



PENNSYLVANIA LAND IMPROVEMENT CONTRACTORS' ASSOCIATION

SUMMER 2023 NEWSLETTER

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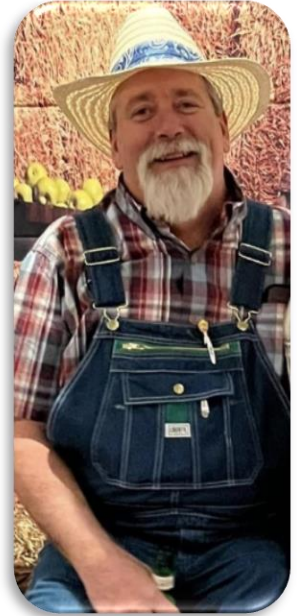
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Updates Between
Newsletters**

PRESIDENT'S MESSAGE – BARRY MUTZABAUGH JR.

Hello everyone,

I hope this letter finds you all well. We are already halfway through 2023. We have attended several 811 shows, will have a booth at Ag Progress Days in State College and then another DOT review at LCTI. We've been able to have one of our associates join our board for legislation advisory. Let's all welcome Brenda Reigle. She is our new watch dog for any government changes. We have had some of the bills that are on the docket in this newsletter. We had a wonderful picnic at Dan & Joanie's homestead in Mercer, Pa. We had 2 students able to receive scholarships. Some of the oldest members of PALICA came out to the picnic and it was an honor getting to spend this time with them. You've got to love being able to talk dirt with these seasoned CAT skimmers (LOL). Well, you all have listened to me long enough, be safe and stay healthy.



Barry

WELCOME OUR NEWEST MEMBERS TO PALICA

**K & M Septic LLC
Amber & Josh King
1223 Plain Grove Rd.
Volant, PA 16156
724-674-9678**

**Merut Construction
George Fetch
324 Dennison Street
Swoyersville, PA 18704
833-637-8826**

**Pioneer Construction Company Inc.
Lanissa Llewellyn
3298 Lake Ariel Hwy
Honesdale, PA 18431
570-647-1590**

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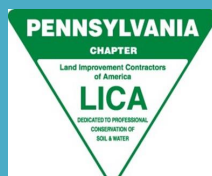
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Joanie Micsky
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Greenville, PA 16125
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Upcoming Events:

- ❖ 7/11/23-7/15/23 National LICA
Summer Meeting in Lincoln Nebraska
- ❖ 9/14/23 - PALICA attending the PA
One Call Safety Show in State College
PA
- ❖ 9/14/23 - PALICA sponsoring a DOT
class and dinner at the LCTI location in
Lehigh County PA
- ❖ 9/16/23 – LCTI holding an Open House
to showcase what they offer for
technical trainings – PALICA & LICA are
sponsors
- ❖ SEPT/OCT – DOT breakfast event at
TOPCON Solutions Store in
Warrendale, PA (DATE AND TIME TBD)
- ❖ NOVEMBER 2023 - PALICA Year End
Board Meeting (TBD)
- ❖ FEBRUARY/MARCH – PALICA State
Convention in Grantville PA
(Dates TBA – we had previously
scheduled it for the last weekend in
March not realizing that was Easter
weekend, so we are in the process of
getting a different weekend)

Heavy Equipment Operator Salary & Benefits: 2023 Report

Jordanne WaldschmidtDon McLoud

Reprinted with permission from Equipment World-www.equipmentworld.com

Jun 7, 2023



This article is based on the results of Equipment World's inaugural Heavy Equipment Operator Salary and Benefits Report and reprinted with permission from Equipment World.

- Heavy equipment operators and managers of operators overwhelmingly agree on one thing: the younger generation doesn't want to work. That is among the findings from *Equipment World's* 2023 Heavy Equipment

Operator Salary & Benefits Report.

- The survey, conducted by *Equipment World*, was taken by 343 construction industry professionals from April 3-21, 2023. Of those, 208 were heavy equipment operators, and 135 managers of heavy equipment operators. Responses that did not fit the job title criteria were not included in the results, and the observations drawn from the results were limited to responses from qualified individuals only.
- Participants across the U.S. answered more than 20 questions about pay, benefits, training, and workforce development.
- An overwhelming 77% of operators and 84% of managers of operators say the lack of work ethic by the younger generation is the biggest reason companies are having a hard time finding talent. And it's leaving the current workforce spread thin. But not all of the comments placed the blame squarely on younger generations. Some pointed to a lack of awareness of construction as a viable career option and a lack of training for young workers.
- "It's not that the younger generation doesn't want to work; it's that too many kids are not being shown the opportunities that exist working in the blue-collar world," said Edward Drake of Randsco Pipeline.
- Glen Pyburn of Arthur Pyburn & Sons Inc. added, "It's very difficult to develop a good operator who has no mechanical ability and no time as a laborer."
- It's a worrisome statistic considering the number of employees who will soon be aging out of the industry and the staggering 341,000 job openings in construction, as of March. The Bureau of Labor Statistics estimates the average age of a construction worker is 42. *Equipment World's* survey, however, indicated the average age of operators is even older.
- On the survey, 82% of the respondents were 50 or older. Forty-four percent of respondents had more than 30 years of experience, and 29% had 21-30 years of experience.
- And despite operators citing pay and benefits as the most important factor when choosing a new job, 37% of respondents say it's still insufficient or perhaps, not enough to make up for the long hours that the industry is known for. **Pg 3 (CON'T)**

Among operator respondents, 21% – the highest response rate of any category – listed their annual pay, before taxes, including overtime, bonuses and incentives, as \$100,000 or more. A total of 54% said they made between \$50,000 and \$90,000.

- Another top factor for choosing a new job was location, followed by the scope of work.
- P. Edward Archuleta of Perfecto Archuleta Construction says the higher wages brought on by inflation and a shortage of operators have been another challenge in attracting quality talent. “The good, qualified operators are being paid to stay in is the biggest reason companies are having a hard time finding talent. And it’s leaving the current workforce spread thin. But not all of the comments placed the blame squarely on younger generations. Some pointed to a lack of awareness of construction as a viable career option and a lack of training for young workers.
- Findings from the Associated General Contractors of America’s 2023 Construction Hiring & Business Outlook show that pay in the industry has been rising. Average hourly wages for construction workers rose 6.1% from December 2021 to December 2022. This exceeded the 5% rise in average earnings for all private-sector production workers during the same period.
- A majority of our operator respondents, 63%, say they have been with the same company for at least the last five years, and 33% say they have a clear career path at their current employer.
- When operators are ready to make a career move, they tend to find their next gig by word of mouth (68%). Next was Indeed or other job posting sites (26%). Coming in third was going directly to a contractor’s website. If there was ever a reason to invest in your local marketing efforts, this is it.



The Training Gap

- Despite the shortage of skilled operators, continuing education and training ranked the lowest among operators when considering a new employer. Corporate culture was also at the bottom. Both of those factors, however, have ranked high in studies of younger workers and the companies they are attracted to.
- With less of the younger generation exposed to careers in construction – due to the fewer vocational classes offered in high school or the social stigma of blue-collar work – company-provided training will likely become more necessary.
- Half of all operator respondents said they had not undergone technical training for their role, and a quarter of respondents said they are encouraged to seek out their own training. Only 15% were provided training by an external facilitator by their employer, and even fewer said their employers (13%) offered a company-wide training curriculum for all employees. Another 6% said their employer provides access to OEM/supplier online or in-person training courses. Over 80% of operators surveyed were non-union.

- Managers of operators more frequently cited internal training opportunities, with 56% saying operators have access to a company-wide training curriculum. Over one-third (34%) of managers said the company sends employees to training events or brings trainers to the facility, and more than a quarter (28%) said the company provides access to OEM/supplier online or in-person training courses. Less than a quarter (22%) said they encourage operators to seek out training on their own.
- So, is the lack of available training and lack of interest in continuing education hurting the industry? It certainly stands out as one of the areas where management and employees were the most divided.
- “There’s very little help from the older generation,” said one respondent.
- “The younger generation lacks discipline and focus. They’re very irresponsible about employment duties,” said another.
- As the labor gap continues to increase, as is predicted, contractors will need to consider proactively training new employees, paying more for the ones they have, adopting more technology to bridge the skills gap or all of the above and more.
- Despite those challenges, the overall tone of the free comment section made it clear: there’s a lot to like about the profession, with several respondents saying some form of, “I love what I do, and I wouldn’t be happy doing anything else.”

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IN CASE YOU MISSED THIS AWESOME WRITEUP IN THE NATIONAL LICA MAGAZINE, HERE'S A REPRINT....

LICA EDUCATIONAL FOUNDATION FOR VETERANS CELEBRATES FIRST HEAVY EQUIPMENT TRAINING GRADUATE!

By CAROLINE KRUG, Assistant to the National LICA CEO and Editor of The LICA Contractor



The LICA Educational Foundation for Veterans is thrilled to announce the successful graduation of its first heavy equipment training program participant, Frank Damiano, who completed an intensive 184-hour training course on May 5, 2023. This milestone achievement showcases the Foundation's commitment to empowering military veterans with valuable skills for prosperous careers in the construction industry.

The LICA Educational Foundation for Veterans is a non-profit organization dedicated to supporting veterans in their transition to civilian life by providing comprehensive heavy equipment training programs. Through strategic partnerships with leading heavy equipment manufacturers and training institutions, the Foundation equips veterans with the necessary knowledge and expertise to thrive in the construction sector.

Damiano's journey with the Foundation began when he escorted CEO, Jerry Biuso, Sr., and Executive Director, Eddy Mayen, down a snowy, icy path to the office on arrival at Camp Freedom—a privately owned property designed for veterans, first

responders, and their families to reconnect with nature through outdoor activities such as fishing and hunting. Recognizing the potential therapeutic benefits of outdoor engagement for individuals dealing with PTSD, Biuso, Sr. and Mayen, at the suggestion of Richard Cottrell and the Pennsylvania LICA board, initiated a conversation with Camp Freedom to explore possibilities for collaboration.

During their visit to Camp Freedom on December 12, 2022, Biuso, Sr. and Mayen shared their vision for the LICA Educational Foundation for Veterans and discussed the goals they aimed to achieve. It was during this meeting that Damiano, an employee at Camp Freedom responsible for maintaining the grounds, expressed his desire to enhance his skills in equipment operation. Having recognized Damiano's enthusiasm and potential, Biuso, Sr. inquired about his previous formal training, which Damiano had not received.

With the Foundation's support, Damiano embarked on a 184-hour training program at LCTI (Lehigh Career & Technical Institute), which covered a wide range of heavy equipment operation techniques, safety procedures, and relevant classroom instruction. Despite logistical challenges due to his military obligations as a Marine reservist, LCTI accommodated Damiano's schedule, allowing him to complete the entire course.

Pg 7 (CON'T)

The LICA Educational Foundation for Veterans covered Damiano's tuition fees and accommodation expenses, with additional financial support provided by Pennsylvania LICA, who contributed \$2,000 to the total cost. Additionally, Pennsylvania LICA has generously pledged \$1,000 from their scholarship fund annually towards the education of a Pennsylvania veteran.

Jim Itterly, one of Damiano's instructors (PICTURED RIGHT), expressed his admiration for Damiano's commitment and work ethic during the training. He commended Damiano for his attention to detail, his active participation in class discussions, and his willingness to help his fellow trainees. Itterly believes that Damiano's meticulous approach and dedication will serve him well in the industry, and he praised Damiano's determination to achieve perfection in every task.

The comprehensive training program provided by the LICA Educational Foundation for Veterans and its partners, encompasses various heavy equipment machinery, including skid steers, excavators, dozers, wheel loaders, backhoes, and more. In addition to machine operation, the program also focuses on subjects such as general safety, preventive maintenance, the OSHA 10-hour course, and flagger training. Students learn essential skills related to trenching, backfilling, grading, and loading trucks, preparing them for real-life work site scenarios.



Reflecting on his experience, Damiano shared his gratitude to Biuso, Sr. and Mayen for providing him with the opportunity to enhance his operating skills, which directly contributes to his work at Camp Freedom, where they strive to offer an exceptional experience for all veterans and first responders visiting the property. Damiano expressed excitement about utilizing his newfound knowledge to further improve operations and ensure that every individual has a remarkable experience on the Camp Freedom grounds.

The success of Damiano as the first graduate of the LICA Educational Foundation for Veterans' heavy equipment training program highlights the effectiveness of the Foundation's initiatives in equipping veterans with essential skills for the construction industry. As the Foundation continues to expand its offerings and forge partnerships with industry leaders, it remains committed to empowering more veterans with opportunities for successful and fulfilling careers. For more information about the LICA Educational Foundation for Veterans, please visit www.licaveteransfoundation.org.

(Educational Foundation for Veterans Executive Director Eddy Mahen pictured with Frankie Damiano above)

About the LICA Educational Foundation for Veterans:

The LICA Educational Foundation for Veterans is a non-profit organization dedicated to providing comprehensive heavy equipment training and career development opportunities to military veterans. Through partnerships with industry leaders, the Foundation equips veterans with the necessary skills to pursue successful careers in the construction industry.



CAMP FREEDOM

Healing heroes with outdoor adventures

**CAMP FREEDOM'S 4TH ANNUAL BANQUET, HELD ON
JUNE 16, 2023, IN CARBONDALE, PA**



Matt Guedes,
was the
Emcee and is
the
Executive
Director of
Camp
Freedom



**PALICA Members Dan & Joanie Micky, and
Barry & Crystal Mutzabaugh with the first LICA
Educational Foundation for Veterans graduate
from LCTI, Frankie Domiano (below).**



**(Above) PALICA &
National LICA were
proud table
sponsors of the
banquet and had a
wonderful night.**

**Proud Sponsors
Recognition – (left)**

CAMP FREEDOM'S 4th Annual Banquet Recap

“Our 4th Annual Banquet sold out and was a record breaker! We had over 400 guests in attendance with over 60 volunteers assisting throughout the evening. We **raised \$345,978 and profited \$222,893 which is a 64% margin!** This will go a long way in providing much-needed services for our guests and allow us to continue expanding services. We thank those in attendance for their generosity and continued support of our mission.”

Next year's banquet will be held on Saturday, June 15. Stay tuned for registration to open. Tables are limited and IT will sell out again, so be sure to reserve your table early.

Danny "The Count" Koker's Galaxie Raffle.

The Count is the Official Spokesperson for Camp Freedom and donated his personal motorcycle that was raffled off at this banquet and brought in a nice contribution to the overall amount raised. You may recognize him from Counting Cars on the History Channel.



“We are excited to share our 2023 car raffle - Danny "The Count" Koker's personal 1964 Ford Galaxie 500 Restomod. This car has been restored and is amazing. The engine is a 429-Ford Cobra Jet - over 500 HP - built to a 460. It is a 6-speed automatic with 3500 Stall Converter. This Galaxie is painted in the traditional Wimbledon White with ghost stars. You can get your tickets [here](#). This raffle is scheduled to end on December 31, 2023.”

Anyone is able to purchase tickets for this raffle. Just go to:

[Home Page - Win "The Counts" Galaxie \(countsgalaxie.com\)](http://countsgalaxie.com) **Pg 10**



Small Business Insights

What is a Limited Liability Company (LLC)?

Provided by: Prins Insurance, Inc.

What Is a Limited Liability Company (LLC)?

A limited liability company (LLC) is a hybrid business structure that combines characteristics of a corporation and those of a partnership or sole proprietorship. Owners of LLCs are referred to as “members,” and may include individuals, corporations or other LLCs. When a business owner considers forming an LLC, they need to be aware of the structure’s advantages and disadvantages. This article provides an overview of its pros and cons. Read on to learn more.

Advantages of an LLC

Structuring a business as an LLC offers several advantages, including:

- **Personal asset protection**—A major benefit of the LLC structure is that it offers business owners personal asset protection. This means if the business faces a lawsuit, the owner’s personal assets—such as bank accounts, cars and homes—are generally safeguarded from any judgments against the business. However, this protection is not absolute. A judge’s ruling can “pierce the corporate veil” in certain situations (e.g., if there’s no clear separation between personal and business transactions or members engage in fraud) and place members’ personal assets at risk.

LLCs are a type of business structure that offer unique benefits to their members.

However, their drawbacks must also be considered.

 **PRINS**
INSURANCE

This document is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel or an insurance professional for appropriate advice. © 2023 Zywave, Inc. All rights reserved.

- **Federal tax flexibility**—An LLC offers its members the option of how it would like to be federally taxed. Members can choose to be taxed as a sole proprietorship or partnership or as a C-corporation or S-corporation. This flexibility gives members the ability to decide the taxation approach that is most suitable for their business.
- **Easy to set up**—LLCs are relatively easy to set up and run in comparison to other business structures. Starting an LLC typically involves registering a unique LLC name with the state, selecting a registered agent, filing articles of organization and obtaining an employer identification number. LLCs may also need to write an operating agreement and open a business checking account. Once established, LLCs do not require an annual shareholder meeting or a board of directors. Additionally, members can manage an LLC themselves or hire outsiders to do it.
- **Versatility**—LLCs allow their members to be flexible in how they organize the business and share its profits. There is no set number of members an LLC must have, and LLCs may afford members flexibility to determine how to share the business's profits in accordance with IRS regulations.

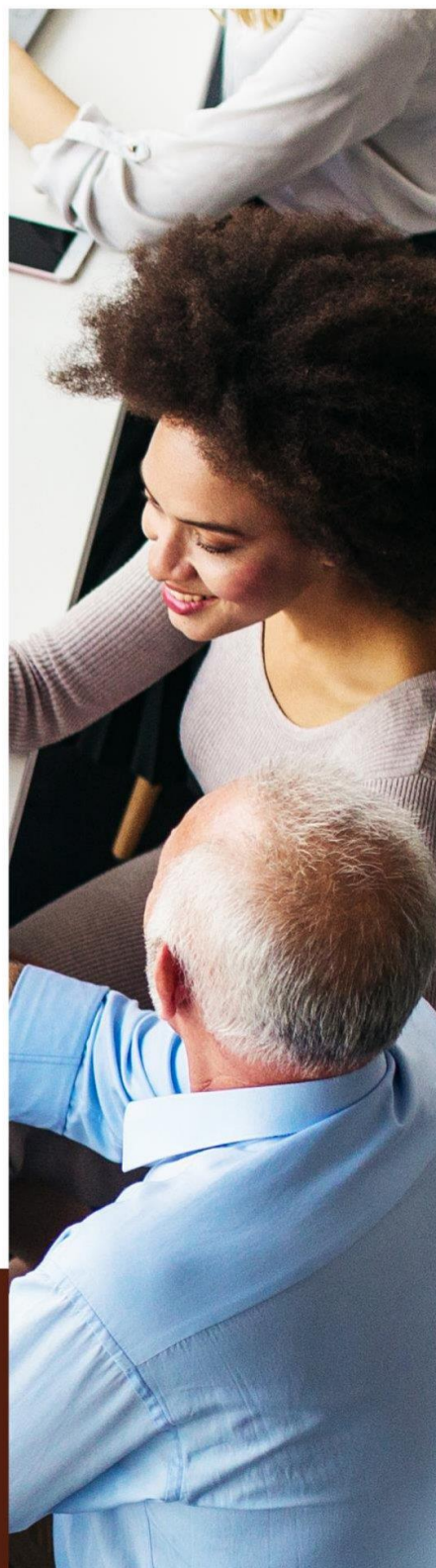
Disadvantages of an LLC

While an LLC offers advantages, there are also drawbacks to consider, including:

- **Expenses**—LLCs typically cost more than a sole proprietorship to set up. Since LLCs are registered at the state level, fees and state taxes vary. The formation process typically involves expenses and once established, LLCs may have to pay annual fees and taxes.
- **Lack of corporate stock**—Since LLCs don't issue stock like a corporation, transfer of membership may be complicated. In some states, if a member leaves an LLC, the LLC may be required to dissolve unless its operating agreement states otherwise. The lack of available stock may also make it more difficult to find outside investors.

Choosing to Start an LLC

Determining if an LLC is the right structure for a business requires weighing its pros and cons and comparing alternatives. Seeking guidance from an attorney may also be beneficial as LLC regulations vary by state and all businesses are unique.



For more small business insights and risk management guidance, contact us today.

Compact Equipment Dominates Sales – See What's Hot, What's Not

Reprinted with permission from Equipment World-www.equipmentworld.com

Jordanne Waldschmidt

Jun 9, 2023

The Bobcat MT100 was the top-selling compact utility loader, the only product category to see new financed sales growth in the first quarter of 2023.



Compact utility loaders were the only bright spot for financed new equipment sales in a year-over-year Q1 comparison, growing 18.4%, according to UCC-1 data from EDA.

Two other compact machine types saw only modest declines in sales during the first quarter. New compact track loaders were down 1% and compact excavators were down 9%.

The remaining seven machine types examined suffered double-digit decreases during the quarter: motor graders (-39%),

wheel loaders (-37%), dozers (-33%), excavators (-28%), skid steers (-24%), articulated haul trucks (-22%), and backhoes (-14%).

Compact Utility Loaders Grow

Kubota SVL97-2Kubota

While still a low-volume category overall, the trend is that compact utility loaders continue to grow, and new players continue to enter the market.



At ConExpo 2023, Case CE previewed its first mini track loader, the TL100, and Wacker Neuson added two new models to its line, the SM60 and SM120.

During the first quarter of 2023, buyers financed 1,651 new compact utility loaders, compared to 1,395 units during the same period in 2022. The top-selling new models were the Bobcat MT100 (427), Kubota SCL1000 (163) and the Toro Dingo TX1000 (115).

Pg 13 (CON'T)

Compact Track Loaders Remain on Top

Meanwhile, compact track loaders continued to flex their dominance over all other product categories by volume sold.

Buyers financed 10,181 new compact track loaders in the quarter. Nearly 40% more CTLs were sold than compact excavators, the next highest type of machine financed.

The top-selling new financed CTLs were the Kubota SVL97-2 (1,547), the Kubota SVL75-2 (1,371) and the Cat 259D3 (679).

However, more compact excavators were sold in the Northeast and West during the quarter. In the West, 1,361 compact excavators were financed, compared to 1,034 CTLs. And 1,039 compact excavators were financed in the Northeast during the quarter compared to 812 CTLs. (For a breakdown of which states are included in each region, go to the Methodology section below.)

Kubota topped the list for the best-selling compact excavators as well with its KX040-4 (591) and KX057-5 (436). Deere came in third with 411 financed new units of its 35G sold.

New Financed Heavy Equipment Sales

Though lower in sales volume than compact machines, we also dug into three full-size machine categories: excavators, wheel loaders and dozers (including low ground pressure, or LGP, models).

The top models for the quarter in terms of number of units financed are as follows:

Excavators:



- Deere 85G (99)
- Bobcat E88 (89)
- Komatsu PC210LC-11 (84)

Wheel Loaders:

- Deere 634P (87)
- Komatsu WA270-8 (86) Deere 544P (76)

Dozers:

- Deere 650K (66)
- Deere 700L (63)
- Deere 850L (60)

Brand Moves

Three brands saw gains in the number of units financed in Q1 2023 compared to the same period last year, the most significant being JCB, which saw a 104% increase. Double-digit gains were achieved by Kubota (16%) and Bobcat (13%).

New Holland saw the greatest decline in the number of units financed for the quarter, posting a 34% drop from 2022 to 2023. All other brands in the top 10 also experienced double-digit decreases: Case (-28%), Cat (-25%), Komatsu (-23%), Takeuchi (-23%), Volvo (-22%), and Deere (-20%).

Depending on the type of machine, financed machines can represent 40% to 75% of the total number of machines of that type sold in the United States. Not included in these numbers are machines bought by cash or letter of credit.



Pennsylvania 811

A Privately funded non-profit Pennsylvania Corporation



Coordinate PA is a web application developed by Pennsylvania One Call System to support public works, utility project planning and utility coordination within the Commonwealth of Pennsylvania. Users utilize a spatial, map-based system to view underground utility and public works projects, identifying opportunities for coordination and collaboration when projects overlap in space and time.

Coordinate PA Benefits:

- Define projects using a web application (No special software required!) Store project data and records in a secure repository
- Gather and disseminate information to a broader range of stakeholders beyond project planners and public works officials
- Coordinate and collaborate on projects outside your scope of responsibility, saving money and improving service for all parties
- Request meetings and upload documents associated with a complex project

PALICA PICNIC AND BOARD MEETING, ALONG WITH OUR SCHOLARSHIP AWARDS PRESENTATIONS, WAS HELD ON 7/1/23 AT THE HOME OF DAN & JOANIE MICKSY IN GREENVILLE



Thanks to Dan Micsky, and Barry, Crystal and Chloe Mutzabaugh for helping set up and doing lots of prep work! Couldn't have done it without you!



AND THE WINNERS ARE.....

Chloe Mutzabaugh, daughter of members Barry & Crystal Mutzabaugh

Chloe is currently studying Animated Arts at Kutztown University with hopes of landing a job in the film industry and either start her own studio or work for a top motion film company.

Cole Micsky, grandson of members Lawrence & Nancy Micsky

Cole is going to finish his degree in business this coming year at Penn State Shenango and then work in the family excavating business.





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Program Details*

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EXPIRES 7.31.23

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A Deal We Know You'll Dig

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EXPIRES 9.30.23

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eaglepe.com

*Terms and conditions apply. Please contact Eagle Power & Equipment or your local CASE Construction dealer for more information.
Rock-Solid Guarantee Expires 07/31/23. CASE Power Lease expires 09/30/23.

CASE
CONSTRUCTION

PALICA'S LEGISLATIVE PAGE: Brenda Reigle, from Dig Prevention Consulting, is an Associate Member of PALICA, and she keeps us very well informed on upcoming legislation that can affect our members in PA. This will be a regular segment -- Here's what's currently going on:

Bill Number: [PA23RHB 390](#) **Sponsor:** [Galloway, John](#)

By Galloway. Act providing for plumber and plumbing contractors licensure; establishing the State Board of Plumbing Contractors and providing for its powers and duties; conferring powers and imposing duties on the Department of State. The definition of plumbing services as current written in the bill will require underground utility contractors or excavators to use a licensed master plumber for any work outside the building structure all the way back to the treatment plant. The prevailing wage rate for plumbers is much higher than the laborers rate used by all union and non-union utility contractors.

House	Description of Action	Date	Stat
H	Filed	3-13-23	-
H	Introduced and referred to committee on House Professional Licensure	3-14-23	-
H	Informational meeting set for 10:00 a.m., Room G-50, Irvis O -- House Professional Licensure	6-12-23	-
H	Discussed during informational hearing -- House Professional Licensure	6-12-23	

Bill Number: [PA23RHB 1449](#) **Sponsor:** [Siegel, Joshua \(F\)](#)

By Siegel. Amends Title 62 (Procurement), in source selection and contract formation, providing for additional qualifications for public work projects; imposing duties on the Office of State Inspector General; and imposing penalties. This bill will impose the Responsible Contractor Ordinance at the local government level statewide for contractors and subcontractors. It requires the contractor to have an apprenticeship program that is approved by the Dept. of Labor & Industry and the graduation from apprentice trainees to journeyman status in order to qualify to bid public works projects which costs at least \$300,000. There are other requirements as well, but the apprenticeship is the hardest part to comply with under this bill.

Bill History			
House	Description of Action	Date	Stat
H	Filed	6-20-23	-
H	Introduced and referred to committee on House Labor and Industry	6-20-23	-
H	Meeting set for Off the Floor, Room 60, East Wing -- House Labor and Industry	6-22-23	-
H	Reported as committed from House Labor and Industry	6-22-23	-
H	First consideration	6-22-23	-
H	Rereferred to House Rules	6-22-23	

Bill Number: [PA23RHB 1465](#) **Sponsor:** [Delloso, David](#)

By Delloso. Act providing for minimum wage standards in underground infrastructure work, for application of Prevailing Wage Act, for enforcement, for penalties and appeals and for protection from retaliation; and creating a private right of action. Any public utility must ensure that a contractor or subcontract performing underground infrastcuture work meets the minimum workplace standards. Most of these standards are already required by existing laws. The bill is somewhat redundant other than it requires a public utility to ensure compliance with these requirements for all workmen employed have:

- 10-Hr OSHA course
- Adult first-aid (CPR/AED approved by L & I
- Onsite traffic control training, if public roadways on project
- Any other workplace safety or hazard mitigation training required by statute or regulation
- Pays not less than prevailing minimum wages and fringe benefits as applicable to the project work
- Certification of payroll records
- Maintain above records for not less than 2-years after payment of wages

The bill applies prevailing wages and fringe benefits creates in every trade or craft employed by the contractor and subcontractor. L & I shall enforce and investigate alleged violations related to prevailing wages. Penalties and fines will be assessed by L & I. House Bill 1465 also provides protection from retaliation for employees. The PA Public Utility Commission will have enforcement over the public utilities under Title 66 related to public utilities. This act would take effect in 180 days after signed into law by the Governor.

Bill History			
House	Description of Action	Date	Stat
H	Filed	6-21-23	-
H	Introduced and referred to committee on House Labor and Industry	6-21-23	-
H	Meeting set for Off the Floor, Room 60, East Wing -- House Labor and Industry	6-22-23	-
H	Reported as committed from House Labor and Industry	6-22-23	-
H	First consideration	6-22-23	-
H	Rereferred to House Rules	6-22-23	-
H	Voted favorably from committee on House Rules	6-29-23	-
H	Reported as committed from House Rules	6-29-23	-
H	Set on the House Calendar	7- 1-23	

House Bill 1465 may or may not move forward before the Legislature leaves for summer recess. Regardless, all three bills from the House will be sent to the Senate where there is a better chance of the bill dying in committee.

29 "Cool" Gadgets and Gear for Working in the Heat

Don McCloud [Reprinted with permission from Equipment World-www.equipmentworld.com](http://www.equipmentworld.com)
Updated Jun 28, 2023

Note: This story, which first ran August 14, 2017, was updated June 28, 2023, to reflect new links, prices and products.

There's no real secret to keeping cool, but if you want to go the extra mile to beat the summer heat on the jobsite, there are plenty of gadgets available to help.



They range from simple neck bands to a full-out fan-cooled jacket. Below, we list 29 products we've found online that might be of interest to construction workers.

At the end of the article, we also provide OSHA's recommendations for what employers and their workers should do for a safe summer jobsite.

Face covers

Arctic Cool Cooling Face Gaiter: The face covers are made of 92% polyester and 8% spandex that is soft and breathable and has UPF 50+ sun protection, the company says. Cost: \$7.74 for 3 packs.

Wicking & Cooling Neck Head Gaiter Face Cover by OccuNomix: The Industrial SafetyGear website says this product provides dust, debris, heat and UV protection. It is designed to wick moisture and provide evaporative cooling, the company says. Cost: \$7.54.

Milwaukee Tool Workskin Performance Neck Gaiter: Constructed with moisture-wicking fabric with an adjustable rear drawstring, it is designed to dry fast. It also has UPF 50 sun protection and anti-microbial treatment to prevent odors and bacteria buildup. Available in red and gray. Cost: \$19.97

Cooling 12-in-1 Neck Gaiter by Mission: The company says the neck gaiter is designed to stay cool up to 2 hours and then can be wet again. It also provides UPF 50 sun protection. Cost: \$14.99.



Headwear



Chiller Body: This freezing gel pad fits inside your hard hat or other hat. It has two sides: one with a soft fabric for a "Cooling Chill" and the other side is "Extreme Chill." The pad is reusable. It can be recharged in a cooler. Cost: \$39.95 for a 2-pack.

Supply Sponge Sweatband by Hi Vis Supply: The cellulose sponge attaches to the forehead under a hard hat with an elastic band to absorb sweat. Cost: \$1.99 for 25-pack.

Chill-Its Cooling Headband: Ergodyne's headband is designed to stretch to fit most head sizes. It can be wet for cooling. When dry, it absorbs sweat and whisks moisture away. It provides UPF 50+ sun protection. It also can be worn under a hard hat or hat. Available in Hi-Vis lime and orange, as well as other colors. Machine washable. Cost: \$6.55.

NoSweat Hard Hat Liner by NoSweatCo: This disposable liner, which can be put in a hard hat, is made of "SweatLock technology" to wick away sweat from the forehead, keeping it from your face and eyes. Cost: \$14.95 for three-pack.

Magid Cool Powered by Mission Hi-Vis Cooling Skull Cap: Cools in under 60 seconds and keeps cool for up to 2 hours, company says. Fabric cools to 30 degrees below average body temperature, and mesh top delivers even more cooling power, according to Mission. To activate, wet thoroughly with water, wring it out and snap (repeat to reactivate). Also has UPF 50 sun blocking. Cost: \$9.10.

Magid V-Gard C1 Hard Hat: Designed to keep the head 20% cooler in heat with its ReflectIR Thermal Barrier. Inside it has a moisture-wicking headband that can be removed, and machine washed. It has a full brim for 12% more shade and a ratchet four-point suspension for fit. Cost: \$41.75.



Neckwear

Neck Shade by OccuNomix: Made of cotton, the neck shade can be worn alone or under a hard hat to protect from the sun. It has a terry cloth sweatband at the forehead. Cost: \$4.05.

Pyramex Cooling Beaded Bandana - American Flag: To get this neck or head bandana cool, soak it in water then knead to spread cooling gel. Polymer crystal beads provide heat stress relief, the company says. It is reusable and machine washable. Cost: \$1.86.

ML Kishigo Brisk Cooling Neck Protector by Hi Vis Supply: The protector attaches to the inside or outside of a hard hat. First, submerge it in water for 1 to 2 minutes and squeeze out excess water. The company says cooling lasts 5 to 10 hours. Cost: \$9.50.

Chill-Its 6660 Hard Hat Brim with Neck Shade: Attaches to hard hats to shade the face and neck. This full brim shade fits most hard hats, with an elastic rim plus hook and loop attachments for securing the suspension. Available in hi-vis lime and orange. Hand wash as needed and hang to dry. Cost: \$12.35.

Shirts

Illuminator Class 2 Breathable Knit T-Shirt by Galeton: The lightweight shirt is made of wicking fabric and has chest pocket. Meets ANSI Class 2 standards with 2-inch reflective tape. Cost: \$6.56.

Workskin Lightweight Performance Shirts from Milwaukee Tool: The T-shirts, which come in high-visibility colors as well as red and black, are made of 100% polyester for fast drying and moisture wicking. They are lightweight and designed to provide UPF protection. Cost: \$29.97.



Radians ST11 Type R Class 2 Mesh Safety Shirt: The shirt is designed to wick moisture and accelerate evaporation, says the FullSource website. The reflective stripes are adhered by heat transfer rather than sewn on to make it feel more like a regular T-shirt. It also has a front pocket. Cost: \$11.29.

Magid Cool Powered by Mission Cooling Safety Shirt: The cooling is activated by water in under 60 seconds and cools the body 30 degrees below body temperature for 2 hours, the company says. To activate, wet the shirt thoroughly, wring it out and snap. The process can be repeated as needed. UPF 50 sun protection; comes in hi-vis safety colors. Cost: \$28.25.

Arctic Cool Cooling Pocket Safety Workwear T-Shirt: ANSI Class 2-certified, the polyester-blend shirt has "HydroFreeze X Technology" that the company says reduces fabric temperature. It also is designed to wick away moisture "that pulls sweat away from the skin and disperses it through the shirt." It is designed to fit loosely and has "4-way stretch." It is also antimicrobial and has UPF 50+ sun protection. Cost: \$45.

Pyramex RLP110 Type R Class 3 Long Sleeve Pullover Hoodie: Pyramex says these lightweight hoodies provide UPF 50+ protection and are made with moisture-wicking polyester fabric. They also have a cellphone pocket. Cost: \$36.59.

Vests



Hi-Vis Vest by Blaklader: The vest features front and back mesh polyester fabric. It also has chest pockets, one with flap and one with pen pockets; front pockets with flap; inside iPad-pocket; inner pocket with velcro closure. Cost: \$34.95.

Chill-Its 6665 Evaporative Cooling Vest: This vest can be activated in a cooler with water to provide 4 hours of cooling, the company says. It is made of 100% quilted nylon with mesh side panels for ventilation. It is available in hi-vis safety colors and is hand washable. Cost: \$49.65.

Stay Cool Vest Core Body Cooling System: The vest features micro-thin, breathable and can be worn over or under normal clothing. They are also available in safety green, orange and yellow. ThermoPaks in the front and back of the vest provide hours of cooling; a spare set of ThermoPaks are included with each StaCool Vest, the company says. Cost: \$190 and up.

Chill-Its 6685 Premium Dry Evaporative Cooling Vest by Ergodyne: The company says this vest provides dry cooling relief up to three days. It is designed with a V-neck with front zipper closure, with mesh side panels. Before wearing the vest, fill it with 13 to 20 ounces of water. Cost: \$192.95.

Zipper Vest with Kool Max Strip Packs and Cool58 Packs by Polar Products: This Polar Technology Kit includes the Adjustable Zipper Vest with four large pockets with two cooling pack technologies: a set of Kool Max frozen water-based packs and a set of Cool58 58-degree Fahrenheit phase change packs. Kool Max Packs offer the highest level of cooling and are the best choice when you have access to a freezer, the company says, and the Cool58 Packs can be reactivated on-the-go in a cooler of ice water. Cost: \$267.89.

Standard Cool Vest, with High Visibility by Texas Cool Vest: The company says the vest maintains a 65-degree temperature with four cool packs that charge after being soaked in ice water for 20 minutes, and the packs last about 2 1/2 hours before needing to be re-soaked. The vest has adjustable shoulders, a zipper front and six adjustable side straps. Cost: \$149.95 and up.

Miscellaneous

Cordless Fan Jacket by Makita: Two fans are sewn onto the back of the jacket, on the left and right. They run up to 11 hours per charge on high setting with an 18-volt lithium-ion battery. Cost: \$313.66 on Amazon; battery and charger sold separately.




Reflective Safety Harness by 360 USA: These reflective safety harnesses are designed to be cooler and more comfortable than a traditional full vest while complying with ANSI standards. They have day and night visibility; cloth backing for comfort and can be adjusted to a custom fit as they fit over your clothes. They are stain-resistant and washable. Cost: \$25.

Truewerk T1 WerkPant: These summer work pants feature four-way stretch, fast-drying fabric that is abrasion- and tear-resistant. The company says they wick sweat away from the skin and are designed for greater air flow. Cost: \$79.

Cat Men's Coolmax Work Pants: Made of 75% cotton and 22% Coolmax stretch polyester and 3% Lycra, the pants are designed to keep you cool by wicking moisture and allowing the passage of heat from your body, and it dries quickly. The pants have cargo, tool and cellphone pockets. Cost: \$90.

What OSHA says.....

- ▽ Train all workers. Employers should train supervisors and workers on how to control and recognize heat hazards. Workers should also know about first aid for heat illness.
- ▽ Follow the 20% rule. On a worker's first day, no more than 20% of the duration of their shift should be at full intensity in the heat. The duration of time at full intensity should be increased by no more than 20% a day until workers are used to working in the heat.
- ▽ Water. Rest. Shade. Workers should drink one cup of water every 20 minutes while working in the heat to stay hydrated. When the temperature is high, employers should make sure workers take frequent rest breaks in shaded, cool or air-conditioned areas.
- ▽ Workers new to the job are at higher risk. Workers who are new or returning to working in warm or hot environments need more time to adapt.
- ▽ Engineering controls and modified work practices can reduce the risk of heat illness. Consider reducing physical activity as much as possible by **planning** for the work ahead and rotating job functions among workers to help minimize exertion.
- ▽ OSHA is currently working on a potential standard for prevention of heat illness and injury and is seeking comment from small businesses, including those in construction. 

SILLY CORNER

One day, a police officer pulls over a car. *“Is there a problem officer?”* the man asks. *“No, there’s no problem, I wanted you to be the first driver to get our \$100 SAFE DRIVER award this week.”* The officer hands him \$100 and says, *“So, what you going to do with that money?”*



The driver takes a minute to think, then says, *“Wow, uhh, I’ll probably get myself a license!”*

The man in the passenger seat bolted upright, quickly saying, *“Don’t pay attention to him, he’s says crazy things when he’s drunk!”*

Another man who was asleep in the backseat, wakes up startled, as the first thing he sees is the cop, and says, *“See, I told you guys we wouldn’t get far in a stolen car!”*

Lastly, there comes a very loud voice from the trunk, *“Are we over the board yet?”*
THE COP FAINTED.

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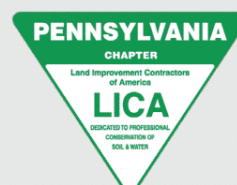
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The advertisement features a large image of a yellow CASE wheel loader in the foreground, with two yellow CASE excavators in the background on a construction site. The sky is blue with some clouds. In the top right corner, there is a black banner with the 'CASE CONSTRUCTION' logo in white and orange, and the 'EAGLE POWER & EQUIPMENT' logo in white and orange. Below the banner, the text 'THE DELAWARE VALLEY'S CASE CONSTRUCTION EQUIPMENT DEALER' is written in a bold, white, sans-serif font. In the bottom left corner, there is a QR code. In the bottom right corner, there is an orange banner with the text 'EaglePE.com | @eaglepowerequip |' followed by social media icons for Facebook, Instagram, Twitter, and YouTube. Below the orange banner, there are three columns of contact information in white text on a black background.

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