

SLINGMAKERS

Issue 116

Spring, 2008

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President Anne Renfroe**

**The Government Affairs
Committee**

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If the first two and a half months of this year are any indication, this is going to be a very busy year! Your Board of Directors, officers, and committees scarcely had time to put the twinkling lights away and haul off the shedding tree before we plunged into the business of AWRP.

Our Winter Board Meeting in historic Charleston, South Carolina was an unqualified success with good reports of all the committees' works since Quebec. Our Safety, Membership, and Insurance Committees provided much information and some real progress in their endeavors which you will be learning about elsewhere in this Slingmakers.

The Scholarship Committee's materials are ready for mailing in April. Please see that they are made available to your eligible employees for their college bound young people.

Because we worked so efficiently, there was time to lose a little money on the golf course, enjoy dinner together in a wonderful 18th century home, and visit beautiful Middleton Plantation. You know how it is, "All work and no play..."

February found the Technical Committee in another charming Southern city, Savannah, Georgia. The squares, surrounded by their 18th and 19th century homes set a relaxing and welcoming atmosphere for the participants. The work of this committee, the heart of our organization, is directed by the knowledgeable and respected chairman, Don Pellow. He runs a tight ship! Interesting and complex topics were covered, with frank, but civilized discussion, moving toward careful and fair resolution. More about this in Don's article.

A delightful evening, and easily the high point of our meeting, was enjoyed by all when Joe and Lizann Roberts entertained us at their comfortable home on Isle of Hope. Southern hospitality is alive and well in Savannah! (And everyone was home for Valentine's Day.)

Scarcely a month later, our Government Affairs Briefing was in Washington D.C. I am happy to report this was the best attended one we have ever had. The meeting took place in the Library of the U.S. Chamber of Commerce Building. We were surrounded by beautifully bound volumes arranged in mahogany cases. In the entry area stands a lovely burl walnut partner's desk, which belonged to Daniel Webster. Quite a setting! The topics presented by six specialists were varied; from Health Care Legislation to Trade Union Initiatives, Tort Reform, Transportation and Infrastructure, Small Business, and of course the Economy. An outlook for the remainder of the year was prophesied. Barry Epperson, our AWRP counsel, who is responsible for the planning of this important event, has a detailed article worth your time.

The Board and Past Presidents made a good showing. Hopefully, more members will be aware of this valuable opportunity included in their membership in AWRP. As I promised, it is our goal this year to make your AWRP membership more valuable to you by showing how it can provide things which help you run your business more successfully.

I look forward to our April visit to the "City by the Bay"—San Francisco. This beautiful and romantic destination is a real drawing card and we expect record numbers for the event. Be sure you are a part of it! Our speakers' information will be interesting and up-to-date. I hear a rumor San Francisco has some golf courses – imagine that!

Our Officers and Board, as well as the At Large Members, are anxious to hear from you. Let us know if you have questions or suggestions. Remember – it is YOUR organization and we need to hear from you.

Sincerely

Anne L. Renfroe,
President AWRP

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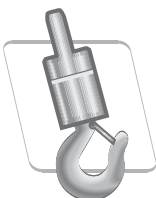


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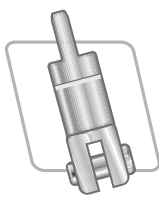
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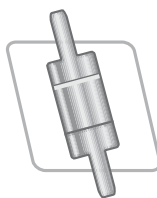
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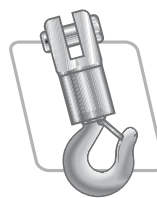
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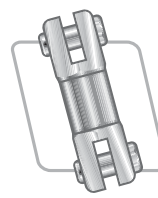
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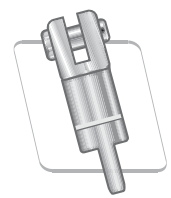
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THE GOVERNMENT AFFAIRS COMMITTEE

By: J. Barry Epperson,
General Counsel and
Chairman of Government
Affairs Committee



Customs Marking Requirements

The United States Tariff Act of 1930 provides generally that every article of foreign origin shall be marked, permanently, legibly and in a conspicuous place, so as to indicate to an ultimate purchaser in the United States the English name of the article's country of origin. These laws apply to any organization selling products in the United States. The Secretary of the Treasury may, by regulation, exempt certain products from ordinary marking requirements, e.g., when an official determination is made that the container will reasonably indicate the origin of the product or that the product is incapable of being marked without injury.

If an importer uses a foreign component in a manufacturing process which results in a *substantial transformation*, creating a new and different article of commerce, having a different name, character or use than its imported components, then the importer (or other person who performs the manufacturing or fabrication operation) is considered to be the ultimate purchaser of the imported article for original marking purposes. If the resulting article produced in the United States has undergone a *substantial transformation*, it is not considered to be of foreign origin, and there is no obligation to mark it as a foreign good.

Substantial transformation is judged by whether the U.S. manufacturing or fabrication process results in the creation of a new article of commerce, having a different name, character or use than the imported material. Of these criteria, name is considered the weakest indicator of a change in origin. Few products have been considered *substantially transformed* solely by undergoing a change in name. Customs and the courts consider *s substantial transformation* issues on a case by case basis.

Since the advent of the North American Free Trade Agreement (NAFTA), the U.S. Customs Service has attempted to develop more objective criteria for adjudicating whether a product has undergone *substantial transformation*. NAFTA marking rules circumscribe a number of tests, based largely on changes in the tariff classification of goods, for determining a change in country of origin. The U.S. Court of International Trade has ruled that these NAFTA marking rules may not be used in lieu of the *substantial transformation* test insofar as the requirements of marking are concerned. However, if an imported article undergoes a change in

tariff classification as set forth in the NAFTA rules, it is likely that Customs will agree that a *substantial transformation* has taken place.

Courts have held that where an article is manufactured in the U.S. using components from a NAFTA classification, the finished product is exempt from the ordinary marking rules, regardless of whether a *substantial transformation* has occurred. Thus, to determine whether a product is exempt from being marked to reflect a foreign country of origin, it would be necessary to determine (1) if the imported component is from a NAFTA country, whether the requirements of the NAFTA marking rules are satisfied, or (2) if the imported components are from a non-NAFTA country, whether a *substantial transformation* has occurred.

The repackaging of imported wire rope for resale does not obviate the requirement of marking the product or its container with the foreign country of origin. Even when fittings or eyes are added to imported wire rope, either the integrated assembly or the new container must display the original country of origin.

U.S. Customs rulings excusing country of origin marking do not automatically mean that representations of "Made in USA" may be used. Federal Trade Commission guidelines provide that a product which contains any significant amount of foreign materials (perhaps seven percent) may not bear the "Made in the USA" inscription. Obviously, the FTC will not permit this designation if Customs has required that it be marked with the foreign country of origin. However, the FTC is much more tolerant of conditional representations such as "Made in USA With Imported Steel", so long as the statement is accurate.

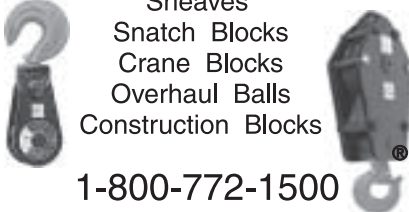
Penalties for violation of country of origin marking rules can result in punitive tariffs, criminal or civil fines up to Ten Thousand Dollars per offense and/or imprisonment for up to five years. For false markings an aggrieved U.S. company is authorized to commence legal proceedings for both injunctive relief and compensatory damages. In order to effectively monitor the marking practices of foreign manufacturers, a company should have a system in place involving inspection of imported goods and notification to the authorities of marking violations.

Safety Alert

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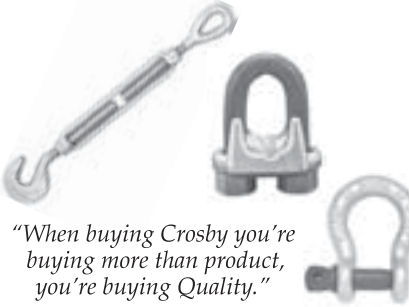


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Three Crane Accidents Caused by Improper Rigging

In three recent but separate offshore incidents, personnel were placed at risk, injured, and/or equipment was lost overboard while conducting crane operations.

Incident No. 1 – A bundle of fifteen pieces of flat iron were prepared for lifting from a vessel by riggers using nylon slings. The riggers failed to double wrap the slings around the load and align the center of gravity of the lift. When lifted, the stacked flat iron shifted and began sliding as the slings adjusted unevenly. *The sliding flat iron cut the slings and the entire load was dropped.*

Incident No. 2 – A work crew was positioning a drive pipe hammer using an uneven sling to prevent the piston from sliding. The crane tip was not positioned over the center of gravity, which caused the hammer to swing horizontally immediately upon being lifted. A rigger manning the single tag line lost balance and his foot lodged in a pinch point next to some piping. *The swinging hammer struck the piping crushing the rigger's foot.*

Incident No. 3 – A contract crew was lowering a flowline riser segment using a nylon sling. While positioning the riser, the load was halted near the exhaust of a turbine generator. *The heat from the exhaust melted the nylon sling, causing the sling to fail and the load to fall, injuring a workman.*

MMS investigations found several deficiencies that contributed to the three incidents:

- Lack or failure of supervision contributed to all incidents.
- Crane operators failed to check the use of the appropriate slings or rigging methodology;
- The loads were not centered prior to lift and the crane operators could not see the lift;
- No pre-lift procedure was agreed upon by crane operator and riggers;
- Employees were improperly positioned during operations, resulting in unnecessary risk and injury.

The MMS recommends the following:

- Operators ensure that planning is conducted prior to a lift to accomplish the following:
 - Verify all personnel are fully trained;
 - Ensure loads are secured by proper slings and methods (consider whether nylon is appropriate);
 - See that loads are centered and balanced; and
 - Ensure all personnel are safely positioned.
- Operators ensure that crane operators and riggers maintain adequate communications to prepare and orient loads prior to and during a lift.

Labor Issues

March 7, 2008

The U.S. Chamber of Commerce Labor, Immigration and Employee Benefits Division is working on, and monitoring, the following labor law legislation and regulatory issues. Issues are not presented in any specific order.



Employee Free Choice Act

The “Employee Free Choice Act” (H.R. 800, S. 1041), the top legislative priority for organized labor, was introduced by Rep. George Miller (D-CA) and Sen. Ted Kennedy early in the 110th Congress. The House passed the bill by a vote of 241-185 on March 1, 2007. In the Senate, a filibuster has thus far been successful, as proponents of the bill forced a vote on June 26, 2007, but could only secure 51 of the necessary 60 votes to proceed to the bill. While the votes were largely along party lines, the House vote was notable in that only 13 Republicans crossed over to support the bill. Two Democrats also crossed over to oppose the bill. In the Senate, only one Republican, Arlen Specter (PA), supported cloture. The Chamber sent “key vote” letters before both the House and Senate votes.

The “Employee Free Choice Act” would allow unions to be recognized if a majority of employees in a bargaining unit signed authorization cards thus allowing unions to waive the current National Labor Relations Board (NLRB) supervised secret ballot process. It would also force contract negotiations into binding arbitration if the employer fails to agree on a contract with a newly recognized union within 120 days, and impose stiffer penalties on employers, but not on unions, for violations.

The Chamber continued its leadership in opposing the bill and Chamber NLRA Subcommittee Chair Chuck Cohen, of Morgan, Lewis & Bockius, testified on behalf of the Chamber at a hearing on this issue before the House Education and Labor Committee’s Subcommittee on Health, Employment, Labor, and Pensions on February 8, 2007. The Chamber, which has testified against the bill on three occasions, remains the only business organization that has testified against the legislation.

Anti-Arbitration

The 110th Congress was active on anti-arbitration measures. Senator Russ Feingold (D-WI) and Representative Henry C. “Hank” Johnson (D-GA) introduced S. 1782 and H.R. 3010, respectively. The bills would reverse the Supreme Court decision in *Circuit City Stores Inc v. Adams*, which upheld employer policies requiring employees to enter into pre-dispute binding arbitration agreements as a condition of employment. The bills would amend the Federal Arbitration Act to make pre-dispute agreements to arbitrate employment, consumer, franchise, or civil rights disputes unenforceable. On September 4, 2007, the Chamber sent a letter to the House Judiciary Committee and the Senate Judiciary Committee urging members to oppose the legislation. On September 26, 2007, the Chamber sent a letter to the Senate Committee on Agriculture, Nutrition, and Forestry, opposing the inclusion of any anti-arbitration provisions within the Senate’s version of the farm bill, H.R. 2419, but these provisions were retained.

On October 25, 2007, the House Subcommittee on Commercial and Administrative Law, Committee on the Judiciary held a hearing on H.R. 3010, the “Arbitration Fairness Act of 2007”. Prior to the hearing, the Chamber sent a letter to the Committee urging opposition to the bill. On December 12, 2007, the Senate Subcommittee on the Constitution, Civil Rights, and Property Rights, Judiciary Committee held a hearing on the companion bill, S. 1782, the “Arbitration Fairness Act of 2007.”

Comparable Worth and Equal Pay

On March 6, 2007, Senator Hillary Clinton (D-NY) and Rep. Rosa DeLauro (D-CT) reintroduced the “Paycheck Fairness Act,” S. 766 and H.R.1338, respectively. The “Paycheck Fairness

Act” would significantly limit defenses to Equal Pay Act claims; permit unlimited punitive and compensatory damages to be awarded; make it easier to bring class action suits; and would require the Labor Department to develop “guidelines” for employers to use in setting compensation. It would also make it a violation of the Fair Labor Standards Act to prohibit employees from sharing salary information and would re-impose the discredited Office of Federal Contract Compliance Programs (OFCCP) Equal Opportunity survey and force the OFCCP to use dubious statistical methods in investigating systemic compensation discrimination. Camille Olson with Seyfarth Shaw testified on behalf of the Chamber at a hearing on the bill before the Workforce Protections Subcommittee of the House Committee on Education and Labor on July 11, 2007. On July 19, 2007, the Chamber sent a letter to the House opposing the bill.

On April 11, 2007, Senator Tom Harkin (D-IA) introduced S.1087, the “Fair Pay Act of 2007.” The bill would amend the Fair Labor Standards Act of 1938 to require employers to provide equal pay for unequal jobs that involve comparable skill, effort, responsibility, and working conditions. The bill would prohibit employers from reducing other employees’ wages in order to achieve pay equity and would require employers to disclose job categories and pay scales as needed to enforce the law. Employees who alleged discrimination in wages based on sex, race or national origin could file a complaint with the Equal Employment Opportunity Commission or seek compensatory or punitive damages in court. Under the legislation, employers could still pay different wages based on a seniority system, merit system, or a system that measured earnings by quantity or quality of production,

Continued on pg 49

Your Safety Committee At Work



Tel: 713-674-2266
Fax: 713-672-9229



The HSE Committee has begun work on creating a safety manual. Thanks to the overwhelming support of the Board of Directors and in particular our Board Officers, funding for Phase One of the project was approved at our January Director's meeting.

This manual is being designed to cover OSHA and Canadian regulations and compliance but is going to be customized to be rigging shop specific. We have hired Dan Snyder of Performance Based Safety, LLC to design this manual. Phase One will involve Mr. Snyder visiting three rigging shops to get a good mix and flavor for our Industry.

Phase Two will involve a design and development of the materials. Under consideration are either a comprehensive HSE manual that covers both OSHA and Canadian Laws or we can make an OSHA version and a Canadian version.

Phase Three will involve a draft copy of the manual for the HSE Committee and Board of Directors to review and comment on. Any revisions will be made at this point. Finally, a method to distribute this to members will be needed. Options include Books, CD's, a digital version linked to the AWRF website that can be downloaded by members or a combination of the above.

As always, if you have any questions or suggestions for your HSE Committee please contact Jack J. Gibbons, Metro Wire Rope Corporation at 908-964-3690 or Jeff Bishop, Bishop Lifting Products at 713-674-2266.

Best Regards,
Jack J. Gibbons
President, Metro Wire Rope Corporation



A.W.R.F CALENDAR



2008

May 19-20	ASME B30 Seattle, WA
June	Wire Rope Technical Board
July 13-19	AWRF BOD Meeting Ashville, NC
September	ASME B30 Louisville, KY
September 14-17	General Meeting PIE Chicago, IL Sheraton Chicago Hotel and Towers

In Memory Of



Don Sorbie

It is with profound sadness we announce the passing of Donald Gavin Sorbie on February 13, 2008, much beloved husband, father, grandfather, brother, brother-in-law, uncle and friend. Don will be forever missed by his wife, life-long love and best friend, Irene. He was a loving father to Kelly (Mike) and Jason (Rick), adoring grandfather and number one fan of Taylor and Shelby and dear brother of Lynn, Sharon, Ian, Neil, Lyle and Daryl. Our families and Don's friends and colleagues mourn the loss of this joyful, fun-loving man who brought laughter to all our lives.



In his professional life, Don was, for many years, sales manager of Crosby Group Canada and, most recently, CEO of his own companies, Fittings and Rope Inc. and Donire Inc. He travelled throughout Canada on business and, thanks to his engaging personality, many of his customers became close friends.

For decades, Don was active with the Jaycees, serving as president of Ontario Jaycees, vice-president of Canadian Jaycees and lifetime senator with the organization. From a very early age, Don was the life of any party and everyone's favourite dance partner. He revelled in ski trips with his friends, playing tennis and golfing. The ultimate family man, his happiest times were spent with Irene, his children and grandchildren.

In keeping with his wishes, a private, family service was held. A celebration of his life, with lots of laughter, memories and dancing, will be held on May 6. Details to follow.

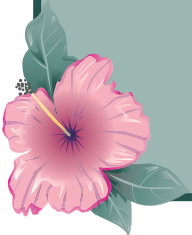
While we grieve for Don, we are grateful for his inspiring legacy – love, laugh, dance. "Life is not measured by the number of breaths you take, but by the moments that take your breath away." Expressions of sympathy may be posted on the Don Sorbie Tribute page of the Canadian Cancer Society website.

<http://convio.cancer.ca/goto/donsorbie>

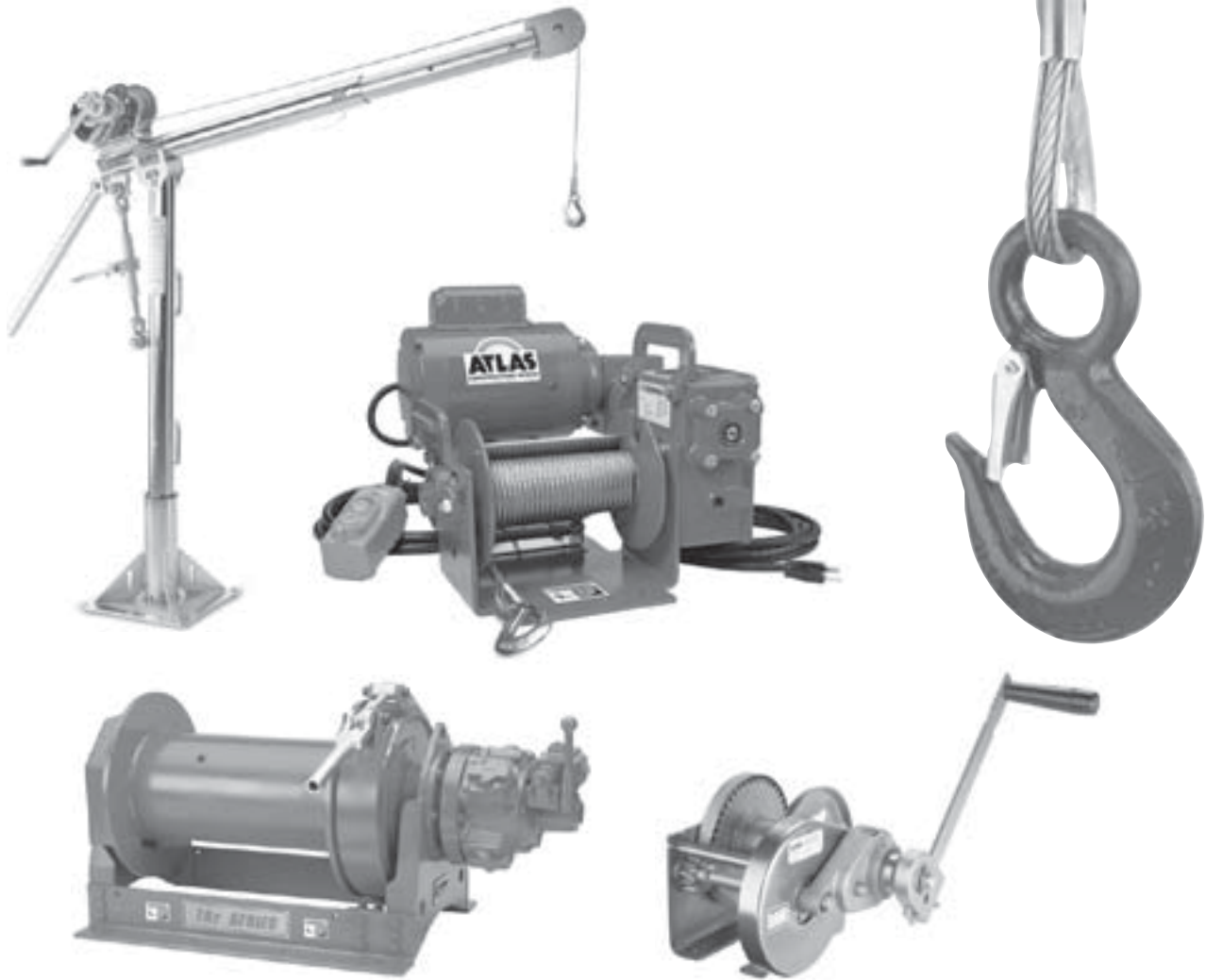
Irene, Kelly and Jason Sorbie

August Loos

August Walter Loos, known as "Gus," died February 10, 2008 after a long battle with Parkinson's Disease. He was the son of August Walter Loos and Edith Peterson Loos. He grew up in Pomfret, CT, which he always viewed as his "home." He served in the Air Corp before attending New Preparatory in Cambridge, MA. He attributed much of his quest for knowledge to the lessons he learned while there. He later attended Brown University before embarking on his life-long entrepreneurial voyage. He always gave John Holt of Danco Manufacturing credit for providing much business knowledge and inspiration early in his career. Gus was later a partner in Sanlo Manufacturing. He later entered the plastics industry in its early days. He began the handling of paperwork to bring in wire rope for U.S. companies. This preceded bringing in wire rope for Loos & Company as it is now known. The first shipments from Loos & Co. were in 1962 with continued growth from that year forward. There were other ventures along the way, as could be expected of someone of intense entrepreneurial spirit. His first venture was during a school summer break when he leased a hamburger stand. There was a gas station, the planting of a vineyard and establishment of a winery, and the design and construction of a golf course, which began as his private "playground." His business involvements included the initial start-up of Superwinch Corporation, the initial and ongoing involvement in Fiberoptics Technology, Inc. and involvement in MPSC. His love of business was shared with hobbies including golf, wine, antique automobiles and the rebuilding of a vintage sailboat. He leaves his wife of 45 years, Joan; and sons, William and John Loos. He also leaves Karen Burns Dyess and Nancy Burns Rushing from an early marriage. There are six grandchildren. Funeral services will be private with a memorial service at a later date. Contributions may be made to Parkinson Association of Southwest Florida, Inc., 6226 Tamiami Trail North, Naples, FL 34108. Naples Memorial Funeral Home 239-597-3101



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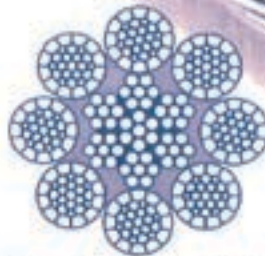




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In Memory Of David W. Gathman



Wire Rope Works Williamsport, PA.

David W. Gathman, 91, beloved husband, father, grandfather, great-grandfather, brother, uncle, and friend, died at Manor Care Nursing Home in Williamsport shortly before noon on Tuesday, March 11, 2008. Until recently, he and his wife, Mildred, resided at 311 Arch Street, Montoursville.



He was a Registered Professional Engineer and Life Member of the American Society of Mechanical Engineers. He was a charter member of the American Society of Senior Wire Rope Engineers.

After retirement from Bethlehem Steel he worked as an independent consulting engineer on wire rope and strand for several years.

He was an Eagle Scout and a former Boy Scout leader. David also served on the Advancement Committee of the former West Branch Council, Boy Scouts of America, and on the Eagle Scout Board of Review. He was a member of the National Eagle Scout Association.

He was a World War II veteran and a Lieutenant, United States Naval Reserve (Retired) on active duty 1942-1945. During the war he served as a Naval Ordnance Officer on advance bases in the South Pacific from 1943-1945 and was awarded the American Area Campaign Medal, the Asiatic-Pacific Campaign Medal with one battle star, and the World War II Victory medal.

David was a charter member of New Covenant United Church of Christ, Williamsport. He was also a past President and past Secretary of the Church Council of the former St. John's United Church of Christ in Williamsport, and had served both as an Elder and Deacon for many years.

He was a thirty-second degree Mason and a member of the Masonic bodies, including being a member of John F. Laedlein Lodge No. 707, F.& A.M. Scottish Rite, Valley of Williamsport, Lycoming Royal Arch Chapter No. 222, Baldwin II Commandery, No. 22 Knights Templar, The Howard Club of Knights Templar, National Sojourners, Inc. Lycoming Chapter No. 509, a member of Irem Temple Shrine, A.A.O.N.M.S., Wilkes Barre, and Williamsport Shrine Club.

He was a member of the Appalachian Trail Conference. An outdoor enthusiast, he had hiked more than 400 miles of the Appalachian Trail in eight states, and climbed Mt. Katahdin in Maine and Mt. Washington in New Hampshire numerous times. He enjoyed back-packing, wilderness camping, and cross-country skiing, much of it on frequent trips to northern Maine.

He was also a member of Turbot Hills Golf Course and a senior member of the United States Chess Federation.

David is survived by his wife of 64 years, Mildred Deihl Gathman, Montoursville – they were looking forward to celebrating their 65th wedding anniversary together on April 24. He is preceded in death by his parents as well as his sister, Dorothy Djuren. Other survivors include his brother, Robert F., Paramus, NJ, and five children: Martha L. Horn (Gary), North Ridgeville, Ohio; David D. Gathman (Beatrice), Bryn Mawr, PA; Richard W. Gathman (Katharine), Lewisburg, PA, Randall R. Gathman (Bonnie), Matthews, NC, and Elizabeth G. Lewczyk (Lawrence), Burlington, KY. Also surviving are eleven grandchildren, three step-grandchildren, eleven great-grandchildren, four step great-grandchildren, two nieces, and two nephews.

David's first professional career assignment for Bethlehem Steel brought him from New Jersey to Williamsport, where he met and married "Milly" in 1943. They lived in Williamsport with their five children until 1975, when the couple moved to their Arch Street home in Montoursville. In October of 2007, they moved together to Elmcroft in Montoursville.

In lieu of flowers, memorial contributions may be made to St. John's UCC, Boy Scouts of America, or a charity of choice.

David was born in Paterson, NJ on November 22, 1916, the son of Martha Gosman Gathman and William Gathman, and grew up in Prospect Park, NJ. He graduated from Prospect Park Grammar School in 1931, Paterson Central High School in 1935, where he was class president and valedictorian, and from Stevens Institute of Technology, Hoboken, NJ in 1939 with the degree of Mechanical Engineer. He was Editor of his college yearbook as well as a member of many honorarium and social organizations.

A member of the Bethlehem Steel Company's 1939 elite Loop Course, David was assigned to the Williamsport Plant, where he served in various supervisory positions including Superintendent of the Splicing, Warehouse and Shipping Departments and as a field service engineer and consultant on wire rope and strand, both domestic and abroad. He was Chief Engineer of the Williamsport Plant at the time of his retirement in January 1979 with nearly 40 years of continuous service with Bethlehem Steel.

He was Bethlehem Steel's representative on the Wire Rope Technical Board and served as Chairman of the Engineering Committee. He was also a member of several industry technical committees that included sessions in Switzerland and The United Kingdom.

David held four United States patents pertaining to wire rope.



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Profit Improvement Report

The Sales to Payroll Delta: A Critical Planning Tool

By Dr. Albert D. Bates
President, Profit Planning Group



Payroll control is a critical issue for all AWRP members. According to the latest PROFIT report, payroll and associated fringe benefits account for 61.8% of total expenses. In slightly different terms, payroll costs are 1.6 times as large as all other expenses combined.

One important challenge in controlling payroll is finding a practical procedure for planning what payroll costs should be. It is not enough to simply suggest that payroll should be a lower percentage of sales, as that does not suggest how much lower payroll costs should be or how fast a reduction can be made.

Firms also face the very real issue that reducing payroll too much may diminish the firm's ability to service its customer set effectively. Indeed, payroll costs can be too low as well as too high.

This report examines an approach for planning payroll called the **Sales to Payroll Delta**. In doing so, the report will address two specific issues:

- **Targeting the Sales to Payroll Delta**—An explanation of the concept of a Sales to Payroll Delta plus a suggestion of some specific goals for planning payroll in the future.
- **Making Specific Improvements**—A review of the opportunities for improving payroll performance.

Targeting the Sales to Payroll Delta

The sales to payroll delta is the difference in the growth rates of sales and total payroll costs, including fringe benefits. As an example, if sales grew by 5.0% and payroll costs grew by 3.0%, then the sales to payroll delta would be 2.0 percentage points. Similarly, with

15.0% sales growth and 13.0% payroll growth, there would still be a 2.0% delta.

The most important point regarding the sales to payroll delta is that it focuses management on the fact that sales do not have to grow rapidly to generate substantially higher profits. In each of the examples above, the firm produced a 2.0% sales to payroll delta. The two plans are almost equally valuable.

This idea that actual sales growth may not be all that important is alien to traditional thinking, so it is useful to review **Exhibit 1** which presents the latest financial results for the typical AWRP member. As can be seen in the first column of numbers, this firm generates \$8,000,000 in sales volume, operates on a gross margin of 33.0% and produces a bottom-line profit of 5.5%. In addition, payroll and fringe benefits are 17.0% of sales, the largest expense category.

In the final two columns of numbers, sales have been increased. In the middle column the sales increase is only 5.0%, while in the final column it is 10.0%. The key issue is that in both examples, there is a 2.0% sales to payroll delta. That means that when sales increased by 5.0%, payroll only increased by 3.0%. By the same logic, the 10.0% sales increase has been supported by an 8.0% payroll increase.

It is important to note that in both examples profit before taxes increased significantly. Of equal consequence, the 10.0% sales increase produced a profit improvement that was only modestly larger than the one generated by the 5.0% sales increase. This suggests that sales alone is not the driver of profitability. It is the ability of the firm to control payroll in relationship to sales that is key.

The results from Exhibit 1 may seem self-evident. Of course, profit is increased when sales grow faster than payroll. The reality, though, is that while the results are self-evident, a measurable sales to payroll delta has proven to be an elusive goal for most AWRP members.

Over the long term, sales and payroll tend to rise together. In tough economic times, firms tend to get aggressive on payroll. In good times, they tend to grow lax. The net result is that over a five-year period, sales and payroll tend to rise at the exact same rate. It is this pattern of equal increases that needs to be broken.

Setting a specific goal for the sales to payroll delta must be done at the individual firm level. For firms that have always had strong control of payroll expenses, a delta of only 1.0% or so per year may be all that is possible. For firms where payroll is somewhat out of control, a 3.0% improvement should be attainable. For the typical AWRP firm, somewhere around a 2.0% goal is realistic for each of the next three to five years.

Exhibit 1
The Impact of a 2% Sales to Payroll Delta
At Different Levels of Sales Growth

Income Statement	Current Results	5% Sales Increase	10% Sales Increase
Dollars			
Net Sales	\$8,000,000	\$8,400,000	\$8,800,000
Cost of Goods Sold	5,360,000	5,628,000	5,896,000
Gross Margin	2,640,000	2,772,000	2,904,000
Expenses			
Payroll and Fringe Benefits	1,360,000	1,400,800	1,468,800
All Other Expenses	840,000	882,000	924,000
Total Expenses	2,200,000	2,282,800	2,392,800
Profit Before Taxes	\$440,000	\$489,200	\$511,200
Percent of Sales			
Net Sales	100.0 %	100.0 %	100.0 %
Cost of Goods Sold	67.0	67.0	67.0
Gross Margin	33.0	33.0	33.0
Expenses			
Payroll and Fringe Benefits	17.0	16.7	16.7
All Other Expenses	10.5	10.5	10.5
Total Expenses	27.5	27.2	27.2
Profit Before Taxes	5.5 %	5.8 %	5.8 %

The goals may also need to vary depending upon economic conditions. As was shown in Exhibit 1, with a 10.0% sales increase it is relatively “easy” to produce a 2.0% sales to payroll delta. Payroll can increase by 8.0% which allows for adequate increases in compensation for the existing work force and possibly even additional staffing.

In contrast, with only a 5.0% sales increase, the 3.0% increase in payroll requires a much more austere approach to payroll planning. Certainly for some employees there is no latitude to increase compensation at all.

In a period of no sales growth, the 2.0% delta would require a reduction in payroll of 2.0%. At the most extreme, in a recession where sales fall by say 5.0%, then achieving the goal of 2.0% would require a 7.0% reduction in payroll. Clearly, the slower the sales growth, the more difficult the 2.0% goal is to achieve. Even so, firms should target the 2.0% as a realistic goal over time. For the next five years, a cumulative goal of 10.0% is desirable.

Making Specific Improvements

It is a lot easier to talk about making payroll improvements than it is to actually make them. All the sales to payroll delta can do is suggest the magnitude of the improvements that are needed to reach higher levels of profitability. The goals need to be translated into specific actions.

As was noted earlier, generating a sales to payroll delta is much easier when sales are increasing. This means that the focus should be on creating an environment in which the firm generates modest sales growth continually. In essence, the firm must stop being captive to either market growth or prevailing economic conditions.

This conclusion leads back to a recurring theme in profit planning. AWRP members must gain control over operating economics. This involves making significant improvements in three areas:

Sales per Order Line—If the average line value on an invoice can be increased, then for the same level of expense, the firm generates more profit.

Lines per Order—Working with customers to add one more line on every order creates more sales, but only a little more expense.

Fill Rate—When the firm is out of stock a lot of effort is expended for no sales. A higher fill rate is always beneficial from a sales viewpoint.

Payroll is likely to be an issue for AWRP members in perpetuity. Employees will always desire improved wages, and health insurance seems destined to increase at a significant rate. Firms must gain control over the payroll side, even in periods of modest sales growth. The sales to payroll delta is the most beneficial concept in planning for payroll control.

A Managerial Sidebar:

Percent of Sales or Percent of Gross Margin?

Payroll costs can be evaluated either as a percent of sales or as a percent of gross margin. The second approach is known as the Personnel Productivity Ratio or PPR. The PPR for the typical AWRP member is:

$$\begin{array}{r} \text{Payroll and Fringe Benefits} \\ \text{Gross Margin} \\ = \\ \$1,360,000 \\ \$2,640,000 \\ = \\ 51.5\% \end{array}$$

Most managers are more comfortable thinking of payroll as a percent of sales, simply because the approach has been used for so long. It also links payroll directly to sales generation.

The PPR is more encompassing in that it is impacted by changes not only in sales and payroll costs, but also gross margin. While ultimately a useful ratio, it can be difficult to pinpoint exactly why improvements are taking place.

The Dr. Is In:

Help for Dealing With Uncertain Times

Given the uncertain economic times, many firm could probably benefit from some outside financial advise. Dr. Al Bates of the Profit Planning Group has agreed to chat with any members free of charge. The session can be for up to 15 minutes, on any topic of concern.

There are, however, a few rules:

1. Your firm must have participated in the financial benchmarking survey for 2008. You can only call after you have done so.
2. You will need to fax in the questions so that Al can be prepared to talk intelligently without wasting your time.
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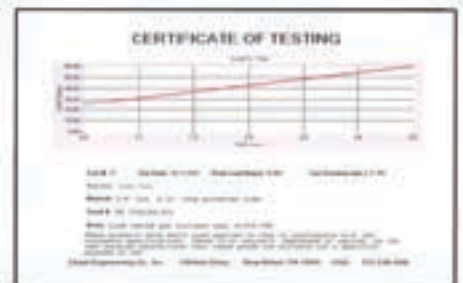
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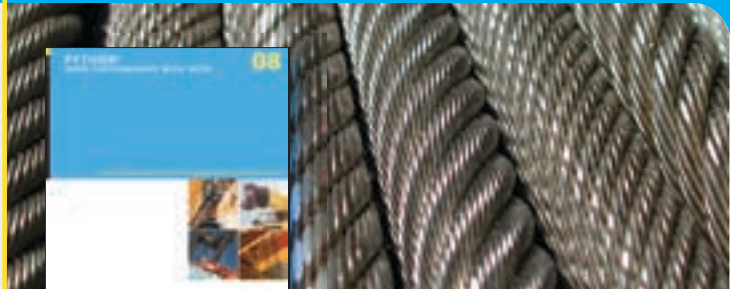
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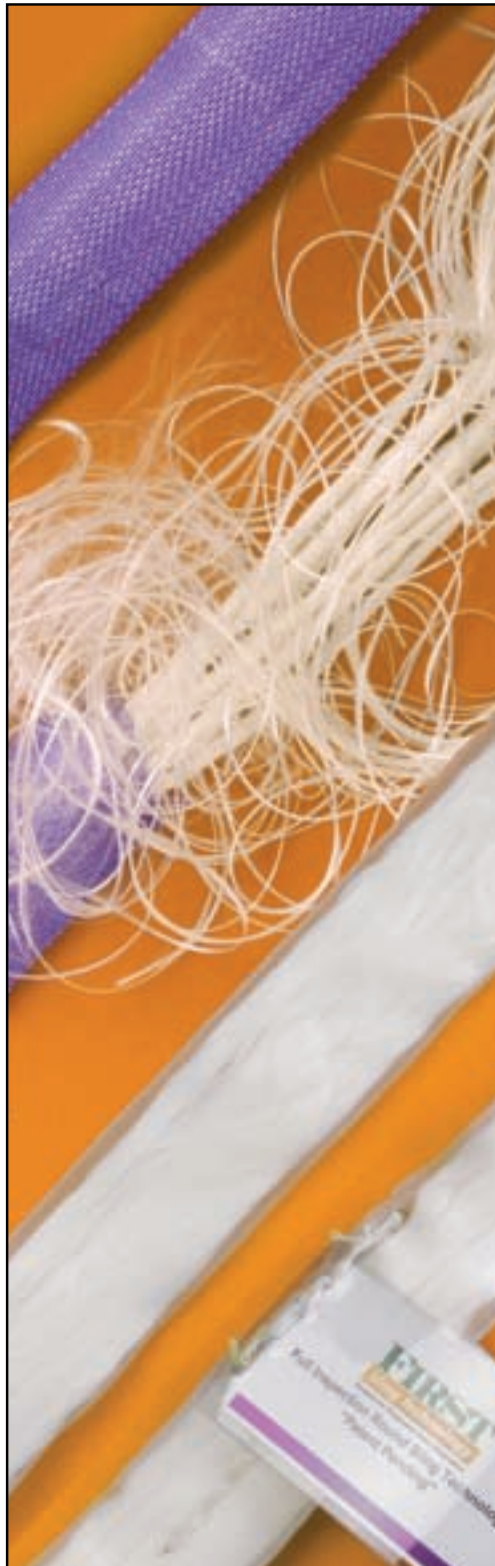
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Creating an Employee Handbook



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Do your employees consistently ask about vacation or sick days, health or dental insurance, dress codes or safety equipment? Do you have a file full of internal memos and individual policy statements? If so, you could curtail some of these questions and organize your policies with an effective employee handbook.

An employee handbook may save you time, prevent conflicts, and protect both the company and the employees. It provides documentation of your company's expectations of employees, the benefits that may be provided to them, and allow them to feel more comfortable in the fact that they are all following the same set of standards.

Many companies choose to write their own handbook, while others may outsource this project. There are also many software packages and templates that can be purchased. Another good idea is to review the handbooks of other companies like yours. Whichever approach you choose, an employee handbook should always be reviewed by an attorney before the final draft is handed out.

You may find that you already have a lot of information that is included in the handbook. Policy memos, employment contracts, insurance documents, retirement plan documents, etc., all contain information relative to employee handbooks. It may also serve you well to include the input of your employees. This will help address a wider variety of issues that may not have made it to the list yet. It is also a great way to learn your employees' concerns and expectations for the company.

The first step when creating a new employee handbook should be to consider all state and federal laws. Ensure that you have required statements such as an "Equal Opportunity" statement. Determine what your state's regulations are regarding hiring, termination, vacation, personal time, benefits, etc. If you take language directly from another source,

make sure it is relevant to your state, and remember to have it reviewed by a lawyer.

Next, you should consider the reason for the handbook. Is it to be for training, formalizing the company's policies and procedures, or both? Will you include vacation days, holidays, or any other paid or unpaid time off? What about employee benefits such as retirement plans, health insurance, profit sharing, etc.

Paid time off can be a very confusing issue. It may also be a good idea to state the options for time not taken at the end of the year or if the employment relationship is terminated. Will the employee be paid for it? Can it be carried over to the next period? How long may it be carried before it is lost, or paid out? Are vacation days and paid sick days handled differently? These are just a few of the many questions that arise regarding paid time. Also, if you do include policies on paid time off, make it clear what requirements must be met and what disqualifications there may be. A good example may be an employer who requires an employee to work a full shift the day before and the day after a holiday in order to receive holiday pay.

Other benefits such as savings plans and insurances should not be listed in too much detail. The rates, laws, and stipulations are subject to change too often to make it viable for employers to list specific details about plans like these. It may be better just to generalize the statements and let any forms, publications, or plan specific documentation spell out the details.

The most common purpose of an employee handbook is the policy and procedures section. This is where you inform your employees of what the company expects of them. Most employees do want to know what is expected of them so that they may follow the rules and be successful. But, they also expect that if they do make a mistake, they would face the same consequences as everyone else.

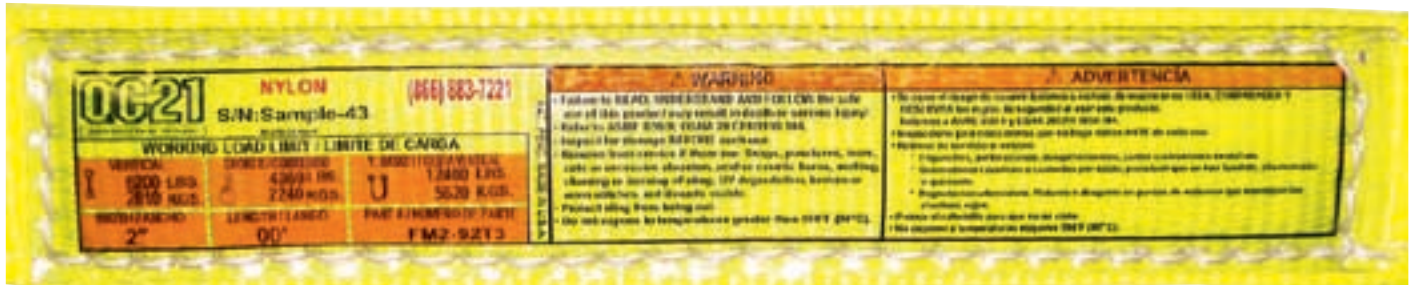
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Continued on pg 31

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Creating an Employee Handbook

Continued from pg 25

in the same order for the same offense for every employee.

Since it is impossible to foresee every possible incident that may occur, if you do choose to list possible disciplinary actions and/or a list of unacceptable conduct, it may be to your benefit to include a disclaimer stating that the list is just an example and not intended to cover all unacceptable acts, and that the level of discipline is at the company's discretion. And, try to avoid terms such as "must", "will", and "always" should be avoided. These may bind the company to an action that otherwise may not have been taken.

Another good "rule of thumb" (if your state allows) is to include a statement explaining that the employment relationship is "at-will". This means that both employee and employer have the right to

terminate employment at any time for any reason. Of course, this excludes reasons such as age, sex, race, sexual orientation, etc.

Many companies also include a brief company history and a mission statement to give the employees a sense of security and familiarity with their employer. It should also be positive in tone so the reader doesn't feel that his/her employer is impersonal. And remember, an employee handbook should never be too "formal" or hard to read. It should be written so all employees may read and understand it.

Jason M. Noltee

Jason K. Fetter, Esq.

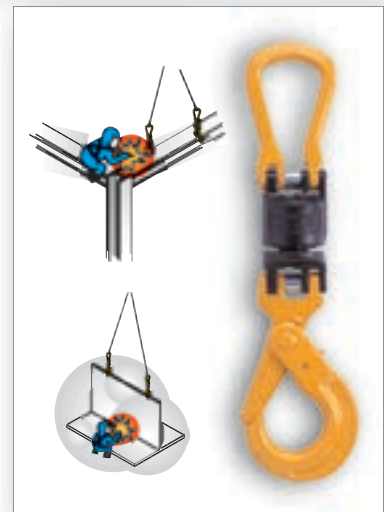
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In Memory Of



Dee Dee (Dolores) Tuczak

It is with great sadness that we announce the sudden passing of a dear friend and coworker, Dee Dee (Dolores) Tuczak. She passed away in January 28, 2008, while on vacation in Las Vegas.

Dee Dee was in the Wire Rope industry for over 34 years, starting out at Bethlehem Wire Rope from which she retired. She then worked at Commercial Group Lifting Products, after which she came to work with Jeff for AWRF. She was a dear friend and colleague of Jeff's for all of those years in the business, and I know she had become close to very many of you. She was a wonderful person and is greatly missed.

Wire Rope Works Williamsport, PA.

Toivo O. Aho

Toivo O. Aho, 90, a resident of Loyalsock Township since 1954, died Sunday, March 16, 2008, in the Valley View Nursing Center.

Mr. Aho was born on January 31, 1918, in Baltimore, MD, to Otto and Impi Merilainen Aho.

Toivo graduated from Sparrows Point High School in 1935, and received an academic scholarship to Temple University in Philadelphia. He graduated in 1939 with Bachelor of Science degree in Physics.

Mr. Aho was offered a job within the metallurgical department of the Bethlehem Steel plant, while doing graduate studies at the Lehigh University Graduate School. He received a Master of Science degree in Metallurgy in 1941.

Continuing to work for Bethlehem Steel, he transferred to Williamsport in 1949 where he worked as a sling engineer. He was promoted to Assistant to the Chief Engineer and then to Superintendent of Tests until his retirement in 1980.

Toivo married Mary Ellen Gulliver in 1950 and raised two daughters, Nancy Louise Aho Renninger (Kurt) of



Loyalsock Township and Linda Ann Aho Knott (Gerald) of Altoona.

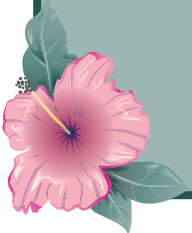
He has two grandchildren, Kelle Renninger Robinson (Robbie) of Linden, PA, and Kyle E. Renninger of Raleigh, NC. There are three step-grandchildren, Brad Knott (Katie), Jeremy Knott (Danyell), and Daniel Knott, all of Claysburg, PA. He and Mary Ellen celebrated 57 years of marriage last April.

Mr. Aho's professional association memberships and achievements include:

The American Society of Metals, Wire Association, American Society of Non-Destructive Testing, Wire Rope Technical Board, and the American Society of Senior Wire Rope Engineers.

He served as a deacon, trustee, elder and usher for the Covenant-Central Presbyterian Church. Toi was a 50-year member of the Williamsport Kiwanis Club, a 50+ year member of Masonic Lodge 106, and Williamsport Scottish Rite. He was also a past member of the Turbot Hills Golf Club, Lycoming Historical Society, Young Men's Republican Club, and the Wheel Inn.

The family will provide the flowers and suggest contributions in Toi's memory be made to the Valley View Sunrise Terrace Make-A-Wish Project, 2140 Warrensville Road, Montoursville, PA 17754, or the Association of Frontal Temporal Dementia (AFTD), 100 North 17 St., Suite 600, Philadelphia, PA 19103.





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Jergens Announces DFARS-Compliant Products

**Lifting Rings, Locking Pins and
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U.S. Department of Defense Domestic Specialty Metals Requirements

CLEVELAND, OH — November 19, 2007 — Jergens, Inc. has announced that three of its major product lines can be compliant with Defense Federal Acquisition Regulation Supplement (DFARS) 252.225-7014 Alternate 1 Preference for Domestic Specialty Metals. The requirements stipulate that certain specialty metals used in parts supplied to the Department of Defense by a United States company be melted in the U.S. or certain qualifying countries.

"We are pleased to offer domestically-sourced specialty metal products to the DoD and other customers," said Jack Schron, Jr., Jergens' President. "Although any item Jergens sells has the potential to be purchased as a DFARS item, we expect the most commonly requested items to be our Kwik-Lok™ Locking Pins, lifting rings and spring plungers."

Jergens is certified to ISO:9001:2000 and can manufacture locking pins, hoist rings, inserts and spring plungers to Mil-Spec/NAS standard.

News Release

Columbus McKinnon
140 John James Audubon Pkwy
Amherst, NY 14228-1197



Chris Mihalik To Take Charge As Cm Rigging Sales Manager

Chris Mihalik, formerly the CM Eastern Regional Sales Manager, has been named CM Rigging Sales Manager and will be responsible for the sales effort of CM Rigging products nationwide. Mihalik will also oversee select hand and lever tool hoist sales, and sales for the Cady Lifters division of the CM organization. Mihalik will have 14 District Sales Managers reporting to him from throughout the country as well as four inside sales personnel dedicated to rigging sales efforts.



Along with his current responsibilities and prior to taking over this new Sales Management role, Mihalik will be the Project Leader, establishing a CM Inside Sales organization for both Hoist and Rigging.

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Cm District Manager Richard Corbello Wins 2007 Gary Eckley Award

In February, CM District Sales Manager Richard Corbello was presented with the Seventh Annual Gary Eckley Award during the CM North American Sales Meeting in Charlotte, North Carolina.



In addition to growing the overall business at a rapid rate, Richard was very much involved in multiple product at the end-user level.

Each year the Gary Eckley Award goes to the CM District Sales Manager that sells and promotes Midland Forge products in an outstanding fashion. The award, named for the long-time plant manager of CMCO's Midland Forge facility, annually recognizes the individual that shows extra focus on this portion of the company's product line.

CM's Midland Forge produces overhead lifting attachments for use on chain, wire rope and synthetic materials. Midland's attention to details and high quality are well known throughout the rigging industry.

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www.alpind.com



Mr. Reitzel Swaim announced he is stepping down as President of ALP Industries, Inc. Mr. Shawn Ober has been appointed President effective January 1, 2008. Mr. Swaim will continue in his position as Chairman of the Board of Directors.

Mr. Ober came to ALP in 1992 and holds BSBA and MBA degrees. Most recently he has served as Executive Vice President and Chief Financial Officer for the corporation.

Founded in 1981 and headquartered in Coatesville, PA, ALP has 17 locations throughout the United States and a location in San Juan, Puerto Rico. ALP is a major distributor of wire rope, chain and synthetic lifting assemblies, related rigging products and elevator wire rope.

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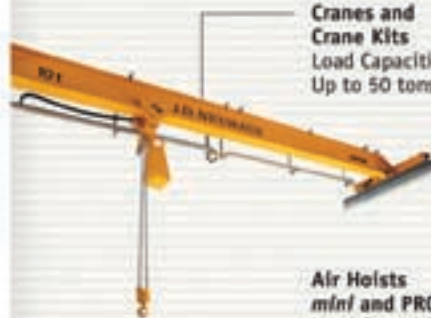
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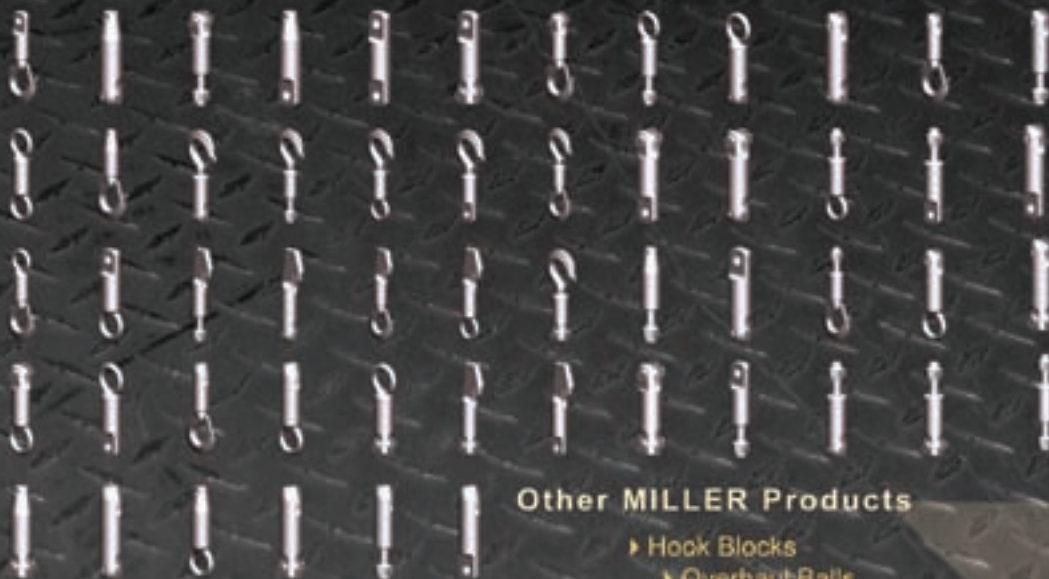
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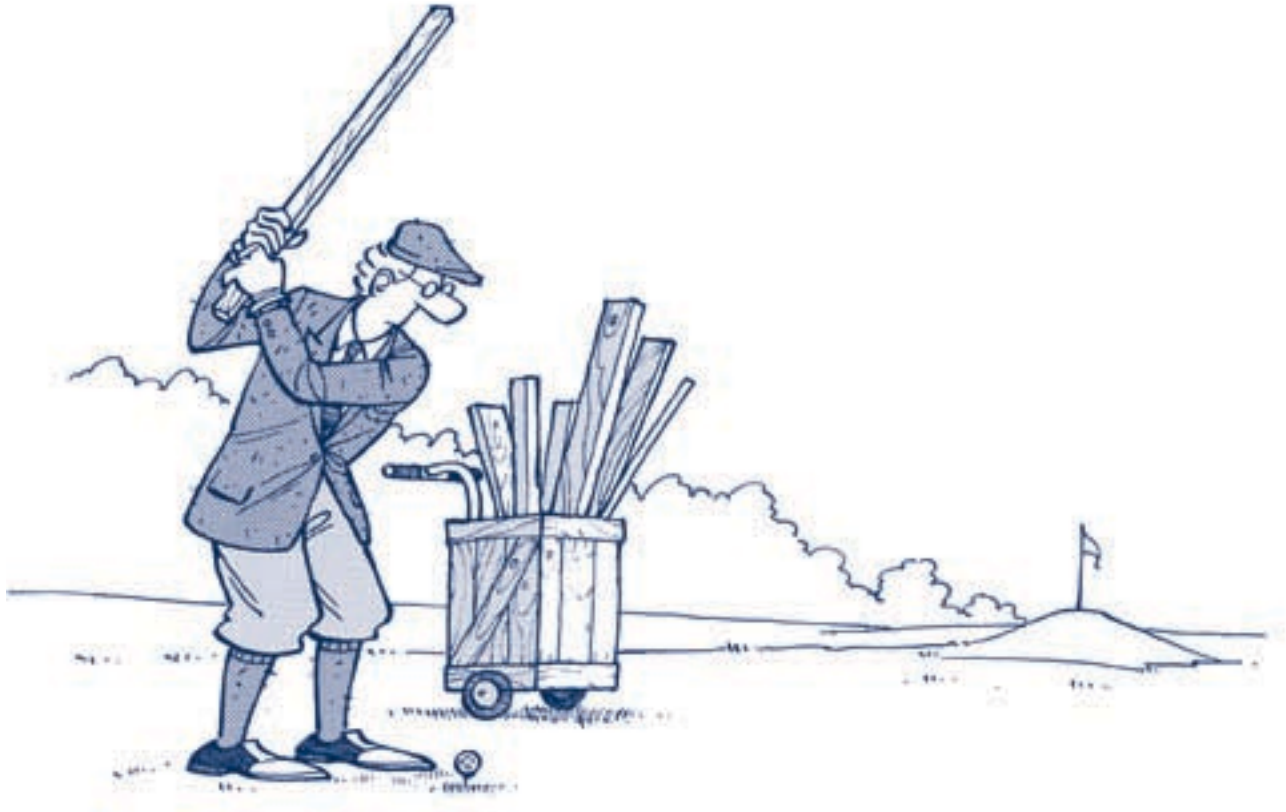
A close-up photograph of several thick, black, braided wire ropes. One rope is in the foreground, slightly out of focus, while others are in the background, some showing yellow and red markings. The background is a light blue gradient.

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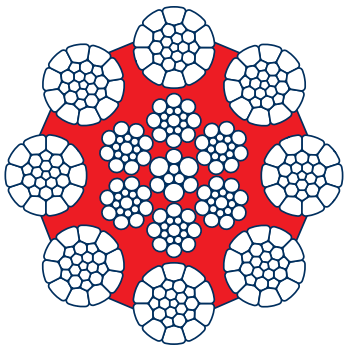
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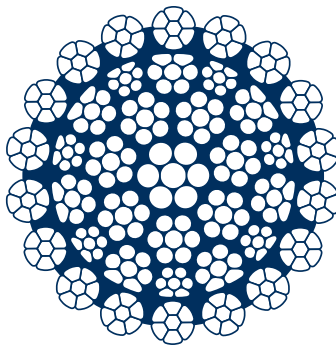
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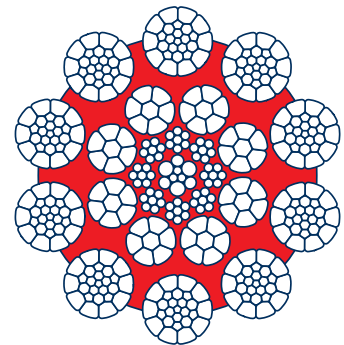
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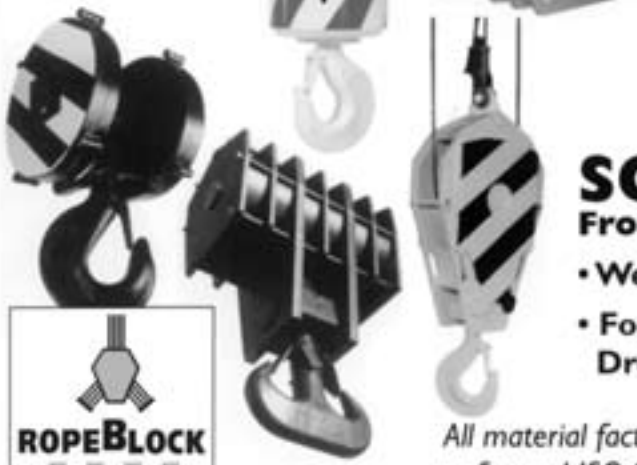
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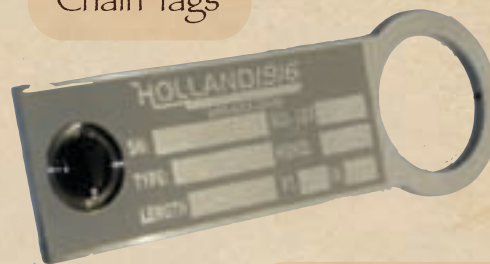
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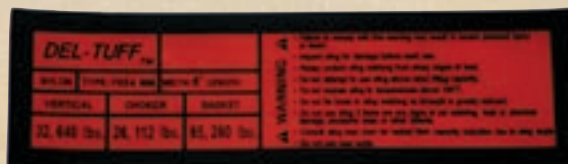
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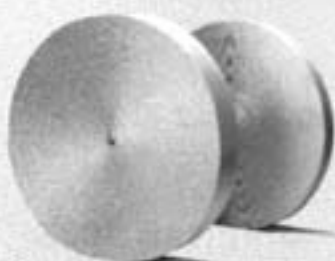
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but would significantly limit employer defenses. The bill has been referred to the Senate Committee on Health, Education, Labor, and Pensions (HELP Committee). On April 12, 2007, the Senate HELP Committee held a hearing titled “Closing the Gap: Equal Pay for Women Workers.”

On April 24, 2007, the House Education and Labor Committee held a hearing on pay equity for women workers focusing on the Paycheck Fairness Act sponsored by Representative DeLauro (D-CT).

On March 27, 2007, Senator Kennedy (D-MA) introduced S.J. Res. 10, and Representative Carolyn Maloney (D-NY) introduced H.J. Res. 40, “The Women’s Equality Amendment,” proposing an amendment to the Constitution of the United States relative to equal rights for men and women—reviving the Equal Rights Amendment that failed to be ratified in the 1970s and 80s. The amendment consists of 52 words and has one key line: “Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.” That sentence would subject legal claims of sex discrimination to the same strict scrutiny given by courts to allegations of racial discrimination.

The Senate has referred the resolution to the Senate Judiciary Committee, and the House has referred the resolution to the House Judiciary Committee.

Caps on Damages

Senator Kennedy (D-MA) introduced S. 1928, the “Equal Remedies Act of 2007,” which would repeal current limits on the amount of damages available in employment discrimination cases. Historically, compensatory and punitive damages were not available under Title VII. In 1991, Title VII and, by reference, the Americans with Disabilities Act, was amended to include compensatory and punitive damages for intentional employment discrimination, but only up to specified monetary limits. The bill would repeal the \$50,000 to \$300,000 caps on damages. The bill has been referred to the Senate HELP Committee.

OSHA Reform

On April 26, 2007, Senator Kennedy (D-MA) introduced S. 1244, “The Protecting America’s Worker Act” and Reps. George Miller (D-CA) and Lynn Woolsey (D-CA) introduced companion legislation, H.R. 2049. Senator Kennedy’s bill has been referred to the Committee on Health, Education, Labor, and Pensions, and the House bill has been referred to the House Committee on Education and Labor.

The bills are identical to bills introduced in the last Congress. They would extend OSHA protections to federal, state and local government workers and others not currently covered, increase both civil and criminal penalties, expand whistleblower protections, create a right of workplace accident victims to be heard during an investigation, remove the requirement for a workplace death before criminal penalties can attach, and require all employers to pay for all employee personal protective equipment. The Coalition for OSHA Fairness, which represents the employer community’s interests on OSHA matters, will be opposing these bills since they do not provide any help to employers in their efforts to improve workplace safety; there is no showing that merely increasing penalties improves workplace safety; and the bills do not recognize the benefits of providing compliance assistance.

Ergonomics

Rep. John Conyers (D-MI) has introduced H.R. 378, the “Nurse and Patient Safety and Protection Act of 2007,” which would direct the Occupational Safety and Health Administration to issue a new ergonomics regulation as it relates to nurses and medical lifting, mandating the use of mechanical lifts for patients. The bill would also create a right of private action allowing employees to sue their employer if they have been “discharged, discriminated, or retaliated against” for asserting rights described in the bill. In addition, the bill would allow an employee to refuse an assignment if they believe that the

employer has not complied with the standard required in the bill.

The bill has been referred to the House Education and Labor, Subcommittee on Workforce Protections and the House Energy and Commerce Committee, Subcommittee on Health.

Combustible Dust

In reaction to the explosion and fire at the Imperial Sugar plant in Georgia, on March 4, 2008, Reps. George Miller (D-CA) and John Barrow (D-GA) introduced H.R. 5522, the “Combustible Dust Explosion and Fire Prevention Act of 2008.” The bill would require OSHA to issue an interim final standard on combustible dust within 90 days of enactment, followed by a final standard within 18 months. Under the bill, the rules would have to provide protection as effective as the National Fire Protection Association’s two voluntary standards covering combustible dust—the Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids-2006 (NFPA 654) and the Standard for Combustible Metals-2006 (NFPA 484).

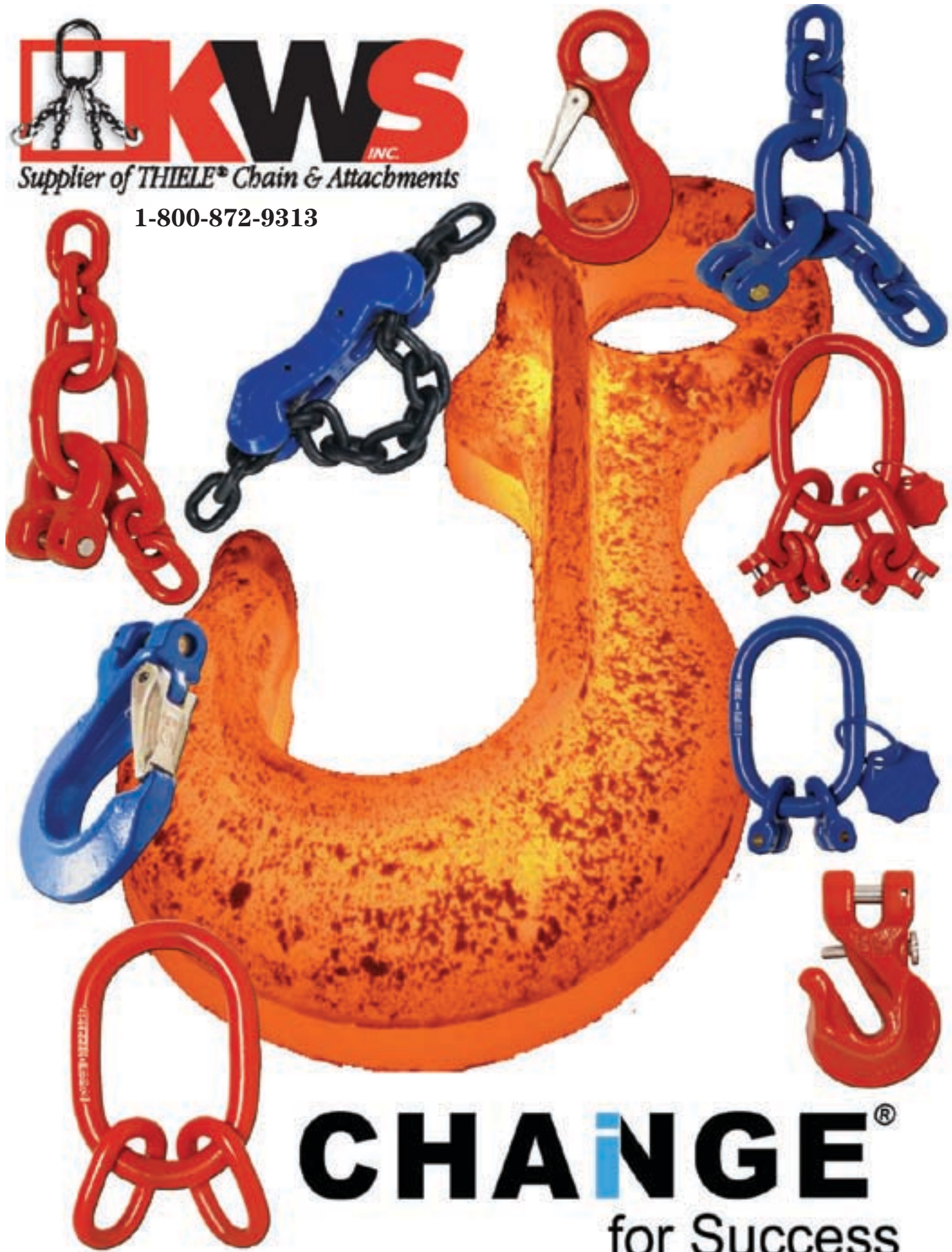
At a minimum, the bill would mandate standards that include requirements for hazard assessment; written programs that include hazardous dust inspection, testing, housekeeping, and control; engineering, administrative, and operating procedures for control of fugitive dust emission, and ignition sources; housekeeping controls for accumulation of combustible dust; building design, such as explosion venting or sprinklers; explosion protection, including separation and segregation of the hazard; employee participation in hazard assessment, development of and compliance with the written program, and other elements of hazard management; and written safety and health information and training for employees.

The legislation would also require the agency to revise its hazard communication standard within six months to include combustible dust hazards. A hearing on the legislation is scheduled for March 12, 2008.



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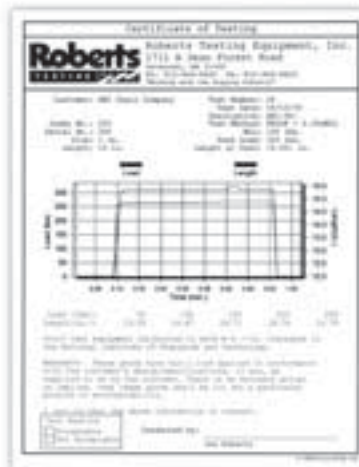
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