

# tmta talk

A publication of the Tooling, Manufacturing & Technologies Association



**FROM ROB'S ROOST**  
By ROB DUMONT  
PRESIDENT & CEO

## Part of the Solution OR Part of the Problem!!

I remember when the thought of a million dollars was quite significant; the U.S. Congress just passed legislation carrying a price tag of \$850 billion in the hope that the "CREDIT CRISES" will be resolved. Nothing is to be gained or added by offering my views on the propriety of Congress having done so. There is another side to the Credit Crisis; it is the Debt Crisis—this year we will have gone some \$800 billion deeper into the red!

The TMTA has been part of a group who has put together a one page document that sets out the problems in the economy quite precisely and, at the same time indicates actions that our legislative and Presidential candidates should commit to. Enclosed with this edition of **TMTA Talk** is a copy of that document. Use it, if you like, as a good guide to questions you might pose of your candidates should you have the opportunity to speak to her or him. You might urge them to indicate a willingness to support the five points that conclude the document. If a candidate is unwilling to commit support—we'll draw your own conclusion(s)!



You needn't feel any qualms in terms of catching a candidate by surprise as they will have shortly received a copy themselves. Add to that the stark reality that in August of this year the U.S. job force saw a reduction of 84,000 jobs only to be surpassed in September by an additional loss of 159,000 jobs, the steepest one month decline in five years. That is potentially a lot of disgruntled, if not outright enraged, voters!

*(Rob's Roost continues on Page 7)*

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## tmta Calendar of Events

### October 2008

<b>13</b>	Columbus Day - Federal Holiday
<b>15</b>	TMTA Board of Directors meets at TMTA offices
<b>16</b>	MTMIC Annual Meeting at Red Run Golf Club
<b>11/2</b>	Daylight Saving Time Ends Set clocks back 1 hour
<b>11/4</b>	Election Day - Remember to Vote! 

Visit [www.thetmta.com](http://www.thetmta.com) for detailed,  
up-to-date information on all events.

## TMTA MARKETPLACE

### Personnel Available:

**Technical Sales and Program Management Professional** seeks position utilizing more than 15 years successful experience and the proven ability to oversee purchasing, increase sales, develop and launch complex programs on time as well as create and execute new business plans. Highly motivated team player/leader with experience in an international environment. Strong interpersonal and analytical skills. Bilingual in German.

Ask for Resume #08-10.

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**Program Administrator** seeks position utilizing experience in leadership, problem solving, purchasing support and supplier management. A detail oriented, self starter with excellent communication skills and a track record of completing sensitive projects on time and within budget.

Ask for Resume #08-11.

## WELCOME NEW TMTA MEMBERS

We would like to take this opportunity to welcome the following new member to the Tooling, Manufacturing & Technologies Association:

- ❖ **AKA-LLC** located in Livonia, MI, they specialize in CAD design, scanning, servicing and CAD creation.



### Expand Your Benefit Offerings With Blues Dental and Vision Voluntary Products

Next to medical coverage, employees rank dental and vision care as favored benefits in a compensation package. The problem is that today's employers can't always afford to add dental and vision to their benefit packages. The solution? Blues voluntary dental and vision products: Blue Dental Choice<sup>SM</sup> and Blue Vision Choice<sup>SM</sup>.

Voluntary products are additional benefits employers can offer to their employees to enhance their corporate image in attracting and retaining top talent at little to no cost to themselves. Meanwhile, employees have the option of purchasing group discounted coverages and paying for it using pretax dollars.

Voluntary products are becoming more popular. In 2006, 7 million more Americans received dental benefits than the year before, and voluntary dental products are a primary reason why, according to the Dental Economics group. A survey by Health Allies found that 86% of employees would pay for access to discounted services that aren't offered as a core health benefit. Today's employees understand that employers often can't afford many benefits beyond basic medical care and they appreciate the opportunity and value of discounted health care services being offered to them.

Both the Blue Dental Choice and Blue Vision Choice plans are pool-rated, separate from a group's medical plan, and there are no group size or minimum participation requirements as long as the group retains its medical coverage with the Blues.

For more information or to add these voluntary benefits to your company's benefit package, contact Dennis Campbell at 248-488-0300, ext. 1313.

### No Hospital Pay for Medical Errors

Effective October 1, 2008, Medicare is no longer reimbursing hospitals for the treatment of certain conditions that could reasonably have been prevented. In addition, Medicare is reviewing Medicare coverage for three "never events" (events that should never occur in a hospital under any circumstance). This move is expected to save Medicare \$12.5 million annually. The policy also prevents hospitals from billing patients directly for the costs generated by these medical errors; the hospital must absorb all costs.

In response to the Medicare services reimbursement rule changes, the Blues new Serious Adverse Events formalizes a policy the Blues already has in place under exiting Participating Hospital Agreement and provider contracts. They will also cease paying hospitals for costs incurred for medical care errors

for the same events as Medicare as detailed below:

- ▶ Foreign objects left in the body after surgery.
- ▶ Hospital acquired injuries including:
  - Falls and fractures;
  - Dislocations;
  - Intracranial and crushing injuries; and
  - Burns and electric shocks.
- ▶ Catheter-associated urinary tract infections.
- ▶ Air embolism.
- ▶ Administration of incompatible blood.
- ▶ Pressure sores (decubitus ulcers) stages III & IV.
- ▶ Vascular catheter-associated infections.
- ▶ Surgical-site infections following bariatric surgery and orthopedic procedures.
- ▶ Mediastinitis (an infection in the chest) following coronary artery bypass surgery.
- ▶ Manifestations of poor glycemic control including:
  - Hypoglycemic coma;
  - Diabetic ketoacidosis; and
  - Secondary diabetes with ketoacidosis or hyperosmolarity.
- ▶ Deep vein thrombosis or pulmonary embolism.
- ▶ Never Events:
  - Surgery performed on the wrong patient.
  - Surgery performed on the wrong surgical part.
  - Wrong surgery performed on a patient.

The New York Times reports that the patient safety movement picked up steam in 1999 when the Institute of Medicine estimated that almost 100,000 Americans died each year from preventable medical errors. In the long run, as the list of conditions is expanded and more insurers follow Medicare's lead, the savings could be substantial. The most important benefit will come if these new rules persuade hospitals to work harder to prevent errors and protect patients.

#### Certification of Creditable (or Non-Creditable) Coverage Due November 14th

One of the provisions of the federal Medicare Modernization Act of 2003 requires employers that provide prescription drug coverage to either active employees or retirees eligible for Medicare (part A or B) provide to those employees a Notice of Creditable (or Non-Creditable) Coverage no later than November 14<sup>th</sup> of each year.

The disclosure notice must be filed on an annual basis or upon any change in the plan's creditable coverage status. If a prescription drug plan either terminates or implements a change that affects its creditable coverage

*(Health News continues on Page 6)*



After months of work on the alternative energy package that kept a lot of Lansing lobbyists gainfully employed, the package has finally passed the Legislature.

Governor Jennifer Granholm and Democrats claim it will create 30,000 new jobs, although Senate Majority Leader Mike Bishop (R-Rochester), who ultimately supported it, was skeptical. Senate Bill 213 and House Bill 5524, which were tie-barred, both were passed into law.

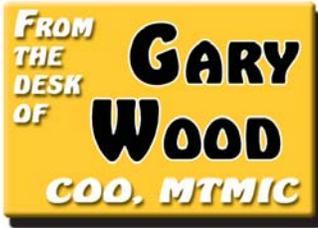
Senate Bill 213, which created new alternative energy goals and a projected \$200 million energy efficiency program, passed 83-24 in the House. The Senate voted 26-10.

The House voted 78-29 on House Bill 5524, which guarantees DTE and Consumers Energy 90 percent of the future energy market and ends industry's subsidies of consumers' rates. House Bill 5524 passed the Senate, 25-11.

Senate Bill 213 ballooned from 9 pages to 102. It ended up encompassing a 10 percent mandated Renewable Portfolio Standard (RPS) by 2015, which includes solar, biomass, wind, hydro, geothermal, municipal solid waste and landfill gas. Consumers must build or purchase 200 megawatts of new renewable energy by 2013 and 500 mw by 2015. DTE has to build or purchase 300 mw by 2013 and 600 mw by 2015.

The cost cap for renewables is \$3 per month for residential, \$16.58 per month for commercial secondary and \$187.50 for commercial primary or industrial. If providers don't meet the RPS, they can't recoup the cost of purchasing renewable energy credits from ratepayers.

There is \$40 million in consumer tax credits for energy efficiency. And there's a net metering provision that allows consumers to sell energy back on the grid. The controversial deskewing provision means business will no longer subsidize consumer rates. That's capped at 2.5 percent over five years. The bill provides a 25 percent income tax credit to residents for rate increases due to the RPS for the first three years. The bill also requires utility companies to clearly list the cost of RPS fees on customer bills.



## Form 100

Last week we received a letter from the state of Michigan indicating that they will no longer accept our Form 100, "Notice of Injury", unless the form is typed in at least 10 point type and entirely legible. On the surface that may not seem like a big deal, but, if you are on this end of the form, it is nearly impossible in some cases to read the simplest of information off these documents.

The state is apparently going to a paperless format and the scanned handwritten documents do not scan in a readable manner and we have to fix the problem. Frankly, I am not surprised by the state's requirement; I have been in this business since 1971 and I cannot even begin to estimate how much time my staff and I have spent trying to decipher the hand written forms we receive.

The state has tried to make your life easier by offering a "fill-in" form online at: [www.michigan.gov/documents/wca WC-100 fillin 121830 7.pdf](http://www.michigan.gov/documents/wca_WC-100_fillin_121830_7.pdf). We also offer a fill-in form on our website [www.MT-MIC.com](http://www.MT-MIC.com) in the "resources" section under "forms".

If you do not have internet access, we provide a copy of the Form 100 on our CD, or, if that does not get you the answer, we can also provide a hard-copy to you either through the mail or by fax.

In addition to the readability of the form, many of the policyholders do not file the form in a timely manner which is another problem altogether and I would be redundant to the nth degree if I were to mention it one more time.

File the Form 100 in an approved 8.5" x 11" format, in a timely manner and you will save us all a lot of energy. This is not an idle threat that the state has made, they have already begun to reject forms that they cannot read and this could delay payments to providers and employees.

## MTMIC Board of Director's Election

The results of the election are in and the new Directors will be announced at the Annual Meeting on October 16, 2008. Over 130 ballots were cast for the three year term.

The Board has determined that the Nominating Committee will remain an active committee throughout the year and begin the interview process far in advance of the actual nominating procedure. The Board meets monthly for several hours and has long provided an outstanding service to the manufacturing community.

Those that ran for the office included: Bobby Cox, the president of **Acorn Stamping**, Jerry Decker, the president of **Precision Boring**, Dennis Haller, the president of **Haller International Technologies, Inc.**; and Charles Seitz, vice president of **Steel Master Transfer**.

## New for 2009

The MTMIC is filing with the state of Michigan to allow a new payment plan for those companies that are involved with ACH payment plan. As soon as the state authorizes us, we will offer 12 equal monthly payments to those policyholders that sign up in advance. Those policyholders that continue to pay by check will continue to have the option to pay estimated premium 100% up front or will be offered ten equal payments. As usual, all estimated payrolls will be audited at the end of the policy period.

The state will also be considering our request to lower our minimum premium threshold to \$1,500. There are several



policyholders that are below the current \$5,000 minimum but must pay that amount to remain with the MTMIC for workers' compensation coverage. The interesting thing is that we are still cheaper for the coverage than they can find elsewhere.

One further request with the state involves filing for rates in classifications which we have not been actively pursuing. When we specialized in just tool and die shops, we became very competitive in those categories of coverage. The state did not permit us to stray from those classifications and we did not have a rate filed for many businesses with operations dissimilar to those already in our group. When the new rates are filed, we will be more competitive in many different manufacturing and technology based businesses.

#### Michigan Plastic Processors Association

The Michigan Plastic Processors Association (MPPA) has been operating a self insured group fund for many years and MTMIC has not, due to the type of operations, been involved in that line of business. We have had preliminary conversations with the MPPA and they have voted to disband their group effective January 1, 2009. Their various employers, at a meeting on September 26, 2008, elected to endorse the MTMIC as the designated carrier to offer quotes for renewal to the MPPA membership. There is nothing requiring that they move their business to the MTMIC, but we have come to an agreement which would be beneficial to their members and staff going forward as the replacement provider of workers' compensation for their group

This is good news for MTMIC as we have an opportunity to grow our policyholder base with a very good book of business that is attuned to our way of handling claims and loss control. The sales and marketing staff of MTMIC has successfully increased our policyholder base by an additional 10% over the last year, so you can see that we are on our way to obtaining the Board's desired result when we converted the MTA WCF from a group fund to a mutual insurance company.

#### Renewal Questionnaires and Payroll Estimates

We have distributed our renewal questionnaires and have received a large percentage of the required responses. If you have not sent your reply in, we will have to phone you to remind you, etc., etc. and eventually, if you do not respond, we will have to guess what numbers you would have put down. Then, when you see what we

guessed, you will call and make the appropriate change after the policy has been issued. Let's cut out the extra work and get those estimates in now!

**~~Material Handling is Our Most Frequent Cause of Injury~~**



## Inflation Talk

### CPI-W Urban Wage Earners and Clerical Workers

Month	82-84	1967	57-59
<b>August 2008</b>	<b>215.247</b>	<b>641.155</b>	<b>745.66*</b>
July	216.304	644.303	749.32*
June	215.223	641.082	745.57*
May	212.788	633.830	737.14*
Apr	210.698	627.606	729.90*
Mar	209.147	622.985	724.53*
Feb	207.254	617.345	717.97*
Jan	206.744	615.828	716.20*

### CPI-U All Urban Consumers

Month	82-84	1967	57-59
<b>August 2008</b>	<b>219.086</b>	<b>656.284</b>	<b>763.25*</b>
July	219.964	658.915	766.31*
June	218.815	655.474	762.30*
May	216.632	648.933	754.70*
Apr	214.823	643.515	748.40*
Mar	213.528	639.636	743.88*
Feb	211.693	634.139	737.49*
Jan	211.080	632.301	735.36*

**Note: August 2008 CPI-W represents a 5.9% increase from one year ago; CPI-U a 5.4% increase.**

\* Base Year 1957-59 is no longer released. BLS has issued the following conversion factors from the 82-84 year:

CPI-W — .2886674    CPI-U — .2870447

# ADA Amendments Act Signed into Law

President Bush signed the ADA (Americans with Disabilities Act) Amendments Act into law on September 25, 2008. The ADA is the nation's first comprehensive civil rights law prohibiting discrimination against individuals with disabilities in employment, public services, public accommodations and telecommunications. The ADA Amendments Act (ADAAA), which takes effect January 1, 2009, restores the ADA to its original intent and protection and more clearly defines "disability" under the law.

The ADAAA states that the definition of disability should be construed in favor of broad coverage of individuals under the ADA, to the maximum extent permitted by the terms of the ADA. It amends the ADA to further define and clarify three critical terms within the existing definition ("substantially limits", "major life activities", and "regarded as" having such impairment), and, under the rules of construction for the definition, adds several standards that must be applied when considering the definition of "disability". The law rejects U.S. Supreme Court precedent holding that the terms "substantially" and "major" in the definition of disability must "be interpreted strictly to create a demanding standard for qualifying as disabled", as well as the Court's interpretation that "substantially limits" means "prevents or severely restricts". Instead, the bill reiterates that whether an individual's activities are limited in condition, duration and manner, is a useful test.

The ADAAA also places in the ADA itself a non-exhaustive listing of major life activities, including: performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. The law expands the category of major life activities to include the operation of major requirements that an individual demonstrates that he or she has, or is perceived to have, an impairment that substantially limits a major life activity. Under the ADAAA, individuals can establish they are "regarded as" disabled by showing that they have been subjected to adverse action under the ADA because of an actual or perceived physical or mental impairment. For example, if an employer fires a person because it is believed that her/she has HIV, the employee would be protected under the law—regardless of whether an actual disability exists or not.

The law prohibits consideration of mitigating measures such as medication, assistive technology, accommodations or modifications when determining if an impairment constitutes a disability. Ordinary eyeglasses and contact

lenses are excluded from this prohibition. An impairment that is in remission or episodic is considered a disability "if it would substantially limit a major life activity when active". For example, in Texas, a federal judge ruled that a worker with epilepsy was not disabled because he was able to control his seizures with medication.

Employers are still allowed to define the essential functions of a job position and the ADAAA doesn't change the fact that an individual still needs to be qualified to do a job. The ADA requires that a covered employer (15 or more employees) provide reasonable accommodations for employees with covered disabilities, unless doing so would create an undue hardship or pose a direct threat to the individual's or coworkers' health or safety. The amendments clarify that an individual is regarded as having a disability merely by being a victim of discrimination on the basis of a real or perceived disability, regardless of whether the employer perceived the individual to have an ADA-covered disability. Employers need to be more cautious now about denying accommodation requests from employees who are arguably not entitled to ADA protection under the now-defunct Supreme Court case standards.

For more information, visit [www.ada.gov](http://www.ada.gov) or contact your legal advisor.

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### *(Health News continued from Page 3)*

status, the disclosure notice must be filed within 30 days of the termination or change in status.

This creditable coverage notice alerts the individuals as to whether or not their prescription drug coverage is at least as good as the standard coverage under the Medicare Part D prescription drug benefit. That means each group must determine whether the expected value of claims paid under its plan is equivalent to the value of claims that would be paid under the standard Medicare Part D benefit.

BCBSM/BCN has determined whether each of their standard drug plans meets the creditable coverage standard. You can obtain this information from either BCBS directly or by contacting your insurance agent.

For more information or to obtain a Model Disclosure Notice that your company can give to your employees, visit [www.cms.hhs.gov/creditablecoverage](http://www.cms.hhs.gov/creditablecoverage). If you still have any questions, contact TMTA's insurance agent, Dennis Campbell, at 248-488-0300, ext. 1313 or e-mail to [dennis@thetmta.com](mailto:dennis@thetmta.com).

*(Rob's Roost continued from Page 1)*

If you have not and would like to add your company as a signatory in support of the statement you may do so by sending your company name, address, phone and fax numbers as well as the name of the person (and position) authorized to 'sign the company on' to [iasg@erols.com](mailto:iasg@erols.com) with a copy to me at [rob@thetmta.com](mailto:rob@thetmta.com). Doing so will add more punch to our efforts and is a revenue neutral way for you to support the TMTA's efforts to have an impact and make a difference. On the first day of the effort we had 35 national, state, regional and local organizations as well as 75 individual producer companies as signatories. Numbers count in DC so please add your company in support.

In your e-mail simply state that you want your company to be added to the Coalition to Fix America's Economy.

A number of TMTA members have already signed on and I thank them for that!

I participated in a news conference on the terrace of the Cannon House Building on Capitol Hill. An ad hoc Coalition to Fix America's Economy was announced and the document **FIXING AMERICA'S ECONOMY: ENSURING GOOD JOBS, PROSPERITY & SECURITY** was presented. That news conference was recorded by C-SPAN and had middle of the night exposure on that channel during the morning of October 3<sup>rd</sup>.

Immediately after the news conference I visited the offices of some 19 members of the House and Senate and left copies of the statement with staffers of each office. In each case, save one, I met with a staffer that was responsible for trade issues and, in each case, I am pleased to say, the staffer was very interested in the subject matter. That is no surprise given that all House members are facing re-election in November.

We are asking members and candidates to commit to supporting the points set out in the document. Those who do will be identified as will those who don't! It is time to hold legislative feet to the fire and find out who will be part of the solution, or, will be part of the problem.

If you would like to view the C-SPAN video of the news conference announcing the Coalition to Fix America's Economy, go to the homepage of our website at [www.thetmta.com](http://www.thetmta.com).

## FYI

**New Endorsed Provider—Schena Roofing** is a commercial and industrial roofing contractor available to meet your every roofing need. Make sure to mention you are a TMTA member to receive a 10% discount on all service calls. Contact Schena Roofing at 586-949-4777.

## TMTA Endorsed Service Providers

### **Manufacturing Technology Mutual Insurance Company (MTMIC)**

(workers' compensation program)

Provider contact:

Gary Wood 248-488-1172 ext. 1316

### **Reliance Standard/Ameritas**

(life/dental insurance programs)

TMTA contacts:

Dennis Campbell 248-488-0300 ext. 1313

Stella Krupansky 248-488-0300 ext. 1310

### **Blue Cross Blue Shield/BCN**

(health insurance program)

TMTA contacts:

Dennis Campbell 248-488-0300 ext. 1313

Elaine Burger-Laskosky 248-488-0300 ext. 1309

### **Federated Insurance**

(property & casualty insurance program)

Provider contact:

John Medo 800-428-4143

### **Freedom One Financial Group**

(401(k) retirement program)

Provider contact:

Lesley Goodwin 248-620-8100

### **John M. Packer & Associates**

(unemployment cost control program)

Provider contact:

Nathan Wiest 800-482-2971

### **Custom Telecom**

(phone/communications programs)

Provider contact:

Kathy Schaumburger 866-332-1200

### **Schena Roofing & Sheet Metal Co., Inc.**

(commercial/industrial roofing contractor)

Provider contact:

586-949-4777

**TMTA receives a benefit from its Endorsed Providers when you, as a member, patronize them. This is one way we are able to maintain the level of dues.**

## We Have What You Need

Do you need a copy of the BCBSM medical reimbursement claim form? The Ameritas dental enrollment form? The Reliance disability claim form? Do you need a copy of the required Federal Family and Medical Leave Act Poster?

The TMTA has listings for federal and state required posters, insurance forms, COBRA information, tax/social security/mileage limits and even a link to the OSHA chemical information database listed on our website so that the information you need now is at your fingertips now.

Visit [www.thetmta.com](http://www.thetmta.com) and go to the 'Information/Networking' tab along the top, then select 'Company Forms & Information' from the fly-out menu.

## Voting & Elections— The TMTA Board of Directors Needs You!



I'm sure you will all remember to vote in the U.S. election on November 4, 2008, but what about the TMTA Board of Directors election?

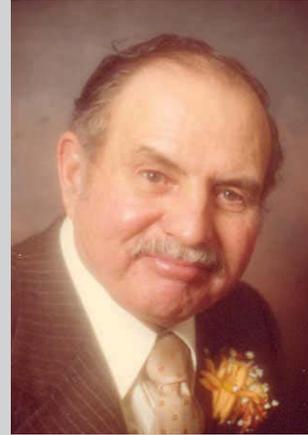
The TMTA is governed by a 12 person Board of Directors and each year at least 4 seats on the Board are up for election. Directors are elected to serve 3-year terms.

Please consider submitting your name for this year's election. It is a voluntary position, but an extremely important one. As the President makes decisions that effect the country, the TMTA Board of Directors makes decisions that effect the Association and its member companies.

If you interested in being on the ballot for the term beginning in 2009, please let us know by sending either a fax to 248-488-0500 or an e-mail to [ron@mtaonline.com](mailto:ron@mtaonline.com) by Friday, October 31, 2008.

We look forward to putting your name on the ballot this year!

## In Memoriam



It is with deep sadness and regret that we note the passing of **Oliver J. Laszlo**, founder and owner of **Abdite Industries Inc.**, on September 30, 2008 at the age of 92. He is survived by his wife of 71 years, Marie. Dearest father of Wayne, Leon and the late Dr. Sharon Edwards. Also survived by numerous grandchildren and great-grandchildren.

Mr. Laszlo was a WWII veteran Master Sgt. in the Army Corps of Engineers; founder of the Dearborn Chapter of the Knights of Columbus; and lifetime member of both the Dearborn Country Club and the Lost Lake Hunt Club. He will be missed by all who knew him.

Our sincere condolences to his family and friends.

### **tmta talk**

TMTA TALK is a publication of the  
Tooling, Manufacturing & Technologies Association

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Deadline for submission of news, articles, letters, cartoons  
and Marketplace items is the 15th of each month.  
Send/Fax to TMTA, Attention: TMTA Talk Editor.