Chairman’s Connections

By Don Clouser, Chairman of the Board

Giving
Our company has seven core values and we highlight one each year. Next year we are highlighting our core value of Giving. Our guidebook defines this core value as:

“Giving = Social Responsibility. Our companies believe in enhancing our local community by being an economic contributor and environmental steward. Additionally, we support philanthropic missions both local and nationwide that support and provide services to improve the quality of life to those less fortunate. We will continue to contribute and ensure these efforts are done with the intent to better the lives of those we touch.”

Now I don’t want you to think we force a “tithe” or “tax” to make things happen. But we do make it clear that our company will budget time or finances for giving even in the lean years, and we encourage our employees to do the same. Some participate in the activities that the company supports, others do their own. Either way, our company has us reflecting upon our life and realizing that it is all relative. That relativity usually points out how good our lives are and inspires to give thanks.

We are coming up on the time of year that many of us are programmed to think of such things. But how good would life be if we programmed ourselves to be in a continuous state of mind like this? I am eager to offer help when asked. Unfortunately, I am usually out of tune to realize that many won’t ask; therefore, I miss many opportunities to give or help.

The other thing to consider is that to be in a continuous giving or supporting state of mind, one does not need to always pull off grandiose gestures. My wife has conditioned herself to be alert to people. She is amazing at being able to recognize someone with a small gift, compliment, atta-boy, or just a smile when they could use one. Giving can be done in so many ways on so many scales, yet are all just as impactful.

I appreciate our company taking the time to remind us that there is more going on than our business through this core value of giving. I appreciate that they provide a means to give through their activities or our own. I have found those times make the tough business times more manageable. I encourage you to remember how good giving feels, be it your time, money or attention. I also challenge you to condition yourself to do little things all year long.
I’ve Been Thinking . . .

By Angelia Erbaugh, President

Act now! The deadline for choosing DRMA’s Workers’ Comp Group is TOMORROW (11/15). Not only do members of our program save an average of $4,392 on their yearly premiums, their group membership helps support DRMA. Don’t miss out on this opportunity to save money AND help strengthen YOUR association. Contact Meridith Whitsel with CareWorks Comp at (614)763-7952 right away.

Our new health care coverage benefit has launched! If you are a manufacturer (NAICS Code 31, 32, or 33) and you have 2 to 99 employees, be sure to click here to learn more and to get a quote.

Results of the 2019 Wage and Benefit Survey are in! Conducted in conjunction with Manpower, the survey helps you benchmark the value of your jobs and your benefits plan. Current trends for compensation are covered, as are topics including employee benefits, work schedules and retention strategies. Results are free to those who participated. For details on how to purchase the survey report and more, read the full article in this newsletter. AND, be sure to attend the November 26 Workforce/HR Meet Up where Manpower will be on hand to do a deep-dive into the results.

Please come to the December 5 annual meeting, the association’s business meeting of the year. The event has a casual, festive feel focusing on peer-to-peer networking. It will be fun and casual AND important, as we need to take care of annual meeting items -- so please show up and give direction to the leaders of your organization.

Thinking about your 2020 budget? I hope you include your membership in DRMA, your local industry association. The volunteers and staff work hard to bring you value. Please let me know if there is something we can do to make it better for you.

Consider the DRMA business lead email service as a source for connecting with potential customers who are looking for manufacturing suppliers. And remember to use the service if you are over capacity and need to outsource work. Email Shay and she’ll explain the process.

Save money with your DRMA membership: Our Legal Services Plan offers members one FREE legal consultation per month with employment law attorney Bob Dunlevey at Taft Law. Simply identify yourself as a DRMA member when you call (937-641-1743).

We’re having great success in raising the awareness of the great careers our region’s manufacturing industry offers with our Power Lunches and career day activities! Do you have a passion for growing your workforce pipeline and talking with young people? Please volunteer a couple hours of your time and expertise during a Power Lunch and speak with students one on one about why you love working in manufacturing. Talking points will be provided to you. This is an easy and enjoyable way for you to impact your future workforce! We have a need RIGHT NOW for a few volunteers for a career fair at Belmont High School on 11/18. Contact me for more information.

Thanks for choosing to be a member!
Member Events

Annual Business Meeting with a Holiday Flare

The December Annual Meeting is the most essential member meeting of the year. A short but important program will include a quick review of accomplishments this year, approval of the 2020 budget and changes to the by-laws, and ratification of new board members. Following the program, networking festivities will begin – cocktails, hors d’oeuvres and socializing! Remember your membership is corporate-wide, so bring your employees to the event!

Date: Thursday, December 5
Place: The Dayton Club, 40 N. Main St., Dayton
(Formerly The Dayton Racquet Club)
(Top floor of the Stratacache Tower, formerly the Key Bank Tower)
Time: 4:30 – 5:30 Pre-event seminar and meet up
5:00 – 6:00 Networking and cash bar
6:00 – 6:30 Program
6:30 – 8:00 Networking, hors d’oeuvres, and cocktails
Parking: Free (with pass) in Stratacache Tower Parking Garage, 51 Jefferson St.
Menu: Hors d’oeuvres
Attire: Business/business casual
Cost: $45 for members, $60 for non-members per person if registered by 12/2 (an upcharge will be added after deadline). Pre-event seminar only attendance is free.

Pre-Meeting Seminar: Recession Readiness, presented by Bank of America
Join us as we discuss common traits of companies that not only survived the last recession and their profits grew throughout it! Having a plan and a contingency plan are keys to success. Our focus will be on debt, decision making, working capital management and digital transformation.

Pre-Meeting Meet Up: Young Professionals and Young At Hearts
Our December YP Meet Up will be held in conjunction with our Annual Meeting on December 5. Join us before the event, grab a drink, and chat with seasoned leaders in DRMA and the industry, for your own professional development and getting connected with the vibrant DRMA community. Meet Ups are FREE and open to members only.

Click here to register.

Seeking Sponsors for DRMA’s Annual Economic Update Featuring Brian Beaulieu
DRMA is once again hosting one of the nation’s most informed economists, Brian Beaulieu, on Thursday, April 30, 2020. We are offering a variety of sponsorships for this very popular event. Don’t miss the opportunity to get your name in front of DRMA members! Contact Melisa for more information.

Beaulieu, CEO of ITR Economics, will give manufacturers and other businesses insight on how to forecast, plan, and increase their profits based on business cycle trend analyses. ITR Economics predicts future economic trends with a 94.7% accuracy rate and 60 years of correct calls. Brian will deliver a clear, comprehensive action plan and tools for capitalizing on business cycle fluctuations and outperforming competition.
Ticket and registration information will be coming soon.

### DRMA Calendar of Events

**November 19**  
Operationals Meet Up – Huber Heights, [register here](#)

**November 26**  
Workforce/HR Meet Up, Dayton, [register here](#)

**December 5**  
Annual Meeting – Dayton, [register here](#)

**December 5**  
Young Professionals Meet Up – Dayton, [register here](#)

For a full listing of all events throughout the year, please visit our [events page](#).

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### News You Need

**NOW AVAILABLE: New Health Insurance Option for DRMA Manufacturer Members**

Have you made your benefit selections for next year? If not, consider NAM Health Care – one of our most exciting member benefits! You could save up to 30% off what you’re currently paying for health insurance.

Recent changes to federal health insurance regulations now allows small and medium-sized businesses to leverage the buying power of an Association Health Plan, or AHP. This is great news for DRMA Manufacturer members! Member companies, with 2-99 employees, now have access to medical, dental, vision and life insurance plans that offer potentially lower premiums and reduced administrative costs.

To learn more about this exciting program, click [here](#).

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**DRMA/Manpower 2019 Wage and Benefit Survey Report Now Available**

Paying people fairly is good for business. Underpay, and employees will eventually look for a better offer. Overpay, and the payroll budget and profitability will suffer. Benchmark your jobs against market data contained in the DRMA/Manpower Wage and Benefit Survey Report!

Topics presented in the report include:
- Business demographics
- Employee wages
- Employee benefits (medical, dental, vision, short- and long-term disability, holiday, vacation, profit sharing, 401(K), and pension plans)
- Work schedules
- Recruiting and retention strategies

Non-participating DRMA members may purchase a copy for $175; non-members may purchase a copy for $300. Call the Association office (937-949-4000) or email Shay to order your copy.

Here’s what members are saying about the survey:

*The DRMA Wage and Benefit Survey is a great benchmarking tool for us. We want to offer a total compensation package that is competitive in the region, and then add to that the exciting teaming environment that Noble Tool has to offer in order to attract the best and brightest employees. We want Noble Tool to be one of the manufacturing employers of choice in the Dayton region, and the survey supports that goal. Jim Bowman, Noble Tool*

*“Techmetals has depended on the survey for years to help keep our competitive edge and retain the best employees.”*  

Pam Conner, Techmetals
Wage & Benefit Survey Report Deep Dive – 11/26 Workforce/HR Meet Up

Results of the 2019 Wage and Benefit Survey are in! Conducted in conjunction with Manpower, the survey helps you benchmark the value of your jobs and your benefits plan. At our November Workforce/HR Meet Up (11/26, 7:30 – 8:30 a.m.), we’ll take an in depth look at the results of this year’s report with Joanie Krein from Manpower of Dayton. You will also have the opportunity to provide your feedback and suggestions regarding survey questions and results.

To be eligible to attend this Meet Up, attendees must:
- Be a DRMA member AND
- Have participated in the 2019 survey OR
- Have already purchased a copy of the 2019 report OR
- Purchase a copy on site ($175, bring your credit card or check or call the office ahead of time)

If you participated or have already purchased a copy of the report, please bring your copy with you. Contact Shay at the DRMA office with any questions and click here to register. We hope to see you there!

DRMA Gives Back with a Boot Drive

The DRMA Young Professionals Committee partnered with Clothes That Work to give back to the Dayton region. Clothes That Work is a local non-profit organization that helps job seekers in our community by outfitting them for interviews and their first few weeks on the job. A need for steel-toed safety footwear was identified and the DRMA YP Committee used their vast reach across the association to help bridge the gap by conducting a boot drive through the month of October.

The goal was to gather 200 pairs of steel-toed boots/footwear and it was nearly accomplished! We, as an organization, were able to collect 146 pairs! That’s nearly 75 percent of our goal!

The donations kicked off with Sinclair being the first to contribute during the first week of the drive. During our Operations Meet Up on October 15, we collected 10 pairs from Select Industries, the host of the Meet Up. On the final day of the drive, they stopped by the DRMA office with an addition 27 pairs. Avery Dennison stopped in on three separate occasions to deliver a total of 85 pairs, making them our cupcake winners!

<table>
<thead>
<tr>
<th>Company</th>
<th>Pairs of Boots</th>
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</thead>
<tbody>
<tr>
<td>Avery Dennison</td>
<td>85</td>
</tr>
<tr>
<td>Select Industries Corp.</td>
<td>37</td>
</tr>
<tr>
<td>Winston Heat Treating</td>
<td>12</td>
</tr>
<tr>
<td>Millat</td>
<td>5</td>
</tr>
<tr>
<td>Sinclair Community College</td>
<td>2</td>
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<tr>
<td>Manpower</td>
<td>2</td>
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<tr>
<td>FASTLANE</td>
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<tr>
<td>Miami Industrial Trucks</td>
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<td>Taft Law</td>
<td>1</td>
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</tbody>
</table>
Overall, this has been a fantastic drive! The shoes that the DRMA community donated will help others get a foot in the door! Thanks to all for spreading the word and donating to a wonderful cause. The donation bin will remain in the DRMA office through the end of November. Please keep Clothes that Work in mind through this giving season – your donations are greatly appreciated!

How to Donate:
- Drop off your footwear at any DRMA event or meet-up
- Drop them off at the DRMA office between 9:00 - 5:00 p.m. (in the Dayton Convention Center)

How to find us: The DRMA office is located inside the Dayton Convention Center (22 E. Fifth St., Dayton). Simply pull up in the loop in front of the building (make sure you pull to the side so that other cars can get past you); enter the single door (far right), and you’ll see our office. Run in, say hi to the DRMA staff, and drop your boots in the bin

Save Money through Our Legal Services Plan
DRMA members benefit from the Legal Services Plan provided by Bob Dunlevey and his associates. Get a quick response to your legal questions or problems without a hassle. The plan can save you money and time because his attorneys are well versed in business matters which confront our members. Most importantly, the consultation is free. Yes, free!

Here is how it works. Contact Bob Dunlevey at Taft/Law at (937) 641-1743, identify yourself as a DRMA member, and explain your situation to him on a confidential basis. Then, he will get you in contact with an attorney in his firm who is best suited to give you advice. Issues involving corporate/business, labor/employment, OSHA, government contracting, workers’ comp, real estate, construction, environmental, securities and litigation can all be addressed. Because the plan is designed to provide answers to common legal questions or problems confronting our members, your issue customarily can be resolved with the initial contact. But, if the matter is more intricate and requires more time, Bob will discuss with you the needed services and estimate the cost for you. Many members are using the plan and find it to be a valuable business tool. Don’t be left out!

You can’t lose with this valuable DRMA benefit. Easy access to attorneys who know your business, confidential treatment, specialized business services and the personal touch. Keep Bob’s number handy or visit our website for more details.

20% OSHA Training Tuition Discount for DRMA Members!
Get a 20% Discount on OSHA Training Classes! DRMA is here to help our members lower their incident rate, reduce their EMR, and provide a safer workplace for their employees. By partnering with Mid-America OSHA Education Center in Springboro, DRMA members receive this special discount on OSHA authorized safety & health training and education. Take advantage of this member benefit today! Contact Shay or call the DRMA office at (937) 949-4000 to get the discount code.

Upcoming Classes
- 12/3-6 OSHA 511 Occupational Safety and Health Standards for the General Industry, Cleveland
- 12/9-10 General Industry 10 HR, Springboro
- 12/9-12 General Industry 30 HR, Springboro
- 12-9-13 40-HR Hazwoper, Springboro
- 12/16 OSHA 7505 Introduction to Incident (Accident) Investigation, Springboro
- 12/16-18 OSHA 503 Update for General Industry Outreach Trainers, Springboro
- 12/17-20 OSHA 501 Trainer course in Occupational Safety and Health Standards for the General Industry, Cleveland

Go to https://midamericaosha.org/ for a full course listing, registration information and more.
Seeking Hosts for Happy Hour Events
DRMA’s Happy Hour is a casual, two-hour open house style gathering of DRMA members, designed with manufacturers in mind. Hosting a Happy Hour at your company is a great way to expose your company and brand to DRMA members. We are lining up Happy Hour events for 2020 and would like to hold them throughout the region. If you would like to learn more, please contact Melisa.

Increase your Brand Exposure through DRMA Sponsorships
As you are looking ahead to 2020, please consider supporting your association and its initiatives through advertising and sponsorships. We know that everyone asks you for money, and we ask you to not forget about DRMA. You have a vested interest in what we do, or you wouldn’t be a member. Sponsorships appeal to some companies because of the name and brand exposure they bring. Sponsorships appeal to other companies because they want to support initiatives that ultimately benefit them. Every member of DRMA falls into one of these groups. Here are some of our advertising and sponsorship opportunities coming up in 2020:

- **Golf Outing** – A member favorite, sponsorships for this event range from $175 to $500.
- **DRMA Economic Forecast featuring Brian Beaulieu** – Brian is a renowned economist, and because his presentation to DRMA members last year was a roaring success, we’re bringing him back. Sponsorships range from $500 to $2,500.
- **Member events** – Ranging from $150 to $600, this is an opportunity for you to get in front of and meet every person who attends DRMA events.
- **Member communications** – Ranging from $100 to $500, get your company's logo on the DRMA website or weekly update emails.
- **Other random things like shirts, student lunches, etc.** – these are typically in the $250 range and help to defray the costs of specific items needed to fulfill the DRMA mission.

Please contact DRMA if you would like details on any of these opportunities.

Recession Readiness – Prepare Your Business
Submitted by Mary Shancey, Sr. Vice President at Bank of America

According to the Federal Reserve, US manufacturing officially went into recession in Q2 2019. Manufacturing output shrunk over two straight quarters, meeting the common definition of recession. The Institute for Supply Management's manufacturing purchasing managers’ index, another indicator of manufacturing activity, fell to 47.8% for September from 49.1% in August, the lowest levels since June 2009. Any figure below 50% signals a contraction.

I speak regularly to manufacturers in our region and most currently report being “steady” or “busy” contradicting what we see in the news. Our region may be somewhat insulated from any initial signs of a manufacturing recession due to our years-long diversification and automation efforts, which is very encouraging. However, should these well publicized national trends begin to impact us locally, staying aware and prepared will be our best defense.

The following 5 suggestions regarding Recession-Readiness are based on both my research and experience as a banker in the manufacturing sector for 30 years, they are also simply common sense. Please consider them as you construct or amend your strategic plans for the coming year.

1) Focus on profitability over growth especially if growth opportunities involve lower margin work or investments that consume cash to benefit the top line. If sales forecasts are missed, losses may ensue.

2) Focus on improving working capital by getting paid from customers on time, perhaps extending payments to vendors,
keeping stock levels low and inventory turns as high as possible. It might be a good time to review your credit policies and accounts receivable trends by customer.

3) Cut costs now, even if revenue hasn’t gone down. I recommend a “cringe factor” approach. What bills do you hate paying the most, the ones that make you cringe? The cringing signifies that you are not getting value from these goods, services or relationships. Perhaps it’s time to rethink using them.

4) Continue to focus on diversifying your client base. As we have all learned in the past, being too reliant on one or two customers can have disastrous effects in a downturn. Enough said on that one.

5) Pay attention to your financial statements and communicate early and often with your Banking partner. A proactive approach to this relationship is paramount (in my experience, and probably yours too). Ask your banker for feedback on your statements and any insights they may have to improve your cash cycle. Also, make sure you have a solid leverage profile that ensures your continued access to capital when necessary.

Of course, there are many more ways to prepare or remain ready for a recession should it indeed be looming in our future. I will be working with my colleague Chris Heitker to present a pre-meeting seminar on this topic before the Annual Meeting on December 5. I firmly believe that regardless of an economic contraction, you can prepare for it wisely and avoid serious long-term impacts to your business. I look forward to seeing you there!

Northeast Ohio Smart Manufacturing Annual Conference
Submitted by Team Neo

Be part of the first annual Smart Manufacturing Cluster of Northeast Ohio conference for a day of learning and networking with thought leaders in the industry!

Friday, November 22 from 8:00 am - 4:00 pm; Embassy Suites, Independence

Register Now
Conference Highlights
- Manufacturer Roundtable discussion
- IIoT Manufacturer Makeover Case Study

Speakers
- Sath Rao, Director - Digital Solutions for Manufacturing, Hitachi Vantara
- Michael Coxon, Partner, McKinsey & Company
- Steve Blackwell, World Wide Tech Lead for Manufacturing, Amazon Web Services

Agenda
8:00 am - 9:00 am: Welcome and Breakfast
9:00 am - 12:00 pm: Plenary Sessions
12:00 pm - 1:00 pm: Networking Lunch
1:00 pm - 4:00 pm: Afternoon Breakout Sessions

The Exhibitor Floor Open will be open from 8:00 – 9:00 a. m. and Noon - 4:00 p.m.
Member Benefit Spotlight: Business & Economic Development

The world of business is complex, and it is important to rely on industry partners like DRMA for success. DRMA’s mission focuses on strengthening member companies and serving as the advocate for manufacturing in the Dayton region. DRMA is recognized as the trusted voice of the industry to represent members’ needs and concerns so that they may stay focused on their business. DRMA provides programming, industry-pertinent information, and connections with organizations to help members strengthen and grow their business.

- **Business Leads** – Members receive emails regarding prospective customers and business opportunities.
- **Weekly Email Updates** – The weekly DRMA News Bits is full of industry-pertinent information.
- **Health Care Plan** – Members have access to NAM Health Care, plans that provide quality health insurance at a value previously available to only larger companies.
- **Legal Services Plan** – As a DRMA member, you get one free call a month with Bob Dunlevey, employment law expert.
- **OSHA Training** – Members receive a discount on OSHA training for their employees
- **Workers’ Comp Group** – Save money on your workers’ compensation premium through DRMA group (administered by CareWorksComp).
- **Wage & Benefit Survey** – Use the survey report to compare your wages and benefits with other regional industry companies; free to participants. (Produced in partnership with Manpower).
- **Speakers, Programs, and Seminars** – Member events provide information and connections to help you run your business more effectively.
- **Lean Manufacturing Workshops** – Learn how to implement lean concepts to make improvements to your manufacturing operations (in partnership with Sinclair College and FASTLANE).

To learn more about all of DRMA can help grow your business, visit our [website](#).

Workforce

**MFG Day a Huge Success!**

Thanks to all of the manufacturers in the Dayton Region who opened their doors to the public for MFG Day 2019. We had over 4,000 students from 63 schools and 9 homeschool groups visit 49 DRMA member companies this year! Planning for MFG Day 2020 will start soon – want to get involved? Contact [Kayla](#) for more info.
Manufacturing Industry Credentials: Upskilling Your Employees

Note: This article is a part of a series of communications about the value of industry credentials.

DRMA members consistently report that their Number 1 concern is that they cannot find workers with the skills required for today’s advanced workplaces. The skills gap is widening as companies scramble to find qualified employees, and new hires who are not the right fit can mean companies losing out after spending hundreds of hours recruiting, onboarding, and training.

The use of manufacturing industry-recognized credentials is one way to help address the skills gap challenge and ensure your workforce is made up of the most qualified employees. Industry credentials ensure that the credential holder has met the industry benchmark for their specific occupational competency. For new hires, industry credentials can be used as screening tools for knowledge, skills, and abilities to do the job well; and for current workers, industry credentials can help bolster their skills and keep them at the top of their trade.

There are a number of manufacturing related industry credentials out there. The most common ones, and the ones that DRMA and local high schools and community colleges are working on, are produced by the Manufacturing Skills Standards Council (MSSC) and the National Institute for Metalworking Skills (NIMS). More information about these credentials can be found here.

Earlier this year DRMA, in partnership with Clark State Community College and Sinclair Community College, was awarded an apprenticeship grant by the Department of Labor. DRMA and partners will receive $500,000 over the course of four years to implement and expand industry-recognized apprenticeship programs in the Dayton Region.

In addition to bringing new people to the industry, DRMA and the sector partnership will be focusing on upskilling the current workforce. Do you have employees that need or want additional training? Contact Angelia to learn how this grant can help.

Kudos to Members Growing the Workforce Pipeline

THANKS to the following member companies and people who are helping to grow the manufacturing workforce pipeline! Every one of these efforts helps to raise the awareness of the great careers in our industry, resulting in a bigger pool of quality candidates for you to hire. If you would like to help, contact Kayla.

- For volunteering for a Speaking Event at Gem City Career Prep – September 16
  - Jeff Perry, AFC Tool
  - Alex Seder, NOV
- For volunteering for a Power Lunch at Dayton Christian High School – September 19
  - Nathan Buell, FlexPac
  - Beth Graves, Prime Controls
  - Cheryl Stansifer, RACK
- For volunteering for a career fair at Dayton STEM – October 1
Grow Your Workforce with High School Interns

Workforce Development is one of our main focuses at DRMA. The Southwestern Ohio Counsel for Higher Education (SOCHE) has teamed up with local educational institutions to transform their communities and economies through the education, employment and engagement of students in the region. Their newest platform, SOCHEEngage, focuses on promoting career awareness to high school students. Students in the region should understand the demand for workers and interns in the manufacturing field.

Through close relationships with high schools and colleges, SOCHE has been able to educate and engage nearly 200,000 students in southwest Ohio. Learn how this could benefit your business by visiting www.soche.org or contacting Kayla for more information.
Seeking Manufacturing Instructor

Gem City Career Prep High School is in the process of building a manufacturing fundamentals program using the Certified Production Technician curriculum. The CPT program will benefit manufacturing companies by providing a pipeline of qualified applicants for manufacturing entry-level production jobs.

The program will increase the number of individuals with CPT certification, as well as give students a career pathway.

Gem City Career Prep is looking for an instructor for the program. Do you know someone who is recently retired who would be interested in becoming a CPT Authorized Trainer? Have them contact Greg Stone (937) 248-3259.

Manufacturing Mentor Opportunity

Submitted by Xtreme STEM

Manufacturers, are you ready to help eliminate the stigma of skilled trades and cultivate your company's workforce pipeline? You can accomplish both of these things by mentoring a team of young men & women in the Xtreme BOTS program.

Xtreme BOTS is a program from Xtreme STEM that introduces hundreds of Dayton-area students every year to the benefits of STEM-related careers in advanced manufacturing. This is done through the formation of teams that work with Coaches and Industry Mentors to design and build radio-controlled BOTS and then operate them in tournament-like competitions. DRMA has long been a supporter and advocate of this workforce-development program.

To find out more about what’s involved in being an Xtreme BOTS mentor, check out this document and plan to attend the Fall BOTS Competition on Saturday, December 7th at the McLin Gym at the Nutter Center on the Wright State University campus. The event is free (goodwill donation of $5 per family is accepted) and open to the public. It’s a lot of fun for the entire family. Watch the BOTS do battle, check out the hands-on STEM activities and see first-hand what kind of impact you’ll be making when you become an Industry Mentor.

If you’re ready to get started, or just have some questions, email info@xtremestem.org.

Xtreme STEM is a 501(c)(3) non-profit that provides hands-on programs that engage students in Science, Technology, Engineering, and Math (STEM) disciplines with a path to careers in advanced manufacturing. Discover more at XtremeSTEM.org

Legally Speaking

Just Because it’s “Legal”…!

Submitted by Bob Dunlevey and Nadia A. Lampton of Taft Law

Just because marijuana has become legal in many states, it doesn't mean that your employees can use or possess it on the job or come to work impaired by it. A majority of states, including Ohio and the District of Columbia, permit medical marijuana use. A handful of states have legalized recreational marijuana use.
With the overwhelming majority of states legalizing marijuana in some form, many employees are under the mistaken belief that when the citizens say "yes" to the passage of a state marijuana law, that an employer cannot create or enforce policies which forbid the use, possession and dissemination of marijuana in the workplace. This is simply not true! Employers continue to be permitted to promulgate reasonable work rules and regulate the workplace to ensure a safe work environment free of hazards. In fact, OSHA, the Department of Transportation, and other state and federal agencies demand it. Remember, employees testing positive have 55% more industrial accidents, 85% more injuries and 75% more absenteeism.

Some states such as Illinois, Minnesota, Arizona, and Delaware have added to their marijuana laws specific protections for workers possessing "medical marijuana prescriptions" attempting to shield those employees from adverse employer actions when the employee merely tests positive but is not impaired. Most of these specific protections are not being upheld by Courts at this time based primarily on the classification of marijuana under federal law as a Schedule I drug. Even if marijuana is declassified under federal law and the state law forbids an employer to take action against an employee using it, that employer may still discharge or discipline the employee if he or she is shown to be working impaired.

A few years ago, Illinois enacted its law allowing the medicinal use of marijuana – Compassionate Use of Medical Cannabis Program Act. The law, among other things, forbids employers from discriminating against employees solely because of their status as a medicinal user, unless this would cause the employer to be in violation of a federal law such as DOT regulations which are quite stringent. Thus, an Illinois employer cannot discipline or discharge an employee solely because of the use by a registered patient of medical marijuana during non-working time or merely because of the employee's status as a registered user. Refusing to hire an applicant solely on the basis of his or her status as a registered user would violate the Illinois law unless this person's use, possession, or distribution of medical marijuana.

Ohio’s marijuana program was just launched earlier this year after passage in 2016. The law allows patients with qualifying conditions to acquire a recommendation for the use of marijuana for 21 medical conditions. Ohio’s marijuana law states that nothing in that law:
1) Requires an employer to permit or accommodate an employee’s use, possession, or distribution of medical marijuana;
2) Prohibits an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because of that person’s use, possession, or distribution of medical marijuana;
3) Prohibits an employer from establishing and enforcing a drug testing policy, drug-free workplace policy, or zero-tolerance drug policy.

Therefore, the law itself confirmed that employers can forbid the use and possession of recreational marijuana in the workplace. Moreover, even if an employee is using marijuana for medicinal purposes, the employer need not permit the employee to use such during working time if the employee's possible impairment could create an unsafe situation for the employee and fellow workers.

But what if your employee comes to you and says that they need medicinal marijuana to treat a condition, effectively asking for medicinal marijuana as a reasonable accommodation? A Colorado State Supreme Court ruling has confirmed that the federal drug laws trump state laws on the topic (although inroads are being made on this principle). At least until marijuana is declassified by the Feds as a Schedule I drug, employers in most states can ban the use, possession and dissemination of it in the workplace. This is so even if the employee claims he or she needs an accommodation under the Americans with Disabilities Act. The Act does not protect current drug users and no accommodation need be accorded. Additionally, even if an accommodation is warranted under the circumstances,
employers must not forget that it does not have to agree to the employee’s particular choice of accommodation where there is another accommodation that is available and better suits the needs of the business.

But, if and when marijuana is declassified by the Feds, employers will be forced to consider whether an employee using marijuana for medicinal purposes during working time or testing positive after off duty use must be accorded a reasonable accommodation provided it does not present a direct safety threat to the employee or the fellow workers. And, at the state level, state disability discrimination laws and state marijuana laws sometimes accord rights to users of marijuana which prohibit or restrict employers taking adverse employment actions against their disabled employees. Some argue that because Ohio’s legislators did not specifically exempt the need to accommodate users under Ohio’s disability rights law there is an obligation to do so – but this issue is yet undecided.

The use of medicinal marijuana off-the-clock presents another issue altogether involving testing for impairment. Currently, there is no testing apparatus on the market that can assess the exact level of marijuana impairment. Rather, most tests will detect marijuana use over an extended period of time, such as urine testing, which cannot distinguish between recent use and use from two to three weeks prior. Currently, oral fluid testing is the best practice because it detects recent use while excluding extended past use. However, even if a test could tell us the precise amount of marijuana in an individual’s system, science has not yet confirmed what effects various levels of THC concentrations will have on individuals; thus, unlike alcohol, the testing level does not provide an indicator of impairment at this time. Although, rapid advancements to equipment and technology will likely prove to produce technology in this sphere soon.

Regardless of what may be the eventual ruling on state laws clashing with employers' rights to regulate their workplace, many employers are modifying their substance abuse policies to address impairment issues, and to move toward identifying safety sensitive jobs which may result in holding employees in those positions to a higher standard excluding any need to show impairment. Job descriptions will need to be modified as well. Revise your job descriptions now.

Because the laws of different states vary so greatly and because Court cases are rapidly changing the complexity of the issues, each employer needs to do a specific analysis of the law of its state and the employer's own situation before promulgating and enforcing policies related to marijuana. With these changes in law, employers should consider:

- Ending zero tolerance drug testing policies but maintain zero tolerance drug-free workplace policies;
- Identify safety sensitive job positions, modify the job descriptions accordingly and forbid testing positive for these positions;
- Avoid delving into alleged medical conditions causing the need for the use of marijuana so as not to recognize the existence of a disability requiring accommodation;
- Review and modify your drug policies to accommodate these changes in the law and the use of marijuana by your employees off duty – perhaps a “second chance” provision;
- Train supervisors on identifying the signs of impairment;
- Educate your employees on the consequences of violating the drug policies;
- Watch for new testing equipment coming available to actually test the level of impairment.

Bob Dunlevey and Nadia Lampton are employment law attorneys representing employers. For more information, use your Legal Services Plan and contact Bob Dunlevey at (937) 641-1743 or email rdulevey@taftlaw.com or Nadia Lampton at (937) 641-2055 or email nlampton@taftlaw.com.

Legal Services Plan

Members are eligible to receive one FREE legal consultation per month from employment law attorney Bob Dunlevey. If you need legal advice concerning labor, safety, real estate, or other business issues, give Bob a call at (937) 641-1743.

Be sure to identify yourself as a DRMA member.
Safety

Workers’ Comp Deadline TOMORROW
You need Workers’ Compensation coverage, and DRMA is here to help. However, time is running out to enroll in our 2019 Workers’ Compensation Group Rating Program. Our program members save an average of $4,392 on their yearly premiums. That’s a pretty hefty savings, so you definitely don’t want to let this offer pass you by.

The enrollment deadline for our group program is November 15. DRMA’s Workers’ Compensation Group Rating Program offers you savings and peace of mind. Act now! Contact Meridith Whitsel with CareWorks Comp at (614) 763-7952 today!

Better Business Starts with Safety – Safety Starts at the BWC
BWC’s Division of Safety & Hygiene provides a variety of PRE-PAID courses to help Ohio employers create a safe and healthy workplace. Businesses that have built safety and wellness into their workplace cultures reap many benefits, including fewer accidents, lower workers’ compensation costs, and more productive employees.

Your worker’s compensation premiums cover the costs of the courses offered by the Division of Safety & Hygiene. Why not take advantage of what they have to offer?

For course listings and descriptions, visit their website.

Dayton Area Safety Council
- The Business Case for Safety - Presented by Mike Lorms; RiskControl 360. Thursday, November 21, 7:30- 9: a.m., register here
- OSHA & Workers’ Comp. Case Law Update - Presented by Gary Auman; Auman, Mahan & Furry, December 19, 7:30 a.m.- 9 a.m., register here

All About Members
Congrats!
- Congratulations to former board chairman Jim Zahora on his new position at The Abilities Connection. Read all about it in the Dayton Daily News.
- Big congrats to new member company IDC Spring for the features in the Dayton Daily News on their expansion!
- Congrats to CDO Technologies for winning a $27.1M Air Force deal. Read about it in the Dayton Business Journal.
- Congratulations to Bruns General Contracting’s feature in the Dayton Business Journal.
- Congrats to BasTech for their $2 million equipment investment that quadrupled their direct metal printing capabilities. Find out more in the Dayton Business Journal.
- Congratulations to Prime Controls, TACG, and Wright-Patt Credit Union, for being finalists in Dayton Business Journal’s 2019 Business of the Year Awards.

[Editor’s Note: DRMA members are always doing amazing things! If you know of a member company or an employee of a member company who deserves a shout-out, email it to info@daytonrma.org.]

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Affiliate Members
• CBT Company – 130 Advanced Dr., Cincinnati, OH 45066 (937) 746-7356

Associate Members
• Larkins & Larkins, LLC – 35 Aspen Woods Dr., Springboro, OH 45066 (937) 239-8294

Community Seminars & Events
Taft Law – Employment and Labor Relations Seminar, December 5, 3 - 5 p.m. Email Akilah Biederman for more information.