



THE READY-MIXER



think harder. concrete™

Virginia Ready-Mixed Concrete Association Newsletter

July 2016

The Shenandoah National Park & Concrete Design

Every once in a while a project comes along that is more fun than work. Recently, Todd McCoy of Rockingham Redi-Mix and Eugene Friesen of Design Concrete Builders out of Harrisonburg, Virginia were lucky enough to land one of those jobs. The Shenandoah National Park asked them to redo the previously asphalt walkway and turn it into something more functional and beautiful. The nearly finished project ended up being a beautiful Belgian Slate stamped and stained concrete that will not only last a lifetime, but keep guests at the Skyland Resort amazed at the imaginative stamps.

If this job had been a simple concrete sidewalk anyone could have done it, but that wasn't the case! And it called for the expertise of Design Concrete builders, a concrete contractor specializing in decorative concrete. They are a family owned business, run by Eugene Friesen and his son Joe. Bringing over 40 years of concrete experience to the jobsite, their expertise shows through in their attention to detail. In 2010 they even won the Overall Commonwealth Award from the Virginia Chapter of the ACI. All that experience will come in handy on this job.

The job started off simple enough; pull out the old asphalt walkway and replace it with a concrete sidewalk. The fun part starts with the Belgian slate stamp that is applied to the sidewalk. That is a cute wrinkle but the really interesting part are the animal tracks stamp that are applied next. There are deer tracks, bear tracks, racoon tracks and more. Just putting down the stamps drew a crowd of people watching the Friesen's team work. Originally, the job started out as just one section of sidewalk. It has now grown to be a large section including a circular centerpiece at the heart of the entrance to the resort.

This job is a great start for concrete at Shenandoah National Park, replacing asphalt and bringing even more beauty to



one of the most beautiful parks in the world. Once the job is completed, look for even more pictures to come.

Jason Connor, Director of Industry Services

in the mix ...

"Technology Happens", Is Your Business Ready to Compete?	3
NLRB Holds Employer Consent Not Required for a Union to Represent a Bargaining Unit Combining both Regular and Temporary Employees	5

Mixer & Plant Maintenance Seminar	6
VRMCA Fall Convention	7



VRMCA is now on Twitter!

Follow us @VAReadyMix or view the Twitter feed at www.vrmca.com

2016 VRMCA Officers & Directors

PRESIDENT

Stephen Render
Vulcan Materials

VICE PRESIDENT

Robert O'Brian
Lynchburg Ready-Mix

SECRETARY/TREASURER

Genevieve Walker Switzer
T&W Block

EXECUTIVE DIRECTOR

Douglas Easter
Easter Associates, Inc.

PAST PRESIDENT

Jay McNeely
Eagle Corporation

DIRECTORS

Joe Bartley
Lehigh Cement

Sarah Beasley
Capital Concrete Inc.

Larry Bullock
Boxley

Mark Bundy
Branscome

Billy Chenault
Luck Stone Corp.

Morgan Nelson
S.B. Cox Ready-Mix

Robert Sells
Titan Virginia

Jeff Slagle
Chaney Enterprises

Tyler Johnson
Rappahannock Concrete

Tony Wilt
Superior Concrete



Virginia Ready-Mixed Concrete Association

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

Phone: (434) 977-3716 • Fax: (434) 979-2439

easter@easterassociates.com • www.vrmca.com



2016 VRMCA Advisory Council Regions

Jay McNeely
VRMCA Advisory Council Chairman

Eagle Corporation
Charlottesville, VA
Phone: (434) 971-2686
pjm@eagle-corp.com

BLUE RIDGE

Rob Watkins
Chairman
Allied Concrete
P.O. Box 1647
Charlottesville, VA 22902
434-296-7181
rwatkins@allied-concrete.com

Scott Boshart

Secretary/Treasurer
Superior Concrete
Harrisonburg, VA
Phone: (540) 433-2482
sboshart@superiorconcreteinc.com

HAMPTON ROADS

Sarah Beasley
Chairman
Capital Concrete
400 Stapleton Street
Norfolk, VA 23504
757-627-0630 phone

757-627-3927 fax
sarah@capitalconcreteinc.com

Lee Flemming

Secretary/Treasurer
Essroc
Chesapeake, VA
Phone: (757) 647-9409
edward.flemming@essroc.com

NORTHERN VIRGINIA

Duane Laughlin
Chairman
Essroc Ready Mix
150 Lee Avenue
Winchester, VA 22604
540-323-3301 phone
540-723-4178 fax
duane.laughlin@essroc.com

Marc Granahan

Secretary/Treasurer
Lehigh Cement
Stone Ridge, VA
Phone: (703) 618-0735
mgranahan@lehighcement.com

RICHMOND/CENTRAL VA

Fred Lusby
Chairman
Powhatan Ready Mix
3501 Warbro Road
Midlothian, VA 23112
804-744-1472
flusby@powmix.com

John Lockett

Secretary/Treasurer
Roanoke Cement
Richmond, VA
(804) 432-4387
jlockett@roanoke-cement.com

SOUTHWEST

Bret Queen
Chairman
Chandler Concrete
Roanoke, VA
Phone: (540) 345-3846
bret.queen@chandlerconcrete.com

George Kuhn

Secretary/Treasurer
Chandler Concrete
Christiansburg, VA
Phone: (540) 382-1734
george.kuhn@chandlerconcrete.com

“Technology Happens”, Is Your Business Ready to Compete?



The internet is the most powerful mechanism we can imagine to seamlessly match individuals who are looking for something with people who have something to offer. Since the industrial revolution, the world has developed a very complex supply chain of designers, manufacturers, distributors, importers, wholesalers and retailers. In recent times the power of the internet has created a movement that is rapidly eliminating these layers and moving power to new places.

Technology is in a constant state of change. Faster, Cheaper, Easier, Better. It's changing so fast that most can't keep up. Industries have been completely turned upside down without even seeing it coming. Is any industry safe? The fastest growing companies in history produce no products, have little to no physical assets, and most likely didn't exist a few years ago. To name a few: Facebook, the world's most popular media company does not create any content; Uber, the world's largest taxi company does not own any cars; Alibaba, the most valuable retailer does not have any inventory; Airbnb, the world's largest accommodation provider, does not own any real estate. This is the future of competition. The customer interface is everything.

To discuss this topic more in depth we invited Ryan Emmons, Director of Information Technology with Luck Stone, to speak on this topic at our recent quarterly council meeting.

Ryan said; "This year has become a crazy year for technological advancement. Drones, virtual reality, wearables, autonomous vehicles, and artificial intelligence are all making major leaps forward. But what does that mean to the business world or, more specifically, the construction industry? There's a phrase called 'the consumerization of information technology'. This references how new technologies will emerge in the consumer market and eventually make their way over to business, mostly because employees are utilizing the new technologies at home. Once these technologies make their way over to the business side, opportunities for disruption begin to rise rapidly. This year, industries that have largely been untouched for years, maybe even decades, seem to be the targets.

Continued on page 4

Continued from page 4

“Trucking is an example. The term “autopilot” may make you think of Tesla Motors and their autopilot highway mode that is currently available in their cars, but there are companies in Europe and the US right now working on self-driving big rigs and dump trucks. And they have already had some successful test runs. It is important to know that the technology is already here, but the regulations are what will hold off wide-spread adoption. Surprisingly enough, based on the Federal Government’s actions, they are already beginning to clear the path for this technology to take off. Therefore, it could be here sooner than we think, and this would drastically change the transportation and logistics industry.



that you preprogrammed from your smart device. Some of these companies have already had successful test flights. What would this do to the car industry? What would this do to your morning commute? Will Uber and Lyft have to adapt and add a drone option? Would we even need roads anymore? Certainly not as many.

“Drones are another example. What started off as high-end toys have now made their way to the business world. And by the end of August 2016, the new commercial drone use regulations will be in effect. While drones are great for surveying, inspecting, and measuring, did you know that there are a handful of companies working on passenger drones? Here, you would physically climb into an all-electric drone and it would fly you to the destination

“It’s important to be aware of these technologies and how they might affect your business. Even if you believe it’s years away, it will be good to have a well-thought-out response in place. Ultimately, at some point we will have to make a decision on how we will adapt to these technologies, and there will be a competitive advantage for those who were ready”. To view this presentation visit <http://bit.ly/29f178T>.

*Hessam Nabavi, Director of Industry Services
Ryan Emmons*

Thank You

VRMCA GRATEFULLY ACKNOWLEDGES THE SUPPORT OF OUR 2016 MEETING & CONVENTION SPONSORS

			
			
			
			

LEGAL REVIEW

This legal review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.

© 2015 FordHarrison LLP
*John G. Kruchko

NLRB Holds Employer Consent Not Required for a Union to Represent a Bargaining Unit Combining both Regular and Temporary Employees

By John G. Kruchko and Nancy V. Holt*

Executive Summary: In a July 11, 2016 decision that will make it easier for unions to organize temporary employees, the National Labor Relations Board (NLRB) overruled existing precedent and held a union may represent a bargaining unit consisting of both regular employees and temporary employees supplied by another employer even if the employers do not consent. See *Miller & Anderson, Inc.*, 364 NLRB No. 39 (2016). Previously, the NLRB would not permit an election in a bargaining unit that combined employees from more than one employer unless all employers agreed. This decision increases the likelihood that employers who use temporary employees will become enmeshed in labor relations disputes involving those temporary employees.

The NLRB's Traditional Rule for Multi-Employer Bargaining Units

The NLRB's traditional rule has been that under the National Labor Relations Act it could not approve an election in a bargaining unit that combined employees from multiple employers unless all the employers consented. This multi-employer situation frequently arises where an employer (which the NLRB refers to as the user employer) supplements its workforce of regular employees with temporary employees supplied by another employer (which the NLRB refers to as the supplier employer). The NLRB departed from its traditional rule in *M.B. Sturgis, Inc.*, 331 NLRB 1298 (2000). In that case, the NLRB held employer consent was not required for a bargaining unit consisting of the user employer's regular employees and temporary employees who are jointly employed by both the user employer and the supplier employer. The *M.B. Sturgis* decision was short lived. In *Oakwood Care Center*, 343 NLRB 659 (2004), the Board overruled *M.B. Sturgis* and returned to its traditional rule holding that regular employees and temporary employees cannot be combined into one bargaining unit unless both the user employer and the supplier employer agreed.

The Board Overrules Its Traditional Rule

In *Miller & Anderson*, the Board concluded its traditional rule was not consistent with the growing trend to use temporary employees in a variety of industries and that the rule limited

those employees' opportunity for workplace representation. Accordingly, the Board held employer consent will no longer be required for a bargaining unit that combines the user employer's regular employees and temporary employees jointly employed by the user employer and the supplier employer. The Board now will approve such a unit if the regular employees and the temporary employees share a community of interest.

The Impact on Employers

If a union wins an election in a bargaining unit consisting of both regular employees and temporary employees, the user employer and the supplier employer both would have an obligation to bargain with the union with respect to the terms and conditions of the jointly employed temporary employees. According to the Board, each employer would have an obligation to bargain "only with respect to such terms and conditions that it possesses the authority to control." Importantly, an employer's bargaining obligation is not limited to terms and conditions over which it has actually exercised control. Instead, it extends to those topics over which it possesses the authority to control even if that authority has never been exercised. The NLRB's decision leaves a number of questions unanswered. For example, how do the user employer and the supplier employer decide which of them is obligated to bargain over which topics? Similarly, how are disputes resolved when the user employer and the supplier employer do not agree during bargaining? Bargaining also will be complicated by the fact that the user employer will simultaneously be bargaining with the union in the same negotiations about its regular employees' terms and conditions of employment, which may be dramatically different from those of the temporary employees.

Employers' Bottom Line

The Board's *Miller & Anderson* decision will make it easier for unions to organize temporary employees. As a result, employers that use temporary employees face an increased risk of becoming involved in and being required to bargain over the terms and conditions of employment of the temporary employees.

© 2016 FordHarrison LLP | *John G. Kruchko is a Partner with the Management Labor and Employment Law Firm of FordHarrison, LLP, in Tysons Corner, Virginia; B. Patrice Clair is a Senior Associate in the firm's Washington, D.C. office. Rachel Ullrich, an attorney in the firm's Dallas office, prepared an original version of this article. For more information please contact Mr. Kruchko at (703) 734-0554 or Ms. Clair at (202) 719-2055 or by e-mail at jkruchko@fordharrison.com or pclair@fordharrison.com. This article is published for general information purposes and does not constitute legal advice.

2016 Mixer & Plant Maintenance Committee Seminar

On Friday, July 15th, the Mixer and Plant Maintenance Committee held its second seminar in Richmond, Virginia. Industry professionals, including Con-Tech Mixers, ACE-CO, Pearson Systems, Air Liquid Industries, H.N. Funkhouser, and McCarthy/Bridgestone Tire presented products and technology that benefit the equipment we purchase for our everyday business.

We hope all attendees enjoyed the day and thank you again to all of our speakers! Please contact Christina Sandridge at VRMCA if you are interested in joining the Fleet & Plant Maintenance Committee.



On the Horizon | *Calendar of Upcoming Events*

August 9, 2016

Hampton Roads Council Business Meeting
11:30 AM
Chesapeake, VA

August 10, 2016

Blue Ridge Council Business Meeting
12 Noon
Rowe's Family Restaurant
Staunton, VA

August 11, 2016

Northern VA Council Business Meeting
11:30 AM
Wyndham Garden
Manassas, VA

August 18, 2016

Central VA Fiber Reinforced Concrete Technology Seminar
3:00 PM
Country Club of VA
Richmond, VA

August 23, 2016

Southwest Council Business Meeting
8:00 AM
The Roanoker Restaurant
Roanoke, VA

October 2-4, 2016

VRMCA Fall Convention
Hilton Oceanfront
Virginia Beach, VA

Mark Your Calendars Now & Plan To Attend The VRMCA Fall Convention!

October 2-4, 2016 at the Hilton Virginia Beach Oceanfront Hotel

A block of rooms has been reserved for Sunday night, October 2 and Monday night, October 3. In order to receive the convention rate of \$164/night, please call the Hilton today at 757-213-3000 or 1-800-HILTONS to make your reservations or click here to reserve online. Ask for the VRMCA room block.

****The room rate of \$164 will be available until Friday, September 9 or until the group block is sold-out, whichever comes first.****

Registration details and agenda will be sent out soon!

Please also consider becoming a Fall Convention Sponsor for just \$500. Visit www.vrmca.com for the sponsorship form. The benefits of sponsorship include signage at the meeting, recognition in the newsletter, recognition on the VRMCA website and on all emails sent out pertaining to the event.



THANK YOU
VRMCA GRATEFULLY ACKNOWLEDGES
THE SUPPORT OF OUR
FALL 2016
MEETING AND CONVENTION SPONSORS

All Rocks Are NOT Created Equal...
STALITE
STRUCTURAL
Lightweight Aggregate

**MID
ATLANTIC
CONCRETE
EQUIPMENT**



SAVE THE DATE
VRMCA Fall Convention
October 2-4, 2016
Hilton Virginia Beach Oceanfront



WHEN SO MUCH IS RIDING ON
YOUR CHOICE OF CEMENT,
MAKE THE **RIGHT** CHOICE

THE **RIGHT** PRODUCT & SERVICE
IN THE **RIGHT** PLACE
AT THE **RIGHT** TIME

The Smart Road bridge, at 175 feet tall, is Virginia's tallest bridge. Approximately 9,647 cubic yards of high-strength concrete were used to construct the 2,000-foot long bridge.

Roanoke Cement has supplied ready-mix producers and the construction industry with consistent, dependable, high quality cement for over 50 years.

A superior product, backed by excellent customer service, the latest technology, and reliable distribution shows our commitment to serve our customers.

When so much depends on your cement, choose Roanoke Cement. Call 800-782-7622 or 540-992-1501 today.

ROANOKECEMENTTM
A TITAN AMERICA BUSINESS