





## News From The Apprentice School...

By ED BOGDAN, Apprentice Training Coordinator

Financial reports from the JATC Committee for February, 2011, indicate that Ordinary Income of \$92,300.26 plus Investment Income of \$43,128.34 minus Expenses of \$408,384.56 have yielded a Net Income of (\$272,955.96).

For the Fiscal Year-to-Date, Ordinary Income of \$225,088.71 plus Investment Income of \$66,773.47 minus Expenses of \$514,744.36 have yielded a Net Income of (\$222,882.18). The Fund Value as of 2/28/11 was \$4,467,076.52.

## HIRING INDEPENDENT CONTRACTORS *Continued From Page 1...*

result of the work done -- and not the means and methods of accomplishing the result -- then your workers are probably independent contractors.

- 7.** Employers who misclassify workers as independent contractors can end up with substantial tax bills....and face penalties for failing to pay employment taxes and for failing to file required tax forms.
- 8.** Workers can avoid higher tax bills and lost benefits if they know their proper status.
- 9.** Both employers and workers can ask the IRS to make a determination on whether a specific individual is an independent contractor or an employee by filing a Form SS-8 (Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding) with the IRS.
- 10.** You can learn more about the critical determination of a worker's status as an Independent Contractor or Employee at [IRS.gov](http://IRS.gov) by selecting the Small Business link. Additional resources include IRS Publication 15-A, Employer's Supplemental Tax Guide, Publication 1779, Independent Contractor or Employee, and Publication 1976, Do You Qualify for Relief under Section 530? These publications and Form SS-8 are available on the IRS Web site or by calling the IRS at 800-829-3676 (800-TAX-FORM).

*Jim Weber, CPA, often addresses construction industry contractor groups, including National FCA and the LMCI, and is renowned for delivering serious business information with a sense of humor. He appeared as Keynote Speaker at FCAC's "SURVIVING TOUGH TIMES!" seminar last September at Maggiano's in Chicago. For more information, contact him at: [jweber@weberobrien.com](mailto:jweber@weberobrien.com). His firm, Weber O'Brien, Ltd., has a new construction website at: [www.constructionindustrygroup.com](http://www.constructionindustrygroup.com).*

## BARGAINING UNIT WORK

For "bargaining unit work," the analysis (at left) related to "independent contractor" status normally is not the primary issue for employers who are Signatory to the FCAC contract with Painters District Council No. 14. This is because the Collective Bargaining Agreement specifically prohibits employers from subcontracting bargaining unit work to another entity not bound by the Contract with PDC14. The purpose of this provision is to ensure that all bargaining unit work under the control of a Signatory Employer is subject to all wage and benefit obligations in the Association's Contract.

Whether or not someone performing bargaining unit work is an independent contractor under IRS rules does not change the fact that hours spent on bargaining unit work remain subject to the working conditions set forth in FCAC's Contract with the Union.

As a practical matter, such "independent contractor" issues are thus not directly relevant for persons who perform bargaining unit work. However, independent contractor IRS concerns do remain relevant for all other persons not performing bargaining unit work.

## 2011 FCAC & PDCA Meetings & Events



- National FCA Annual Council**  
*June 15-18, 2011, Doubletree Inn, Chicago*
- 2011 PDCA Golf Classic**  
*June 17, 2011, Ruffled Feathers Golf Club, Lemont*
- Finishing Industry Forum**  
*October 30 - November 2, 2011, Caesar's Palace, Las Vegas*

You have a great additional opportunity to attend National FCA's excellent Annual Council meetings being held downtown in Chicago earlier in that same week, so I heartily suggest that you register with FCA on-line at: <http://www.finishingcontractors.org/events-education/2011-annual-council>

On another topic, we are still hard at work on planning new educational Seminars for 2011, and focusing just now on one

featuring nationally-recognized expert construction industry speaker Mark Breslin. As a heavyweight in this field, Mark commands a hefty speaker fee . . . so we are exploring the possibility of partnering with our sister organizations CISCO (Construction Industry Service Corporation) and PAMCANI (the Plumbing and Mechanical Construction Authority of Northern Illinois) as well as other trade association and

Union-based organizations in the Greater Chicago area to build support, attendance, and the financial wherewithal to sustain a major educational event for the benefit of all. We expect this effort to bear fruit by mid-Summer at a centralized location easily accessible from anywhere in Chicagoland. Watch this space for more news!

All the Best...

*Tam*