



Cement Industry Honors Roanoke Cement Plant for 2012 Outreach Activities

On April 29, 2013, the Titan America LCC/Roanoke Cement Company plant in Troutville, Va., received the Outreach Award from the Portland Cement Association (PCA) and Cement Americas magazine as part of the 2013 Cement Industry Energy and Environment Awards. The award was presented at PCA's Spring Meeting in Chicago.

The award honors facilities that strive to enhance community, employee, and government relations through innovative communications and programs. This is the second consecutive year the plant has been honored in this category.

The plant participated in and initiated a number of outreach activities over the course of 2012, including sponsorship of a conservation and science-based Earth Week event involving Fishburn Park Elementary students. The Roanoke Times and Roanoke.com both attended and featured the festivities. The Roanoke plant also worked with the Southwest Virginia Chapter of the United States Green Building Council through a program called the Green Schools



Challenge. This program is a friendly competition to encourage students, teachers, administrators, and others to implement a variety of no or low-cost environmental actions at their schools.

In addition to these projects, the plant has participated in environmental efforts such as the annual Catawba Creek Clean Up, and was recognized throughout 2012 for its numerous efforts in education and community awareness activities.

“Roanoke and other cement companies take very seriously their responsibilities to the towns where their

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Titan *continued from page 1*

employees and customers live. They consider it a privilege to be part these communities and want them to thrive economically and environmentally," said Greg Scott, PCA president/CEO. "The multi-year commitment to projects like the Catawba Creek cleanup illustrate the promise our companies make to ensure their areas are great places to have a home and that employees can take pride in the companies they work for."


The Energy & Environmental Awards honor individual cement facilities that exemplify the spirit of continuous environmental improvement and support this spirit with action. These plants go beyond government regulations and local laws to ensure that their processes contribute to making their communities better places to live and work.

Five categories are recognized: Outreach, Environmental Performance, Land Stewardship, Innovation, and Energy Efficiency. Additionally, PCA presents a special honor to a plant demonstrating excellence in multiple categories.

The award program was created in 2000 by the Portland Cement Association as part of its environment and energy strategic plan for the U.S. cement industry. The awards honor activities conducted during the previous calendar year, and the program is open to any cement manufacturing plant in North America. Judges for the 2013 awards Program included representatives from U.S. EPA-ENERGY STAR, Wildlife Habitat Council, U.S. Geological Survey, World Wildlife Fund, and Cement Americas. 



Latest Virginia Sheetz Opens in Lexington

As part of a revitalized eastern entry into the city of Lexington, the newest Sheetz store opened this month on a prominent corner of the Lexington city limits. The Sheetz company, headquartered in Pennsylvania, continues to open or remodel about thirty-five stores each year and this translates into thousands of cubic yards of concrete for our industry. This current version of the standard unit is familiar to all, featuring the red fuel island canopies and the attractive brick exterior, but the package also includes extensive landscaping, enhanced pavers around the building and an expanded food court with outdoor seating. Don Jeffer, Conrock VP and manager of the local ready-mix plant, says that the concrete paving was a fairly standard Sheetz design, with eight inches of unreinforced concrete over several inches of stone base. In 2012 the Va. Dept. of Transportation had expressed concern over the potential amount of truck traffic generated by the convergence of US Route 60, the Route 11 bypass and Lexington's Nelson Street at this location and the added congestion the Sheetz store would generate, but a traffic flow redesign by Sheetz solved the problem. With this new and attractive Sheetz unit, a new Pizza Hut and a soon-to-be-completed new concrete bridge leading into downtown historic Lexington, this piece of Rockbridge County is taking on a clean, updated look. 

PCA Remains Optimistic on Growth


Following the strongest cement consumption gains in seven years in 2012, cement consumption growth will continue in 2013 with a 6.2 percent increase. According to the latest forecast from the Portland Cement Association (PCA), the majority of market recovery will occur in the second half of 2013.

"Recessions correct imbalances generated during boom periods," Ed Sullivan, PCA chief economist said. "Few economists doubt the generation of a large pent-up demand during the past several years. The question is, when the economy will unleash its potential for strong growth?"

The recession has created a pent-up demand not just for consumer products but also construction. For example, PCA expects housing starts, to reach nearly 1 million in 2013. Multifamily construction also continues to grow at a strong pace and this trend should continue as favorable fundamentals fuel the sector. Multifamily starts recorded a 55 percent gain in 2011 and 36 percent growth in 2012. PCA expects an additional growth of 29 percent in 2013 to 318,000 units.

"Although nonresidential and residential will be in full recovery in 2013, public construction will act as a drag on cement consumption this year," Sullivan said. "However, as the economy gains momentum in 2014, job gains will strengthen states' fiscal conditions and support stronger construction spending."

The accelerated consumption predicted during the second half of 2013 should carry into the following year. PCA projects an increase of 9.2 percent for 2014.

PCA also upwardly revised its long-range projections for 2015-2017. Annual growth during that period is expected to be as high as 11.1 percent. PCA predicts cement consumption levels will reach 120 million metric tons by 2017. 

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By Hessam Nabavi, Director of Industry Services

In October 2012, I wrote about work that has been done which has resulted in the construction of the first concrete subdivision in Virginia. The title of the article was *Under Construction: A New Concrete Sub-Division in Virginia; Introducing 'Amelia Square'*. To view the article from October, please go to <http://www.adobe.com/products/acrobat/readstep.html>.

In this article I reported that, Amelia Square is located in the heart of the Fredericksburg Historic District on William Street, replacing the old Fredericksburg Hardware Store. There will be 20 exclusive three and four story brick townhouses built in four phases. The site plan shows eight townhouses along Win-

chester, six along Amelia, and six that are parallel to the Amelia units and closer to William Street. The main entrance is off Winchester Street. Future plans call for a 50,000 s.f. of commercial building with the possibility of additional town houses above the commercial structure along William Street.

At the time I wrote that the construction of the first phase had started. I am happy to report that the placement of the first phase of concrete paving in the project is now complete. One of the townhouses is ready for occupancy and the owners will be moving in shortly.

A beautiful informational sign has been designed and is under construction. The sign will be installed at the site in the next few weeks. 🚚





Owners Michael & Kari Everett.



VDOT's RCC Project to Begin in Summer 2013

By Hessam Nabavi, Director of Industry Services and James Murray, Chaney Enterprises & NVCAC Paving Committee Chairman

VDOT's main reason for the RCC project on Route 684 (Staffordboro Boulevard) Commuter Parking Lot in Stafford County is to improve circulation and safety conditions for vehicular and pedestrian traffic, and to increase the existing parking lot by another 1,000 parking spaces. Estimated cost for this project is \$9,679,000. The project was advertised for construction on December 2012. Sargent Corporation has been awarded the project, and Chaney Enterprises has been selected as Ready Mix Supplier. VDOT originally was asking for 2000 PSI in two hours, but after many trial batches with various materials and a variety of aggregate sizes, VDOT agreed to settle into a mix design that offers 1600 PSI in 12 hours and 4700 PSI in seven days.

This is going to be a fourteen month long project. Several test pours have been scheduled in the Stafford plant and the site to insure the success of the project. A twin shaft pugmill will be temporarily attached to the dry batch plant which mixes the RCC. RCC then will be delivered by dump trucks to the site. The project will begin in late July or early August of this year. Since this is a pilot project, there will be four pours in 2013 and one pour in 2014. This will allow the project to be tested by the vehicular traffic for several months before the last two pours. 🚚



Special Program for the Design and Construction of Concrete Parking Lots Presented to HRCAC

By J. Keith Beazley, Director of Industry Services

A seminar titled *Considerations for the Design and Construction of Concrete Parking Lots: The "Does and Don'ts" for a Successful Project*, was presented to the Hampton Roads Concrete Advisory Council during the June Business meeting.

It was presented by Robert (Bob) E. Neal, Technical Services Engineer, with Lehigh Cement Company. Bob has over 35 years experience in the field of concrete technology, product development, and troubleshooting various concrete problems. A Fellow in the American Concrete Institute, he is an active member of ACI serving on committee 201-Durability and 232 Fly Ash and Natural Pozzolans.

The primary purpose of a concrete parking lot is to provide a durable wearing surface for vehicular and pedestrian traffic and to safely transfer the wheel loads to the subgrade below. With proper consideration given in both the design and construction phases, a concrete parking lot can be constructed that will be durable, and provide a long service life at a cost competitive with other pavement systems.

Methods have been developed to design light to medium duty parking lots without the need for extensive engineering analysis. Most notably are those developed by the Portland Cement Association and reported in ACI

330R-08 Guide for the Design and Construction of Concrete Parking Lots. The thickness design of light to medium duty concrete parking lots will typically range from 4 to 7 inches depending on the anticipated truck traffic, subgrade support, and concrete flexural strength.

This seminar will highlight the more important factors to be considered in the design and construction of light to medium duty concrete parking lots as acknowledged in the ACI 330-08 document and that are regional specific to Virginia to include:

- Subgrade support and subbases
- Use of simplified thickness design methods
- Concrete quality and strength
- Reinforcement
- Jointing
- Sustainability

The seminar will be presented to Hampton Roads Concrete Contractors and Engineers as a summer program of the Hampton Roads Concrete Advisory Council. The Advisory Council will develop a list of invited guests to attend the special presentation in August and the information promises to create a larger market for concrete parking lots. 🚚



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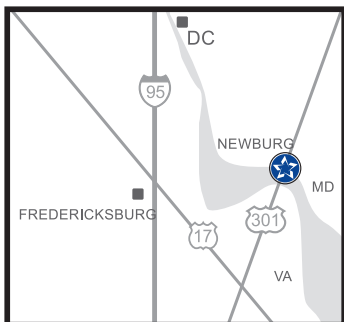
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VRMCA Board Approves New Member Category

During the May 19, 2013 Spring Board meeting, your VRMCA Board members voted unanimously to allow contractors to become members of the Association under the supplier section of the bylaws. The vote was unanimous by all of those who attended the meeting. President Chandler gave a brief overview of why the Board thought it was necessary to make the change. As the bylaws state, we notified the membership within thirty days of this change being made.

During President Chandler's discussion he cited several key reasons why the Board felt that it would be helpful to admit concrete contractors into the Association:

- To create a team approach when promoting our products throughout the Commonwealth.
- To promote the certification of contractors by allowing discounts to VRMCA classes.
- To promote those concrete contracting firms that take the initiative to get their employees certified.

The VRMCA bylaws change is in bold below. The bylaws also state that this change may be affirmed, changed or repealed by the membership at the next regular or special meeting of the membership.

b. **Supplier Members – Supplier**

members shall be those engaged in business in the State of Virginia of supplying materials, machinery, equipment, supplies and services necessary or useful to the preparation and production of ready-mixed concrete, and those engaged as a business enterprise using ready mixed concrete and who subscribe to the purposes of this Association.

Please contact association headquarters by phone, (434) 977-3716, or email doug.easter@easterassociates.com if you have any questions regarding this change. 🚚

Construction Unemployment Drops to 10.8 Percent, Lowest May Mark in Five Years

Construction employment increased by 7,000 in May, helping to push the industry's unemployment rate down to the lowest May level in five years, according to an analysis of new government data by the Associated General Contractors of America. Association officials said the relatively positive jobs report for the sector underscores the need to address potential shortages of skilled workers.

"Although the monthly job gain in May was modest, both residential and nonresidential construction have been adding workers at roughly double the rate of the overall economy in the past year," said Ken Simonson, the association's chief economist.

"At the same time, formerly unemployed construction workers are finding jobs in other sectors, retiring or going back to school. These conditions may lead abruptly to worker shortages in parts of the industry, such as welders and pipefitters."

Construction employment in May totaled 5,804,000, an increase of 189,000 or 3.4 percent over the past year. Aggregate weekly hours of all new and existing construction employees expanded by 5.2 percent from a year earlier. The unemployment rate for workers who last worked in construction dropped to 10.8 percent from 14.2 percent in May 2012, not seasonally adjusted, and the number of unemployed construction workers shrank over the year by 259,000 to 891,000. The latest numbers were the best May figures for each series since May 2008, Simonson noted.

Employment expanded in both residential and non-

residential construction in May, Simonson observed. Residential building and specialty trade contractors added 5,500 workers for the month and 94,400 (4.6 percent) over 12 months. Nonresidential building, specialty trade and heavy and civil engineering construction firms grew by 1,700 workers in May and 95,500 (3.7 percent) from a year earlier. In a positive indicator for future construction growth, architectural and engineering services employers added 2.1 percent to their workforces over the year.

Association officials said there was still time to avoid some of the future worker shortages that will come if the industry continues to add jobs over the coming months. They urged education officials to rebuild skills-based, or vocational, educational programs designed to help prepare students for careers in construction and manufacturing. And they urged Congress and the administration to reject the arbitrary caps on construction workers that are currently included in proposed immigration legislation.

"Just as contractors found ways to cope with the downturn, we need to make sure we are able to address the challenges that will come with the sector's eventual recovery," said Stephen E. Sandherr, the association's chief executive officer. "One of the biggest challenges this industry faces is limited supply of skilled construction workers available to meet the kind of demand we all hope the industry will soon experience." 🚚

Article courtesy of www.agc.org.

Largest Exchange in U.S. Opens at Fort Belvoir

Fort Belvoir celebrated the opening of its new 270,000 square-foot Exchange on Wednesday with a ribbon cutting ceremony. The new Army and Air Force Exchange Service facility is the largest branded store in the continental United States and incorporates the main store, food court, home and garden, military clothing sales, concessions and a satellite pharmacy in one shopping complex.

"Today is the day we get to open the facility to benefit all servicemembers and retirees," said Nildy Eily, Fort Belvoir AAFES general manager. "This day has been years in the making. Wow, we finally made it."

The Exchange now has 22 mall stores, 12 more than the old PX which includes additions to the food court and retail areas. New additions to the food court include Starbucks, Subway, Pizza Hut and Popeye's Chicken. Charley's Grilled Subs, Burger King, and Taco Bell moved over from the old PX.

The new Exchange is also Leadership in Energy and Environmental Design Silver rated. The rating took into account the 958 space parking lot, made of pervious concrete, a special type of concrete with a high porosity that allows water from precipitation and other sources to pass directly through, thereby reducing the runoff from a site and allowing groundwater recharge.

AAFES decided to open the store on a Wednesday to give the staff a chance to get used to maintaining a level of service with a high volume of customers.

"A mid-week opening gives us a chance to work out all of the bugs during the week," said Eily. "That way we are well situated for the weekend."

Tom Shull, director and Chief Executive Officer of AAFES, and U.S. Army Garrison Fort Belvoir Commander, Col. Gregory D. Gadson, were invited to make remarks during the opening ceremony.

The store opening is an example of AAFES's support and dedication to servicemembers, according to Shull.

"It's making this experience better than any experience they get outside the gate," said Shull. "It's trying to rep-



resent the very best of what they could get outside the gate, here, so they feel like this is an extension of their home."

Additionally, the facility brings the modern shopping experience to Fort Belvoir, said Gadson.

"Today we open a store that has everything you want or need under one roof," said Gadson. "It will take your breath away."

The grand opening ceremony featured prizes and giveaways from Exchange vendor partners to include a shopping spree and handbags, live entertainment and an autograph session with former Washington Redskins great, Brian Mitchell.

The added stores, space, and convenience of having the military clothing and home and garden stores under one roof is exciting for servicemembers, retirees and their families, according to Staff Sgt. Chris Stout, 249th Engineer Battalion (Prime Power), specialist.

"It's really hard to describe how vast an improvement this is," said Stout. "The clothing store was so small, and to have the home and garden shop in a different place made me have to go from one side

of post to the other. Now, I can come to one location to do all my shopping."

Another Soldier who attended the grand opening, Sgt. 1st Class Franklin Mejias, feels this new facility is an example of the commitment AAFES has to serving all servicemembers.

"I feel their commitment is very strong especially with the Soldiers we have deployed right now," said Mejias. "AAFES does a lot for them, so to have a facility like this open stateside; I know this is the future of AAFES. I hope we start seeing more facilities like this opened at other installations."

The opening of the new Exchange is an example of what's to come from AAFES, said Shull, as they try to further customize their facilities to the needs of servicemembers and their families.

"Our future lifestyle centers will have theaters," said Shull. "So, it will be a holistic approach to the servicemember's lifestyle. We are making sure we capture what servicemembers and their families need." 🚗

Article courtesy of Justin Creech from the Belvoir Eagle.

Workplace Bullying is a Developing Concept

By John G. Kruchko and
Kathleen A. Talty

The word "harassment" found its place in the employment setting as a result of the employment discrimination laws and this was largely the result of the judicial recognition of sexual harassment as an impermissible form of sex discrimination under Title VII of the Civil Rights Act of 1964 ("Title VII"). Over time, employment-based harassment claims were extended to other protected classifications under Title VII, as well as the Age Discrimination in Employment Act and the Americans with Disabilities Act.

The "hostile" work environment arm of the employment-based harassment claims is based on conduct that is sufficiently severe and pervasive to alter the terms and conditions of employment and the complained of conduct continues for a period of time. To be actionable under the employment discrimination laws, however, the complained of conduct must be shown to be based on the victim's protected classification, e.g., sex, race, disability, etc.

A new term that is gaining considerable traction in the employment setting is "workplace bullying" and some commentators would suggest that this type of behavior will in some ways supplant employment-based harassment claims. According to one survey, twenty-one percent of American workers have been targeted directly by office bullies. Another survey indicates bullying in the workplace is three times as prevalent as illegal discrimination.

So what is workplace bullying? The Workplace Bullying Institute which was founded in 1997 defines the term as "repeated, health-harming mistreatment of one or more persons (targets) by one or more perpetrators that takes one or more of the following forms: verbal abuse; offensive conduct/behaviors (including nonverbal) which are threatening, humiliating or intimidating; or work interference... which prevents work from getting



done." According to the Workplace Bullying Institute, in most cases of bullying the bullying party is the supervisor. When the bully and the target are of the same protected classification, e.g., both white females, the target of the bullying cannot seek recourse under the employment discrimination laws. Therefore, there is some momentum to enact legislation on the state levels to address workplace bullying and to provide monetary relief to the targets of the bullying at the expense of the employer. A draft "Healthy Workplace Bill" is currently circulating. While the specific components of the draft legislation have not been made public, it is sure to include monetary components that would include wages, compensatory and punitive damages.

To date, there is only one reported court case which involved the use of workplace bullying as part of the plaintiff's argument. In *Raess v. Doescher*, the Indiana Supreme Court upheld a \$325,000 jury verdict against the defendant surgeon. The facts in the *Raess* were clearly extreme. The plaintiff was an operating room technician and the defendant was a cardiovascular surgeon. The facts in the case indicate that the technician had complained in the past to the hospital about the surgeon's bombastic behavior and the


surgeon was particularly angry about the reports filed by the technician. Things literally blew one day when the surgeon aggressively charged at the technician "with clenched fists, piercing eyes, beet-red face, popping veins, and screaming and swearing at him." The defendant then stormed past the plaintiff and left the room, stopping to say to the plaintiff, "you're finished, you're history."

After the heated exchange, the plaintiff/technician filed a lawsuit against the surgeon. The plaintiff did not bring a claim for "workplace bullying" because such a cause of action is not recognized. Instead, the plaintiff alleged tort claims of assault and intentional infliction of emotional distress. While the case did not involve any stated claim of workplace bullying, reports on the case state that the plaintiff's attorney's opening and closing arguments were interspersed with frequent references to the "workplace bullying" conduct of the surgeon. A psychologist was also called to testify as part of the plaintiff's case and the psychologist characterized the confrontation between the technician and the surgeon as "an episode of workplace bullying" and the defendant as a "workplace abuser." The jury's \$325,000 verdict for the plaintiff might suggest that

they were possibly influenced by the psychologist's characterization of the exchange.

Despite the interest in enacting state legislation dealing with workplace bullying, there are more pro-active ways for employers to address this issue and to improve or to maintain employee morale. In response to incidents of work-related violence, most employers adopted a zero tolerance policy which sets out the employer's prohibition to aggressive or other forms of inappropriate conduct in the workplace. The policy should be revised to ensure that the policy's prohibition extends to verbal comments and statements and other behaviors that can have an intimidating effect. It might be helpful if the policy include examples of the types of behavior and conduct that falls within the policy's scope. The policy should also identify the individual to

whom employees can bring complaints related to this policy. As is the case with the complaint procedure in sexual harassment policies, the complaint procedure for bullying complaints should allow the employee to by-pass, if necessary, the employee's immediate supervisor. The revised policy should then be reviewed with employees.

Supervisory personnel should also receive training and instruction on the employer's zero tolerance policy, which encompasses situations that could be viewed as bullying. The training should encompass the contents of the policy and also include specific examples of the conduct that is prohibited in the workplace and by the policy. Further, supervisors should be advised of their responsibility to ensure that the workplace is free of harassing and bullying conduct. 

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

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JULY 8-10, 2013

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JULY 9, 2013

NVCAC Golf Retreat

Bull Run Golf Club
7:00 AM - 3:00 PM
Haymarket, VA

JULY 11, 2013

HRCAC Business Meeting

11:30 AM - 1:00 PM
Surf Rider Restaurant
Virginia Beach, VA

JULY 16, 2013

CVCAC Business Meeting

11:30 AM - 1:00 PM
Meadowbrook Country Club
Richmond, VA

JULY 17, 2013

SWCAC Business Meeting

8:00 AM - 9:30 AM
Roanoker Restaurant
Roanoke, VA

JULY 24, 2013

VRMCA Technical Committee Meeting

10:00 AM - 12:00 PM
The Place
Richmond, VA

JULY 30, 2013

VRMCA/VDOT Joint Committee Meeting

10:00 AM - 12:00 PM
VCTIR Offices
Charlottesville, VA

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



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