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Chairman's Connections

By Jim Zahora, Chairman of the Board

What a Fool Believes

It is traditional to talk about New Year's resolutions this time of year. To be honest, I have not had much success with New Year's resolutions! I will explain my psychological misfires momentarily.



First I want to say that it is truly an honor to serve as your chairman in 2018! I feel very privileged writing in the same space that past chairmen have woven their words of wisdom. Although the wisdom might be head-scratching, I will do my best to weave the words.

We are very fortunate to have the greatest volunteers in the world! Thanks to all of you! I'd like to especially thank the outgoing board members for their contributions and welcome the new board members as they start their journey helping the DRMA blaze its path forward.

Now, back to these New Year's *resolutions*. For me, making resolutions is like the Doobie Brothers song "What a Fool Believes." I seldom keep them. Is it just me? According to *Forbes Magazine*, just 8% of people achieve their New Year's resolutions. In fact, *Business Insider* reported that 80% of resolutions fail by the second week of February! I am feeling a little better. So why do people make New Year's resolutions?

According to a psychologist, it is because making them requires no action. "The simple thought – the idea that we *intend* to lose weight or exercise more – satisfies our instant gratification: In the moment, just thinking about losing weight makes us feel good, and we don't actually have to go out and do the tasks necessary to achieve that goal."

I applaud those who make resolutions and keep them! But imagine what would happen if you ran your company or department by setting New Year's resolutions as your goals. Unless you are in 8% success category, your annual goals would be forgotten by the second week of February. That leaves the remaining 10 ½ months guided by the immortal strategy of "hope." If you wouldn't run a business like

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this, why would you run your life with New Year's resolutions?

Fortunately, the DRMA (and most companies) begin strategic planning for the next year in May by reviewing and modifying our strengths, weakness, opportunities, and threats, commonly known as a SWOT review. We then develop strategic goals which are the basis for the committees to develop tactical goals to support the strategic direction. During the year we review the goals with dashboard reports and take action when goals lose traction. It is a year-long process, not a one-time *resolution*.

So, when it comes to my News Year's resolutions..... how does that song go?

*"But what a fool believes, he sees
What seems to be....
Is always better than nothing
Than nothing at all."*



Jim Zahora

I've Been Thinking . . .

By Angelia Erbaugh, President

Members expect **advocacy** from a trade association and it's part of DRMA's brand promise. DRMA advocates for members' issues on many fronts, with public officials, legislators, educators, parents, the business community, the media, and many other regional stakeholders.

One way we do this is by conducting an annual survey of our members and producing a list of their **top issues**. This list helps us accurately communicate your concerns to the media, elected officials, and other community leaders and gives us direction on the types of programs and services that will help you strengthen your company. Of no surprise, the lack of a skilled workforce tops the list again this year. See what else is keeping your fellow members awake at night [here](#).



Another way is holding **Government Relations Meet Ups** so that members have the opportunity to share their opinions with government officials who represent us and learn more about their agenda. Join us at our next Meet Up on Friday, January 26, from 11:00 to 12:30 p.m. at CBT Company in Sidney with United States Congressman Jim Jordan. Meet Ups are small discussion groups, designed to stimulate dialogue in a casual, comfortable atmosphere. Ask questions, get advice, and share your experiences with fellow members. They are **FREE** and for members only. This one includes lunch, compliments of John Bertsch (DRMA board member and owner of Detailed Machining). Following the Meet Up is an optional tour of Detailed Machining. Click [here](#) to register.

It's **membership renewal** time! Volunteers and staff work hard to ensure your membership in DRMA is valuable to you. From growing the workforce pipeline, to advocacy, to business and economic development, and peer-to-peer connectivity, DRMA's brand promise is to Strengthen, Advocate, and Educate. Be part of the voice in 2018! And if there is something else you would like us to do, please let [me](#) know.

We have a bunch of opportunities over the next few weeks for you to build relationships with your DRMA peers and learn some valuable stuff . . .

-) January 11 – DRMA evening event featuring Montgomery County Sheriff Phil Plummer. He’s talking on how the opiate crisis is affecting businesses. Stuff you should know. The Sheriff promises an interesting speech . . . both his content and his delivery.
-) February 13 – HR Issues facing Manufacturers, presented by the Miami Valley Human Resources Association, in partnership with DRMA. (Yours Truly is a panelist!)
-) February 14 – Exit Planning Strategy Seminar, presented by Sunbelt Business Advisors, in partnership with DRMA.
-) February 22 – DRMA MFG Mix at the Greentree Group in Beavercreek. Mixes are a casual way to get to know other members. We’ll introduce you around. And the folks at Greentree ALWAYS through a good party!
-) March 8 – Breakfast with DRMA: International Trade Law, presented by Thompson Hine. If you do business internationally or thinking of doing so, you don’t want to miss this informative presentation. And at their beautiful Austin Landing offices!

Hey, Manufacturers! We have **FOUR Power Lunches** scheduled for January. I could use some more volunteers to help with these. Do you have someone in your company who wouldn’t mind talking one on one with students about why they like working in manufacturing? I particularly need young folks, female folks, and people of color folks. Let [me](#) know!

Looking forward to an exciting 2018!



Angelia



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Seeking sponsors for the Newsletter
and Upcoming Member Events

Contact [Shay](#) today to find out more!

Member Events

Government Relations Meet Up with Jim Jordan – January 26

Join us as we meet with U.S. Congressman Jim Jordan to hear his office's priorities and to share with him the concerns and issues of our manufacturer members. Held in Sidney, lunch will be provided by John Bertsch, president of Detailed Machining, and there will be a tour of the Detailed Machining facility after the meeting for anyone who wishes to stay. Register [here](#).



MFG Mix at The Greentree Group/Back to Business IT – February 22

You won't want to miss our first MFG Mix of the year! Stop by to enjoy hors d'oeuvres and drinks while you meet up with your peers to share best practices, solve problems, and find new avenues for business growth. Say hi to old friends and meet some new business colleagues in an casual, open house style gathering. Think you won't know anyone? Not to worry, we'll connect you with someone to introduce you to the people you want to meet.



Date: Thursday, February 22
Place: The Greentree Group/Back to Business IT – 1360 Technology Ct. Suite 100, Beavercreek, OH 45430
Time: 5 – 7:00 p.m.
Cost: \$10 for members, \$20 for non-members

Click [here](#) to register

Breakfast with DRMA: International Trade Law, Presented by Thompson Hine – March 8

Join us our first breakfast meeting of 2018 at Thompson Hine's beautiful new offices at Austin Landing. Thompson Hine will present important information for manufacturers about international trade laws. [Register here](#) and look for more details coming soon.

Date: Thursday, March 8
Place: Thompson Hine Dayton Office – 10050 Innovation Drive, Suite 400 Dayton, OH 45342
Time: 7:30 – 9 a.m.
Cost: \$30 for members, \$30 for non-members



HR Issues Facing Manufacturers in the Miami Valley - February 13

Hosted by the Miami Valley Human Resource Association, in partnership with DRMA

Please join the Miami Valley Human Resource Association, in cooperation with the Dayton Region Manufacturers Association, for a luncheon and panel discussion on HR-related issues and challenges that manufacturing companies in the Miami Valley are facing (or may encounter in the future), and potential solutions for addressing and overcoming them.

Panelists will include DRMA President, Angelia Erbaugh; Manpower President and CEO, Tom Maher; several seasoned HR professionals from area manufacturing companies; experienced OSHA and workers' compensation defense attorney, Doug Jenks, of Auman Mahan & Furry; and more! MVHRA Vice President Matt Bakota will moderate the interactive discussion, which will include a Q&A.

The event is being held during MVHRA's monthly luncheon meeting and is open to MVHRA members and non-members alike. All with an interest in the discussion are welcome! Pre-registration is required, so please visit the [Events](http://www.mvhra.org) page at www.mvhra.org for registration details and additional information about the event.

Exit Planning Strategy Seminar - February 14

Hosted by Sunbelt Business Advisors of Southwest Ohio, in partnership with DRMA

Please join us for an informative Exit Planning Strategy Seminar to help you get "A Round TUIT." Planning the sale of a company takes time – often several years. This seminar is focused on how to properly prepare an exit strategy on your terms – 1, 3, 5-10+ years in the future. We guarantee you will walk away with action items you can implement today that will pay off profitably when you do sell. Click [here](#) to register.

Featuring:

Gerry Chadwick, Sunbelt Business Advisors of Southwest Ohio
Rich Helm, Thompson Hine
John Venturella, Clark Schaefer Hackett
Randale Honaker, UBS-Honaker Hayes Wealth Management

Topics:

- Determine the Best Time to Sell
- Steps to Add Value to Your Business
- Tax Considerations to Improve Your Net/Net
- Investment Strategies to Protect the Proceeds

DRMA Calendar of Events

- | | |
|--------------------|--|
| January 16 | Operations Meet Up, register here |
| January 23 | Workforce/HR Meet Up, register here |
| January 26 | Government Relations Meet Up with Jim Jordan, register here |
| February 6 | Additive Meet Up, register here |
| February 13 | Young Professionals Meet Up |
| February 14 | Safety Meet Up, register here |
| February 22 | MFG Mix at The Greentree Group/Back to Business IT, register here |
| March 8 | Breakfast with DRMA: Thompson Hine on International Trade– register here |
| April 5 | Economic Update with Brian Beaulieu, more information here |



For a full listing of all events throughout the year, please visit our [events page](#).

News You Need

Presenting Your 2018 DRMA Board

The Association is led by a strong group of individuals who care about manufacturing and who care about DRMA. Your 2018 Board of Trustees and officers are:

Jim Zahora, Noble Tool, Dayton, Chairman
Jim Bowman, Rack Processing, Moraine, Past Chairman
Don Clouser, The Champion Companies, Springfield, First Vice-Chairman
Kirk Stucki, PTI, Tipp City, Second Vice-Chairman
John Bertsch, Detailed Machining, Sidney
Patty Breig, National Oilwell Varco, Dayton
Dave Burrows, Goodwill/Easter Seals, Dayton
Jon Foley, Rack Processing, Moraine

Mitch Heaton, Dayton Development Coalition, Dayton (Appointed trustee)
Scott MacDonald, University of Dayton, Dayton (Associate trustee)
Brent Mackintosh, Mackintosh Tool, Centerville (Affiliate trustee)
Jay Moeller, RSM, Dayton
Ben Staub, Bastech, Vandalia

2018 Chairman, Jim Zahora

Jim Zahora is President of Noble Tool Corp., a precision manufacturer of tooling, gages, and special machines for the aerospace, medical and other industries. Jim has over 30 years' experience in all phases of manufacturing with large and small companies. He started his career as a machinist and prior to joining Noble Tool he served as COO of USAeroteam, Vice President of PECo, and Vice President of EG&G Mound.



Jim is a certified Six Sigma Green Belt, Theory of Constraints Jonah, and a licensed Stephen Covey facilitator. Jim has presented improvement methodologies and success stories at several national symposiums. He holds a B.S. degree in engineering from Wright State University and an MS from Southern Methodist University. Jim has served on the DRMA Board (two times), the Wire Net Industry Board in Cleveland, and the Montgomery County Workforce Investment Board.

His passions away from work include jogging (not to be confused with running), the Reds, the Browns and traveling. Jim has 3 children and enjoys trying to keep up with his four grandchildren.

New Board Members



Patty Breig is the vice president of the Process and Flow Technologies Group, a division of National Oilwell Varco (NOV), headquartered in Houston, Texas, with a local facility in Dayton (formerly Chemineer). Patty is a graduate of the Ohio State University with a B.S. in metallurgical engineering and the University of Dayton with an M.S. in materials engineering. She worked 25 years with Flowsolve (formerly the Duriron Company) in engineering, outside sales in Houston, and as a general manager for Flowsolve's manufacturing sites in Springboro and Dayton. In 2006, Patty joined Chemineer as general manager. Patty has been a member of DRMA for 10 years and looks forward to using her skills, knowledge, and experience to encourage people to seek training and education to enter the exciting and rewarding field of manufacturing.

Scott MacDonald is the director of the MBA program for the University of Dayton. His responsibilities include the overall administration of the UD MBA programs both on-ground and on-line. Scott has held a variety of positions in his career with the primary focus of helping companies grow and deal with difficult situations including banking and banking-related organizations, software, consulting, and economic development. Prior to joining the University of Dayton, Scott was an adjunct instructor at Wright State, Antioch Midwest, and Urbana University. Scott has a B.A. in economics from Miami University and an MBA from the University of Dayton. Scott serves on the board of the Dayton Chapter of the American Red Cross and has previously served on the boards of the Community Capital Development Corporation and Junior Achievement. Scott has been active with DRMA for years and served as the chair of the Government Relations Committee.



Ben Staub, Jr., is the founder and president of Bastech, Inc. He inherited an entrepreneurial spirit from his father and uncles who started and grew many successful Dayton based manufacturing companies. Ben started Bastech, Inc., a rapid prototyping service bureau, in 1994. Ben grew Bastech to a full-service production provider with the addition of selective laser sintering, 3D printing, model shop, and tooling services; Bastech is also a reseller for 3D printing and scanning solutions. Prior to founding Bastech, Ben worked as a manufacturing engineer for Alpha Mold where he learned the tool and die business. Ben is a graduate of the University of Dayton with a B.S. in mechanical engineering technology. He serves on the board of advisors for UD's FASTLANE Manufacturing Extension Partnership. Ben has been an active DRMA member for many years and has supported the Association's career awareness summer camp effort.



DRMA Members' Top Issues List is here!

As the voice of manufacturing in the Dayton Region, DRMA identifies issues which have the greatest impact on member companies. We conducted a two-question survey to better understand the “hot button” issues affecting members across the region. Thanks to all of the participants, we are able to accurately communicate your concerns to the media, elected officials, and other community leaders; and have better direction on the types of programs and services that will help you strengthen your company. Based on the responses, it is clear that the shortage of skilled workers and the cost of healthcare are the primary concerns of members. To read what else is keeping members awake at night, [click here](#).

It's Time to Renew Your DRMA Membership!

Time is running out to renew your commitment to DRMA. Your 2018 dues invoice was emailed in early December to either you or the person designated to receive invoices in your company. If you need another copy of the invoice, please let us know. In the year ahead you can expect DRMA to uphold our brand promise to Strengthen, Educate and Advocate. We will continue to find ways to keep you engaged with the thriving DRMA community, drive initiatives to build the workforce pipeline, advocate for you, and provide programming to help strengthen your company.

DRMA/Manpower 2017 Wage and Benefits Survey Report Now Available

Paying people fairly is good for business. Underpay, and employees will eventually look for a better offer. Overpay, and the payroll budget and profitability will suffer. Benchmark your jobs against market data contained in the DRMA/Manpower Wage and Benefits Survey Report!

Topics presented in the report include:

- | | |
|--|-------------------------|
|) Business demographics |) Work schedules |
|) Employee wages |) Recruiting strategies |
|) Employee benefits (medical, dental, vision, short- and long-term disability, holiday, vacation, profit sharing, 401(K), and pension plans) |) Retention statistics |

Non-participating DRMA members may purchase a copy for \$175; non-members may purchase a copy for \$300. Call the Association office (937-949-4000) or email [Shay](#) to order your copy. Here's what members are saying about the survey: *“Techmetals has depended on the survey for years to help keep our competitive edge and retain the best employees.”* Pam Conner, HR Director, Techmetals

Membership ROI... DRMA 101

Are you new to DRMA, looking to get re-aquainted with the association, or want to know more about getting the full “bang” for your membership dues “buck?” Attend an upcoming DRMA 101 session with DRMA president Angelia Erbaugh, a Board member, and Member Services Committee representative to learn more about making the most of your membership in a casual, conversational setting.

Space is limited, so contact [Shay](#) today to sign up for an upcoming DRMA 101 session!

Manufacturer Sessions:

Tuesday, February 6, 7:30-8:30 a.m., Panera Bread – Brown St., Downtown Dayton
Tuesday, March 1, 7:30-8:30 a.m., Un Mundo Café – 117 South Fountain Ave., Springfield
Tuesday, April 10, 7:30-8:30 a.m., Panera Bread – Miller Lane, Dayton

Affiliate/Associate Sessions:

Tuesday, January 30, February 20, March 20 and April 24 - 4:30-5:30 p.m., Franco's – Downtown Dayton

Seeking Sponsors for DRMA's Annual Economic Update Featuring Brian Beaulieu

DRMA is once again hosting one of the nation's most informed economists, Brian Beaulieu, on Thursday, April 5, 2018. We are offering a variety of sponsorships for this very popular event. Don't miss the opportunity to get your name in front of DRMA members! Contact [Shelley](#) for more information.

Brian Beaulieu, CEO of ITR Economics, will give manufacturers and other businesses insight on how to forecast, plan, and increase their profits based on business cycle trend analyses. ITR Economics predicts future economic trends with a 94.7% accuracy rate and 60 years of correct calls. Brian will deliver a clear, comprehensive action plan and tools for capitalizing on business cycle fluctuations and outperforming competition.



This can't-miss DRMA event, held at Sinclair Community College, will begin at 5 p.m. with a reception following the program, at about 6:30. Ticket and registration information will be coming soon.

Seeking Hosts for MFG Mix Events

Do you enjoy the cocktail hour at DRMA evening events? Then you'll love the MFG Mix. DRMA's MFG Mix is a casual, open house style gathering of DRMA members, designed with manufacturers in mind. Drop in and say hi to old friends and meet some new business colleagues in an environment that is friendly and welcoming. Think you won't know anyone? Not to worry . . . we'll connect you with someone who will introduce you to people you want to meet. This is a great opportunity for you to build a network of your peers in order to share best practices, solve problems, and find new avenues for business growth.

Hosting a MFG Mix at your company is a great way to expose your company and brand to DRMA members. We are lining up Mixes for 2018 and would like to hold them throughout the region. If you would like to learn more, please contact [Kayla](#).

Eager to Speak to the DRMA Audience?



We are looking to supplement our *Breakfast with DRMA* series with topics presented by members in their area of expertise. The short story is you get to expose your expertise to an audience at a DRMA "sanctioned" event. We get additional brand exposure and the opportunity to provide pertinent information to members. We share the work and the costs. Interested in learning more? Contact [Angelia](#), and let's talk!

Learn from Members through DRMA Meet Ups

DRMA Meet Ups help you, or your key employees, build your peer network with members who are interested in the same topic area, so that you can learn from them and strengthen your business. Meet Ups are small discussion groups, designed to stimulate dialogue in a casual, comfortable atmosphere. Ask questions, get advice, and share your experiences with fellow members. (This is not a sales pitch opportunity.) **They are FREE and for members only.**

-) **Operations Meet Up** - for anyone responsible for any aspect of manufacturing operations. Topics include ERP systems, scheduling, facility maintenance, streamlining processes, and other areas of interest about managing the operations within your company. Registration is **REQUIRED** for the Operations Meet Up, and registrations must be **received no later than 24 hours in advance**. In some instances, competitors will not be permitted to attend; DRMA will notify you in advance if this applies to you.
-) **Workforce/HR Meet Up** - for anyone responsible for skilling up your manufacturing workforce. Topics include internships and apprenticeships, funding for training, technical training methods, training resources, and others.

-) **MFG Day Meet Up** - for anyone interested in hosting an open house on national Manufacturing Day on the first Friday in October. Topics include how to conduct an effective open house, how to connect with schools, tools to make your open house run smoothly, and others.
-) **Additive Manufacturing Meet Up** - for anyone curious about this new technology. Topics include 3D printing with plastic and metal, additive vs. subtractive, applications for additive, equipment, and others.
-) **Young Professionals Meet Up** - for anyone interested in engaging with like-minded young members (40 and under).
-) **Safety Meet Up** - for anyone who wants to keep up-to-date with all things related to safety in the manufacturing workplace. Topics include what to do when OSHA shows up at your business, safety training, workers compensation, and more.
-) **Government Relations Meet Up** – for anyone interested in advancing the concerns of manufacturers with government officials and elected representatives. Topics include government policies, legislative issues, and the opportunity to speak with those who work for and represent us.

GLTAAC begins 35th Year of Helping Manufacturers Beat Import Competition

Submitted by: Carey Schoenig – Great Lakes Trade Adjustment Assistance Center

Established in 1983, the Great Lakes Trade Adjustment Assistance Center has helped hundreds of small and mid-size manufacturers gain ground against import competition. GLTAAC's clients receive a customized recovery plan and up to \$75,000 in matching funds for critical projects, all via the federal Trade Adjustment Assistance for Firms (TAAF) program. Recent activity in the DRMA region:

-) A Dayton area manufacturer is GLTAAC's newest client. With their sales hit hard by import competition, this firm will use GLTAAC's help to develop a recovery plan, which will serve as a planning document as the firm moves forward – and also will outline the best ways for them to spend their \$75,000 in TAAF matching funds.
-) Another GLTAAC client in the region is currently using TAAF matching funds to help pay for a \$10K product development effort. This electronics manufacturer is looking to diversify and expand their market in order to fight imports. To get an idea of other projects GLTAAC co-funds, just [visit our website](#).

If import competition has hurt your sales, don't put off learning more about GLTAAC. Just contact GLTAAC Project Manager, John Antos at jantos@umich.edu or 734-998-6227. John can quickly review the TAAF program with you and help you determine if your firm would qualify.

Member Benefit Spotlight

Advocacy

The world of business is complex, and it is important to rely on industry partners like DRMA for success. DRMA's mission focuses on strengthening member companies and serving as the advocate for manufacturing in the Dayton region. DRMA is recognized as the trusted voice of the industry to represent members' needs and concerns so that they may stay focused on their business.

Members expect advocacy from their trade association and it's part of DRMA's brand promise. You may automatically think "public policy" when you think of the word "advocate." And certainly advocating with elected officials is part of our advocacy work. But it's more than that. The definition of advocate, according to Merriam-Webster.com, is to support or argue for a cause, and that is just what we do . . . DRMA supports and argues for

members and the industry with public officials, legislators, educators, parents, the business community, the media, and many other regional stakeholders.

Local manufacturers face countless challenges every day in their efforts to stay profitable, be productive, and to grow. As a key sector in the Dayton Region and in Ohio, manufacturing must be “at the table” when key issues are being debated and decided. DRMA works to make sure that happens.

DRMA . . .

-) Conducts a survey and produces a list of members’ top issues
-) Promotes the value of the industry through our Speakers’ Bureau and by publishing the *Manufacturing in the Dayton Region* document with statistics compiled by the Center for Urban and Public Affairs at Wright State University
-) Builds relationships with the media which results in positive local manufacturing stories
-) Supports the Dayton Business Journal’s annual manufacturing awards program
-) Collaborates with state and national organizations such as Business Leaders United and the Coalition for Prosperous America
-) Drives and supports initiatives to increase the awareness of careers in manufacturing to attract more workers to the pipeline
-) Represents members and their concerns with a number of area organizations, government agencies, educational institutions, and public and elected officials

All this and more to support DRMA’s brand promise to STRENGTHEN, ADVOCATE, AND EDUCATE.

Legally Speaking

OSHA Inspections Escalate

Submitted by Bob Dunlevey of Taft Law

According to the Labor Department, 32,396 OSHA inspections occurred last year – up from the year before, making this the first annual increase in inspections in five years. Wisconsin and Ohio had the dubious distinction of having more inspections per OSHA Compliance Officer than any other states last year. To successfully survive an OSHA inspection, each employer should have a prepared protocol in place for dealing with OSHA when they appear. Remember, **the time to start defending against an OSHA surprise inspection is at the time the accident occurs** and, at the latest, at the time OSHA first appears. The onsite inspection and the interaction that follows, including the providing of requested documentation and witness interviews, are the most critical stages in any inspection and should be handled very carefully with the assistance of competent workplace safety counsel.



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(937) 641-1743

While some employers look upon the payment of penalties merely as a cost of doing business, it must be remembered that OSHA’s penalty structure makes it more expensive for a non-complying employer each time the safety standard is again violated. On **January 2, 2018, OSHA increased the penalty amounts** to \$12,934 per serious violation and \$129,336 per willful or repeated violation. Obviously, an employer cannot afford a repeat violation. Therefore, employers need to negotiate the vacating of citations for certain standards which have a likelihood of being violated in the future. For example, an employer having press operations may easily get cited again for a violation of the guarding standards. Contesting these citations may become necessary because of the long term ramifications of a repeat violation.

If an accident occurs, you should assume that an investigation will occur. Of course, employer accident reporting requirements exist for some injuries and this can trigger an inspection. If the Compliance Officer appears, he or she should be permitted to inspect but only for the item identified in the complaint. The employer’s limitations on the

inspection should be stated to the Officer and those limitations should be strictly followed. No – OSHA will not impose greater penalties on you merely because the employer stands firm in its rights. Remember, anything seen by the Compliance Officer is fair game. Therefore, limit the Compliance Officer’s exposure to various areas of your facility. Stick with the following protocol and avoid being overly cooperative and overly communicative:

-] Anticipate and prepare for an inspection as soon as an accident occurs.
-] Determine if you are going to involve your OSHA attorney from the outset.
-] Review C.O.’s credentials upon arrival and obtain full name and office address.
-] Determine if the inspection is caused by a complaint, is random or post-accident.
-] Inquire as to the scope of the inspection (specific piece of equipment, area or wall-to-wall).
-] If wall-to-wall inspection, consider requiring a search warrant.
-] If narrow inspection, reach agreement as to approach for inspection and confine the scope of inspection.
-] Walk with C.O. (elbow to elbow) through entire inspection - take C.O. to the accident site through the most strategic route.
-] Take pictures of anything OSHA takes pictures of from the same angle and at the same time.
-] Provide no unsolicited information and permit no one else to do so – do not speculate as to what happened or caused the accident.
-] Don't permit anyone to perform an accident reenactment for the C.O.
-] Take minutes/notes regarding everything C.O. does and says, including those to whom he speaks (he has the right to interview employees outside of your presence but you may be present when supervisors are interviewed). Be careful what you write. It is discoverable.
-] If C.O. has a video recorder, be cautious that, while it may be pointed to the ground, it is recording audio (a favorite trick).
-] Don't take pictures or write emails during or after the inspection that could be used against the company – they are discoverable.
-] Refrain from having employees write witness statements of events.
-] Take thorough notes at the “closing conference” when the C.O. reviews his findings – an experienced attorney skilled in OSHA defense should be present.
-] Determine whether to contest any citation based upon the costs involved, the penalty amount, the severity of the citation, the precedent set, the ability to abate the alleged violation (time and method), likelihood of future violations and the impact on other possible collateral litigation.

OSHA’s enforcement activities have changed dramatically in the recent years and your approach to dealing with the agency needs to be reconsidered, if you are to survive an inspection successfully. For further information, use your Legal Services Plan and contact Bob Dunlevey, Board Certified Specialist in Labor and Employment Law, at Taft Law (937) 641-1743.

What’s the Big Deal? It’s Only a Trademark

Submitted by Nadia A. Klarr of Taft Law

We see them every day – on our morning commute, while we’re shopping, at the doctor’s office, even while we brush our teeth before going to bed. Trademarks. They’re everywhere. And they signify perhaps the greatest asset any company has – its brand. In an instant, a consumer recognizes a product or service as coming from a specific source and they make a judgment about that product or service based upon the goodwill that particular company has built up in its name.



Whether realized or gone unnoticed, a trademark communicates a lot to potential consumers. So, what exactly is it? A trademark is defined in 15 U.S.C. § 1127 as “any word, name, symbol, or device, or any combination thereof” that is used by a party to indicate the source of its goods and to identify and distinguish those goods manufactured or sold by others. A registered trademark owner must jump through several government hoops before acquiring that coveted stamp of approval with permission to use the ® symbol with its mark. In order to be

registered, a mark must be capable of distinguishing the applicant's goods from those of others. Thus, a mark must be either inherently distinctive and therefore entitled to protection in its own right, or it must have acquired distinctiveness through secondary meaning, which is a process of a mark becoming distinctive of the applicant's goods in the marketplace through long and continuous use. Distinctiveness is an important aspect of registration because it represents that the trademark has matured to the point where the goodwill associated with it allows a consumer to hear the name or see the mark and know, almost instantly, what the brand stands for and what the consumer can expect from a particular company.

Federal registration of a trademark provides its owner with prima facie evidence of ownership and the list of other benefits associated with registration is great. But registration alone will not prevent or protect a trademark owner from losses associated with infringement. Infringement occurs when a competing actor takes actions that cause a likelihood of confusion among consumers as to the source of goods or services. For example, when Toyota Motor Corporation introduced its Lexus in the 1980s, Mead Data Central, the Dayton, Ohio company that had pioneered the electronic legal database search industry, was ready to fight and defend its Lexis brand. Toyota prevailed in that case, however, because there was no likelihood of confusion.

If registration alone will not prevent infringement, what does a trademark owner need to do to protect its brand?

-)] Maintain your mark. Trademark registration is not a one-time and you're done process. You do not hold your mark forever just because you registered it. The USPTO requires declaration of use filings between the fifth and sixth year after registration. Renewals are also required between the ninth and tenth year after the initial registration, and continuing between every ninth and tenth year thereafter. The USPTO is very strict about these deadlines; it is advisable to work with an attorney to ensure compliance with these filing requirements and deadlines.
-)] Police your mark. Just because you have taken the time and expense to register your mark does not mean that the federal government or anyone else is on alert and watching for potential infringers. That job is assigned to you as the trademark owner. However, you can work with third-party companies or an attorney to more efficiently manage this process.
-)] Work with your state. Federal trademark registration does not automatically trigger registration in your state. It is up to you to make sure you are registered in the state or states that you operate.
-)] Use your mark correctly. Establish brand guidelines and follow them. Decide how you plan to use your mark and use it that way consistently. Always use the ® symbol to inform consumers that your trademark is a federally registered trademark. Correct others, in a friendly manner of course, if and when they use your mark incorrectly.

These guidelines should help you protect your brand and your trademark from infringement. Creating a comprehensive trademark and brand management guide should involve the input of your brand managers and legal counsel. For more information, use your Legal Services Plan and contact Bob Dunlevey or Nadia Klarr at Taft/Law (937) 228-2838.

Growing the Workforce Pipeline

Power Lunches: A Successful DRMA Career Awareness Initiative

Through a collaborative effort with the Montgomery County ESC, the Regional STEM Collaborative, and FASTLANE, DRMA is taking our career message right into area middle and high schools! We set up a table-top exhibit during students' lunch time and other special events, and we talk one-on-one with students about the great careers our region's manufacturing industry offers.

Manufacturers, you can help solve your future workforce shortage problem by providing a **volunteer to work these Power Lunches**. It takes only a couple of hours and no public speaking is necessary. We'll do the scheduling, the set up, and all the logistics. All volunteers have to do is show up and engage students in conversations about why they like working in manufacturing, and specifically, **why they like working for your company!** Do you have a young person who might like to talk to students? [Please let me know!](#)

DRMA Foundation Donors 2017

Many, many THANKS to the following people and members for making donations to the DRMA Foundation in 2017

AFC Tool Co., Inc.

Alfons Haar, Inc.

Jim Bowman

The Dupps Company

G & W Machinery Sales, Inc.

The Greentree Group

Integral Manufacturing

Jena Tool Corp.

Knowlton Manufacturing

Dayton Precision Aerospace

The DRMA Foundation is a 501(c)3 charitable organization which funds DRMA's initiatives focused on growing the manufacturing workforce pipeline. If you or your business would like to support the Foundation, please contact the DRMA office.

Safety

Update from DRMA's Workers Comp Group Administrator

Submitted by Julia Hall of CareWorksComp

Unbelievably, another year is hastening to a close. Growing and developing relationships with our clients has been our first and foremost goal this year. We will nurture that culture of partnership in the year ahead and explore ways to make everyday operations easier and more cost-effective for you in your risk management programs. We're wholeheartedly embracing 2018 and the exciting promise of all that it holds for us!

Important Dates:

January 24, 2018

) Deadline to enroll in Group Retrospective Rating programs!

January 31, 2018

) Individual retro rating application deadline for 7/1 start

) One Claim Program (OCP) program application deadline for 7/1 start date.

) Deadline for the BWC's Deductible program for 7/1 start date.



Paying BWC Premiums: Now that we are two years in to the BWC's prospective payment plan, it is more important than ever to ensure you are paying the premium installments on time, as the BWC will remove employers from programs for not paying premiums or filing true-ups timely. Since there are several payment plan options and BWC statements can be quite confusing, it is easy to miss a payment or misunderstand when one is due. CareWorksComp is here to help if you need it.

Mergers and Acquisitions: If the new year is bringing you the possibility of buying or selling part of your operation, please contact CareWorksComp if you need guidance on how this relates to your workers' comp policy. It's important to know how this may affect your business and the impact to the alternative rating program in which you participate. Additionally, BWC may be issuing rebates or refunds depending on your participation in these programs, and you will want to ascertain who receives these monies.

Unemployment Taxable Wage Base Increases for 2018: -Ohio employers will be paying more unemployment taxes in 2018 primarily due to the increase in the taxable wage base. The Ohio Department of Job and Family Services (ODJFS) has raised the taxable wage base from \$9,000 per employee to \$9,500 per employee. Also the tax table used

by ODJFS has shifted upward for 2018. This will also have an impact on the amount of unemployment taxes Ohio employers will pay.

CareWorksComp can assist you in controlling unemployment claims and taxes. Employers wanting an analysis of their tax notice or to learn about different tax options such as common/joint rating should contact Kammy Staton, our Unemployment Manager at 614.526.7165 or kammy.staton@careworkscomp.com.

All About Members

Congrats!

Knox Machinery is celebrating 22 years in business this year!

Welcome New Members

Your Association is growing! Check out our new Manufacturer member...

MIRAC Inc. – 3974 Hemphill Way, Cincinnati, OH 45236 (513-509-2368)

We offer electronic manufacturing services including wire & cable harness assembly, printed circuit board assembly, and complete system builds.

Community Seminars & Events

FASTLANE Women in Manufacturing – Wednesday, January 17, 11:30 a.m. – 1:00 p.m. [Register Here](#)