



High Performance Building Envelope with Insulating Concrete Forms Used at First Net-Zero Energy Public School

By Hessam Nabavi,
Director of Industry Services

With more people becoming aware of their actual impact on the environment, we have begun to see major strides being taken by individuals, businesses, buildings and even governments to lower their environmental footprint. One way of doing this is net-zero energy buildings. What is a net-zero energy building? By definition, a net-zero or zero energy building (ZEB) uses the same amount of energy measured annually as it produces using on-site renewable energy sources. Basically it generates as much energy as it consumes. In planning a net-zero building the renewable energy really is the easy part. The real challenge is to reduce the energy consumption of the building through its design and operation. This reduces the renewable energy required and offers a smaller investment and shorter payback. The less complicated the building is, the easier it is to achieve the net-zero energy goal.

When it comes to designing a school with the goal of net-zero energy in mind, the process will be much harder and more complex. The limited budget for construction that most school districts are facing can be a great stumbling block for the project to go forward. We are looking at a building that includes classrooms, offices, cafeteria, kitchen, library and gymnasium. Can this complex building under the limited budget be designed to be a net-zero energy building? Well, the



answer to this question is YES. Such a school has been designed and constructed in a small town of Richardsville which is located in Warren County in Kentucky. Richardsville Elementary School is the first Net-Zero Energy Public School in the United States. It is important to mention that it cost about the same to build this school as a conventional one but it will be much cheaper to operate. School is generating as much energy as it consumes, and since the school is grid-tied, during period of low demand such as after school, weekends or summer time, electric power is returned to the grid

providing an alternate energy source to the area.

Some of the technologies that have been used to achieve the net -zero are:

- High-performance building envelope with Insulated Concrete Forms & R32 roof
- Building is oriented North-South, optimizing the classrooms' daylighting and maximizing the electric output of the roof mounted solar panels.
- Active daylighting
- Geothermal HVAC with CO2 Monitoring and de-centralized pumping

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The following dates remain for 2011:

Hampton	July 19, 20, 21
Roanoke	August 2, 3, 4
Richmond	August 9, 10, 11
Fredericksburg	August 30, 31, September 1
Warrenton	October 4, 5, 6
Bristol	October 25, 26, 27
Richmond	November 15, 16, 17
Harrisonburg	November 29, 30, December 1
Roanoke	December 6, 7,

Questions? Contact Christina Sandridge at 434/977-3716 or email christina.sandridge@easterassociates.com.

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School *continued from page 1*

- On-site solar panel array.
- Compact two story design with reduced building foot print
- Roof adhered thin film photovoltaic system
- Efficient operation and maintenance plan
- Bio swales

Richardsville Elementary School is designed by architect Kenny Stanfield, AIA, LEED A.P. and principal at Sherman Carter Barnhart Architects, a leading architectural firm based in Lexington, Kentucky. He is a school design veteran who heads the education studio at the Louisville, Kentucky office of Sherman Carter Barnhart, and leads the firm's efforts in green and sustainable school design. Kenny has designed Kentucky's First ICF School, Alvaton Elementary School, which has been recognized for design excellence by (CEFP). Kenny

is lead architect on Kentucky's largest school facility – and the nation's largest ICF building; South Warren Middle/High School. He has also designed Plano Elementary School, which is recognized as the most energy efficient school facility in Kentucky. He has been principal in charge of the Richardsville Elementary School project as well as Bristow Elementary School project near Bowling Green, Kentucky, both of which are designed to be the nation's first total Net-Zero Energy public schools.

Northern Virginia Concrete Advisory Council is proud to have Mr. Stanfield to speak at the 4th Annual Building Green with Concrete Workshop on Wednesday, July 13th at the office of Wetland Studies and Solutions, Inc. in Gainesville.

For additional information about this event and to register, please check www.vrmca.com. 

Got News?

For coverage in future issues, send press releases and photos to marci.malinowski@easterassociates.com or mail materials to:

VRMCA Newsletter
250 West Main Street
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Submissions may be edited for length. Inclusion is not guaranteed and may be excluded due to space.

F&R Celebrates 130 Years of Continuous Operations

Froehling & Robertson, Inc. is pleased to announce that in 2011 it has become the 10th oldest business in Virginia and is celebrating its 130th year of continuous operations.


Initially, conceived as a chemical laboratory and coal mining consulting firm, F&R opened its doors in 1881 and immediately began providing services to companies from New York to Atlanta. In 1929, Samuel H. Shieb, M.D., Ph.D., was named president and F&R added physical testing among its services offered in the fields of cement, bituminous materials, steel, and timber.

In 1937, Dr. Sheib was succeeded by Grant J. Durant. Under Mr. Durant's leadership, F&R entered the fields of non-destructive testing, soil and foundation investigations, and geotechnical engineering.

In the 1970s, under the guidance of presidents J.M. George and Jack Thompson, F&R expanded service lines again, this time into the area of environmental engineering.

Much of the credit for the firm's longevity and current success belongs to Mrs. Mimi Sheib Proctor, the genteel and soft-spoken woman who has owned and operated F&R for the last 30 years.

Her father, Dr. Sam Sheib, succeeded Henry Froehling as F&R president in the 1930s, and her mother ran the company until her death in the early 1970s. Mrs. Proctor took the company's reins before it was common for women to do so in any industry. Her mother paved much of the way before her, yet it fell on Mrs. Proctor's shoulders to steer her family's business through the harsh economic downturns of the 1970s, 1980s, and 2000s that gutted local and national construction and construction-related companies.

Under her guidance (and that of her late husband, Mr. Arnold Proctor, who died in 1996), F&R has not only survived these perilous times, but has continued to thrive. 



Neal Visits Roanoke Council

By Bob Nablo,
Director of Industry Services

Bob Neal of Lehigh Cement, and a founding member of the VRMCA Technical Committee, visited the Southwest Virginia Council business meeting this month, continuing his presentations to regional councils on Technical Bulletin #6.

Neal has given this brief presentation to several of the councils throughout Virginia and uses the opportunity to talk about recent changes to the International Building Code and how they affect the International Residential Code, thereby having an impact on residential construction in the Commonwealth. He also uses the time to reacquaint council members with the workings of the VRMCA Technical Committee and invite them to attend the meetings.

After hearing the presentation council members invariably note that the residential code information would make an excellent



topic for a wider seminar for groups of contractors, municipal officials and home-builders. Both the Southwest Virginia and

Blue Ridge Councils have put this topic on their respective agendas for further discussion. 🚚

DMV Size & Weight Compliance Technicians to Begin Issuing Citations



Effective July 1, 2011, a new law authorizes the Virginia Department of Motor Vehicles' (DMV) Size & Weight Compliance Technicians to assist Virginia State Police (VSP) law enforcement officers with issuing certain citations.

Virginia's weight enforcement program is a partnership between DMV and VSP at the thirteen fixed Motor Carrier Service Centers (MCSC). Currently, DMV's Size & Weight Compliance Technicians weigh vehicles and identify violations while VSP issue the citations.

The statutory change will authorize DMV's Size & Weight Compliance Technicians to complement VSP's enforcement efforts. Size & Weight Compliance Technicians will be authorized to issue citations for:

- Overweight violations
- International Registration Plan (IRP) and regular registration violations
- Unified Carrier Registration (UCR) violations
- Operating authority violations

The new legislation also authorizes law enforcement and Size & Weight Compliance Technicians to hold commercial vehicles owned or operated by a company that has outstanding taxes or fees due to DMV. Size & Weight Compliance Technicians will also have the authority to test vehicles for dyed (untaxed) fuel and refer any suspected cases to DMV's Fuels Tax Enforcement Division.

Giving more authority to Size & Weight Compliance Technicians will allow more flexibility for how VSP uses its resources and will help ensure the Commonwealth collects revenue from violations. 🚚

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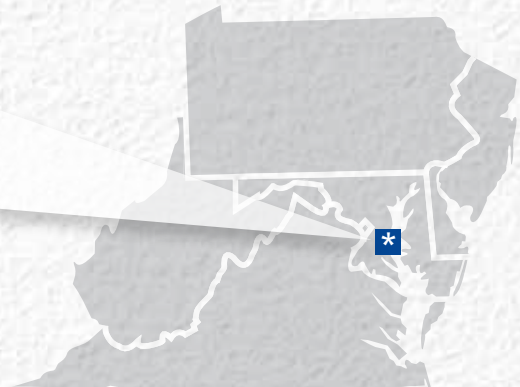
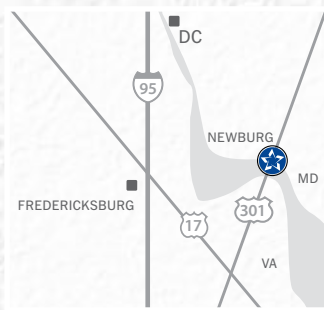
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Kansas City Tests Pervious Concrete as Solution to Sewer Overflows

As part of its \$2.5 billion sewer overhaul project, Kansas City is testing environmentally progressive ways of managing sewer overflows. The methods include landscaping and using pervious concrete for sidewalks, reported The Kansas City Star on June 7. City water officials said that the more water they can absorb with methods like pervious concrete, the less problem they will have with overflows that require more expensive solutions. Read more. Meanwhile, two days later, the paper's editorial writers expressed cautious optimism that Kansas City's pervious sidewalk pilot program is well worth the effort: To read more on the story, visit <http://www.kansascity.com/2011/06/09/2939577/the-stars-editorial-kcs-new-sidewalks.html>.

Construction Growth Remains Sluggish


The Department of Labor's state-by-state analysis of construction-based jobs shows that there was some good news: 22 states plus the District of Columbia added jobs over the past year. The AGC Smart-Brief e-newsletter for June 20 offers analysis and a link to the government press release, plus links to stories from various publications. To learn more, visit <http://news.agc.org/2011/06/17/construction-job-growth-remains-sluggish/>. 

2011 International Concrete Sustainability Conference

The 2011 International Concrete Sustainability Conference will take place August 9-11, 2011, in Cambridge (Boston), MA, at the Hyatt Regency Cambridge and the Massachusetts Institute of Technology campus. The sixth annual Concrete Sustainability Conference will provide learning and networking opportunities on the latest advances, technical knowledge, continuing research, tools and solutions for sustainable concrete manufacturing and construction.

Researchers, academics, students, engineers, architects, contractors, concrete producers, public works officials, material suppliers and concrete industry professionals are invited to attend, submit papers and give presentations. Topics include:

- Low Impact Development
- Urban Heat Island Reduction
- Carbon Footprint and Embodied Energy
- Sustainable Development Initiatives
- Recycled Materials
- Performance-based Concrete
- Government Initiatives
- Private Initiatives

The Conference is being held in conjunction with the MIT Concrete Sustainability Hub 2011 Industry Day scheduled for August 11, 2011. Registrants and speakers at the Concrete Sustainability Conference will have the privilege of attending both events. 

Duke University Report Shows Overall Energy Efficiency Improvements in Cement Manufacturing; Reviews Industry-Wide Energy Star Approach


A Duke University study prepared for the U.S. Environmental Protection Agency (EPA) reports that the cement industry reduced its energy intensity by 13 percent during the 10-year study period, averaging more than one percent per year of improvements, a significant achievement. These energy savings equate to a reduction of almost 1.5 million metric tons of energy-related carbon.

The study examined data collected from the industry and the Department of Commerce for the period of 1997-2007. It showed the gap between top-performing cement plants and others narrowed and the performance of the industry as a whole improved.

"The decade studied by Duke was one of unprecedented growth for the cement industry, yet PCA members demonstrated their commitment to environmental stewardship by building sound strategies for energy management and investing in their facilities with state-of-the-art technologies that significantly improved the industry's energy efficiency and reduced emissions," said Brian McCarthy, Portland Cement Association (PCA) CEO and president.

"The U.S. cement industry was among the first major industries to tackle the issue of climate change, and this study illustrates that it has remained at the forefront of developing policies and improving the manufacturing process," he continued.

The study was commissioned by the EPA to measure the change in the cement industry's energy efficiency curve. The energy management approach promoted by the EPA's ENERGY STAR program, that of benchmarking plant energy performance against peers over time and certifying plants for top performance, was an important factor in enabling the industry to shift its energy performance.

The Energy Performance Indicator (EPI) scores the energy efficiency of a single cement plant and allows the plant to compare its performance to that of the entire industry. The tool is intended to help cement plant operators identify opportunities to improve energy efficiency, reduce greenhouse gas emissions, conserve conventional energy supplies and reduce production costs. 

Hampton Roads and Central Councils Launch Local Streets and Roads Marketing Plans, StreetPave Design Technology

By J. Keith Beazley,
Director of Industry Services

The Hampton Roads and the Central Virginia Concrete Advisory Councils have launched their marketing plans and promotional programs for the VRMCA Local Streets and Roads marketing program and the introduction of the ACPA Streetpave technology. The marketing plans and a special program by ACPA Executive Director Bob Long were held in the June Council meetings.

StreetPave is the latest in thickness design technology for streets and local road pavements. The software utilizes new engineering analyses to produce optimized concrete pavement thickness for city, municipal, county, and state roadways. The program includes an asphalt cross-section design process for equivalent designs and comparisons.

The design tool will allow for comparisons of thickness, life-cycle, strength, and cost analysis. The VDOT Materials Engineer, Charles A. Babish, P.E., has established the StreetPave program as an acceptable software tool for usage in conducting applicable design analysis.

The Advisory Councils have organized a marketing plan for the VRMCA Streets and Roads program to local cities, towns, and county governments. Major engineering firms, secondary level engineering firms, municipal engineers and planners are to be part of the overall program of a system of pavement evaluation and education.

The ACPA Software Streetpave is to be part of the educational program for the cost analysis and benefits of using concrete for street and roadways. Private developers and builders will be part of the program to promote the usage of concrete in new projects in place

of the standard pavement design. The usage of concrete for concrete streets will add value to the subdivisions and also to the homes in the subdivisions for a better appearance and higher quality roads.

The Council Marketing Teams will also work with VDOT projects and alternate bidding for concrete pavements in proposed projects.

The increased focus of concrete in local roads and VDOT projects will increase greatly the market share of concrete in the workspace. The usage of concrete and the long-term benefits are a perfect match for cost-savings in a time when finding the best value and analysis of monies spent are very much a factor in the marketplace. 🚧

Virginia Beach Scholarship Awarded with Special Funding from Golf Tournament

By J. Keith Beazley,
Director of Industry Services

A scholarship was awarded to a Virginia Beach Cox High School student in June by the Hampton Roads Advisory Council. The annual scholarship is named the Lane Malbon Memorial Scholarship and is the sixth student to benefit from the scholarship funded by the Council's Annual Golf Tournament.

The Scholarship award is given to a student attending a Virginia College or University, majoring in Building Construction, Architecture, or Civil Engineering, and is active in the community and school activities. The recipient for this year's award is Michael James McGrath, a student to attend the University of Virginia and an exceptional and outstanding student. Michael has shown leadership as an Eagle Scout, community service in church mission trips, and a volunteer in church programs as Feeding the Homeless. Michael has enrolled in all accelerated courses in high school and has achieved the highest possible scores, perfect scores in the standardized testing, and has been awarded many honors and awards including Boys' State and the National Honor Society. He is involved in athletics and the Cox Soccer Program and is an All-American Academic Finalist and State Champion. The Council has been privileged to be of benefit to the outstanding young men and women with the annual scholarship and the Council is planning to contact all of the past winners to follow their careers and progress in the business world. Cox High School and Virginia Beach School System officials have recognized the Council and the Lane Malbon Scholarship has a major award for top level students in the school and work with the Council to find a student to match the requirements of the award.

The Chairman of the Scholarship and Golf Tournament is Charles Malbon and has organized the tournament to fund the scholarship each year for the special award. The Tournament winner for 2011 was Joe Bartley and the Lehigh Cement Team. The support for the Council and the Scholarship is recognized as one of the annual major events of the Council and is a very special activity. 🚧



Charles Malbon with 2011 golf tournament winner Joe Bartley.

Hundreds “Rally for Roads” in Washington DC



“Rally for Roads” was held in Washington, DC, on May 25th to convince Congress of the critical need to pass a long-term, fully-funded surface transportation reauthorization bill. Members of Congress assembled to address hundreds of employees from the transportation construction industry, wearing hardhats and other equipment, whose jobs are at risk if lawmakers fail to pass a highway program sufficient enough to meet the demands of our nation’s crumbling infrastructure needs. Held in conjunction with the Transportation Construction Coalition Fly In, the Rally featured employees from all facets of the road construction industry, including materials providers, road pavers, and equipment manufacturers and dealers. 🚧



EPA, HUD, DOT Mark Partnership for Sustainable Communities Anniversary

On June 16th the U.S. Environmental Protection Agency, U.S. Department of Housing and Urban Development and U.S. Department of Transportation celebrated the second anniversary of the Partnership for Sustainable Communities, an interagency effort to help communities nationwide improve access to affordable housing, increase transportation options, and lower transportation costs while protecting the environment and people's health.

Since announcing the partnership, the agencies have dedicated more than \$2.5 billion in assistance to more than 200 communities in 48 states to help meet housing and transportation goals while simultaneously protecting the environment, promoting equitable development, and addressing the challenges of climate change. Of that funding, \$238 million was focused on America's rural communities.

As part of the anniversary, the partnership highlighted the resources available at <http://www.sustainablecommunities.gov/>, a one-stop shop for best practices, grant announcements, and accomplishments of the partnership.

The joint website serves as a resource to grantees, local governments and American families seeking to incorporate the partnership's six livability principles into their community. The website includes contact information for each agency's sustainability office, ongoing project updates for sustainable community grantees around the country, and recent news and grant information from the Partnership's newsletter, "Partnership in Action."


"When EPA, HUD and DOT pool our knowledge and our strategies in this Partnership, we're better equipped to build solutions that lower transportation costs, reduce harmful emissions and improve our health and the health of our environment," said EPA Administrator Lisa P. Jackson. "In the first two years of this partnership, we have united our efforts to strengthen communities across the country and we'll be working hard to continue that record of success.

"I am pleased to be joined by my colleagues at DOT and EPA to commemorate the second anniversary of the Partnership for Sustainable Communities," said HUD Secretary Shaun Donovan. "Through President Obama's leadership, we are continuing this unprecedented effort to help America's rural, urban and suburban communities realize their visions for building more livable, walkable, and environmentally sustainable regions."

"Over the past two years, the Partnership for Sustainable Communities has helped make America's neighborhoods safer, healthier and more vibrant," said DOT Secretary Ray LaHood. "Through our partnership with EPA and HUD, we will continue to help communities provide affordable, efficient transportation options that improve access to jobs and quality of life for all Americans."

In 2009, U.S. Environmental Protection Agency Administrator Lisa P. Jackson, U.S. Secretary of Housing and Urban Development Shaun Donovan and U.S. Transportation Secretary Ray LaHood announced the interagency partnership to help improve access to affordable housing, provide more transportation options, and lower transportation costs while protecting the environment and health of communities nationwide.

This year, the partnership is continuing its work to provide communities with faster, more streamlined access to its programs and resources and is working closely with other federal agencies, states, and local governments to ensure that partnership programs use federal resources as efficiently as possible to meet the needs of communities around the country. The partnership will help its current grantees succeed by providing technical assistance and tools, building capacity in federal field offices, and giving grantees better access to local networks and resources, while using the lessons learned to help future grantees.

In addition, the partnership will also continue to help cities, suburbs, and rural areas use sustainable community strategies to create jobs, generate economic growth, and encourage redevelopment. With better transportation options, more housing choices, and a healthier environment, communities can attract new jobs and investment. 

On the Horizon Calendar of Upcoming Events

JULY 12, 2011

HRCAC Business Meeting
with special guest Bob Long, ACPA
11:30 AM - 1:00 PM
Surf Rider Restaurant
Cypress Point Shopping Center
Virginia Beach, VA

JULY 13, 2011

4th Annual Building Green with Concrete Workshop
7:30 AM - 3:30 PM
Gainesville, VA

JULY 14, 2011

NVCAC Business Meeting
7:30 AM - 10:00 AM
Manassas, VA

JULY 19, 2011

CVCAC Business Meeting
with special guest Will Rafferty, Swope
11:00 AM - 1:00 PM
Meadowbrook Country Club
3700 Cogbill Road
Richmond, VA

JULY 19-21, 2011

ACI Concrete Field Testing Seminar and Examination*
Crowne Plaza Hampton Marina
700 Settlers Landing Road
Hampton, VA
*PRE-REGISTRATION REQUIRED

AUGUST 2-4, 2011

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

AUGUST 10, 2011

BRCAC Business Meeting
12 NOON - 1:30 PM
Rowe's Family Restaurant
74 Rowe Road
Staunton, VA

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

Filing Lawsuits Just Got Easier!



As an employer, maintaining accurate records and periodically reviewing company procedures can help decrease any potential liability.”

By John G. Kruchko and Christian L. Eberst

In recent years, the number of lawsuits filed by employees with federal and state discrimination agencies continues to surge. Now, other federal agencies are making it easier to file complaints against employers. This is due in part to new federal laws, new federal regulations and, a new federal smart phone app (“app”)? Seriously. The Department of Labor (“DOL”) joined millions of other smart phone application developers and created its own smart phone “tool.” Additionally, the Equal Employment Opportunity Commission (“EEOC”) and the Securities and Exchange Commission (“SEC”) promulgated new rules and regulations that make it easier to hold an employer liable.

Need Help Keeping Track of Your Time-- There Is an App for That

Employees may now find it easier to file wage claims with the DOL. On May 9, 2011, the DOL released a free iPhone or iPod Touch app that allows employees to easily track the number of hours worked and determines the wages they believe they are owed. This app allows an employee to track their regular work hours, break times, and any overtime hours the

employee works. A summary of time worked may be created and emailed as an attachment by the app to anyone directly from the iPhone or iPod. The summary includes the total hours worked by the employee, the total number of breaks taken, the number of overtime hours worked, regular pay, overtime pay, and gross pay. An employee using this app may either track their time with a timer, or enter it manually into the app on any given day.

In addition to simply providing a source for keeping track of hours worked and breaks taken, the app provides the user with notifications. For example, an employee is notified if he or she enters an hourly wage that is less than the federal minimum wage. Or if an employee works more than 40 hours in a week, a message appears informing the employee that he or she is entitled to receive time and one-half their regular rate of pay. The app contains additional messages that inform the employee about misclassification and paid versus unpaid breaks.

The Secretary of Labor, Hilda Solis, hopes that “[t]his app will help empower workers to understand and stand up for their rights when employers have denied their hard-earned pay.” New technology, such as apps like this (which will most likely be available soon for other phones such as

Android-based phones and Blackberrys), make it essential that employers continue to monitor and accurately record the working time of all non-exempt employees. Additionally, if employers provide meal breaks (which some states such as California require), employers must ensure that employees are taking full half-hour and uninterrupted breaks. Finally, employers need to verify they are accurately paying employees' overtime wages.

Should litigation arise, the DOL has stated that "[t]his information could prove invaluable during a Wage and Hour Division investigation when an employer has failed to maintain accurate employment records." Thus, monitoring your records and payments accurately is imperative.

You May be "Disabled" Under the ADAAA

On May 24, 2011, the EEOC issued regulations implementing the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). The ADAAA makes it easier for an individual with a physical or mental condition to qualify as "disabled." This amendment to the original Act was a response by Congress to address several U.S. Supreme Court decisions that limited the application and scope of the ADA. Specifically, the new amendments broadly define "disability" in three ways: (1) a physical or mental impairment that substantially limits one or more major life activities; (2) a record of such impairment; and (3) being regarded as having an actual or perceived impairment that is both transitory and minor.

The terms, "substantially limits" and "major life activities" are two key phrases whose interpretations are constantly contested. The new regulations attempt to clarify and define exactly how and what qualifies as a disability under these definitions. For starters, the regulations clarify that the term "substantially limits" is not meant to be a demanding standard. An employee's impairment need not "prevent, or significantly or severely restrict" the individual in order to be considered "substantially limiting." Additionally, an employer must evaluate whether the impairment substantially limits a major life activity without considering the positive effects of mitigating measures. This means that as an employer, you can't consider a person's medication, therapy, or other medical equipment when determining whether that impairment is a disability.

In addition, the ADAAA expands the definition of "major life activities" to include "major bodily functions." The regulations emphasize that this term is not to be interpreted strictly or be a demanding standard. In addition, whether an activity is a "major life activity" should not be determined by whether it is of central importance to daily life. This new


interpretation, along with the non-exhaustive list of examples of major life activities and major bodily functions provided in the ADAAA and the new regulations, substantially increases the number of activities that may be covered under the ADA.

Beware of Whistleblowers

Finally, the recent approval of the final rules of the new whistleblowing legislation, commonly referred to as the Dodd-Frank Provision, may give employers new reasons to worry. This new Act amends the Securities Exchange Act of 1934 to increase and expand the scope for whistleblower awards. Under the new Act, the SEC will pay a whistleblower for providing information related to virtually any securities violation, which was previously limited to only those directly involving insider trading.

Under the Act, a whistleblower is defined as any individual who provides original information not known to the SEC from another source. The new legislation states that whistleblowers may receive anywhere from 10 percent to 30 percent of a monetary sanction resulting in the collection of over \$1 million from the company based on the information provided by the whistleblower. Surprisingly, the SEC also encourages employees to use any internal programs prior to reporting a violation to the SEC. If the whistleblower first reports the violation internally, the SEC will give them additional credit when determining the size of their reward. According to reports, the SEC will devote approximately \$450 million to rewards for whistleblowers.

In addition to the new monetary award amendments, the Dodd-Frank Act provides an employee with a private right of action against an employer for any retaliation he or she receives after assisting the SEC. Employees now do not have to first go through the DOL to bring retaliation claims; rather, they can proceed directly to federal court. The elimination of that procedural step allows an employee to file a federal suit sooner and easier. Remedies may include reinstatement, double back pay with interest, and legal costs.

With the constant changes in the law, an employer needs to ensure that it is adhering to all federal laws and regulations. The increase in incentives to report violations, and the ease of filing complaints only encourages employees to report issues and file lawsuits. As an employer, maintaining accurate records and periodically reviewing company procedures can help decrease any potential liability. Contact your employment lawyer if you have any questions or concerns about the foregoing changes in the law, or about any employment issue in general. 

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