HVAC Contractor Ordered to Pay Nearly $1M for Violating Labor Law

California Labor Commissioner Julie A. Su recently ordered Ace Cooling & Heating Corporation, a heating and air contractor, to pay $824,570.63 to contractors for violating labor law. The Labor Commissioner issued a civil wage and penalty assessment in an effort to collect the money owed to the workers.

Study: California Tops List of Top 10 States to Work in HVACR

HVAC contractors looking for plentiful job opportunities, high salaries, available training and large numbers of service calls should head for California or Ohio, according to a list of top states to work in HVACR compiled by Emerson Climate Technologies.

Bob Helbing runs one of the most successful commercial and residential HVAC businesses who comply with public works laws, said DIR Director Christine Baker. “In this case, sheet metal workers were paid between $8.50 and $16.00 per hour and were significantly underpaid on this project.” Labor Commissioner Su stated. “This is a classic example of wage theft and my office will take immediate action against a business who steals money from its workers.”

An investigation by the California Department of Industrial Relations. Continued on Page 12
California Labor Commissioner Orders HVAC Company to Pay Nearly $1M for Wage Violations

Mike Carson, vice president, Kahn Air Conditioning, Incorporated, and past president of The Institute of Heating and Air Conditioning Industries, Inc. (IHACI), praised the commissioner’s decision. “I am happy to see the size of this fine in light of the fact that violators typically think the risk of non-compliance is worth paying a small fine,” Carson said. “We fully support state agencies that catch scam artists who cheat the system by performing unpermitted work; ripping off unsuspecting consumers; paying employees cash under the table; hiring undocumented workers; and putting workers at risk by not complying with safety regulations. “Unfortunately, the mindset of perpetrators is ‘catch me if you can,’ and by the way, you won’t catch me because it’s like searching for a needle in the haystack.’” By publicizing this type of catch, the message is being sent that enforcement is and will be stepped up and cheating will have consequences,” Carson added. “The bottom line – until these violators are caught and taken to justice, the playing field remains un-level because too many contractors aren’t playing by the rules.”

The California Department of Industrial Relations’ Division of Labor Standards Enforcement (Labor Commissioner’s Office) adjudicates wage claims, investigates discrimination and public works complaints, and enforces state labor law and Industrial Welfare Commission wage orders. Information on the functions of the California Labor Commissioner is available on the DIR website as well as on Facebook and Twitter. Employees with work-related questions or complaints may call the California Workers’ Information Hotline at (866) 924-9757 for recorded information on a variety of work-related topics.

Study: California Tops List of Top 10 States to Work in HVACR

Emerson’s top 10 ranking draws working to keep food safe in northeast population centers,” said Bob Labbett, vice president, marketing, distribution services, Emerson Climate Technologies. “This list is an interesting way to draw attention to the important issue facing our industry – recruiting talented people from across the country to take the place of an aging workforce. Emerson’s top 10 ranking draws on HVACR salary and employment data from the U.S. Department of Labor; trade school locations recognized by the Partnership for Air-Conditioning, Heating, Refrigeration Accreditation (PAHRA); heating and cooling degree days calculated at DegreeDays.net; residential home values from the U.S. Census, and certified contractors by state from North American Techni- cian Excellence (NATE). Emerson also draws upon its own data to look at wholesaler locations and commercial service volumes from its ProAct™ Service Center. Emerson’s Top 10 states to work in HVACR are:


Characteristics of the top states include attractive salaries, training, and sunny days: #1 - California tops the list with more than 2,000 NATE certified technicians, many cooling degree days to drive air conditioning and refrigeration demand, high employment (more than 16,000 HVACR techs, according to the U.S. Dept. of Labor) and some of the highest wages in the country. #2 - Ohio comes in second with fewer sunny days but many more opportunities for training, with the most accredited HVACR schools in the country. The state is also in the Top 10 in the country for number of wholesaler locations. #3 - Florida also offers many HVACR employment opportuni- ties but much lower wages than California. The state boasts a high number of cooling degree days but was edged out by Ohio’s better training environment. #4 - Texas ranks similar to Florida in many areas; both are in the Top 10 states for residential air conditioning sales. However, Texas does not have as much commercial service volume, according to Emerson. #5 - Illinois does not employ as many techs, although they are paid better than techs in the three states above. The state offers more wholesaler locations than Ohio and more commercial business than Texas. In rounding out the Top 10, the next states fall behind in employment, training schools, and cooling degree days, while offering high numbers of certified technicians, large numbers of wholesaler locations, and valuable commercial service opportunities.

For further information about the Top 10 states to work in HVACR, visit Emerson’s Climate Conversations blog at http://emersonclimateconversations.com.

Interview with IHACI President Bob Helbing

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Aeronautical Engineering from the California Institute of Technology. My goal as a boy was to change careers. ICN – How did you get started in the HVAC industry? BH – In addition to being a third-generation engineer, it turns out I’m a fourth-generation contractor. My dad started Air-Tro Heating & Air Conditioning when I was seven years old, so my first experience in the HVAC industry was sweeping out the sheet metal shop on Saturdays to earn my allowance. I worked in the family business off and on before college graduation. When I left aerospace, my dad asked me to...
Bob Helbing
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continue...
Troubleshooting

A 15-Year-Old Furnace and a Follow-Up Carbon Monoxide Investigation

By Jim Johnson
Contributing Editor

In this month’s troubleshooting situation we have a customer who is concerned that the fifteen-year-old gas furnace in their home is emitting carbon monoxide into the living space. A previous check by another technician on the operation of the furnace (shown in Figure One), which is a natural draft unit, proved that the equipment was operating properly relative to combustion and temperature rise, and that the draft pressure in the vent was -.03 WCI. The previous technician also noted that this building was not equipped with a CO alarm.

When you arrive, you note that the building type is a manufactured home situated on a stem wall with a crawl space underneath. You also see evidence that a remodeling project has been recently completed. When you ask the customer for information, they tell you that they recently installed ceramic tile throughout the entire floor space. They also tell you that they watched the previous technician the entire time he was there and the furnace seemed to operate normally, but after he left, they again became concerned about the possibility of carbon monoxide.

When you open the solid door to the small confined-space furnace room and inspect the area, you find only the furnace itself, the furnace vent, and the supply duct plenum that leads to the overhead ductwork in the space above the ceiling. You also confirm that the return ductwork is situated in the crawl space under the floor, and routed directly into bottom of the furnace cabinet. The newly installed ceramic tile covers the entire floor of the furnace room.

Your troubleshooting question:
What did the previous technician miss in evaluating the operation of this equipment?

If you have the correct answer to this month’s troubleshooting problem, please submit it by email to Jim Johnson at icntroubleshooting@techtrainassoc.com or by U.S. mail to Technical Training Associates, HC 70 Box 3172, Sahuarita, AZ 85629. In the subject line, please include “Troubleshooting Answer” and indicate which month the question you are responding to was published. Correct answers will be entered into a drawing and will be eligible to receive a copy of Jim Johnson’s e-book “Preparing For NATE Certification Exams, Volume 1” and a capacitor tester. Test instruments are courtesy of SUPCO.

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Q & A with
IHACI President
Bob Helbing

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benefits that are “exclusive” to IHACI members will be key. Long-term goals include a strong reputation for IHACI as the go-to-source of industry expertise; making certain that our voice is heard in every area affecting the HVAC industry; expanding our education and training efforts; and doing everything possible to level the playing field for C-20 contractors. Much work has already been done, but there is much more to do.

ICN – In your many years in this industry, what are you most proud of?

BH – In 2011/2012, Air-Tro was fortunate enough to be named Readers’ Choice by both the Los Angeles Times and the Pasadena Star-News, as well as being honored as Commercial Contractor of the Year by ACCA. We also saw our business volume finally recover from the depths of the construction collapse caused by the Great Recession, and 2012 was our biggest year ever. We seem to have successfully endured the worst, and good times beckon.

I’m hoping the same good fortune applies to IHACI, its members, and the HVAC industry as a whole. We’ve weathered a big storm, but clear sailing seems ahead.