



Subject **December 2021 MIACCA
Newsletter**

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*Working hard to Protect, Promote &
Educate our Profession*

DECEMBER 2021 NEWSLETTER



MICHIGAN
AIR CONDITIONING CONTRACTORS
ASSOCIATION

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Message from President Phil Forner

With the first of many snowfalls now under our belt, it is time to go over winter driving and vehicle winterizing with your team. Remember to leave extra travel time for your techs on those slick days and keep your work vehicles well prepared in case the unexpected auto emergencies.

As we enter the final month of 2021, I want to thank you for your continued support of MIACCA this year and wish you all a very happy holiday season!

MIACCA continues to provide you with up to date information and resources that we feel are fitting to our industry.

Stay safe out there!



Important Updates on Federal Contractor Vaccine Mandate —Deadline Extended and Flexibility Added

UPDATE: The Safer Federal Workforce Task Force issued updated Guidance on November 10 confirming that the date a covered employee must be fully vaccinated is January 18, 2022.

With the addition of new answers to frequently asked questions (FAQs) on November 1, and the November 4 "Fact Sheet" issued by the White House accompanying the rollout of the

Department of Labor's Occupational Safety and Health Administration (OSHA) and Centers for Medicare & Medicaid Services (CMS) vaccination requirements for, respectively, employers with 100 or more employees and health care workers and facilities participating in Medicare and Medicaid, federal contractors have been given additional breathing room to address recalcitrant covered employees who are resisting the vaccination mandate.

Date for Covered Employees to Be Fully Vaccinated Effectively Extended to January 18

The White House issued a Fact Sheet to accompany the vaccination policies issued by OSHA and CMS in which it announced that it would align the federal contractor vaccination requirement (originally December 8) to the same vaccination deadline in the OSHA and CMS deadline—January 4. Due perhaps to an oversight, the deadlines do not actually align in the sense of the Safer Federal Task Force Guidance (Guidance), which required covered employees to be "fully vaccinated" by December 8 and defined "fully vaccinated" as beginning *two weeks following the last dose*. Based on the Fact Sheet, the White House's intention is to extend the period of time to be fully vaccinated if you are a covered employee under a federal contract until January 18.

Note that until the Guidance and/or the FAQs are amended, contractors are still bound by the December 8 deadline, as the new clause requires contractors to abide by the Guidance. We have no reason to believe that they will not be amended in the near future.

New FAQs Give Flexibility to Employers to Keep Employees Who Resist Vaccination Beyond the Deadline

As noted, the Task Force issued new FAQs clarifying that the December 8 deadline (now extended to January 18) is, in the words of the White House coronavirus response coordinator, Jeffrey Zients, "not a cliff," and federal contractors have flexibility to go beyond that deadline to review requests for medical and religious exemptions and/or otherwise persuade employees to get the shots.

Employees Who Say, "Hell, No!"

In a new FAQ, the Task Force makes clear that a contractor can use "its usual processes for enforcement of workplace policies" to address employees who refuse vaccination. The FAQ suggests as a model the policy being followed by federal agencies. Under that policy, there is a limited period of "counseling and education, followed by additional disciplinary measures if necessary." The FAQ provides that under the federal employee policy, removal or termination only occurs "after continued noncompliance."

The FAQ notes that employees under this policy "should not be placed on administrative leave" during the period prior to termination but must follow the safety protocols for employees who are not fully vaccinated "when reporting to agency worksites." According to Mr. Zients, that process could take "weeks, not days," so as to avoid unnecessary punishment of employees and disruptions in the performance of the government contracts.

Employees Who Seek Religious or Medical Exemptions

A new FAQ provides that requests for accommodation based on a religious or medical exemption do not have to be resolved when either a new or existing employee begins work on a covered contract or at a covered workplace. During the interim period, the covered employee must follow the workplace safety protocols for individuals who are not fully vaccinated as provided in the Guidance. Moreover, a separate FAQ provides that if a request for an exemption is denied by the contractor, the contractor can establish a "timeline" for the employee to promptly get vaccinated. In other words, denial of the exemption does not mean immediate termination or removal.

Key Takeaways

Using January 18, 2022, as the date for full vaccination, federal contractors should establish written policies, if they have not done so already, which:

Identify the vaccination requirements

Provide an opportunity for the submission of medical and religious exemptions

Establish a process and timeline for reviewing the submission of such exemptions

Provide a defined period of time for a covered employee to become vaccinated if the request for an exemption is denied

Establish a process, which could span a period of weeks, through which an employee who refuses to

become vaccinated can be counseled and then subject to disciplinary measures (but not termination) in order to induce the employee to become vaccinated

During all periods when a covered employee remains unvaccinated, require the covered employee to adhere to the masking and social distancing requirements in the Guidance

Note that it is entirely up to the contractor to determine how much accommodation should be given to a recalcitrant employee before the contractor elects to terminate or reassign (if possible) the employee. The new FAQ makes clear, however, that the contractor retains flexibility to use carrot and stick approaches to induce recalcitrant employees to become fully vaccinated beyond the January 18 deadline.



Lien Law Seminar

**January 13, 2022 at 9:30 a.m. - 11:30
a.m. in Lansing, MI**



Join Attorney Matthew T. Smith, at Clark Hill Law Firm, who will provide you with this education seminar on Lien Law.

Members \$50

Non Members \$100

REGISTER NOW!

Make a Mobile Ready Kit for Winter



Winterizing Your Vehicle

Make Preparations

- Make sure your home is well insulated and that you have weather stripping around your doors and window sills to keep the warm air inside.
- Familiarize yourself with the terms that are used to identify winter weather.
- Include adequate clothing and blankets in your Ready kit to keep you warm.
- Allow faucets to drip a little during cold weather to avoid freezing.
- Open cabinet doors to allow heat to get to uninsulated pipes under sinks and appliances near exterior walls.
- Fully winterize your vehicle and keep your gas tank at least half full to avoid ice in the tank and

keep at least half full to avoid ice in the tank and fuel lines.

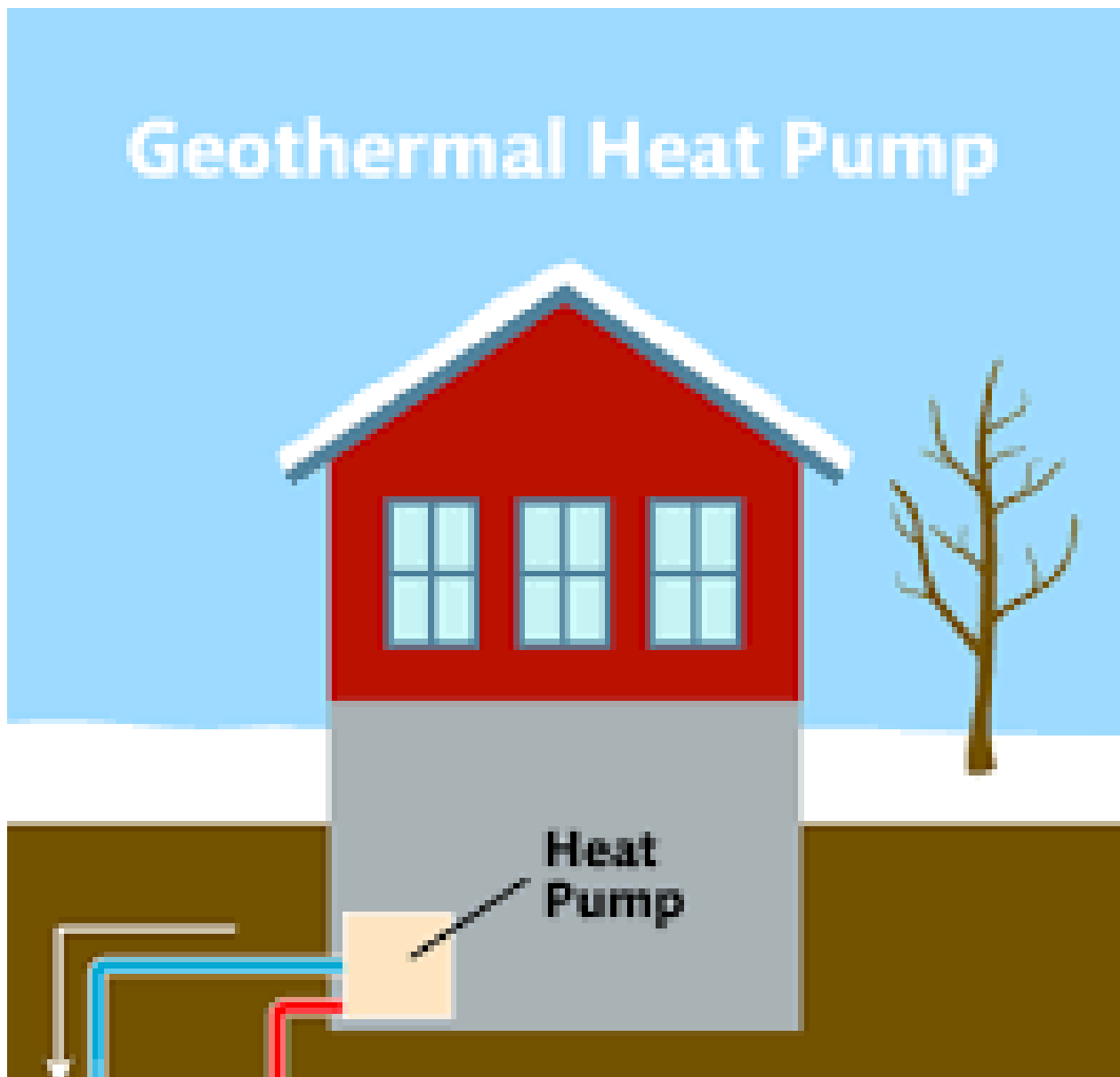
- Keep an extra Ready kit in the trunk of your car. In addition to the basic essentials, consider adding an ice scraper, extra blanket, sand for traction and jumper cables.

Make a Plan

- Plan to stay inside and make it on your own, at least for a period of time.
- If you have a wood burning fireplace, consider storing wood to keep you warm if winter weather knocks out your heat. Also, make sure you have your chimney cleaned and inspected every year.
- Winter storms are often accompanied by power outages. Always exercise caution when using alternative light and heating sources.
- Use flashlights during power outages instead of candles to prevent the risk of fire. Have plenty of extra batteries on-hand.
- Never bring portable generators, camp stoves, and grills into your home; they should only be used outside at least 20 feet away from your home's windows, doors and vents to prevent deadly carbon monoxide poisoning.
- People who depend on electricity to operate medical equipment should have alternate arrangements in place in case power is out for an extended period of time.

Stay Informed

- Listen to NOAA Weather Radio to stay informed of winter weather watches and warnings.
- Also monitor commercial radio, television and the Internet.
- Keep in mind that during a severe winter storm it could be hours, or even days, before emergency personnel are able to reach you.





Geothermal Heat Pumps

Geothermal heat pumps (GHPs), sometimes referred to as GeoExchange, earth-coupled, ground-source, or water-source heat pumps, have been in use since the late 1940s. They use the relatively constant temperature of the earth as the exchange medium instead of the outside air temperature.

Although many parts of the country experience seasonal temperature extremes -- from scorching heat in the summer to sub-zero cold in the winter—a few feet below the earth's surface the ground remains at a relatively constant temperature. Depending on latitude, ground temperatures range from 45°F (7°C) to 75°F (21°C). Like a cave, this ground temperature is warmer than the air above it during the winter and cooler than the air in the summer. The GHP takes advantage of these more favorable temperatures to become high efficient by exchanging heat with the earth through a ground heat exchanger.

As with any heat pump, geothermal and water-source heat pumps are able to heat, cool, and, if so equipped, supply the house with hot water. Some models of

geothermal systems are available with two-speed compressors and variable fans for more comfort and energy savings. Relative to air-source heat pumps, they are quieter, last longer, need little maintenance, and do not depend on the temperature of the outside air.

A dual-source heat pump combines an air-source heat pump with a geothermal heat pump. These appliances combine the best of both systems. Dual-source heat pumps have higher efficiency ratings than air-source units, but are not as efficient as geothermal units. The main advantage of dual-source systems is that they cost much less to install than a single geothermal unit, and work almost as well.

Even though the installation price of a geothermal system can be several times that of an air-source system of the same heating and cooling capacity, the additional costs may be returned in energy savings in 5 to 10 years, depending on the cost of energy and available incentives in your area. System life is estimated at up to 24 years for the inside components and 50+ years for the ground loop. There are approximately 50,000 geothermal heat pumps installed in the United States each year. For more information, visit the [International Ground Source Heat Pump Association](#).

Types of Geothermal Heat Pump Systems

There are four basic types of ground loop systems. Three of these -- horizontal, vertical, and pond/lake --

are closed-loop systems. The fourth type of system is the open-loop option. Several factors such as climate, soil conditions, available land, and local installation costs determine which is best for the site. All of these approaches can be used for residential and commercial building applications.



The Nations First HVAC & Solar Forum

HVAC, Solar, & SMART Technologies
The Air Conditioning Contractors of America (ACCA), the only nationwide non-profit association for HVACR professionals, indoor environment, and building performance systems, has teamed up with Pearl Certification, a national provider of third-party certifications for high-performing homes, to present [The Solar Forum](#) - the nation's first-ever event to specifically address the challenges and opportunities that HVAC contractors face from the rapid

and opportunities that HVAC contractors face from the rapid adoption of solar, storage, and connected home devices. The event takes place, January 24-25, 2022 at the Crowne Plaza, Phoenix, AZ.

At The Solar Forum, HVAC contractors will learn strategies to expand into other home services like demand response systems, EV chargers, and home electrical upgrades. Contractors will also learn how homes with solar and batteries can impact the design and sales process and drive adoption of higher-efficiency heating and cooling equipment. New refrigerants and a push to electrify heating will lead to more system changeouts. Increased adoption of variable speed compressors, whole-house ventilation systems, and other IAQ products, along with smart thermostats and other new technologies, add to the complexity of HVAC work - even as designers and technicians are in short supply.

Sessions include:

- Alternative Business Models for HVAC & Solar Contractors
- Are Your Clients Richer When You Leave Their Home?
- Are You Taking Advantage of Legislative Dollars that are Available to You for Renewable Energy?
- And more!

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Inclement Weather Awareness While on the Job

The weather can be an unpredictable force, and try as we might, it's impossible to perfectly foresee what Mother Nature will throw at us next, or how severe it may be. One of the main things to keep an eye out for is inclement weather, which is classified as any severe or harsh weather condition that makes it unsafe or impractical to travel, commute, or work outdoors.¹ Any abnormal or harsh climatic conditions, such as severe snow, sleet, frigid temperatures, heavy rain, hurricanes, high winds, tornadoes, drought, and wildfires, all fall into the category of inclement weather.

During these events, normal work of a non-emergency nature should be carefully evaluated, as it may not be reasonable or safe to be exposed to any of these conditions, or possible to continue working in a safe manner during regular working hours.

Forecast Alerts

Pay attention to the National Weather Service as they issue watches, warnings, and advisories across various media channels. Listen and watch for sirens or alerts that may dictate if you and your employees should avoid travel, seek shelter, or be prepared to weather a storm for a period of time.

A Dangerous Commute

Wherever you work, severe weather can impact any type of travel. Driving already comes with plenty of risks, but a daily commute can turn even more dangerous as harsh weather sets in. If you live in a climate that often has high chances of inclement weather, preparing well in advance before it strikes is a good idea. Keep emergency kits in your vehicle, let others know your destination, and be sure your cell phone is charged in case you need to call emergency services. Remember, what may not be considered inclement weather in some parts of the country could be devastating in others. For example, consider the impact of snow in southern states, where they lack snowplows and de-icing equipment.

Weather Procedures

You should prepare emergency preparedness procedures in advance of inclement weather to provide clarity for all employees. Avoid ambiguity, and create clear guidelines to follow so that employees know how to act or react. Consider things such as:

- Conveying communication protocols before a weather event occurs.
- Offering temporary remote work, if possible.
- Sheltering or evacuation procedures.
- Worker safety for those on location or working in the field.

Inclement weather can occur at any time, and has been increasing in severity and frequency in recent years.² The impacts of inclement weather can be dangerous, devastating, and long-lasting. Knowing the signs and signals of inclement weather could help to save lives. Pay attention to the weather forecast and plan in advance before you or your workers step outside.

1. <https://www.alertmedia.com/blog/inclement-weather-policy/> February 9, 2021. Accessed on 8/16/2021.
2. <https://www.epa.gov/climate-indicators/weather-climate> Accessed on 8/23/2021.

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