

# The Top 10 Employment Law Mistakes Most Commonly Made by Fireproofing Contractors

NFCA FREE Webinar Series

Learn – Network – Grow

January 16, 2024

# **Today's Presentation**



# The Top 10 Employment Law Mistakes Most Commonly Made by Fireproofing Contractors (and How to Avoid Them!)



Philip Siegel, Esq.
Hendrick, Phillips, Salzman & Siegel
PJS@HPSSLaw.com

## Thanks Members...

- NFCA Contractors
- NFCA Associates
- NFCA Manufacturers

### Thanks Members...

## NFCA GOLD Sponsors





## NFCA SILVER Sponsors





# NFCA Members @ ....

Rucheeka Chhugani • 1st

Marketing & Communications || Exhibitions & Events

International Association @national fireproofing contractors association on the topic

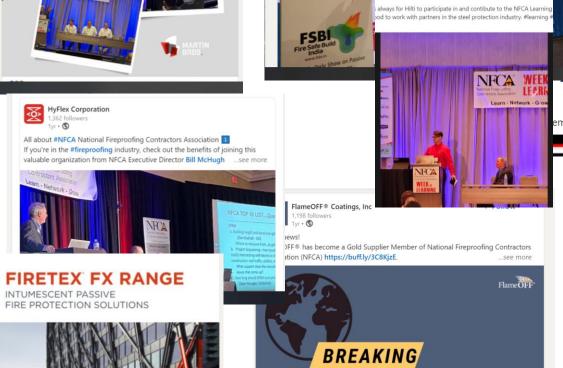
Welcome, Thanks, From FCIA...NFCA

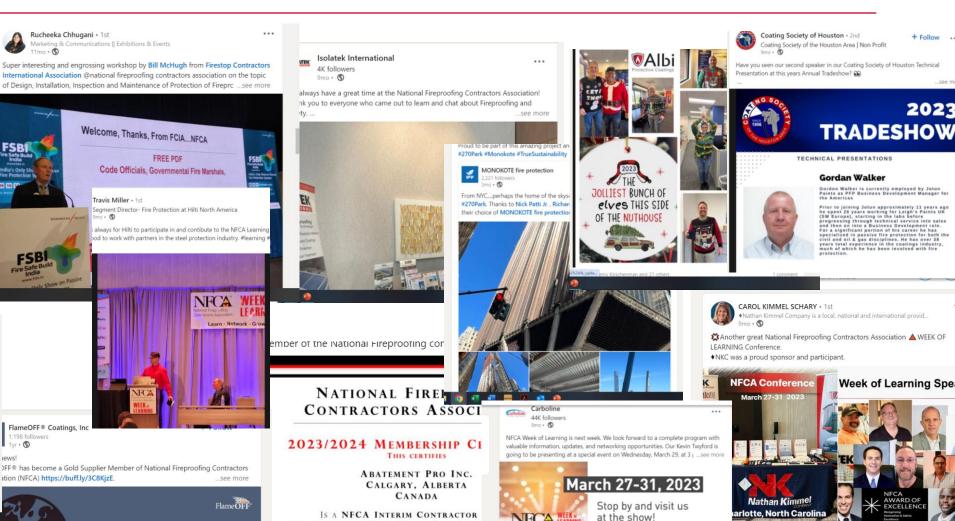
FREE PDF

Segment Director- Fire Protection at Hilti North America

Code Officials, Governmental Fire Marshals,







carboline

OF THE NATIONAL FIREPROOFING CONTRACTO

AND PLEDGES TO FURTHER THE MISSION NFCA Member Since 2023

## 2023/2024 NFCA Board of Directors

President Mathew Stephenson, Rolling Plains Construction, Dallas, TX

1<sup>st</sup> V. P. Steve Winston, American Coatings Corp., Ashland, VA

2<sup>nd</sup> V. P. Nikita Gordon, Gunnlaugson spray-On (2010) Ltd, Winnipeg, MB

Treasurer Adam Carter, Superior Industrial Insulation Company, Cleveland, OH

Secretary Bob Pool, Alfred Miller Co.

Past President Carl Fernald, Rolling Plains Construction

Director Don Armand, Donalco, Edmonton, AB

Director Joe Colavita, Martin Bros.

Director George Fine, True Fireproofing, Tulsa, OK

Director Bob Pool, Alfred Miller Contracting, Lake Charles, LA

Director Neal Rivers, Easley and Rivers, Pittsburgh, PA

Director Paul Steele, The Raymond Group, Orange, CA

Director Matthew Strieter, Southern Insulation Inc., Hyattsville, MD

Director Daniella Lopez, Nevell Group, Inc. Concord, CA

Dir Emeritus John Taglienti, East Coast Fireproofing, Wrentham, MA

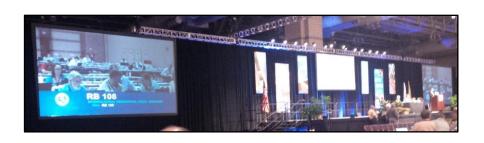
Dir Emeritus Howard Towler - Acme Fireproofing, Jenks, OK

Dir Emeritus Bubba Winston - American Coatings, Ashland, VA



## What does NFCA Do?

- NFCA @ ICC Codes...
  - 2021/2024 SFRM/IFRM Proposals...
- NFCA @ ASTM Task Groups Fireproofing
- NFCA @ NFPA Fire Protection Features
- NFCA @ AISC, AISI
- NFCA @ National Codes, Canada
- NFCA @ American Institute of Steel Construction & American Iron and Steel Institute
- Industry Articles
  - Thermal Barriers, Patching, more...
- NFCA @ SFPE/ASCE Meetings
- NFCA requests IAS add NFCA Fireproofing Exam
- NFCA Committee ACTIONS





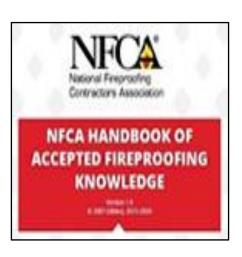




### What Does NFCA Provide?

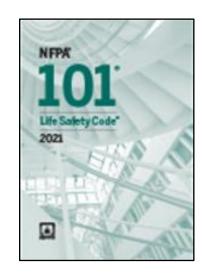


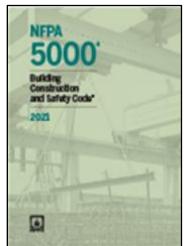
- Fireproofing Education & Exams
  - World-Class SFRM & IFRM Fireproofing Instruction
- NFCA Contractor Accreditation Program for IFRM & SFRM
  - Educated fireproofing Companies
  - UL Qualified SFRM Contractor Program
- Week of Learning Educational Conference
  - Network with top Fireproofing Contractors, Manufacturers, Associates
  - A forum for suppliers and contractors to learn from one another
- NFCA 100-400 Standards for quality and life safety
- Technical expertise, Standards and Code development
- Fireproofing Handbook of Fireproofing Knowledge
- NFCA Website to find Fireproofing Leaders www.NFCA-online.org



# NFCA @ ICC, NFPA, Canada CDP



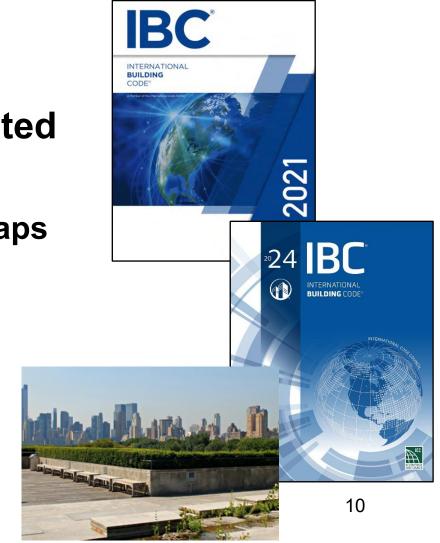






# NFCA @ 2027 IBC CDP

- Maintain Protection
- Fire-Resistive vs Fire-Resistant
- Occupiable Roofs Fire-Resistance-Rated
- Fireproofing Special Inspection
  - ASTM Standards SFRM, IFRM, Boards/Wraps
- Attachments
- Table 601 20' Rule; Clarifications
- Parking Garage Fire-Resistance
- ICC Existing Building Inspection Guide
  - "Milestone Inspections"



# NFCA @ NFPA 1, 101, 5000

- NFCA @ NPFA 1, 101/5000 Codes...
  - Fire Protection Features Committee
  - Proposals Due June 2024
  - Replicate recent IBC changes into NFPA 101, 5000
  - Clarify Maintaining Protection in NFPA 1, 101



# NFCA @ Canada's CDP

- 2025/2030 NBCC National Building Code of Canada
  - Similar Concepts







## NFCA Contractor Accreditation Program

### NFCA LIVE & VIRTUAL EDUCATION/EXAMS

- Contractor Designated Responsible Individual
- Focus on Fire-Resistance & Fireproofing
- •2024 Early Fall VIRTUAL
- 2025 Week of Learning
  - Omni Interlocken
  - •March 31-April 4, 2025





# **UL Qualified Fireproofing Contractor Program**

- Relaunched April, 2020
  - NFCA DRI
  - Management System (MS)
  - Audited
    - Contractor's Office
    - A Jobsite
  - Several Contractors working on MS Manuals

#### UL Qualified Spray-Applied Fire Resistive Material (SFRM) Contractor Program requirements

#### Mark Integrity Program

#### Introduction

This document outlines the contractor company requirements for participation in the Lit. Qualified Spray-Applied Fire Resistive Material (SFRM) Contractor Program.

The SFRM installation industry serves residential, institutional, commercial and industrial structures. The industry addresses the need to limit the damaging effects of fire by insulating structural building elements from fire. SFRMs help horizontal assemblies including floor/ceiling, roof/beiling and building elements such as beans and columns obtain fire endurance ratings. SFRM contractors install certified SFRMs to establish a protective system for a structure to protect fire and life safety and comply with specification and customer requirements.

In order for a SFRM installation contractor organization to qualify for ULS SFRM Contractor Program, the contractor organization shall employ a knowledgeable individual who successfully demonstrates their competency to UL through successful completion of the Designated Responsible individual (DRI) program at a contractor company that has been ecogniced in the NFCA Contractor Accreditation Program (CA).

The company that enrolls in the UL Qualified SFRM Contractor program also has to establish, implement and maintain a management system focused on the application of SFRMs. A management system is used to describe the contractor's SFRM operations.

The Manusement System ansmorb requires the Contractor.

may be determined by the construction documents that have had final approval by code authorities. Where special inspection is implemented, the AHU ultimately determines the acceptability of the installation.

Because the SRM contractor firm's selection and installation of SRMs to requirements relies on staff knowledge, the UL Qualified SRM Contractor Program requires at least one individual employed by the Contractor organization to be designated as a Centractor desponsible techniqual (DRI) who has demonstrated his/her knowledge via examination and meets other related requirements defined in this document.

#### Definitions

Authority Having Jurisdiction (AHI) — The organization, office or individual responsible for implementing the adopted code. This is typically the building official or fire manuhal, or another governmental agency who may also be the final authority signing the "Certificate of Occupancy Permit".

Certificate — The SFRM Contractor Certificate. This is a document issued after an audit has been completed, and conformance to all UL Qualified SFRM Contractor Program Requirements has been determined. The Certificate is valid until Dec. 33 of the following year from which the certificate

Continuing Education Unit (CEU) — For purposes of awarding CEU credit, the international Association of Continuing Education and Training (ACET) definition will be used for those individuals involved in the UL Qualified SFRM Contractor Program as follows: One (3) CEU is equal to 10 personal beautiful or of material prices in an exercised continuing contracts of programs of materials in an exercised continuing contracts on the continuing in an exercised continuing and the contracts of materials in an exercised continuing and the contracts of materials in an exercised continuing contracts on the contract of the contract of

# What Makes Fire Resistance? UL 263 & ASTM E119 – The Details....

NFCA <u>Fireproofing Contractors</u> install passive fireproofing products such as Sprayed Fire-Resistive Material (SFRM) and Intumescent Fire-Resistive Material (IFRM), Boards and Wraps, to protect building structural materials from fire, as required by building codes, and the <u>manufacturers</u> and <u>associates</u> who provide those products. NFCA represents the fireproofing industry - <u>manufacturers</u>, <u>equipment</u>, <u>inspection</u> and <u>installation</u>. **Looking for a <u>NFCA Accredited Fireproofing Contractor</u>** or <u>UL Qualified SFRM Contractor</u>? Visit NFCA's <u>Member Lists</u>!

#### **About**

The NFCA represents fireproofing contractors and manufacturers, equipment suppliers, inspection agencies, who install, inspect or provide passive fire protection for structures as required by building codes for the preservation of

#### **News/Events**

NEW FOR 2022 - FREE NFCA Fire-Resistance Webinar Recording. Contract Spection agencies, code officials, specifiers, fire inspection agencies, code officials, specifiers, fire inspection agencies, code officials, specifiers, fire inspection get a detailed look at structural fireproofing. Check out standards ASTM E119, UL 263 and CAN/ULC-S-101.

Esting products - in a full scale furnace with loads applied where applicable - proves fire-resistance. FREE NFCA Fire-Resistance
Education PPT Slides

#### NFCA Membership

#### Welcome New Branch Contractor Interim Member

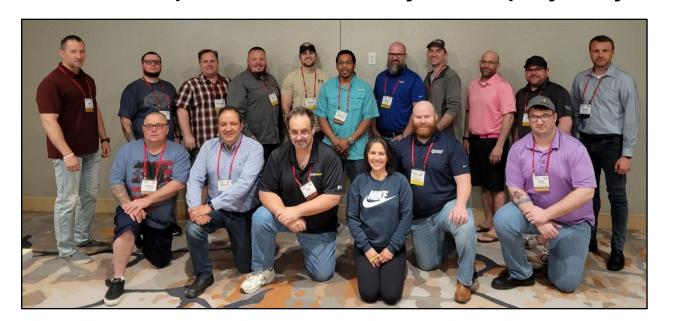
PCI - Phoenix Interior

Not a member?

## **NFCA Membership**



- Thank you NFCA Members You make NFCA programs possible!
- Not a Member? Join Now!
- Annual Contractor Membership \$1495
- NFCA CAP SFRM / IFRM Program
- UL Qualified Fireproofing Contractor Program
- Contact info@NFCA-online.org for an application
- NFCA Membership is an investment in your company and your industry



**NFCA Fireproofing Class** 

# **Today's Presentation**



# The Top 10 Employment Law Mistakes Most Commonly Made by Fireproofing Contractors (and How to Avoid Them!)



Philip Siegel, Esq.
Hendrick, Phillips, Salzman & Siegel
PJS@HPSSLaw.com