READY-MIXER

Virginia Ready-Mixed Concrete Association Newsletter

AECOM Specifies Pervious Concrete for Carilon Roanoke Community Hospital

By Bob Nablo, Director of Industry Services

AECOM, a globally recognized engineering firm serving clients in more than 150 countries around the world, recently recommended and designed a piece of pervious concrete paving for a reconfigured entrance at Carilion Roanoke Community Hospital in downtown Roanoke. PE Steve Schad of the Roanoke office suggested the pervious concrete application because of the City of Roanoke's stormwater requirements.

The existing site was mostly grass, with a small paved area. Schad says "We added a building canopy and patient drop-off area. This increased the volume of runoff leaving the site. As we went through our analysis, we determined the downstream channel that this site drains to was inadequate. The city required the post-development runoff rate AND the volume be less than, or equal to, predevelopment."

Schad continues, "The site is very small, and mostly now pavement. Grade changes in multiple directions meant the easiest solution was to use pervious pavement." The designers did use an underdrain for emergency overflow purposes, but since it was necessary to reduce the volume of runoff, the 100year storm volume was calculated and the underdrain was placed above the lowest point of the pervious pavement.

Andy Freeland of AECOM was the engineer who developed the specifications and the design submittals, and Schad was the designer of record. Turner Long Construction was the GC, F.A.C.T. Concrete was the subcontractor for the "regular" concrete work, and Lloyd Concrete Services was the pervious installer. The pervious concrete was specified to have a density of between 115 lb/ft3 and



135 lb/ft3, with a void content ranging between 15 and 25 percent. Boxley , Inc. supplied the concrete and F&R performed the fresh concrete testing. Sam Woolwine of Boxley notes that the mix design included a percentage of flyash, an air-entraining admixture, a viscosity modifier, micro fibers, and even a small percentage of sand.

Schad commented that while ASTM continues to work on a standard for testing compressive strength of pervious concrete, ACI 522R-10 shows relationships between density and compressive strength and air content and compressive strength. If the fresh density is within the concrete mix range then the concrete acceptance criteria for the hardened concrete could be limited to the void content criteria range of the mix design and the thickness criteria. ACI 522R-10 recommends that the void content be at least 15% for effective percolation.

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August 2014

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Questions? Contact George Boykin at (434) 906-2186 or email george.boykin@easterassociates.com.

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Registration will begin at 11:00 a.m. and lunch will be served at 12:00 p.m. Golf will follow at 1:00 p.m. with a brief awards program ending the outing.

Checks may be sent to SW VA Concrete Council, c/o Paul Bryan, Froehling & Robertson, 1734 Seibel Drive, Roanoke, VA 24012 or you may register and pay online at http://vrmca.com/store/products.asp?cat=22.

For more information, contact Paul at (540) 537-8055 or pbryan@fandr.com



SOUTHWEST VIRGINIA ADVISORY COUNCIL

Hard Hat Tour of CNU Student Success Center

By Ann-Germaine Danz, Director of Industry Services

AIA Hampton Roads hosted local architects for a hard hat tour of the new 82,457 square foot Student Success Center on the campus of Christopher Newport University. Fifteen designers attended, representing Hampton Roads firms including Guernsey Tingle, Pond and Company, H&A Architects, and the United States Coast Guard. Construction was about 40% complete at the time of the tour, with some major exterior concrete elements still to be installed. Structural elements are constructed of steel framing with masonry stair wells and cladding. Cast stone will be used for trim, window sills, cornices, and keystones. This building will help form a prospective student's first impression of the campus and what the University has to offer.

Glavé and Holmes Architects based in Richmond designed the building to fit in with the Neo-Georgian context of existing dormitories and lecture halls.

Three ornate domes create a hierarchy among campus buildings at CNU; they top the roofs of the Trible Library, the Pope Chapel and the new Student Success Center. Current University President, Paul Trible selected a pre-aged copper cladding for the student center so it would look attractive during his tenure. Another unique feature within the dome is a two story occulus, or round window in the floor enclosed by LCD glass on the top floor. This feature allows for modesty due to an ability to change the glass from translucent to opaque with the flip of a switch. The innovative floor came about as a necessity to meet fire code while maintaining daylighting to all levels. At the time of the tour, interior floors were concrete awaiting a finish material.

The designers, engineers and contractors worked closely with campus architects to understand the constraints of construction on an urban site. Stroud Pence serves as the structural engineer and Koontz-Bryant is the civil engineering firm. Whiting-Turner is the contractor for this project and previous projects on CNU's campus. Students attended classes and walked past the site daily during the school year. One sidewalk was closed and routed along a construction fence lined with hand-painted banners advertising each of the extracurricular student groups. Contractors were under a strict no-contact rule to be respectful of the student social life. On the main level of the building, a courtyard is left open at this time to move equipment in and out of the interior of the site. This will later become an enclosed courtyard with glass walls looking into the main hall. CNU has its own version of the Great Lawn on campus and the Student Success Center will anchor one end of the long, narrow greenspace. Large concrete steps reminiscent of the Lincoln Memorial will form the backdrop for graduation ceremonies held on the lawn. Also to come are massive precast concrete columns that will punctuate the rear façade. 🚟





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Dulles Landing Power Center a New Generation of Tilt-Up Concrete Construction



By Hessam Nabavi, Director of Industry Services

The Dulles Landing Shopping Center is a 700,000 +/- Square Foot power center under construction in Arcola, Virginia using tilt-up concrete wall systems. This center was designed by Perkowitz+Ruth Architects and is being developed by The Beatty Companies. Located at Route 50 and Loudoun County Parkway (Route 606), the development will be anchored by Walmart and complimented by national retailers such as TJ Maxx, PetSmart, Famous Footwear and Five Below.

The center is designed to be reminiscent of the old mill-style Middleburg architecture and the Loudoun County Hunt Country elements. A signature clock tower at the entrance is acting as a classic gateway to Loudoun County and to this center. The design emphasis was to create a pedestrian-friendly destination featuring wide sidewalks, benches, water features and various points of connection to create a more vibrant and comfortable environment similar to a traditional town square.

Tilt-up concrete construction at the Dulles Landing Shopping Center is dressed up in

various finishes from stone and bricks to stucco and paint showcasing what tilt-up can do. Any form, any shape and any design, modern or traditional is possible. It proves that tilt-up can be used for any type of structure from schools to hospitals to office buildings to warehouses to prisons. Recently I invited Steve Nicholson, Director of Capital Projects and Sustainable Design with Fairfax County Public Schools and a few members of the Fairfax County Public Schools D & C Department to visit this site. The ar-



chitect's representative and Dwayne Durham, project superintendent with Choate Construction were also present to answer questions. My guests were amazed to see the construction process and how detailed the finishes are. What caught their attention

the most was the simplicity of the whole thing. Simply cast the panels in place with thin bricks, stones or plain concrete face down; come back a few days later, bringing the crane and lifting the panels up; brace the panels to the slab, set the steel/roof, and now you have your building. The center is going to be an impressive shopping destination in the area and a great example of tilt-up construction with traditional flavor. When it is completed, people will not believe it is Tilt-up!

Contractors are Key Element in Improving Specifications to Favor Concrete

Contractors continue to be a key element in improving specifications to position concrete more favorably, reports NRMCA Vice President, National Resources, Amy Miller. More than a year ago Rafael Jimenez, P.E., market development manager of NRMCA Producer member Cemex, submitted documentation to optimize concrete pavement sections for an engineering firm retained by an NRMCA National Account. Initially, the firm was unwilling to fully revise its specifications, resulting in a concrete pavement that was substantially more expensive than it needed to be. The firm cited

"standard practice" for its methodology for over-designing concrete pavements. Jimenez continued visiting the firm and delivering the message that properlydesigned pavements would bring the greatest value to its clients. Most recently,



this engineering firm changed its design recommendations to adhere to ACI 330 R-08 guidelines. The change was precipitated by the the insistence of the National Account's general contractor, after a design review with Jimenez. The engineering firm finally agreed to make those changes only because the contractor requested them.

"When the owner is making concrete pavement decisions based on the advice of its consultants and contractors, it's critical that our industry properly educates, and facilitate a dialogue among, all parties involved," Jimenez said. "In this case it took a broad consensus, as well as persistent effort from both the NRMCA and CEMEX, before the owner agreed to accept a major deviation in the traditional design and construction of its retail sites."

"This is not uncommon," added Miller. "We've seen major changes

Miller. "We've seen major changes happen at large National Accounts only when the primary consultants are in agreement. Those consultants often include key contractors with whom the national account has built a longstanding and trusting relationship."



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2014 VRMCA Fall Convention in Virginia Beach is Just Days Away





We are days away from the VRMCA Fall Convention on September 7-9, 2014 at the Hilton Virginia Beach Oceanfront Hotel! We have a packed agenda with sessions and topics that you don't want to miss including:

- VDOT Update with Commissioner Charles Kilpatrick
- Storm Water Management Update with Richard Street, Sr. Environmental Engineer, Spotsylvania County
- Committee Updates from Safety & Human Resources as well as Technical
- IBC 2012 Addressing Concrete Special Inspections Code Compliance with Alan Tuck, Executive Director Code Compliance and Training, Froehling & Robertson



- Labor Issues Update with John Kruchko
- Economic Forecast with Dr. Dan Palazzolo, Professor of Political Science, University of Richmond

You can view the full agenda and



register online at www.vrmca. com. If you still need to reserve a room at the Hilton, please contact Christina Sandridge directly at (434) 326-9815.

Attendees will have free time on Monday evening, after the VRMCA reception, to enjoy dining in Virginia Beach. Anyone who is interested in making reservations for dinner on Monday night at Catch 31 should call Mary Kelly directly at (757) 213-2332 or email your request to Mary_Kelly@hiltonvb.com as soon as possible.

Consider becoming a Fall Convention Sponsor for just \$500. Sponsors receive signage at the meeting, recognition in the newsletter, recognition on the VRMCA website and on all emails sent out pertaining to the event.

THANK YOU

VRMCA gratefully acknowledges the support of our 2014 Meeting & Convention Sponsors



Lafarge North America VP Recognized by Portland Cement Association

Portland Cement Association (PCA) recognized Bruce Blair as a finalist for the 2014 John P. Gleason Jr., Leadership Award.

Presented at PCA's annual fall committee meeting, August 26, 2014, in Chicago, the awards honor employees of member companies who have exhibited industry leadership by taking the Association in new directions. Awards are presented in each of PCA's two categories of key strategic initiatives: Business Continuity and Market Development as well as Young Leaders. Blair was honored in the Business Continuity category.

Blair, vice president of product performance and innovation for Lafarge North America, in Chicago, Illinois, is a leader in industry standards development, industry sustainability initiatives, research, and addressing technical issues to improve business continuity. He served as chair of the PCA Durability Subcommittee, leading PCA efforts to address alkali-silica reactivity, sulfate attack, and join deterioration in pavements. Blair is currently co-chair of the Product Standards and Technology Committee, providing key guidance in the development and use of portlandlimestone blended cements and their acceptance by DOTs and specifiers.

He is actively engaged in the MIT Concrete Sustainability Hub program, working to steer the program to better address industry needs and opportunities. Blair works tirelessly with standards organizations, industry allies, and specifiers to advance PCA technical initiatives.

The award is named after John P. "Jay" Gleason, Jr., who served as PCA president from 1986 until his retirement in 2007. Gleason was known for his consensus building among both members and allies and for his strong leadership skills.

PCA Honors CEMEX USA Director

Portland Cement Association (PCA) recognized Jim Mack as a finalist of the 2014 John P. Gleason Jr., Leadership Award. Presented at PCA's annual fall committee meeting, August 26, 2014, in Chicago, the awards honor employees of member companies who have exhibited industry leadership by taking the Association in new directions. Awards are presented in each of PCA's two categories of key strategic initiatives: Business Continuity and Market Development as well as Young Leaders. Mack was honored in the Market Development category. Mack, director of market development of CEMEX USA, in Houston, has been has been a critical component in PCA paving advocacy efforts. His research an analysis has been integral to past and on-going lifecycle cost analysis research, the integration of MIT Concrete Sustainability Hub work into advocacy, and the melding of technical engineering aspects with financial aspects. Time and again, Mack has been an industry representative at meetings with such agencies as the White House's Office of Management and Budget, the Federal Highway Administration, and the U.S. Government Accountability Office to illustrate concrete's LCCA benefits.

He is also active in sending the message to local advocacy arenas.

Social Events Scheduled to Benefit the VRMCA PAC

Please mark your calendars for VRMCA's three Political Action Committee Fundraisers. These are the major fundraising events that develop money to make contributions to members of the Virginia General Assembly, whom support business policies helpful to our industry.

These events are a great way to entertain customers and reward employees.

- Sporting Clays- Flying Rabbit, Mt. Crawford: September 26- 10 a.m. to 3 p.m.
- Golf- Spring Creek- Zion Crossroads: October 16- 10 a.m. to 3 p.m.
- IMPACImage: A structurePACImage: A structurePAC
- Sporting Clays- Old Forge- Providence Forge: October 23- 10 a.m. to 3 p.m.

To register please visit www.vrmca.com. 🍩

The ADA and Reasonable Accommodation: No-Fault Attendance Policies

By John G. Kruchko and Kevin B. McCoy

What if you have an employee on disability leave who is approaching the maximum amount of leave time under your attendance policy? When is modification of a no-fault or inflexible leave of absence policy required as an accommodation under the Americans with Disabilities Act (ADA)? Although the Equal Employment Opportunity Commission (EEOC) has taken the position that, absent undue hardship, an employer must modify such a policy to allow for additional leave to a disabled employee, the case law interpreting the ADA has provided no definitive guidance for determining when requests for additional leave may be unreasonable under the Act.

The EEOC's Position

The EEOC's Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the ADA specifically provides that so-called "no-fault" leave policies, under which employees are automatically terminated after they have been on leave for a specified period of time, are illegal under the ADA. In support of this position, the EEOC has brought a series of lawsuits against employers challenging inflexible leave policies resulting in large monetary settlements for groups of employees denied leave under such policies. For example, in June 2014, a New Jersey health care employer agreed to pay \$1,350,000 to settle a case brought by the EEOC challenging the employer's policy limiting leaves of absence to twelve (12) weeks.

The Federal Courts' Weigh In

The EEOC's construction of the ADA has found support in the courts. There



are a number of decisions that have required employers to grant additional leave to disabled employees as a reasonable accommodation. For example, in Garcia-Ayala v. Lederle Parenterals, Inc. (1st Cir. 2000), an employee requested an extension of her leave of absence after the one-year period of leave under the employer's policy had expired. In response, the employer terminated the employee and she sued under the ADA. The First Circuit Court of Appeals found for the former employee, rejecting the employer's argument that the ADA can never impose an obligation on a company to grant an accommodation beyond the leave allowed under the company's own leave policy. The court of appeals also concluded that the employee's requested accommodation of an additional five months of leave time was not per se unreasonable. The court held that there must be an individual factual determination in each case that continuing the leave of absence would be an undue hardship for the employer.

Other federal courts of appeal have similarly concluded that reasonable accommodation under the ADA may include offering a disabled employee a limited amount of additional leave time over and above the limits established in an employer's uniformly applied "neutral" leave policy. Graves v. Finch Pruyn & Co. (2nd Cir. 2006); The key determinate in each case appears to be the employer's willingness to consider the disabled employee's requested accommodation, especially where the additional leave time requested is not indefinite and is fairly short in duration (i.e., a few weeks to a month in the above cases)

There are, of course, decisions that have more strictly construed an employer's obligation to provide extensions of leaves of absence to employees who cannot perform the duties of their positions, especially when the employer's policy already provides for substantial leave time to deal with disabilities or the employee cannot give a date certain for returning to work. Thus, it is

John G. Kruchko is a Partner with the Labor & Employment Law Firm of FordHarrison, LLP in Tysons Corner, Virginia; Kevin B. McCoy is also a Partner with the Firm. An original version of this article was prepared by Louis Britt, a Ford Harrison Partner in the Firm's Memphis office and Katie Parham, a Senior Associate in the Memphis office. For more information, please contact Mr. Kruchko or Mr. McCoy at (703) 734-0554 or by e-mail at jkruchko@fordharrison.com, or kmccoy@fordharrison.com. This article is published for general information purposes, and does not constitute legal advice. clear that the ADA does not obligate an employer to grant indefinite leaves of absence to disabled employees as a reasonable accommodation. The thought being that employers are not required to indefinitely wait until a medical condition heals or is corrected. *Myers v. Hose* (4th Cir. 1995)

When is Requested Leave Per Se Unreasonable?

Another encouraging development for employers is the willingness of some courts to find a request for an extended leave of absence to be an unreasonable accommodation based on duration alone. For example, the tenth circuit court of appeals affirmed a district court's holding that an employee's request for leave beyond six months was unreasonable both as a matter of law and because the employee failed to provide a definite estimate as to when she could return to full duty. Other courts in the eight and sixth federal circuits have reached similar conclusions, finding a six month and a year long leave of absence to be too long to be "reasonable" under the ADA.

Takeaway for Employers

Unfortunately for employers, the different, if not inconsistent positions

taken by the EEOC and the federal courts means that here is simply no "bright-line" for determining when an employer can safely tell a disabled employee who has made repeated requests for extensions of a leave of absence that "enough is enough." Although a policy allowing a substantial period of time for leaves of absence can obviously be helpful in establishing the reasonableness of an employer's response to a disabled employee's need for accommodation under the ADA, it will not automatically insulate the employer from liability. Employers should avoid leave policies that impose inflexible limits on leaves of absence and certainly should not apply those policies in an inflexible manner.

The better practice is to interact with the disabled employee and assess the situation on an individual basis to determine whether a request for an extension of the leave is a reasonable accommodation. If the disabled employee cannot provide an estimated date for returning to work within a short period of time, the request for an extension of the leave may be an undue hardship, especially where the employee's continued absence presents financial and operational difficulties for the employer.

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SAVE THE DATE VRMCA Fall Convention September 7-9, 2014



On the Horizon Calendar of Upcoming Events

SEPTEMBER 3, 2014

BRCAC Business Meeting 12:00 PM - 2:00 PM Rowe's Family Restaurant Staunton, VA

SEPTEMBER 7-9, 2014

VRMCA Fall Convention Hilton Virginia Beach Oceanfront Virginia Beach, VA

SEPTEMBER 11, 2014

Materials and Resources Reporting Criteria & Concrete's Role in LEED v4, Transparency and Social Responsibility in conjunction with the NVCAC September Business Meeting Wetland Studies and Solutions, Inc. Gainesville, VA

SEPTEMBER 16, 2014

CVCAC Business Meeting 3:00 PM - 4:30 PM American Tap Room Richmond, VA

SEPTEMBER 17, 2014

SWCAC Business Meeting 8:00 AM - 9:30 AM The Roanoker Restaurant Roanoke, VA

SEPTEMBER 18, 2014

SWCAC Golf Outing Ashley Plantation Golf Course Daleville, VA Save the date! More details to come!

SEPTEMBER 25, 2014

ACI Concrete Field Testing Seminar and Examination* Chandler Concrete of Virginia 614 Norfolk Ave SW Roanoke, VA *PRE-REGISTRATION REQUIRED

Please visit the online calendar for an up-to-date list of events. www.VRMCA.com/calendar



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