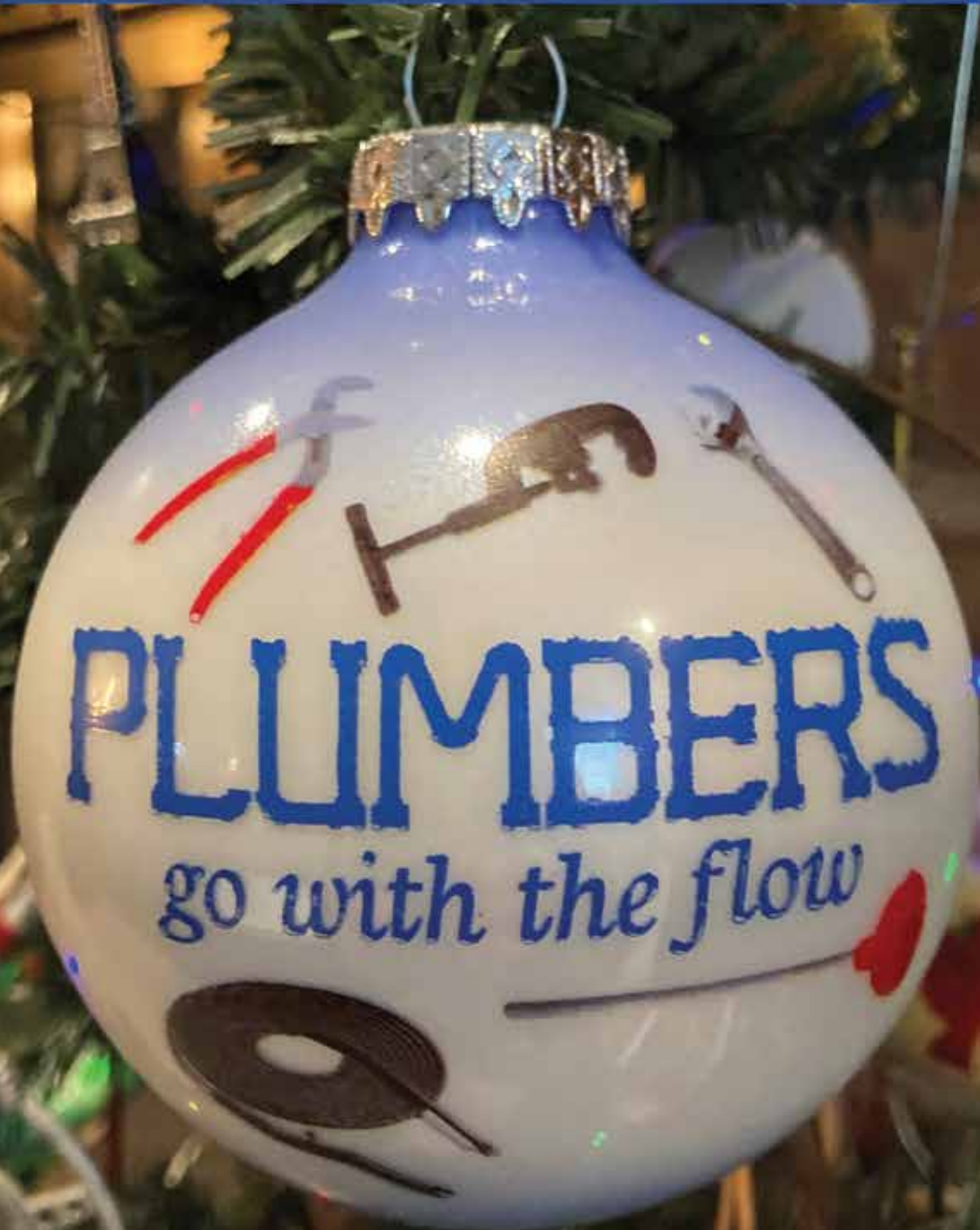


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ILLINOIS ASSOCIATION OF PLUMBING•HEATING•COOLING•CONTRACTORS

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The Illinois Master Plumber published monthly, is the official publication of the Illinois Plumbing-Heating-Cooling Contractors Association, only insofar as notices, bulletins, and reports are concerned.

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PRESIDENT'S THOUGHTS

by Brian Rich
Illinois PHCC President

Merry Christmas, Happy Hanukah and many warm Holiday Greetings to you! Can you believe it! It's that time of year again. The busyness and hustle and bustle of the holiday season can be overwhelming. Remember to focus on your reason for the season – to share peace, love and joy everywhere you go. While I was writing my thoughts last month, we were still waiting to find out who our next President would be. Well, now we know. Whether you voted for Joe Biden or not let's hope and pray that he and Congress can work through their differences, create solutions, and move this great country of ours in the right direction.

Thanksgiving was much different for us this year. Angi and I spent Thanksgiving at home, just the 2 of us but were blessed to see our youngest son Garrett with his new puppy Bella for the weekend as well as our oldest son Jacob, his wife Amanda and our beautiful granddaughter Rachel. Outside time riding minibikes was enjoyed by all. The weekend was capped off with watching my beloved Packers beat up on Da Bears, 41-25. **Go Pack Go!**

If you are a PHCC member you should have received your dues renewal notice and if not, please contact the Illinois PHCC office. Thank you for your support of the PHCC association. We hope you continue to partner with us. If you are not a member please take a few moments out of your busy schedule and really consider how PHCC can help you and your business. PHCC membership brings many benefits to your business. Gaining knowledge is crucial to the life of any business and knowledge can also bring with it personal success. Through PHCC you have numerous ways to increase your knowledge; reading the online

email newsletter filled with up to date information, receiving special alerts pertaining to critical issues like the recent COVID pandemic, legislative issues, expert advice and much more. PHCC is involved everywhere and fighting on behalf of the business owner as well as the Licensed Plumber. By having representation on all code bodies, industry coalitions and a legislative grassroots network, PHCC is able to represent your interests on industry specific issues at both the state and federal level.

Many resources are available to members through a click of a button. Access online webinars, risk management information, online training and more. With the COVID Pandemic still in full swing and so much of the usual things in life being put on hold I have dove deeper into associations that help to support, educate, and protect each one of us. It is easy to be overwhelmed by the day to day activities of running a business and the multiple fires that need to be extinguished. I find myself saying I'm too busy to be involved with something outside of my family or my business. But in reality, the PHCC, UAC, QSC and CCA are out there to help the busy, overwhelmed business owner and staff. These associations are here to support, educate and lobby on our behalf. The smarter and more educated we are allows us to bring our ideas to life and create something incredible. Take the time, you're worth it.

Once again, I encourage you to make an extra effort to be patient, kind and grateful to all who make your life easier; the postman, the grocery store cashier, your co-workers and especially your family. Remember those in need this holiday season and may it be merry and bright.

Brian 

IN MEMORY

Thomas W. Bollman, 81, of Monmouth, IL passed away on Friday, October 30, 2020 at OSF St. Mary Medical Center, Galesburg, IL.

In 1965 Tom became a licensed plumber and began his 45-year career as an estimator and project manager for several contractors in the area associated with the Plumbers and Pipefitters Union Local #25. He was a member of the Galesburg Plumbing, Heating and Cooling Contractors Association, where he served as President in 1982. He also was a member and served as President in 1986 of the Rock River Plumbing & Mechanical Contractors Association, Inc. He was on the board of directors and later served as Secretary and Vice President of the Illinois Association of Plumbing, Heating and Cooling Contractors (IL PHCC).

Tom is survived by his wife, Betty of Monmouth, IL; his son, Dick (Tracy) Bollman of Glen Carbon, IL; his daughters, Kim (Pete) Squier of Austin, TX and Barb (Sean) Bracken of Iowa City, IA; 9 grandchildren, and 5 great grandchildren.

Cremation has been accorded. Due to the risks and concerns associated with the Covid-19 pandemic, no visitation or services will be held at this time. Memorials may be given in Tom's honor to the Warren County Library, First United Methodist Church of Monmouth or the Monmouth College Athletic Department and sent to the Funeral Home. McGuire & Davies Funeral Home and Crematory, Monmouth, IL. is in charge of the arrangement.

The Illinois PHCC extends their sincere sympathy to the Bollman family. 🕊️



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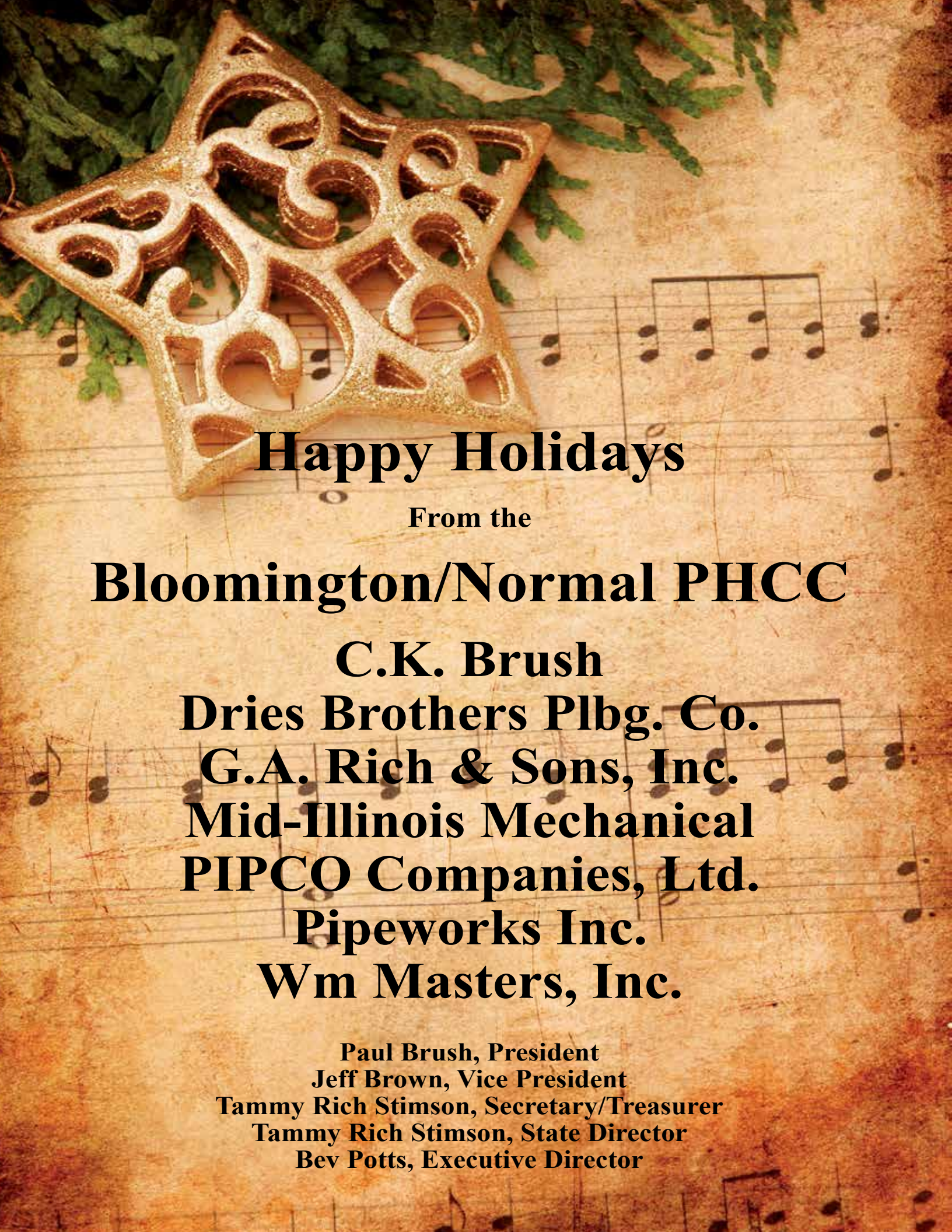
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COVID-19 Guidance on Ventilation in the Workplace

OSHA is committed to protecting the health and safety of America's workers and workplaces during these unprecedented times. The agency will be issuing a series of alerts designed to keep workers safe.

Ensuring adequate ventilation throughout the work environment can help to maintain a safe and healthy workplace. Employers should work with a heating, ventilation, and air conditioning (HVAC) professional to consider steps to optimize building ventilation. An HVAC professional can ensure that the ventilation system is operating as intended. The following tips can help reduce the risk of exposure to the coronavirus:



- Encourage workers to stay home if they are sick.
- Ensure all HVAC systems are fully functional, especially those shut down or operating at reduced capacity during the pandemic.
- Remove or redirect personal fans to prevent blowing air from one worker to another.
- Use HVAC system filters with a Minimum Efficiency Reporting Value (MERV) rating of 13 or higher, where feasible.
- Increase the HVAC system's outdoor air intake. Open windows or other sources of fresh air where possible.
- Be sure exhaust air is not pulled back into the building from HVAC air intakes or open windows.
- Consider using portable high-efficiency particulate air (HEPA) fan/filtration systems to increase clean air, especially in higher-risk areas.
- When changing filters, wear appropriate personal protective equipment. [ASHRAE recommends](#) N95 respirators, eye protection (safety glasses, goggles, or face shields), and disposable gloves.
- Make sure exhaust fans in restrooms are fully functional, operating at maximum capacity, and are set to remain on.
- Encourage workers to report any safety and health concerns.

For more information, visit www.osha.gov/coronavirus or call 1-800-321-OSHA (6742).

*OSHA issues alerts to draw attention to
worker safety and health issues and solutions.*

This document does not have the force and effect of law and is not meant to bind the public in any way.
This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

FEDERATED INSURANCE APPOINTS NEW CEO AND COO

In a significant step forward in planned efforts to develop and install the next generation of strong executive leadership at Federated Insurance, Chairman and CEO Jeff Fetters has announced that Michael G. Kerr has been appointed the organization's President and Chief Executive Officer, and Nicholas R. Lower its Executive Vice President, Chief Operating Officer. These leadership changes will be effective January 1, 2021, at which time Fetters will voluntarily relinquish his role as CEO while retaining his duties and responsibilities as Chairman of the Federated Mutual Insurance Companies.

Fetters' duties will include active management of the business of the company and working with the CEO and Board to develop long-term strategy and vision for the company. He will also continue overseeing Federated's Investment and Legal Departments, and remain a steadfast proponent of Federated's four cornerstones and core principles and values.

Additionally, Fetters and his wife Marty will continue their active support of the Owatonna community and remain Co-Chairs of the Federated Challenge® for Big Brothers Big Sisters®.

"As President and CEO, Mike Kerr will continue to champion Federated's culture and core principles and values," Fetters said. "He is uniquely qualified to guide our organization forward, having achieved great success in every leadership role he's been assigned throughout the company during his 39-year career. Mike is blessed with a natural ability to move hearts and inspire those around him to reach their highest potential. He cares deeply for the well-being of Federated clients, employees, and his community."

Kerr hails from northern Michigan and is a Central Michigan University graduate. Following successful tenures as a Marketing Representative, District Marketing Manager, and Regional Marketing Manager in Michigan and Indiana, Kerr and his wife Joanne relocated their family to Owatonna, Minnesota, where he has served in various leadership roles in Federated's Home Office. He has been Director of Marketing, Director of Association Risk Management Services, and overseen Home Office Marketing, Property & Casualty Claims and Underwriting, Field Services, Life Operations, Learning Center, Advertising, Human Resources, Property & Casualty Services, and Office and Physical Services. He has also

chaired Federated's Operations Team, Commercial Health Team, and Commercial Lines Team. As President and CEO, Kerr will oversee Federated's Property and Casualty and Life Insurance Operations, as well as its Actuarial, Information Services, and Human Resources Departments.

"Nick Lower will bring tremendous passion for Federated and client success to his role as COO," Fetters said. "He is a driven individual who sets a high bar for himself and all those around him. He tackles challenges head on, with a directness and sense of urgency that has earned the respect of his colleagues here at Federated. He is a tremendous coach and mentor, who models integrity, dedication, and a tireless work ethic."

Following graduation from Muskingum University, Lower joined Federated Insurance in 1999 as a Marketing Representative in Ohio. Over the years, he has taken on several leadership roles in the company's Marketing function, culminating in being named Director of Marketing in 2017. He has also overseen Federated's Association Risk Management Services Department, as well as its Marketing Administration and Incentives areas. In recent years, Lower has served as Chair of Federated's Operations Team, which helps oversee the company's overall financial results.

"It is with tremendous pride and complete confidence that we announce these important leadership changes," Fetters said. "Mike Kerr and Nick Lower are proven leaders who breathe life into our organization's mission each and every day. We have been tremendously fortunate to benefit from their contributions over the years and look forward to the future they will help shape for our company and clients."

Founded in 1904, Federated Insurance is a national insurance and risk management organization that serves the property, casualty, and life insurance needs of clients in select industries. The organization has more than 500 recommendations from state, regional, and national associations and buying groups and is rated A+ (Superior) by industry analyst A.M. Best®.

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LAST CHANCE IN 2020 - VISIT THE ILLINOIS PHCC VIRTUAL EXPO NOW!

The 2020 Illinois PHCC Expo continues to be held in a virtual format until December 31st.


The show uses the AgendaPop app and works **best on a smart phone or tablet**. While you can access it with a laptop or PC, there will not be as much information and usability.

You will be able to access exhibitors' company profiles, websites, contact information, and downloadable materials/brochures, and much more. This great source of product information will be available at your fingertips **24/7**. You can also network with exhibitors, inspectors, designers, and other industry colleagues.

You say you visited the "show" last month? You

may want to go back again as materials are updated as product lines are added or new information becomes available. There will be giveaways at various times and dates. Check back often to keep updated and to possibly win some **great prizes**.

The show platform will offer other valuable information. You can view the Auxiliary's Expo Program Book, get order forms for the Illinois Plumbing Code Book and the Auxiliary's plumbing t-shirts, and much more.

Visit the Illinois PHCC Facebook page or our website at www.ilphcc.com, for links and information on how to attend, or follow the instructions in this issue of the magazine. 

NOW IS THE TIME TO RENEW YOUR PHCC MEMBERSHIP


If you are a PHCC member you should have received your dues renewal notice last month. If not, please contact the Illinois PHCC office. We would like to thank you for your past support of the PHCC and hope you continue to partner with us.

If you are not a member, please take a few moments out of your busy schedule and really consider how PHCC can help you and your business. PHCC membership brings with it many benefits. Gaining knowledge is crucial to the life of any business, and knowledge can also bring with it personal success. Through PHCC you have many opportunities to increase your knowledge: reading the weekly online email newsletter, and the Illinois Master Plumber magazine; receiving special alerts pertaining to critical issues like tax reform or threats to the Plumbing License Law; updated industry information; business training; expert advice; networking and much more. PHCC is involved on

the local, state, and federal levels fighting on behalf of the business owner, and our Industry. By having representation on all code bodies, industry coalitions, and a legislative grassroots network, PHCC is ready and able to represent your interests.

Many resources are available to members through a click of a button. Access online webinars, risk management information, online training and more. One benefit from membership that you really can't put a price tag on is the relationships you will build through PHCC. Whether it's with a manufacturer, a supplier or a fellow business owner, you will be able to share ideas, gain access to expert advice and really benefit from the networking opportunities.

Renew or join today – you won't be sorry.

For more information, visit www.ilphcc.com and www.phccweb.org. 

Illinois PHCC Expo Mobile App Guide

The **Illinois PHCC Expo Mobile App from AgendaPop** is an easy and convenient way to navigate the virtual Expo on your Apple (iOS) and Android smartphones and tablets. It contains all of the event information that you'll need to make the most out of your experience.

We encourage you to download and install the app prior to the event!

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To take full advantage of the app, create an account or log in through your Facebook account.

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1. Download the native app from the App Store or the Google Play store.

For iOS and Android devices, search the stores for “AgendaPop” — then download and install. Tap the AgendaPop icon on your device to open and type **ILPHCC** as the Organizer Code.



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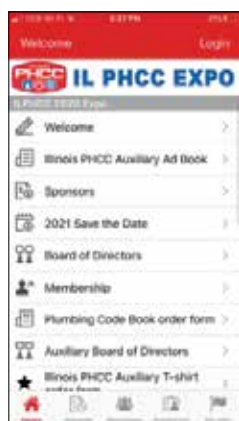
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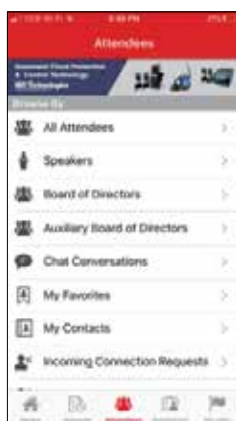
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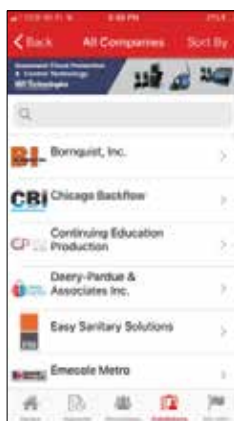
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MANDATORY SEXUAL HARASSMENT PREVENTION TRAINING

Public Act 101-0221 (commonly referred to as the Workplace Transparency Act), requires Illinois employers to provide sexual harassment prevention training to their employees on an annual basis, regardless of the size of the company.

Under this law, Illinois employers have until December 31, 2020, to train employees on sexual harassment prevention. The Act provides minimum standards that must be included in the training. To assist your business in complying with this new law, the Illinois Department of Human Rights has posted the following information on its website:

- A FAQ for Sexual Harassment Prevention Training
- Minimum Sexual Harassment Prevention Training Standards for All Employers

Employers must either develop their own sexual harassment prevention training program that equals or exceeds the minimum standards for sexual harassment prevention training outlined in Section 2-109(B) of the Illinois Human Rights Act, or they may use the model training provided by the IDHR. **The IDHR has released the model sexual harassment prevention training that can be used by Illinois employers.** The model training program can be downloaded by visiting <https://www2.illinois.gov/dhr/Training/Pages/State-of-Illinois-Sexual-Harassment-Prevention-Training-Model.aspx>

**For more information
please visit IDHR's website at
www.illinois.gov/dhr/training.**



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As a member of the PHCC community, you plug into a powerful network of valuable resources and contractors at the local, state and national level — plus our own PHCC Educational Foundation — offering the knowledge, tools, programs and services you need to succeed. PHCC means business, from protecting your interests with lawmakers and preventing over-regulation to providing huge savings when you take advantage of member discounts on products and services.

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● WORKFORCE DEVELOPMENT

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- Pre-Apprentice Courses
- Workforce Development Center and Resources
- Scholarships
- Assessment Tests
- Career & Job Fair Materials
- PHCC Career Center & Job Board

● ADVOCACY

- Legislative & Regulatory Participation
- Representation on All Code Body & Industry Coalitions
- State Legislative & Regulatory Tracking Tool
- Fight Against Over-Regulation
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- Regular Alerts on Laws, Regulations & Code Changes
- Annual Legislative Conference in Washington, D.C.
- Grassroots Network to Engage Members When Needed to Take Action

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U.S. DEPARTMENT OF LABOR ACTS TO HELP AMERICAN WORKERS AND EMPLOYERS DURING THE CORONAVIRUS PANDEMIC

Recently, the U.S. Department of Labor took a range of actions to aid American workers and employers as our nation combats the coronavirus pandemic.

Keeping America's Workplaces Safe and Healthy:

- U.S. Department of Labor's OSHA Announces \$3,301,932 In Coronavirus Violations – Since the start of the coronavirus pandemic through Nov. 19, 2020, the Occupational Safety and Health Administration has issued citations arising from 244 inspections for violations relating to coronavirus, resulting in proposed penalties totaling \$3,301,932.

Defending Workers' Rights to Paid Leave and Wages Earned:

- Southern California Manufacturer Pays Back Wages, Restores Sick Leave To Dozens of Workers During Coronavirus Pandemic – After an investigation by the Wage and Hour Division, a sheet metal parts manufacturer based in Canoga Park, California, will pay \$19,694 in back wages to 71 employees. The company wrongly paid workers only two-thirds of their regular rates when they took coronavirus-related sick leave, a violation of the Families First Coronavirus Response Act.

During the coronavirus pandemic, the Department of Labor is focused on protecting the safety and health of American workers, assisting our state partners as they deliver traditional unemployment and expanded unemployment benefits, ensuring Americans know their rights to new paid sick leave and expanded family and medical leave, providing guidance and assistance to employers, and carrying out the mission of the Department.

The mission of the Department of Labor is to foster, promote and develop the welfare of the wage earners, job seekers and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.



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Happy Holidays

From The

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Association

PHCC PROJECT MANAGEMENT BOOT CAMP GOES ONLINE

THANKS TO A. O. SMITH UNIVERSITY, A. O. SMITH AND KOHLER COMPANY



By Staff Writer, PHCC Educational Foundation

The Plumbing-Heating-Cooling Contractors—National Association (PHCC)

Educational Foundation faced a tough question this year. How could their forty-plus hour, four-day *Essentials of Project Management* boot camp be successfully run online to avoid COVID-19 concerns?

The answer was to partner with the professional crew at A. O. Smith University (AOSU) to provide the instruction over Zoom from their advanced video studio in Ashland City, Tennessee. This partnership allowed the first online PHCC Essentials class to run from Wednesday to Saturday with eighteen project managers in attendance.

Kirk Alter, Associate Professor at Purdue University, is the lead instructor for the Essentials class. His teaching style is highly energetic and interactive, featuring constant dialogue and role-playing exercises with the attendees. The AOSU studio allowed Alter to move as he would in a physical classroom, teaching from slides or more often vigorously scribbling columns of numbers on a whiteboard to illustrate the impact project manager's decisions have in terms of real dollars. All the while, staff in a control room were switching the Zoom broadcast view from camera to camera in the studio, allowing the attendees to follow the action. The attendees were required to keep their video on throughout the program, allowing a monitor in the studio to display a gallery view to Alter, facilitating “face-to-face” conversations.

After completing a full eight-hour day of training, attendees were tasked with completing intense project assignments in the evenings. They were additionally responsible for coordinating how they would conduct these meetings with their group members who were spread across the country. For many, it was the first time they had needed to create work product and develop a presentation with an entirely remote-based team.

Offering the class online eliminated travel and hotel expenses, reducing the costs for attendees. While A. O. Smith University supported the program through use of their studio, A. O. Smith and Kohler Company generously sponsored class, further reducing the registration fee for attendees.

Offering the class online also helped to reduce the risk of travel during a pandemic. One attendee even learned he had tested positive for COVID-19 during the first day of the class. He was able to



attend the entire program safely while isolating at home.

The next Essentials of PHC Project Management course will also be conducted online March 17th to 20th, 2021. The class will also be hosted by A. O. Smith University and sponsored by A. O. Smith and Kohler Company. Visit phccfoundation.org/essentials for more information and to register. The class size is limited, so early registration is encouraged.

ABOUT PHCC EDUCATIONAL FOUNDATION

The PHCC Educational Foundation, a partnership of contractors, manufacturers, and wholesalers, was founded in 1987 to serve the plumbing-heating-cooling industry by preparing contractors and their employees to meet the challenges of a constantly changing marketplace.



PLUMBING INDUSTRY ALLIES SUPPORT NATIONAL APPRENTICESHIP ACT OF 2020 *NOVEMBER 23, 2020*

By International Association of Plumbing and Mechanical Officials (IAPMO)

Plumbing industry allies IAPMO, the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States, Canada (UA), and the Plumbing-Heating-Cooling Contractors Association – National Association (PHCC-NA) enthusiastically support passage of the National Apprenticeship Act of 2020 (H.R. 8294) by the U.S. House of Representatives. The bill seeks to reauthorize the 1937 National Apprenticeship Act, which established the registered apprenticeship system, for the first time since its inception 83 years ago.

Many characteristics today associated with registered apprenticeships — progressive wage increases, mentorship and safety standards — are not part of the 1937 law; they have instead been included in subsequent U.S. Department of Labor regulations. These provisions and more would be codified into the new federal law, as well as expanding apprenticeship programs through authorization of \$400-\$800 million in new grant funding.

Registered Apprenticeships (RAs) are America's most successful federally authorized workforce

development program. According to the Department of Labor, 94 percent of people who complete RAs are employed upon completion, earning an average starting wage above \$70,000 annually. The success of the registered apprenticeship system is a product of the strict quality standards, close engagement with industry, and strong worker protections that the programs are required to uphold. All RAs must combine on-the-job learning with related instruction to provide workers a nationally recognized credential from the Department of Labor (DOL) that they can present to potential employers anywhere in the country.

More than 1,200 apprenticeable occupations now exist, from the traditional construction and military occupations to newer sectors such as information technology, finance, and health care. Yet, according to the most recent data, apprenticeships make up only 0.3 percent of the overall workforce in America

“Apprenticeships are a proven pathway to well-paying employment,” said IAPMO incoming CEO Dave Viola. “We applaud the U.S. House of

PLUMBING INDUSTRY ALLIES SUPPORT NATIONAL APPRENTICESHIP ACT OF 2020

CONTINUED

Representatives for passing this important piece of legislation. We face increasingly complex water and infrastructure challenges in the United States. The registered apprenticeship program is essential to ensuring that our country has the skilled workforce required to meet these challenges. IAPMO is proud to stand with the UA and PHCC-NA in celebrating this landmark legislation.”

Introduced in September and sponsored by Rep. Susan Davis (D-CA), H.R. 8294 invests in increasing access to RAs. It codifies and streamlines existing standards that are vital to support RAs and expands the successful RA model to youth apprenticeship and pre-apprenticeship programs. Based on Education and Labor Committee estimates, passage would create more than 1 million apprenticeship opportunities over the next 5 years.


“The Brothers and Sisters of the United Association of Union Plumbers & Pipefitters (UA) are the best trained and most highly-skilled craftspeople in the world — and that’s because of our rigorous training standards and the robust investments we make each year in our Registered Apprenticeship program,” said UA General President Mark McManus. “This reauthorization of the National Apprenticeship Act ensures Registered Apprenticeships can reach new industries and that exploitative contractors cannot cut corners. Our members can rest assured that UA apprenticeships will remain the gold standard in the construction industry with the passage of this bill.”

By bringing together industry sector leaders and experts, including employers, industry associations, joint labor-management organizations, labor organizations, education and training providers, credential providers, and apprentices, the bill would establish national frameworks for industry-recognized apprenticeable occupations.

“PHCC, as one of the leaders in apprentice education, has recognized the value of apprentice training throughout its 137-year history and welcomes this legislation that re-affirms and streamlines the Registered Apprentice Program,” said PHCC National President National President Hunter Botto. “PHCC and the PHCC Educational Foundation will continue their educational efforts utilizing Registered Apprenticeships in furthering

their Pledge to America’s Workers goal of preparing 75,000 future industry professionals over the next five years. We are grateful for the introduction of this legislation and urge prompt consideration and support of its passage as a signal that apprenticeship can lead to good jobs, with good pay, and a future for advancement.”

In addition to strengthening and expanding apprenticeship opportunities nationwide, passage would mitigate efforts across many states that threaten to weaken the plumbing industry through delicensing and/or elimination of plumbing boards.

H.R. 8294 can be viewed in its entirety at the following URL: <https://www.congress.gov/bill/116th-congress/house-bill/8294/text> 



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As a non-profit employer organization comprised of union plumbing contractors (signatory to UA Plumbers Local 130), the PCA is the sole and exclusive local chapter of the Illinois State PHCC, National PHCC (Plumbing-Heating-Cooling Contractors) and UAC (Union-Affiliated Contractors), as well as the MCAA (Mechanical Contractors Association of America). The PCA is also proud to be the only Chicago-area plumbing contractors' association member and financial benefactor (and with Board presence) of CISCO - Construction Industry Service Corp. and IMSCA - Illinois Mechanical & Specialty Contractors Association, and also offers services and classes by the Construction Education Institute and the Construction Safety Council to all its Plumbing Council constituents.

The PCA provides all of our affiliated contractors with education, advocacy, legislative & political action, public information, referrals, marketing initiatives and more aimed at promoting, protecting and advancing our contractors in the plumbing trade.

To find and hire one of our reputable plumbing contractors for 24-hour emergency service or residential, commercial, municipal and industrial jobs, call 1-800-76-VALVE or visit www.plumbingcouncil.org.



HR Question of the Month

RE-INJURY, RECOVERY AND THE ADA?

Question

I have an employee who texted me last week that he injured his back at home moving a dishwasher; that it was an old injury and that he re-injured and that he would need a couple of days to recover. I requested that he go to the doctor and get a full release before returning to work. I am getting some push back on that from the employee. I need some advice.

ANSWER

Generally speaking if an employee indicates that he or she has sustained an injury outside of work and will require several days off to recover, we are not aware of any federal or state law that would prohibit the employer from requiring the employee to produce a fitness for duty statement before returning. However, this requirement should be made pursuant to a clear company policy or consistently enforced practice, and not something imposed upon one employee that is not required of others who are similarly situated.

If company policy or past practice support the employer in requiring a fitness for duty statement before an injured employee comes back to work, as noted, we are not aware of any law prohibiting it from doing so here. The employer may want to provide the employee with a copy of his job description for his doctor to review in connection with opining on the employee's ability to safely return to work after his medical absence. That said, and getting specifically to your question, the employer generally should not mandate that an employee present a "full release" or similar statement from his/her doctor in order to return, as doing so constitutes a violation of the federal Americans with Disabilities Act (ADA). The EEOC addresses this specifically in its guidance at **EEOC:Employer-Provided Leave and the Americans with Disabilities Act** (and particularly the section titled "100% Healed Policies") as follows:

"An employer will violate the ADA if it requires an employee with a disability to have no medical restrictions -- that is, be "100%" healed or recovered -- if the employee can perform her job with or without reasonable accommodation unless the employer can show providing the needed accommodations would cause an undue hardship. ... The employer may not prohibit the employee from returning to work solely because she needs reasonable accommodations (though the employer may deny the requested accommodations if they cause an undue hardship). If the employee requires reasonable accommodations to enable her to perform the essential functions of her job and the accommodations requested (or effective alternatives) do not cause an undue hardship, the employer's requirement violates the ADA."

Admittedly, the guidance above relates to the rights and

obligations imposed upon employers where the ADA applies (i.e., where a qualified individual with a disability has taken leave as a form of reasonable accommodation, and seeks to return from that leave). It is not clear whether the employee's injury here is disabling, nor whether he qualifies for statutory protection under the Act. That said, even if the employee is not disabled, it is still not advisable to require employees who have taken time off for medical reasons (whether related to a disability or not) to be fully or completely recovered, nor to have no restrictions or limitations, nor to present a "full release before returning to work." The better approach, best practice and our recommendation is to instead seek to have employees present a "fitness for duty" statement from their healthcare provider any time they seek to return to work after a medical leave of any kind. Such statement may or may not indicate restrictions or limitations. We recommend providing any such employee a copy of his/her job description so the healthcare provider can review it in connection with indicating the employee's fitness to return to work.

If there are no limitations or restrictions on an employee's ability to resume working, he or she should be placed back to work.

If, however, an employee's doctor indicates that there are some limitations or restrictions, the employer is entitled to know specifically what they are and how long they are expected to last. If an employee in this situation is, in fact, disabled, the ADA and state law require the employer to then engage the employee in an interactive dialogue to determine whether the accommodation the employee's doctor or healthcare provider indicates is necessary can be provided without an undue hardship to the employer. This is why a "full release" is so ill-advised -- it essentially eliminates the reasonable accommodation analysis that is one of the hallmarks of the statutory protection afforded to disabled individuals under the ADA. Note that even when an employee is not disabled, this process is still a good idea as a best practice.

We make a **Medical Questionnaire for Accommodation Request** form available that can be used in this situation to assist the employer in securing medical documentation necessary for the interactive process called for under the ADA. Again, upon timely return and receipt of the requested information, the employer can then determine from the objective data whether the employee is disabled, and if so, what kind of accommodation is needed, and from there can assess whether it reasonably can be provided. For more information on the duty to reasonably accommodate and undue hardship issues under the ADA, please see **EEOC:Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA**.



Illinois Association of Plumbing-Heating-Cooling Contractors Application for Membership

Please print or type

Business Name _____

Contact Name _____

Address _____

City _____ County _____ State _____ Zip _____

Phone _____ Fax _____ Email _____

Illinois Plumbing Contractor's Registration Number _____

(For those involved in Plumbing Contracting)

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Type of Business Activities

(CHECK ALL THAT APPLY)

- | | |
|---|--|
| <input type="checkbox"/> Plumbing | <input type="checkbox"/> Backflow Inspection...EPA Backflow |
| <input type="checkbox"/> HVAC | Cert. # _____ |
| <input type="checkbox"/> Hydronics | <input type="checkbox"/> Refrigeration |
| <input type="checkbox"/> Process Piping | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Fire Sprinkler Systems | <input type="checkbox"/> Industrial |
| <input type="checkbox"/> Underground Utilities | <input type="checkbox"/> Residential |
| | <input type="checkbox"/> Service/Repair..... <input type="checkbox"/> 24 hr. service |

Signed _____ Date _____

The State Investment is \$245.00. The National Membership Investment is \$538.00. State and National are presented as a package for \$783.00 and may not be split. The Investment period is January 1 through December 31 and may be prorated on a monthly basis. Please make checks payable to Illinois PHCC, 821 South Grand Avenue, West, Springfield, IL 62704.

Please Note: Dues, contributions or gifts to PHCC are not deductible as charitable contributions. However they may be tax deductible as ordinary and necessary business expenses.

As per the Revenue Reconciliation Act of 1993, 5% of the Illinois PHCC and 5% of PHCC-NA dues are attributable to lobbying expense and are not deductible as an ordinary and necessary business expense.

QUESTIONS....1.800.795.7422



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Total amount enclosed \$ _____

Mail form with payment to:

**Illinois PHCC
821 South Grand Avenue, West
Springfield, IL 62704**

Make checks payable to the Illinois PHCC.

There will be a \$40.00 service charge for any checks returned due to insufficient funds.

Questions? Contact the Illinois PHCC at bev@ilphcc.com or shelly@ilphcc.com

(217) 522-7219

Don't Get Reeled into a Phishing Scam

In an increasingly connected world, businesses are able to work more effectively and efficiently than ever before — but they are also more susceptible to fraud than ever before. It might seem impossible that your business would be the target of a digital scam, but that's what cybercriminals are counting on. They prey upon the unsuspecting, employing ever-evolving methods to gain access data they can exploit for profit.

According to the FBI's Internet Crime Complaint Center, nearly 70,000 U.S. businesses lost more than \$10.1 billion to business email compromise/email account compromise attacks, commonly known as phishing, between October 2013 and July 2019¹.

Phishing attacks happen to businesses of all sizes and types. Scammers will send emails to employees, asking for information or providing a link that, when clicked, gives them access to the business's network. From there, the criminals can install malicious software to extract information, hold data for ransom, or otherwise sabotage a network.

One thing all phishing attacks have in common is that an employee was deceived — either into following a link, paying money, or providing information to someone posing as a trusted source. So, what can you do to help prevent your business from being reeled in by such a scam? Learn about the problem, then educate your employees. Here are a few tips to help get your workers thinking about helping protect your data — and your business — from email scams:

- Generic greetings, misspellings, and sloppy presentation could signify that an email is fraudulent
- If an email requests payment, but you weren't expecting an invoice, confirm it with your known contact over the phone
- If an email contains an unfamiliar or suspicious link, don't click it
- Report all suspected email attacks to management, but don't forward emails unless requested

Any organization is vulnerable to phishing attacks. So take steps to mitigate your risk of being a victim. Consider investing in cyber liability insurance to help your business respond to cyber exposures. Keep your systems and software up to date. Teach your employees to guard against cyber scammers. Consider hiring a vendor that specializes in analyzing your susceptibility and training employees to recognize and avoid malicious emails.

This threat is not going anywhere; fraudsters continue to find new ways to catch their victims off guard. But understanding the risk and training your employees to help safeguard your data and your network is the best first step you can take to help keep your business from falling victim to cybercriminals.

¹Source: "Business Email Compromise: The \$26 Billion Scam." <https://www.ic3.gov/Media/Y2019/PSA190910>. Accessed November 2020.

This article is for general information and risk prevention only and should not be considered legal or other expert advice. The recommendations herein may help reduce, but are not guaranteed to eliminate, any or all risk of loss. The information herein may be subject to, and is not a substitute for, any laws or regulations that may apply. Qualified counsel should be sought with questions specific to your circumstances. © 2020 Federated Mutual Insurance Company.

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