



Coastline

Texas Gulf Coast Chapter • 1400 Velasco Boulevard • Freeport, TX 77541 • (979) 233-1616 • Fax (979) 239-4386

27th Annual ABC Golf Classic

Monday, September 12, 2011

12:30 P.M. Tee Time

*Space is limited to
72-2 person teams*



*Sponsorships are
now available*

**It's sure to be a great day on the course
for ABC Members and their guests!**

Beverages and Snacks
Bratwurst & all the trimmings for lunch,
courtesy of Sunbelt Supply
Dinner and Awards
Prizes for 1st-3rd; Low Gross/Low Net



***Don't hesitate ... Enter your teams today.
(Next page for entry form and details.)***



***The funny thing about golf...
"They say golf is like life, but don't believe
them. It's more complicated than that."
Gardner Dickinson***



27th Annual Texas Gulf Coast ABC Golf Classic

September 12, 2011

Texas Gulf Coast
Chapter

WILDERNESS GOLF COURSE

Lake Jackson, Texas

Two Man Scramble

Two Flights

11:00 a.m. Registration

12:30 p.m. Shot Gun Start

72 Teams

PRIZES AWARDED:

1st thru 3rd places

Low Gross/Low Net

For each flight

Only 1-prize per team

+++++

ENTRY DEADLINE:

Tuesday, September 6th

CANCELLATIONS:

Friday, September 2nd

or your company will be billed.

Reservation acceptance is on a "first-come, first-serve" basis with a completed application.

This event is available to **members only & their guests.**

Please note tournament is limited to 72 teams.

+++++

ALL HANDICAPS WILL BE VERIFIED

If tournament committee determines that a handicap is not current, it will be subject to adjustment.

**Complete this ENTRY FORM
or....for fillable pdf or online
registration, see forthcoming
email or go to calendar of
events at abctxgulfcoast.org**

Team Member #1

Name _____

Company _____

Address _____

Phone (work) _____

Cell number _____

Handicap: _____

Team Member #2

Name _____

Company _____

Address _____

Phone (work) _____

Cell number _____

Handicap _____

ENTRY & OTHER FEES:

\$250.00 per team\$ _____

Mulligans \$5 ea. max. 2/player ... \$ _____

Buy-A-Drive on #18, \$5.00 ea\$ _____

Sponsorship \$ _____

Total Enclosed.....\$ _____

Or invoice to: _____

Please return form to ABC by
email: ruby@abctxgulfcoast.org

fax: 979.239.4386

or mail to:

**ABC GOLF CLASSIC
P.O. DRAWER 2650
FREEPORT, TX 77542**

HIGHLIGHTS

- * Beverages & Snacks
- * Lunch @ 11 a.m. courtesy of Sunbelt Supply
- * Dinner & awards after golf
- * Tournament Souvenir for Players
- * Closest To-The-Pin Contests
- * Longest Drive Contest
- * Special Hole-In-One prize sponsored by:

Bobby Ford, Inc.

2011 Ford Explorer

Actual model may vary from photo

+++++

Sponsorship Opportunities



Recognition of sponsors:

- * Sponsor signs at tournament
- * Dinner & Awards Banquet
- * ABC Newsletter
- * ABC web site

Please indicate your choice:

- ____ Club House \$300.00
- ____ Food & Bev. \$200.00
- ____ Holes \$100.00
- ____ Closest-To-Pin \$50.00

Thanks for your support!

ABC Officers and Board of Directors—2011

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Skills Assessment Coordinator
Debora Riley
Accounting Manager

ANNUAL JOINT MEMBERSHIP EVENT & LUNCHEON - September 21, 2011



*Working together ...
Serving the Brazosport Area*

ABC, CSC & MSTI JOINT MEMBERSHIP EVENT & LUNCHEON

RESERVATIONS:

Register online at
Calendar of Events at
www.abctxgulfcoast.org
or call the ABC office at
979.233.0279 or 233.1616.

Make plans to attend
Wednesday, Sept. 21, 2011

At RiverPlace Convention
Center, Freeport
11:00 a.m. Registration & Social
11:30 a.m. Lunch/Event
1:00 p.m. Adjourn

**Join us for an enjoyable
and informative afternoon.**

***Watch for program details
coming to you soon!***

ABC is an investment in your business!

To succeed in today's diverse construction industry, a contractor must assume the role of businessman, lawyer, human resource expert, and accountant. He must be well versed in the legislative and regulatory changes that affect his employees. Most contractors, however, have neither the staff nor the time to properly devote to these functions. That's where ABC enters the picture. ABC accomplishes goals collectively for contractors who, on their own, may not have the time, the energy, or the resources. Joining ABC is one of the best business decisions you can make.

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Proper Classification Really Matters When Independent Contractors Make Unemployment Claims

The legal distinction between employees and independent contractors is important and must be carefully applied. As a general rule, the employer-employee relationship imposes many obligations on the employer under tax, labor, and employment laws. Thus, misclassification of an employee as an independent contractor can create significant liability for the employer.

A common misunderstanding is that employee or independent contractor status depends solely upon labels or designations given to a particular worker or position. For example, many employers conclude that if a worker and an employer simply agree that the worker is an “independent contractor” or “contract labor,” the worker is not an employee as a matter of law. Unfortunately, this is not the case. Rather, the determination of independent contractor or employee status involves an analysis of the overall job duties of the individual and the relationship between the individual and the employer. No bright-line test is available to determine whether a person performing work is an independent contractor or an employee. To complicate matters, federal and state laws often utilize different standards to make this determination. Moreover, a worker may be classified as an employee for certain purposes and simultaneously be considered an independent contractor for other purposes. Thus, determining whether a worker is an employee or an independent contractor turns on the particular laws that apply (i.e., tax, Title VII, state antidiscrimination laws, workers’ compensation). Accordingly, it is difficult to make broad generalizations about the distinction between employees and independent contractors. In most instances, Texas law is consistent in its use of the common law “right of control” test for determining employment status. Nevertheless, a careful, fact-specific analysis is necessary to reach a confident conclusion regarding employment status.

The Texas Unemployment Compensation Act (TUCA) requires employers to make contributions to the state unemployment compensation fund for all “wages for employment paid during a calendar year.” The test for determining who is an employee for contribution

purposes focuses on the common law “right of control” test. The TUCA provides that employment means “a service . . . for wages or under an express or implied contract of hire, unless it is shown . . . that the individual’s performance of the service has been and will continue to be free from control or direction under the contract and in fact.” Consistent with this definition, Texas courts have found the standard for liability under the TUCA to be similar to the test for determining employee versus independent contractor status.

The Texas Supreme Court has identified the following factors that may be used to determine the existence of the right of control:

- the independent nature of the worker’s business;*
- the worker’s obligation to furnish necessary tools, supplies, and materials to perform the job;*
- the worker’s right to control the progress of the work, except as to final results;*
- the time for which the worker is employed; and*
- the method of payment, whether by unit of time or by the job.*

It should be noted that the TUCA presumes that an employment relationship exists. This presumption is overcome in the context of a hearing before the Texas Workforce Commission (TWC), provided that the TWC finds substantial evidence that the worker was free of direction and control. Employers in certain industries should also be aware that the Legislature has imposed further limitations on the definition of “employment” with regard to the service of a driver or salesman, service on a vessel or aircraft, service to assist an employee or agent, and farm and ranch labor.

The TWC is the administrative body charged with enforcing the state unemployment compensation requirements. The TWC determines worker status and corresponding employer liability for payroll taxes. If the TWC finds that an individual classified as an independent contractor is in fact an employee, the

Human Resources/Networking



employer will be assessed for unpaid unemployment payroll taxes, as well as penalties and interest, based upon the wages paid to the employee.

The TWC has placed on its website the following questions to be asked in determining whether a worker is an employee or an independent contractor:

- Is the service provided by the individuals in question essential to, and an integral part of, the service the employer provides to the public?
- What opportunity for profit or risk of loss is there for the worker?
- What kind of investment, other than his or her time, does the worker have in the enterprise?
- What is the compensation arrangement?
- Is the compensation negotiated, or is it imposed by the employer?
- Does the individual provide his or her services to the public at large?
- Does the individual advertise his or her services in newspapers, the Yellow Pages, or specialized journals?
- Is there a noncompetition agreement?
- Does the worker provide his or her services on a continued basis?
- Is the worker required to provide services under the employer's name?
- Does the individual represent him or herself to the public as being an employee of the employer? On whose behalf are the services performed?
- Does the employer retain the right to dictate how the work should be done?
- Is the worker required to work a certain schedule, to notify the employer if he or she will not come to work, or to get the employer's approval for any helpers who are hired?

Once the TWC concludes that an employer-employee relationship exists, a company that disagrees with the TWC's findings may seek a "Rule 13 Hearing" under TWC Rule 13 (section 815.113 of the Texas Administrative Code) to challenge its tax liability or seek reimbursements for taxes already paid.

G. Mark Jodon, a shareholder in Littler Mendelson's Houston office, is board-certified in labor and employment law by the Texas Board of Legal Specialization. Mark can be reached at (713) 652-4739 and mjodon@littler.com.



Wanted!

ABC Supplier Member Exhibits For October Mixer

The ABC Suppliers' Council Committee is now recruiting vendor displays. If you would like the opportunity for great networking and exposure for your business, then plan to enter your exhibit today!

The Mixers showcase various ABC Supplier Member Exhibits through an enjoyable social which includes hors d'oeuvres, refreshments and door prizes.

Don't hesitate to spotlight your company at ABC on:

THURSDAY, OCTOBER 6, 2011

5:00 p.m. to 7:00 p.m.

Great networking & exposure for your business!

For more information. . .

contact Ruby at ABC:
ruby@abctxgulfcoast.org
979.233.0279 or 233.1616

Reserve your space today!

Clothing and Coat Drive Extended through August!



Help is still needed. . . to fill a child's closet. If your kids have outgrown their clothes, there is someone who can grow into them right here in our community. Back to School items are sorely needed before the start of the 2011-2012 school year for elementary school-aged children (through age 14). Please ensure all items are clean before donation. All donations will be documented in future newsletters.

DONATION DROP-OFF

ABC office
1400 Velasco Blvd.
Bldg. C107
Freeport, Texas
Office hours:
Monday -Thursday
7:00 a.m. to 5:00 p.m.
Friday
8:00 a.m.-12:00 p.m.

Don't forget—Donate 5 lbs. or \$5.00 for the food drive when you drop off your clothing donation!

Have your kids grown by leaps & bounds recently?



There's another child in our neighborhood who could use some good-looking clothes.



Texas Gulf Coast
Chapter

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is needed and appreciated!**

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Texas Gulf Coast
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**THURSDAY
SEPTEMBER 8,
2011**

*3:00 p.m. to 4:00 p.m.
ABC Texas Gulf Coast
Chapter*

*1400 Velasco Boulevard,
Room 104A, Freeport*

RESERVATIONS:
*Register online at
calendar of events at:
www.abctxgulfcoast.org
Or call the ABC office at :
979.233.0279 or
233.1616*

COST: No Charge!

CANCELLATIONS: *Must
be made by 10:00 a.m.
September 7th, or a fee
of \$15.00 each will be
applied.*



ABC Question & Answer Session

The ABC Human Resources Committee presents an opportunity for Human Resources personnel to ask those questions you've always wanted to ask.

You are encouraged to **email your questions** prior to September 8th at:

ruby@abctxgulfcoast.org

Mark Jodon of Littler Mendelson, the nation's largest employment labor law firm, will be available to answer questions relevant to Human Resources practices.



**Mark Jodon,
Littler Mendelson, PC**

THURSDAY, SEPTEMBER 8, 2011

Includes "Employment Law Update"

You are invited to attend this

'Members Only' session at no charge but please register! A fee will be charged for any cancellation made after 10:00 a.m. September 7th or for any no show.

Don't Miss This Educational Session!

Lingering
questions?

No questions?
Attend & learn.
Obtain helpful
information for
you & your
company.

Email questions
before
September 8th

Cookies &
refreshments

MSTI Training Schedule

Electrical 4 Hour Continuing Education

August 27 (Saturday) 7:00 am

September 22 (Thursday) 5:00 pm

Call ABC Office to register: 979.233.1616 Members: \$40; Non-members \$60
For Texas State Apprentice, Journeyman or Master license renewals.

Construction Management Academy: Project Supervision and Project Management Classes

Starting August 15 & 18; classes 6-9 p.m. weekly for approximately 16-18 weeks.

Members: \$475/class; non-members: \$850 per class. Includes textbooks & NCCER Assessments
Call ABC Offices to register: 979.233.1616 or register online at abctxgulfcoast.org (calendar of events)

ABC/MSTI Craft Training Program Registration Fall 2011—Brazosport College

Associated Builders and Contractors of Texas Gulf Coast, Inc. & Merit Shop Training, Inc. offers craft training through Brazosport College in each of the following crafts:

Automotive Mechanic

Carpentry

Electrical

Engineering Graphics & Design

HVAC

Instrumentation

Machine Tools

Millwright

Pipefitting

Safety, Health & Environ. Management

Welding

REGISTRATION SCHEDULE for ABC Students

Date: August 23, 2011 (Tuesday)

Time: 5:00 p.m. until 6:30 p.m.

Place: Front entrance Brazosport College—F133 & F135

Cost: \$60 per credit hour (3 hour class-\$180; 4 hour class-\$240)

For new students only (or those who have not been to the college within the last year):

Must fill out an on-line application for admission to Brazosport College before registering for classes. To complete application go to www.applytexas.org

Returning students must phone or internet register.

Monday, July 25, 2011 — Friday, August 19, 2011

979-230-3660 or www.brazosport.edu

Classes begin Monday, August 29, 2011

If you have questions or if your company is interested in phone or internet registration for employees, please call Jane at the ABC office, 979.239-4372 or 979.233.1616.



A Summer of Giving At ABC—Texas Gulf Coast

The ABC Cares/Public Relations Committee reports on a busy summer. Recently, the committee scheduled various donations to these local charities.

CASH & FOOD DONATIONS

In June, ABC Cares presented a check for \$560.00 and approximately 20 pounds of non-perishable food items to Lisa Doyle, Executive Director at the Brazosport Cares Food Pantry in Freeport, Texas.

Brazosport Cares Food Pantry (BCFP) opened its doors in 1987 to serve the residents of Freeport, Clute, Lake Jackson, Richwood, Oyster Creek, Jones Creek, Surfside and Quintana.



Lisa Doyle (center), Executive Director of Brazosport Cares Food Pantry with ABC Committee members (l-r): Ruby Pratt, Staff Liaison; Terry McAlister, ABC President; Jim Mahon, Candlewood Suites; and Kimber James, Perstorp Coatings.

During 2010 over 5,600 families were served. This represents over 13,000 individuals. At the end of June, we surpassed the number of families (3,000) and individuals (7,000) served last year.

The generous cash donations made by ABC are used to purchase meat, milk, eggs and produce from local businesses and sometimes other staples that are not available from the Houston Food Bank.

As Executive Director, I work at the pantry and make day to day decisions. Our Board of Directors makes other decisions regarding Brazosport Cares. We have been blessed by volunteers, but many have been forced to "retire" due to age. Volunteers are always needed.

Some of the duties at the Food Pantry are:

- Tues/Thurs: Interview clients; work in the warehouse.
- Last Tues. of month: Home deliveries based on number of volunteer drivers.

- Mon/Tues/Thurs AM: Pick up breads and pastries from Kroger and Randall's
- Tues/Thurs: Get pastries from Kolache Shop

For questions or to volunteer: call, email or visit Brazosport Cares located at 916 N. Gulf Blvd, in Freeport, (979)239-1225, bpcares@sbcglobal.net.

Brazosport Cares is thankful for all of the support and encouragement we receive from Associated Builders & Contractors. Thank you for all you do to help us and our neighbors.

CLOTHING & COAT DONATIONS

Two donations of clothing, coats and accessories were made by ABC Cares in June.

Brazoria County Youth Home (BCYH), located in Oyster Creek is a home for up to 24 children. The Youth Home is a part of The Children's Center of Galveston, serving children ages 13 through 17 that are in the care of Children's Protective Services. Many of the children have been in care for most of their childhood.

The Youth Home works very hard to create a home for the children that prepares them for adulthood and to become happy and healthy members of the community. They are encouraged to work, graduate from high school and continue on to college. The home has been serving children from Brazoria County as well as Harris, Galveston, Ft. Bend, and Matagorda Counties since 1967. With the economic times, the children will greatly benefit from ABC donations of T-shirts, jeans, jackets, and shoes.



Sylvia Crane, Program Director, Brazoria County Youth Home

The Brazoria County Youth Home welcomes volunteers that want to mentor the children or to assist the facility in other ways. The home is grateful for many types of donations: clothing, school supplies, as well as monetary contributions. For further information please call Sylvia Crane, Program Director at (979) 233-7281.

Thank you ABC members for being so supportive and for the genuine help to our children.

CLOTHING & COAT DONATIONS (CONT.)

Brazoria County Dream Center - In April 2007, the Brazoria County Dream Center (BCDC) opened their doors to the communities that make up the Brazoria County. Becoming one of the 185 Dream Centers, in the United States and internationally, affiliated with the LA Dream Center. BCDC is a public charitable non-profit organization that relies 100% on private donations from organizations and individuals. At BCDC, we believe there is no better allocation of our resources than to invest our time and money into the lives of children and adults in our community. If we make this investment, we will see improvement in our communities, our local school districts, and our economy.

A seven volunteer member Board of Directors governs the BCDC. One full-time paid Executive Director oversees programs, fundraising, and administration of the BCDC. The BCDC'S Core is comprised of four volunteer program coordinators and many dedicated volunteers who make the programs at the BCDC possible. These volunteers put the needs of others in our community before their own in order to plant seeds of hope and opportunity in the lives of those needing a "hand up." Because there are so many different programs offered at BCDC, our volunteers come from all spectrums of life. We have volunteers from high school, retirees, and everyone in-between.

Within BCDC, we have nine separate programs that allow us to achieve these goals. Some are as follows:

Elaine's Boutique for families and single parents

Provides free clothing, new toiletries, diapers, and other items for the entire family. We are currently serving over 250 families per month, 110 are seniors.

Dream Pantry

Providing Brazoria County residents with fresh fruits, vegetables, and other food items to those who are economically disadvantaged. We are currently serving over 450 families per month, 181 are seniors.

BCDC Event: Back 2 School Bash – School Supply Drive in July

Providing school age children with the items they need to start school such as: school supplies, clothes, tennis shoes, food for the first week of lunches (Buddy Paks), toiletries (Gym Paks), and haircuts. This event occurs on August 13, 2011. In 2010, we assisted over 760 students and this year we anticipate helping about 1,000 students.

Those who wish to donate items can do so during hours of operation: Monday – Thursday 8:30 a.m. to 12:30 p.m. Monetary donations can be mailed to: PO Box 715, Clute, TX 77531.

You can keep updated on our drives, donation needs, and volunteer opportunities at the website: www.bcdreamcenter.org or our Facebook page: www.facebook.com/bcdreamcenter or email: info@bcdreamcenter.org

We do sincerely appreciate the generous donation from ABC of clothing and coats. As you can see, we assist many families and seniors throughout the year.

In His Service,

Terri A. Willis

Executive Director, BCDC

Ph: 979.388.0280

Cell: 512.484.0144



Terri Willis, Executive Director, BCDC, pictured with ABC Cares PR Committee Member Jim Mahon, Candlewood Suites.

**Helping hands working together
make it happen!**

ABC Cares thanks ABC Membership and others in the community for helping to make these donations possible!

Membership



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979-239-3000



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Coastline Newsletter & Website Advertising

Associated Builders and Contractors of Texas Gulf Coast, Inc.

ABC Texas Gulf Coast Chapter offers advertising to their members in the monthly Coastline Newsletter. As an added bonus...the advertising includes your logo at the bottom of every page of the ABC Texas Gulf Coast Chapter website linking to your website.

Please check and circle the appropriate response below:

AD SIZE (Sizes are approximate)	6 MONTHS	1 YEAR
___ Size A (2 1/4 x 2 1/4)	\$75	\$125
___ Size B (4 1/2 x 2 1/4 (Horizontal or Vertical))	\$150	\$300

OTHER

___ Event/Announcement Insert (size up to one page) – cost: \$75 one time issue

How to submit your information...

E-mail or submit disk with completed ad in jpg format



Company: _____
Address: _____
City/State/Zip: _____
Phone: _____ Fax: _____
Authorized by: _____
Website: _____

Associated Builders and Contractors of Texas Gulf Coast, Inc.

P.O. Drawer 2650 Phone: 979-233-1616
Freeport, TX 77542 Fax: 979-239-4386
E-mail: becky@abctxgulfcoast.org

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Invoice member company: _____



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Tell Others About The Benefits Of ABC Membership & Ask A Prospect To Join Today!

Tell a non-member about the value of ABC membership. Share an example of a particular benefit that has helped enhance your business.

Encourage prospects to:

- Visit the local website at www.abctxgulfcoast.org to learn about the services, programs, and networking opportunities or call the ABC office at 979.233.1616
- Visit the ABC National website at www.abc.org & take a look at the many other benefits and resources available to ABC members. You may also view/print the ABC membership application

As your business partner, ABC provides:

- Business development tools to grow your business
- Management Education to enhance your professional expertise
- Craft training programs for your employees
- Safety programs to improve your company's performance
- Government affairs resources to make your political voice heard
- Legal services to protect your business
- Website tools to link you with construction resources on the Internet
- Networking opportunities to connect you with industry leaders
- Publications to inform you about industry news
- Insurance programs to help you attract and retain employees
- Business discount programs to save your company money
- Student outreach efforts to build the industry's future workforce
- 5 chapters to support your company locally

Texas Gulf Coast Chapter Membership Goal

We are halfway to our goal with **six new members to date!** With your support, we can reach the **goal of 12 new members for 2011.**

For additional assistance with membership recruitment, call the ABC office at 979.233.0279 or 233.1616. You may also contact any of the members serving on the ABC Membership Committee listed in this article.

ABC MEMBERSHIP COMMITTEE

Lisa Bundick Woods
ABC Membership Committee
Chairperson
Tri-Construction Co., Inc.
979.233.7211

Terry McAlister
ABC President & CEO
979.233.0148

Jack Murphy
Wolfenson Electric, Inc.
979.265.1831

Laurie Groth
Performance Contractors, Inc.
832.241.4404

Ruby Pratt
ABC Staff Liaison
979.233.0279 or 233.1616



You Are Wanted By... The ABC Beam Club !

Consider what makes ABC important to you: your personal beliefs in the right to free enterprise; the right to work together to solve workforce problems; and the merit shop philosophy.

ABC can protect your rights and provide the services your company needs because of one critical element: ITS MEMBERS. And to continue, ABC must grow and strengthen. That's why the Beam Club wants you. Beam Club members are the foundation for the future of ABC and merit shop construction. Members who sponsor new members are eligible to join the Beam Club. Annually, the Beam Club presents awards to those who sponsor new members at the local membership events.

So, don't hesitate – help to recruit a member today!

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N353-274 (12-08)

Meetings & Events for Aug-Sept 2011

ABC, CSC, MSTI

Aug 4	Suppliers' Council Comm. Mtg., 3:00 p.m., 104B
Aug 16	ABC Board of Directors Mtg., 3:00 p.m., 104B
Aug 23	Construction Exh. Comm. Mtg., 3:30 p.m., 104B
Sept 1	Suppliers' Council Comm. Mtg., 3:00 p.m., 104B
Sept 6	ABC Golf Comm. Mtg., 3:00 p.m., 104B
Sept 8	HR Comm. Mtg., 2:00 p.m. 104A
Sept 8	Q & A Session; 3:00 p.m., 104A
Sept 12	ABC Annual Golf Tournament, Wilderness, LJ
Sept 13	ABC Membership Comm. Mtg., 2:00 p.m., 107CR
Sept 20	ABC Board of Directors Mtg., 3:00 p.m., 104B
Sept 21	ABC, CSC, MSTI Membership Event, 11:00 a.m., RiverPlace, Freeport
Sept 22	MSTI Board of Directors Mtg., 3:00 p.m., 104B

MSTI Classes and Training Opportunities

Aug 15	CSST: Field Safety, 6:00p.m., 104A
Aug 15	CMA: Project Management, 6:00 p.m., 104B
Aug 16	CSSTL Safety Technology, 6:00 p.m., 104A
Aug 18	CMA: Project Supervision, 6:00 p.m., 104B
Aug 27	Electrical Continuing Ed., 7:00 a.m., 104B
Sept—Nov	CSST and CMA classes continue weekly
Sept 22	Electrical Continuing Ed., 5:00 p.m., 104B

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