



THE READY-MIXER



Virginia Ready-Mixed Concrete Association Newsletter

March 2014

Sam Kirby to Retire as F&R President; COO Don Sipher Named as Successor

Froehling & Robertson, Inc. announced today that Samuel H. Kirby, Jr., P.E. will be retiring as president of F&R in March 2014. Company COO Donald J. Sipher, P.E. will succeed Mr. Kirby as President.

Mr. Kirby has been president of F&R since 1989. He joined the company in 1976 as a staff engineer and was subsequently promoted to Director of Asphalt and Soil Services (1978), assistant vice president (1979), vice president (1980), and executive vice president (1983). Mr. Kirby is a past president of the American Council of Engineering Companies of Virginia and the Construction Specifications Institute. He has also held several senior positions with the American Council of Independent Laboratories and has served on the Chairman's Circle of Greater Richmond Chamber of Commerce and the Transportation Committee of the Virginia Chamber of Commerce.


"I am grateful to have spent more than 38 years with this great company, and am deeply honored to have served as president for the past 25. I am very proud of what F&R has accomplished during my time with the company," said Mr. Kirby. "I believe that 2014 is the right time for me to retire for a

number of reasons. First, the company has effectively navigated the difficult economic shoals of the Great Recession, and we are well positioned to take advantage of the marketplace before us. Second, we have developed a vision for the company that will guide F&R for many years to come, and this gives me great confidence about F&R's future success. And third, Don has been preparing for his new role as my successor for several years, and 2014 is the right time for him to assume his place as the president of the company."

Mr. Sipher joined F&R in 1983 as a geotechnical engineer – the first P.E. in the company's Roanoke branch – and five years later was promoted to manager of the office. He was named a vice president in 2000 and assumed his current position of Chief Operating Officer in 2013. Mr. Sipher is a past president of the American Council of Engineering Companies of Virginia and served in leadership positions with both the Virginia Ready-Mix Concrete Association and the American Concrete Institute. He is also proud to state that he has been a scoutmaster for 17 years and seen 67 of his charges earn the title of Eagle Scout. Mr. Sipher earned his M.B.A. from Radford University in 1987, his M.S.

in Civil Engineering from Purdue University in 1978, and his bachelor's degree in Civil Engineering from Clarkson College of Technology in 1977.

"I am humbled and excited by this opportunity to serve as president of Froehling & Robertson, Inc. We will stand firm by the timeless values laid down by our founders, yet act decisively to maintain our strong competitive position," said Sipher. "For more than 25 years, Sam has provided invaluable leadership for F&R and our industry. With the support and engagement of F&R's employees, I look forward to building on Sam's legacy and to leading this company to even higher levels of achievement."

To ensure a smooth transition, Mr. Kirby has graciously agreed to support F&R as President Emeritus. 

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Concrete Field Testing Technician Certification Program

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Upcoming ACI classes:

Virginia Beach	April 22, 23, 24 FULL
Warrenton	April 29, 30, May 1 FULL
Richmond	May 27, 28, 29 FULL
Bristol	June 10, 11, 12
Harrisonburg	June 24, 25, 26
Virginia Beach	July 8, 9, 10
Roanoke	July 22, 23, 24
Richmond	August 19, 20, 21
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VRMCA Welcomes Ann-Germaine Danz as Director of Industry Services for Central Division / Hampton Roads

VRMCA is pleased to announce the addition of Ann-Germaine Danz as Director of Industry Services for Central Virginia and Hampton Roads.

Ann-Germaine's background is in architecture and her interests are in sustainability and industrial architecture. She earned her Bachelors of Architecture with a minor in environmental studies in 2008 and Masters of Architecture in 2011 from the University of Michigan in Ann Arbor.

Ann-Germaine recently moved from the Detroit, Michigan area where she worked for a full-service architecture and engineering firm. Her husband accepted a job offer with Huntington Ingalls, working on new construction U.S. Navy vessels. They now reside in Newport News.

It was fitting for her to arrive in Virginia in time to attend the christening of the U.S.S. Gerald R. Ford aircraft carrier (a U.S. President from her home state



and alumnus from her alma matter) and observe first-hand the scale of industry that this state produces.

As Director of Industry Services, Ann-Germaine will be guiding the Central Virginia and Hampton Roads regions of the concrete advisory council. She has

been introduced to technical presentations by concrete industry experts at the Virginia Concrete Conference in Richmond and has met VRMCA members at the Hampton Roads, Central Virginia and Northern Virginia council meetings.

She has been shadowing Hessem Nabavi, Director of Industry Services in Northern Virginia, learning the ins and outs of the industry and the incredible capabilities of pervious concrete. Phil Kresge of the National Ready-Mixed Concrete Advisory Council joined them for a tour of various completed pervious concrete paving projects in the Northern Virginia territory where they pointed out the importance of good craftsmanship and well-trained pervious concrete installation contractors.

Ann-Germaine looks forward to working with VRMCA members in the promotion of ready-mixed concrete, involvement in ACI courses, and meetings with design professionals. 🚚



Contest Celebrates Safety Successes

It's time for the Annual VRMCA Safety Contest. The contest is an excellent way to demonstrate and recognize your commitment to safe plant operations. This recognition may boost employee morale, reduce company losses and is a positive reflection of your company and of the industry's safety effort.

Winning plants, regardless of size, will be recognized on a Gold, Silver or Bronze level based on Lost Time Injuries and Injury Frequency Rate (IFR). The most recent IFR for the Ready Mixed Industry by the Bureau of Labor Statistics (BLS) is generated from the OSHA 300 form that each company is required to maintain throughout the calendar year. Awards are based on safety performance for the 2013 calendar year. Winners will be recognized at the 2014 Spring Convention at The Greenbrier in May.

There is no fee to participate— simply return the required forms before the April 11, 2014 deadline. Contest details and forms have been emailed to the membership and will be posted on the www.vrmca.com website. For questions about the contest, please call or email Christina Sandridge at 434/326-9815 or christina.sandridge@easterassociates.com. 🚚

Inca Builders Inspire a Modern Engineer



Christine Fiori, Associate Director of the Myers-Lawson School of Construction at Virginia Tech in Blacksburg, has studied the Inca Road in Peru and uses the experience in engineering education.

BLACKSBURG — Four years' worth of research on the ancient Inca Road of the Andes led by a Virginia Tech engineering professor will be part of a major Smithsonian Institution exhibit scheduled to open next year.

Christine Fiori, Associate Director of Tech's Myers-Lawson School of Construction and a professor of engineering practice, secured a \$90,000 grant from the National Science Foundation to lead multidisciplinary teams of students and experts to Cusco, Peru to study the ancient road building methods of the Qhapaq Ñan, or Main Andean Road.

Some of the project's findings were surprising, like the lack of a stone foundation for the road, Fiori said. And others, like sophisticated hydraulic features show how ancient technologies could inform modern construction.

But mostly, Fiori said the road could serve as a way to interest young people in engineering careers — a goal she is committed to realizing in the future.

The beginning of the Inca empire

dates to about 1200 A.D., to a small agricultural society in and around Cusco, said Jose Barreiro, assistant director for research at the Smithsonian's National Museum of the American Indian in Washington, D.C.

But by the early 1400s, the empire was expanding rapidly, spurred in part by the culture's creation story, wherein the Inca were commanded to bring order out of chaos, Barreiro said.

The Inca had no written language, no draft animals, no metal tools and no wheeled vehicles. Yet, at its peak the empire had absorbed 100 indigenous nations and had a population of more than 10 million operating a sophisticated agricultural system, constructing stone food storehouses and grand temples, weaving bridges from natural materials and building and maintaining a 22,000-mile road network that crisscrossed present-day Peru, Ecuador, Chile, Argentina, Columbia and Bolivia.

By the time Spanish Conquistadors arrived in 1532, the Inca had developed

a wealthy, well-fed and strictly regulated society with a complex ceremonial and religious culture.

"It was a major achievement of political integration, transportation and organization capacity," Barreiro said.

Like all empires, it was built "by hook and by crook" and by conquest, he added.

But unlike Spanish rule that impoverished the people, the Inca empire was based on a system of reciprocity, Barreiro said.

The people worked to cultivate crops, build infrastructure and support the religious and governmental functions. In return, the government provided a stable food supply and other goods to sustain its people.

For a long time there has been a perception of the Americas as poorly populated and primitive, Barreiro said. But the study of the Inca shows a major Andean civilization prior to contact with Europe.

"It's a rich sense of achievement. This is important because it's been ignored," Barreiro said.

Archaeology has exploded in the Andes in recent years since efforts began in 2000 to designate the Inca road as a UNESCO World Heritage Site, he said.

Work continues on a joint application for that recognition by the six nations touched by the great road, according to the UNESCO Website.

Barreiro said he and other researchers affiliated with the Smithsonian have been working since 2008 to mount an exhibition titled "QhapaqÑan: The Inca Road" at the National Museum of the American Indian. It will focus not just on the history and the engineering of the road, but on the communities and people who still use parts of it today. The exhibition is scheduled to open in June 2015 and run for three to five years, he said.

In November, the museum hosted a symposium on the engineering aspects of the road, and Fiori presented some of her work there. The museum has collaborated with Fiori's group, providing a satellite link to the U.S. to give updates

"I want young engineers to see what you can do without modern technology. I want to figure out a way to show engineering in a new light."

on their work.

Fiori has organized groups to work on the road each year, evaluating and measuring its features.

She reckons she has walked about 200 miles of the road from village to village, eating meals and sleeping in the homes of the descendants of the road builders. Along the way, the research groups have taken detailed measurements and collected data. And it shows that the ancient road builders' knowledge of water was highly sophisticated.

"They saw the power of water, and they respected it," Fiori said. "They were very good hydraulic engineers."

The road is graded to shed water, which would undermine its earthen foundations if left to stand on the surface. The ancient engineers constructed culverts and drainage ditches to move the water away from the road and installed stone paving on sections subject to flooding and erosion. What's more, the techniques and building standards were consistent across the empire, as Fiori said the teams have found them at far-flung locations.

But the most surprising thing was what the teams found to be missing – a stone foundation.

Fiori said she and her mentor, retired Arizona State University scholar Cliff Schexnayder expected the royal road of the Inca to have been built similarly to ancient Roman roads, with deep stone foundations.

The Inca road group lugged a ground-penetrating radar unit from the U.S. to Peru, with customs agents eye-

ing them all the way, Fiori said. Burros muscled it from Cusco to the first site at about 15,000 feet in the Andes. The team hooked it up, ran it over the ground, and found ... nothing, she said.

Disbelieving, they took the radar unit to other spots. Still nothing.

The Inca road had survived 700 years of use, floods and earthquakes with an earthen foundation.

The Inca built for the ages, Fiori said. And their road and other ancient sites like Machu Picchu have lasted.

The simple, elegant techniques they left behind are today being rediscovered and redeployed in green building and sustainable construction, Fiori said.

With modern technology and machinery, builders can dominate natural forces, at least temporarily. But the Inca road's long history and gentle but advanced construction can teach modern-day builders to try to more often respect natural forces and landscapes, Fiori said.

There also remains on the Inca road lessons about valuing the landscape.

Ceremonial sites have been discovered all along the road. Winding through the high mountain passes, Fiori said its design maximizes awe, hiding until the last moment expansive vistas and ritual areas.

"They were engineering for viewsheds and experiences," she said.

It remains a spiritual experience for the rural villagers who use it as a transportation artery.

"They don't say 'We are going on the road from point A to point B.' They say, 'The road will take us on a journey,'" Fiori said.

Fiori said her journey on the road is not over, either.

"I want young engineers to see what you can do without modern technology," Fiori said. "I want to figure out a way to show engineering in a new light."

Fiori said she's looking for education-related grants that would allow her to bring more students to the Andes. 🚚

Article courtesy of Tonia Moxley from the Roanoke Times.

NVCAC Quarterly Business Meeting Focuses on Stormwater Management; Water Quality Goals



By Hessam Nabavi, Director of Industry Services

Effective July 1, 2013, Department of Environmental Quality (DEQ) officially became the lead agency for developing and implementing state-wide nonpoint source pollution control programs to protect Virginia's water quality and quantity. Nonpoint source pollution is water pollution caused by stormwater runoff that is not confined to a single source, such as a wastewater treatment plant or industrial discharge pipe. One of the main ways of controlling nonpoint source pollution is through stormwater management, which includes erosion and sediment control. Stormwater runoff is water that is routed into man made or natural delivery systems, or it flows as surface waters. If stormwater is not managed it can cause flooding and erosion. It can also deliver extra sediment, nutrients and many other pollutants into our streams. On the other hand, if stormwater is managed appropriately it will protect land and streams from flooding, erosions and contaminants. For this purpose, DEQ has been working

with the local jurisdictions to enhance stormwater management regulations in Virginia.

To keep the NVCAC members informed about these potential changes in SWM regulations, we invited Richard Street, P.E. to talk about "stormwater management update with new legislative bills and brainstorming to meet new water quality goals using pervious concrete" at the NVCAC quarterly business meeting.

Richard is a Senior Environmental Engineer for Spotsylvania County, Virginia with 30 years of experience in the civil engineering field. He specializes in water quality / quantity through drainage, stormwater management, erosion & sediment control, and shoreline restoration. He has worked for various localities, private sector engineers, and was a former VDOT District Drainage engineer.

Richard has taken advanced Hydraulics and Hydrology at Pennsylvania State University and is trained in Rosgen and Virginia Department of Transportation (VDOT) drainage design. He has performed workshops

about low impact development (LID) for the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, Federal Highway Administration as well as various state agencies: VDOT, Virginia Department of Conservation and Recreation, Virginia Department of Environmental Quality, Virginia Department of Game and Inland Fisheries. He has also conducted workshops for numerous Soil and Water Conservation Districts and localities across the Commonwealth of Virginia, teaching the practical uses of LID.

In his presentation, he briefly touched on the following key elements of the new legislation:

- Agreement in Lieu of a Plan provision for single-family residence.
- MS4 (Municipal Separate Storm Sewer System) localities must administer their VSMP (Virginia Stormwater Management Program).
- A Non-MS4 locality that is subject to Chesapeake Bay Preservation Act must administer a VSMP for projects disturbing more than 2500 s.f. and up to 1 acre of land.


- A Non-MS4 locality must notify DEQ (Department of Environmental Quality) if it intends to administer its VSMP [beyond what is required in CPBA (Chesapeake Bay Preservation Act)]. Please Note: A Non-MS4, non-CBPA locality will not be required to administer a VSMP.
- A Non-MS4 locality may change its mind at a later date – it may decide that it wants to administer its own program, or it may decide that it no longer wants to administer its own program.
- Regardless of who administers the program, the state will enforce state permits.
- Parcels within a common plan of development will be governed by the Stormwater Management Plan of the subdivision.
- Neither a registration statement nor payment of DEQ's portion of fee is required for construction of separately built single-family residence.
- Reciprocity with programs in other states for certification of proprietary BMPs is allowed.
- A locality not administering VSMP must provide general notice to applicants of state permit coverage requirement.
- A locality not administering VSMP must report all approvals to begin land disturbance of 1 acre or greater to DEQ on a monthly bases.
- If a locality holds hearings, it will do so in accordance with local hearing procedures.
- Appeals procedures are clarified somewhat.

He wrapped up his presentation by talking about the benefits of pervious concrete as one of the best solutions for SWM. He mentioned any areas within RPAs (Recourse Protection Areas) should use pervious concrete for SWM. Use of pervious concrete can offer millions of dollars in savings in the long

run for SWM in Virginia.

“Resource Protection Areas (RPAs) are the corridors of environmentally sensitive land that lie alongside or near the shorelines of streams, rivers and other waterways which drain into the Potomac River and eventually into the Chesapeake Bay. In their natural condition, RPAs protect water quality, filter pollutants out of stormwater runoff, reduce the volume of stormwater runoff, prevent erosion and perform other important biological and ecological functions. RPAs include any land characterized by one or more of the following features: a tidal wetland, a tidal shore, a water body with perennial flow, a non-tidal wetland connected by surface flow and contiguous to a tidal wetland or water body with perennial flow, a buffer area that includes any land within a major floodplain or any land within 100 feet of a tidal wetland, a tidal shore, a water body with perennial flow and a non-tidal wetland connected by surface flow and contiguous to a tidal wetland or water body with perennial flow”.

VRMCA has been working closely with Richard Street on SWM and the use of pervious concrete for many years. More recently VRMCA provided specific documents that will be used as guidelines for designing and placing pervious concrete to Richard for the newly developed (Virginia Environmental Professionals' Organization) VAEPO website which is a go-to website for SWM information and solutions. On VAEPO's website under the documents, you will find the NRMCA Pervious Concrete Checklist for Construction and compiled lists of completed pervious concrete projects for various regions in Virginia. In addition, there will be a reference to ACI 522.1-13 for pervious concrete specification and ASTM C1701, C1754, C1747 and C1688 for standard testing for pervious.

To view these documents and other information about SWM please go to www.VAEPO.org. 

On the Horizon

Calendar of Upcoming Events

APRIL 8, 2014

HRCAC Business Meeting

11:30 AM - 1:00 PM
Crazy Buffet and Grill
Chesapeake, VA

APRIL 8-10, 2014

ACI Concrete Field Testing Seminar and Examination*

Chandler Concrete of Virginia
614 Norfolk Avenue, SW
Roanoke, VA

*PRE-REGISTRATION REQUIRED

APRIL 10, 2014

NVCAC Business Meeting

11:30 AM - 2:00 PM
Bull Run Country Club
Haymarket, VA

APRIL 15, 2014

CVCAC Business Meeting

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

APRIL 22-24, 2014

ACI Concrete Field Testing Seminar and Examination*

Advanced Technology Center
Tidewater Community College –
Virginia Beach Campus
Virginia Beach, VA

*PRE-REGISTRATION REQUIRED

APRIL 23, 2014

Technical Committee Meeting

The Place at Innsbrook
Glen Allen, VA

MAY 5, 2014

VRMCA Mixer Truck Rodeo

The Meadow Event Park
Doswell, VA

MAY 18-20, 2014

VRMCA Spring Convention

The Greenbrier Hotel
White Sulphur Springs, WV

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

Understanding a Crystalline Waterproofing Specification

When receiving a specification for “crystalline waterproofing” or “integral waterproofing”, there are a number of factors to consider. The product choice made can directly affect the quality of the concrete. Using the wrong waterproofing product for the job at hand can compromise quality, or even affect the concrete producer’s profit per unit.

What Are Integral Waterproofing Systems?

- These systems work within the concrete itself to make the entire concrete structure a waterproof barrier
- There are two main types of integral waterproofing systems: the hydrophilic and the hydrophobic systems.
 - Hydrophilic systems (or PRAHs) typically use a crystallization technology (Crystalline Waterproofing) that reacts with water or moisture to create insoluble crystals, which block the pores and capillaries within the concrete, leaving it impervious to liquid. They perform exceptionally well in below grade structures or when facing hydrostatic pressure.
 - Hydrophobic systems (or PRANs) use fatty acids to create a water repellent layer within the pores, reducing water absorption. These systems repel water and are recommended for use in above grade structures only.

FOLLOWING THE SPECIFICATION When You Get the Opportunity to Select a Waterproofing Admixture, Just What Are You Selecting?

Crystalline-based systems typically come in a dry, powdered form and are hydrophilic in nature. Unlike their hydrophobic counterparts, crystalline systems actually use available water to grow crystals inside concrete, effectively closing off pathways for moisture that can damage concrete. They block water from any direction because the concrete itself becomes the water barrier.



The right waterproofing admixture can improve the quality of the concrete product, and make a positive difference to the concrete producer's bottom line.

In contrast to water repellents, crystalline technologies enable self-sealing. The admixture is a blend of cementitious and proprietary chemicals that actually work with the available water in concrete to form insoluble crystals. These needle-like crystals grow until all pores are blocked and no water can penetrate the concrete. The crystalline formula can allow concrete to self-seal hairline cracks up to 0.5 mm (0.02 in.), even years after the original construction.

What Does This Mean to the Concrete Producer?

By selecting a hydrophilic crystalline waterproofing admixture in the appropriate circumstance, the concrete is optimized for the job. This means that not only is the quality and performance of the product improved – but the bottom line of the concrete producer’s profit and reputation are positively influenced.

Many concrete producers already familiar with this type of crystalline waterproofing have enhanced their product line with a branded, waterproof mix. By including a hydrophilic crystalline admixture they can rely on, many have multiplied their profit per cubic meter.

Concrete that is waterproofed using a hydrophilic crystalline admixture affords other benefits, too. It contains no VOCs from this admixture, and can be easily recycled

when demolition occurs. Any contractor or owner looking to obtain LEED points, or reduce the environmental impact of their project, can benefit in the short and long term by using concrete with this type of waterproofing.

Short Term Benefits:

Reduces site disturbance

Less excavation is required because crystalline waterproofing admixture is added directly to the concrete mix. No need to excavate to accommodate space for workers applying physical membranes.

Reduces waste on the job-site

Hydrophilic crystalline admixtures often come available in custom sized pulpable bags, which are added directly to the ready-mix truck.

Contains no Volatile Organic Compounds (VOCs)

Many hydrophilic crystalline admixtures contain no volatile organic compounds, and do not affect air quality.

LONG TERM BENEFITS:

Safe to Use with Potable Water

Many reputable manufacturers of hydrophilic crystalline waterproofing admixtures have obtained certification from all over the world by various agencies as safe for use with portable water and by NSF

continued on page 10



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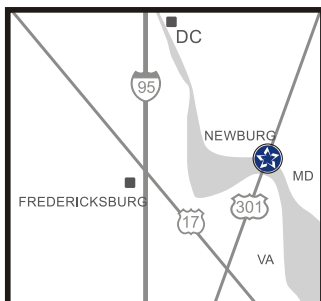
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Crystalline Waterproofing

continued from page 8

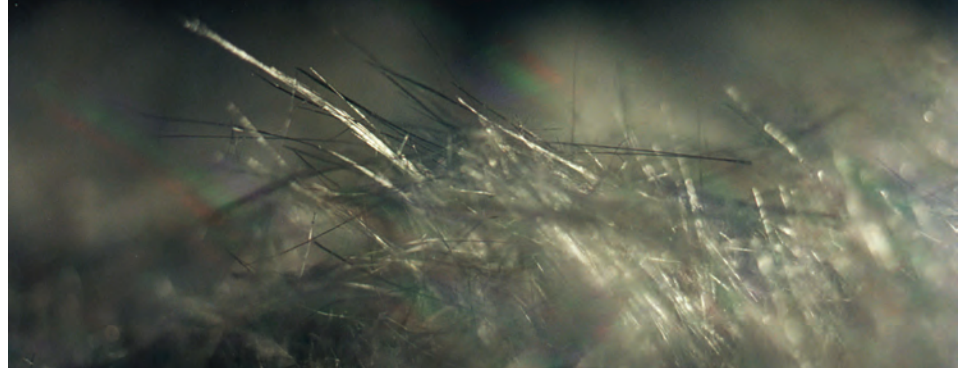
to NSF/ANSI Standard 61 Drinking Water Components – Health Effects.

Creates a Recyclable Concrete

While membrane coated concrete goes straight to the landfill, concrete made with hydrophilic crystalline admixtures can be easily recycled post demolition, eliminating waste.

Permanent Solution

Crystalline technology will last the life of the concrete, growing stronger over time. These types of concrete waterproofing products contribute to the overall durability and life expectancy of a building by stopping corrosion, increasing freeze/thaw durability, and protecting against



Hydrophilic Crystalline Admixtures use a crystallization technology that reacts with water or moisture to create insoluble crystals, which block the pores and capillaries within the concrete, leaving it impervious to liquid.

chemical attack, carbonation and other detrimental effects.

When selecting a product for an integral of crystalline specification, taking the time to understand how the selection will make difference on the end product is critical. Selecting a product that will benefit

the quality of the concrete, the projects intention, the producer’s bottom line, and the customer’s satisfaction should always be the objective. 🚚

Article courtesy of Alain Lok, Senior Business Manager – NE USA, Kryton International Inc.

2014
 Virginia Ready-Mixed Concrete Association
SPRING CONVENTION
May 18-20, 2014
 The Greenbrier
 White Sulphur Springs, West Virginia



www.vrmca.com



THANK YOU

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



March Madness: Could Friendly Wagers Among Employees Put Your Organization at Risk?

By Salvador P. Simao, Joanna S. Rich,
John G. Kruchko and Kevin B. McCoy

March Madness, Super Bowl, and Fantasy Football pools have become ingrained in the American workplace and seem harmless to many; however, permitting such activities creates a wide range of risks for employers, from productivity loss to discrimination and disability issues and even criminal penalties. Before turning a blind eye or participating in the pool, here are a few risks with which employers should become familiar.

Illegal Moves—Gambling at work is illegal in many states, including Virginia, Maryland, and the District of Columbia, and resides in a legal gray area in other states. Further, with more employers operating in multiple states and more employees working remotely, office betting pools may span state lines and may violate federal law.

Blowing the Whistle—Because gambling is illegal, employers should also watch out for employees who “blow the whistle” on activities such as an employer’s betting pool and then claim retaliation.

Impact on Productivity—Although there is no legal liability, employees watching ball games during work hours can reduce productivity and potentially impact your bottom line. Further, just a few employees streaming games on work computers can significantly slow your network, impacting other employees.

Employee Morale—While some managers believe office pools are good for employee morale, be aware that some employees may object to them. An employee who objects to gambling on religious grounds may bring a hostile work environment claim if co-workers – or worse, supervisors – harass or ridicule the employee for not participating in the pool.



Disability—While the Americans with Disabilities Act (ADA) specifically exempts gambling addiction from its coverage, an employee with gambling problems may suffer from other medical conditions, such as depression or mental illness, which may be covered by the ADA or state law. Compulsive gamblers may have other problems at work, such as borrowing money from co-workers, being distracted from work, and attendance problems.


The Best Defense is a Good Offense

If employers decide to take a chance on employee betting, they should institute clear policies. The policy should: (a) state that gambling is illegal; (b) describe acceptable and prohibited behaviors; (c) state that employees can be disciplined for violating the policy; and (d) identify all work areas where betting is prohibited, including offices, cafeterias, and parking lots.

Employers should also include a mechanism for employee complaints and be prepared to handle them in the same way as any other complaints. Enforcement of the policy is key. Employers face a greater chance of liability when they have a policy but do not enforce it fairly.

Employers’ Bottom Line:

Employers should be wary of turning a blind eye to workplace gambling, including bracket pools. Depending on the applicable state laws, employers who choose to allow gambling at work should institute policies defining acceptable and unacceptable behavior and should discipline violators.

Additionally, FordHarrison has prepared a survey of state social gambling laws, which is available on the Knowledge Center page of our web site. 

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