



Council of Industry Newsletter

June 2012
Volume 16
Issue 6

Hudson Valley Manufacturing Champions Honored at Award Breakfast

Over 120 Hudson Valley Manufacturers and their associates attended the Council of Industry's Award Breakfast held to honor this year's Manufacturing Champions at the Powelton Club in Newburgh, NY.

The Council of Industry, the Manufacturers' Association of the Hudson Valley, has presented the Manufacturing Champions Award for the last five years to recognize people and organizations who support the manufacturing sector and to increase the public's awareness of the importance of manufacturing in our economy and communities. This honor is bestowed on individuals from both the public and private sector and an organization who through vision, dedication, hard work and tireless involvement have helped to overcome some of the many obstacles faced by manufacturers in the Hudson Valley community and in so doing they have made it possible for manufacturers and their employees to prosper. The 2012 recipients of this award are Richard and Carole Parker, founder and president of Fair Rite Products Corporation, Orange County Executive Ed Diana, and The Hudson Valley Economic Development Corporation.



2012 Manufacturing Champions: County Executive Ed Diana, Carole and Richard Parker, Fair Rite Products, Michael Oates, HVEDC.

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The Council of Industry would like to thank the Award Breakfast Major Sponsor:



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The private sector Champions, Richard and Carole Parker, are the founder and president of Fair Rite Products Corporation. Richard Parker, a pioneer of the early efforts to use ferrites for EMI energy attenuation, founded Fair Rite Products Corporation in Ulster County in 1952. Under Richard and his wife (and Fair Rite CEO) Carole's leadership Fair Rite Products has grown into a multinational business. Today, still based in Ulster County, Fair Rite Products is one of the world's leaders in development, innovation and manufacture of soft ferrite products, offering a comprehensive product line that includes a wide range of materials and geometries for EMI suppression, power applications and RFID antennas.

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Training and Education

Kudos to Orange County IDA for Pushing Manufacturing Worker Skills Development

For more than a year members of the Orange County (NY) Industrial Development Agency Board of Directors have been researching ways to support Orange County Small and Medium sized manufacturers in their efforts to find skilled workers. The IDA recognizes the importance of manufacturing to the economy of the county and are trying to support it where they can.

Since first learning that a gap exists between what area manufacturers need and what the current workforce possess as well as what the areas schools can provide, the IDA has been looking at best practices across the nation with an eye toward implementing them here in the Hudson Valley. That has led to the possibility that SUNY Orange will begin a certificate training program for advanced manufacturing focuses on training machinists. Overtime the program may be expanded to also include an Associates Degree.

To ensure that the program is needed and that it includes what area manufactures need, the SUNY Orange will be hosting a series of focus groups on the topic in late June. The Council of Industry has been involved in this process all along, and many of our members will be invited to participate in the focus groups (including many outside of Orange County) the groups will be held in four sessions scheduled for June 20-21, and 27-28 at the college's Newburgh campus and at the Orange County Business Accelerator in New Windsor.

Since first learning that a gap exists between what area manufacturers need and what the current workforce possess as well as what the areas schools can provide, the IDA has been looking at best practices across the nation with an eye toward implementing them here in the Hudson Valley.

Twenty-two Graduate 2012 Certificate in Manufacturing Leadership Program

The Council of Industry is proud to announce that twenty two individuals from nine different companies have completed the 2012 Certificate in Manufacturing Leadership Program. This is the largest group yet to go through the supervisory training program. Participants completed at least nine



2012 Certificate in Manufacturing Leadership Recipients

of ten courses offered (many attended all ten) in a variety of areas related to manufacturing and business such as Train the Trainer, Making a Profit in Manufacturing, Positive Motivation and Discipline, Problem Solving, and Teamwork just to name a few.

One of the best parts of this training is the opportunity to talk with people from other companies. One participant from Schatz Bearing Corporation explained, "This is a great networking opportunity with fellow manufacturing companies." The training also offers "Lots of 'fine tuning' techniques that are useful to all supervisors and managers," explained Mike Senecal, from FALA Technologies.

This November the class will receive their Certificate in Manufacturing Leadership at the Annual Luncheon and Expo.

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Council News

2012 Council of Industry Golf Outing

When: August 27th, 11:30 Lunch, 12:30 Shotgun start

Where: The Powelton Club, Newburgh, NY

Cost: \$155 per person, \$575 per foursome

The Council of Industry will hold its Annual Golf Outing on Monday, August 27th at the Powelton Club in Newburgh. The Powelton is a beautiful course conveniently located just off of Route 9W in Newburgh, NY. Last year's event drew over 80 golfers from manufacturing firms throughout the Hudson Valley.



Registration and lunch will begin at 11:30 followed by a shotgun start at 12:30. Cocktails and a light dinner will follow at approximately 5:00 p.m. Prizes will be awarded for Best Ball, Yellow Ball, Longest Drive and Closest to the pin.

The \$155 fee (\$575 per foursome) includes: lunch, golf, cart, cocktails, hors d'oeuvres, dinner, prizes and giveaways. Golf has been played at the Powelton since 1892 and the current course is known to be both challenging and memorable, accentuated by wonderfully quick greens, tight fairways with deep rough and troublesome pin placements.

Sponsorships are available. Sponsors help make this event possible and one of the most enjoyable of the golfing season. Please support the Council of Industry and Hudson Valley manufacturing by becoming a sponsor. To register or for more info contact Alison Butler at abutler@councilofindustry.org or call (845) 565-1355.

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Ask the Experts – A Combined HR & EHS Sub-council Meeting

Topic: Any HR or EHS questions you have

When: Thursday, June 28, 3:00 pm -5:00 pm

Where: The Council of Industry Offices, The Desmond Campus, Mount St. Mary College, Newburgh, NY

Cost: None for Members

The next sub-council networking meeting will be a combined Human Resources and Environment Health and Safety group called "Ask the Experts" held from 3pm—5pm on Thursday, June 28th at the Council of Industry office in Newburgh, NY.

The Council is putting together a panel of experts on labor law, safety regulations and best practices in general. Participants should write down those nagging questions and bring them along to ask our experts. The informal meeting will take place on the porch of the beautiful Desmond Campus at Mount St. Mary's College where the Council of Industry offices are located. Even if you don't have a question, this is an excellent networking opportunity so join us for the afternoon.

Experts include:

Human Resources

- Devora Lindeman Esq., Partner at Greenwald Doherty LLP
- Mike Billock, Bond, Schoeneck, & King, PLLC
- Gordon Mc Aleer, McAleer & Associates
- Greg Chartier, HR Info 4 U

Environment, Health & Safety

- Ronald Coons, New World Solutions
- John Rigge, Barton & Loguidice, P.C.
- Patrick Flynn, Groundwater & Environmental Services, Inc.
- Mike Maegerle, Groundwater & Environmental Services, Inc.
- Kim Cuppett, The Chazen Companies
- Russell Urban-Mead, The Chazen Companies

Register online at: <http://www.councilofindustry.org/council-networks/humanresources.html> or e-mail Alison Butler at abutler@councilofindustry.org or call (845) 565-1355.

Personnel Matters

The EEOC's New Guidance on Criminal Background Checks

By Greg Chartier, President, HR Info 4 U, Council of Industry Associate Member

The EEOC's new Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions was released April 25, 2012. In the Guidance, the EEOC describes the circumstances under which an employer's use of arrest and conviction records can violate Title VII's disparate treatment and disparate impact theories and provides a list of employer best practices.

The EEOC does not appear to be imposing any new rules. Instead, the Commission continues to encourage the use of a "three-factor" test identified by them when evaluating criminal history. These factors are:

- 1) The nature or gravity of the offense or conduct;
- 2) The time elapsed since the conviction and/or completion of the sentence; and
- 3) The nature of the job sought or held.

Things to Consider

Do not ask about convictions in employment applications as a regular practice. If you need to ask applicants about their criminal history, only ask applicants who are applying to positions where criminal history may be relevant and make sure that the questions asked are limited to convictions that have a relationship to job duties.

You may not use an arrest record, by itself, to deny employment. You are, however, permitted to make employment decisions based on the conduct underlying the arrest. For instance, an employee may be terminated for an arrest or an applicant denied employment, so long as the conduct the employee

or applicant was arrested for is relevant and makes the individual unfit for the position.

The biggest development in the introduction of the concept of "individualized assessment" to criminal back-

ground checks. An employer conducts an "individualized assessment" when it informs an employee or applicant that he or she is being screened out due to a criminal record, provides the individual with opportunity to respond and the employer considers extenuating circumstances before making a final decision.

The Guidance makes clear that an employer who is conducting criminal background checks in order to comply with another federal law or regulation will not violate Title VII.

Unfortunately, the Guidance also makes clear that compliance with state and local laws will not shield employers from Title VII, because Title VII pre-empts state and local laws that are in conflict with it.

As a result of this new Guidance, we should anticipate aggressive oversight by the EEOC. The Commission recently listed as a top priority increasing the number of systemic discrimination lawsuits against employers. Systemic cases allege patterns or practices of discrimination. Since the EEOC is in the midst of investigating hundreds of background check charges, we should be prepared to defend our policies and practices.

Checklist:

- Review background screening policies and practices.
- Make adjustments needed to the extent practices cannot be justified as job related and consistent with business necessity.
- Implement an Individualized Assessment process.
- Train recruiters and job interviewers, and decision-makers to only use criminal background checks when it is appropriate.

HRinfo4u is a Human Resource consulting firm that uses technology and social media to provide relevant, real-time and practical information to smaller and mid-size firms. We want to make your organizational life easier so that you can be more effective; because you didn't choose Human Resources as your core competency; we did.



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	<p>Greg Chartier, Ph.D., SPHR</p>
<ul style="list-style-type: none"> • Virtual Human Resources • HR Outsourcing • Talent Acquisition • HR Planning & Forecasting • Organizational Effect 	<p>Post Office Box 04 Maryknoll, NY 10545</p> <p>914.548.1689 914.941.1667 fax</p> <p>greg@HRinfo4U.com www.HRinfo4U.com</p>



More Personnel Matters

Get Frank Feedback - Exit Interview Questions That Can Get You Information to Improve Your Organization

The exit interview with a terminating employee is your opportunity to obtain information about what your organization is doing well - and, what your organization needs to do to improve. Used in concert with employee satisfaction surveys, exit interviews are a rich source of information for organization improvement.

Exit interviews are key to organization improvement since rarely will you receive such frank feedback from current employees. You'll find that some items were resolvable with earlier information but others are not, such as the desire for a large salary increase.

Here are **sample exit interview questions** that may be helpful to use in your organization.

Why have you decided to leave the company?

Have you shared your concerns with anyone in the company prior to deciding to leave?

Was a single event responsible for your decision to leave?

What does your new company offer that encouraged you to accept their offer and leave this company?

What do you value about the company?

What did you dislike about the company?

The quality of supervision is important to most people at work. How was your relationship with your manager?

What could your supervisor do to improve his or her management style and skill?

What are your views about management and leadership, in general, in the company?

What did you like most about your job?

What did you dislike about your job? What would you change about your job?

Do you feel you had the resources and support necessary to accomplish your job? If not, what was missing?

We try to be an employee-oriented company in which employees experience positive morale and motivation. What is your experience of employee morale and motivation in the company?

Were your job responsibilities characterized correctly during the interview process and orientation?

Did you have clear goals and know what was expected of you in your job?

Did you receive adequate feedback about your performance day-to-day and in the performance development planning process?

Did you clearly understand and feel a part of the accomplishment of the company mission and goals?



Used in concert with employee satisfaction surveys, exit interviews are a rich source of information for organization improvement.

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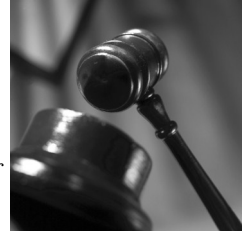
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Legislative Matters

NLRB "Quickie Election" Rule Invalid for Lack of Board Quorum, Federal Court Rules

From JacksonLewis.com, Council of Industry associate member



The National Labor Relations Board "quickie election" rule that went into effect on April 30, 2012, is invalid because only two members of the Board, instead of the three needed to make up a Board quorum, participated in the final vote to pass it, a federal district court has ruled. *Chamber of Commerce v. NLRB*, No. 11-2262 (D. D.C. May 14, 2012). The rule, which the Board rushed to finalize at the end of 2011 (before losing one of its then-three remaining members), eliminates certain pre-election rights of employees and employers, shortening the time before a representation election takes place.

The U.S. Supreme Court decided in *New Process Steel, L.P. v. NLRB*, 130 S. Ct. 2635 (2010), that a three-member quorum of the Board "must participate for the valid transaction of business." Moreover, the Supreme Court cautioned, a member may not be counted toward a quorum simply because he or she holds office.

The District Court determined that when the election rule actually was adopted on December 16, 2011, only two members (Chairman Mark G. Pearce and former Member Craig Becker) participated, voting electronically through the agency's Judicial Case Management System to adopt the rule. District Court Judge James E. Boasberg found that one member (Member Brian Hayes) did not respond to the Board's electronic invitation. Hayes explained in an affidavit that he thought nothing further was required of him; he had already signaled at an earlier meeting his disagreement with the rulemaking and his intention to issue a dissenting opinion to the final rule at a later date. Therefore, "his failure to be present or participate [in the final electronic vote] means that only two members voted..." Judge Boasberg explained, which did not satisfy the quorum requirement "for the valid transaction of business."

Judge Boasberg emphasized that his decision does not "necessarily spell the end of the final rule for all time." Even though he did not reach the "other procedural and substantive challenges to the rule," he continued, "it may well be that, had a quorum participated in its promulgation, the final rule would have been found perfectly lawful."

The Board has not yet commented on the court's decision, but the agency is likely to comply pending any appeal. As Judge Boasberg suggested, however, the Board can re-issue the rule by voting on it now. In all likelihood, a new vote on the rule will not end the controversy. Renewed legal challenges almost certainly will follow such a re-issuance.

"his failure to be present or participate [in the final electronic vote] means that only two members voted..." Judge Boasberg explained, which did not satisfy the quorum requirement "for the valid transaction of business."

Terrence Flynn Resigns From NLRB

From NAM.custombriefings.com



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Terrence Flynn, a Republican member of the National Labor Relations Board, who was the target of two IG reports for "allegedly leaking confidential information for former NLRB members and others outside the agency," is stepping down, The Hill (5/28, Bogardus) reported. A statement from the NLRB issued Sunday said Flynn "had submitted a resignation letter to President Obama and Mark Pearce, the labor board's Democratic chairman, on Saturday. While Flynn's resignation is effective on July 24, the board member will recuse himself from agency business and asked the president to withdraw his nomination for a new term."



Healthcare Reform Update

Summary of Benefits and Coverage Q&A

From Rose & Kiernan, Council of Industry associate member

Since the release of final guidance regarding summary of benefits and coverage (SBC) requirements on Feb. 9, 2012, employers have been struggling to understand exactly how this new legislation will impact their organizations. Read on to learn about this new reporting requirement and how it will affect you.

What is an SBC?

Health care reform legislation designed the SBC as a way for consumers to better understand their benefits by providing them with coverage information in a uniform format. The health plan administrator is responsible for the dissemination of this document.



When must I start providing SBCs?

According to final guidance, plans must provide the SBC to participants and beneficiaries who:

- Enroll or re-enroll during any open enrollment period beginning with the first day of the first open enrollment period that begins on or after Sept. 23, 2012.
- For participants enrolling in coverage through means other than open enrollment, plans must provide the SBC beginning on the first day of the first plan year that begins on or after Sept. 23, 2012.

In what events will I need to provide an SBC?

An SBC must be provided to participants and beneficiaries regarding each eligible benefits package:

- As part of any written application materials that are distributed by the plan for enrollment.
- No later than the first date that the participant is eligible to enroll in coverage, if the plan does not distribute written application materials for enrollment.
- By the first day of coverage, if there was any change to the information in the SBC that was provided upon application that occurred before the first day of coverage.
- To special enrollees, no later than the deadline for providing the summary plan description.

- Upon renewal, if participants and beneficiaries must renew in order to maintain coverage. If a written application is required, the SBC must be provided before or with the application materials. If renewal is automatic, the SBC must be provided no later than 30 days prior to the beginning of the new plan year.
- Upon request. As soon as practicable, but no later than seven days after receipt of request.

What SBC formats are permitted?

The Departments of Labor, Health and Human Services and Transportation have provided a template that must be used in its entirety to satisfy requirements. All information that the template requires must be provided.

An SBC must not exceed four double-sided pages and cannot include print smaller than 12-point font. An SBC may be provided in either paper or electronic form. However, the final regulations place restrictions on the electronic delivery of an SBC. For participants and beneficiaries who are eligible but not enrolled for coverage, the SBC may be provided electronically if:

- The format is readily accessible
- The SBC is provided in paper form free upon request
- If the electronic form is an internet posting, the plan notifies the individual in paper or email that the documents are available on the Internet, provides the Internet address and notifies the individual that the documents are available in paper form upon request.

For more information about SBCs, contact Rose & Kiernan, Inc or visit ccio.cms.gov/programs/consumer/summaryandglossary/index.html

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EHS Matters

Spill Prevention, Control, and Countermeasure (SPCC) Plans

From Groundwater & Environmental Services, Inc., A Council of Industry Member

Adoption The SPCC rules affect any business that stores oil products. Oil products include most petroleum products (e.g., fuel oil, motor oil, gasoline, diesel, mineral oil), vegetable oil, animal fats, kitchen grease, and production water containing oil (e.g., from natural gas production).

The Spill Prevention, Control, and Countermeasure (SPCC) rule is an EPA mandate supporting the Clean Water Act and Oil Pollution Act. The SPCC rule sets the requirements for oil spill prevention, preparedness, and spill response to prevent oil discharges to navigable waters and adjoining shorelines. General requirements for facilities requiring a SPCC plan are listed below.

1. More than 1,320 gallons of oil in aggregate aboveground storage capacity, or
2. 42,000 or more gallons in total buried oil storage capacity; and
3. A “reasonable expectation of an oil discharge” to a navigable waterway or adjoining shoreline.

Generally, the EPA interprets that a facility that satisfies the first two criteria also satisfies the third.

The SPCC rules affect any business that stores oil products. Oil products include most petroleum products (e.g., fuel oil, motor oil, gasoline, diesel, mineral oil), vegetable oil, animal fats, kitchen grease, and production water containing oil (e.g., from natural gas production). Therefore, SPCC services are applicable for a wide range of companies (such as oil & gas, industrial/manufacturing, and telecommunications companies, as well as property managers with oil-fired equipment.)

SPCC plans must be certified by a professional engineer (PE) attesting to a “5-Point Certification Plan” that states:

1. They are familiar with the requirements of the rule;
2. They or their agent have visited and examined the facility;
3. The plan has been prepared in accordance with good engineering practices;

4. Procedures for the required testing and inspection have been established; and
5. The plan is adequate for the facility.

The owner/operator may elect to prepare and self-certify a SPCC plan, in lieu of a PE-certified plan if the facility is considered a qualified facility meeting the Tier I or Tier II qualifying criteria. Qualified facilities have an aggregate aboveground storage capacity of 10,000 gallons or less, and have not had a single discharge exceeding 1,000 gallons or two discharges exceeding 42 gallons within any twelve month period to a navigable water or adjoining shoreline. Additional qualification is as follows:

- Tier I Qualified Facilities – No individual aboveground oil storage container with a capacity greater than 5,000 gallons.
- Tier II Qualified Facilities – Any individual aboveground oil storage container with a capacity greater than 5,000 gallons.



Tier I qualified facilities can complete and self-certify a streamlined SPCC plan template created by EPA. Tier II qualified facilities can prepare a self-certified plan in accordance with all the applicable requirements of 40 CFR 112.7 and subparts B or C of the rule. However, this is also state-dependent and some states may still require PE-certified plans.

These criteria allow subjectivity and PE discretion in SPCC plan development and certification, including the 5-year recertification after a change that affects a facility’s potential (increase or decrease) to discharge oil. The EPA maintains a help line staffed by a consultant who can identify regulations and available resources, but cannot provide interpretations. Frequently asked questions and contact information are provided online here. This web site also provides a link to regional emergency management providing interpretive guidance.

Continued on page 15



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Contact: Glenn Gidaly, AICP, Associate • (845) 391-8360
ggidaly@bartonandloguidice.com
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CI Calendar of Training and Events

June 6,7	National Association of Manufacturers 2012 Manufacturing Summit — a two day event in Washington, DC. For more info go to NAM.org
June 28	Ask the Experts: HR & EHS Sub-council Network Meeting —3:00—5:00 pm at the Council of Industry Office, the Desmond Campus MSMC, Newburgh, NY. No cost for members to attend.
Aug 27	Council of Industry Golf Outing — 11:30 am lunch, 12:30 shotgun start at the Powelton Club, Newburgh, NY. Cost: \$155 per person, \$575 per foursome. Sponsorships are available. Follow the link to register or e-mail abutler@councilofindustry.org .
Sept 20	DOT Hazardous Materials Training — 8:30 am –12:30 pm at a location TBD. Cost to attend:\$120 single member, \$110 each two or more from the same company, \$145 for a single non-member. Subject to change based on availability.
Oct 4	RCRA Hazardous Waste Training — 8:30 am –12:30 pm at a location TBD. Cost to attend:\$120 single member, \$110 each two or more from the same company, \$145 for a single non-member. Subject to change based on availability.
Oct 18	HAZWOPER Training — 8:30 am – 4:30 pm at a location TBD. Cost to attend:\$240 single member, \$220 each two or more from the same company, \$260 for a single non-member. Subject to change based on availability.
Nov 1,2	10 Hour OSHA Course — two days, 8:00 am –1:00 pm at a location TBD. Cost to attend:\$120 single member, \$110 each two or more from the same company, \$145 for a single non-member. Subject to change based on availability.

You can find more information on the courses and events listed in our calendar by going to our website— www.councilofindustry.org or if you are reading our electronic version just press Ctrl and click the course title.

Correction for 2012 Member Directory:

Metrix Technology Corp -

The incorrect phone and fax numbers were listed. The correct numbers are:

Phone: (845) 221-4800

Fax: (845) 223- 4786

Manufacturing Job Opportunities

If you have job openings and positions to fill:

- Post it on the Council of Industry Website www.councilofindustry.org
- Look at resumes from our member recommended **For Hire** page

Contact Alison at abutler@councilofindustry.org for more info.

Member Profile

Member Profile: Mid-Hudson Workshop
for the Disabled

Year Founded: 1948

Service: Outsourcing services

Website: www.midhudsonworkshop.org

Mid-Hudson Workshop for the Disabled, a Council of Industry Associate Member, was launched by IBM, assisted by the efforts of the Kiwanis Club of Poughkeepsie in 1948. It was IBM's idea to help open a facility where returning WWII Veterans might find employment, with their promise to outsource work to the enterprise. It was via the Kiwanian's door-to-door efforts with local manufacturers that \$3,500 in seed-money was collected to make the opening of the non-profit possible.

Mid-Hudson Workshop's mission is unique as they provide meaningful work for disabled veterans and others possessing physical and medical handicaps. This uniqueness sets MHW apart as many of the projects so cost-effectively undertaken cannot be accomplished by other workshops that well-serve DD-MH populations (developmentally-delayed/mentally handicapped).

MHW may be best known for its mechanical and electrical assembly work. They also do fabrication, pack/package and process product fulfillment, in addition to labeling/collating and mailings of many types. The Workshop tackles projects such as soldering, product testing, breakdown/salvage and cleaning, food co-packing, and many more project-types too extensive to list here. As MHW's Director of Sales and Marketing, Bill DeTosta, puts it, "There's frankly little that our dedicated staff cannot accomplish".

IBM remains a key, valued MHW client today, and is joined by dozens of other notable firms both within and outside the region, some of whom are Council of Industry members. MHW is proud to serve MPI, Viking, JABIL Circuits, Schatz Bearings, Selux, EUTRAC and Pawling Corporation. Their staff also accomplishes work for more far-reaching tech firms including Pratt & Whitney in Hartford, Computer Components Corporation of Philadelphia, Ray Machine of Baltimore as well as neighbors Hunt Country Furniture in



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such as JABIL Circuits, MPI and IBM. These successful relationships have been met with accolades from all clients involved. MHW explains that companies in these relationships have told them: "MHW's staff has performed admirably for us, with their levels of output and conscientiousness far outpacing that of any workers we've contracted-for via Temporary Staffing Agencies. We'd be pleased to

engage more MHW workers as our business needs grow."

MHW's Bill DeTosta explained, "That which MHW can do for clients is only limited by the combined creative thinking of the Workshop and its prospective clientele's management." That's why they say tours of MHW's 52,000 square foot Poughkeepsie facility are so important. Companies that visit them are impressed with the breadth and scope of what is regularly accomplished, and invariably leave with several more ideas on how MHW can cost-effectively assist them than they initially had.



"That which MHW can do for clients is only limited by the combined creative thinking of the Workshop and its prospective clientele's management."

The Mid-Hudson Workshop for the Disabled greatly appreciates its role as an Associate Member of the Council of Industry. In light of the uncertainties of the current and future economy, Mid-Hudson Workshop feels strongly that firms across most industry categories should be reaching-out to them. Whether it may be to maintain an additional outsourcing ally one can rely-on throughout the year, assist with a short-term burst in production-needs or tapping their staff as needs grow rather than wrestling with the costs of adding one's own personnel, utilizing MHW can save a company both dollars and valuable resources.

For more information about the Mid-Hudson Workshop for the Disabled, they encourage firms in all industries to visit their website and view its video, at www.midhudsonworkshop.org, then contact them to arrange a tour. Director of Sales & Marketing Bill DeTosta may be reached at 845-471-3820 and bill@midhudsonworkshop.org.



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SINCE 1948



Manufacturing Matters

Are You Open To Feedback?

By Bob Cooper, President, RL Cooper Associates

In the movie "A Few Good Men", there is a famous scene between a marine colonel on trial for war crimes (played by Jack Nicholson) and a navy officer prosecuting the case (played by Tom Cruise). Tom Cruise says to Jack Nicholson "I want the truth!" Nicholson proceeds to say " You can't handle the truth!"

In my experience working with leaders at all levels within an organization, many people do not want the truth. They would like others to tell them what either makes them feel comfortable, or shows that others agree with their thinking. Unfortunately, these leaders are playing a potentially dangerous game. If you are on the road and about to be hit by a truck, wouldn't you want someone to point this out to you? Of course you would. In business, the unwillingness to be open to feedback is similar to being hit by a truck, it could be fatal. Your insistence that others not bring you the truth (even if it's painful) could keep the issue alive with potential negative consequences.

The following are a few suggestions relative to feedback:

1) See Feedback as a Gift - You should view feedback as an opportunity to gain valuable insight that can lead to positive change. For example, if you listen to feedback regarding your communication style - you might learn that important information is not being understood by key stakeholders. You can now make the necessary changes that will ensure your future communications are received as intended.

2) Thank Others for Their Feedback - If someone offers you feedback in a professional manner, you should thank them. If they bring you specific examples of how you could change an issue and you get upset (i.e. you



don't want the truth), how willing are they to provide feedback in the future? The probability is that they will only speak to you regarding issues that you want to hear about.

3) Accept the Feedback & Commit to Change - As you review the feedback, commit to a development plan to achieve positive results. If you need to modify your behavior in some way, make the commitment to do so and accept ongoing feedback. This will improve your overall effectiveness and build stronger business relationships.

4) Promote Feedback Within Your Team - Encourage team members to give feedback to each other. During staff meetings you could ask individuals to acknowledge others for support they had given to them. You should have them discuss ways in which they can support each other in the future. The key here is to promote an environment where every team member is encouraged to help colleagues enhance their performance (i.e. everyone wins).

5) Commit to Giving Feedback - Demonstrate that you are a person willing to give feedback with the purpose of sincerely trying to assist others to reach their full potential. When others recognize your sincerity, and know that you are trying to be helpful, the feedback will usually be appreciated. The more you model what it means to provide timely and valuable feedback (where you specifically describe the situation observed and the impact on others) and offer others advice or guidance as needed, you become a trusted mentor.

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Financial Matters

Prepare Yourselves! Old Fees become Clearer

By Jim Santangelo, Certified Financial Planner

The vast majority of retirement plan participants will likely see some changes in the documents they receive starting sometime this year because of recent rules set forth by the Department of Labor (DOL).

The vast majority of retirement plan participants will likely see some changes in the documents they receive starting sometime this year because of recent rules set forth by the Department of Labor (DOL). First and foremost, as the sponsor of the retirement plan ("Plan") I encourage all managers to prepare themselves for the possibility of some confusion and questions from the participants. In my opinion, the manager's initial response to any inquiries should be to inform the participants not to become alarmed or frustrated.



Of particular interest in the material and a contributing driver for the DOL's rule is the manner in which the disclosure of fees are presented to the investor. All, yes ALL, defined contribution retirement plans have fees associated with them. These expenses are typically paid by the investor (a.k.a. plan participant) Do you know this? If not, please do not feel bad. Many plan sponsors and participants do not know this fact. (FYI, the fees have always existed and are typically available on your Plan's website.)

Some of the fees that will become more evident are those charged by the investment company that manages the participant's hard earned money. There is justification for the fees because the investment company employs people, pays rent and has many other operating expenses. Granted, each company may charge different management expenses for what may appear to be similar investments.

So if the monies are invested in a retirement plan option that appears to be charging a high annual fee (e.g. 3.00%), please try to prevent the participant from becoming upset until somebody does some homework. It is possible the high annual fee may be justified. Conversely, I always recommend that an investment option not be selected simply because it is charging a low annual fee (e.g. .25%). If the historical risk/ return for this investment is not competitive relative to its peers, the investor may be acting "penny wise and pound foolish." Of course past performance does not guarantee future results, but it my opinion it may be used as one of the variables when considering where to invest your hard earned money.

In addition to the new disclosure rules, I always recommend that the Plan's trustee(s) be aware of their fiduciary responsibility. For example, sometimes the investment options offered to the plan participants are not competitive relative to their peers. For example, which investment would you rather own? One that focuses on large cap growth stocks and has generated a historical five year return of 6% or one of its market peers that has generated a historical five year return of 8%?*. Fortunately there may be solution to this issue. Typically, the possibility of enhancing the competitiveness of the Plan's investment options can be remedied by the Plan's trustee or financial advisor simply by replacing the less competitive option with a more competitive option.

In conclusion, if you have not heard from the Plan's financial advisor by this point in time, I recommend you contact him/her as soon as possible and discuss the issues represented in this column.

Jim Santangelo, CERTIFIED FINANCIAL PLANNER™, 845-546-0327.

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Energy Matters

New York’s Electric Grid is Prepared for Summer Sufficient Resources Available to Meet Expected Demand



The New York Independent System Operator (NYISO) announced today that electricity supplies in New York state should be adequate to meet expected demand this summer.

“The current outlook for the supply of electricity is positive, and New York state is prepared for summer electricity demand,” said NYISO President and CEO Stephen G. Whitley. “The development of new demand response resources and the addition of generation and expansion of interstate transmission over the past several years have contributed to a more reliable system. As a result, the state has sufficient generating capacity and demand side resources to address expected peak usage this summer.”

“Sustained high heat and humidity are the dominant factors in producing very high demand for electricity,” Whitley explained. “However, growth in the demand for electricity has been trimmed by the effects of the recession and New York’s energy efficiency programs, contributing to a surplus of supply.”

Summer Forecast and Resource Requirements

The NYISO forecasts that New York’s summer 2012 peak demand will reach 33,295 megawatts (MW). The forecast is 1.7 percent (570 MW) lower than the 2011 summer peak of 33,865 MW and nearly 1.9 percent (644 MW) lower than the record system peak of 33,939 MW recorded on August 2, 2006. Peak demand is a measurement of the average total electric demand by consumers for a one-hour period. One megawatt of electricity can serve approximately 800 to 1,000 homes. Summer heat is

responsible for electric power system peaks in New York, as cooling demand from air conditioners increases overall usage. While the electricity system must be prepared to address peak load conditions, average demand is typically far less. For example, the 2011 peak demand of 33,865 MW was 81 percent (15,220 MW) higher than the average demand of 18,645 MW.

The ability of New York’s power system to meet the needs of all electricity customers at all times is established by rigorous standards. The standard for resource adequacy sets requirements for reserves over and above the amount needed to meet forecasted peak demand. In 2012, the standard requires that 38,622 MW be available to serve New York, a reserve margin of 16 percent above the summer peak demand forecast.

The total capacity available to New York in 2012 is expected to be 43,686 MW, which includes 39,570 MW of existing in-state generation, 2,165 MW of demand response resources (programs under which consumers reduce usage) and 1,951 MW of import capability that could be used to supply energy from neighboring regions to New York.

Therefore, absent unexpected generation unit outages, or extreme weather events, New York has adequate resources to meet demand this summer. The total capacity is available for the state as a whole, but transmission constraints narrow the margins of supply for downstate regions.

Consumer Price Index for April 2012

				Point	%	% In-crease
Wage Earners & Clerical	Apr ‘11	Apr ‘12	Mar ‘12	Increase	Month	Year
1967=100	660.50	676.20	674.09	2.11	0.3	2.4
1982-84= 100	221.74	227.01	226.30	0.71	0.3	2.4
All Urban						
1967=100	673.72	689.23	687.16	2.07	0.3	2.3
1982-84=100	224.91	230.09	229.39	0.69	0.3	2.3
Hudson Valley unemployment rate for April 2012 = 7.2 %						

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**Continued from front page
2012 Manufacturing Champions**

The public sector Champion, Orange County Executive Ed Diana has served as county Executive since 2001. County Executive Diana was chosen because he believes that commercial investment is key to affordable taxes, good paying jobs, and quality communities. He has taken personal interest in numerous economic development activities affecting manufacturers including negotiating the Port Authority takeover of the management of Stewart Airport, the formation of the Orange County Business Accelerator, and the retention of major manufacturing employers Kolmar Labs and Satin Fine foods.

The award for an organization supporting Hudson Valley Manufacturing went to the Hudson Valley Economic Development Corporation, the one-stop shop for companies considering relocating or expanding in the Hudson Valley region. Accepting the award on behalf of the HVEDC was Michael Oates, president of HVEDC. The award recognizes the HVEDC’s recent focus on developing industry clusters including semi-conductor, food and beverage, bio-Technology and Medical Devices has proven very beneficial to all Hudson Valley manufacturers. In developing the services infrastructure these clusters need to succeed, all manufactures have benefited, not just those that are part of individual clusters.

Council of Industry Executive Vice President, Harold King, said in his opening remarks that there is a lot of talk about manufacturing these days but those accepting awards today are the ones “walking the walk.” This year’s award winners join a well respected group. Past Manufacturing Champions include: Jack Effron, EfcO Products; Taylor Thompson, Millbrook Technologies; New York State Senators William Larkin and Stephen Saland; Richard Croce, Viking Industries; Dutchess County Executive Marc Molinaro, and Central Hudson.

The Council of Industry would also like to thank the sponsors that made this event possible: Major Sponsor Fair Rite Products Corp., Supporting Sponsors: The Chazen Companies, The Mid-Hudson Workshop for the Disabled, The Hudson Valley Economic Development Corporation, and Central Hudson Gas & Electric.

**Continued from page 5
More Personnel Matters**

Describe your experience of the company’s commitment to quality and customer service.

Did the management of the company care about and help you accomplish your personal and professional development and career goals?

What would you recommend to help us create a better workplace?

Do the policies and procedures of the company help to create a well-managed, consistent, and fair workplace in which expectations are clearly defined?

Describe the qualities and characteristics of the person who is most likely to succeed in this company.

What are the key qualities and skills we should seek in your replacement?

Do you have any recommendations regarding our compensation, benefits and other reward and recognition efforts?

What would make you consider working for this company again in the future? Would you recommend the company as a good place to work to your friends and family?

Can you offer any other comments that will enable us to understand why you are leaving, how we can improve, and what we can do to become a better company?

End the exit interview meeting on a positive note. Commit to using the information provided to improve your workplace. Wish your employee success in his or her new endeavor. End the exit interview graciously.

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Continued from page 11 Manufacturing Matters

Many years ago a colleague said the following - "Your friends are those who after lunch tell you that spinach is stuck between your teeth." Wouldn't you want to know this before you leave the restaurant? Who can you trust to tell you this? Your job is to create the want. When others trust that you are open to feedback, grateful for feedback, and willing to help them - you will receive feedback. If others believe that you will judge or get upset by their feedback - you will leave restaurants with spinach in your teeth.

Leadership is all about the desire of others to want to follow. When you treat others with respect (which includes providing timely feedback aimed at helping others to succeed), the desire will be there.

Great leaders model what it means to give and receive valuable feedback. They openly share with others, and are grateful to those who point things out to them that can be quite beneficial.

The next time someone provides valuable feedback - genuinely thank them. It may very well be the difference between success and failure.

RL Cooper Associates is pleased to provide leaders with a brief monthly tip to assist you and your team to reach your full potential. We are committed to the development of high performance teams in a culture of high staff engagement, loyalty and satisfaction. We assist you to deliver excellent business results for all internal and external customers. For a complete listing of our services, please visit us at www.rlcooperassoc.com

Continued from page 8 EHS Matters

Some tips on common SPCC questions:

1. The PE does not need to personally inspect the facility, but the person who performs the site inspection on behalf of the GES PE must be familiar with 40 CFR 112 and the industry and facility operations. The inspection shall be documented in a manner approved by the certifying PE.
2. Inspection, testing, and training requirements and practices for the facility must be identified in the plan. The PE certifies that these are adequate for the facility. This is one of the key areas of PE discretion in determining what constitutes adequacy for these elements of the plan based on industry best practices (such as inspection and testing practices developed by the American Petroleum Institute (API) and the Steel Tank Institute (STI)). It is the responsibility of the facility owner/operator to implement these programs. The PE may request documentation indicating that inspection, testing, and training programs are being completed per the plan; however, the plan recertification only confirms that the plan is adequate and not that these activities are being performed in accordance with the plan. GES does routinely advise our client if it appears programs are not being implemented accordingly.
3. Identifying changes to the facility or plan that affect the facilities' potential to discharge oil can also be subjective. Physical changes are the obvious modifications that can trigger plan revision. Some apparently administrative changes can also affect the potential to discharge. For example, changing tank inspection from annual to once every three years or decreasing training frequency from annual to biennial can affect the oil discharge potential. The certifying PE must determine whether administrative changes constitute an increase or decrease in discharge potential.
4. GES also prepares SPCC plans for natural gas exploration and production operators. A presentation from the EPA on onshore oil production, drilling, and workover facilities is available on eCentral. GES has several internal resources with significant experience preparing, inspecting, and recertifying SPCC plans. Ron Morosse is the GES lead for compliance services, including SPCC plans, with support from Joe Keller for a wide range of compliance services.

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