SEGA Chairman’s Message

Greetings!

I can’t believe it is already here! Yes, another year has come and gone; and we are in the middle of the holiday season. Perhaps the old saying, “the older we get the quicker time passes by” is proving to be reality.

In looking back over the course of this year, SEGA along with you as members of this organization, were successful in providing advocacy concerning Assignment of Benefits (AOB) changes in the state legislature. I thank each and every one of you who participated in doing your part in this campaign. However, even though the battle on this issue regarding windshields was won this year, it will be squarely in the sights of the Governor and the Legislature this coming year to modify AOB procedures in the next Legislative Session when it comes to auto glass insurance claims. SEGA will once again be there monitoring the developments and providing advocacy on this issue. It is my hope that we can count on you in the upcoming months to become involved and participate in this very important issue.

From everyone at SEGA, we’d like to say thank you for your continued loyalty and faith in us. May your holiday be blessed with the love and warmth of family and friends, put your feet up and have a well-deserved rest this Christmas. Thank You and Merry Christmas!

Until Next Time!
Woody Watters
SEGA Chairman

For being a member of SEGA!
SEGA 2019 OFFICERS

Chairman of the Board
Woody Watters
Pensacola Glass Company

Vice Chairman
Vacant

Secretary/Treasurer
Vacant

SEGA 2019 DIRECTORS

Dan Knowlton – K & K Glass
Thomas Lee, IV – Lee & Cates Glass
Jeff Miller – Lore L. Ltd.
Bryan Yarborough – Glass Doctor
(JONALISA)

SEGA CONSULTANT
Roland “Stoney” Stonaker
6741 Hidden Creek Boulevard
St. Augustine, FL 32086
Phone: (904) 806–3949
FAX: (904) 797–4473
E-mail: stoneystonaker@yahoo.com

SEGA OFFICE
231 West Bay Avenue
Longwood, FL 32750–4125
Phone: (407) 831–7342
FAX: (407) 260–1582
Website: www.southeastglass.org

SEGA STAFF
R. Bruce Kershner,
Executive Director
E-mail: rbkershner@att.net

Julie A. Kershner,
Assistant Executive Director
E-mail: juliepinto-kershner@att.net

SOUTHEAST GLASS ASSOCIATION
CALENDAR OF EVENTS
2020

January
8–10 ...............CILB Board of Director’s and Committee
Meetings, Sheraton Sand Key, Clearwater

February
12–14 .............CILB Board of Director’s and Committee
Meetings, Embassy Suites St. Augustine, St. Augustine

March
11–13 .............CILB Board of Director’s and Committee
Meetings, Capt. Hiram’s Resort, Sebastian

April
8–10 ...............CILB Board of Director’s and Committee
Meetings, Gaylord Palms Resort &
Convention Center, Orlando

May
13–15 .............CILB Board of Director’s and Committee
Meetings, Embassy Suites St. Augustine, St. Augustine

June
10–12 .............CILB Board of Director’s and Committee
Meetings, Sanibel Harbour Marriott, Fort Myers

July
8–10 ...............CILB Board of Director’s and Committee
Meetings, Streamsong Resort, Streamsong

August
12–14 .............CILB Board of Director’s and Committee
Meetings, The Biltmore Hotel, Coral Cables

September
9–11 ...............CILB Board of Director’s and Committee
Meetings, The Ritz-Carlton-Sarasota, Sarasota

October
14–16 .................CILB Board of Director’s and
Committee Meetings, Omni Orlando
at ChampionsGate, Championsgate

November
11–13 .............CILB Board of Director’s and Committee
Meetings, Embassy Suites St. Augustine, St. Augustine

Please submit your news releases, articles and comments
for this publication to the SEGA office, attention: Julie,
231 West Bay Avenue, Longwood, FL 32750–4125.
Advertising Space is also available. Please call the SEGA
office at (407) 831–7342 for current rates and information.
2020 Membership Investment Dues
On December 5, 2019, SEGA mailed out 2020 Membership Investment Dues invoices. Please address your dues responsibility promptly. SEGA depends upon your dues to provide the services that you have come to expect.

If you have any questions or need additional information, please contact the SEGA office at (407) 831–7342 as soon as possible.

Welcome Back
SEGA would like to take this opportunity to thank the following members who have renewed their dues as of December 24, 2019. Your support of and participation in this organization is greatly appreciated.

- Area Glass, Inc.
- Ashe Glass & Mirror, Inc.
- City Glass Company
- Diamond Glass Company, Inc.
- Dothan Glass Company, Inc.
- GCI Consultants, LLC
- Glass Doctor of Southwest Florida
- Heritage Glass, Inc.
- Hogan Glass Corporation
- K & K Glass
- Key Glass, LLC
- Lore L. Ltd.
- Pensacola Glass Company
- YKK AP America, Inc.

Is AOB Property Insurance Litigation Declining?
According to preliminary data, Assignment of Benefits (AOB) lawsuits involving property insurance have been dropping since an AOB reform bill took effect in July. In October, Citizens Property Insurance Corp. reported that the number of AOB lawsuits filed against them since July has dropped. There were only 167 such claims in October which was down from 376 in September, 468 in August and 707 in July.

Chapter Law 2019–05, (HB 7065) was signed into law by Governor Ron DeSantis earlier this year. The bill reformed how property owners can assign their policy benefits to a third party in order to speed up home repairs. During the committee hearing process, it was reported that some contractors use the process to inflate repair costs and gain attorney fee payments through the litigation process.

Assignment of Benefits for Auto Glass Returns to the 2020 Legislative Session
This year, two bills have been filed pertaining to Assignment of Benefits (AOB) for auto glass. HB 169 and SB 312, entitled Motor Vehicle Insurance Coverage for Windshield Glass, would prohibit a motor vehicle repair shop from providing an inducement in the form of a rebate, gift, gift card, cash, coupon, or any other thing of value, in exchange for making an insurance claim for motor vehicle glass replacement or repair. An employee of the motor vehicle repair shop and a nonemployee who is compensated for soliciting insurance claims based on the repair of a motor vehicle glass replacement or repair are both also prohibited from offering such inducements. Motor vehicle repair shops would be subject to disciplinary actions by the DACS for violations of the bill’s provisions.

On November 12, 2019, the Senate Banking and Insurance Committee placed SB 312 on the agenda; however, the bill was TPed (Temporarily Postponed). The bill was again placed on the Senate Banking and Insurance Committee agenda for December 10, 2019. During the December 10 committee meeting, several Senators tried to place amendments on the bill However, only one was amendment was approved. The amendment would have removed the zero deductible for windshields but would have allowed an insurer to offer a separate deductible for damage to the glass of any motor vehicle covered under a motor vehicle insurance policy delivered or issued by the insurer in this state.

The vote on the above amendment was 4–4 as follows:
Amendment Vote

SENATORS  YEA  NAY
Brandes   X
Gruters   X
Lee    X
Perry   X
Taddeo    X
Thurston   X
Rouson, Vice Chair  X
Broxson, Chair  X

After testimony from proponents and opponents, the Senators voted on the bill with the one amendment. The vote on the final bill was 4–4 as follows:

Final Bill Vote with Above Amendment

SENATORS  YEA  NAY
Brandes   X
Gruters   X
Lee    X
Perry   X
Taddeo    X
Thurston   X
Rouson, Vice Chair  X
Broxson, Chair  X

Because there was a tie vote on the bill, the bill is dead. We will have to wait and see if another bill is filed between now and noon on January 14, 2020 which is the deadline for legislators to file bills.

2020 Legislative Session Dates
January 14 ......................... First Day of Session
March 13 ..................... Last day of Regular Session (if Legislature completes work in 60 days.)

Division of Workers’ Compensation Exemption Renewals: A Streamlined Process

During the 2012 legislative session, the Florida Legislature passed, and the Governor signed into law CS/HB 941, which allowed the Exemption Unit to develop a web–based application system for applicants to electronically apply for or renew their Certificate of Election to be Exempt. Since that time, the Unit has worked to implement, update, integrate, and simplify the online application process. The online application benefits the Exemption Unit and applicants. The Exemption Unit processes exemptions more efficiently and the turnaround time for the applicant to receive a Certificate is reduced.

The Exemption Unit continues to strive to add value to the citizens of Florida and increase productivity. Previously, an applicant wishing to renew their exemption had to submit a new application every two years. However, on September 18, 2019, a renewal application was created to offer a streamlined renewal process for the customer as well as the Division. For current exemption holders who apply for their renewal within 90 days of the expiration of the current exemption, the online system will pre–populate certain information from the prior application. The applicant only needs their Driver’s License or FL ID Number and last name to pull up the renewal application. This reduces the risk of errors within the application, thereby also reducing the risk of the application being returned for errors.

With this online system, you can apply for or renew an exemption, modify your application, and print your Certificate. The construction industry exemption processing fee of $50 plus a service fee of $1 must be made by Visa, MasterCard (prepaid cards are acceptable), or from a business or personal checking or savings bank account. The user must agree to the terms and conditions when applying for or renewing an exemption.

The Division is the sole authority responsible for processing and approving workers’ compensation exemption applications.

Applications submitted after 7:30 p.m. will be received by the Division the next business day. The Division has 30 days from the date the Notice of Election to be Exempt is received to review and determine your eligibility to be exempt.

Provide your email address in Section 1 of the application, and the Division will notify you when the Certificate has been approved. Certificate holders are required to print their Certificate of Election to be Exempt. In order to print your Certificate, follow the detailed instructions provided in the email.
Exemption information is reflected on the Proof of Coverage database the day following the issuance of the exemption.

To renew online at the Division of Workers’ Compensation, please click here.

If you have any questions, please contact the Division’s Customer Service Office at 850–413–1609, option 2, toll free @ 1–800–342–1741, option 3, or e-mail at wc_exemption@myfloridacfo.com.

Workers’ Compensation Insurance Policy Prices Will Decrease in 2020

The prices that insurance companies charge for workers’ compensation insurance will decrease again for 2020.

Starting January 1, 2020, all workers’ compensation policies written or renewed in calendar year 2020 will see an average decrease of –7.5%. Please note: the –7.5% decrease is an average change over the hundreds of different industry classifications. The specific rates for the individual class codes on your company’s workers’ compensation policy may decrease more or less than this amount. The rates may even go up for some businesses.

Your company’s workers’ compensation premium is determined by multiplying the total payroll for your business by the rate for the classification(s) assigned to your business. The new rates will be applied to your workers’ compensation policy as it comes up for renewal in 2020.

State Employment and Unemployment — November 2019

Unemployment rates were lower in November in seven states, higher in five states, and stable in 38 states and the District of Columbia, the U.S. Bureau of Labor Statistics reported today. Seven states had jobless rate decreases from a year earlier, two states had increases, and 41 states and the District had little or no change. The national unemployment rate, 3.5 percent, was little changed over the month and from November 2018.

Nonfarm payroll employment increased in six states in November 2019, decreased in one, and was essentially unchanged in 43 states and the District of Columbia. Over the year, 25 states added nonfarm payroll jobs and 25 states and the District were essentially unchanged.

This presents statistics from two monthly programs. The civilian labor force and unemployment data are modeled based largely on a survey of households. These data pertain to individuals by where they reside. The employment data are from an establishment survey that measures nonfarm employment, hours, and earnings by industry. These data pertain to jobs on payrolls defined by where the establishments are located.

Unemployment

Vermont had the lowest unemployment rate in November, 2.3 percent. The rates in Alabama (2.7 percent), Alaska (6.1 percent), Georgia (3.3 percent), Illinois (3.8 percent), Oregon (3.9 percent), and South Carolina (2.4 percent) set new series lows. (All state series begin in 1976.) Alaska had the highest jobless rate, 6.1 percent. In total, 14 states had unemployment rates lower than the U.S. figure of 3.5 percent, 12 states and the District of Columbia had higher rates, and 24 states had rates that were not appreciably different from that of the nation. (North Carolina and South Carolina had the largest over-the-month unemployment rate decreases in November (–0.2 percentage point each). Louisiana and New Jersey had the largest rate increases (+0.2 percentage point each). Thirty-eight states and the District of Columbia had jobless rates that were not notably different from those of a month earlier, though some had changes that were at least as large numerically as the significant changes.

Alabama had the largest over-the-year unemployment rate decrease (–1.1 percentage points), closely followed by Colorado (–1.0 point). The largest rate increase from November 2018 occurred in Mississippi (+0.9 percentage point).

Nonfarm Payroll Employment

Nonfarm payroll employment increased in six states
in November 2019. The largest job gains occurred in Texas (+37,500), Michigan (+24,800), and Virginia (+17,700). The largest percentage gain occurred in Michigan (+0.6 percent), followed by Virginia (+0.4 percent) and Oregon, Tennessee, Texas, and Washington (+0.3 percent each). Employment decreased in November in Illinois (–17,200, or –0.3 percent).

Twenty-five states had over-the-year increases in nonfarm payroll employment in November. The largest job gains occurred in Texas (+336,700), California (+321,800), and Florida (+217,400). The largest percentage gains occurred in Utah (+3.2 percent) and Idaho and Texas (+2.7 percent each).

The U.S. Department of Labor Issues Final Overtime Rule

Back in September, the U.S. Department of Labor announced a final rule to make 1.3 million American workers eligible for overtime pay under the Fair Labor Standards Act (FLSA).

“For the first time in over 15 years, America’s workers will have an update to overtime regulations that will put overtime pay into the pockets of more than a million working Americans,” Acting U.S. Secretary of Labor Patrick Pizzella said. “This rule brings a commonsense approach that offers consistency and certainty for employers as well as clarity and prosperity for American workers.”

“Today’s rule is a thoughtful product informed by public comment, listening sessions, and long-standing calculations,” Wage and Hour Division Administrator Cheryl Stanton remarked. “The Wage and Hour Division now turns to help employers comply and ensure that workers will be receiving their overtime pay.”

The final rule updates the earnings thresholds necessary to exempt executive, administrative, or professional employees from the FLSA’s minimum wage and overtime pay requirements, and allows employers to count a portion of certain bonuses (and commissions) towards meeting the salary level. The new thresholds account for growth in employee earnings since the currently enforced thresholds were set in 2004. In the final rule, the Department is:

- raising the “standard salary level” from the currently enforced level of $455 to $684 per week (equivalent to $35,568 per year for a full-year worker);
- raising the total annual compensation level for “highly compensated employees (HCE)” from the currently-enforced level of $100,000 to $107,432 per year;
- allowing employers to use nondiscretionary bonuses and incentive payments (including commissions) that are paid at least annually to satisfy up to 10 percent of the standard salary level, in recognition of evolving pay practices; and
- revising the special salary levels for workers in U.S. territories and in the motion picture industry.

The final rule will be effective on January 1, 2020.

The Department estimates that 1.2 million additional workers will be entitled to minimum wage and overtime pay as a result of the increase to the standard salary level. The Department also estimates that an additional 101,800 workers will be entitled to overtime pay as a result of the increase to the HCE compensation level.

A 2016 final rule to change the overtime thresholds was enjoined by the U.S. District Court for the Eastern District of Texas on November 22, 2016, and was subsequently invalidated by that court. As of November 6, 2017, the U.S. Court of Appeals for the Fifth Circuit has held the appeal in abeyance pending further rulemaking regarding a revised salary threshold. As the 2016 final rule was invalidated, the Department has consistently enforced the 2004 level throughout the last 15 years.

More information about the final rule is available at https://www.dol.gov/whd/overtime2019/.

The Wage and Hour Division’s (WHD) mission is to promote and achieve compliance with labor standards to protect and enhance the welfare of the Nation’s workforce. WHD enforces Federal minimum wage, overtime pay, recordkeeping, and child labor
requirements of the FLSA. WHD also enforces the Migrant and Seasonal Agricultural Worker Protection Act, the Employee Polygraph Protection Act, the Family and Medical Leave Act, wage garnishment provisions of the Consumer Credit Protection Act, and a number of employment standards and worker protections as provided in several immigration related statutes. Additionally, WHD administers and enforces the prevailing wage requirements of the Davis Bacon Act and the Service Contract Act and other statutes applicable to Federal contracts for construction and for the provision of goods and services.

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.

U.S. Department of Labor Issues Final Rule to Protect Privacy of Workers

To protect worker privacy, the U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) has issued a final rule that eliminates the requirement for establishments with 250 or more employees to electronically submit information from OSHA Form 300 (Log of Work–Related Injuries and Illnesses) and OSHA Form 301 (Injury and Illness Incident Report) to OSHA each year. These establishments are still required to electronically submit information from OSHA Form 300A (Summary of Work–Related Injuries and Illnesses).

By preventing routine government collection of information that may be quite sensitive, including descriptions of workers’ injuries and body parts affected, OSHA is avoiding the risk that such information might be publicly disclosed under the Freedom of Information Act (FOIA). This rule will better protect personally identifiable information or data that could be re–identified with a particular worker by removing the requirement for covered employers to submit their information from Forms 300 and 301. The final rule does not alter an employer’s duty to maintain OSHA Forms 300 and 301 on–site, and OSHA will continue to obtain these forms as needed through inspections and enforcement actions.

In addition, this rule will allow OSHA to focus its resources on initiatives that its past experience has shown to be useful—including continued use of information from severe injury reports that helps target areas of concern, and seeking to fully utilize a large volume of data from Form 300A—rather than on collecting and processing information from Forms 300 and 301 with uncertain value for OSHA enforcement and compliance assistance.

The agency is also amending the recordkeeping regulation to require covered employers to electronically submit their Employer Identification Number with their information from Form 300A. The final rule’s requirement for employers to submit their EIN to OSHA electronically along with their information from OSHA Form 300A will make the data more useful for OSHA and BLS, and could reduce duplicative reporting burdens on employers in the future.

OSHA has determined that this final rule will allow OSHA to improve enforcement targeting and compliance assistance, protect worker privacy and safety, and decrease burden on employers.

Collection of Calendar Year 2018 information from the OSHA Form 300A began on January 2, 2019. The deadline for electronic submissions was March 2, 2019.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA’s role is to help ensure these conditions for America’s working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov.

Statement from OSHA Regarding Occupational Fatalities in 2018

Tragically, unintentional overdoses at work increased by 12 percent—the sixth consecutive annual increase and a reflection of the broader opioid crisis that our nation is facing. To combat this problem, President Trump has declared the opioid epidemic a National Health Emergency. OSHA also teamed with the National Safety Council on the release of a toolkit to help employers address opioid abuse in their workplaces and support workers in recovery.

Suicide at work, which increased by 11 percent in 2018, is also a tragic public health problem that can have lasting harmful effects on families, workplaces, and communities. OSHA created a new webpage with free and confidential resources to help identify the warning signs of suicide and to help users know who and how to call for help.

Today’s report also showed a 14 percent decline in work-related fatal falls from heights, the lowest total since 2013. Enforcement efforts helped abate more than 7,000 fall-related hazards in the construction industry.

“OSHA will continue to use BLS data for enforcement targeting within its jurisdiction to help prevent tragedies,” said Principal Deputy Assistant Secretary of Occupational Safety and Health Loren Sweatt. “Inspections for OSHA were up, and we will work with state plans so employers and workers can find compliance assistance tools in many forms or call the agency to report unsafe working conditions. Any fatality is one too many.”

Employers who need assistance in meeting their safety obligations can take advantage of OSHA’s no-cost and confidential On-Site Consultation Program. OSHA Training Institute Education Centers (OTIs) also provide training to workers, employers, and other safety professionals across the nation.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA’s role is to help ensure these conditions for America’s working men and women by setting and enforcing standards and providing training, education, and assistance. For more information, visit [https://www.osha.gov/](https://www.osha.gov/). Defines background check. Deletes current exclusion for concealed weapons permit holders and trade-ins.

### OSHA Enforcement and Compliance Increases in 2019 To Keep America’s Workforce Safe

The U.S. Department of Labor’s Occupational Safety and Health Administration’s (OSHA) fiscal year (FY) 2019 final statistics show a significant increase in the number of inspections and a record amount of compliance assistance to further the mission of ensuring that employers provide workplaces free of hazards.

OSHA’s enforcement activities reflect the Department’s continued focus on worker safety. Federal OSHA conducted 33,401 inspections—more inspections than the previous three years—addressing violations related to trenching, falls, chemical exposure, silica, and other hazards.

In FY19, OSHA provided a record 1,392,611 workers with training on safety and health requirements through the Agency’s various education programs, including the OSHA Training Institute Education Centers, Outreach Training Program and Susan Harwood Training Grant Program. OSHA’s compliance assistance programs have helped small businesses address safety and health hazards in their workplaces. In FY19, OSHA’s no-cost On-Site Consultation Program identified 137,885 workplace hazards, and protected 3.2 million workers from potential harm.

“OSHA’s efforts – rulemaking, enforcement, compliance assistance and training – are tools to accomplish our mission of safety and health for every worker,” said Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health Loren Sweatt. “I am proud of the diligent, hard work of all OSHA personnel who contributed to a memorable year of protecting our nation’s workers.”

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA’s role is to help ensure these conditions for America’s working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit [www.osha.gov](http://www.osha.gov).

The mission of the Department of Labor is to foster,
Division of Workers’ Compensation Offers Free Classes

The Florida Department of Financial Services, Division of Workers’ Compensation, is offering free classes regarding Florida’s workers’ compensation laws and workplace safety to business owners, licensed contractors and employers.

Workers’ compensation topics covered include:

- Review of Key Statutory Definitions
- Contractor Responsibilities
- Exemptions

- Insurance Coverage Requirements
- Enforcement Provisions

Workplace safety topics presented by OSHA (U.S. Dept. of Labor, Occupational Safety and Health Administration) include:

- Direct and Indirect Costs
- Inspections
- Florida Fatalities

The Division of Workers’ Compensation is an authorized provider (Provider Number: 0004354) for continuing education purposes through the CILB. Course Number: 0010118 – one hour satisfies the workers’ compensation requirement and Course Number: 0010630 – one hour satisfies the workplace safety requirement.

As of this publication, there were no classes listed for 2020. To check for classes available in the future, please click here.

Advanced registration is required. The form is available on the Division’s website at www.myfloridacfo.com/division/WC. For additional information, e–
Certified Contractor License Renewal Reminder

Just a reminder that the Certified Contractor licenses issued by the Department of Business and Professional Regulation (DBPR) are up for renewal on August 31, 2020.

Current law requires licenseholders to obtain 14 hours of continuing education with at least one hour in workplace safety, one hour in workers’ compensation, one hour in business practices, one hour in the advance building code module, one hour in laws and rules (Chapter 489) and one hour in wind mitigation (this requirement only affects general, residential, building, roofing and glass and glazing contractors).

CILB Update

ADVERTISING: Signs to Social Media, License Numbers Required!

Advertising is important to Florida contractors and can make the difference between a great business year and just making ends meet. Florida contractors have many new ways of promoting their businesses with the increased use of internet websites and the advent of social media technologies. As advertising evolves, it is important for Florida contractors to remember that their license number must be included in all offers of service, bids, business proposals, contracts or advertisements, regardless of the medium. Pursuant to Rule 61G4–12.011, F.A.C., advertisements include any electronic media including Internet sites. So please remember to include your license number on your websites, social media pages and other advertisements.

If you have any questions regarding advertising requirements please review the Construction Industry Licensing Board’s FAQs or you may contact the DBPR’s Customer Contact Center at (850) 487–1395.