

# The *Electrical* CONTACTOR

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ASSOCIATION OF ELECTRICAL CONTRATORS

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## INSIDE:

FAEC Legislative Report  
Minor Changes to the Florida  
Construction Lien Law  
Benefiting From the Economic  
Recovery  
Construction Career Days  
Federated Report  
The One Thing You Can Do To  
Increase Your Sales Now





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## INDEX

### TABLE OF CONTENTS

Calendar of Events .....	4
Legislative Report .....	5
Presidents Report .....	6
Minor Changes to Florida's Construction Lien Law (Part 2)....	7-8
The One Thing You Can Do to Increase Your Sales Now.....	9-10
Benefiting From the Economic Recovery.....	12-13
Construction Career Days.....	14
Federated Insurance Report.....	15
Join FAEC Today!.....	17
Advertise in FAEC's eMagazine.....	18

### ADVERTISERS INDEX

Critical Components, Inc. ....	5
FAEC Business Card Page .....	16
Federated Insurance .....	Inside Front Cover
Mike Holt .....	11
Rams .....	4

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# FAEC CALENDAR OF EVENTS

## FAEC Calendar of Events 2013

April 25	FAEC 1-Day CE Symposium, DoubleTree Hilton, 60 S. Ivanhoe Blvd., Orlando, FL
May 3	FAEC Annual Golf Tournament, Windermere Country Club, Windermere, FL
Aug. TBD	FAEC Fall Golf Scramble
Sept. TBD	FAEC Annual Convention
Nov. TBD	FAEC Edison Award & Casino Night

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- "Legislative Alerts" distributed throughout the session to keep you abreast of industry concerns.
- The opportunity to interact with fellow contractors to share industry concerns and discuss industry news.

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The Florida Legislative 2013 Regular Session is scheduled to officially start on March 5, 2013 and will last 60 days. Of course, that doesn't mean that our legislators have not been busy in Tallahassee.

Senate Bill 346 is something that we will want to watch and monitor. This is not anything new – the same language was proposed but did not go anywhere last year.

SB 346 was filed by Senator Darren Soto on January 16, 2013 and proposes to change Florida State Statute 489.537. The proposed change decreases the journeyman/square

footage requirement ratio for jobs from one journeyman/50,000 square feet for electrical work in excess of 77 volts to one journeyman/5,000 square feet for electrical work in excess of 98 volts. The current statute applies only to industrial or commercial new construction sites – no change was proposed for that portion of the statute.

If you are concerned about any bill or any thing that might be proposed, check the following websites:

[www.flsenate.gov](http://www.flsenate.gov)

[www.MyFloridaHouse.gov](http://www.MyFloridaHouse.gov)

On both sites there is an area to search for Bill Number or Bill Text.

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By Joe Bell  
Territo Electric, Inc.

As President of this outstanding group of electrical contractors and associate members, I am excited to continue our commitment to be the voice of the electrical industry in Florida. It is an honor to serve alongside a group of dedicated board members and officers.

This year, FAEC is excited to provide its members with educational classes for your management staff and field employees. CPR, technical, and business classes are assembled and scheduled throughout the year.

The golf committee continues to provide the best golf tournaments at the most prestigious courses in Florida.

Take advantage of your association and get involved this year! Involve your employees and together let's move our trade to the next level!

~Joe



**Please Thank Our  
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## Minor Changes to Florida's Construction Lien Law: Part 2

By Timothy R. Moorhead, Esq., and Edward M. Baird, Esq.  
Wright, Fulford, Moorhead & Brown, P.A.

Continuing with the recent legislative amendments to Florida's Construction Lien Law. I do not consider these major changes, but thinking that safe is better than sorry, you should be aware of these relatively minor changes. This is the second of two articles that will cover these changes.

### Notice of Commencement

House Bill No. 897 removed language from Florida Statutes, Section 713.13 which related the expiration of a notice of commencement to the completion of construction and final payment to the contractor. Now, the Notice of Commencement form simply provides the following:

...9. Expiration date of Notice of Commencement (The expiration date will be one year from the date of recording unless a different date is specified)...

The legislature also removed the following sworn statement previously required by the owner in the Notice of Commencement form: "[U]nder penalty of perjury, I declare that I have read the foregoing Notice of Commencement and that the facts stated therein are true to the best of my knowledge and belief."

I see two items from the practice standpoint here. First, if you prepare the Notice of Commencement for your customers, please be sure to obtain the latest statutory form for doing so and get the expiration date from your customer. Second, be aware of the expiration dates on the Notices of Commencement on the jobs you work on. This is important because if the Notice of Commencement has expired before you record your Claim of Lien, your priority on the property may be substantially impaired.

### Demand for Copy of Contract and Sworn Statement of Account

In the past, Florida Statutes, Section 713.16(2) has required a lienor to provide an owner, upon written demand, with a written statement under oath of the lienor's account showing the nature of the services performed, the materials furnished, the amount paid to date, and the amount due.



**Timothy Moorhead, Esq.**



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Now, the written demand by the owner must also include “a description of the property and the names of the owner, the contractor and the lienor’s customer, as set forth in the notice to owner.” This same information is also now required in any written demand for a sworn statement of account served by a contractor, when the contractor has furnished a payment bond.

Section 713.16(5) has been amended to allow a lienor to serve a written demand on the owner, for a written statement of various contract amounts, while the lienor is perfecting a claim of lien rather than conditioning the written demand upon the lienor’s recordation of the claim of lien. Also, any written demand served on the owner must now include a description of the property and the names of the contractor and the lienor’s customer.

For us, the required information that has been added should help to identify the project involved. The problem that I see is that the penalty for failing to include this additional information is unclear. It is also unclear whether a showing of prejudice or the lack thereof will be required by the Courts in determining how to enforce this provision.

#### Manner of Serving Notices

Notices, claims of lien, and other papers served under Chapter 713, Florida Statutes, may now be served by common carrier delivery service or by Global Express Guaranteed (GXG) mail with postage or shipping paid by the sender. This is in addition to the previously allowed methods of delivery, including actual delivery and certified mail. This amendment to § 713.18 also changes the term for place of posting notice from “premises” to “site of improvement” for posting notification if notices cannot be served by the actual delivery or certified mail/GXG. Finally, if the address in any notice to commencement or the building permit application (if there is no notice of commencement) is incomplete,

the amended § 713.18 allows service of the notice by completing the address using information obtained from the property appraiser or another public record.

Primarily, this change simply recognizes that there are reliable delivery services other than the post office. If you serve your own notices to owner then this should be of interest to you.

Although these changes have not substantially changed the operation of Florida’s Construction Lien Law, they are noteworthy and require our compliance in order to minimize the issues in dispute when we move forward with lien foreclosure. Remember,, the fewer the issues, the less uncertainty of your outcome and the lower your attorney’s fees.

Timothy R. Moorhead, Esq.,  
Board Certified in Construction Law

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## The ONE THING You Can Do to INCREASE YOUR SALES NOW!

### Eye contact *Make eye contact.*

by *Charlie Greer, Customer Service Consultant*

Honesty sells. Confidence sells.

Eye contact projects honesty and confidence. People want you to be honest with them and confident about yourself.

When you make eye contact people tend to trust you.

An unwillingness to make eye contact can be interpreted as your having something to hide. 6

When you make good eye contact people don't give you grief. They don't doubt you or interrogate you.

Can You Make "Too Good Of" Eye Contact?  
Yes.

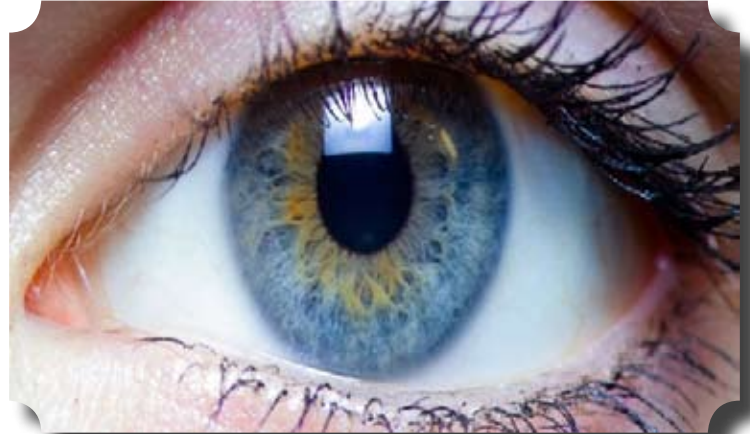
Now the question is, is too good of eye contact a good thing or a bad thing?

The greatest graduate of my training of all time is Gene Slade, Jr. Gene Slade, Jr. makes too good of eye contact. I got him started on it and I have created a monster. It can be very uncomfortable. However, he's possibly the best salesman I have ever seen. He almost never gets turned down.

So, there may be such a thing as "too good of" eye contact, but can you make too much eye contact? No; not if you want to project authority, honesty, and confidence ... and make more sales and mo' money.

If you're uncomfortable with eye contact:  
Do the "Mirror Technique":

1) Tell the family you're going into the bathroom for five minutes and don't want to be disturbed



2) Lock yourself in the bathroom

3) Set the timer on your phone for five minutes

4) Start the timer

5) Stare directly into your own pupils until the timer goes off

6) Do this once per day for five days in a row and you'll be making killer eye contact, will be an entirely different human being, will have the awe and respect of everyone you meet, will be closing more sales for mo' money, and will be taking a lot less grief from everyone.



## Rules:

- You're allowed to blink
- You're not allowed to look at your hair, your uni-brow, your pimples, or the mole you just saw for the first time.

## What to expect:

It's going to be like staring at one of those 3-D pictures that looks like one thing until you stare at it for awhile, and then suddenly you see something like the Statue of Liberty or King Kong.

About two minutes into things you will suddenly see your face the way it actually looks. You'll notice that one eye is lower than the other, etc. You may not like what you see.

About three minutes into things, the silence will become deafening.

About four minutes into things you may have a total emotional breakdown.

Doesn't that sound like fun?

Don't wait until you get home to start doing the mirror technique. When you get in your truck to run your next call, take five minutes and do the mirror technique in the rear view mirror.

## A Side Benefit to Good Eye Contact:

When people see something they like, their pupils dilate. That's why poker players wear dark glasses; because when they're dealt a good hand, their pupils dilate ... and there's nothing they can do about it. So they don't want the other players to be able to see their eyes. To gamblers, that pupil dilation is called a "tell."

In sales, you can "tell" when the prospect likes you and your product when their pupils dilate. You're supposed to be making pupil-to-pupil eye contact,

so you'll be getting a good view of their pupils. The rule-of-thumb is that, if the lighting hasn't changed, and their pupils are larger than they were when you first met them, they like what they see and it's time to stop selling and start closing.

BTW: You single people can apply this to your daily lives as well, if you know what I mean.

## Don't Look Away!

When someone asks you a question that requires you to put a little thought into your answer, it's only natural to look away for a second. Well, don't. Especially when the question is:

Are you being honest with me?

Do I really need to get all this done today?

Is this your lowest price?

Don't just make good eye contact when you're running calls. Eye contact is an essential component of face-to-face communication. Eye contact will improve your interactions with everyone from your boss to your dispatcher to your significant other, to your children, to your probation officer.

Making better eye contact is the one thing anyone can do to instantly improve their sales. Today, when you're running calls, deliberately concentrate on making good eye contact.

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## BENEFITING FROM THE ECONOMIC RECOVERY

*BY Gary S. Redwine  
President/CEO  
RAMS, Inc.*

There are three major factors that will determine the success or failure of Florida's non-residential construction rebound in 2013; investments in new projects, loosening of bank financing, and the availability of a skilled workforce. The first two can be remedied fairly rapidly but the availability of a skilled workforce will take time and investment by contractors to be in a position to take advantage of the economic recovery. According to Construction Executive Magazine,

"The buzz around the construction industry is it will be lacking more than one million skilled workers within the next decade. Seasoned craft professionals are retiring in droves, and existing and prospective employees left the construction industry or pursued other career paths amid the downturn in nonresidential activity." April 2012

As the construction industry began to weaken in 2007, contractors found it necessary to reduce their fixed cost and number of employees. Naturally, most skilled workers that were laid off were the newer and less expensive employees while highly skilled, long term employees were retained. While this is a normal practice, the result for the contractor was a higher average hourly labor cost in what became a very competitive bidding market. Those newer and less expensive skilled workers found it necessary to leave construction and begin careers in other industries.



Today the need for mid to lower level skilled workers is in great demand to reduce the contractors average hourly labor rates, make the contractor more competitive in the market, and to grow and develop the contractors next generation of skilled workers. Many of these same issues affected the skilled construction industry in the early 2000's. In Florida there were more projects that demanded

more skilled labor than was available. In 2004, RAMS introduced JUMPSTART to address the need for younger, less expensive, and motivated entry level electricians and plumbers. Since that time JUMPSTART has trained, provided tools for, and de-

ployed more than 800 new Floridians into the commercial electrical and plumbing industries.

The RAMS JUMPSTART Pre-Apprenticeship Program is certified by the Florida Department of Education and is registered (P-065) with the Office of Workforce Education, Apprenticeship, as part of the National Apprenticeship Advisory Council. Additionally, RAMS' The Education Connection business unit is licensed by the State of Florida's Commission for Independent Education to offer programs on instruction under the provisions of Chapter 1005, Florida Statutes and Chapter 6E, Florida Administrative Code. The JUMPSTART Program is a natural feeder of skilled workers into the various apprenticeship programs throughout Florida. Since 2004 over 300

JUMPSTART graduates have been enrolled in statewide apprenticeship programs.

JUMPSTART is a 960 hour program that includes classroom, simulator, and OJT training. All participants are provided with a complete suite of hand and power tools and spend the first five days in intensive paid classroom and simulator instruction. At the completion of the first week, they are assigned to a project to begin the OJT portion of the program and can install MC Cable, standard junction boxes, make joints, make terminations, and preform basic conduit bending. All students receive their OSHA 10 certification during the first week's classroom segment.

Numerous contractors throughout the state have partnered with RAMS to conduct the OJT and mentoring segments of the program while RAMS continues with the monthly night classroom instruction. The program's goal is to assist contractors in growing their next generation of skilled workers that are trained and raised in the contractor's culture. At the end of the program, participating contractors are encouraged to make employment offers to the students (at no cost) and continue their education in their local apprenticeship program.

The JUMPSTART Program has received national and statewide recognition to include television networks and most of Florida's major newspapers. The program has also received support by many of Florida's officials involved with educating and developing Florida's next generation of skilled professionals;

"With an emphasis on high quality training and a commitment to job placement, RAMS offers an excellent opportunity for Floridians seeking employment in an industry with a demand for skilled workers. RAMS participation in Florida rebuilds will help ensure a continual pipeline of well-trained workers in construction, which is critical to sustaining the state's strong economy." Tom Shiner, (former) Director of Special Projects for Workforce Florida, Inc.

"JUMPSTART is exactly what is needed in this country and specifically in this state. Apprenticeship in the trades can provide careers and incomes on par with those available to college graduates. JUMPSTART will help develop the next generation of severely needed trade professionals responsible for building Florida's future." Jon Goins, Area V Manager, for the Florida Department of Education Division of Workforce Development (since retired)

"It is encouraging to see innovative programs such as yours providing services and assistance that put Floridians to work." Barbara K Griffin of the Agency for Workforce Innovation

JUMPSTART training will begin the first quarter of 2013 in major cities throughout the state and needs contractors willing to join us in developing the next generation of electricians and plumbers to insure the success of our industry in the years to come. More information and a DVD outlining JUMPSTART can be viewed at [www.ramsrpg.com](http://www.ramsrpg.com) under training. Please call your local RAMS regional office or our corporate office at 800-577-1808 and mention JUMPSTART.

# Construction Career Days

*By Jamie Fugate, FEAT Coordinator*

For the past several years, high school kids have descended on the Orlando fairgrounds to learn about construction and the construction-related careers associated with the Department of Transportation. Over a 3-day period this year in late January, almost 3,000 juniors and seniors from high schools throughout Central Florida came to learn about jobs they may have never heard of: electrician, mason, surveyor, civil engineer, diesel mechanic and safety director.

The favorite events for the kids are the “learning labs.” These hands-on activities let them experience fall-protection, dirt-tamping, surveying and lifts. By popular demand, FEAT plans on bringing back our wire-pulling competition to Construction Career Days next year. Due to staff cuts, we scaled back to an electrical question game last year. The kids enjoy it, but it doesn’t let

them experience some of the hands-on and problem-solving skills needed in our trade.

Next winter, don’t be surprised if we call you and ask for a day of your time to help in the learning lab. You’ll be amazed at the interest these young adults show in the construction industry.





## SUMMIT TRAINING RESOURCES AVAILABLE TO FEDERATED CLIENTS

Effective January 1, 2013, Federated clients will continue to have access to hundreds of risk management resources covering a wide array of topics, available through Federated's Shield NetworkSM and Summit Training Source®.

Federated and Summit are working together to offer a variety of risk management materials to business owners looking for ways to build their business's overall risk management culture. Topics available can be used for help with safety training, employee meetings, and OSHA compliance.

Continuing in 2013 will be Summit's free streaming video rentals. DVD rentals are also available through a library-style check-out system. DVDs may be checked out for 30 days. The only cost associated with DVD rental is return postage. A complete topic list can be found here, and on Federated's Shield NetworkSM.

Computer-based training (CBT) is another resource for clients wishing to include it in their employee risk management training program. Five CBTs will continue to be complimentary, with others available at a reduced price of \$9.95. All CBTs include use of a Learning Management System to document course assignments and completion. The five complimentary training courses cover distracted driving,

tanker rollover, back safety, decision driving, and fire protection and prevention.

Also available at a reduced cost are OSHA 10- and 30-hour training sessions.

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# Florida Association of Electrical Contractors

## Application for Membership

COMPLETE AND MAIL TO FAEC • PO BOX 4304 • ENTERPRISE, FL 32725-0304

With your Check for the proper dues amount!

Full year's dues must accompany application. Dues for second year will be prorated on applications received March 1 thru November 1.

I, \_\_\_\_\_, apply for membership in FAEC...a non-profit organization, devoted to the betterment of the Electrical Contracting Industry in the State of Florida.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Company: \_\_\_\_\_ Phone (\_\_\_\_) \_\_\_\_\_

Address: \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

\_\_\_\_\_ City \_\_\_\_\_ St. \_\_\_\_\_ Zip \_\_\_\_\_  
County \_\_\_\_\_

Email Address : \_\_\_\_\_

### CONTRACTOR

*(open to all state registered or certified electrical contractors)*

#### Dues Schedule (Check One):

- New Member First Year Only, \$255**  
**State Certified or Registered**  
**Electrical Contractor:** \$425.00 Per Year
- Certified Specialty Contractor:**  
licensed by ECLB \$200.00 Per Year
- Key Personnel:** Any person (non-master) in the employ of an electrical contractor desiring to support the interests and efforts of the Association whose responsibilities include overseeing construction projects, estimating, purchasing, safety programming, etc. \$50.00 Per Year
- Non-Contractor:** A master electrician not conducting electrical contracting \$50.00 Per Year

Company Contact Name: \_\_\_\_\_

ER or EC Number: \_\_\_\_\_

### AFFILIATE

(open to all manufacturers, distributors, suppliers, and others who wish to maintain close contact with the industry and support the goals of the association)

- New Member First Year Only, \$255**  
 **Dues Schedule: \$425.00 Per Year**

In 25 words or less describe what your firm sells to electrical contracting firms, or describe your interest in relation to FAEC.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***I agree to assist, to the best of my ability, the efforts of FAEC to improve our industry and abide by the by-laws and code of ethics.***

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Sponsored by: \_\_\_\_\_

Current FAEC Member

Contractor Applicants ONLY! Please list 3 electrical material supplier references with whom you've done business with in the last 12 months.

Company \_\_\_\_\_ Phone \_\_\_\_\_  
1) \_\_\_\_\_  
2) \_\_\_\_\_  
3) \_\_\_\_\_

***The ECLB (Electrical Contractors Licensing Board) Will be contacted for pending violations against your license...Please be sure the number you are supplying is absolutely correct!***



# Advertise in the FAEC eMagazine Today!



## FAEC "CONTACTOR" MAGAZINE ADVERTISING SPACE AGREEMENT

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Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Publication circulation includes Florida prime State Certified and Registered Electrical and Specialty Contractors and all FAEC Members.

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EMAIL COMPLETED FORM and AD ART TO:

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For futher information contact Chery Hardy at (407) 260-1511:

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