



# THE NARI RENOVATOR

A Publication of the Ohio Valley Chapter of the NARI - [www.narincincinnati.org](http://www.narincincinnati.org)

October 2003

## Suppliers to show their wares at October OVNARI meeting 15+ tabletop displays expected for Supplier Showcase at the Holiday Inn I-275 North

Suppliers of goods and services useful to remodeling contractors will display their offerings at a Supplier Showcase sponsored by Ohio Valley NARI on October 9 at the Holiday Inn I-275 North.

NARI members and non-members alike have signed up for tabletop displays. Displaying suppliers aren't limited to tool and materials vendors, although they are certainly represented. The showcase will also include displays by a computer repair service, a copy shop, a business coach, a supplier of advertising specialties, and vendors of other essential products and services not directly related to construction.

The showcase room can accommodate about as many tables as demand requires, so there is room for more exhibitors. The cost of a table is just \$125, which includes dinner for three representatives from each displaying company. If you would like to introduce NARI members to your products

and services at the showcase return the form enclosed with this newsletter.

The displaying suppliers will cover part of the cost of the buffet dinner that will be served in conjunction with the showcase. As a result, everyone can attend for a modest \$15 per person. Everyone who registers can bring one guest for free. Every member is encouraged to attend, and to bring employees, subs, and prospective members.

NARI members who attended the September meeting at the Holiday Inn were enthusiastic about the new meeting site, and the quality of the food and the service. The hotel is located on Hauck Road, directly north of I-275 at Exit 46 (Lebanon Road / Route 46). Turn west on Hauck Road, the second traffic light north of the freeway.

To make reservations for the October Supplier Showcase call the Ohio Valley NARI office at 800-498-6274.

### Call to RSVP

- What:** October OVNARI Meeting  
**When:** Thursday, October 9  
**Where:** Holiday Inn I-275 North  
Hauck Rd, Route 42 & I-275  
**Time:** 6:30 p.m.  
**RSVP:** Ohio Valley NARI at 800-498-6274  
**Cost:** \$15 members for all attendees

### NARI members approve new bylaws

By a unanimous vote of members present in person or by proxy Ohio Valley NARI members adopted new bylaws for the chapter at a meeting held September 11 at the Holiday Inn I-275 North.

The bylaws approved by the membership are identical to the model chapter bylaws recommended by NARI's national office, with the addition of specific references to Cincinnati and Ohio Valley NARI at appropriate points. The new document replaces bylaws that were adopted on May 14, 1996, shortly after the chapter was established



## Stan Better gives design/build talk

*Ohio Valley NARI members who attended the September 11 meeting at the chapter's new meeting site, the Holiday Inn I-275 North, enjoyed a good dinner and a great presentation by Stan Better, AIA, Stan Better Construction. Stan, a member of the chapter, has successfully implemented the design/build concept in his business enterprises. He described the problems and benefits of combining the design and construction functions under as single roof. The photo shows Stan (right) with Don Patten, CR (left) and Steve Zimmer, CR (center).*



## Coming Events

**October 9, 2003** - 6:30 p.m.

Topic: Supplier Showcase  
 Location: Holiday Inn I-275 North  
 Cost: \$15 per person for members and guests

**November 3, 2003** - 5:00 p.m.

Deadline for receipt of CotY entries at Ohio Valley NARI office

**November 13, 2003** - 6:30 p.m.

Evening of Excellence  
 Montgomery Inn at the Boathouse  
 Choice of ribs, chicken or fish  
 \$45 per person / \$85 per couple

## Shortage of good cellular phone manners is unique new problem of modern times

Cell phones have joined hammers and saws as basic and essential tools for contractors. As with any tool, it's important to know how to use cell phones correctly. Improper use can cause damage to your reputation and injury to your image!

Writing for the MSN Network Joanna L. Krotz notes that boorish cell use is corrupting the most basic of business courtesies. Every executive has a "Can you beat this?" cell story, Ms. Krotz reports, but Mary Westheimer of Bookzone.com offers one totally over the top. At a recent conference, a panel member was presenting his part of the event. His cell phone rang and he stopped his presentation and answered his phone!

Here are some cellular Do's and Don'ts suggested by Ms. Krotz.

### Don't

- 1 Take a personal call during a business meeting. This includes interviews and meetings with co-workers or subordinates.
- 2 Fail to maintain at least a 10-foot zone from anyone while talking.
- 3 Talk in elevators, libraries, museums, restaurants, theaters, dentist or doctor waiting rooms, places of worship, auditoriums or other enclosed public spaces, such as hospital emergency rooms or buses. And don't have emotional conversations in public.
- 4 Use loud, annoying ring tones that destroy concentration and eardrums. Grow up!
- 5 "Multi-task" by making calls while shopping, banking, waiting in line, or conducting other personal business.

### Do

1. Keep calls brief and to the point.
2. Use an earpiece in high-traffic or noisy locations. That lets you hear the amplification - how loud you sound at the other end - so you can modulate your voice.
3. Tell callers when you're on a cell phone and where you are, so they can anticipate

*(continued on page 3)*

## Second-hand smoke may be legal headache for employers by Bob Dunlevey

So you think your company is “off the hook” when an employee sues for harm caused by second-hand cigarette smoke in the workplace. You’re convinced that your published policy forbidding smoking is a strong defense.

Think again. CSX, the railroad company, also thought it had no liability when a locomotive engineers with asthma filed suit against it for injuries caused by second-hand smoke from fellow employees and supervisors. CSX had a broad ban on smoking in its facilities and in the locomotives and published its policy. Not so said our federal appellate court in a recent, surprising decision. CSX was found to be negligent. It had ignored the engineer’s complaints and, most significantly, it had failed to enforce its no smoking policy. The lessons are that employers need to have a policy in place and must require supervisors to rigidly and uniformly enforce the policy, with discipline being handed out when necessary. Employee complaints must be taken seriously.

The federal court of appeals for Ohio and surrounding states, focused on the employer’s failure to seriously enforce its no

smoking policy. Merely asking employees to “put out” their cigarette was not enough to prove that the employer fulfilled its duty to provide a reasonably safe workplace. As with all personnel policies, failure to enforce a written policy consistently, with clear consequences, will almost always result in problems for an employer. This case is *Wilhelm v. CSX Transp. Inc.* and arose in northern Ohio under the Federal Employers’ Liability Act which holds common carriers liable for injuries resulting from employer negligence.

While Ohio’s workers’ compensation laws generally foreclose these types of negligence suits, an employee may still attempt to file an intentional tort action. This type of action alleges that the employer was not only aware of a dangerous condition that subjected the employee to a substantial certainty of harm, but that the employer continued to subject the employee to that condition.

With Ohio’s courts now frequently creating new types of claims for employees, it would not be a surprise to see such a ruling. New Jersey, Washington and Missouri courts have already decided that an employer’s common law duties include the duty to provide a working environment reasonably free from tobacco smoke.

What about OSHA? While OSHA attempted to establish a standard relating to smoking in the 90’s, this effort failed due to controversy. But, OSHA’s General Duty Clause which defines the employer’s duty to create and maintain a safe workplace might be used as a tool for redress.

With more and more media attention to the harmful effects of second-hand smoke, employees are calling on their employers to free the workplace from tobacco smoke. Get out your no-smoking policy, dust it off and enforce it before you get sued. For a complimentary copy of a smoking policy, call Bob Dunlevey at (937) 223-6003.

*Before he turned to the dark side and became a practicing attorney Bob Dunlevey, a partner in the Dayton firm of Dunlevey, Mahan, and Furry was a contractor.*

### Cellular phones *(continued from page 2)*

distractions or disconnections.

4. Demand “quiet zones” and “phone-free areas” at work and in public venues, like the quiet cars on the Metroliner.

5. Inform everyone on your stored-number list that you’ve just adopted the new rules for mobile manners. Ask them to do likewise.

The multi-tasking “Don’t” may be modified to permit calls to verify the brand of detergent your wife asked you to get at the market, or the grade of lawn mower oil your husband asked you to pick up while you’re at Wal-Mart. Make all the calls you like while standing in ticket counter or security lines at airports. Any annoyance your phone call may cause will be all but invisible by comparison to the other annoyances in that environment.



## Ohio Valley NARI

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## Upscale “boomers” help drive current home improvement market

With the stock markets tanking over the past few years some people have apparently turned to another investment mechanism-- their homes. A recent Associated Press story printed in newspapers throughout the nation noted that a growing number of affluent baby boomers have put off retirement and lessened their dependence on the stock market, sinking thousands of dollars into new kitch-

ens and master bedrooms and other high-end home renovations instead.

Harvard University's Joint Center for Housing Studies calculates that home owners spent \$214 billion on remodeling two years ago, with close to half of all households in the improvement market spending at least \$20,000. Though the Home Depot and other retailers are responding to the demand for luxury accessories, home owners with limited funds can choose from an array of low-cost options.

### The mission of Ohio Valley NARI is:

- ✓ To establish and maintain the association's firm commitment to developing and sustaining programs that expand and unite the remodeling industry as well as to ensure the industry's growth and security.
- ✓ To encourage ethical conduct, sound business practices, and professionalism in the remodeling industry.
- ✓ To present NARI as the recognized authority in the remodeling industry.

### These missions are carried out by:

- ✓ Promoting the common business interests of those engaged in the industry.
- ✓ Sponsoring educational programs and activities for members.
- ✓ Enlightening consumers to the needs and advantages of home remodeling and maintenance, thereby improving the nation's housing inventory.
- ✓ Recommending legislative and regulatory action that safeguards and preserves the remodeling industry, and stimulates the marketplace.

### Goals of chapter to accomplish mission:

- ✓ To provide education to enhance professional and personal competencies.
- ✓ To create and encourage networking.
- ✓ To develop and promote the profession.
- ✓ To serve as a resource center.
- ✓ To provide quality publications to members.
- ✓ To improve membership and membership participation.
- ✓ To improve consumer awareness.
- ✓ To remain proactive on current and pending legislation.



## THE NARI RENOVATOR

A Publication of the Ohio Valley Chapter of the National Association of the Remodeling Industry

The Ohio Valley NARI newsletter, *The NARI Renovator*, is produced by Ohio Valley NARI as a service and benefit to its membership. The organization's office is located at 136 South Keowee Street, Dayton, Ohio 45402; (800) 498-NARI or fax (937) 222-5794.

### Ohio Valley NARI Board of Directors

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