About NDA

The National Demolition Association (NDA) is a non-profit trade organization representing approximately 600 U.S. and Canadian companies and many international firms that are involved in the demolition process. Membership includes demolition contractors, general contractors, civil engineering firms, and recycling, landfill, and architectural salvage operations. The association’s efforts help members stay abreast of environmental, regulatory and safety matters, keep regulators informed about issues facing the industry, increase public and industry awareness, and provide members with networking opportunities and information on the latest technical advances in equipment and services. For more information on NDA, please visit www.demolitionassociation.com.
Dear Policymakers:

As Congress and President Obama’s administration consider policies that will sustain economic growth, ensure workforce safety, and further environmental stewardship, the United States demolition industry is ready and willing to work with policymakers to strengthen our industry and do our part to stimulate jobs and business growth in the United States.

Lawmakers are focused on ensuring what is best for the American workforce overall, however, decisions are often made with only the large corporations in mind. The members of the National Demolition Association (NDA) represent small to medium sized businesses that are often impacted by these decisions.

NDA believes policy makers should balance the needs of small business owners with the regulations and sanctions that impact the industry. Taxes, regulations on labor and human resources, and the Affordable Care Act gravely impact our members who have the right to determine, within the boundaries of the law, what is best for their employees and organization. Putting limitation on issues such as employees’ unionization options and flexible leave policies hinders our members’ ability to create jobs and stimulate growth for our economy.

NDA members support worker safety and environmental stewardship. As an industry, we establish checks and balances to ensure demolition professionals are safe and accounted for at our job sites, and we are dedicated to providing high quality products and services that aid in curbing our society’s impact on the environment.

NDA members are business owners actively interested in aiding our country’s economic growth. The enclosed policy positions outline the top priorities of the demolition industry for the first session of the 114th Congress. We look forward to working with you to create meaningful demolition jobs in 2016.

Sincerely,
Peter Banks, NDA

WORKPLACE SAFETY & HEALTH

The NDA is committed to the safety and protection of workers at all times and our member companies have excellent records of providing safe environments. We believe that the Occupational Safety and Health Administration (OSHA) should balance regulations that provide for a safe and healthy work environment while providing protection for small businesses. OSHA should focus on achieving a more efficient workforce and minimal workplace injuries by promoting approaches to safety and health through partnerships with employers who take safety programs seriously, while making sure enforcement violations are tailored to the industry offenders. OSHA must consider fully the costs and benefits of proposed regulations prior to proposal to ensure that federal and private resources are utilized efficiently to improve safety.

- NDA supports the development of crane and derricks standards and is committed to providing industry expertise to ensure rules and standards are workable and effective.
- NDA supports an employer’s right to screen employees for substances and drugs. Drug testing greatly improves workplace safety and reduces worker’s compensation costs.
- NDA is concerned with a proposed rule by OSHA to restrict the permissible exposure limit (PEL) of crystalline silica, as experts estimate that 80% of the $4.9 billion per year will be spent on compliance.
- NDA believes the government should rely on the existing PEL for silica in construction unless a comprehensive study demonstrates that the PEL must be made lower for legitimate health reasons.
- NDA supports efforts to address the health of workers, including from exposure to harmful levels of toxins. Government action must be grounded in sound science, sustainable, and a proven benefit.
LABOR & HUMAN RESOURCES

NDA and member companies firmly believe that employees and employers should have the right to determine issues such as wages and working conditions, through either individual or collective bargaining, within the boundaries of the law. The employer is responsible for observing the welfare of the employee and there must be adequate compensation for work performed. On the same note, NDA believes that the employee has an obligation to perform work in a satisfactory manner.

NDA is troubled by the National Labor Relations Board (NLRB)’s recent decision which eviscerates employers’ free speech and other legal rights as well as constrains their ability to respond to union organization in a meaningful way. It also prevents workers from getting full and complete information from both sides, and requires employers to disclose their employees’ personal contact information.

• NDA supports government policies that address the shortage of qualified candidates for high-skilled jobs by improving the STEM (Science, Technology, Education and Mathematics) education system and other efforts to increase the pool of qualified candidates for technical jobs on demolition sites.

• NDA believes secret ballot elections should be preserved and that they facilitate the fairest method to guarantee the employee is free to choose whether to be represented by a union.

• NDA opposes mandatory binding arbitration in union representation disputes and any effort that would affect employers’ ability to communicate with their employees.

• NDA opposes all other proposals that attempt to confer a tactical advantage on organizers and that deprive the employer and employees the time to get factual information before an election is held.

• NDA opposes the expansion of the Family Medical Leave Act (FMLA) and other government mandates that eliminate employers’ ability to negotiate flexible leave policies with their employees. A fair and considerate leave policy should be between employers and their employees.

TAX POLICY

Most demolition contractors conduct business in such a way that their income is taxed at the individual level, commonly referred to as pass-through entities. These small and medium-sized employers would be significantly impacted by higher marginal tax rates, taxes and fees on assets, and other confiscatory proposals. NDA supports a simplified tax code that does not place an unnecessary burden on job-creating member companies.

• NDA believes that Congress should take action to repeal the Estate Tax, also known as the Death Tax. Many demolition contractors are family-owned small companies vulnerable to market volatility as it relates to taxes.

• NDA opposes increases to personal income tax rates that are also tax hikes on the many small businesses that are structured as pass-through entities (S-Corporations, partnerships, and sole proprietorships).

• NDA is optimistic with Congressional efforts to reform and simplify the tax code. Many demolition contractors operate as pass-through entities and the United States has one of the highest tax rates for these businesses. Over one half of the private sector workforce is employed by pass-through entities and higher taxes affect the job market. Tax reform should focus on boosting the US economy and providing much needed relief to business and their assets.

• NDA remains concerned with tax changes brought forward by healthcare reform, namely the 3.8% tax included in the Affordable Care Act. This tax affects net investment income for those who earn more than $200,000 per year and couples who earn more than $250,000 per year. Under this system, individuals and couples making $400,000 and $450,000 respectively will pay a capital gains tax rate of more than 23%. 
ENVIROMENTAL STEWARDSHIP

NDA is committed to practices that aim to protect our environment. Our NDA member companies have reputable track records of engaging in these practices. NDA, however, is concerned with the environmental policy of the Obama administration. Federal agencies have enacted costly and burdensome regulations with little consideration for the impact they have on American businesses and their workers. NDA remains committed to working with the federal government to ensure environmental regulations are considered with demolition contractors and their employees in mind.

• NDA believes new environmental regulations must reflect sound science and take into account the impact on the regulated community.
• NDA supports ongoing Congressional efforts to reform the Toxic Substances Control Act and help federal agencies with prioritizing their focus.
• NDA will work with Congress to reduce the regulatory compliance burden posed by existing and proposed regulations on the demolition industry.
• NDA supports the Environmental Protection Agency (EPA)’s efforts and other initiatives to encourage water conservation and use-efficiency in new and existing structures as long as those programs are cost-effective, affordable, and consider consumer preferences.
• NDA supports the EPA’s Brownfield Grant Program and is committed to working with the federal government to facilitate good stewardship of hazardous areas.

HEALTHCARE

The availability of quality healthcare benefits is a huge priority for NDA and its member companies. NDA supports common sense proposals that would address the increasing costs of health insurance, particularly for employer-sponsored arrangements and the rising number of uninsured Americans. Unfortunately, the new provisions contained in the Patient Protection and Affordable Care Act did little to provide relief to demolition contractors. NDA urges Congress to provide more choices to employers and workers and allow private insurers to compete in the market.

• NDA remains concerned with the ongoing implementation of healthcare reform in the United States and supports reforms to the system that will reduce the impact on employers’ ability to provide quality and affordable health coverage to employees and their families.
• NDA opposes the new law’s tax on health insurance companies that offer fully insured plans, which is passed on to employers, and ultimately employees, through increased premiums.
• NDA opposes any government efforts to restrict the availability of self-insured group health plans, including stop-loss insurance.
DISASTER RESPONSE

The demolition industry is ready and willing to aid in disaster response, but historically our resources have gone largely untapped. We have access to tools and equipment, appropriate and comprehensive training, and a wealth of day-to-day experience to safely, rapidly, and effectively assist with rescue, recovery and clean-up operations following large-scale disasters.

There are currently a number of fundamental barriers to the full and complete cooperation of the industry, and therefore to recovering from a large-scale disaster in the most effective and efficient manner possible. NDA supports lowering these barriers so that a change in safety, quality, and speed can occur, and the tremendous unseen cost of using ill-equipped, under-trained, and inexperienced contractors can be significantly reduced.

• NDA is committed to a dialogue with the federal government to address the following issues related to disaster response and cleanup: lack of protection from liability, insufficient compensation for labor and equipment, and the lack of qualitative standards for determining awarded contracts.

• NDA is committed to working with the Federal Emergency Management Agency (FEMA) & the System for Award Management (SAM) to ensure NDA members are the go-to entities in the wake of natural disasters.

• NDA supports the passage of regulatory and legislative measures such as temporary waivers and/or permit streamlining, and expanding their ability to address the demand for multiple victims’ assistance programs such as financial assistance for repair and replacement of housing, rental assistance and other emergency housing funds for the rebuilding of businesses.

• NDA supports disaster recovery assistance that returns displaced residents to their homes and encourages the timely rebuilding of disaster-impacted areas.

For more information, please contact NDA’s Government Affairs Director, Kevin McKenney at KMckenney@demolitionassociation.com.