

Headlines & More



North East Fabricare Association
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NEFA Clean Classic Returning to Cyprian Keyes on July 17



NEFA'S ANNUAL SUMMER EVENT IS RETURNING TO CYPRIAN KEYES GOLF CLUB IN BOYLSTON, MA ON WEDNESDAY, JULY 17 WITH A 9:45 SHOTGUN START.

NEFA will again be using the popular 2-score, Bramble format this year. In this format, all players tee off, the group selects the spot of the best drive, and then all players hit their second shot from that spot and play their own ball

in through the hole. The team then records the two best scores for the hole using the handicap provided. This enables players to play more of their own shots, and the handicapping systems makes it fair for all players in all skill levels.

The cost is \$165/player which includes greens fees, cart, dinner, skills competitions, and raffle prizes. This is an extremely popular event, so register early!

"We look forward to this event every year," offered Larry Fish of Pier Cleaners. "It is great to spend a day in the sun with friends and peers, and then relax over a great dinner and a couple drinks at the clubhouse. Even for the casual hackers, this really is a terrific time, and I really recommend people make the time to just get out of the plant and join in."

Since opening in 1997, Cyprian Keyes has received numerous national recognition and awards. The dramatic course combines the beauty of nature with stimulating play. The course features a challenging, but fair layout and is frequently rated one of the best maintained courses in central MA.

THE BRAD FRIEL MEMORIAL CLEAN CLASSIC

Several years ago the NEFA Board decided to re-name the tournament after long-time NEFA member, former NEFA President, and all-around fun loving friend to all -- Brad Friel. Those who were fortunate enough to know Brad, and to have enjoyed his friendship, remember how much he loved this event and looked forward to seeing all his NEFA friends on the links. The old adage *"it isn't the years in the life -- but the life in the years"* never fit anyone so well.

For more information visit nefabricare.com or call (603) 635-0322

MARCH/APRIL, 2019

IN THIS ISSUE

Executive Vice President's Message:
Invest in Your Staff2

MA Mandatory Boiler License
Training Set for June 154

NEFA Fall Fest '19 Coming to
Worcester, MA5

NEFA to Co-Sponsor Environmental
Webinar6

How Clean is Clean
Enough? Pt. 27

Workers Compensation Isn't
Enough8

Allied Trade Members11

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EXECUTIVE DIRECTOR'S MESSAGE...

Are You Investing in Your Staff?

FOR THE PAST YEAR, I HAVE HAD MORE INQUIRES ON FINDING NEW EMPLOYEES OR RECRUITING PEOPLE. UNEMPLOYMENT IS NEARING ALL TIME LOWS, AND UNFORTUNATELY, THE DRYCLEANING INDUSTRY ISN'T MOST PEOPLE'S FIRST CHOICE.



Peter Blake,
MAC Executive Director

A recent article published in USA Today, listed the top 25 lowest paying jobs in the country. Understandably, it had all the industry's you would assume: dishwashers, fast food workers, food preparation, home healthcare workers, landscapers. I have listed most of lowest paying professions, can you think of others? These are the jobs you are competing with. Can you guess the number one, lowest paying job in the country is? Unfortunately, if you said laundry and drycleaning worker you are right. That could explain some of the difficulty we are experiencing getting new employees into the profession. Even if you dispute it, and say it isn't true -- the perception is there. (For those of you interested, I do have a copy of the article I can send, just contact me: peter@nefabricare.com).

How do we overcome that stigma? We are putting together one of the best regional conferences in this industry -- Fall Fest 19 -- coming to Worcester, MA this fall. Mark your calendars now -- it is vital for you to attend. One of the key topics will be on employee recruitment, team building, and employee retention.

Don't wait to November, however, to invest in your employees professional growth. We will have workshops and seminars throughout the year. Reward them by bringing them to the Clean Classic in July! Don't underestimate the value of rewarding them for their service. They will enjoy the day, get to meet peers and friends on the course -- and will come back excited about their job. It is important to all employees from the production employees on up to key managers to feel appreciated. Days like this can be very rewarding for all!



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MA Mandatory Boiler License Training: June 15



NEFA HAS PARTNERED WITH RICHARD FEE-NEY OF RTF CONSULTING TO DEVELOP A CONTINUING EDUCATION COURSE TO RENEW SPECIAL BOILER OPERATOR LICENSES.

The program will be held on June 15th,

from 9:00 am - 3:00 pm at Anton's Cleaners Corporate offices in Tewksbury, MA and the cost is \$225 for members. A certificate to renew your license will be awarded to all attendees.

In Massachusetts, all boilers must be operated by a licensed operator. Most drycleaners have "Special license to Operate or Be in Charge". Once you obtain your initial license, in order to renew them, you have to complete 6-hours of continuing education.

This course satisfies the Massachusetts Department of Public Safety's continuing education requirements to renew your license. This is crucial to all operators holding current licenses that need

to be renewed.

Those who Attend this workshop and learn:

- Boiler plant principles
- Boiler plant operation and maintenance
- Water treatment for boiler plant
- Understanding your boiler
- Massachusetts laws & regulations regarding boiler operation

There is a strict maximum class size of 15 and there are only 8 seats left! Please register ASAP to guarantee your spot!

UNSURE ABOUT YOUR COMPLIANCE?

Contact Peter Blake at NEFA for assistance: (603) 635-0322, peter@nefabricare.com. NEFA is now partnering with RTF Consulting to assist drycleaners with obtaining their license.

The new program will help applicants learn proper boiler procedures, how to care for your boiler, and will help train for the State Exam. The program features in-plant, personalized training for your specific boiler. Arrangements can also be made to be present for the on-site exam from the fire marshall office.

If you don't have a license -- contact NEFA today!



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Save the Date: Fall Fest '19 Coming to Worcester



THE NEFA BOARD RECENTLY VOTED TO BRING FALL FEST '19 TO THE AC HOTEL IN WORCESTER, MA. THE PROGRAM WILL BE ON THE WEEKEND OF NOVEMBER 15 - 17, 2019.

"We are really excited about the new location", offered Peter Blake, NEFA Executive Director. "This is a brand new, European designed hotel built in 2018. The facilities are well designed, the event space is perfect for our needs, and the location is in the heart of NEFA. Easily accessible for everyone."

"I really can't believe the metamorphosis of Worcester over the past few years," continued Blake. "It is amazing how much the area has changes since we were here with our trade shows 14 years ago. The entire downtown area has been renovated. There are some chic nightspot and unique dining opportunities and some very upscale restaurants. Everything from craft brew pubs to

comedy clubs to high-end steak houses. Worcester is becoming a popular destination."

NEFA promises the same high caliber management conferences as they have had in the past with new speakers, top-notch workshop leaders including the popular "Drycleaner Spotlight" program, and discussions focussed on timely topics everyone needs to hear.

NEFA will be emphasizing vendors and participants that support the association, and will be providing more opportunities for companies to get involved. The basic format will remain including the popular "Brainstorming Luncheon and the "Silent Auction and Cocktail Party".

"Of all the events I have gone to over the past 10 years," observed Mike Maulucci of Battiston's of Avon, "remains the best. I learned a lot, made some great connections, and when I got back to my plant, I instituted changes. I think the whole team is coming back next year, and we will even be bringing some of our management team."

NEFA has already locked in a special room rate of only \$149/night based on double occupancy and reservations should be open by the end of the month.

For Fall Fest updates: visit www.nefabricare.com



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NEFA To Co-sponsor Environmental Webinar



ON MAY 22, NEFA IS JOINING WITH MAC, SEFA AND CCA TO PARTNER WITH ENVIROFORENSICS TO HOST A REMEDIATION & CLEAN-UP WEBINAR. THE PROGRAM IS FREE TO ALL MEMBERS AND WILL BE HELD AT 2:00 EST.

Jeff Carnahan and Dru Shields of EnviroForensics will discuss what you can expect in a dry cleaner's environmental cleanup, emerging issues, available funding opportunities, and how to get yourself into the driver's seat. This is a proverbial roadmap for dry cleaners to address their environmental issues while minimizing out-of-pocket expenses.

"This is a great session", observed Peter Blake, NEFA Executive Vice President, "and it is a great opportunity to learn about what you can expect from a clean-up, or a remediation action. Even if you are not currently involved in a clean-up, but have concerns,

then this webinar is for you! You can ask questions, learn how to protect yourself, and learn how you can prepare for business transition. I get a lot of calls on how to prepare an exit strategy and environmental concerns remain one of the biggest concerns."

ATTENDEES WILL LEARN:

- How environmental cleanups are triggered, what you can expect during the environmental cleanup process, and emerging issues that need to be addressed
- How you can use historical insurance policies to help pay for environmental cleanups
- How you protect yourself and others from environmental liability when you're ready to retire or sell your business

You'll leave with a clear understanding of the multi-disciplined approach necessary to address environmental contamination and with clear next steps. You'll also have the opportunity to ask questions during our Q&A session.

To register, visit www.nefabricare.com and click on the registration button on the front page. Registration is free! If you have any questions or difficulties signing up, contact Peter Blake at the NEFA Office: peter@nefabricare.com or (603) 635-0322

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How Clean is Clean Enough? Pt. 2

Written By Jeff Carnahan, LPG President, EnviroForensics



IN THE FIRST PART OF THIS ARTICLE LAST ISSUE, WE TOOK A LOOK AT MAKING FINANCIALLY SOUND ENVIRONMENTAL REMEDIATION DECISIONS. WE EXPLORED WHAT "CLEAN" MEANS AND HOW IT AFFECTS YOUR REMEDIATION FUTURE.

In this second part, we will take a look at what closure means and what drycleaners can expect in the process

WHAT REGULATORY CLOSURE MEANS

Some state environmental regulators have very prescribed cleanup standards that have been put in place for regulated chemicals and are based upon certain human exposure scenarios given various land uses. For example, the cleanup standard for tetrachloroethene (PCE, or Perc) is much less stringent for properties which are and will remain commercial or industrial in nature, as opposed to used for residential purposes. This is because commercial property users spend much less time at the property than a residential user would and are engaging in activities that are much less likely to put them in contact with subsurface contamination than the residential user. So even when regulators strictly apply cleanup standards, their definition of clean is different for commercial and residential properties.

Other states allow for the person or business entity responsible for the contamination (Responsible Party, or RP) to decide how clean is clean enough by giving them the option to determine ongoing land usage more specifically with deed restrictions that limit the type of activities property owners and users can perform.

A classic example is turning a contaminated property into a parking lot, and then putting in place a deed restriction or covenant that states that the property must always remain a parking lot, and it must be maintained that way, so no one can come into contact with the contamination. In this scenario, there is no need to perform much contaminant removal beyond what is necessary to keep it from spreading to other properties beyond the owner's control.

The presence of the well-maintained parking lot surface and the accompanying deed restrictions essentially remove the risk of human exposure. This type of regulatory closure is called a Risk-Based Closure. Many RPs initially love to employ such Risk-Based Closures because they are much cheaper initially than those remedies where a substantial amount of cleanup occurs. But keep in mind the little story about my old Ford Maverick. "Do you want it fixed, or do you just want it to run?" Well, do you want it clean, which restores your property to fair market value and provides you with a more robust set of reuse options, or do you just want a regulatory

closure, which doesn't restore your property to fair market value and limits future reuse options?

Settling for a pure Risk-Based Closure in lieu of a significant active cleanup can negatively impact the value of your property. I'm not saying complete elimination of environmental impacts is wise, or even possible. In fact, most of the time, it's not even realistic to assume that every molecule of contamination can be removed from the soil, groundwater and soil gas after an environmental release. As such, nearly every remedy contains some component of a Risk-Based Cleanup. As I mentioned a bit earlier, the trick is finding the right balance that incorporates not only your wants and needs regarding post-closure usage of your property, but also takes into consideration your ability to shoulder the significant cost of active remedy.

MAIN TAKEAWAY

Environmental cleanup is a very costly endeavor, and it can heavily burden a business. Depending on how your business is set up, the liability for contamination could actually lie with you personally. Before you make that decision about how clean is clean enough, carefully consider all that you can afford. If you can swing it, the investment in a cleaner site will pay off in the future. Be sure to consider all your financial assets that can be used to pay for environmental cleanup.

Tip: Remember that past commercial general liability insurance policies can be triggered to pay for environmental cleanup. Especially since most environmental releases also occurred in the past.

By leveraging as much cleanup power and by choosing the best cleanup option, you can add value back to your contaminated property for future reimbursement. I wish the decision I made back with my Ford Maverick had been, "I want it to run, and I want it fixed." As is the case for many dry cleaners, you'll be better off if you get a regulatory closure and a cleanup.

FOR MORE INFORMATION

NEFA is partnering with EnviroForensics to host a webinar entitled "Cleaning up Contamination" (see page 6). There will be time for questions and answers at the end of the program so feel free to join in and let us know your concerns!

ABOUT THE AUTHOR

Jeff Carnahan is a Licensed Professional Geologist (LPG) with over 20 years of environmental consulting and remediation experience and is currently serving EnviroForensics® and our clients as President. Jeff has contributed to the success and growth of EnviroForensics through strategic market analysis and corporate risk management, as well as encouraging and upholding the superior level of technical expertise found at EnviroForensics. Jeff focuses on controlling risk and costs to all of our clients.

Workers Compensation Insurance Isn't Enough

Written By Jackie Smith, Henderson Insurance (Columnist for Cleaner & Launderer Magazine)



YOU HAVE WORKER COMPENSATION COVERAGE FOR YOUR BUSINESS AND YOU FEEL CONFIDENT THAT YOU ARE COVERED. IT IS THE LAW TO HAVE THIS COVERAGE EVEN IF YOU ONLY HAVE ONE PART TIME EMPLOYEE.

You are meeting the law requirements and have you/your business covered in the event an employee is injured on the job. Sara worked for you for years. You consider her part of your company family, almost like a daughter. However, business is slow and you have to cut back her hours. Suddenly you receive in the mail a letter from an attorney representing Sara. Sara is claiming you did not give her breaks as mandated by law, she worked hours over her shift and was not paid overtime AND you have cut her hours due to discrimination!

You know this is not true so you turn the claim into your Worker Compensation carrier. This claim is not covered because THERE WAS NO INJURY AT WORK. So you then think, I will turn it over to my General Liability Company. Your Business Owners Policy has liability coverage. Surely it is covered there but then you learn, the coverage on this policy EXCLUDES employees!

PROTECT YOURSELF AND BUSINESS

Unfortunately, most Business Owners do not discover this until there is a claim. Is there a policy that will cover the Business Owner in this situation? YES. It is called Employment Practices Liability Coverage (EPLI). EPLI insurance covers losses that would not be covered by Comprehensive General Liability policies. It is a coverage that can be added to your General Liability policy as an endorsement or a separate policy can be issued for this coverage.

What does EPLI cover?

- *Sexual harassment
- * Discrimination
- *Wrongful termination
- *Breach of employment contract
- *Negligent evaluation
- *Failure to employ or promote
- *Wrongful discipline
- * Deprivation of career opportunity
- * Wrongful infliction of emotional distress
- * Mismanagement of employee benefits plans

"Employment claims are very frequent and chances are that every employer will face them as part of doing business at one or more

times during the existence of its business," states Mukesh Advani who practices in the areas of employment law. "Small and medium sized businesses are often the most exposed to this liability because they typically don't have HR departments to deal with employment-related issues to avoid or minimize such claims."

ARE YOU AT RISK?

Your Company does not even have to do anything wrong to be sued but the business owner still has to defend itself and this defense can cost hundreds of thousands of dollars. Frivolous lawsuits fill our courtrooms. It is important to protect yourself. EPLI coverage covers defense expenses, compensatory monetary awards, remedial awards, judgments and pre- and post judgment interest.

An example of what would be covered is indicated above in Sara's compliant. I am seeing a lot of wrongful termination claims being filed by drycleaner employees. Insurance Companies are retaliating by either not writing coverage in the area or increasing the rates.

Contact your Insurance Broker/Agent to obtain a quote on this important coverage. Remember, however, you cannot obtain coverage for criminal, fraudulent or malicious acts, for damages for which you have assumed liability. If you have violated certain Federal or State laws, there would be no coverage for that.



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North East Fabricare Association 24nd Annual

"Brad Friel Memorial Clean Classic" *Wednesday, July 17, 2019*



NEFA's annual summer event is moving to Cyprian Keyes Golf Club in Boylston, MA on Wednesday July 17, 2019 with a 9:45 shotgun start.

Since opening in 1997, Cyprian Keyes has received numerous national recognition and awards. The dramatic course combines the beauty of nature with stimulating play. The course features a challenging, but fair layout and is frequently rated one of the best maintained courses in central MA.

NEFA will again be using the popular 2-score, Bramble format this year. In this format, all players tee off, the group selects the spot of the best drive, and then all players hit their second shot from that spot and play their own ball in through the hole. The team then records the two best scores for the hole using the handicap provided. This enables players to play more of their own shots, and the handicapping systems makes it fair for all players in all skill levels.

Wednesday July 17, 2019

Cyprian Keyes Golf Club, 284 E Temple St, Boylston, MA 01505 * www.cypriankeyes.com

Registration: 8:30 a.m * Opening Remarks & Shotgun Start: 9:45 a.m. * Awards & Dinner: 3:00 p.m.

Cost to Play: \$660/foursome or \$165/individual

Cost includes: greens fees for 18 holes of golf, cart, participation in the Longest Drive (men's and women's), Closest to the Pin, and other fun contests, hamburgers, hotdogs, beer and soda at the turn and our scrumptious award dinner!

Tee Sponsorship & Golf Package: \$330

As thanks for your generous contribution, a sign displaying your name as a proud sponsor will be displayed on the course at one of the 18 Beautiful Tee areas. You will also receive a business card ad in our Clean Classic welcome booklet as well as paid entry for 1 player to represent you on the golf course.

Brad Friel Action Package: (Now included in Registration - Previously \$30)

This fun-filled package includes all the "extras" to ensure an "action-packed" day!

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