board data shows that 75% of SLU awards go to claimants missing less than two weeks of work, while costing the system over \$1.3 billion annually. This bill would guarantee that severely injured workers would continue to use the current schedules, while those with less serious injuries, who have missed little time from work continue to receive workers' compensation benefits in the exact same way as their colleagues with non-SLU injuries.
- S.4014 (DeFrancisco) / A.5977 (Woerner) would require the Workers' Compensation Board (WCB) to release and adopt already completed Impairment Guidelines for SLU awards. These guidelines serve as the basis for determining impairment, which is a major determinant in the size of SLU awards. However, the WCB's current guidelines have not been overhauled since 1983, and reflect thirty-year-old medical assumptions. The WCB has developed new guidelines, with input from medical professionals and system stakeholders, which reflect modern medical evidence. Updated SLU impairment guidelines will result in more appropriate calculations of SLU awards.

If you would like some more information on these bills and their impact, please do not hesitate to contact me directly at [kburns@macny.org](mailto:kburns@macny.org).



# PRESIDENT'S MESSAGE



Randy Wolken  
President & CEO

## Manufacturing Jobs for a New Generation

Syracuse.com has launched the “CNY’s Job Hunt” series. With your help we can give some focused attention to manufacturing jobs. As we know, manufacturing is the key wealth-generating sector of Upstate New York and all of New York State.

We are seeing a sea change in the way advanced manufacturing is looked at by our nation and our local communities. Once thought of as passé and undesired by too many, manufacturing is desired and sought after – again seen as the economic engine it has always been. So what should we be doing to move forward? Leverage an improving economic climate and even more technology to employ the most skilled workforce in creating products for global demands and markets. This is an approach that can – and has – proven successful.

What is holding us back? There is an outdated understanding of manufacturing. Manufacturing is too often viewed as dark, dangerous, dirty, and dying. It is none of these things today.

Today, advanced manufacturing is more often done in a brightly lit cleanroom under extremely safe conditions - and opportunities are growing. In fact, there are hundreds of jobs open today and available if you have the right technical skills.

What are these skills? STEM (science, technology, engineering, and math) skills are needed to thrive in today’s modern manufacturer. Actually, in nearly all local industries STEM skills are desired and needed.

And pay? The average manufacturing job today pays over \$75,000 annually. How much education is needed? You can usually start many of these careers with a two-year technical degree. Most companies will pay for your continued education – to include bachelor’s, master’s, and doctorate degrees.

If we want to change the view of manufacturing in New York State, we must continuously communicate the compelling facts. Statewide manufacturing contributes over \$74 billion annually to the state’s GDP. New York State ranks 9th in the U.S. in total manufacturing employment. The national economy still has one of the largest manufacturing sectors in the world. In Central New York, about 9 percent of our jobs, over 38,000, are in manufacturing, which is at the national average for regions.

At one time, we had an above average amount of manufacturing jobs. Today, our economy is much more diverse – and typical - of other regions of the United States.

New York has a rich history of making things. Great companies such as IBM, Carrier, and GE are a part of that rich tradition. However, today, more than ever, it is the small and medium manufacturer that represents the strength and future of New York

State manufacturing. New York State has a very diverse manufacturing economy, one of the most diverse in the nation. There are over 15,500 manufacturers in New York State and the average size is around 25 employees. With over 450,000 industrial jobs in New York State, manufacturing creates growth in other industries too with every manufacturing job supporting up to three related jobs in other sectors.

**If you want to tell your story – our story – of modern manufacturing, please let us know. We can work with you to get the word out about the exciting places of work you offer our community.**

# PRESIDENT'S MESSAGE

What is even more remarkable is the breadth and depth of the use of technology. Every manufacturer today uses an ever increasing amount of it. The other big development is the ability of each manufacturer – from small to large – to sell their products globally. In fact, they must find and service customers anywhere to be successful in the 21st Century. U.S. manufacturing now uses ever increasing amounts of technology, surging domestic natural gas production, a highly skilled workforce, and expanding global market opportunities. And, aggressive, smart, and forward looking New York State manufacturers have been and will be able to thrive in some of the most difficult economic climates. I get to see just such organizations doing so routinely every day here in Central New York.

Which brings us back to the beginning of this article - and the profound change in the level of skills needed by the workforce. Modern advanced manufacturing in the U.S. will only thrive with a highly educated and skilled workforce.

Advanced manufacturing today is an exciting place to work. I look forward to the “CNY’s Job Hunt” series and the articles about manufacturing jobs. Also, I am hoping you will spread the word so that our community can capitalize on its ingenuity and tradition of making great things. Upstate New York and all of our State once was the cradle of innovation and manufacturing for the world. We can be once again.

If you want to tell your story – our story – of modern manufacturing, please let us know. We can work with you to get the word out about the exciting places of work you offer our community. And thanks, for all you do to make Upstate New York a special place to live.

## DID YOU KNOW?

One of MACNY’s core services is a special, member to member survey, the e-connect. This special survey utilizes e-mail to answer your anonymous questions. In the past, the questions that we have received have ranged from HR topics to manufacturing issues. Through the utilization of our network of MACNY members, we can answer your anonymous inquiries by drawing upon other member organizations to provide you with the answers you are looking for. If you have a question you would like to ask our members please contact Patty at [pclark@macny.org](mailto:pclark@macny.org).

## Business Activity Continued to Grow at a Solid Clip in New York State

Business activity continued to grow at a solid clip in New York State, according to firms responding to the March 2017 Empire State Manufacturing Survey. The headline general business conditions index edged down two points to 16.4. The new orders index climbed to 21.3, its highest level in several years, pointing to a substantial

increase in orders. The shipments index moved down to 11.3, indicating that shipments increased at a slower pace. The unfilled orders index rose to 14.2, its highest level in more than a decade, and delivery times lengthened. Labor market conditions pointed to an increase in both employment and hours worked. Input

prices and selling prices increased at a slower pace this month. Indexes assessing the six-month outlook, although generally somewhat lower, continued to convey a high degree of optimism about future conditions.

For more information visit [www.newyorkfed.org](http://www.newyorkfed.org).



Cindy Oehmigen

Director of Energy & Corporate Services

## NYSERDA Programs to Help Minimize Energy Cost Increases

As a new member of the MACNY Staff I want to express appreciation to my predecessor, John Lawyer, for providing me with a solid foundation. He gave years of great guidance on managing energy resources for our members and it is my goal to carry that forward. Thanks, John!

Back a few months ago (May 2016) John noted the wholesale price of energy was slowly falling. If that was the only factor, then the ROI to implement large capital projects or programs to reduce energy usage/loss is more difficult to attain. However, that is only one element that should be considered when developing an energy management plan. Other factors, such as peak demand charges will likely continue to increase. The amount of power is relatively stable, but the peak load has grown. (A number of generators are closing, putting pressure on capacity). Efforts are underway to establish distributed generation but there is an expense and timeline to getting this all on line. Reforming the Energy Vision, (NYS's initiative to address an aging infrastructure) will likely call for an increase of energy costs in the near term. Fortunately, there are few NYSERDA programs to help minimize the impact of the increases.

### Industrial Process Efficiency Program(IPE)

A professional team will work with you to identify projects that will assist in lowering your overall usage or reducing your peak demand. To get started, contact [IPEOutreach@nyserdera.ny.gov](mailto:IPEOutreach@nyserdera.ny.gov).

Additionally, there are two Pilot programs under way to approach the challenge from another angle.

- On-Site Energy Manager (OEM) closed for application March 31st, however it is quite likely this is only the first

of several cohorts. Be watching for the announcement of the next round.

- Strategic Energy Manager (SEM) has been awarded an extended deadline and will be open for application until May 26, 2017. Please note, there is no out of pocket cost to this pilot program.

### NYSERDA On-Site Energy Manager Pilot Program (OEM)

Industrial companies that have a total annual energy spend of over \$500,000 and pay SBC (Systems Benefits Charge) on their electric delivery bills are eligible for this program. The pilot will fund 75% of the cost of a third party On-Site Energy Manager for a 15-month period. For companies with a total annual spend over \$1 million, this will be on a full-time basis. For companies with a total annual spend between \$500,000 and \$1 million, this will be on a half time basis. A total of 15 participants will be accepted into this program. The purpose is to demonstrate the value of an On-Site Energy Manager role in industrial facilities. To learn more about the specifics contact me at [coehmigen@macny.org](mailto:coehmigen@macny.org)

### NYSERDA Strategic Energy Management Pilot Program (SEM)

Industrial companies that have a total annual energy spend of over \$500,000 and pay SBC on their electric delivery bills are eligible for this program. This pilot will consist of a combination of ten in-person and web-based training modules, led by an Energy Coach paid by NYSERDA, over a 12 month period. A total of 11 accepted participants will receive this training at no cost. The Energy Coach will also provide technical assistance to participants throughout the Pilot. The purpose is to guide participants through the process of establishing and implementing a sustainable Strategic Energy Management system at their facility as a core business practice. It will focus on behavioral and operational changes and applying the principles of continuous improvement to enable reduction in energy intensity, including developing the mechanisms to track and evaluate energy optimization efforts. Applications will be accepted until May 31, 2017.

Applications for both programs are reviewed by a technical evaluation committee every two weeks as they are received. Please note that a company cannot participate in both programs at the same time.

While the cost of whole sale energy may be going down, why would you not want to do what can reasonably be justified to bring your cost down faster and sooner or reduce any potential increases due to peak demand?

Please feel free to contact me at [coehmigen@macny.org](mailto:coehmigen@macny.org) if you have any questions or would like to learn more about either program.



David Freund  
Chief Leadership Officer

## Why Not?

Irish playwright George Bernard Shaw has been credited with the quote “Some men see things as they are and ask why. Others dream of things that have never been and ask why not.” Many that know me would never think that I would be referencing Shaw. Certainly, I do not ascribe to many of his views in life, but this quote is spot on. My Dad would often share a similar but more humorous quote with me: “There are three types of people in this world. People who make things happen, people who watch things happen, and people who wonder what happened.”

All of us have the potential to be any one of these people on any given day of our life. The choice is totally up to us whether we sit and wonder what happened, complain about why something happened, or make a proactive choice to get off our backsides and make things happen.

In order to stay in the last group, we should develop a predisposition to action. The term predisposition can be frightening because often it is used to describe a person who is not open to new ideas. However, the term can also be very positive if it means we have a predisposition to action on a daily basis. Have we established daily habits that move us into action in the areas that we want to grow? A great application of this would be cultivating curiosity on a daily basis.

Perhaps the first step in cultivating curiosity is getting over ourselves. We have to admit that we do not have all the answers and that everyone we meet can teach us something. That is not a typo. I really mean everyone can teach us something. The sooner we realize this, the better off we will be. Each person we meet throughout our day is a potential learning opportunity because each

person has lived a life full of unique experiences. Sharper Image founder Richard Thalheimer said “It is better to look uniformed than to be uninformed. Curb your ego and keep asking questions.”

Plan to spend time with curious people. This can be a very infectious process because curious people are always asking questions and sharing what they have learned. Simply by being around them, you will be learning and growing. Schedule lunch meetings with people you admire and look up to. Ask them questions like what they are reading, what their greatest struggles have been, or what they are learning at this stage in their career. One way to determine if you are on the right track is to ask yourself if you are asking more questions than you are answering.

Are you looking for THE right answer or multiple right answers? Great leaders who are secure in their roles frequently look for multiple right answers. They are open to creative thinking with multiple solutions which allow for quicker buy-in and greater collaboration. This practice also models for their teams that it is okay to ask questions like “What am I missing?” or “What other solutions might work?” When a leader is secure enough to subordinate his ideas to the better ideas from his team, real innovation can occur.

Lastly, make a daily habit of recording your thoughts and learnings. A great habit to cultivate is to ask yourself four simple questions each day: What went well? What didn't go well? What did I learn? and What will I change?

If you apply these simple tools, you will be like one of those who dream of things and ask, “Why Not?” I have come to realize that it is not that people cannot, it is that they will not.

How about you? Will you commit to this challenge and grow? Let me know what you decide.





Patty Clark  
HR Services Manager

## Corporate Social Responsibility & Sustainability

### *What It Is and What It Could Mean For Your Organization*

Corporate social responsibility (CSR) is formally defined by the University of Washington Center for Leadership & Social Responsibility as “a form of corporate self-regulation integrated into the core business model.” But, what does that mean to an organization and its employees? It involves the company encouraging its employees to have a positive impact on the environment, the company, and the community through engaging employees, encouraging them to give back to the community, and encouraging a family-friendly culture. Being socially responsible and sustainable is simply good for business.

Consumers, as well as job seekers, use social responsibility as a deciding factor in choosing companies they support or would like to work for. As consumers become aware of global issues they place a higher importance on choosing where to spend their money. They are not the only ones that are drawn to companies that give back to the community, top talent job seekers are also choosing to work at companies that places emphasis on CSR.

Being socially responsible and being a good citizen is good for business. For example, Target is viewed as a “good corporate citizen.” Since 1946, Target has committed more and more time and money towards the communities and the environment in which they do business. Target has developed sustainable practices in their stores and has been donating a percentage of their profits to the community in the form of educational grants. Since 2010 Target has donated more than a billion dollars to education programs alone. Most companies are unable to be socially responsible on such a large scale, but even supporting

one good cause by volunteering or raising money helps employees be proud of where they work and it is good for a business to be recognized in the community as giving back.

Companies see sustainability as an important part of the success of their business. They work toward sustainability by using energy wisely and efficiently. Google even developed “Google Green,” a corporate effort to use resources efficiently and support renewable energy. Not only are they saving money but they can use the money in other areas of business. Small companies can be sustainable too, by using energy efficient lighting, requiring recycling, and reducing energy usage by offering telecommuting, all adding to the bottom line. The savings can also be used to assist employee participation in community events or to develop programs within the company.

As outlined in “What is Corporate Social Responsibility? By Sammi Caramela, many companies are concentrating on practicing a few categories of social responsibility. Those categories are:

**Environmental efforts:** Businesses of all sizes have a large carbon footprint. Any steps they can take to reduce the footprint is good for the company as well as the community.

**Philanthropy:** By donating to any number of charities, local or national, allows the business to be socially responsible. Both the company and the charity benefit.

**Ethical Labor practices:** A business can demonstrate corporate social responsibility by treating their employees fairly and ethically, especially for businesses that operate internationally.

**Volunteering:** Volunteering in the community is good for the reputation of a company. The employees as well as the company are giving back without expecting something in return.

There are many ways a company can become socially responsible and sustainable. In order for it to be meaningful and successful to the organization and its employees, it is important to build it into the mission statement and business model. This would allow it to be accepted as part of the culture at all levels of the organization.

We’d love to hear about what your company is doing to be socially responsible and/or sustainable. Please email [membernews@macny.org](mailto:membernews@macny.org) to share your initiatives.



## Hot Off The Line

**Q** - We have some employees who are on our books as temporary employees. They are not from a temp agency and are not aware that they are not eligible for any of the full-time benefits. At what point are they no longer considered temporary?

**A** - According to the Department of Labor, an employee can be considered a temporary employee for up to one year of employment.



## HR Stats & Facts

- 89% of American employees would consider a lateral career move with no financial incentive. *Source: bamboohr.com*
- Job related anxiety contributes to more than 120,000 deaths and \$190 billion a year in healthcare expenses. *Source: Harvard Business School & Stanford's Graduate School of Business Survey 2015*
- 32% of U.S. employees would rather streak naked through main street of their town than give up coffee for a year. *Source: Staples 2016 employee coffee survey*

# C P I

Wage/Clerical	Jan.	Dec.	Pt. Chg. (Mo.)	% Chg. (Mo.)	% Chg. (Yr.)
1967=100	705.5	701.2	4.4	0.6%	2.5%
1982-84=100	236.9	235.4	1.5	0.6%	2.5%
<b>Urban</b>					
1967=100	727.4	723.2	4.2	0.6%	2.5%
1982-84=100	242.8	241.4	1.4	0.6%	2.5%
<b>Unemployment Rates</b>					
January- Onondaga County: 4.9; Metropolitan Syracuse Area (MSA): 5.5					



Joe Vargo  
Executive Director  
Partners For Education & Business

## PEB Preparing Students for Careers in STEM

*Career Preparation Activities Heighten Awareness of Careers and Skillsets Required*

### **Barclay Damon Diversity Inclusion Internship Program**

PEB is continuing its long-term collaboration with Barclay Damon on their Internship initiative which provides four high school students each year with the opportunity to have a real work life experience and expand their skills. For a 12-week period in the spring and again in the fall, one internship is offered in the field of Accounting and a second is split between I.T. and Human Resources. The students are exposed to an office environment requiring professionalism in attire, timeliness, and decorum. They utilize business software, participate in meetings, and learn how to efficiently conduct research. Students accepted into the internships are also given an opportunity to learn about other departments including Legal, Technology, Marketing, Human Resources, and the Library.



Lilly La

At the conclusion of the internship, each student prepares a written summary and presentation that evaluates what they learned and how it applies to their personal goals. Barclay Damon has created a syllabus for each internship that provides a foundation for becoming a successful, productive, responsible, and contributing member of society.

The students chosen for this spring's internships are Lilly La from the Institute of Technology (ITC) for the I.T./Human Resources position and Charles Hudson from Henninger High School for the Accounting position.

Lilly is a junior who is also enrolled in the P-TECH Program at ITC, taking college courses at OCC and SUNY ESF. She is involved in ACES (Agents of Change in Educational Settings), Global Voices Project, Women in STEM and is bilingual, has had perfect attendance since 2012 and has been on High Honor Roll since 2011.

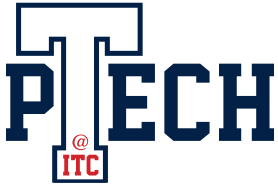
Charles is senior who will be majoring in Accounting in college. He is a member of the Student Council, is in Honors and SUPA classes, and took part in the "Two Miles Too Far" group that helped minimize the distance that is required to bus students to school. Charles is also part of the Journalism class for the school newsletter, serving as layout and copy editor. His work can be viewed at <http://henningerhs.us/newsletter.html>. His helpful nature includes assisting in the care of his mother who has cerebral palsy.



Charles Hudson

Congratulations to Lilly La and Charles Hudson who began their internships on February 27th.

## P-TECH Update



### SYRACUSE

February 15th – Rockets were flying high at ITC on February 15th. Twenty 9th-grade Syracuse P-TECH students worked one-on-one with a Career Coach on a project called “Rockets to the Rescue.” Students were presented a challenge to build and launch rockets to a “deserted island” that had a catastrophic event and needed food. Students were to supply the “island” (a hula hoop on the gym floor) with food - a payload filled with raisins. Each team had three chances to hit the target and make adjustments if needed.



Thank you to all our career coaches for your help: Earl Barber, National Grid; James Branche, United Radio; Chad Casey, Ephesus; Greg Cleghorn, Bell Tenant Champions; Wally Dengos, National Grid; Kevin Devaney, SRC Inc.; Dan Figueroa, McIntosh Box & Pallet; David Gillan, ICS Solutions; Leah Isgar, CR Fletcher; Maxwell Krause, G.A. Braun; Joe Melita, SRCTec; Steve Midecke, SRCTec; Derek Moon, Byrne Dairy; Tyler Morris, Ephesus; Laura Snepenger, Sunoco; Gary Stevens,

SRCTec; Shane Stockhauser, McIntosh Box & Pallet; Brian Wilson, Ephesus; Vince Nicotra, QPK Design; and Christopher Yohe, Ephesus.



February 28th - Syracuse P-TECH career coaches visited ITC to help the 10th-grade students put the finishing touches on and test their Rube Goldberg machines. The project challenges students to build a design using multiple simple machines that will trip a mouse trap.

Thank you to all the career coaches who helped: Mark Daily, United Radio; Wally Dengos, National Grid; Kevin Devaney, SRC, Inc.; Dan Figueroa, McIntosh Box & Pallet; Dan Herring, SRC, Inc.; Leah Isgar, CR Fletcher; Maxwell Krause, G.A. Braun; Dan Manwaring, WestRock; Mel Menon, DARCO Mfg.; Derek Moon, Byrne Dairy; Vince Nicotra, QPK Design; Shane Stockhauser, McIntosh Box & Pallet; and Dave Welsh, G.A. Braun

Braun; Dan Manwaring, WestRock; Mel Menon, DARCO Mfg.; Derek Moon, Byrne Dairy; Vince Nicotra, QPK Design; Shane Stockhauser, McIntosh Box & Pallet; and Dave Welsh, G.A. Braun

### AUBURN



February 17th - 9th and 10th-grade P-TECH students and Career Coaches had an exciting morning participating in a Roller Coaster Challenge at Auburn High School. The students and coaches were split into teams and engineered a roller coaster design

that a marble would travel down without falling off. The teams whose marble could travel the track at the slowest pace would win. The guidelines were that the coaster must have at least one loop, a turn, and a soft landing. Using the concepts the students had learned earlier about forces, motion, inertia, and energy helped during the design process. The students and Career Coaches built models out of foam pipe insulators and tape, decorating the cafeteria walls with their designs. The groups were timed, and the marble completing the track the slowest was 9.8 seconds. All the teams had fun and worked together which was the ultimate goal.



Thanks to: John Case, ZF TRW Automotive; Alan Dungey, Auburn Leathercrafters; Joe Giacona, Tessy; Dan Herring, SRC; Kyle Karasek, Tessy; Ed Onori, Beardsley; Andrew Rindfleisch, Welch Allyn; Katie Stout, CCC; and Erin Tones, Sunoco.



# APPRENTICESHIP UPDATE



Martha Ponge  
Director of Apprenticeship

## Apprenticeship FAQ Part II

### **So I'm interested in getting started, what happens next?**

When you contact me, I will schedule a time to meet you at your facility. You should probably have HR representation, an operations person, and someone from management with the authority to approve the program involved in the meeting.

### **How much paperwork is involved?**

There are only three forms involved: an agreement between MACNY and your company outlining the program requirements, a wage progression form for each occupation, and a rating form for each apprentice. We will walk you through completing all of these forms.

### **Is the NYS Department of Labor involved?**

MACNY serves as the program sponsor on your behalf. The only information Labor will check on any of the participating companies is whether Unemployment Insurance has been paid and Income Taxes have been filed. All other contact with Labor goes through MACNY.

### **So who does the training?**

The on-the-job training is done by your skilled trades people at your facility. MACNY will provide you with a detailed training outline for them to follow, along with training on how to instruct the apprentices. The related instruction, which will range from 3-5 hours per week, will be provided by ToolingU and local community colleges. We will arrange all of the related instruction for you.

### **How much work is involved?**

As mentioned above, we will provide a detailed competency based training outline that you can check off as the apprentice masters each skill. We will also supply a Learning Management System (LMS) from ToolingU that will allow you to track all of the training as it is completed.

You will have to have your skilled trades people dedicate some time to instructing the apprentices, but as they learn, their increased knowledge will allow them to “pay back” as a return on your investment (ROI).

### **I'm doing fine, why should I need an apprentice?**

We have heard from many companies that they are faced with the coming retirements of many of their skilled trades persons. Unfortunately, many of the apprentice programs that used to be offered by the larger companies no longer exist. There is just not a ready supply of journey-level workers in the workforce. Unless we begin to replace those who are retiring now, and allow them to pass on their skills before they leave, we will be in deep trouble tomorrow.

### **OK, so how much will this cost our company?**

We estimate that the maximum any year of training would cost would be \$3,000 (four community college courses and one subscription to ToolingU). We are asking participating companies to contribute up to 50% of the training costs (\$1,500). In our first year of operation we will not have any community college courses until this fall (2017) and we are picking up the cost of ToolingU for 2017. Considering each apprentice will receive over 150 hours of training we think this is high quality training at a very affordable price. And if your company is located in Oneida, Herkimer, Madison, Chenango, Delaware, or Otsego counties you may be eligible to receive an additional \$3,000 to train an apprentice through the American Apprenticeship Initiative Grant administered by Working Solutions.

**I hope you will join with us in this important effort to build our skilled workforce.**

**To learn more, contact me directly at [mponge@macny.org](mailto:mponge@macny.org) or 315-474-4201 ext. 16.**



Peter A. Jones  
Bond, Schoeneck and King PLLC

## The Current Status of OSHA's Injury and Illness Reporting Rule

As many are aware, the Occupational Safety and Health Administration (OSHA) recently made sweeping changes to its injury and illness reporting rule. The agency delayed enforcement of the rule until December 1, 2016. Many industry advocates were hoping for a reprieve, and several industry groups, including the Associated Builders and Contractors and the National Association of Manufacturers, had filed suit, seeking a preliminary injunction to prevent the rule from going into effect. Unfortunately, the injunction was denied and the rule did go into effect on December 1. However, the rule is still being challenged. Interestingly, the incoming Administration recently jointly filed a letter with the court along with the plaintiffs, stating that each side planned to move for summary judgment, strongly suggesting that the incoming Administration has no plans to revise or revoke the rule. Thus, the impact of the new rule will apparently be felt for a while, absent judicial intervention.

### Details on the New Rule – Impact on Drug Testing

One of the more troubling aspects of the rule was not in the rule itself, but in the preamble to the rule – OSHA's stated position that it would consider blanket rules that require drug testing of employees after any accident to be unreasonable, i.e., on the theory that it would tend to discourage the reporting of injuries and illnesses. Without announcement, however, OSHA issued some guidance on its position late last year that should ameliorate employers' concerns. Simply put, employers do not have to have reasonable suspicion of drug use to post accident test (which would in effect eliminate post accident testing), but *must have reasonable suspicion that drug use could have led to the accident causing illness or injury*. OSHA provides the following examples:

Consider the example of a crane accident that injures several employees working nearby but not the operator. The employer does not know the causes of the accident, but there is a reasonable possibility that it could have been caused by operator error or by mistakes made by other employees responsible for ensuring that the crane was in safe working condition. In this scenario, it would be reasonable to require all employees whose conduct could have contributed to the accident to take a drug test, whether or not they reported an injury or illness. Testing would be appropriate in these circumstances because there is a reasonable possibility that the results of drug testing could provide the employer insight on the root causes of the incident. However, if the employer only tested the injured employees but did not test the operator and other employees whose conduct could have contributed to the incident, such disproportionate testing of reporting employees would likely violate section 1904.35(b)(1)(iv).

Furthermore, drug testing an employee whose injury could not possibly have been caused by drug use would likely violate section 1904.35(b)(1)(iv). For example, drug testing an employee for reporting a repetitive strain injury would likely not be objectively reasonable because drug use could not have contributed to the injury. And, section 1904.35(b)(1)(iv) prohibits employers from administering a drug test in an unnecessarily punitive manner regardless of whether the employer had a reasonable basis for requiring the test.

To elaborate, if an employee on a scaffold dropped a piece of lumber, striking an employee below in an area the employee was allowed to walk, it would not be proper to test the employee below, but it would be proper to test the employee on the scaffold, because operator error – and possible drug impairment – could have contributed to the accident.

It still remains to be seen whether this rule will be rescinded through the Congressional Review Act or vacated through pending litigation, but in the meantime, employers should make sure their policies regarding injury and illness reporting comport with the new requirements. The idea is to tailor your post accident drug testing requirements to avoid inadvertently discouraging the reporting of accidents. Finally, we should all keep an eye on this issue for developments in the coming weeks and months.

*Pete Jones is a member of the Labor and Employment Law Department at Bond, Schoeneck and King, PLLC in Syracuse and may be reached at [jonesp@bsk.com](mailto:jonesp@bsk.com).*

## WELCOME OUR NEW MEMBER...

### VERITIV CORPORATION

Veritiv Corporation (NYSE: VRTV), headquartered in Atlanta and a Fortune 500® company, is a leading North American business-to-business distributor of packaging, facility solutions, print and publishing; and also a provider of logistics and supply chain management services.

Visit them at: [www.veritivcorp.com](http://www.veritivcorp.com)

If you know of companies that could benefit from a MACNY membership, please contact Cindy Nave at 315-474-4201 ext. 11 or [cnave@macny.org](mailto:cnave@macny.org).



The Manufacturers Association

## **MACNY's 104<sup>th</sup> Annual Dinner** **Thursday, May 18, 2017** **OnCenter Syracuse**

*5:00 PM - Cocktail Reception and Networking*

*6:00 PM - Program and Speakers*

*7:00 PM - Dinner and Awards*

*Sponsorships Available!*

*Contact Cindy Nave regarding sponsorships  
at [cnave@macny.org](mailto:cnave@macny.org) or 315-474-4201 ext. 11*

*\$850 for a table of 10 / \$90 per person (Individual Members: \$85 per person)*

*RSVP by May 10, 2017*

*Come celebrate with us!*

*<http://bit.ly/macnydinner17>*



# Month at a glance... APRIL

- 3 Crucial Conversations (2-day training)**  
Time: 8:30 AM - 4:30 PM on 4/3 and 4/10; Cost: \$995 per MACNY Member (\$895.50 per Individual Member) / \$1,295 per non-MACNY Member; Facilitator: David Freund, Chief Leadership Officer, MACNY
- 4 Employee Benefits Marketplace Webinar**  
Time: 8 AM - 9 AM; Location: Webinar; No cost
- 4 5S and Visual Workplace**  
Time: 8:30 AM - 12:30 PM; Cost: \$195 per MACNY Member ( \$175.50 per Individual Member) / \$395 per non-MACNY Member; Facilitator: Cindy Oehmigen, Director of Energy & Corporate Services, MACNY
- 5 Business Development Council: Hollowick**  
Time: 8 AM - 10 AM; Cost: No cost for Business Development Council Members & Individual Members / \$40 per non-Business Development Council Members
- 6 HR Council: Performance Reviews - Take 'em or Leave 'em**  
Time: 8 AM - 10 AM; Cost: No cost for HR Council Members & Individual Members / \$40 per non-HR Council Members
- 7 Quality Council: Structure and Benefits of an Environmental Management System**  
Time: 7:30 AM - 9:30 AM; Cost: No cost for Quality Council Members & Individual Members / \$40 per non-Quality Council Member
- 7 Project Management Class - PMP Prep (4-day training)**  
Time: 8:30 AM - 4:30 PM on 4/7, 4/21, 4/28, and 5/5; Cost: \$1,350 per MACNY Member (\$1,215 per Individual Member) / \$1,650 per non-MACNY Member; Facilitator: Pat Penfield, Syracuse University
- 7 P-TECH Career Coaching Information Session**  
Time: 12 PM (lunch provided)
- 10 IPC-A-610 Certified IPC Application Specialist (3-day training)**  
Time: 8:30 AM - 4:30 PM on 4/10, 4/11 and 4/12; Cost: \$825 per MACNY Member (\$742.50 per Individual Member) / \$975 per non-MACNY Member; Facilitated by Sharon Bovenzi of EEP Quality Group
- 12 Finance Council: Current Events and Global Financial Influences**  
Time: 8 AM - 10 AM; Cost: No cost for Finance Council Members and Individual Members / \$40 per non-Finance Council Member
- 13 15 Invaluable Laws of Growth**  
Time: 8:30 AM - 4:30 AM; Cost: \$325 per MACNY Member (\$292.50 per Individual Member) / \$525 per non-MACNY Member
- 18 Factory Managers Council: Tour of Felix Schoeller North America**  
Time: TBD; Cost: No cost for Factory Managers Council Members & Individual Members / \$40 per non-Factory Managers Council Member
- 20 Plant Engineers Council: Tour of OBG Manufacturing**  
Time: TBD; Cost: No cost for Plant Engineers Council Members & Individual Members / \$40 per non-Plant Engineers Council Member
- 21 Technology Council: Analytics in Today's Manufacturing Industry**  
Time: 8:30 AM - 10:30 AM; Cost: No cost for Technology Council Members & Individual Members / \$40 per non-Technology Council Member; Presenter: David Russell, LPA Software Solutions
- 25 HR Breakfast Briefing - NY's Paid Family**  
Time: 8 AM - 10 AM; Cost: \$25 per MACNY Member / \$35 per non-MACNY Member; Presenter: Michael Dodd, Ferrara Fiorenza PC
- 25 The (7) Basic Quality Control Tools + (2): Lunch and Learn Information Session**  
Time: 12 PM - 1 PM (lunch provided); No Cost
- 25 Employee Benefits Marketplace Webinar**  
Time: 3 PM - 4PM; Location: Webinar; No cost
- 26 Safety Council: Developing Safety Committees**  
Time: 8 AM - 10 AM; Cost: No cost for Safety Council Members & Individual Members / \$40 per non-Safety Council Member; Presenter: Steve Valentine CIH, Greystone Environmental Management
- 27 OSHA - 30-Hour General Industry Outreach Training Program (5-day training)**  
Time: 8:30 AM - 4:30 PM on 4/27, 5/4, 5/11, 5/18, and 5/25; Cost: \$1,005 per MACNY Member (\$904.50 per Individual Member) / \$1,305 per non-MACNY Member; Facilitators: Mark Sliker and Sue Zampella, Occupational Safety Consultants, Inc.



5788 Widewaters Parkway  
Syracuse, NY 13214

[www.macny.org](http://www.macny.org)

Non-Profit  
U.S. Postage  
PAID  
Permit No. 4015  
Syracuse, NY

## MACNY STAFF EXTENSIONS (315) 474-4201



**RANDY WOLKEN, EXT. 15**  
President, CEO



**CINDY NAVE, EXT. 11**  
Chief Operating Officer



**KARYN BURNS, EXT.13**  
VP, Government Relations & Communications



**MARISA NORCROSS, EXT. 22**  
Member Relations & Communications Manager



**MARTHA PONGE, EXT.16**  
Director of Apprenticeship



**DAVID FREUND, EXT. 20**  
Chief Leadership Officer



**DEBBIE SINDONE, EXT. 24**  
Training Coordinator



**CINDY OEHMIGEN, EXT. 14**  
Director of Energy & Corporate Services



**MARY ROWLAND, EXT. 21**  
Controller



**PATTY CLARK, EXT. 10**  
HR Services Manager



**ARLENE HILTBRAND, EXT. 19**  
Operations Coordinator

## PARTNERS FOR EDUCATION & BUSINESS (PEB) STAFF (315) 448-1012



**JOE VARGO**  
Executive Director



**KATHY BIRMINGHAM**  
Work-based Learning Coordinator



**MEGHAN MCBENNETT**  
P-TECH Business Outreach  
Coordinator

---

*The information provided herein is general in nature and is designed to serve as a guide to understanding. If the reader has a specific need or problem, the services of legal counsel should be sought to address the particular situation. Non-profit bulk rate postage is paid at Syracuse, NY.*