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# Newsletter monthly

## CORE PURPOSE:

To Enhance the Success of Women in the Construction Industry

## President's Message

by Jan Lawrence

What an interesting year for weather, I keep thinking that it can't get as bad as last year, but the cold, windy, snowy days just keep coming. Thank you to all who braved the weather to make the last meeting, which was another great meeting.

I would like to tell you a little about the work I am currently involved in. I am working with a team who was hired to do "Revitalization Surveys". The study will be used for revitalization projects by establishing patterns of blight and give cities an outsider's view of the city and its programs. Using aerial views and mapping programs, we lay out the portions of a city and then physically evaluate each parcel of land. We base our evaluations on the physical land properties [incompatible adjacent land uses; substandard construction or materials; structural defects; threats to public health, safety or welfare; inadequate maintenance as evidenced by lack of care for the property (i.e. boarded windows, litter/dumping/debris, graffiti), and pres-

ence of hazardous materials], economic factors (vacancy rates, sales figures, tax revenue, crime rates, lack of neighborhood services), and other pertinent data. The commission then makes a finding as to whether blight exists that cannot be remedied by the public sector or the private sector.

I am working with three team members who all have advanced degrees in planning: one person is from Vancouver, B.C. and two are from San Francisco. They added me to the team to utilize my construction background and business degree.

This project is challenging me to explore what makes a city livable, to look for opportunities to improve the environment, and understand the issues that destroy neighborhoods. What I am learning on these projects will add to my overall knowledge of the construction industry.

I've always believed that our careers have many facets, and there are unique opportu-



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nities to help us grow and expand our knowledge. So take some time and think about what you do that is not written in the job description, I guarantee that you have experiences and skills in this industry that can be parlayed into other aspects.

Meanwhile, we are approaching our busy time for NAWIC. There are some exciting opportunities coming up, and particularly, our VIP night in June. Please come to the meetings and help us plan the rest of the year. We are looking forward to your participation in the events. I am excited about our Women Build, and will be asking you to bring your friends, coworkers, and family for a day of roll-up-our-sleeves work as we dedicate the day to learning and helping others.

## Upcoming Meetings

On Monday, February 11th, Ms. Krista Lewis of the Dale Carnegie Institute will present *Enthusiasm in Sales* at the Grazie Italian Ristorante, located at 23207 Bothell Everett Highway Southeast in Bothell.

This event is open to guests. Please RSVP at [www.nawicpugetsound.org](http://www.nawicpugetsound.org) or contact Nicole Lamanna at 425-289-1774 or via e-mail at [nicolel@fergusonconstruction.com](mailto:nicolel@fergusonconstruction.com)

On Monday, March 10, 2008, Traci Tenhulzen will present *Construction Safety* at MacDonald-Miller Facility Solutions' office in Seattle.



# Legal-Related News

## Affecting the construction industry By Brenda Molner

*This article was developed for informational purposes and should not be viewed or relied upon as legal advice. After Wynne LLP urges readers to consult legal counsel regarding specific legal issues and factual circumstances.*

### Business, Labor and the Legislature's Response to the *Brink's* Drive-Time Ruling

In a previous newsletter I discussed the *Stevens v. Brink's Home Sec., Inc.* case. In that case the Washington Supreme Court held that Washington's Minimum Wage Act ("MWA") entitled *Brink's* employees driving company vehicles from their homes to jobsites to payment for their drive time. The Court was unmoved by *Brink's* argument that the employees were not required to drive company vehicles home and that being allowed to use a company vehicle for commuting was an employee benefit. While the holding in the *Brink's* case does not mean every employee who drives a company vehicle is entitled to payment for commute time, the case has created uncertainty for both employers and employees since the ruling

went against the assumption the majority of employers and employees had been operating under for years.

Since the ruling in the *Brink's* case, several similar lawsuits have been filed against local companies, some seeking class actions status. In these cases employees are seeking not only past wages, but also double damages, as allowed by statute when an employer "willfully" withholds wages. Plaintiffs are now claiming employers that failed to pay their workers for drive time after the *Brink's* ruling are willfully withholding wages.

Employers are responding to the *Brink's* ruling in various ways. Some employers no longer allow their employees to drive company vehicles home every evening. Instead, company vehicles are parked at a central location which employees must drive to every

workday before proceeding to the jobsite. Some employers have asked employees to sign a waiver for past drive-time wages in exchange for a lump sum payment. Many employers have, or are in the process of, clarifying, changing or establishing their company policies regarding use of company vehicles.

After the *Brink's* decision the Washington Department of Labor & Industries (L&I) made an interim revision to its written administrative policy ES.C.2, regarding the MWA. The interim policy rescinded certain portions of the old policy and states that "L&I is working to update the policy to reflect the *Brink's* decision, but until the policy is updated, this portion of the travel time policy is pending."

Bills have been put forward in both the house and the senate of the Washington legislature

to address the uncertainty caused by the *Brink's* case. The bills attempt to clarify the definitions of "employ" and "work" in a manner that would mean employees simply commuting to work in a company vehicle are not engaged in "work" and are therefore not entitled to payment for drive time. The bills would not alter or effect the terms of any collective bargaining agreements and the changes proposed by the bills would provide some retroactive protection to employers. The bills currently face an uphill battle due to labor's position on the issue.

Industry groups and labor unions have been busy educating their members regarding the potential implications of the *Brink's* ruling. Washington State Labor Counsel's position on the *Brink's* matter is "when a worker goes directly to an offsite work location it is fair they be compensated for that drive time. Labor is willing to work with L&I and the business community to clarify this regulation if indeed this needs to be done." One thing is clear; the *Brink's* issue will be hotly debated during the next round of labor negotiations.

Look to future Puget Sound Chapter newsletters for updates on the drive time issue.

## New Member Highlight

### Julie Stalzer, Associate at DLR Group, Inc.

Ms. Stalzer has been employed with DLR Group, Inc. (DLR) for 29 years. DLR is a national architectural and engineering firm, with local office in Seattle. They offer complete project design services, starting at the earliest stages of planning on through to final documentation. They also offer ongoing client support throughout construction and project closeout.

Ms. Stalzer is the administrator for their Construction Services department. This means that she handles all RFI's (request for information), project submittals, pay applications, and other relevant paperwork. She then assigns the paperwork to the appropriate staff member and continues to monitor the corresponding response time to DLR's client (s).

Ms. Stalzer first heard about NAWIC while visiting NAWIC's tradeshow booth at the Women's Exhibition at SAFECO Exhibition Hall. She ultimately chose NAWIC because she wanted to get to know other women within the construction industry, as well as learning more about the construction industry. She has expressed interest in becoming more involved in NAWIC's

committees, such as Fundraising, Liaison Committee, and Block Kids, hoping to gain increased knowledge about NAWIC and what it may have to offer construction professionals like herself.

Outside of work, Ms. Stalzer loves to travel and enjoys photography, reading, and music.

Welcome Julie!



# Fun Little Reminders

Assembled by Judy Jewell

Leadership nuggets from a blog on Industry Week; 10 bits of wisdom from 7 recently published leadership titles.

1. We know what leadership looks like (but we don't know what it takes).
2. Charisma shouldn't make a difference (but it does).
3. Real leaders don't play politics (they take it very seriously).
4. **Women make better leaders (when that's what they really want to do).**
5. The double standard is for cavemen (and the corner office).
6. Thou shalt not play favorites with friends and family (except when it makes a lot of sense).
7. A leaders' fundamental duty is to groom a successor (but it hurts like hell).
8. Leaders need to demonstrate work-life balance (no problem – work is their life).
9. Blatant self-interest is dangerous (in followers, not leaders).
10. It's lonely at the top (but leaders wouldn't have it any other way).

From James Dale's *The Obvious* "If you're not good to work for, fire yourself. Find a role model you'd rather work for and start being that person."

Checklist from Career Wisdom's John McKee - provides a way to gauge if you're a boss that your employees are thankful for:

Answer yes or no to each question below and then check the scoreboard that follows:

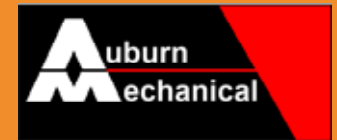
1. All employees generally dislike work.
2. The best motivator for your team is money; it's what brings them back every day.
3. Keeping emotions out of the management process has served the operation well.
4. Your staff prefers to work as a team so that individual accountability is lessened.
5. As much as I would like to, I just don't have the time to spend talking in-person to my subordinates.
6. I encourage feedback from a suggestion box or other anonymous method.
7. I live for the weekends – this job is a paycheck to support my "real" life.
8. I don't believe outsourcing can happen to my company.
9. Regular team meetings are not justifiable as they take too much time, which lessens productivity.
10. My current management position isn't very influ-

ential, but when I move up the ladder a bit I can make a "real" contribution to the company.

Scorecard: Give yourself a point for every time you said "No".

- 10 = Excellent!! You'll be running the show in no time.
- 9 = Brilliant. You obviously see your employees as an asset.
- 8 = Solid. You have the right attitude, and the team will see that.
- 7 = Well done. You know people and their needs.
- 6 = Good. You recognize the power of your role.
- 5 = Fair. May be time to rethink your management strategy.
- 4 = It's definitely time for an attitude adjustment.
- 3 = Change or die (metaphorically). Things aren't good, but it's not too late to make impactful changes.
- 2 = Do something significant that will be viewed in a positive light or your employees will leave.
- 1 = It's time to consider a new job where you do not manage people.
- 0 = Ever considered a job as a bounty hunter?

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