

The *Electrical* CONTACTOR

THE OFFICIAL PUBLICATION OF THE FLORIDA
ASSOCIATION OF ELECTRICAL CONTRACTORS

Volume 7
Number 1

Spring 2011



INSIDE:

Executive Vice
Presidents Report

FAEC President's Report

Article 225 - Outside Branch Circuits
and Feeders by Mike Holt

Unlicensed Competitors and What You Can Do About Them

Are your insurance premiums too

High?

The key to cutting insurance costs is...

Controlling Losses

**Upcoming Contractor
Designated Risk Manager
Seminar**

**August 15-17, 2011
Owatonna, MN**

Key Agenda Items:

- Contractor Industry Losses
 - Underwriting Your Business
 - Industry Input Session
 - Contractor Loss Keys
-
- MVRs/Drivers' Standards
 - Distracted Driving
 - Hire, Screen, Retain
 - Managing the Ultimate Risk
 - Contractor Claims Handling
 - Employment-Related Practices Liability
 - Risk Managing Your Workers Compensation
 - Federated's Shield NetworkSM

To send your risk manager to our informative Designated Risk Manager Training Program, contact your local Federated Marketing Representative or Jina Duchnowski at Federated 1-800-533-0472, ext. 455-5604.

"I didn't realize how much distracted driving impacts our safety and work comp."

"The session on employment-related practices liability addressed an immediate problem within our company."

"The seminar made me think about many risk management steps we've never taken at our shop. I have some ideas I plan to start implementing ASAP."

"I didn't realize how scary it can be to own a business. This was a very eye-opening seminar. I hope to better our company with the information and resources I received."



Federated Mutual Insurance Company • Federated Service Insurance Company* • Federated Life Insurance Company
Home Office: 121 East Park Square • Owatonna, Minnesota 55060 • Phone: (507) 455-5200 • www.federatedinsurance.com

*Federated Service Company is not licensed in the states of NH, NJ, RI, and VT.

The *Electrical* CONTACTOR

FAEC STATE BOARD OF DIRECTORS - 2011

2011 Officers

PRESIDENT

KIM DEBERRY
KIM'S ELECTRIC
PO Box 28792
Jacksonville, FL 32218-8792
Phone: 904-757-6633
Fax: 904-757-5375
Email: kim.kimselectric@comcast.net

VICE PRESIDENT

BLAKE FERGUSON, JR.
ROYAL ELECTRIC OF CENTRAL FLORIDA
645 Newburyport Ave., Ste. 100
Altamonte Springs, FL 32701
Phone: 407-834-2345
Fax: 407-834-1777
Email: bfergusonjr@royal-electric.com

TREASURER

TIM QUIGLEY
TERRY'S ELECTRIC
600 N. Thacker Ave., Suite A
Kissimmee, FL 34741
Phone: 407-572-2100
Fax: 407-932-1135
Email: timquigley@terryselectric.com

DIRECTORS

CENTRAL FLORIDA

JOE BELL
TERRITO ELECTRIC, INC.
441 W. Enterprise Street
Ocoee, FL 34761
Phone: 407-654-2767
Fax: 407-654-2769
Email: jbell@territo.com

MIKE FREINER

BRIGHT FUTURE ELECTRIC
630 Kissimmee Avenue
Ocoee, FL 34761
Phone: 407-654-0155
Fax: 407-654-1455
Email: mikef@brifutelectric.com

JACKSONVILLE

DAVID DEBERRY
DEBERRY ELECTRIC COMPANY, INC.
PO Box 26037
Jacksonville, FL 32226
Phone: 904-757-8424
Fax: 904-757-7811
Email: david@deberryelectric.com

GAINSVILLE

RICHARD TORODE
TORODE ELECTRIC & SYSTEM, INC.
PO Box 997
Starke, FL 332091
Phone: 904-966-0241
Fax: 904-966-0365

AT LARGE

STAN KACONAS
CRITICAL COMPONENTS, INC.
333 Ringwood Circle
Winter Springs, FL 32708
Phone: 904-645-0026
skaconas@criticalcomponents.net

ASSOCIATE DIRECTORS

GARY REDWINE
RAMS/RPG
12902 Commodity PL.
Tampa, FL 33626
Phone: 813-887-1808
Fax: 813-887-1832
Email: gary.redwine@ramsinc.net

INSURANCE PARTNER

BRAD HUMPHRIES
FEDERATED INSURANCE
PO Box 467500
Atlanta, Ga 31146
Phone: 404-497-8840
Fax: 507-446-4731
Email: mrorr@fedins.com

EXECUTIVE VICE PRESIDENT

JANICE FICAROTTO
FAEC
PO Box 180458
Casselberry, FL 32718-0458
Phone: 407-260-1511
Fax: 407-260-5732
Email: janice@iag.net

INDEX

TABLE OF CONTENTS

Message from the Executive Vice President.....	4
President's Report	5
Federated ARMS Department.....	6
Article 225 - Outside Branch Circuits and Feeders by Mike Holt.....	8
Chinchor Appointed to ECL.....	12
Unlicensed Competitors and What You Can Do About Them....	13

ADVERTISERS INDEX

Electric Overstock	7
FAEC Business Card Page	15
Federated Insurance	Inside Front Cover
Mike Holt	11
NAED.....	7
Rams	7
Solar Source Institute	Back Outside Cover
Southern Electrical Resources.....	Inside Back Cover

FAEC Magazine



FLORIDA ASSOCIATION OF
ELECTRICAL CONTRACTORS
PO BOX 180458, CASSELBERRY, FL 32718-0458
407-260-1511 ~ FAX 407-260-5732
Email: faec@iag.net

Published four times a year by the
Florida Association of Electrical Contractors
PO Box 180458 ~ Casselberry, FL 32718-0458
407-26-1511
Email: faec@iag.net
www.faecstate.org

Copyright 2011 by FAEC. No reproduction without permission.

For Advertising Information
Cheryl Hardy
FAEC - 407-260-1511
Email: faec@iag.net



EXECUTIVE VICE PRESIDENT'S REPORT

Janice Ficarrotto

If you weren't at the April 8th Educational Symposium, you really missed out on some great programs. We began our day with a technical presentation by our friends from Schneider Electric/Square "D" on Building Lasting Value with Energy Efficiency. Melissa Golden came all the way from Nashville, TN. To do this impressive presentation and everyone acknowledged they had a great time. Melissa's presentation included an overview of the opportunity in the Green Construction Market and a four-step approach to developing an energy management plan for your clients.

We covered the usual worker's compensation and everyone obtained their one-hour mandatory CE credit for license renewal but, then, the CEO Roundtable on How to Level the Bid Playing Field really got everyone's attention. We were fortunate enough to secure an immigration attorney from the prestigious law firm of Jackson/Lewis in Washington, D.C. The issues he covered and the frank, candid interaction between he and our members was amazing! If you missed this presentation, you really cheated yourself and your employees out of a great presentation.

Our lunch presentation on What can we expect in 2011 was equally rewarding and informative. Jim MacMurdo from Ideal Industries, Sycamore, IL, was on hand to cover issues such as industry indications to watch, credit availability in the market place and products that will be in demand. Another wonderfully informative program you shouldn't have missed.

Next, we moved into 415V-Changing how you view power distribution. Presented by Stan Kaonas from Critical Components, this program presented a traditional distribution overview of 208/120V and various distribution systems including 415V- how and why, modular distribution,

why? Busboys & modules and future trends in the power distribution field. Some new avenues for work which you shouldn't have missed.

We concluded our day by learning about Leed- Building Green 101 for Electrical Contractors. A great program presented by Joanna Switzer, Green Building Services in Orlando who covered LEED Rating system versions, and overview of primary LEED related to electrical system design objectives, specific LEED new and Existing building projects and their scope of work.

All in all, the day was a great success; contractors walked away talking about how good the programs were and how much they learned. Each program presented at each FAEC class includes a multitude of FREE handout materials that are extremely valuable to you as a fellow Electrical Contractor. If you missed this program, please watch the mail for information on the upcoming fall event.

Remember, all FAEC programs are CE approved and it is to your benefit to attend an educational program, gain all the CE you need for license renewal and above all, mingle and meet with fellow statewide contractors.

Our next event is planned for September 29-October 1, 2011 at the Marriott Grand Lakes in Orlando. Please reserve your room early by call the hotel and advising them you are part of the FAEC block. If you have any questions, please feel free to call me directly at the Association's headquarters in Orlando. Watch the mail and be sure to register as quickly as possible.

See you all in September in Orlando.

~ Janice

POWER

The Southeast's Leading Supplier
of Critical Power Solutions.



EXPERT CONSULTING
EXPERT CONSULTING

INTENSE VALUE
INTENSE VALUE

SUPERIOR SERVICE
SUPERIOR SERVICE



866-933-5511

www.criticalcomponents.net



By Kimberly DeBerry Kim's Electric Jacksonville, Florida

As spring comes to an end and we start gearing up for the summer projects, I feel I am in better shape to perform more efficiently due to training from the Florida Association of Electrical Contractors. During FAEC's spring conference I took advantage of attending courses they offered with topics such as e.verification, worker's compensation and safety arc flash and ground fault protection, just to mention a few. The spring conference was lined up with great speakers who were very informative on hot topics which impact our bottom line.

If you missed the spring conference you will have another opportunity by attending FAEC's fall conference. So get involved, be proud of what we have accomplished and let's build the electrical industry stronger and strive to obtain the highest standards.

Education and training are so critical in our line of business that we cannot afford to not get involved. Not only do we need the FAEC but the FAEC needs us to get involved and support our association. It's like my dad used to say, that the electrical industry was so good to him that he wanted to give back by staying involved and helping to combat issues that impact our business and to mentor, educate and train our upcoming work force.

As a member of the FAEC, not only do you have opportunities to attend two conferences annually to receive continuing education credits, you also are updated and kept informed of issues impacting our industry by receiving technical bulletins, legislative updates and other means of communication.

Thank you for allowing me to serve as president of the FAEC. I look forward to seeing everyone in the fall. Have a safe and fun summer.

~ Kim

FAEC BENEFITS OF MEMBERSHIP INCLUDE:

- A Voice in the Legislative Process through a lobbyist in Tallahassee.
- An Annual "Spring Conference" & "Fall Convention" offering Continuing Education classes relative to license renewal.
- The official publication of FAEC - The "Contractor" bringing you up-to-date on association information and industry news.
- A Group Major Medical Insurance Program.
- A General Liability Insurance Program.
- An Annual Membership Directory.
- "Legislative Alerts" distributed throughout the session to keep you abreast of industry concerns.
- The opportunity to interact with fellow contractors to share industry concerns and discuss industry news.

*Your Invitation
to Membership
In FAEC!*

Join With An Elite Group...



Federated ARMS Department Welcomes Jeff Mount and Scott Warren

Federated is pleased to announce two valuable additions to our Association Risk Management Services (ARMS) Department.

Long-time field marketing executive Jeff Mount will assume a leadership role in Federated's Home Office effective 4/1/2011. As the newly appointed Director of Operational Support, he will lead the ARMS Department and the Property and Casualty Services Department. As a former marketing representative, district marketing manager, regional marketing manager, and Director of Field Operations, Jeff brings a wealth of experience to this position. He will work closely with ARMS management and our account executives to strengthen the relationships between Federated and our valued association partners. Jeff, his wife Mary, and their three children will relocate to Minnesota later this year.

In another move bolstering our commitment to associations, Scott Warren has been named Director of ARMS effective 4/1/2011. A 19-year Federated employee, Scott served as a marketing representative, district marketing manager, and regional marketing manager before accepting this present opportunity. He will manage our national account executives, field managers, and administration manager while working with the Director of Operational Support to maxi-

mize the benefits of association partnerships. Scott, his wife Mignyon, and their two children will relocate to Minnesota later in the year.

"We are excited to welcome Jeff and Scott to the ARMS Department," Mike Kerr, Senior Vice President – Insurance Operations, said. "They both bring a great deal of experience and knowledge to their positions, and we look forward to the positive contributions they will make in their new roles."

With more than 400 exclusive recommendations connected to more than 70 percent of the organization's total premiums, and strong association ties supported by an outstanding team of marketers and ARMS representatives, the ARMS Department continues to help Federated provide the value-added insurance and risk management needs of businesses in select industries throughout the country.

electrician to electrician
online surplus exchange



Check us out!

ELECTRIC
overstock.com

*Don't tie up valuable warehouse space with
surplus equipment...*

Save \$\$ on your next project....your competition is!

*Keep your cash flow circulating in
recessionary times!*

ORDER DESK 1.888.674.7920
FAX US 407.674.7923
EMAIL US orderdesk@electricoverstock.com



Are you working with a CEP™ certified distributor?

THE FOLLOWING CERTIFIED ELECTRICAL PROFESSIONALS ARE AVAILABLE IN YOUR AREA:
Electric Supply Inc: CEP-IS Christopher Broadhurst, Tampa, FL; CEP-IS Andrew DiFranco, Tampa, FL;
CEP-IS John DuBois, Tampa, FL; CEP-IS Charlene Masone, Tampa, FL; CEP-IS Jeremy Meguiar II, Tampa,
FL; CEP-IS Bill Ward Jr., Tampa, FL • **Rexel, Inc:** CEP-OS Bradley Finchum, Weston, FL; CEP-OS George
Haddad, Orlando, FL; CEP-IS Jeffrey Hoffman, Orlando, FL; CEP-IS Chantha Kem, Orlando, FL; CEP-IS
Daniel Leraaen, Weston, FL; CEP-IS Jeff Marr, Weston, FL; CEP-OS Thomas Nance, Tampa, FL; CEP-OS
Paul Rademaker, Sarasota, FL; CEP-OS Jimmy Soto, Miami, FL; CEP-OS Michael Stoner, Tampa, FL;
CEP-IS Tim Vandenberg, Tampa, FL

SEE A COMPLETE LIST OF CERTIFIED PROFESSIONALS AT WWW.NAED-CEP.ORG

Developed by NAED, the Certified Electrical Professional™ [CEP] is an industry certification for key electrical distribution sales positions. By working exclusively with CEP certified professionals, you're guaranteed credibility and professionalism in the areas of product knowledge, customer service, sales skills, and other essential skills which elevate electrical distribution above the retail channel. *Your time is valuable and working with a certified professional will guarantee the right answer, the first time.*

*Don't see your local distributor of choice
listed? Ask them to get involved.*



INTERESTED IN LEARNING MORE?
Scan code to find out how to
work with a CEP distributor

READ CODE WITH SMARTPHONE QR CODE READER
(SEARCH FOR A FREE APP CALLED "SCANLIFE")



RAMS®
FAMILY OF COMPANIES



Alternate Workforce Solutions

RPG ▲ PSG ▲ TEC

*Properly Licensed in Florida
Qualified Professionals
Safety Trained
Drug-Free
Tooled
Deployable*

*Offices Throughout Florida!
Contact Us Today!*
(800) 577-1808
www.RAMSinc.net



*Is Your Firm Benefiting
From the Most Progressive
and Recognized Training
Program in Florida?*

JumpStart
(P-065)

EC-13001300 CGC-1505350 CRC-043721

By Mike Holt, NEC Expert

Introduction to Article 225

Outside Branch Circuits and Feeders

Part 4 of 6:
Mike Holt's Illustrated Guide to Understanding the National Electrical Code Based on the 2008 Code

This article covers the installation requirements for equipment including conductors located outdoors on or between buildings, poles, and other structures on the premises. It has two parts:

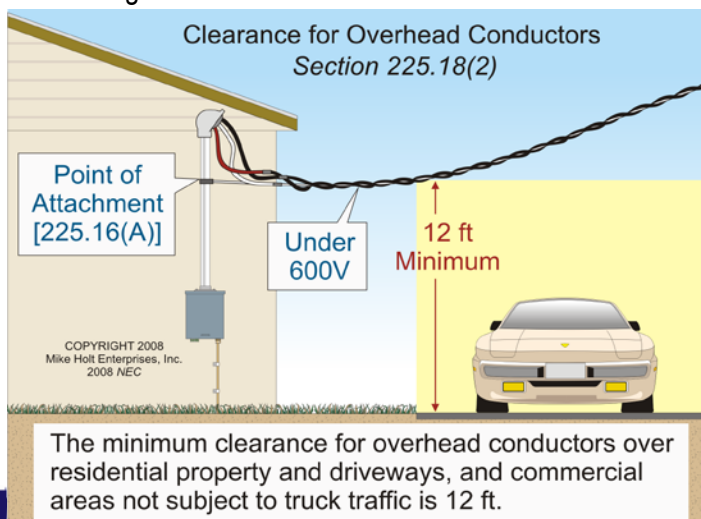
Part I provides a listing of other articles that may provide additional requirements, addresses some general concerns, and briefly covers conductor sizing. It also addresses conductor support, attachment, and clearances.

Part II addresses how many supplies (branch circuits or feeders) are permitted to a building or structure and how to disconnect them. This includes such rules as where to locate the disconnecting means and how to group them.

225.18 Clearance for Overhead Conductors. Overhead conductor spans must maintain the vertical clearances as follows:

(1) 10 ft above finished grade, sidewalks, platforms, or projections from which they might be accessible to pedestrians for 120V, 120/208V, 120/240V, or 240V circuits.

(2) 12 ft above residential property and driveways, and those commercial areas not subject to truck traffic for 120V, 120/208V, 120/240V, 240V, 277V, 277/480V, or 480V circuits. Figure 225-1



(4) 18 ft over public streets, alleys, roads, parking areas subject to truck traffic, driveways on other than residential property, and other areas traversed by vehicles (such as those used for cultivation, grazing, forestry, and orchards).

Author's Comment: Overhead conductors located above pools, outdoor spas, outdoor hot tubs, diving structures, observation stands, towers, or platforms must be installed in accordance with the clearance requirements in 680.8.

225.30 Number of Supplies. Where more than one building or structure is on the same property, each building or structure must be served by no more than one feeder or branch circuit, except as permitted in (A) through (E).

Author's Comment: Article 100 defines "Structure" as, "That which is built or constructed."

A multiwire branch circuit is a single circuit.

(A) Special Conditions. Additional supplies are permitted for:

- (1) Fire pumps
- (2) Emergency systems
- (3) Legally required standby systems
- (4) Optional standby systems
- (5) Parallel power production systems
- (6) Systems designed for connection to multiple sources of supply for the purpose of enhanced reliability.

Author's Comment: To minimize the possibility of accidental interruption, the disconnecting means for the fire pump or standby power must be located remotely away from the normal power disconnect [225.34(B)].

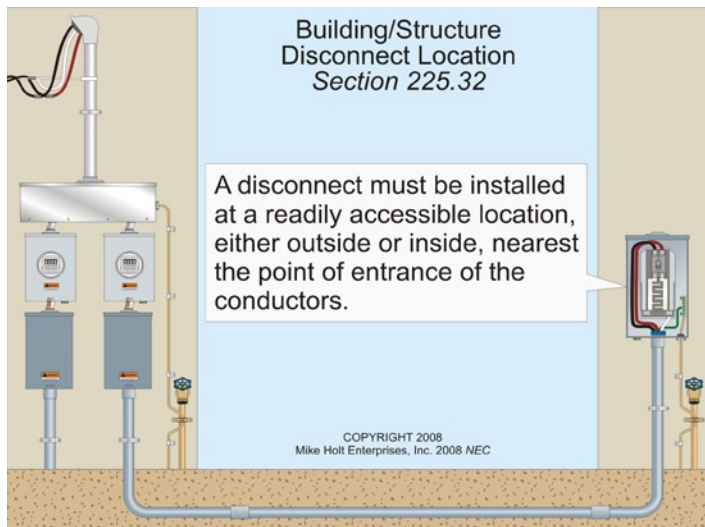
(B) Special Occupancies. By special permission, additional supplies are permitted for:



- (1) Multiple-occupancy buildings where there's no available space for supply equipment accessible to all occupants, or
- (2) A building or structure so large that two or more supplies are necessary.
- (C) Capacity Requirements. Additional supplies are permitted for a building or structure where the capacity requirements exceed 2,000A.
- (D) Different Characteristics. Additional supplies are permitted for different voltages, frequencies, or uses, such as control of outside lighting from multiple locations.
- (E) Documented Switching Procedures. Additional supplies are permitted where documented safe switching procedures are established and maintained for disconnection.

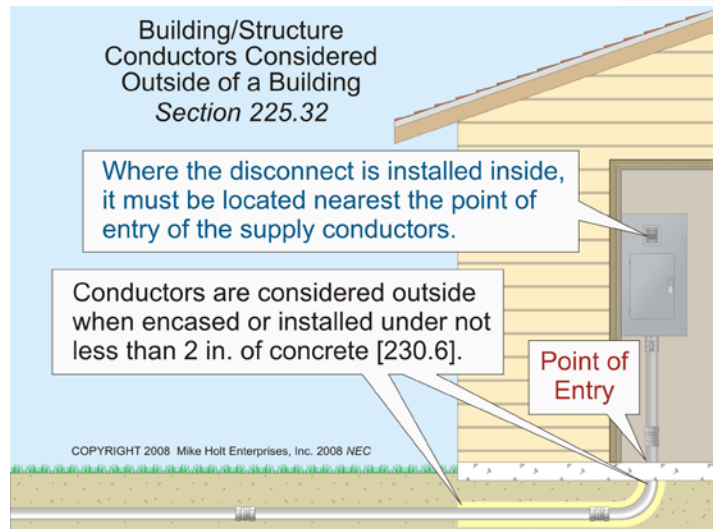
225.31 Disconnecting Means. A disconnect is required for all conductors that enter or pass through a building or structure.

225.32 Disconnect Location. The disconnecting means for a building or structure must be installed at a readily accessible location either out-side or inside nearest the point of entrance of the conductors. Figure 225-2



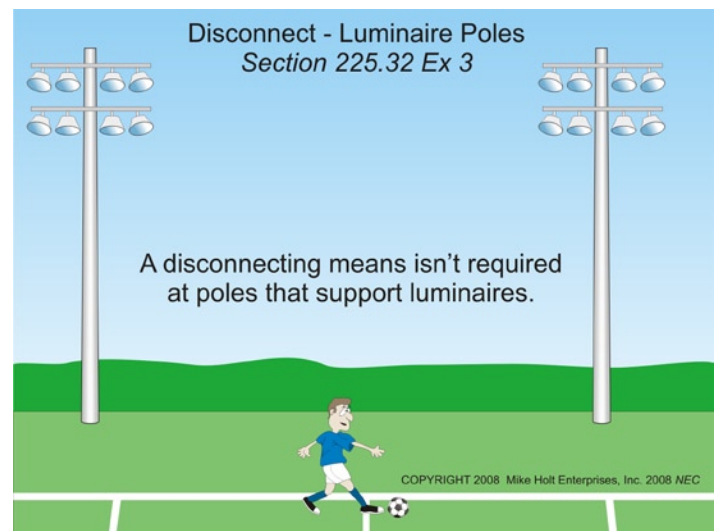
Supply conductors are considered outside of a building or other structure where they are encased or installed under not less than 2 in. of concrete or brick [230.6]. Figure 225-3

Exception No. 1: Where documented safe switching procedures are established and maintained, the building/structure disconnecting means can be located elsewhere on the premises, if monitored by qualified persons.



Author's Comment: A "Qualified Person" is one who has skills and knowledge related to the construction and operation of the electrical equipment and installation, and has received safety training to recognize and avoid the hazards involved with electrical systems [Article 100].

Exception No. 3: A disconnecting means isn't required within sight of poles that support luminaires. Figure 225-4



Exception No. 4: The disconnecting means for a sign isn't required to be readily accessible if installed in accordance with the requirements for signs. Figure 225-5

Author's Comment: Each sign must be controlled by an externally operable switch or circuit breaker that opens all ungrounded conductors to the sign. The sign disconnecting



Disconnect - Sign Structure Section 225.32 Ex 4

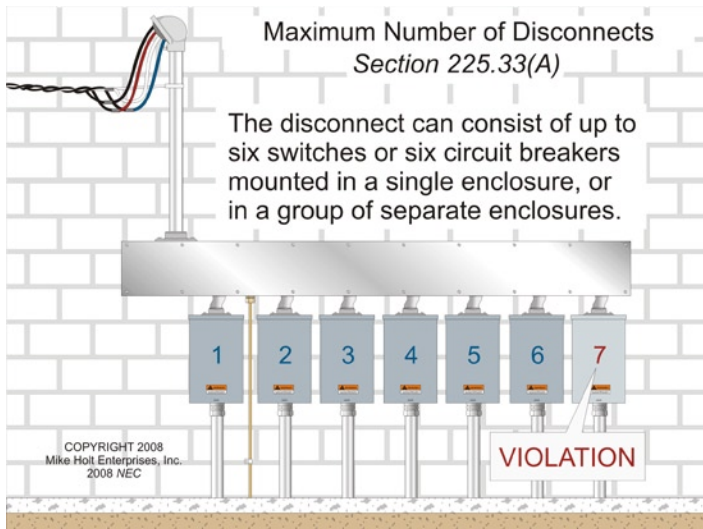


For poles or structures used to support signs installed in accordance with Article 600, the disconnecting means can be located elsewhere on the premises.

means must be within sight of the sign, or the disconnecting means must be capable of being locked in the open position [600.6(A)].

225.33 Maximum Number of Disconnects.

(A) General. The building or structure disconnecting means can consist of no more than six switches or six circuit breakers in a single enclosure, or separate enclosures for each supply permitted by 225.30. Figure 225-6



225.34 Grouping of Disconnects.

(A) General. The building or structure disconnecting means must be grouped in one location, and they must be marked to indicate the loads they serve [110.22].

(B) Additional Disconnects. To minimize the possibility of accidental interruption of the critical power systems, the disconnecting means for a fire pump or for standby power is to be located remotely away from the normal power disconnect.

FAEC STATE SPRING CONFERENCE PHOTOS 2011



SOLAR PV BOOT CAMP

Orlando, Florida
August 23-27



Mike Holt

A Program You Can't Afford To Miss

Spend a week with Mike Holt and Nationally
Recognized Solar Experts.



Why Choose Mike's Program?

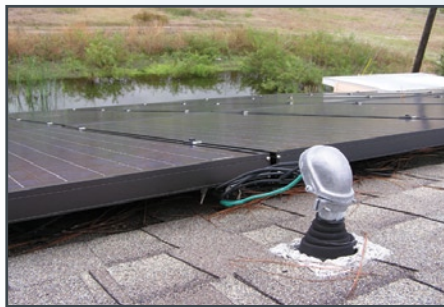
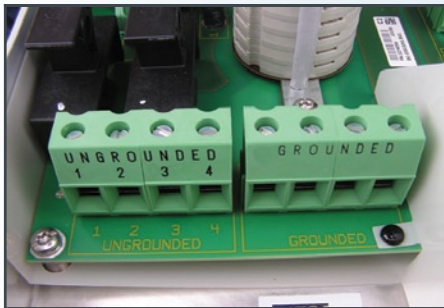
- You'll receive a down-to-earth presentation on how this new technology will transform your business
- Find out what you need to be aware of in terms of opportunities and pitfalls
- The last two days of the course have been approved to fulfill your CE credit for many states; call our office for more information
- You will receive a free copy of Mike's new best-seller Understanding NEC Requirements for Photovoltaic Systems

What You'll Learn:

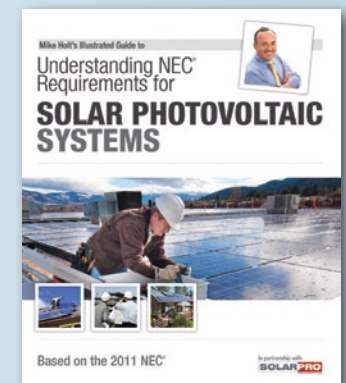
- How to Design and Install Solar Power Systems
- How to apply the NEC rules that guarantee safe Solar Installation
- The economic realities of this technology and how it will impact your business
- What your customers need to know including how rebates work
- And so much more!

Who Should Attend?

- Solar Installers
- Electrical Contractors
- Electrical Engineers
- Project Managers
- Other High-Level Electrical Professionals
- People who want to expand their skills into the Solar Power Business



**\$999 When You Register
by July 1**
You save \$200!
[Solar Boot Camp \$1,200]



MIKE HOLT
ENTERPRISES, INC.
For All Your Electrical Training Needs

Join us August 23 - 27, 2011

Visit www.MikeHolt.com/Solar

Or Call 888.NEC.CODE (632.2633)

"...as for me and my house, we will serve the Lord" [Joshua 24:15]

CHINCHOR APPOINTED TO ECLB

Timothy Z. Chinchor, Chinchor Electric, Inc. has been appointed to the ECLB.

Mr. Chinchor is President and Owner of Chinchor Electric, Inc. He build his company from an independent Electrical Company specializing in Industrial Automation to the present day firm handling Industrial and Commercial Electrical projects and a Traffic JDivision handling Highway Lighting and Signalzation.

Tim's experience started in 1980, working as an apprenctice with United States Steel, in Homestead, Pennsylvania. His talents quickly led him to a position with R.M. Kellar Electric, Versalles, Pennsylvania, in 1981. Upon moving to Florida and gaining his Journeyman's License, in 1984, he went to work for Tri-City Electrical Contractors, Inc. and obtained his Master Electicians license in 1986. At the age of 25, Tim started his own company, Tim Chinchor Electrical Contracting. He is now the PResident of Chinchor Electric, Inc., established in 1991 to serve the industrial and Commercial Electrical needs of the Southern United States and Caribean Islands.

Mr. Chinchor has the dynamic ability to design, coordinate, automate and construct the most technical of theme park designs to lighting and powering industrial facilities. Chinchor Electric, Inc. is th pioneer of the preferred vendor program for Rockwell Automation Products, having made Ch8inchor Electric, Inc. Their only endorsed contractor in Georgia and Florida.

Associations:

National Fire Protection Association
International Association of Electrical Inspectors
Florida Association of Electrical Contractors

Significant Projects Completed with Chinchor Electric, Inc.

World Cup Soccer 1994
Sysco Foods, All Florida Locations
Orlando Library, Lighting enhancement
Eagle Lake Baptist Church, design build
Calvary Assembly Church
(award winning installation with ABC)
U.S. Foodservice, Ormond Beach, Florida
(a major emergency fire restoration project)
Suess Landing, Toon Lagoon, and many more -
Universal Island of Adventure
Standardization of the theme park industry
electrical, communication systems, emergency
EVAC systems, workin on more than 56 ride and
show system projects through out the United
States.
Kongrontation, E.T. Ride, Jaws Lagoon,
Terminator II and many more - Universal Studios
Cape Canaveral NASA early warning system
Showalter Flying Services
Cape Canaveral Air Force Base prototype laboratory
Seminole County traffic and Facilities
Volusia County Facilities and Traffic Signal Systems
City of Winter Springs
Orange County Traffic and Signalization
Florida Department of Transportation
L3 System Installations of Gainesville, Orlando/
Sanford and Daytona Beach airports.

Unlicensed Competitors and What You can Do About Them?

by *Walter C. Jones IV*

Freeman & Jones, LLC, Attorneys at Law

I am frequently asked what can be done when a contractor loses a bid to an unlicensed contractor who is underbidding. In today's competitive economy, we see more and more laid off construction workers competing against licensed contractor for work when they themselves are not licensed. In Florida, we have a two-tiered licensing system. The Florida Department of Business and Professional Regulation (www.myfloridalicense.com/dbpr) tests and issues licenses to contractors in trades such as General Contracting, Residential Contracting, plumbing, electrical, mechanical, roofing, etc. Certain counties, including Palm Beach County also have local licensing authority and test and issue licenses to individuals and companies such as screen installers, electricians, painters, Roofers, Drywall, Tile and Marble contractors, among others. See www.pbcgov.com/pbz for specific details and applications. In order to be licensed, contractors are generally required to provide evidence of insurance, such as liability and/or worker's compensation.

Florida law requires every contractor or subcontractor doing construction work to carry worker's compensation coverage, regardless of the number of employees. See www.myfloridacfo.com/wc/index.htm. Owners of corporations or partnerships can exempt up to three employees after completing an application and submitting it to the Division of Worker's Compensation. If an individual or company is unlicensed, the chances are extremely high that they do not carry worker's compensation. Not paying licensing fees and maintaining insurance gives the unlicensed contractor a tremendous advantage over the licensed contractor who is paying significant monies toward licensing fees and insurance premiums. The unlicensed contractor, without this overhead, can outbid the honest contractor on almost every job. Most reputable, large contractors would never hire an unlicensed contractor, but many homeowners are looking for the low bid and do not question one's license status or whether they maintain worker's compensation insurance.

What can you do? First, you need to verify that your com-

petitor is required to have a license and if so, look on the DBPR website or Palm Beach County Licensing website (www.myfloridalicense.com and www.pbc.gov/pzb) to verify their license status. If they do not show a license, but yet are practicing in a trade that requires a license, then you can file a Complaint with the appropriate licensing authority depending on the trade involved. This will cost you no money, but will take a little bit of your time to make a phone call or fill out a complaint form that will lay the groundwork for further claims or action. You can further check online with the Division of Worker's Compensation to verify whether your competitor maintains worker's compensation insurance or has exempted up to three officers from coverage. Again it is more than likely that the unlicensed contractor does not carry worker's compensation insurance and is probably paying cash to his employee to avoid the further burden of payroll taxes, etc.

Of course unlicensed contracting is a crime in the State of Florida. Florida law provides significant penalties for this activity, but they are not routinely prosecuted as most local jurisdictions are not eager to pursue such a claim as there usually is not a victim as the homeowner is happy with the low price assuming the job was completed. If you have an unlicensed contractor you more than likely have someone working without an appropriate building permit. If the local town or municipality finds out that unpermitted work is taking place, they generally will dispatch an inspector on the same day or following day to verify the lack of a permit and will immediately shut down the job until a permit is obtained. Those of you who work with local building departments on permit issues should have the contact information for the appropriate entity. Below are the phone numbers for the most likely departments involved:

Palm Beach County	(561) 233-5005
City of West Palm Beach	(561) 805-6700
Town of Palm Beach	(561) 838-5400
City of Lake Worth	(561) 586-1647
City of Palm Beach Gardens	(561) 799-4201
Village of North Palm Beach	(561) 841-3365
City of Boynton Beach	(561) 742-6350
City of Delray Beach	(561) 243-7040
City of Wellington	(561) 753-2430
City of Boca Raton	(561) 393-7781
Town of Jupiter	(561) 741-2286



UNLICENSED COMPETITORS

Florida Statutes § 440.105 (3) provides that the winning bidder can be liable for thirty percent of the total amount of the bid on the contract, or \$15,000.00, whichever is greater if he performs the work while failing to comply with the worker's compensation law. In order to take advantage of this law, the losing bidder must of course be in compliance with the worker's compensation law in the twelve month period prior to making the losing bid. An honest business man of course would have no problem complying with this law. The law further provides that the prevailing party can obtain attorney's fees for prosecuting such an action.

The Division of Worker's Compensation does maintain a local enforcement office here in West Palm Beach, phone number (561) 837-5716 and if you believe any contractor is working without worker's compensation coverage, the job will immediately be shut down until the contractor obtains worker's compensation coverage. Continued work in violation of this stop work Order can result in serious penalties to the contractor. This verification by the State that the Contractor was working without worker's compensation coverage currently establishes a violation necessary to support a claim under F.S. § 440.104 and makes a civil action generally much easier to pursue. As with most civil actions, one must evaluate the ability of the losing party to pay any damage claim. Generally, unlicensed contractors who work out of the back of a pickup truck do not own equipment, real estate, or other significant assets that would be subject to execution. Thus, the next time you lose a bid on a construction contract; go online and verify the license and worker's compensation status and then notify the appropriate agency. If the contractor is working without worker's compensation coverage, you should strongly consider talking to an attorney to see what damages may be available to you as a losing bidder.

Mr. Jones is a Florida Board Certified Civil Trial Lawyer who represents owners and contractors in Construction related matters and has been practicing in Palm Beach County for over 29 years. Freeman and Jones, LLC handles commercial litigation in state and Federal courts, real estate and commercial transactions, business law, personal injury and admiralty law. The firm maintains offices in West Palm Beach and Palm Beach Gardens.

FAEC STATE SPRING CONFERENCE PHOTOS 2011





Tel: 407-654-0155
 Fax: 407-654-5160
www.brightfutureelectric.com

Serving Central Florida for All your "Electrical Needs"

630 Kissimmee Avenue
 Ocoee, FL 34761



Wiring Florida since 1958

430 West Drive • Altamonte Springs, FL 32714
 P: (407) 788-3500 F: (407) 788-8555 W: tcelectric.com
 C: (407) 340-4233

JACK A. OLMSTEAD
 President
 E: jack.olmstead@tcelectric.com

ABC ACCREDITED QUALITY CONTRACTOR

EC0000981



You Ad Here

Commercial • Industrial

Kim's Electric, Inc.

13619 N. Main St., Jacksonville, FL 32218
 EC 1092
www.kimselectric.com

(904) 757-6633
 (904) 545-8684 Cell
 (904) 757-5375 Fax
kim.kimselectric@comcast.net

Kimberly A. DeBerry
 President

Industrial
 Commercial
 Petroleum Equipment

Licensed Bonded
 State Certified
 EC0000913



Blake Ferguson, Jr.
 Estimator/Project Manager

(407) 834-2345
 Fax (407) 834-1777

Timothy Quigley

President
 Residential & Service Division



"Safe Electrical Systems, From Our Family To Yours"

600 N. Thacker Ave., Suite "A"
 Kissimmee, FL 34741
 EC0002831
www.terryselectric.com

PH: (407) 572-2100
 Fax: (407) 932-1135
 Toll Free: 1-888-278-3779
timquigley@terryselectric.com

Coastal Electric Co. of Florida
 Jeff Sanders
 2759 St. Johns Bluff Road
 Jacksonville, FL 32246
 (904) 645-0026



You Ad Here



875 Jackson Avenue • Winter Park, Florida 32789
 407-646-8700 Ext. 774 • 407-647-8951 FAX
 State License #EC1858

Phone 757-8424
 Fax 757-7811

EC 864
 EN 210908

DeBerry Electric Co., Inc.
 Commercial • Industrial

David Alan DeBerry
 President

P.O. Box 26037
 Jacksonville, FL 32226-6037



Residential, Commercial & Industrial Circuit Breakers



CIRCUIT BREAKERS

CIRCUIT BREAKER MTG. HDWR. ■ BUSS DUCT PLUGS

AIR BREAKERS ■ MOTOR CONTROL ■ PANEL MOUNT SWITCHES

SAFETY SWITCHES ■ TRANSFORMERS

4305 LILBURN INDUSTRIAL WAY, LILBURN, GA 30047

Toll Free: 877-512-6600

Phone: 770-263-6600 • Fax: 770-263-6619

Email: sales@southernelectricalresources.com

www.southernelectricalresources.com



Plug into the Sun!



solarsourceinstitute
training for our future

Grow your business in a struggling economy. Learn Introduction to Solar Installation, Introduction to Solar Thermal Systems for Plumbers & General Contractors, Sales & Marketing of Photovoltaic Systems, Intro to PV Systems: 5-Day NABCEP Cert of Knowledge Preparation, 2-Week Complete Photovoltaic Systems and Work Flow Management, Solar Guidelines for Building Officials, Inspectors, Plans Examiners, and more. **Be part of the change we need, rise above the competition and increase sales with renewable energy technologies.**

SolarSourceInstitute.org



Complete contracting services since 1984 offering full line sales, installation, engineering services and a full service department. No job too large or too small. Ask about the availability of pre-engineered kits and an opportunity to join our dealer network.

SolarSource.net

1-800-329-1301

10840 Endeavour Way, Largo, Florida 33777

SPC
CORPORATE
TRAINING



Partnering with academic leaders and colleges to lead the way to a clean future with solar energy education.

All classes offered are listed online.