

## Evening of Excellence dinner set for December 12

A new magician and a new day chosen for 2007 awards event

It's almost time for Ohio Valley NARI members and guests to get together once again for the annual Evening of Excellence Awards Dinner.

Again this year the Ohio Valley NARI Evening of Excellence dinner will be at the original Montgomery Inn location at 9440



Montgomery Road. The date is Wednesday, December 12; the time, 6:30 p.m.

Note that the day is Wednesday, not the traditional NARI meeting day of Thursday.

The evening will include presentation of Contractor of the Year and service awards. There will be time for cocktails and socializing starting at 6:30 p.m. Dinner will be served about 7:00 p.m. There will be a choice of chicken, fish, or ribs, or some combinations of the three.

Featured entertainer for the evening will be John Shore, of Stone Castle Magic Company who takes pride in delivering an engaging mix of comedy, history, drama, and mystery in every show. John's performances are fun and powerful. He crafts each presentation to the interests of the specific audience and has a history of surpassing expectations.



*John Shore, magician, shown with an assistant*

"Our job is to surprise you by being better than you expected by doing things you never thought possible," John says.

The Evening of Excellence is one of the most important social events of the NARI year. Not only will Ohio Valley NARI members get to enjoy a dinner featuring the Montgomery Inn's world famous food, they will spend an evening in the company of other leading members of the Cincinnati area remodeling industry.

Cost of the evening is just \$49, which includes dinner, entertainment, and your choice of beer, wine, and soft drinks.

Call the Ohio Valley NARI office at 800-498-6274 or return the RSVP form by mail or FAX, but in any case, please RSVP for this event. We have to have a very accurate attendance count so the Montgomery Inn can prepare to serve our needs adequately.

The Evening of Excellence is always a great party with great food--and a lot of fun.

### Evening of Excellence

**What:** Evening of Excellence

**Program:** CotY & Service Awards

**When:** Wednesday, December 12

**Where:** Montgomery Inn  
19440 Montgomery Road

**Time:** 6:30 p.m.

**Cost:** \$49 for NARI members

**RSVP:** Ohio Valley NARI at 800-498-6274

# Ohio Civil Rights Commission finds a new right

by Bob Dunlevey, Dunlevey, Mahan & Furry



Bob Dunlevey

The Ohio Civil Rights Commission has substantially re-written Ohio's regulations pertaining to pregnancy-related leaves of absence for Ohio employers having four or more employees. The regulations may become effective by the end of the year, if the Ohio Joint Committee on Agency Rule

Review approves them.

This is not a law passed by the legislature but instead an attempted "rulemaking" by the Ohio Civil Rights Commission in an effort to broaden the rights of childbearing employees. Ohio would join 18 other states in providing expanded benefits.

The regulations will require employers to provide a minimum of 12 weeks of unpaid leave for pregnancy, childbirth, and related medical conditions, regardless of how long an employee has worked for the employer, if "medically recommended" and a lesser amount of leave is not justified by business necessity. Note that "medically recommended" is not the same as "medically necessary" or "temporarily disabled." The leave merely needs to be recommended by a medical professional (undefined credentials). In addition, the business necessity exception is not defined. The 12 weeks of leave are not applicable to fathers as accorded in the FMLA.

Current Ohio law merely requires that em-

ployees with pregnancy-related conditions be treated no less favorably than similarly-situated co-workers not so affected. The current version of the regulation adopted in 1977 requires employers to provide pregnancy leave for a "reasonable period of time," makes it illegal to terminate a female employee under a policy providing "insufficient" or no pregnancy leave, and requires a pregnant employee be returned to her original or similar job upon satisfying her intent to return to work within a "reasonable time."

This proposed regulation goes far beyond the Family and Medical Leave Act because the FMLA is only applicable to employers with 50 or more employees and is only available to employees who have worked 12 months and performed at least 1250 hours of work in a preceding year. What is not clear is whether an Ohio employer subject to the FMLA will have to provide the 12 weeks under the FMLA and an additional 12 weeks under this new Ohio regulation.

The regulations also grant pregnant workers new rights to light duty work which traditionally has been reserved for those subject to a workers' compensation claim. This may limit light duty opportunities for those having industrial accidents. At the end of the maternity leave, the employee is entitled to reinstatement to her original position or a position of like status and pay without loss of service credits or other benefits.

Commissioner Grace Ramos, from Beavercreek, was the only commissioner voting against the new regulation. She did so because she believed the commission went beyond simply clarifying existing law and instead created new law which would be burdensome to the State economically and possibly cause small businesses to avoid hiring women of childbearing age. Interestingly, the Ohio Civil Rights Commission filed with the Agency Rule Committee claiming that there would be no financial impact to employers as a result of granting 12 weeks of leave

(Continued on page 3)

## THE NARI RENOVATOR

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The NARI Renovator is produced by Ohio Valley NARI as a service and benefit to its members. 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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## Frings speaks at November NARI meeting

*Dr. Ginny Frings, a visiting professor at Xavier University, a "Transformational Speaker" who teaches the art of transforming challenges into victories, was the guest speaker at a well-attended Ohio Valley NARI November dinner meeting. Dr. Frings offered advice on understanding customer motivation and techniques for assessing buyer attitudes during presentations, maintaining good customer relations after the project is finished. She punctuated her presentation with examples, exercises, and a few magic tricks. Dr. Frings appearance was sponsored by CabitDesign.*

## Such a deal!

### Discounts available to Ohio Valley NARI Members

*Cincinnati Business Courier* advertising contact Wende Powell (513) 337-9454

*Cincinnati-Northern Kentucky Home Improvement* magazine advertising contact Greg Smith (513) 615-9014

Frank Gates Service Co. NARI Workers Compensation Group Rating Program contact Al Gardner (800) 777-4283 ext 757

Kinker-Eveleigh Agency NARI property and casualty business insurance program contact Don Ebding (513) 936-1284

## Civil rights *(Continued from page 2)*

and providing light duty (astonishingly!). The regulations may very well exceed the authority of the Commission and certainly will be attacked by major business groups once it becomes effective.

In the recent past, the Ohio Civil Rights Commission has become more aggressive, both in enforcement and promulgating regulations. Many believe this is because the OCRC fears that it is losing its power and effectiveness within the state. Ohio employers are in for a "new day" when it comes to the Ohio Civil Rights Commission. If these regulations become effective, your company's leave policies and procedures will need to be modified.

If you need more information about the new regulation or assistance in drafting new maternity leave policies for your company, contact your attorney or Bob Dunlevey of Dunlevey, Mahan & Furry at (937) 223-6003.

*Bob Dunlevey is a partner in the Dayton law firm Dunlevey Mahan & Furry. Before turning to the full time practice of law he managed his family's construction business.*

### 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.



## Ohio Valley NARI

Serving the Cincinnati Metropolitan Area

136 South Keowee Street • Dayton, Ohio 45402

800.498.NARI

### **Emphasis on energy-efficient homes is key to the “green building” market**

With interest in energy efficiency growing, remodelers have an opportunity to sell their customers on technology to improve the performance of their homes, according to panelists at the Remodeling Show in Las Vegas.

“Customers are asking about ‘green,’ and one study shows that 70% of ‘green’ in building today is energy efficiency,” said Bill Zwack, vice president of energy efficiency for SENTECH, Inc., a consulting company.

According to Zwack remodelers can get started by including energy in the design discussion; using diagnostic tools; sealing gaps and holes and insulating when adding new space or opening walls; and introducing Energy Star products and processes.

Zwack advised contractors to make a whole-house energy assessment that includes air sealing gaps and holes before insulating; insulating completely and correctly; designing or repairing ducts so that they are sealed and insulated properly, keeping the ducts inside the building envelope if possible; and specifying Energy Star appliances, HVAC equipment, lighting and other residential products.

He also recommended a complete visual and diagnostic inspection of air infiltration,

duct leakage and combustion safety.

“You have to look at the entire house” and then specify solutions, he said, because the wrong approach can make things worse.

The cost of testing equipment suggested by the Environmental Protection Agency is roughly in the \$8,000 to \$12,000 range, but remodelers don’t have to start out with it and can work their way into it, he said, noting that it is “the ultimate sales tool.”

Air sealing the house is one of the most important things to do to improve its performance, “and every home needs this to some extent” because of air coming through the foundation, basement and attic, he said.

For remodelers contemplating getting started in this business, “the good news is it’s not rocket science, but it is building science,” Zwack said. With home performance contracting now wrapped around the Energy Star brand, there is an expanding network of professional home performance contractors around the country, he said.

Information on training is available through *Home Energy Magazine*, Affordable Comfort International (ACI), and the Building Performance Institute.