

Recyclers News Press

Iowa Auto Recyclers

July / August 2016

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Routing Slip

- Owner(s)
- Manager(s)
- Safety Supervisor Environmental Mgr
- Stormwater Mgr
- Bookkeeper



Electronic OSHA Reporting

OSHA believes a change in reporting requirements will improve safety for workers across the country. One important reason stems from an understanding of human behavior and motivation. Behavioral economics tells us that making injury information publicly available will "nudge" employers to focus on safety. More attention to safety will save the lives and limbs of many workers, and will ultimately help the employer's bottom line as well. Finally, this regulation will improve the accuracy of the data by ensuring that workers will not fear retaliation for reporting injuries or illnesses.

The new rule, which takes effect Jan. 1, 2017, requires certain employers to electronically submit injury and illness data that they are already required to record on their onsite OSHA Injury and Illness forms. Analysis of this data will enable OSHA to use its enforcement and compliance assistance resources more efficiently. Some of the data will

also be posted to the OSHA website. OSHA believes that public disclosure will encourage employers to improve workplace safety and provide valuable information to workers, job seekers, customers, researchers and the general public. The amount of data submitted will vary depending on the size of company and type of industry.

The rule also prohibits employers from discouraging workers from reporting an injury or illness. The final rule requires employers to inform employees of their right to report work-related injuries and illnesses free from retaliation; clarifies the existing implicit requirement that an employer's procedure for reporting work -related injuries and illnesses must be reasonable and not deter or discourage employees from reporting; and incorporates the existing statutory prohibition on retaliating against employees for reporting work-related injuries or illnesses.

Continued on page 10...

Thank You to Wilken Auto Salvage and the entire Wilken Family for hosting the 2016 Summer Outing.

A special appreciation is extended to Andy and Sara Wilken for their gracious hospitality at this year's event. This is the second time in recent years that the Wilken family and Wilken Auto Salvage has gone beyond expectation in hosting the Iowa Auto Recyclers at their facilities. The event was a huge success due to their generosity and kindness. See photo review on pages 12-17...

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Recyclers News **Press**

The RECYCLERS NEWS PRESS is published six times per year for the Iowa Automotive Recyclers. None of the material in this publication necessarily reflects the opinion of IAR, its officers, director, staff members or advertisers. Statements of fact and opinion are the responsibility of the author.

IAR Members are encouraged to submit material for publication in the Recyclers News Press. Content may be edited for length with the author's permission.

Deadline for submission is the 20th of the month prior to publication. Send content to Sue Schauls at Schauls3@mchsi.com with a full color graphic when possible.

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Board of Directors Meeting

June 8, 2016—Teleconference Call— 9:00 am

Ace Auto Recyclers Iowa City, IA www.AceAutoRecyclers.com

Action Auto Parts Marshalltown, IA www.action-auto-parts.com

Aikey Auto Salvage Cedar Falls, IA www.AikeyAutoSalvage.com

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Burlington Recycling & Auto Parts Burlington, IA burlingtonrecyclingandautoparts.com

Charlie Brown Auto, Ltd. Creston, IA www.CBAutoLtd.com

Chase Auto Parts Company, Inc. Waterloo, IA www.sunline-chase.com

Don's Auto & Truck Salvage Des Moines, IA www.DonsAutoTruck.com

Grab & Go Auto Salvage, LLC Spencer, IA www.grabandgosalvage.com

Members present: Brad Osborn, Eric Piper, Joel McCaw, Andy Wilken, Tom Quandt, Pat Rooff, Jordan Barkow, Mike Davidson, Brent Nugent, Jodi Kunde, Sue Schauls and Jeff Smid.

Anti-Trust reminder, called to order and roll call By Brad Osborn, President 9:03 am.

The purpose of the Board of Directory Conference call was to discuss the terms of the Lobbyist contract for 2016 and 2017. Jim Piazza Jr. had presented his contract for continuation of the services provided.

The Board members discussed the current terms as being the same as the previous agreement for legislative year 2015. The annual review of the lobby contract also facilitates the discussion on the next year's legislative agenda. A meeting was set with Jim to discuss.

Legislative priorities are set and reviewed with Jim to determine the level of effort required to meet our goals. Having passed the lowa NMVTIS/Affidavit In Iowa rule in 2015 left many unanswered questions as to the effort needed to push the DOT to get the rules written and out for review.

The preliminary draft did not complete the task and only raised more questions.

Additionally some new interpretation of the rebuilder salvage theft exam has raised more issues. The members will be asked to gather thoughts at a conference call on June 28th.

Respectfully submitted,

1eff Smíd

Jeff Smid, Secretary



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Iowa Automotive Recyclers

Member & Board of Directors Meeting

June 28, 2016—Teleconference Call—5:15 pm

Members present: Brad Osborn, Eric Piper, Pat Rooff, Jordan Barkow, Mike Davidson, Joel McCaw, Andrew Galinsky, Gary Galinksy, Tania Hunt, Mike Swift, Clyde Lems, Jim Piazza and Sue Schauls.

The Iowa Automotive Association Board of Directors called a meeting of all IAR members that have concerns about REBUILDERS and specifically about the recent changes in procedures by DOT for SALVAGE THEFT EXAMS.

In response to calls from our membership, Jim Piazza Jr. for IAR has requested written response from the DOT regarding what is perceived as recent changes in its policy regarding the treatment of salvage title vehicles, the salvage title exam process and subsequent issuance of a Prior Salvage Title.

The main concern was the recent change requiring hail damage to no longer be exempt from the salvage theft exam procedure. The DOT responded that they were in error for having allowed the exemption in the past. All cars must now be fully repaired to pass a salvage theft exam.

At issue was also the continued increase to the registration fees based on the NADA value of the car as opposed to the cost of the vehicle. We had voiced our opposition to this evaluation process in the past and it has come up again.

In the response to Jim's inquiry the DOT also estimated the NMVTIS Rules to be drafted and available for public comment in July.

The members present compiled a list of concerns to present to the lowa DOT. See list on next page.

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> Hulett & Son Auto Salvage Creston, IA

> > Jeff Smid Auto, Inc. Davenport, IA www.JeffSmidAuto.com

Jerry Carney & Sons Ames, IA www.CarneyAutoParts.com

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Respectfully submitted,

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Member & Board of Directors Meeting

June 28, 2016—Teleconference Call—5:15 pm

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Nugent Auto Sales & Salvage, Inc. Maquoketa, IA www.NugentAutos.com

Osage Auto Salvage Osage, IA http://osageautosalvage.com

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Quandt Auto Salvage, Inc Carroll, IA www.QuandtAutoSalvage.com

Sam's Riverside Auto & Truck Parts Des Moines, IA www.SamsRiverSide.com The members present compiled a list of concerns to present to the lowa DOT. 1) Written rules and promulgation of lowa NMVTIS/Affidavit Rule as passed in 2015. 2) Removal of hail damage exemption without statutory changes to salvage theft exam. 3) Using NADA book value for rebuilt salvage vehicles that have at best 50% of book value. Cost of parts is a fair value as "elbow grease" has not historically been taxed.

Some solutions discussed included:

a) Removing physical examination for licensed recyclers and replacing with a VIN check of parts through NMVTIS by the courthouse staff. Make the assumption that a licensed business entity with unlimited access to used auto parts are not engaged in stolen parts usage b) Review with the Legislators their stance that book value vs price paid for valuation for road use tax. Rebuilt vehicles should not be singled out, either change the rule for all registrations or none c) Participate in the DOT rewriting the definition of Salvage Vehicle in Iowa.

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SUE SPEAKING

From desk of the Executive Director

Thank you to all who attended and supported the 2016 Summer Outing. What an event we had despite the wet weather which turned out to be the norm so far this summer. Look for highlights in the center section of this newsletter and also online at www.iowaautomotiverecyclers.com/Events.html I can't thank Sara & Andy Wilken and the entire Wilken crew enough for hosting the event at their facility with such generosity and personal attention.

THANK YOU to Lloyd Van Horn, the Van Horn family and crew for opening their facility for a tour of the yard and the museum. I had to laugh when the bus driver called me to say "I keep dropping people off at Van Horn's place but nobody is getting back on the bus. They just keep pouring in!"

They did eventually make their way to the BBQ and dance and a good time was had by all. The surprise special guests were the Walrod family too. Mike "Wombat" Walrod gave a nice speech to kick off the auction. It was good to spend time with our friends as they retire from Hawkeye Auto Salvage, De Soto, lowa and we wish the new owner well.

It was also fun to listen to Bud Walrod chime in at the lunch honoring Lloyd Van Horn during the program with Lloyd telling us about his start the golden era of auto recycling and John Vander Haag backing him up in the memories of the bygone days when auto recycling was fun! I hope that we can experience that again soon!

Sanborn Auto, Inc. Sanborn, IA

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Iowa Automotive Recyclers was recently licensed to conduct raffles in the state to raise fund for our special programs. The annual educational scholarship program and the Charitable Chariots program run through Northwest Community College in Sheldon, Iowa will receive a boost in funding through the raffle.

Board member, Pat Rooff, Pat's Auto Salvage, in Waterloo, Iowa and associate member Dan Miller, Legends Smelting & Recycling, Joliet, IL spearheaded the idea to run a gun raffle. Pat used his expertise and local connection to pick out a quality rifle at special pricing to add value to the project. And if the winner doesn't want the shotgun then they can receive a gift certificate for the full amount of the value at \$2150.

Ticket are on sale now for only \$5 each or 6 for \$25 form any Board of Director Member or the IAR office staff by telephone at 319-290-7843 or with an email to Sue.Schauls@gmail.com. Member can also request packets of tickets to sell from Sue. The drawing will be held at the September 21, 2016 Board meeting in Des Moines.



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> Wilken Auto Salvage Britt Britt, IA www.wilkenandsons.com

Wilken Auto Salvage Iowa Falls



OSHA Calls for Employers to Electronically Submit injury and illness data records

These provisions become effective August 10, 2016, but OSHA has delayed their enforcement until Nov. 1, 2016 in order to provide outreach to the regulated community.

The new reporting requirements will be phased in over two years: Establishments with 250 or more employees in industries covered by the recordkeeping regulation must submit information from their 2016 Form 300A by July 1, 2017. These same employers will be required to submit information from all 2017 forms (300A, 300, and 301) by July 1, 2018. Beginning in 2019 and every year thereafter, the information must be submitted by March 2.

Establishments with 20-249 employees in certain high-risk industries INCLUDING AUTOMOTIVE AND METAL RECYCLERS must submit information from their 2016 Form 300A by July 1, 2017, and their 2017 Form 300A by July 1, 2018. Beginning in 2019 and every year thereafter, the information must be submitted by March 2.

OSHA State Plan states must adopt requirements that are substantially identical to the requirements in this final rule within 6 months after publication of this final rule.

ARA has been keeping tabs on the developing issues related to forcing electronic reporting in such as short timeframe too.

Significant Updates on OSHA's New Injury and Illness Reporting Rule

The National Association of Manufacturers (NAM), of which ARA is a member, filed a lawsuit to block the new Department of Labor's Occupational Safety and Health Administration's (OSHA) rule requiring electronic filing of injury and illness reports.

OSHA finalized and published its long anticipated new rule entitled "Improve Tracking of Workplace Injuries and Illnesses".



OSHA Calls for Employers to Electronically Submit injury and illness data records

The rule will require the electronic submission of injury and illness reports which will be made publicly accessible. In addition, the rule contains antiretaliation provisions that must be communicated to employees.

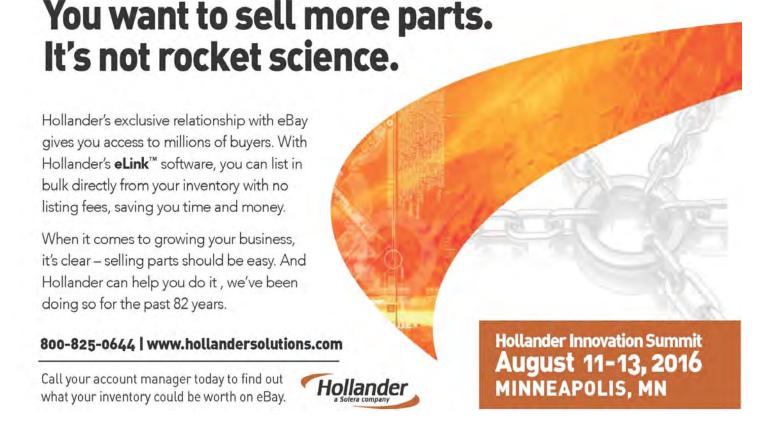
In a press release NAM stated that "Not only does OSHA lack statutory authority to enforce this rule, but the agency has also failed to recognize the infeasibility, costs and real-world impacts of what it preposterously suggests is just a mere tweak to a major regulation."

NAM is seeking a preliminary injunction to prohibit OSHA from implementation of the rule. On the day following filing of the NAM lawsuit, OSHA announced a delay for enforcement of a key provision. Employees of all size firms will have to be informed that they not only have the right to report a work-related injury but they also cannot be retaliated against for making such a report.

This requirement was delayed until November 1, 2016 rather than the original August 10, 2016 deadline. OSHA staff said that they will produce educational materials and enforcement guidance for this provision.

ARA will continue to monitor and report on this and any other regulations that are issued, in the remaining days of this Administration.





2016 Summer Outing Thank You Wilken Auto Salvage and Wilken Family



2016 Summer Outing Thank You Wilken Auto Salvage and Wilken Family



2016 Summer Outing Thank You Van Horn Auto Parts and Van Horn Family

Terry Van Horn Retreat—Unfortunately due to weather we were unable to enjoy the retreat area during the Summer Outing 2016. Terry provided pictures so all can see the area now. Thanks Terry!!!





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2016 Summer Outing

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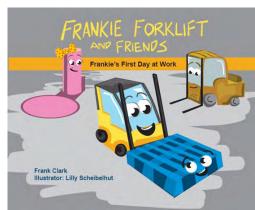
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Kabele Truck & Auto Parts Spirit Lake, IA www.Kabele.com

Legend Smelting & Recycling Joliet, IL www.LegendSmelting.com

LKQ Corporation Chicago, IL www.LKQCorp.com **Frankie Forklift and Friends** is a children's book that revolves around Frankie's adventures in a warehouse and will introduce additional characters along the way. All the characters come from author Frank Clark's 25 years experience in the Forklift truck/material handling industry. His inspira-

tion though, came from 5 year old twin boys. "At night before they would go to bed, I would make up different stories. One of those stories had to do with Frankie Forklift. On the weekend, I would sometimes bring them up to our warehouse where we had lots of forklifts and they would point at one and call it Frankie...One night, one of my boys asked if I could read them a book about Frankie and Frankie Forklift and Friends was born." Frank said.



<u>Frankie's First Day at Work</u> is about Frankie going to work on his first day and about how excited he is to work with Tony. He meets a friend from warehouse school, Petee Pallet and is introduced to a new friend named Sally Shrinkwrapper. There are several indirect lessons taught such as brush your teeth and pick up your toys to direct lessons taught like "When you try to finish your work to fast, you make mistakes. Slow down and do it right the first time" and "always ask your friends for help."

The Second book of Frankie Forklift and Friends is called <u>Frankie Unloads</u> <u>His First Truck</u> and will focus on Frankie being afraid of the dark and trying new things. The is goal to introduce the material handling industry to kids while using these unique characters to teach simple life lessons. Purchase Frankie Forklift and Friends at <u>Frankieforklift.com</u> for \$13.95 or Downloadable Coloring Pages for Kids for free. Publisher – Wimmer Books, Memphis TN – Copyright 2015.



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When you're working in the heat, safety comes first. With the OSHA Heat Safety Tool, you have vital safety information available whenever and wherever you need it - right on your mobile phone. Download the iPhone or Android version at https://www.osha.gov/SLTC/heatillness/heat_index/heat_app.html

The App allows workers and supervisors to calculate the heat index for their worksite, and, based on the heat index, displays a risk level to outdoor workers. Then, with a simple "click," you can get reminders about the protective measures that should be taken at that risk level to protect workers from heat-related illness. Reminders about drinking enough fluids, scheduling rest breaks, planning for and knowing what to do in an emergency, adjusting work operations, gradually building up the workload for new workers, training on heat illness signs and symptoms, and monitoring each other for signs and symptoms of heat-related illness.

To prevent heat related illness:

Drink water every 15 minutes, even if you are not thirsty. Rest in the shade to cool down.
Wear a hat and light-colored clothing.
Keep an eye on fellow workers.

See signs of heat illness and what to do in an emergency.

"Easy does it" on your 1st days of work in the heat. You need to get used to it.

Working in full sunlight can increase heat index values by 15 degrees Fahrenheit. Keep this in mind and plan additional precautions for working in these conditions. The **OSHA Heat Tool** is available in English and Spanish for Android and iPhone devices. **Stay informed and safe in the heat, check your risk level.**

For more information about safety while working in the heat, see OSHA's heat illness webpage at https://www.osha.gov/SLTC/heatillness/index.html, including new online guidance about using the heat index to protect workers at https://www.osha.gov/SLTC/heatillness/heat index/index.html.

Safety Subscription

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ARA Updates

Industry news from the national association

ARA Attends Right to Repair Roundtable

ARA CEO and staff attended and participated in a Roundtable focusing on fair repair efforts on both the state and federal level. The meeting was hosted by the CEO of iFixit, who is spearheading the grassroots ing to Automotive News. The legislation would have movement on right-torepair for software and electronics. "Fair Repair" legislation for the sale of electronic equipment is currently active in four states: MA, MN,

NB, NY. Attendees for the Roundtable included representatives from the Institute of Scrap Recycling Industries (ISRI), a lawyer representing libraries, and the Owners' Rights Initiative, a Public Knowledge lawyer and an intellectual property attorney.

In recent media reports, Apple

and other electronic manufacturers have been active- noted that while the bill's intent may have been ly resisting the "right to repair" legislation. Specifically this legislation would require electronic device manufacturers to provide repair and software update information to individuals and independent businesses. According to the Executive Director of The Repair Association, "Recyclers need the same information as repair techs in order to easily de-manufacture products for processing".

The Roundtable enabled all present to discuss their respective industries and begin to brainstorm a path forward on the issues of ownership rights and "...how copyright law impacts everyone from farmers to security researchers to tinkerers." The U.S. Copyright Office, a division with the Library of Congress, considers exemptions to current law for non-infringing activities such as repair. In comments to the Copyright Office last year, the auto industry submitted statements that vehicle ownership is actually "an implied license for the life of the vehicles to operate the vehicle", i.e., questioning the idea of ownership. ARA will continue to engage with various stakeholders to help educate legislators, regulators and the general public on the importance of making original equipment part numbers along with repair and service data damage available to independent operators and consumers.

Michigan Governor Vetoes Bill **Limiting Access to Parts**

Michigan Governor Rick Snyder has vetoed legislation that would have increased costs to consumers by limiting access to aftermarket repair parts, accordallowed body shops to only use new or recertified parts from the original manufacturers in vehicle repairs during the first five years of the vehicle's war-

> ranty. The legislation identified major parts to include engines, transmissions, fenders and airbags. The Governor said he vetoed the legislation because consumers would be negatively impacted by higher auto insurance costs which he said "are already too high." Governor Snyder

aimed at consumer safety, its impact would limit the use of aftermarket parts designed to particular vehi-



More than 75,000 NC Vehicles **May Have Fraudulent Titles**

More than 75.000 North Carolina vehicles may have fraudulent titles, according to WLOS-TV Ch. 13 in Asheville, N.C. Channel 13 cited a report from Carfax, and the station said the state could stop the situation but doesn't because it fails to use a federal information database. The station cited several instances where vehicles were branded as salvage (where repairs are more than 75 percent of value) in New York, Tennessee and Virginia but were wiped clean when they arrived in North Carolina. According to the report, North Carolina is the second-worst in the nation behind New Jersey for vehicle titlewashing. They further said that the problem highlighted a gap in the state's DMV system. Here is a link to the complete story: http://wlos.com/news/local/news- 13-investigates-75000-nc-car-titles-washed-clean-of-

Used Car Dealer Education

Must Take 5 Hour Class by 12/31/2016 for Renewal

Professional Solutions Clive, IA www.psis-ins.com

QRP Salvage Solutions Tomahawk, WI www.qrp1source.com & www.QRPVMS.com

Recyclers Power Source Spirit Lake, IA recyclerspowersource.com

S & L Auto Parts, Inc. Newton, IA

Shine Bros. Corp. Spencer, IA www.shinebros.com

Sioux City Compressed Steel Sioux City, IA www.CompressedSteel.com

The Locator Magazine Whiting, IA www.PartsLocator.com

The Used Car Dealers 5-hour continuing education class must be taken by 12/31/16. Classes start in June of 2016. Classes will again be held at the community colleges throughout Iowa. See schedule www.iowaiada.com

ENVIRONMENTAL, **HEALTH & SAFETY COMPLIANCE FOR AUTO DEALERS/RECYCLERS**. Training for the new OSHA rules for Hazard Communication governing shops with employees and workplace chemical products in use will be provided to assist automotive facilities with the required transition to the New SDS format, safety training and environmental compliance. This class will be of assistance to auto dealers who have a service department, body shop and auto recyclers. Learn your responsibilities under the Iowa DNR, EPA and OSHA requirements. Dealer updates from the Iowa DOT, Consumer Protection Division of the Iowa Attorney General's office and other state and federal agencies provided. *Trainer: Sue Schauls*

Other session topics available include: **THE NUTS, THE BOLTS, THE BASICS**, (class will review dealer license laws, title and registration requirements); **BUY HERE PAY HERE**, (class will provide dealers with an overview of procedures and regulations for BHPH dealers in lowa); **LEGAL AND COMPLIANT GUIDANCE FOR DEALER ASSISTED CONSUMER**, (class will assist dealers offering lending sources to their customers).

Class schedules are being finalized. Class locations, class time and course numbers will be posted on the IIADA website at www.iowaiada.com and will be included in Street Smart magazine throughout 2016.

Friday, August 5, 2016 Eastern Iowa Community College - Davenport

Friday, August 11, 2016 North Iowa Area Community College NIACC - Mason City

Friday, August 18, 2016 Southeastern Community College - Burlington

Friday, September 16, 2016 Iowa Valley Community College - Marshalltown

Thurs, September 22, 2016 DMACC Southridge - Des Moines

Thurs, October 6, 2016 South Western Community College — Creston

Friday, October 21, 2016 Northwest Iowa Community College - Sheldon

Friday, November 4, 2016 Indian Hills Community College - Ottumwa

Friday, November 11, 2016 North East Iowa Community College - Dubuque

Friday, November 18, 2016 Hawkeye Community College - Cedar Falls

Tuesday, November 22, 2016 Western Iowa Tech - Sioux City

Tuesday, November 29, 2016 Kirkwood Community College- Cedar Rapids

Friday, December 2, 2016 Iowa Western Community College - Council Bluffs

Friday, December 9, 2016 Scott Community College- Davenport

Friday, Dec. 16, 2016 Des Moines Area Comm College Southridge - Des Moines



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