



THE READY-MIXER



Virginia Ready-Mixed Concrete Association Newsletter

November 2013

The Do's and Don'ts for the Design and Construction of Concrete Parking Lots

By Hessam Nabavi,
Director of Industry Services

On October 13th, WACEL and VRMCA/NVCAC held their second joint meeting. The meeting was organized by VRMCA and WACEL to bring an opportunity to a large group of engineers: a discussion about Consideration for the Design and Construction of Concrete Parking Lots, The "Do's and Don'ts" for a Successful Project.

Over sixty individuals, mostly engineers from various counties and private firms, attended this year's event.

The speaker was Robert (Bob) Neal, P.E., Technical Services Engineer with Lehigh Cement Company. Bob has over 36 years experience in the field of concrete technology with emphasis on durability related issues, concrete forensics, pozzolans, and trouble shooting various concrete problems. A Fellow of the American Concrete Institute, Bob is an active member of ACI currently serving on committees 201 – Durability, 232 - Fly Ash and Natural Pozzolans, and is chairman of sub-committee 232-A Use of Natural Pozzolan. He is a past chairman of committee E 902 Field Testing Technician Certification and the Certification



Programs Committee.

Bob gave an outstanding presentation on the above topic. Much of the discussion focused on highlighting the more important factors that need to be considered in the design and construction of light to medium duty concrete

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Virginia Ready-Mixed Concrete Association
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Virginia Truck Center

Parking Lots *continued from page 1*

parking lots based on ACI 330-08. Such factors include Subgrade support, Use of simplified thickness design methods, Concrete quality and strength, Reinforcement, Jointing, and Sustainability.

As Bob said, "The primary purpose of a parking lot is to safely transfer wheel loads to the subgrade below as well as providing a durable wearing surface for vehicular and pedestrian traffic. Parking lots can be designed and constructed as flexible (asphalt) or rigid (concrete) pavements. Quite often, concrete is not initially considered as a viable option for parking lots due to misconceptions regarding the required thickness design and construction details. However, when responsible design criteria are applied, concrete can be a practical alternative for the pavement of a parking lot.

The thickness design of light to me-

dium duty concrete parking lots will typically range from 4 to 7 inches depending on the anticipated truck traffic, subgrade support, and concrete flexural strength. Methods have been developed for the design of light to medium duty parking lots that do not required 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".

To view the entire presentation and the hand out, please go to <http://www.vrmca.com/regions/default.aspx?region=4>.

Please note, VRMCA/ NVCAC has already started planning another Joint meeting with WACEL for 2014 on the topic of "RCC".


Please stay tuned for the future announcement. 



MIT Results Presented at FHWA Sustainable Pavements Technical Working Group

The Federal Highway Administration (FHWA) established a technical working group (TWG) to provide input and feedback on pavement and material sustainability. The working group is composed of representatives from state DOTs, other government agencies, academia and industry. The working group is part of FHWA's Sustainable Pavements Program, established in 2010, which strives to advance the knowledge and practice of sustainability in the pavements and materials area. The integrated program covers asphalt, concrete, granular and recyclable materials used in pavement systems and promotes research into new sustainable materials and processes.

Program objectives include developing guidelines for designing and constructing sustainable pavement systems; evaluating materials, processes, technologies and tools to aid in the evaluation, design and construction of sustainable pavement systems; and conducting technology transfer and deployment activities. In support of these objectives, the working group meets twice a year to exchange ideas, innovative solutions and evaluate products under development by the FHWA sustainable pavements team. At a recent TWG meeting held in Baton Rouge, LA, Franz-Joseph Ulm of the MIT Concrete Sustainability Hub presented the latest results of the pavement-vehicle interaction (PVI) model being developed by MIT and feedback from the group was very positive. Previous input from the technical working group was instrumental in shaping the current version of the PVI model. NRMCA Vice President Pavement Structures Brian Killingsworth is a friend of the committee and ensures that the benefits of ready mixed concrete are considered in the work that the group performs.

For more information about the FHWA Sustainable Pavements Program or results from the MIT CSHub, contact Brian Killingsworth at bkillingsworth@nrmca.org or 830-438-2690. 



Have News for the VRMCA Newsletter?

Email your news and announcements along with photos to Marci Malinowski at marci.malinowski@easterassociates.com.

New Dollar General Store Converts to Concrete Paving



By Bob Nablo,
Director of Industry Services

The newest Virginia Dollar General Store, in Vinton, opened in late October. Converted to concrete paving at the urging of VRMCA member Boxley Concrete Products, the unit required about 330 cubic yards of concrete and was completed in two days. Tracy Russell of Boxley reports that the placement went very smoothly, with a minimum of delays, and the owner, the contractor and everybody involved was very pleased with the quality and the speed of the project. Brawley Construction of Mooresville, NC was the General Contractor.

Goodlettsville, TN-based Dollar General Corporation is the nation's largest small-box discount retailer. The stores are 7,200 sq. ft. in size and offer a carefully edited assortment of the most popular brands at low prices in small, convenient locations. Dollar General has more than 10,000 stores in 40



states, and reports almost \$15 billion in sales annually. The first store opened in Scottsville, Ky in 1939, and in 1955 became Dollar General Stores with no item costing more than \$1. By 1976 annual sales surpassed \$100 million. In 1996 sales exceeded \$2 billion, and more than 25,000 employees worked in 3,000 stores. The company has almost 300 stores in Virginia and is particularly proud of its nationally recognized GED/ Learn-To-Read program sponsorship.

This project is a good example of how even smaller commercial projects in tight locations can see the value in concrete paving and can be "flipped" from an asphalt design. Dollar General is the type of company that expects to get decades of service from every unit and realizes the importance of life-cycle costs. This excellent job will provide quality parking for years to come. 🚚



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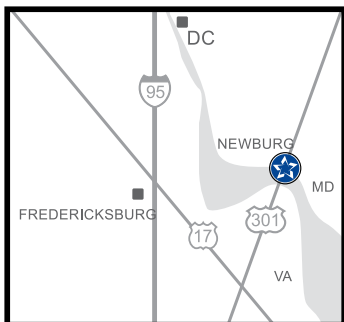
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Federal Alliance for Safe Homes® Releases Hurricane Sandy ‘Tale of Two Homes’ Story of Survival

The Federal Alliance for Safe Homes (FLASH) has launched a new video in its Tale of Two Homes series entitled, “Hurricane Sandy: A Story of Survival.” Released for the one-year storm anniversary, the story features the Sochacki family of Union Beach, NJ, who survived but lost their home and most of their neighborhood. Seth and Karyn Sochacki, and their sons and pets survived by sheltering next door in a concrete home. The Sochacki family is sharing their story to help others understand the link between strong building and disaster survival.


Hurricane Sandy wreaked havoc along the East Coast and barreled into New York and New Jersey as a rare super-storm, causing \$68 billion in damage and killing 286 people in seven countries. The Sochacki’s 800-square foot, 1940s home broke apart and the debris spread over a five block area. They are alive today because of the elevated concrete home next door, owned by Karyn’s mom and built in 2006 to current building codes and standards. After the storm, the concrete home was the only home remaining



on the Sochacki’s side of the street.

The Sochacki’s loss of their home and belongings, and the destruction to their community is still fresh in their minds. Seth recalls his memory of that day, “The gazebo’s gone. The shed’s gone. The house is gone. [Those are] material things. My concern [was] for my family and their safety, praying that if we come out of this safe, alive, that’s all that matters.” Seth’s son John added, “It was as if the world had suddenly decided to pick everything up and to

put it somewhere else.”

“For fifteen years, we have been sharing the ‘Tale of Two Homes’ that unfolds in every disaster where one home survives and one does not. Seth and Karen’s powerful story tells the tale and its life saving lesson yet again,” said Leslie Chapman Henderson, President and CEO of FLASH. “We have choices when building or choosing our homes, and we can have it all --- affordability and strength but most importantly safety and survival.” 

2014

Virginia Ready-Mixed Concrete Association

SPRING CONVENTION

May 18-20, 2014

The Greenbrier
White Sulphur Springs, West Virginia



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**2014 DATES
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2014 ACI TRAINING SEMINAR & EXAM SCHEDULE

Register Now ... Limited to the first 35 registrants!

Please periodically check our website for class availability at www.vrmca.com.

Warrenton	January 14, 15, 16
Roanoke	January 28, 29, 30
Virginia Beach	February 11, 12, 13
Richmond	February 25, 26, 27
Harrisonburg	March 11, 12, 13
Fredericksburg	March 25, 26, 27
Roanoke	April 8, 9, 10
Virginia Beach	April 22, 23, 24
Warrenton	April 29, 30, May 1
Richmond	May 27, 28, 29
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
Fredericksburg	September 2, 3, 4
Roanoke	September 23, 24, 25
Bristol	October 7, 8, 9
Richmond	October 28, 29, 30
Harrisonburg	November 18, 19, 20
Warrenton	December 2, 3, 4

Schedule your class soon. Classes fill quickly!

Notice: If you have a disability and need assistance to participate in the training or to take the examination, contact VRMCA headquarters at least two weeks prior to the course date.

Register online or complete a registration form for each attendee and mail with your check to:

VRMCA
250 West Main Street, Suite 100
Charlottesville, VA 22902

Company _____
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Seminar Location _____

COURSE REGISTRATION

Course fee includes 2-day course, ACI workbook, *PCA Design & Control* and examination. Materials will be provided when you arrive for class. This registration is valid for the 2014 classes only. No refunds or credits will be given after December 15, 2014.

- \$525 per person for non-members
- \$465 per person for VDOT
- \$350 per person for VRMCA members

Exam Retest—for individuals who have previously taken the ACI class through VRMCA
You must retest within one year of your original test date.

- \$180 retest fee

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Ignoring a Reasonable Accommodation Request Under the ADA Can Be Costly for Employers

By John G. Kruchko and
Kathleen A. Talty

The Equal Employment Opportunity Commission (“EEOC”) is vested with the responsibility of enforcing numerous employment discrimination laws, such as Title VII of the Civil Rights Act of 1964 (“Title VII”), as amended, the Age Discrimination in Employment Act of 1967 (“ADEA”), as amended, etc. While the EEOC certainly enforces those federal statutes, the EEOC is placing a considerable amount of its resources and personnel on the enforcement of the Americans with Disabilities Act (“ADA”), as amended.

Because of the significant changes to the definition of “disability” under the ADA that resulted from the ADA Amendments Act of 2008 (“ADAAA”), it is much easier now for an individual seeking protection under the ADA to establish that she or he has a disability within the meaning of the statute. According to the regulations issued by the EEOC after the ADAAA was enacted, the term “substantially limits” is to be construed broadly in favor of expansive coverage to the maximum extent permitted by the terms to the ADAAA. With one exception (“ordinary eyeglasses or contact lenses”), the determination of whether an impairment substantially limits a major life activity, according to the EEOC regulations, “shall be” made without regard to the ameliorative effects of mitigating measures, such as medication or hearing aids.

The EEOC regulations also make it easier for individuals to establish coverage under the “regarded as” part of the definition of “disability.” Under the ADAAA, the focus for establishing coverage under the “regarded as” prong is on how a person has been treated because of a physical or mental impairment, rather than on what an employer may have believed about the nature of the person’s impairment.

As a result of the ADAAA and the implementing EEOC regulations, the enhanced focus of the EEOC is on the employers’ actions with respect to their obligation to provide reasonable accommodation. Reasonable accommodation is



For example, if an employee tells his/her supervisor, “I am having trouble getting to work at my scheduled starting time because of medical treatments I am undergoing”, the employee is requesting a reasonable accommodation to the employer.

a modification or an adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of nondisabled employees. The ADAAA requires an employer to provide reasonable accommodations to qualified individuals with disabilities, “unless to do so would cause undue hardship.”

In requesting an accommodation, the individual or his/her representative must let the employer know that she/he needs an adjustment or change at work for a reason related to a medical condition. However, in making the request, the individual or his/her representative need not mention the ADAAA or ADA or use the phrase “reasonable accommodation”

in order to give rise to the employer’s obligation. For example, if an employee tells his/her supervisor, “I am having trouble getting to work at my scheduled starting time because of medical treatments I am undergoing”, the employee is requesting a reasonable accommodation to the employer. When such a request is made, the employer and the requesting employee must then engage in an “interactive dialogue” in order to identify the appropriate reasonable accommodation.

Some recent lawsuits filed by the EEOC illustrate the consequences when an employer did not provide a reasonable accommodation. In one case, a large retailer of toys and juvenile products was sued by the EEOC for failing to provide a reasonable accommodation to an applicant. The applicant applied for a position and the employer was advised by the applicant’s mother that her daughter was deaf and that an interpreter was needed


during the interview. In response to this request, the employer refused to provide the interpreter and told the applicant's mother that the applicant would have to provide her own interpreter. The applicant's mother then acted as the interpreter for the interview. When the applicant was not hired, an employment discrimination charge was filed and then the lawsuit was later brought by the EEOC. The retailer settled the lawsuit and was required to pay \$35,000, provide training to managers, post a notice of the settlement and other equitable relief.

In another lawsuit, a major national general construction contractor agreed to pay \$125,000 to settle a lawsuit filed against it by the EEOC. According to the EEOC, an employee sustained a leg fracture that required surgery. When the employee was released to return to work, the employee requested an accommodation of a wheelchair ramp to enter the office and to be allowed to use crutches and a walker while at work. The employer refused the requests and terminated the requesting employee within days of the employee making the request.

When a power grid employer was recently sued by the EEOC because the employer had refused to grant an employee's request for a leave of absence, the employer argued that providing the requested accommodation represented an undue hardship because the employee's position was a critical one that could not be kept vacant during a leave of absence. While an employer can minimize its liability for refusing to provide a reasonable accommodation by showing that the requested accommodation would impose an undue hardship on the company, the company in this case was not able to make the required showing. Specifically, the facts showed that, after the company

terminated the employee who requested the leave of absence, the company waited a month after the employee's anticipated return-to-work date from the leave to fill the position and then allowed the new employee to delay her own start date by another three months. The prolonged delay in filling the "critical" position seriously undercut the employer's undue hardship defense. The employer eventually settled the lawsuit for \$90,000.

A decision of a bank to settle a lawsuit brought by the EEOC demonstrates the point that an employer's obligation to provide a reasonable accommodation is not extinguished when the employer provides one accommodation. In this case, the EEOC alleged that the bank terminated disabled employees at the end of their medical leaves of absence rather than offering accommodations which would have allowed the employees to return to work. According to the EEOC, the other accommodations that the employer could have offered were either additional leave or transfers to different positions. To resolve the lawsuit, the bank agreed to pay \$400,000 to fourteen former employees.

Because front-line supervisors are often the supervisory personnel who first receive an employee's accommodation request, it is important that those supervisory personnel are properly trained on the employer's responsibilities under the ADAAA, including the obligation to provide reasonable accommodation unless it would cause an undue hardship. The front-line supervisors should be instructed that all accommodation requests must be brought to the attention of Human Resources and that any decision to reject or refuse an accommodation request must be made in consultation with Human Resources. 

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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 Ms. Talty at (410) 321-7310 or JKruchko@KruchkoandFries.com, or KTalty@KruchkoandFries.com. This article is published for general information purposes, and does not constitute legal advice.

On the Horizon

Calendar of Upcoming Events

DECEMBER 3, 2013

HRCAC Business Meeting

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

DECEMBER 3-5, 2013

ACI Concrete Field Testing Seminar and Examination*

Harrisonburg VDOT Residency
3536 North Valley Pike
Harrisonburg, VA

*PRE-REGISTRATION REQUIRED

DECEMBER 10-12, 2013

ACI Concrete Field Testing Seminar and Examination*

Chandler Concrete of Virginia
614 Norfolk Avenue SW
Roanoke, VA

*PRE-REGISTRATION REQUIRED

DECEMBER 12, 2013

NVCAC Business Meeting

11:00 AM - 2:00 PM
Manassas, VA

DECEMBER 17, 2013

CVCAC Business Meeting

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

MAY 5, 2014

VRMCA Mixer Truck Rodeo

The Meadow Event Park
Doswell, WV

MAY 18-20, 2014

VRMCA Spring Convention

The Greenbrier Hotel
White Sulphur Springs, WV

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