



## Life Cycle Thinking and LEED

### LEED v4 is Proposing a New Approach to Materials and Resources (MR) Credits

By Hessam Nabavi,  
Director of Industry Services

The proposed version of LEED-LEED V4 is scheduled for member ballot in mid-2013. LEED V4 is calling on the building industry professionals to keep pushing the envelope to find new and better ways to improve our built environment. The proposed Materials and Resources (MR) credit additions and changes will be the result of this effort.

The materials we use to build our environment have impacts that reach far beyond the building itself. The energy and environmental impacts of buildings comes from building operations and the materials used to construct them. According to the 2030 Challenge for Products, "The Building Sector is responsible for almost half of the energy consumption (49%) and greenhouse gas (GHG) emissions (47%) in the U.S. While the majority of this comes from building operations (such as heating, cooling, and lighting), the embodied energy and emissions of building materials and products are increasingly having a significant impact. The raw resource extraction, manufacturing, transportation, construction, usage, and end-of-life stages of building products consume signifi-



cant amounts of energy, each generating associated GHG emissions. For a new building, on the first day it is occupied, 100% of its energy consumption and GHG emissions come from building materials and construction. Over the first 20 years of occupancy, 45% will be attributed to building materials and construction and 55% to operations. As buildings improve from an operational perspective, the embodied energy and emissions associated with building materials and construction will become more important."

The LEED v4 approach offers a more complete picture of materials and prod-

ucts, enabling project teams to make more informed decisions that will have greater overall benefit for the environment, human health and our communities, while also encouraging manufacturers to improve their products through innovation. USGBC believes it is time to encourage Life-Cycle Thinking.

Life-cycle thinking addresses major environmental impacts throughout the complete life cycle of a product, from extraction of raw materials, the processing of those materials, manufacturing of the product, transportation, use and final disposal, reuse or recycling.

Under LEED v4, project teams will find credits that support a life-cycle approach in their designs and building material choices. This type of thinking is

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Questions? Contact Christina Sandridge at (434) 326-9815  
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## Leed v4 *continued from page 1*

sometimes called “cradle to grave”, and a better approach yet is called “cradle to cradle” to illustrate the inclusion of the whole life cycle and to emphasize recycling and reuse at the end of life rather than disposal.

Life-Cycle Assessment (LCA) is a methodology for implementing life-cycle thinking. LCA is data-intensive and is the most comprehensive approach to determining the environmental life cycle impacts of a building. It can be used as a tool to make design decisions that would result in lower environmental impacts.

The proposed MR credits are similar in many ways to previous credits for the project team.

For example, instead of obtaining certification of recycled content from a manufacturer, the project team now will request an Environmental Product Declaration (EPD) that discloses the required LCA-based information. USGBC is asking product manufacturers to gather life-cycle information as part of their product development and innovation process, and to disclose relevant portions of that information in standard formats.

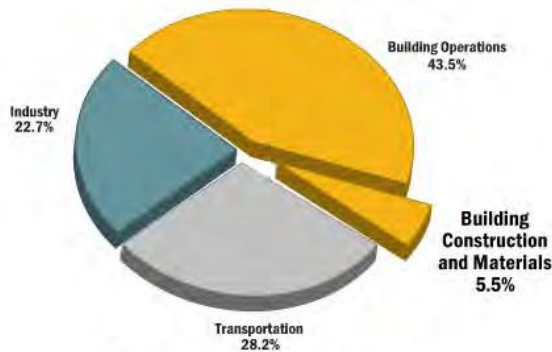
Life-cycle thinking also encourages using less materials and more efficient use of materials.

In addition to awarding credits for reuse of all or part of an existing building, LEED v4 now allows project teams to use a whole building LCA to optimize decisions on structure and envelope. It provides the most points for reuse to account for the large environmental—and, in many cases, economic and social—benefits associated with reuse strategies.

LEED v4 includes credits that are intended to better address human and ecological health impacts of material extraction and the human health effects of constituents used in the product life cycle.

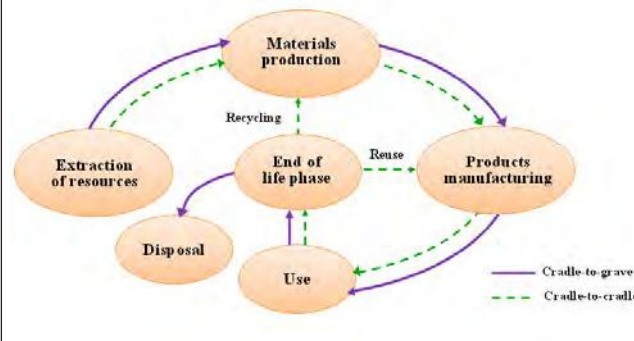
The new LEED rating system will encourage product manufacturers to begin with disclosing information about a variety of product attributes, which will

### U.S. Energy Consumption by Sector



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Data Source U.S. Energy Information Administration (2009).

### Life Cycle Flow Chart



influence the industry’s material selections and lead to more sustainable products in the marketplace. And, it will give project teams the tools and information to enable them to make product selections that are optimized across a broad range of impacts.

The new credits proposed in the MR credit category of LEED v4 boost the incentives for selecting better products and innovation in building materials in a number of key ways. LEED v4 expands existing concepts to engage additional parts of the building industry, such as broadening extraction reporting beyond the wood industry. It introduces new incentives for concepts like life-cycle approach to building and product design, manufacturer leadership in disclosure of material ingredients, and project team leadership in making choices aimed at optimizing human and environmental health impacts of those ingredients. LEED rewards project teams for reusing as much as possible, designing to reduce material use, and for seeking out domestically and

locally manufactured materials. Finally, this new credit engages more parts of the extraction industry than ever before and provides opportunity for more industries to demonstrate leadership and innovation in sustainability.

### Concrete Helps Reduce Life Cycle Impacts of a Building

Water, stone, sand, gravel and other ingredients make up about 90% of a concrete mixture by weight. The process of making concrete from the beginning to the final product in a concrete plant and transporting it to the site requires very little energy and emits a relatively small amount of CO<sub>2</sub> into the atmosphere. The amount of CO<sub>2</sub> embodied in concrete is primarily a function of the cement content in the mix. Concrete uses between 7 and 15% cement by its mass. The average quantity of cement is around 420 lb/yd<sup>3</sup>. Increased use of supplementary cementitious materials (SCMs) has reduced the cement quantity in

concrete which has resulted in the reduction of the amount of CO<sub>2</sub> embodied in concrete. As a result, approximately 170 to 500 lb of CO<sub>2</sub> per yd<sup>3</sup> is embodied in every cubic yard of concrete produced in the plant.

This is approximately 5 to 13% of the weight of concrete produced. This is relatively low when compared to other building materials. Concrete is also a locally produced material, which effects the impact of transportation to the environment. Lastly, it creates local jobs and supports the local economy.

As I have discussed, LCA is a valuable tool for assessing the environmental impact of buildings. The good news for concrete is that concrete buildings are demonstrating that they can save energy and can significantly reduce carbon emissions. Thermal mass and low infiltration makes buildings more energy efficient, ultimately reducing the environmental impacts of buildings over their entire life cycles. 🚚



# 2013 Mixer Truck Rodeo Wrap Up



By Sherry Whiting,  
Director of Meeting and Convention  
Services

It was an exciting Monday at The Meadow Event Park in Doswell, Virginia as VRMCA member companies sent their best drivers out to compete in the Annual VRMCA Mixer-Truck Rodeo. 22 drivers from 10 companies competed in three main events: the written test, pre-trip inspection and road course. Many companies see the Rodeo as a way to reward their drivers for a job well-done and while there's no lack of fun and friendly competition, driver safety and education remain the true focus of the event.

After almost 6 hours of tough competition, Irvin Henry, of Vulcan Materials, was named winner of this year's Rodeo. Irvin works for Vulcan at the Stephen City plant, he has been driving for almost 30 years and driving for Vulcan for the last 13 years. He is married with 3 children and 5 grandchildren. In addition to becoming eligible to compete at the NRMCA 2013 Driver Championship in Las Vegas, Mr. Henry also won \$500.00 in cash, an all-expense paid trip to the VRMCA Spring Convention at the Greenbrier, and a customized Carhartt work coat courtesy of H.N. Funkhouser & Co. and Chevron.

David Dillon of Chandler Concrete took Second Place and a \$350.00 cash prize. Rounding out Third Place was Shawn Cosby from Rappahannock Concrete. In addition to the main prizes, three drivers tied for highest pre-trip inspection score: David Dillon from Chandler, Sam Britt from Vulcan Materials and David Hill from Chaney Enterprises. Highest course score went to Shawn Cosby from Rappahannock Concrete.

A new "warm-up" event was added for 2013—Mixer-Truck Bowling! Participants had to drive and guide a bowling ball suspended from the chute into pins set up on the course. With a strike on the first try and 9 pins on the second 'bowl,' Ricky Marshall from Chandler Concrete won the bowling competition.



*2013 Drivers and volunteers.*

The day would not have been possible without the support and involvement of many people behind the scenes and at the Rodeo. Many thanks to the Safety & HR Committee led by Chairperson and emcee Todd Legge from Essroc Ready Mix and outgoing Chairperson Ken Waegerle from Chandler Concrete; to VRMCA ACI Instructor George Boykin and Outreach Coordinators Bob Nablo and Keith Beazley; and to the volunteers and volunteer judges from 11 member companies who braved the blustery cold to cheer on the challengers.


A very special thank you to Vulcan Materials for providing 3 mixer trucks, S.B. Cox and Perry Engineering for donating equipment for the event and The Meadow Event Park for hosting the event.

Thank you to all of our driver participants and supporting companies: Morey Duncan, Boxley; Steven Odehnal, Capital Concrete; Ricky Marshall, Chandler Concrete; David Dillon, Chandler Concrete; David Hill, Chaney Enterprises; Lewis Thompson, Chaney Enterprises; John Davidson, Chaney Enterprises; James Holliday, Essroc Ready Mix; Richard Seiler, Essroc Ready Mix; Dickie Edmonds, Powhatan Ready Mix; Delwood Morris, Powhatan Ready



*This year's winner, Irvin Henry of Vulcan Materials with VRMCA President Bob Chandler.*

Mix; Shawn Cosby, Rappahannock Concrete; William Turner, Rappahannock Concrete; Joe Watson, S. B. Cox Ready-Mix; Harold Lewis, S. B. Cox Ready-Mix; Alphonso Faltz, Titan Virginia Ready-Mix; Javon Spence, Titan Virginia Ready-Mix; Daniel Teyes, Vulcan Materials; Sam Britt, Vulcan Materials; Ned Pandzic, Vulcan Materials; Mike Mecklenburg, Vulcan Materials; Irvin Henry, Vulcan Materials.

VRMCA also gratefully acknowledges our 2013 Meeting & Convention Sponsors Chandler Concrete, Essroc Ready Mix, H.N. Funkhouser & Co./Chevron, Lafarge North America, Roanoke Cement Company, Sika-Swope & Associates, Titan America and Virginia Truck Center. Special thanks to the Truck Rodeo Lubricant and Prize Sponsor H.N. Funkhouser & Co./Chevron. 

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## Virginia Uniform Statewide Building Code (USBC) for Concrete Specifications

This month at the NOVA April Business Meeting, Teck Chua spoke about (USBC) for Residential Construction which Regulates the use of Concrete for Residential Construction.

Teck Chua, P.E., M.ASCE, LEED® GA is the Director of Technical Services at Vulcan Materials Company ready mixed concrete, servicing the markets in Virginia, the District of Columbia and Maryland. Teck's duties include concrete product research and development, concrete trouble shooting and QC/QA. Teck is a registered Professional Engineer in Virginia, DC and MD. He is a member of ACI 301, Specifications for Structural Concrete, ACI 207 Mass Concrete, ACI 211 Proportions for Concrete, the National Ready Mixed Concrete Association Research, Engineering and Standards Committee, and a LEED Green Associate. He is also a member of the technical committee of the Virginia RMCA and Maryland RMCA. Teck's 28-year concrete industry experience includes precast, prestressed and ready mixed. Teck is a graduate of Purdue University, where he received both a bachelor and a master's degree in Civil Engineering.

Teck's focus on this presentation was to discuss the Code requirements for residential concrete such as driveways, lead walks, stoops and slabs used in single family dwellings and townhouses. He also touched on certain concrete practices that are recommended by concrete experts of the American Concrete Institute (ACI).


To view the entire presentation please click on the link below, <http://www.vrmca.com/regions/default.aspx?region=4>. 

## SWCAC Participates in Va. Tech Classroom

By Bob Nablo,  
Director of Industry Services

For the second year VRMCA's Southwest Virginia Council was given the opportunity to use classroom time to speak to Virginia Tech students. Dr. Randel Dymond, Assistant Professor of Civil and Environmental Engineering, was pleased with last year's presentation on Pervious Concrete and invited the Council to give the brief seminar again to his class on Sustainability. Once again, Bob Nablo and Robert Marek represented the SW Council and spoke to 50 undergraduate Civil Engineering students using a PowerPoint presentation developed a few years ago, and a pervious concrete sample provided by Roanoke Cement.

Nablo and Marek spoke for about 35 minutes and then gave the floor to Dr. Susan Day, Assistant Professor of Forest Resources and Environmental Conservation, who spoke on the conservation of natural resources and recycling natural materials.

It is quite difficult to get classroom time at a major academic institution, and this event is an excellent opportunity to get VRMCA and the Ready-Mixed industry in front of students and faculty. Over the years, the Blue Ridge and Southwest Councils, between them, have been able to secure class time at the University of Virginia, Virginia Tech, VMI and Massanutten Technical Center. In each of these cases, students who may soon be working in some part of the concrete or construction industries have shown interest in Ready-Mixed Concrete products or practices, and faculty members have become more receptive to giving members time to meet with students. 

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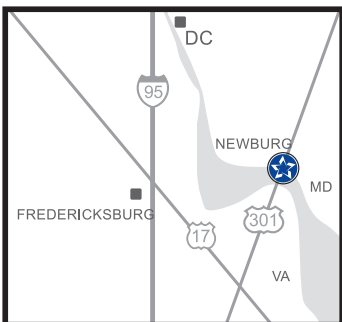
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# Chicago Lines Streets with Smog-Eating Cement

Chicago is pioneering the use of a groundbreaking new paving material which is capable of expunging the adjacent air of pollution. As part of a raft of measures to make the streets of the Windy City more environmentally friendly, the city's government has decided to use photocatalytic cement as a thin, permeable pavement for the bicycle and parking lanes on two local roads.

The material was developed by leading Italian cement maker Italcementi for the Vatican on the eve of the 2,000th anniversary of the Christian faith. The seat of the Catholic Church had commissioned the construction of a new church to commemorate the event and was seeking a surface material that would be capable of retaining its pristine appearance despite being steeped in Rome's turgid air. 🚚



## A NIGHT AT THE BALL PARK



PRESENTED BY THE HAMPTON ROADS  
CONCRETE ADVISORY COUNCIL

**Wednesday, June 19, 2013**  
**Norfolk Tides vs. Indianapolis Indians**

Please join us on the Straub Party Deck for a picnic and a great baseball game!

Arrive as early as 6 p.m.—game time is 7:05 p.m. The party deck is just beyond the right fielders reach and provides a covered roof—*new this year at Harbor Park!* There will be beer and wine available for purchase on the deck.

**Tickets for the picnic & game are \$30.00**

To order tickets, please contact Marie Derby **by June 10th.** Send money to HRCAC c/o Lee Flemming.

Tickets can be picked up at the game, at the council meeting or by calling Marie at the number below.

Contact Marie with any questions at (757) 880-5631 or [marie.derby@essroc.com](mailto:marie.derby@essroc.com).



## Transportation Construction Coalition Fly-In Set for Early June

NRMCA encourages you to join our industry allies for the Transportation Construction Coalition's (TCC) 2013 Legislative Fly-in on Capitol Hill on June 4-5 in Washington, DC. The Transportation Construction Coalition (TCC) scored a major victory last year when the, "Moving Ahead for Progress in the 21st Century Act" (MAP-21) became law. The legislation provided a two-year authorization through the end of Fiscal Year 2014 and sufficient revenue to support current funding levels. MAP-21 also accomplished significant reforms in the federal-aid highway and transit programs that will give states more say over what projects are to be built and expediting the environmental review and planning process to speed delivery of necessary transportation infrastructure projects. Senators and representatives have told us that hearing from the folks back home about the need for transportation investment was an important factor in getting MAP-21 enacted.

With this major victory behind us, now is the time to address the longterm



viability of the Highway Trust Fund (HTF) by providing the revenue necessary to address the nation's current and growing transportation investment deficit. As Congress continues to debate the budget, deficit, spending and revenue it is important that transportation investment be part of the discussions.

Your members of Congress need to hear from you. They must understand the dire impact on their states, districts and the national economy if Congress fails to take action to address the long term financial solvency of the HTF. Join

your fellow transportation construction colleagues in making the case with Congress that timely reauthorization of MAP-21 must be a priority.

This year's meeting will be held at the Hyatt Regency Washington, 400 New Jersey Ave, NW, Washington, DC. To make your hotel reservation, contact the Hyatt Regency Washington on Capitol Hill at 1-888-421-1442 or 1-202-737-1234. Ask for the TCC Fly-In rate of \$309 per night. For more information, contact NRMCA's Kerri Leininger at [kleininger@nrmca.org](mailto:kleininger@nrmca.org). 🚚



### Financial Audits are Underway at Easter Associates

While most have just filed individual income taxes, for your association the tax deadline is May 15th. So, this is the time of year that the auditors come to check on your financial records.

Each year the staff of Wills & Associates CPA's perform an audit and prepare Form 990 for the association. Over the past few years Form 990 has been revised to ask more questions regarding governance and management.

In addition to the audit and tax return, we at Easter review our internal processes and procedures to ensure that we maximize internal control over your financial assets. 🚚

# Employers Must Provide Accommodation During the Hiring Process

By John G. Kruchko and  
Paul M. Lusky

Most employers realize that job applicants have legal rights under discrimination statutes even before they become employees. Under federal law, an employer cannot illegally discriminate in hiring based on a job applicant's race, national origin, gender, pregnancy, age, disability, or religion. State and local laws may specify additional protections based on factors such as the sexual orientation or marital status of a job applicant. Employers must abide by anti-discrimination laws at each stage of the hiring process—from placing job advertisements, to interviewing, and during the final selection process.

Obviously, a job advertisement that, on its face, excludes a class of individuals protected by discrimination laws would be illegal. For example, suppose an employer places an ad in the newspaper seeking an “experienced applicant at least 40 years old.” Although such an ad would not appear to violate the federal Age Discrimination in Employment Act, which protects applicants and employees over 40 years of age, some state discrimination statutes prohibit discrimination on the basis of age without a requirement that the claimant be 40 years old. The preference for older applicants should not be placed in the job advertisement.

Another essential step for avoiding discrimination litigation is to train those individuals who will be recruiting and interviewing applicants regarding the inquiries that are considered “prohibited” by the Equal Employment Opportunity Commission (“EEOC” or the “Commission”). The EEOC will assume that each inquiry on the application form and every question asked during the interview had a purpose. If the employer cannot show that the question was job-related, the EEOC will assume it had a discriminatory purpose.

Inquiries as to an applicant's sex, race, or national origin are prohibited by



the EEOC in its guidelines and should be avoided during the hiring process. There is no legitimate reason to inquire about an applicant's sex, race or national origin on the application form or during a telephone screening process. Similarly, questions that will provide a rough approximation of the applicant's age, such as graduation dates, should also be avoided because such questions carry some degree of risk that they will be used as evidence in potential age discrimination actions.

Questions as to whether the applicant is married, widowed, divorced, or separated should not be asked because all these questions relate to an applicant's marital status. Marital status is now almost universally regarded as irrelevant to a hiring decision. Hiring personnel should also not inquire into the number of children an applicant has or the applicant's provisions for child care. The EEOC has stated that such questions are frequently used to discriminate against women. A hiring decision cannot be based on whether the applicant does or does not have children.

Disability protections for applicants have proved to be the most difficult issue for employers. Hiring personnel may not ask an applicant if he/she is disabled, or the nature of the disability. Inquiries may be made into the applicant's ability to perform the essential functions of the job sought and an interviewee with an obvious disability may be asked to explain or demonstrate how he/she would perform an essential function of the job.

Not only must employers avoid prohibited inquiries into disabilities but the interview process itself must reasonably accommodate the needs of disabled applicants. The EEOC has been quite vigorous in protecting the rights of disabled individuals by bringing litigation against employers who create barriers to the interview process for disabled applicants. For example, in 2005, the EEOC brought a class action against Daimler Chrysler Corporation on behalf of applicants with learning disabilities who had been refused reading accommodations during a pre-employment test given for hourly unskilled manufacturing jobs. The resulting settlement agreement



provided monetary relief for 12 identified individuals and the opportunity to take the hiring test with the assistance of a reader. The applicants were to receive settlement amounts ranging from \$52,000 to \$126,000 depending on their success in completing the hiring process.

In another case, also in 2005, the EEOC sued EchoStar Communications Corporation after a blind applicant for a customer service representative job was told it would not do him any good to submit an application because the company was not set up to handle blind people. After he filed his EEOC charge, the company called the applicant in for an interview, but gave him a Braille test that had three times as many questions as the written test given to sighted applicants.


At trial, the Commission produced evidence that the applicant had been trained to perform customer service jobs with the aid of screen-reading technology that translated text into speech. The company never attempted to install the technology, however, and did not consider whether other accommodations could be made that would enable the applicant to do the job. The jury returned a verdict for the applicant awarding \$2,000 in back pay, \$5,000 in compensatory damages, and \$8 million in punitive damages (the latter award was reduced in accordance with the statutory damages cap of \$300,000).

Recently, on March 13, 2013, the EEOC announced that it had filed suit against

Toys "R" Us, charging the company with violating federal law by refusing to provide an interpreter for a deaf applicant. The EEOC's complaint alleges that Shakirra Thomas, who is deaf, applied for a team member position at the retailer's Columbia, Maryland store. Thomas communicates by using

American Sign Language, reading lips and through the written word. When the company contacted her to attend a group interview, Thomas' mother asked the company to provide Thomas with an interpreter for the interview. The retailer refused and said that Thomas would have to provide her own interpreter. Thomas' mother interpreted for her daughter during the group interview, but the company refused to hire Thomas despite her apparent qualifications.

The EEOC filed suit against Toys "R" Us in the United States District Court for the District of Maryland, claiming that the company violated the Americans with Disabilities Act by not providing an interpreter for Ms. Thomas during the interview process. The EEOC's District Director issued the following statement: "Federal law requires employers to provide a reasonable accommodation during the interview process, including providing an American Sign Language interpreter, unless the employer can show it would be a significant difficulty or expense to do so. Given the size and resources of Toys "R" Us, it is difficult to understand how it would have been an undue hardship for such a large retailer to provide an interpreter when asked to do so."

Employers should review their hiring practices and train interviewers regarding the legal limits of permissible pre-employment inquiries. Likewise, the interview process should be audited to ensure that there are no barriers to disabled applicants that might be averted with reasonable accommodation efforts. Investing a little time now in preventing employment problems from arising during the hiring process will save considerable legal expense in the long run. 

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John G. Kruchko is a Partner with the Management Labor & Employment Law Firm of Kruchko & Fries in Tysons Corner, Virginia; Paul M. Lusky is a Partner with the Firm. For more information, please contact Mr. Kruchko at (703) 734-0554 or JKruchko@KruchkoandFries.com, or Paul Lusky at (410) 321-7310 or PLusky@KruchkoandFries.com. This article is published for general information purposes, and does not constitute legal advice.

## On the Horizon Calendar of Upcoming Events

### MAY 1, 2013

#### BRCAC Business Meeting

12:00 PM - 1:30 PM

Rowe's Family Restaurant

Staunton, VA

### MAY 9, 2013

#### NVCAC Business Meeting

11:00 AM - 2:00 PM

Manassas, VA

#### Visit with Democratic Gubernatorial Candidate Terry McAuliffe

Hosted by Roanoke Cement

### MAY 14, 2013

#### HRCAC Business Meeting

11:30 AM - 1:00 PM

Surf Rider Restaurant

Virginia Beach, VA

### MAY 15, 2013

#### SWCAC Business Meeting

8:00 AM - 9:30 AM

Roanoker Restaurant

Roanoke, VA

### MAY 19-21, 2013

#### VRMCA Spring Convention

The Greenbrier

White Sulphur Springs, WV

### MAY 21, 2013

#### CVCAC Business Meeting

11:30 AM - 1:00 PM

Meadowbrook Country Club

Richmond, VA

### MAY 23, 2013

#### AIA Construction Networking Event

5:00 PM - 7:30 PM

Vinton War Memorial

Vinton, VA

Please visit the online calendar  
for an up-to-date list of events.

[www.VRMCA.com/calendar](http://www.VRMCA.com/calendar)



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