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SEPTEMBER 2026

THE CONTRACTOR'S COMPASS

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ASA Celebrates 60 Years of Building a Stronger Voice for Subcontractors

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September 2026

THE CONTRACTOR'S COMPASS

EDITORIAL PURPOSE
The Contractor's Compass is the monthly educational journal of the Foundation of the American Subcontractors Association, Inc. (FASA) and part of FASA's Contractors' Knowledge Network. FASA was established in 1987 as a 501(c)(3) tax-exempt entity to support research, education and public awareness. Through its Contractors' Knowledge Network, FASA is committed to forging and exploring the critical issues shaping subcontractors and specialty trade contractors in the construction industry. The journal is designed to equip construction subcontractors with the ideas, tools and tactics they need to thrive. The views expressed by contributors to The Contractor's Compass do not necessarily represent the opinions of FASA or the American Subcontractors Association, Inc. (ASA).

MISSION
To educate and equip subcontractors and suppliers with the education and resources they need to thrive in the construction industry. Additionally, FASA raises awareness about issues critical to and about construction in the United States.

SUBSCRIPTIONS
The Contractor's Compass is a free monthly publication for ASA members and nonmembers. For questions about subscribing, please contact communications@asa-hq.com.

ADVERTISING
Interested in advertising? Contact Richard Bright at (703) 684-3450 or rbright@ASA-hq.com or advertising@ASA-hq.com.

EDITORIAL SUBMISSIONS
Contributing authors are encouraged to submit a brief abstract of their article idea before providing a full-length feature article. Feature articles should be no longer than 1,500 words and comply with The Associated Press style guidelines. Article submissions become the property of ASA and FASA. The editor reserves the right to edit all accepted editorial submissions for length, style, clarity, spelling and punctuation. Send abstracts and submissions for *The Contractor's Compass* to communications@ASA-hq.com.

ABOUT ASA
ASA is a nonprofit trade association of union and non-union subcontractors and suppliers. Through a nationwide network of local and state ASA associations, members receive information and education on relevant business issues and work together to protect their rights as an integral part of the construction team. For more information about becoming an ASA member, contact ASA at 1004 Duke St., Alexandria, VA 22314-3588, (703) 684-3450, membership@ASA-hq.com, or visit the ASA Web site, www.asaonline.com.

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FEATURES

DEPARTMENTS

PRESIDENT'S LETTER

Dear Readers—

As summer begins to wind down, the construction industry is doing what it always does — staying busy, adapting to change and looking ahead to what comes next. For ASA, one of the biggest things on the horizon is SUBExcel, now just a few weeks away - September 29 - October 1 in Bonita Springs, FL.

If you haven't registered yet, there's still time. **Click here** (It's that easy to start the process!)

SUBExcel is one of the best opportunities of the year to step away from the day-to-day demands of the job and spend time with people who understand the challenges and opportunities facing subcontractors. It brings together industry leaders, business owners, professionals and ASA members from across the country for education, networking and conversations that can continue long after everyone heads home.

Whether you come for the educational sessions, the chance to reconnect with old friends, the opportunity to meet new ones or simply to get a fresh perspective on your business, SUBExcel has something to offer. If it has been sitting on your "maybe" list, now is the time to turn that maybe into a yes. We hope to see you in Bonita Springs, FL.

This month's issue of The Contractor's Compass takes on a subject that deserves our attention throughout the year: mental health in construction.

Construction is an industry built on strength, determination and getting the job done. But those same qualities can sometimes make it difficult for people to admit when they are struggling or to ask for help. Long hours, tight schedules, financial pressures, workforce shortages, jobsite demands and the constant responsibility of

keeping projects moving can take a toll.

Mental health is not separate from workplace safety, productivity or leadership. It affects all of them.

The articles in this issue are intended to encourage conversation, provide useful information and remind us that looking out for the people around us is part of building a stronger industry. Sometimes that means recognizing when someone is having a difficult time. Sometimes it means creating a workplace where employees know they can speak up. And sometimes it simply means asking a coworker how they are doing — and taking the time to listen to the answer.

As you read through the issue, we also encourage you to take a look at the sponsor advertisements throughout these pages. Our sponsors and industry partners play an important role in supporting ASA and the educational resources, programs and events we are able to provide to our members.

Their ads are more than just space on a page. They represent companies that have chosen to invest in the subcontracting community and support the work ASA is doing. Please take a moment to see who they are, what they offer and how they may be able to help your company.

There is plenty to explore in this issue — important conversations, useful information, supportive industry partners and, just around the corner, **SUBExcel**.

Enjoy the issue, and I hope to see you in a few weeks!

Tony Vermaas
President ASA 2026-27
president@asa-hq.com

CONTRACTOR COMMUNITY

Every specialty contractor has to deal with multiple prequalification's and the demands this process places on time, resources and in many cases now, the hard cost associated with it, makes prequalification not only tedious, but expensive. ASA's team has compiled three documents to assist the coordination between CGs and subs. They can be accessed for ASA members in the InfoHub under Resources.

1. **ASA Position Statement—**A Fair and Reciprocal Framework for Construction Prequalification - Modernizing Prequalification to Reduce Risk, Protect Sensitive Subcontractor Data, and Increase Project Certainty Construction Prequalification
2. **ASA Member Checklist—**What to Ask Before Submitting a Prequalification
3. **ASA Pplicy Brief for General Contractors ("GCs")—** Modernizing Prequalification to Reduce Risk, Protect Sensitive Subcontractor Data, and Increase Project Certainty

Background Check and Authorizations and Process

For employers that use third-party background checks, the legal risk often lies less in the substance of the report and more in the process employed to obtain and use it. The Fair Credit Reporting Act (FCRA) requires an employer to take specific steps before it may procure a consumer report for employment purposes and before it may take adverse action based on that report.

FCRA Disclosure, Authorization, and Timing Requirements for Employment Background Checks.

On the front end, the FCRA requires a "clear and conspicuous" written disclosure, in a stand-alone document, that a consumer report may be obtained for employment purposes. The FCRA also demands that the applicant or employee provide written authorization for such report. The disclosure and authorization should not be buried in the employment application. Lean, vetted forms are usually the safest course. Required disclosures should be provided, and authorizations obtained, before ordering a background check.

Pre-Adverse and Adverse Action Process Under the FCRA.

The adverse action process poses further risk. If information in a background report may lead to an adverse decision—such as rescinding a conditional offer or declining to hire—the employer usually cannot move straight to the final decision. Generally, it must first provide the applicant or employee with a pre-adverse action notice, along with a copy of the report and a summary of FCRA rights. That step gives the applicant or employee a chance to review the report, flag possible inaccuracies, and provide context. Only after the employer has waited for the requisite amount of time and considered any applicant or employee response should it make a final decision. If the employer ultimately decides to take adverse action, it also generally must provide an adverse action notice to the applicant or employee.

Treasury Issues Guidance on Employer Tax Credit for Paid Family and Medical Leave

The U.S. Treasury Department ("Treasury") and the Internal Revenue Service (IRS) have released Notice 2026-28 (the "Notice"), which provides guidance on the employer tax credit for paid family and medical leave under the One Big Beautiful Bill Act (OBBBA). Public comments are due by October 16.

There are two ways an employer may calculate the tax credit: (i) the traditional "wage method," which is a percentage of actual wages not in excess of the threshold that are paid during an employee's family and medical leave or (ii) the "premium method," which is a percentage of the premiums paid for family and medical leave insurance coverage.

The Notice focuses primarily on implementation of the new "premium method," under which an eligible employer that maintains a paid family and medical leave insurance policy may elect to calculate the credit by reference to premiums paid or incurred for that policy rather than wages actually paid to employees during qualifying leave. The Notice's central substantive approach is to make the premium method dependent on the existing wage method: a premium is creditable only to the extent it funds a benefit for which a credit would have been available under the wage method if the benefit had been paid directly.

Taxpayers may rely on the Notice for taxable years beginning after December 31, 2025, and before proposed regulations are issued.

Regulatory Update: IRS Issues Overtime Guidance as OSHA Revises Warehouse Inspection Program

Two recent federal regulatory updates could have implications for employers and workers, particularly in industries with significant overtime activity and warehouse or distribution operations.

IRS Updates "No Tax on Overtime" Guidance

- On August 6, the Internal Revenue Service issued updated guidance addressing the federal "No Tax on Overtime" deduction. The new guidance is contained in **Fact Sheet FS-2026-13**, which revises the FAQs previously issued in FS-2026-01 in January.
- The updated guidance includes a dedicated section addressing employer information and requirements, providing additional direction to employers on their responsibilities related to the overtime deduction.
- Employers should review the revised FAQs to understand how the changes may affect payroll, employee reporting and compliance obligations as the deduction is implemented.

OSHA Revises Warehousing and Distribution Center Enforcement Program

- The Occupational Safety and Health Administration also recently updated its National Emphasis Program (NEP) for warehousing and distribution center operations. OSHA issued the revised program on July 6, with the updated enforcement guidance taking effect July 31. The revised NEP is scheduled to remain in effect through July 31, 2031.
- The update makes several changes to OSHA's inspection and enforcement approach.
- Among the most significant changes, OSHA removed "high injury rate retail establishments" from the scope of the NEP. The agency also eliminated mandatory screening requirements for ergonomic and heat hazards, giving OSHA inspectors greater discretion in determining when those hazards warrant additional attention.
- The revised guidance also changes how Area Offices handle inspections involving potentially serious issues. Under the 2023 NEP, Area Offices were required to expand inspections under certain circumstances. The updated program instead clarifies that Area Offices have discretion to expand inspections based on fatalities or catastrophes, complaints or referrals.

What Employers Should Know

The two updates highlight the importance of employers staying current with federal regulatory guidance. For employers with significant overtime operations, the IRS guidance provides additional information on the "No Tax on Overtime" deduction and related employer requirements. For warehousing, distribution and related operations, OSHA's revised NEP provides greater flexibility in how inspections are conducted while maintaining a focus on workplace hazards. Employers should review their safety and compliance programs in light of the revised enforcement approach, particularly regarding ergonomics, heat exposure and circumstances that could lead to expanded OSHA inspections.

J. J. Keller and ISEA Launch 5th Annual PPE Pain Points Study

EHS and Safety Professionals Are Invited to Share Experiences with Buying PPE and Managing PPE Use

J. J. Keller & Associates, Inc., a leading provider of safety and compliance solutions, and the **International Safety Equipment Association (ISEA)**, the leading trade association for personal protective equipment (PPE) and technologies, announced they have launched a collaborative study evaluating the day-to-day experiences of EHS and safety professionals in PPE program development, PPE purchasing, PPE training, and ensuring proper use of PPE to keep employees safe.

To take the PPE Pain Points survey, visit the study site at https://jjkeller.qualtrics.com/jfe/form/SV_1ML6XLw6fEBjFeC.

The survey is open through **September 8, 2026**. Those responding to the survey may remain anonymous.

This is the fifth year of the PPE Pain Points Study by the J. J. Keller Center for Market Insights and the third year ISEA has collaborated with J. J. Keller on the research effort.

"We believe the most actionable insights for greater workplace safety come from listening to safety professionals and others responsible for the day-to-day activities of PPE programs, purchasing, training, and oversight," said Adrienne Hartman, Executive Vice President of Marketing with J. J. Keller & Associates, Inc. "Their experiences can help identify the barriers to safety. And the role of the J. J. Keller Center for Market Insights is to share those insights across the industry in ways that inform and drive real improvement."

"Each year, we look forward to seeing what this research reveals about how

PPE programs are working in the real world," said Cam Mackey, President and CEO of ISEA. "It is essential that our industry hears directly from the people selecting, purchasing, and managing PPE every day. Their perspectives help us identify persistent gaps, understand how needs are changing, and focus innovation and industry resources where they can have the greatest impact on worker protection."

A final study report will be shared with the industry through the media and other channels.

About the J. J. Keller Center for Market Insights

The J. J. Keller Center for Market Insights is the collaborative research arm of J. J. Keller & Associates, Inc. The center originated in 2019 with a focus on sharing, with the public, trends and insights from an abundance of safety and compliance data gathered by J. J. Keller over decades serving more than 500,000 customers across the United States. Through historical data, new proprietary studies and partnerships with reputable, research-focused third-party organizations, the center publishes ongoing reports to spur discussion and advancements in safe, respectful workplaces, job sites and highways.

About the International Safety Equipment Association (ISEA)

ISEA is the voice of the safety equipment industry. For 90 years, we have been a recognized leader in the development of ANSI-accredited safety equipment standards. We advocate on behalf of the industry for policies that improve worker safety, deliver actionable insights on the safety equipment market, develop critical skills for safety sales professionals, and provide a unique forum for collaboration, learning and growth. Learn more at ***safetyequipment.org****.*

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AMERICAN SUBCONTRACTORS ASSOCIATION

Sixty Years of Building a Stronger Voice for Subcontractors

When the American Subcontractors Association was formed in 1966, its founders were responding to problems that will sound familiar to many subcontractors today: slow payment, bid shopping, unreasonable subcontract terms and the financial strain created when money is withheld. The D.C. Metropolitan Subcontractors Association and the ASA of Baltimore, were the founding chapters and the impetus for the creation of a national organization that could address those issues with a unified voice. What began as an alliance quickly became something much larger. Within a year, ASA had 25 local chapters, most along the Eastern Seaboard. By 1977—roughly a decade after its formation—ASA counted 2,100 member companies.When the American Subcontractors Association was formed in 1966, its founders were responding to problems that will sound familiar to many subcontractors today: slow payment, bid shopping, unreasonable subcontract terms and the financial strain created when money is withheld. The D.C. Metropolitan Subcontractors Association and the Subcontractors Trade Association of New York City joined together to create a national organization that could address those issues with a unified voice. What began as an alliance between two groups quickly became something much larger. Within a year, ASA had 25 local chapters, most along the Eastern Seaboard. By 1977—roughly a decade after its formation—ASA counted 2,100 member companies.

That early growth was more than a membership success story. It showed how strongly subcontractors needed an organization focused specifically on their place in the construction industry. From the beginning, ASA combined chapter development with national advocacy. In 1968 it created both a National Advisory Council and a Legal Advisory Committee. In 1969 it opened formal lines of communication with the General Services Administration and the American Institute of Architects. And in 1970, ASA began its first major federal legislative initiative: an effort to reform the Miller Act and strengthen payment protections on federal construction.

Payment would become one of the most consistent themes in ASA's history. In the 1970s, the association pushed for bid-listing reforms, challenged bid shopping and took on retainage through Project SORE—Stamp Out Retainage Entirely. It worked with federal agencies to reduce retainage and published guidance to help subcontractors protect lien rights. ASA also began building the organizational structure that would support decades of advocacy, holding its first annual convention in 1972 and its first legislative conference in 1977.

By the early 1980s, ASA's work was producing broader results. Its members helped support enactment of the Regulatory Flexibility Act, the Paperwork Reduction Act and the Equal Access to Justice Act in 1980. In 1981, ASA established and chaired the Coalition for Retainage Reform. Then came a major milestone in 1982: enactment of the federal Prompt Payment Act. Although the law did not yet provide all of the subcontractor protections ASA wanted, it created an important framework. ASA kept pressing. In 1983, the Office of Federal Procurement Policy eliminated routine retainage on federal construction, closing out a long federal campaign and prompting ASA to take the fight to the states.

ASA's persistence on prompt payment paid off again in 1988. After years of testimony, lobbying and coalition-building, the association helped lead the effort to pass the Prompt Payment Act Amendments of 1988. Signed into law by President Ronald Reagan, the amendments strengthened protections for subcontractors and became one of the defining legislative achievements of ASA's first decades.

At the same time, ASA was expanding beyond legislative advocacy. In 1986 it adopted its Professional Standards of Practice for Construction Subcontractors. In 1987 it established the Foundation of the American

Subcontractors Association, or FASA, to support education and develop resources created specifically for subcontractors. Through manuals, model documents, training programs and later digital tools, ASA and FASA helped members manage contracts, liens, bonds, safety, employment practices and other day-to-day business challenges.

The 1990s marked another important evolution: ASA increasingly used the courts to protect subcontractor rights. In 1991, the association launched a nationwide campaign against pay-if-paid clauses, helping North Carolina become the first state to outlaw them. In 1994, ASA successfully argued in the West-Fair Electric case that a pay-if-paid clause violated New York public policy. Three years later, it established the Subcontractors Legal Defense Fund to finance precedent-setting court advocacy. The new fund quickly scored a victory in California on pay-if-paid language and became a long-term vehicle for protecting subcontractors in cases involving payment, indemnity, insurance, liens, delay damages and other critical issues.

ASA also continued working on federal payment protections. In 1997 it formed the Coalition to Modernize the Miller Act, and in 1999 the years-long effort culminated in enactment of the Construction Industry Payment Protection Act. That same period saw ASA increase chapter grants, strengthen member communications, create contract addenda and model documents, expand safety education, and launch ASAtoday to keep members current on issues affecting their businesses.

As technology changed how associations served members, ASA changed with it. In 2000 it redesigned its website and launched the Subcontractors' Transfer of Risk Action Plan, or STRAP, to address contractual and insurance risk transfer. In 2002, FASA launched the Contractors' Knowledge Network, giving subcontractors access to educational products, research, a digital knowledge repository and the monthly educational journal, The Contractor's Compass. In 2003 ASA launched its Payment Advocacy Year campaign, and in 2004 it introduced "Stand Up! For Subcontractors," an educational initiative focused on improving contract negotiations.

Professional development also moved online. In 2005 ASA introduced distance-learning programs, including the Critical Skills Series on Contract Negotiation and web-based seminars. The association continued expanding its role in industry standards and model contracts, eventually embracing ConsensusDocs as a benchmark for equitable contract language. In 2011, ASA launched the National Construction Best Practices Awards to recognize contractors that demonstrated strong business practices, favorable contract language and productive relationships with subcontractors.

By the time ASA approached its 50th anniversary, advocacy remained at the center of its mission. The association was active in issues involving public-private partnerships, surety bonding, reverse auctions, prompt payment, retainage, insurance and federal procurement. In 2014, the annual convention was renamed SUBExcel, combining "subcontractors" and "excellence" and emphasizing education, professional development and industry connection. In 2015, ASA helped win two important federal surety bond provisions enacted as part of the National Defense Authorization Act of 2016, strengthening the reliability of assets pledged by individual sureties and increasing the Small Business Administration bond guarantee.

When ASA formally entered its 51st year, the commemorative book listed 31 chapters and described membership growth and chapter development as the association's top priority. The "Build It Bigger" campaign, begun in 2015, reflected the same lesson ASA learned in 1967: national influence depends on strong local chapters and active members.

The decade since ASA's 50th anniversary shows that the core issues have changed in detail, but not in importance. Today, ASA represents more than 2,800 subcontractors and continues to bring the industry's concerns directly to policymakers. Over six years of annual legislative fly-ins, more than 150 ASA advocates have participated in more than 105 House and Senate meetings, along with meetings involving the White House Public Liaison's Office and federal agencies.

Recent priorities show how the association continues to build on its earliest work. ASA drafted the Small Business Payment for Performance Act of 2025 to improve payment following change orders. It championed the Water Infrastructure Subcontractor and Taxpayer Protection Act of 2025 to extend payment and performance security protections to WIFIA-financed projects, including public-private partnerships. It has pushed to reduce retainage caps, supported the Stop Unfair Bid Shopping Act to increase transparency in federal subcontractor listings, advocated for apprenticeship funding, addressed worker misclassification, supported permitting reform and weighed in on tax policy affecting pass-through businesses.

ASA's regulatory work has remained equally broad. The association has engaged on Federal Acquisition Regulation reforms, project labor agreements, independent contractor standards, Davis-Bacon compliance, overtime and joint-employer rules. It has provided input on OSHA matters including PPE, heat illness prevention, lead exposure and chemical safety, while also giving members practical guidance during events such as the COVID-19 pandemic.

The legal and state advocacy work that began decades ago also continues. Through the Subcontractors Legal Defense Fund and Attorneys' Council, ASA has remained involved in cases affecting payment rights, liability, sovereign immunity, insurance and arbitration. Chapters have helped prohibit pay-if-paid clauses in Virginia and New Mexico, reduce retainage caps in Florida, Colorado and Washington, and advance prompt payment, anti-indemnification and mechanic's lien reforms in multiple jurisdictions.

Education has grown alongside advocacy. Members now have access to ConsensusDocs resources, disaster-preparedness toolkits, podcasts and webinars on subjects ranging from price escalation and tariffs to bonds, wellness, public-private partnerships and contract negotiation. ASA's alliances with construction, small business, safety, procurement and transportation coalitions extend its reach even further.

Sixty years after its founding, the most striking thing about ASA may be the continuity of its purpose. The concerns voiced in 1966—getting paid fairly, preventing bid shopping, negotiating reasonable contracts and protecting subcontractors from risks they did not create—still shape the association's agenda. What has changed is the scale, sophistication and reach of the response.

From 25 chapters in its first year to 34 chapters today, representing approximately 2,850 member companies, ASA has spent six decades turning individual subcontractor concerns into collective action. Along the way, the association has helped advance landmark prompt payment laws, established the Subcontractors Legal Defense Fund, expanded from printed manuals to nationwide digital education, and grown from early federal testimony to coordinated Capitol Hill fly-ins. Yet ASA's history is more than a record of milestones. It is a record of persistence—remaining focused on the fundamental principles of fairness, timely payment, equitable risk allocation, professionalism and opportunity while continually finding new ways to serve its members, educate the construction industry and strengthen the subcontracting community. With membership continuing to grow, ASA remains committed to building on that legacy for the decades ahead.

At 60, ASA remains what its founders intended it to be: a united voice for subcontractors, and a force for a stronger, fairer construction industry.

Construction Data & Figures

Ninety-two Percent of Subcontractors Floated Payroll Last Year, New Siteline Report Finds

Siteline

New research quantifies the cash-flow pressures facing commercial trade contractors — and the billing practices that can help them take greater control of getting paid.

Siteline, the first billing and collections software built for commercial trade contractors, released The State of Subcontractor Billing in 2026, an industry report based on a survey of 492 construction finance and operations professionals conducted in May 2026. The findings show subcontractors are still financing the jobs they build — floating payroll, waiting the longest on retainage, and running much of the billing and collections process manually through spreadsheets and email.

The survey found that 92 percent of subcontractors floated payroll from their own pockets in the past year while waiting for payment, and 28 percent do it most months. For a trade that's first on the job and last to be paid, the company itself becomes the lender — without any of the protections a real bank would require. And as the business grows, so does the amount of cash it has tied up in the work.

The squeeze is especially tight around retainage, where 43 percent of subcontractors wait more than 90 days to collect final payment and retainage, compared with just 15 percent of general contractors — and nearly one in five waits six months or more. Because the amount withheld is often the entire margin on a job, a sub can finish the work and still wait half a year to see its profit while fronting the costs of the next one.

"Retainage puts subcontractors in a difficult position. It keeps us from money we've already earned while we still have employees, suppliers, and vendors to pay," said Martin Press, founder and president of Press Mechanical Contractors and Secretary/Treasurer of the American Subcontractor Association (ASA). "ASA is working to expand options such as retainage bonds that give subcontractors access to those funds sooner, while still providing appropriate protection for the project. At the same time, subcontractors need to manage the parts of the payment process they can control — billing accurately and on time, staying ahead of requisitions and change orders, and knowing exactly where their money stands."

The report shows there's plenty of room to improve on that front. Subcontractors named pay applications submitted with errors or omissions as the single biggest internal driver of their own late payments. Sixty-seven percent spend 11 or more hours per month preparing, submitting, and tracking pay apps — the equivalent of a part-time job. And 56 percent missed a critical mechanic's lien deadline in the past two years, putting one of their strongest payment protections at risk.

"Subcontractors have become the construction industry's bank, and it's a role no one asked for," said Claire Wilson, co-founder and CEO of Siteline. "We can't control how the industry pays, but our report shows that the better handle subcontractors have on their billing and A/R, the less time and money they lose to delays they can prevent. That's exactly why Siteline exists: to give subs visibility into their cash flow so they can properly plan, get paid faster, and shorten the time they're left financing the work."

There's appetite to fix it, too: 73 percent of subcontractors are optimistic about their financial outlook, and a majority are ready to invest in the tools to get there. The State of Subcontractor Billing in 2026 breaks down where the delays start, what they cost, and what subcontractors can do to close the gap between the work they perform and the cash they collect. Click here to download The State of Subcontractor Billing in 2026 (https://www.siteline.com/digital-download/the-state-of-subcontractor-billing-in-2026).

ABC's Construction Backlog Indicator Plummets in July

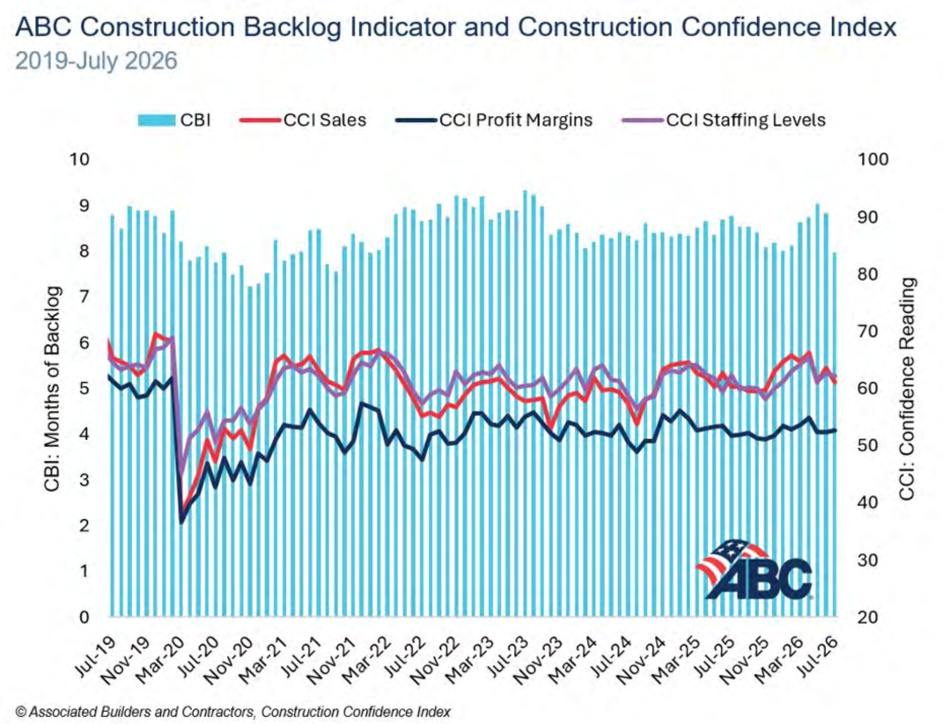
Associated Builders and Contractors reported that its Construction Backlog Indicator fell to 8.0 months in July, according to an ABC member survey conducted July 20 to Aug. 4. The reading is down 0.8 months from both a month and year ago.

View ABC's Construction Backlog Indicator and Construction Confidence Index for July. View the full Construction Backlog Indicator and Construction Confidence Index data series.

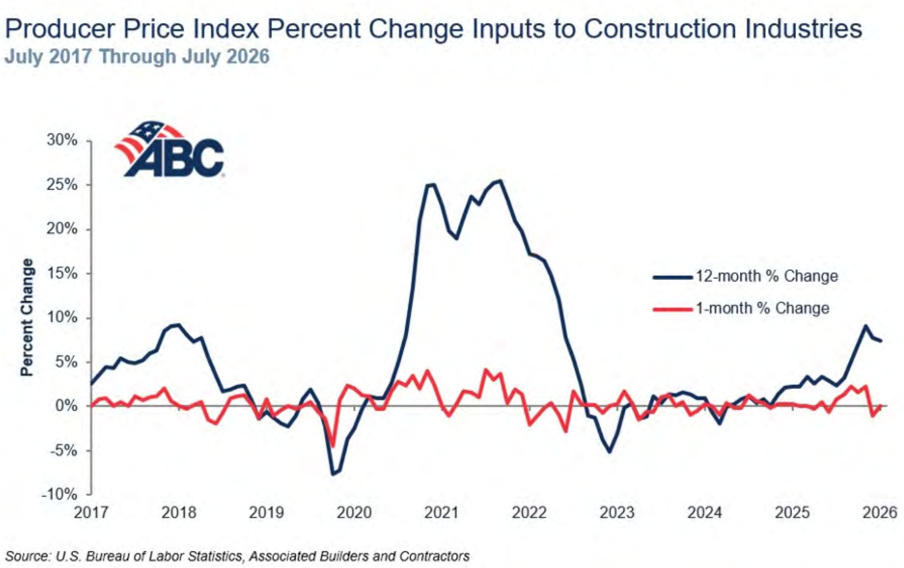
Every industry, region and company size experienced a decline in backlog in July. The South remains the only region with a larger backlog than one year ago.

ABC's Construction Confidence Index readings for sales and staffing levels also fell in July, while the reading for profit margins increased. The readings for all three components remain above the threshold of 50, indicating expectations for growth over the next six months.

"Backlog fell sharply in July and is down to the lowest level since January," said ABC Chief Economist Anirban Basu. "The data center boom masks the depth of this weakness, as there is a lack of momentum in any other segment. The 88% of ABC contractors that are not under contract to work on a data center had an average 7.5 months of backlog. That compares poorly to the 12% that are under contract to work on data centers, which have 11.4 months of backlog. This dynamic has been particularly difficult for small and mid-size contractors. Backlog in the $30-$50 million annual revenue category, for instance, fell to the lowest level since March 2020."



Note: The reference months for the Construction Backlog Indicator and Construction Confidence Index data series were revised on May 12, 2020, to better reflect the survey period. CBI quantifies the previous month's work under contract based on the latest financials available, while CCI measures contractors' outlook for the next six months. View the methodology for both indicators.



ABC: Construction Materials Prices Flat in July, Up 7.4% From a Year Ago

Overall construction and nonresidential input prices both increased 0.1% in July compared to the previous month, according to an Associated Builders and Contractors analysis of U.S. Bureau of Labor Statistics' Producer Price Index data released today.

Overall construction input prices are 7.4% higher than one year ago, while nonresidential construction input prices are 7.2% higher. Prices decreased in two of the three energy subcategories last month. Crude petroleum prices decreased 11.9%, and unprocessed energy materials decreased 7.4%. Natural gas prices were up 10.4% in July.

"Construction input prices were virtually unchanged in July, but that relatively tame behavior can be traced to the dip in fuel prices that occurred at the start of the month," said ABC Chief Economist Anirban Basu. "Diesel fuel prices, for instance, surged more than $0.50 per gallon from the week prices were measured for the index through the end of July. Given the subsequent rebound in oil prices and ongoing increases in certain materials prices, such as lumber and iron and steel, materials prices will almost certainly continue to climb in the months to come.

"Materials prices remained up more than 7% on a year-over-year basis in July," said Basu. "Despite this significant annual increase and the prospect of ongoing inflation, contractors on net expect their profit margins to expand over the next six months, according to ABC's Construction Confidence Index."

Producer Price Index July 2026

	1-Month % Change	12-Month % Change	Change Since Feb 2020
Inputs To Industries			
Inputs to construction	0.1%	7.4%	53.3%
Inputs to multifamily construction	0.1%	6.2%	51.8%
Inputs to nonresidential construction	0.1%	7.2%	53.9%
Inputs to commercial construction	0.2%	6.3%	54.5%
Inputs to healthcare construction	0.3%	6.4%	54.0%
Inputs to industrial construction	-0.1%	6.9%	50.8%
Inputs to other nonresidential construction	0.0%	7.5%	54.0%
Inputs to maintenance and repair construction	0.1%	7.7%	51.5%
Commodities			
Adhesives and sealants	0.3%	5.2%	46.3%
Brick and structural clay tile	-0.2%	0.8%	34.1%
Concrete products	0.0%	3.7%	47.1%
Construction machinery and equipment	0.7%	2.7%	38.1%
Construction sand, gravel, and crushed stone	0.5%	6.2%	56.5%
Copper wire and cable	0.2%	17.9%	96.6%
Crude petroleum	-11.9%	14.6%	58.9%
Fabricated structural metal products	0.5%	6.2%	70.3%
Gypsum products	0.9%	-0.4%	48.8%
Hot rolled steel bars, plates, and structural shapes	3.1%	14.7%	61.5%
Insulation materials	-0.5%	0.8%	47.6%
Iron and steel	2.4%	17.6%	78.9%
Lumber and wood products	1.5%	5.3%	32.7%
Natural gas	10.4%	-5.4%	44.2%
Plumbing fixtures and fittings	-0.1%	4.9%	33.3%
Prepared asphalt, tar roofing and siding products	1.3%	3.6%	51.6%
Softwood lumber	6.4%	15.0%	30.8%
Steel mill products	3.9%	22.5%	99.7%
Switchgear, switchboard, industrial controls equipment	1.5%	9.3%	78.1%
Unprocessed energy materials	-7.4%	8.4%	70.4%

Source: U.S. Bureau of Labor Statistics, Associated Builders and Contractors

ABC Report: 36% of Contractor Members Utilize Drones on Jobsites

Associated Builders and Contractors released the findings of its Drone Usage report, a survey ABC conducted of its contractor members in May 2026. Notably, 36.1% of ABC contractor member respondents reported that they fly drones.

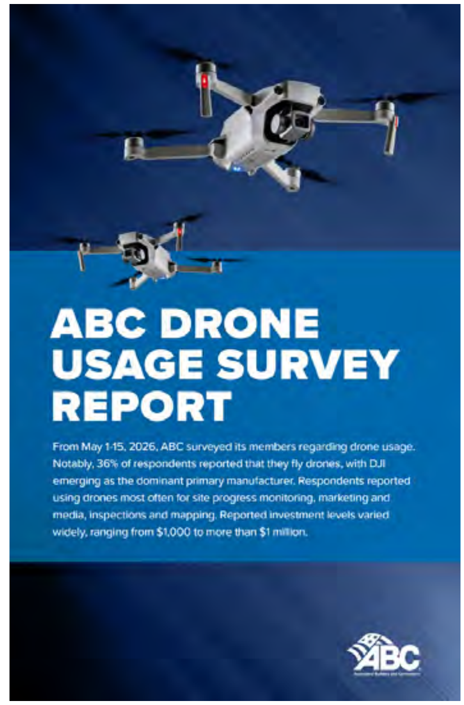
Other report findings include:

- Drones are most often used for site progress monitoring (80.8%), marketing and media (77.5%), and inspections and mapping (50%).
- Investment levels in drones vary widely, but 62% report investing between $1,000 and $10,000.
- DJI manufactures the overwhelming majority of ABC contractor members' primary drones (97.1%).
- The biggest challenges in adopting drone technology include regulatory and compliance issues (53.5%), training and staffing (43.4%) and limited use cases (37.4%).
- Nearly 75% of contractors surveyed are commercial contractors.

"In the ever-evolving construction technology landscape, drones are transforming how contractors monitor site progress, enhance branding efforts and conduct inspections with unprecedented efficiency," said Matt Abeles, ABC vice president of construction technology and innovation.

"This ABC report details how ABC contractor members are embracing this innovation, yet regulatory hurdles and training challenges still limit broader adoption," said Abeles. "ABC urges contractors to continue exploring the full potential of drone technology on their jobsites and calls on lawmakers to streamline compliance so employers can leverage these tools to build safer, healthier and more efficient jobsites."

ABC creates the conditions for construction companies to innovate, differentiate, attract and educate top talent to win and deliver work safely, ethically and profitably for the betterment of the communities in which they work.



Visit abc.org/dronerport to read the full report.

Construction Employment Increases in 36 States and D.C. from July 2025 to July 2026; 28 States Add Jobs from June to July as Association Warns More Jobs Are at Risk

Texas and Louisiana Have the Largest Number and Percent of 12-Month Increases, While California and Alaska Lag; Illinois and Mississippi Top Monthly Gainers, While Texas and West Virginia Have the Largest Monthly Job Losses

Construction employment increased in 36 states and the District of Columbia from July 2025 to July 2026, while 28 states and D.C. added jobs between June and July, according to an analysis of new federal data released by the Associated General Contractors of America. Association officials cautioned, however, that several policy developments, including uncertainty surrounding tariffs, highway funding and data center development, threaten to undermine near-term employment increases.

"Construction employment gains were widespread in July on both a monthly and year-over-year basis," said Ken Simonson, the association's chief economist. "Nevertheless, there are several risks to continuing increases in employment, including a potential lapse in federal highway funding, growing opposition to data centers, and ongoing shifts in tariff policy."

Between July 2025 and July 2026, 36 states and the District of Columbia added construction jobs, 13 states shed jobs, and employment was unchanged in Vermont. Texas added the most construction jobs (17,500 jobs, 1.9 percent), followed by Louisiana (15,500 jobs, 11.4 percent), North Carolina (15,400 jobs, 5.5 percent), Ohio (13,700 jobs, 5.3 percent) and Illinois (12,700 jobs, 5.3 percent). Louisiana posted the largest percentage gain over 12 months, followed by Wyoming (6.2 percent, 1,400 jobs), Oklahoma (5.5 percent, 4,900 jobs), North Carolina and Nebraska (5.5 percent, 3,500 jobs).

California lost the most construction jobs from July 2025 to July 2026 (-6,700 jobs, -0.7 percent), followed by Virginia (-5,800 jobs, -2.5 percent), New York (-5,700 jobs, -1.5 percent), New Jersey (-4,900 jobs, -2.9 percent) and Georgia (-3,200 jobs, -1.4 percent). The largest percentage loss was in Alaska (-3.7 percent, -700 jobs), followed by New Jersey, Virginia, New Hampshire (-2.5 percent, -800 jobs) and Maine (-2.5 percent, -900 jobs).

For the month, industry employment increased in 28 states, declined in 18 states and D.C. and was unchanged in Oregon, North Dakota, Delaware and Nebraska. Illinois added the most construction jobs (3,200 jobs, 1.3 percent), followed by Ohio (3,000 jobs, 1.1 percent), California (2,900 jobs, 0.3 percent), Florida (2,900 jobs, 0.4 percent) and Louisiana (2,300 jobs, 1.5 percent). The largest percentage gain occurred in Mississippi (1.9 percent, 1,000 jobs), followed by Rhode Island (1.8 percent, 400 jobs), Louisiana (1.5 percent, 2,300 jobs), and Kansas and Illinois (1.3 percent, 1,000 and 3,200 jobs, respectively).

Texas lost the most construction jobs from June to July (-3,400 jobs, -0.4 percent), followed by Alabama (-2,200 jobs, -1.9 percent), Washington (-2,100 jobs, -1.0 percent), Arizona (-1,300 jobs, -0.6 percent), Virginia (-1,300 jobs, -0.6 percent) and New Jersey (-1,300 jobs, -0.8 percent). The largest percentage loss was in West Virginia (-2.8 percent, -1,000 jobs), followed by Alabama, D.C. (-1.4 percent, -200 jobs), Vermont (-1.2 percent, -200 jobs) and Alaska (-1.1 percent, -200 jobs).

Association officials said that several policy developments could derail some of the industry's strongest sources of demand. Growing state and local resistance to data center development, the lack of progress in Congress on a long-term highway and transit bill, and frequent changes in tariffs on construction materials all pose significant threats to future construction activity.

"Construction firms continue to add workers where demand remains strongest," said Jeffrey D. Shoaf, the association's chief executive officer. "Policymakers can help sustain that momentum by passing a new highway and transit funding bill before the current law expires on September 30, supporting responsible growth in data centers, and avoiding policies that increase the cost of key construction materials and create unnecessary uncertainty for construction employers."

View July 2026 state employment data and 1-month, 12-month rankings.

Architecture firm billings remain weak in July

The AIA/Deltek Architecture Billings Index® (ABI) score for the month was 46.6, indicating somewhat further softening from June. The persistent downturn in business conditions now extends to nearly three and a half years, as many firms continue to struggle to grow their billings. Clients are still bringing business to firms, as inquiries into new projects rose again in July, although at a slower pace than in June. However, the value of newly signed design contracts declined further after nearly approaching growth last month.

Business conditions also remained weak at firms in all regions of the country in July. Firms located in the Northeast reported the softest conditions for the second consecutive month, while the pace of the ongoing decline slowed slightly at firms in the other three regions. Billings declined at firms of all specializations as well. While firms with multifamily residential and institutional specializations both saw slight growth earlier this year, conditions have softened since then. Firms with a commercial/industrial specialization, on the other hand, have not reported an increase in billings since four years ago this month.

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Broader economy remains uneven as inflation pressures persist

Conditions remained relatively mixed in the broader economy in July. Nonfarm payroll employment decreased for the second time this year, shedding 23,000 jobs in July. Construction employment remained generally flat, while architecture services employment declined by 100 positions in June (the most current data available). June marked the fourth consecutive month of declines in employment in the industry, which has lost a total of 900 jobs so far since January.

Inflation remains high, as the Consumer Price Index (CPI) increased by 0.1% from June to July, after declining by 0.4% from May to June. Shelter and food (particularly away from home) were the primary contributors to the increase this month, although energy prices declined by 1.5%. In better news, consumers were somewhat more optimistic, with the University of Michigan's Index of Consumer Sentiment rising by 11.5% in July. However, the overall index remains down by 10.5% from one year ago, as purchasing power/inflation remains a key issue for consumers.

Architecture firms weigh mergers and acquisitions as a strategy for growth and long-term stability

This month's special questions asked firms about merger and acquisition activity in the architecture industry. Overall, 30% of responding firm leaders reported that they have either gone through with a merger or acquisition or actively considered one over the last year. Large firms with annual billings of $5 million or more (43%), firms located in the South (39%), and firms with a commercial/industrial specialization (35%) were the most likely to report having gone through with, or actively considered, a merger or acquisition. Of the different types of merger and acquisition activities, 10% of firms indicated that they actively considered being acquired by another firm, 8% that they actively considered acquiring another firm, 8% that they actively considered merging with another firm, and 4% that they went through a merger with or acquired another firm. In addition, 29% of firms indicated that they completed or considered an internal ownership transition over the last year. However, slightly more than half of firms overall (54%) reported that they have not engaged in any merger, acquisition, or ownership transition activity over the past year.

At the firms that have participated in, or considered, a merger or acquisition over the past year, 54% rated these two factors as very important in their decision: allowing the firm to compete more effectively, and that it was the best way to ensure the survival of the firm. An additional 53% rated the ability to add new markets/serve a broader area/develop an international presence, and allows for greater diversity of projects to hedge against economic cycles/ construction cycles as very important factors, while 52% selected the ability to be more competitive for large projects, and 50% selected allowed owners to sell firm/ realize benefits from investment as very important factors.

Overall, more than half of responding firms (59%) think that it is unlikely that their firm will be acquired by or merge with another firm over the next 3–5 years. However, nearly one quarter (23%) think that it is likely, while the remaining 18% think that it is neither likely nor unlikely. And just 14% of responding firms think that it is likely that their firm will acquire another firm over the next 3–5 years, while 69% think that it is unlikely, and 18% think that it is neither likely nor unlikely. However, large firms and firms with an institutional specialization were much more likely to project an acquisition by their firm, with 24% and 22%, respectively, rating it as likely.

As far as overall merger and acquisition trends in the industry, 65% of responding firm leaders believe that merger and acquisition activity among U.S. architecture firms is likely to increase over the coming 3–5 years, with just 2% expecting that it will decrease, and 15% anticipating that it will remain at current levels (the remaining 18% indicated that they don't know how this activity will trend). Finally, nearly half of firms (41%) indicated that they believe that architecture firm acquisitions of/ mergers with other architecture firms will be the one most common type of merger and acquisition activity that may occur over the coming 3–5 years. However, 15% think that private equity acquisitions of architecture firms will be the most common type, while 12% expect it to be architecture firm acquisitions of/mergers with other nonarchitecture firms (e.g., interior design, planning, engineering, construction), and 10% expect it to be nonarchitecture firm acquisitions of/mergers with architecture firms (the remaining 20% said that they don't know which type of activity will be most common).

FMI

Where Does Your Segment Land in 2026

At a glance, the numbers look flat: U.S. construction spending is set to dip just above 1% in 2026, to $2.214 trillion. The market underneath it is anything but. FMI's Q3 2026 North American Engineering and Construction Outlook shows which segments are pulling ahead and which are falling back. Behind that modest headline number is a market splitting sharply, and knowing where your segment sits matters more than the top-line number

Key Trends

1. Manufacturing is driving the decline. It falls 17.4% to $178 billion as the semiconductor fabs and battery plants behind the boom move past their peak spending.
2. Data centers keep booming. Spending jumps 21.4% to $60 billion, now nearly half of all office construction, and enough on its own to keep the broader office category positive.
3. Power is heading into its best stretch in years. Turbine and transformer lead times hold growth to 2% in 2026, but it accelerates past 8% in 2027, the strongest five-year trajectory of any segment we track.
4. The policy calendar is crowded. New Section 301 duties of 10% to 12.5% replaced the lapsed Section 122 tariffs July 24, and federal appropriations and IIJA reauthorization both expire Sept. 30, two deadlines to watch before year's end.

See where your segment lands. The full Q3 2026 Outlook has segment-by-segment forecasts, NRCI sentiment data and metropolitan growth projections through 2030.

Download the Q3 Report

welcome NEW ASA MEMBERS!

Welcome to ASA —we're glad to have you join our community of dedicated subcontractors and industry partners. Together, we share resources, advocate for a stronger business environment, and create opportunities to learn, grow, and succeed. We look forward to welcoming you at upcoming events and hearing your voice and your priorities in shaping the future of our industry.

- All4Roof & Construction
- Anchor Wallworks
- Arrow Glass and Mirror
- Asel & Associates DLLC
- BrightView Landscapes Development
- Clearstory
- Clint Valleau
- Danisher Accounting & Consulting
- Earth Engineering Incorporated
- EC Company
- ESC Consultants
- Foundation Software, Inc.
- Grab Global
- KBRichardson Consulting, LLC
- Kevco Electrical Construction
- Legends Glass Solutions
- States Rentals LLC
- System Electric
- Wheat Lumber Company

Insured, and Still Broke

by Chris Cordon

Most people believe health insurance is the thing that protects them from financial ruin. Then they read the fine print the hard way.

The most-cited study of medical bankruptcy in this country found that nearly 8 in 10 of the people it wiped out had health insurance when they got sick. (American Journal of Medicine, 2009.) A decade later, two-thirds of all U.S. bankruptcies were still tied to medical bills or illness-related lost income. (American Journal of Public Health, 2019.)

Read that again. Not the uninsured. The insured. People who did everything right, paid their premiums, carried the card in their wallet, and still ended up in front of a bankruptcy judge.

And it isn't an old story. Among cancer patients carrying medical debt today, 98% had health insurance when they ran it up. (American Cancer Society Cancer Action Network, 2024.) How does that happen?

The Gap Your Plan Leaves Behind

Health insurance has a deductible. You knew that. What people underestimate is how big the hole is before the plan pays for much of anything.

The average deductible at a small business is now $2,575 for single coverage. Nationwide, nearly a third of covered workers face a deductible over $2,000, roughly double the share a decade ago. (KFF, 2024.)

So you get sick. Or you get hurt. The treatment starts. And the first few thousand dollars are entirely yours, before insurance meaningfully kicks in. Then coinsurance. Then the out-of-pocket maximum, which on a family plan can sit north of $18,000.

That's the gap. It's real money, it's owed fast, and your health insurance is doing exactly what it promised while you write the checks.

The Bills That Aren't Even Medical

Now add the costs no health plan was ever going to touch. The mortgage still comes due. So does the car payment, the electric bill, the groceries. If the illness keeps you from working, the income shrinks at the exact moment the bills grow.

Then the quiet ones. Gas and hotels for treatment three hours away. Childcare while you're in the hospital. The co-pays that repeat every single week.

It adds up to something staggering. More than 40% of cancer patients drain their entire life savings within two years of a diagnosis. The average loss: about $92,000. (American Journal of Medicine, 2018.)

Their insurance was working the whole time. It just wasn't built to cover any of that.

It's Not a Rare Event

This is where people tell themselves it won't be them.

The odds say otherwise. About 4 in 10 Americans will be diagnosed with cancer at some point in their lives. (American Cancer Society.) Heart disease is still the country's number one killer, behind roughly one in five deaths. (CDC.)

These aren't freak occurrences. They're the most common things that happen to ordinary people. And the financial damage doesn't wait for the diagnosis to turn dire. A ground ambulance ride often runs $900 or more, and it isn't protected by the federal surprise-billing law, so even insured patients can get handed the full bill. A single ER trip routinely leaves an insured family hundreds of dollars lighter, and often more than a thousand.

Where Cash Is King

So, let's walk through something that should be obvious. When you go through something bad, cash is king. More than likely you're about to go through something physically exhausting, emotionally draining. It doesn't need to be financial. And when a family member goes through something severe, the entire family faces it with them. Nieces, nephews, and children will shave their head in solidarity with a parent or family member going through chemo. The entire world stops spinning when a loved one is in the intensive care unit.

It's cash. Money that shows up fast, with no rules about how it gets spent.

That's the whole point of Accident, Hospital, and Critical Illness coverage. They aren't health insurance. They sit beside it. When you land in a hospital bed, or get handed a diagnosis, they pay a lump sum of cash directly to you. Not to the hospital. To you.

You decide what it's for. The deductible. The mortgage. The plane ticket. The week of groceries while you're not earning. It fills the exact gap that sinks insured families.

What ASA Members Can Do

Two honest questions.

First: if I got seriously sick or hurt tomorrow, how much would I owe before my health insurance paid a dime? Find your deductible and your out-of-pocket maximum. That number is your exposure.

Second: where would that cash come from? Savings? A credit card? A fundraiser? If the answer makes you uneasy, that's the gap these plans are built to close.

Good health insurance is necessary. It was simply never designed to keep a family solvent through a catastrophe. American Subcontractors Association members can look at supplemental cash coverage through The ASAdvantage Health Plan, which is a sensible place to start.

Insurance pays the hospital. Cash protects the family. Those are two different jobs.

About the Author

Chris Cordon was a Benefits Consultant at Affinity Benefits, the program administrator for the ASAdvantage Health Plan. For questions about the ASAdvantage Health Plan, please contact Sandra Midtlien at ***smidtlien@affinitybenefits4u.com***

FEATURE

A Six-Week Crew Assignment Is Not a Three-Night Business Trip

by Saria Peterson, Engine

Over a longer stay, decisions around location, property type, rate structure and booking terms affect the total cost of the assignment, not just the nightly hotel rate.

For construction companies sending crews to a jobsite for weeks at a time, the better comparison is total operating cost. A lower nightly rate can lose its advantage if the property adds significant drive time, lacks the amenities a crew needs for an extended stay or leaves little flexibility when the project schedule changes.

Location as a recurring cost

A property 20 minutes farther from the site adds 40 minutes of daily driving per crew member. Over six weeks, that is roughly 20 additional hours of driving per person. On a five-person crew, that adds up to about 100 crew-hours on the road, before accounting for fuel and vehicle costs.

NATCA's guidance on long commutes notes that longer commutes leave less time for sleep and can increase fatigue risk, especially with early morning start times.

Property type has to match how a crew lives on assignment

A room booked for three nights is mostly a place to sleep. A room booked for six weeks becomes someone's home base where they eat, sleep, relax, recover and spend most of the hours they are not on the jobsite.

Hotel Management notes that extended-stay guests have different needs than short-term travelers, including practical location, kitchen access and laundry facilities. Kitchen access and free breakfast can help reduce meal costs, while on-site laundry saves the time and expense of handling it elsewhere. Add secure parking for work trucks and trailers, and those amenities can make a property much better suited to a crew living there for several weeks.

A six-week stay should not necessarily be priced the same way as a three-night hotel stay. Longer stays and multi-room bookings may qualify for negotiated group or extended-stay rates, depending on the property. Before booking individual nightly reservations, it is worth pricing the stay based on its full length and number of rooms.

Schedules change, and bookings have to move with them

Schedules on construction projects routinely slip. A 2024 analysis of construction project schedules notes that roughly 75% of projects exceeded their planned duration, with median delays ranging from 20% to 40%.

That makes schedule flexibility worth addressing when the lodging is booked, rather than after the original checkout date no longer matches the project schedule. The terms worth working out up front include flexibility to adjust room count as crew needs change, extensions if the schedule slips, rate protection if the stay runs longer than originally planned and refundability for unused nights.

Who owns the booking

When each crew member reserves individually, a single project can end up with different properties, rates and cancellation terms. That makes the lodging harder to manage when dates change or rooms need to be added or dropped.

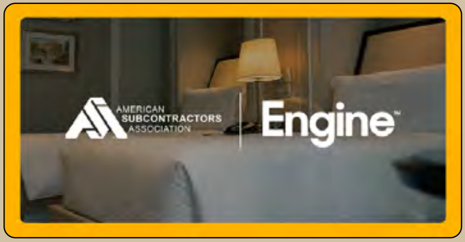
Having one person or team manage the crew's lodging creates a clearer view of the full stay and gives the project one place to coordinate changes as the schedule moves.

For contractors managing crew travel across projects, Engine is an enterprise business travel platform that helps teams find and book hotels, coordinate group travel and search for properties that fit the needs of a longer assignment. Flexible booking options on eligible stays also give travel managers more room to adjust when project schedules change.

Life outside the jobsite

On a six-week assignment, the hotel is where a crew member spends most of the hours they are not working. It is where they sleep, eat, talk to family, unwind and try to maintain some version of their normal routine while away from home. The difference between a 10-minute and a 30-minute commute is time they either get back at the end of the day or spend behind the wheel. A kitchen gives them the option to make their own food. Laundry on site means one less errand after work.

None of those decisions is a mental health program on its own. But when someone is living away from home for weeks at a time, the conditions they come back to each night matter. Choosing lodging that gives a crew more time, fewer day-to-day hassles and a comfortable place to live while they are away is part of setting them up for a better assignment.



About Engine

Engine is a business travel platform that helps companies book and manage hotels, flights, rental cars and group travel. Engine is an ASA National sponsor. ASA members can learn more at engine.com/partner/asa.

FEATURE

Cal Beyer is one of our superb speakers at SUBExcel. Come ask your questions and talk to him one on one.

Spotlight on Substance Use Prevention, Harm Reduction, and Recovery in Construction

by Cal Beyer, CWP, NAC

Over the past decade, the construction industry has made meaningful progress addressing workplace mental health. A majority of the attention has focused on suicide prevention. In July 2016 the Centers for Disease Prevention and Control (CDC) released data showing the construction industry has a high rate of suicide. Shortly thereafter the Construction Industry Alliance for Suicide Prevention was borne out of this crisis.

A decade later, there remains substantially less focus in workplaces on addressing substance use prevention and drug overdose response. This gap continues to have an impact on the construction workforce and their families.

I encounter this gap firsthand in my work with SAFE Project, a national nonprofit. In my experience, three major factors help explain this gap:

1. Stigma surrounding substance use remains deeper and more persistent than stigma surrounding mental health.
2. Many employers rely primarily on Drug-Free Workplace policies without recognizing that a strict "zero-tolerance" culture may discourage employees or family members from seeking help.
3. Employers with Department of Transportation (DOT)-regulated, safety-sensitive positions often focus on compliance requirements without fully incorporating education about prevention, treatment, and recovery resources.

A Clear Call to Action

A change in perspective is needed. This is not a matter of either/or; rather, this is a both/and opportunity. Construction employers can both maintain focus on requirements of the business AND provide support to employees and family members needing care and support.

SAFE Project is a national nonprofit working to Stop the Addiction Fatality Epidemic. SAFE Project is focused on expanding education, reducing stigma, and helping workplaces build practical substance use education, overdose prevention, and recovery support strategies. Through workplace initiatives, alcohol and naloxone education, community partnerships, and accessible resources, SAFE Project helps employers move from awareness to action through practical education, overdose prevention strategies, and recovery support resources.

This article addresses three interrelated topics to provide a more complete picture of what workplaces can do to focus on prevention, harm reduction, and recovery strategies. The workplace remains an untapped opportunity to educate employees about substance use prevention, harm reduction, and recovery.

Stigma Remains High On Addiction and Recovery

Stigma is a major barrier to persons needing help seeking or actually receiving help. Stigma is a seemingly invisible but very real force. Stigma is the negative judgment or bias that causes people to blame, shame, or distance themselves from others experiencing substance use or mental health challenges. In workplaces, stigma contributes to social isolation and increases potential for bullying, harassment, and discrimination.

Current research from June 2026 from The Addiction Policy Institute and Gallup revealed, "nearly 1 in 4 U.S. adults (23%) either disagree or do not know that addiction is a health condition." The survey shows that misunderstanding continues to surround perceptions and beliefs about substance use, addiction, and recovery.

70% of individuals with substance use disorder are of working age (16 to 64) and employed in the US workforce. The construction industry workforce has high rates of heavy and binge drinking, substance use disorder, and fatal overdoses. Yet, a small percentage of workplaces are proactively communicating about substance use prevention resources. Many employers do not know where to start.

The #NoShame Pledge is a free and accessible tool that helps reinforce the importance of stigma reduction in promoting recovery. SAFE Project promotes the use of the #NoShame Pledge as a means of educating workplace and community leaders that addiction is a treatable, chronic health condition and that there are multiple pathways of recovery. The #NoShame Pledge is a straightforward way for leaders and organizations to promote stigma reduction and open communication on supports and services available through Employee Assistance Programs (EAPs), and/or company, and/or union-sponsored health benefits. By promoting the #NoShame Pledge, employers can begin teaching employees how to become recovery allies.

September Is National Recovery Month: Celebrating Hope and Resilience

Every September, National Recovery Month recognizes the millions of Americans living in recovery from substance use disorders and mental health conditions. Recovery Month highlights the effectiveness of treatment, peer support, and recovery services while celebrating the achievements of individuals who have worked hard to rebuild their lives.

For construction employers facing ongoing workforce shortages, supporting recovery is also a workforce strategy. Employees in recovery are skilled workers whose experience and resilience strengthen teams when employers create environments where they can succeed.

Recognizing Recovery Month can help organizations:

- Reduce stigma surrounding substance use and mental health conditions.
- Encourage employees to seek help when needed.
- Highlight available Employee Assistance Programs (EAPs) and behavioral health resources in company- and/or union-sponsored health plans.
- Share recovery success stories and messages of hope.
- Promote a workplace culture where employees feel supported rather than judged, thereby creating inclusion and belonging.

One of the most important messages of Recovery Month is that recovery is a common experience. Millions of people successfully manage their health conditions while leading productive, fulfilling lives at work, at home, and in their communities. Recovery Month helps shift the conversation from crisis and tragedy to hope, resilience, and possibility.

Continued Focus on Overdose Prevention and Reversal Is Needed

In August 2023, the CDC released data of fatal overdose rates by industry and occupation. Construction had the highest rate of overdose deaths among 19 major industries. Several construction trades were among the top 10 by occupation. However, there has been good news as reported by the Center for Construction Research and Training (CPWR): overdose deaths among construction workers declined from 2023 to 2024. According to CPWR, drug-related overdose deaths among construction workers dropped 28.8% from 2023 to 2024, falling from 15,900 to 11,300. The rate declined from 135.0 to 94.8 per 100,000 workers.

Time for a reality check: The industry's fatal overdose rate is over 10 times higher than the occupational fatality rate of 9.2 per 100,000 workers. The work is not done; there is still a long way to go. Expanding the availability of naloxone in construction workplaces and worksites is not an option, it is an imperative.

When naloxone became approved for over-the-counter use in March 2023, stocking it on jobsites had slow uptake. Some employers hesitated due to liability concerns or uncertainty about how it would be perceived. That mindset is changing and adoption is rising. More employers are treating naloxone as a standard safety measure, similar to first aid supplies or automated external defibrillators. It is recommended to consider naloxone from the lens of emergency preparedness and safety to be prepared for every type of emergency.

This shift is grounded in a simple reality: almost 10% of all occupational fatalities stem from overdoses. Overdoses can happen anywhere, including on jobsites, in company vehicles, or during breaks. When they happen, timing is critical. Naloxone can reverse an opioid overdose within minutes and restore breathing. Keeping naloxone readily available and ensuring workers are trained to use it can be the difference between life and death. Bottom-line: naloxone saves lives!

Conclusion: Action Steps for Employers

With September's focus on Recovery Month, all industry leaders are asked to challenge the status quo by speaking out against the stigma associated with substance use and mental health.

The action steps below are designed to provide leaders with practical ways to strengthen prevention, harm reduction, and recovery efforts while creating a healthier workplace culture.

1. **Reduce stigma through action**
   Leadership behaviors and everyday practices all shape workplace culture. When stigma is reduced, workers are more likely to seek help early.
2. **Support recovery as a workforce strategy**
   Recovery-friendly workplaces are not just supportive, they are effective. When workers have access to treatment and feel supported, retention improves, and risk decreases.
3. **Strengthen pathways to care**
   Employee Assistance Programs, community partnerships, union supports, and peer recovery specialists, all need to be visible, accessible, and easy to navigate
4. **Keep communications and education ongoing**
   One-time messages and training sessions are not enough. Ongoing conversations about jobsite demands and mental health, injuries and opioid risks, and safety practices, help reinforce prevention and keep safety top of mind.
5. **Make naloxone a standard safety resource**
   Every workplace and work site should have naloxone readily available. Just as important, workers need to be trained and feel confident using it in an emergency.

SAFE Project stands with the construction industry to educate and share resources to help employers with strategies on substance use prevention, overdose reversal, and recovery. For additional information and resources, visit the SAFE Workplaces homepage: **https://www.safeproject.us/workplaces/**

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FEATURE

Why Are We Talking About Suicide Prevention in Construction?

by Sonya Bohmann, Construction Industry Alliance for Suicide Prevention

Recently, I had the opportunity to present to a trade group in the Midwest. During the discussion, someone asked a question that I have heard in various forms many times before:

"Are we creating a problem that does not actually exist by talking so much about suicide and suicide prevention? Why are we suddenly talking about mental health, especially in the trades?"

It is a fair question. For many people in construction, the attention being given to mental health can feel new. Conversations about emotional wellbeing, stress, depression, substance use, and suicide prevention are appearing at conferences, on job sites, and in company training programs with a level of visibility that simply did not exist years ago.

The truth, however, is that this conversation is not new at all.

World Suicide Prevention Day was first recognized on September 10, 2003. Five years later, September was designated as National Suicide Prevention Month.

Within the construction industry, the conversation gained significant momentum around 2015 with support from organizations such as the Construction Financial Management Association. In 2018, the Construction Industry Alliance for Suicide Prevention was formed, creating a unified voice for the industry. By 2020, Construction Suicide Prevention Week was launched, bringing even greater awareness to the issue.

In short, this is not a conversation that appeared overnight. It has been developing for more than two decades. Yet despite that history, many people still feel as though the topic has suddenly emerged. Why?

There are three primary reasons mental health and suicide prevention have risen to the top of the industry's safety agenda.

First, we have data.

For years, many people in construction had a sense that something was wrong. Workers were struggling with stress, substance use, isolation, financial pressures, and other challenges, but there was little objective information to quantify the problem. That changed when the Centers for Disease Control and Prevention (CDC) released data showing construction among the occupations with the highest rates of suicide.

The numbers confirmed what many industry leaders, coworkers, and family members had already experienced firsthand. The issue was not anecdotal. It was measurable, significant, and affecting workers across every sector of construction.

Once the data existed, it became impossible to ignore. Industry leaders could no longer dismiss mental health concerns as isolated incidents. They had evidence demonstrating that worker wellbeing was directly connected to health, safety, and organizational performance.

Second, more organizations have entered the conversation.

Over the last decade, associations, labor organizations, safety groups, suppliers, contractors, insurance providers, and nonprofit organizations have all begun championing mental health initiatives. As more voices joined the discussion, awareness expanded beyond a handful of advocates.

Today, conversations about mental health occur at industry conferences, safety summits, leadership retreats, apprenticeship programs, and job site meetings. Resources are more readily available than ever before, and companies have access to training programs, mental health champions, peer support networks, recovery initiatives, and educational materials specifically designed for construction workers.

The result is that what once felt like a niche topic has become part of mainstream industry dialogue.

Third, the workforce itself is changing.

Today's construction workforce spans multiple generations. In many organizations, up to five generations are working alongside one another. Each generation brings different experiences, expectations, and perspectives regarding mental health.

Younger workers, in particular, are often more comfortable discussing stress, anxiety, depression, and emotional wellbeing than previous generations. They are also more likely to expect employers to provide resources and support systems that address mental health alongside physical safety.

At the same time, construction faces a significant workforce shortage. Industry projections suggest that for every new worker entering the skilled trades, several experienced workers are reaching retirement age. As competition for talent increases, companies must adapt to the expectations of the next generation of workers.

Mental health support is no longer simply a benefit. It has become a critical component of recruitment, retention, and employee engagement.

Encouragingly, there are signs that industry efforts are making a difference.

Early adopters began implementing programs focused on total human health, peer support, and mental health awareness years ago. Since then, many organizations have integrated mental health components into safety training, leadership development, and employee assistance programs. Most recent data indicate a small but meaningful decrease in suicide rates within construction. While a reduction of 1.7% may appear modest, it represents progress in an area where every life matters.

No one should mistake that progress for completion. We still have a long way to go before we can realistically talk about becoming a zero-suicide industry. However, after years of measurement, education, and advocacy, we are beginning to trend in the right direction.

The challenge now is sustaining momentum.

One of the most important shifts we must make as an industry is recognizing that mental health is workplace safety. For decades, construction has focused tremendous energy on reducing injuries and fatalities associated with physical hazards. Through training, awareness campaigns, accountability, and culture change, we have successfully reduced many traditional safety risks.

Mental health deserves the same commitment.

Consider this: most construction companies provide CPR training because cardiac emergencies can occur on the job. Yet statistically, workers may be just as likely, if not more likely, to encounter a coworker experiencing a mental health crisis. If we accept that reality, then training employees to recognize warning signs, start supportive conversations, and connect people to resources becomes a natural extension of our existing safety efforts.

Mental health cannot be something we discuss only during Mental Health Awareness Month in May or Suicide Prevention Month in September. It must be integrated into everyday operations and conversations throughout the year.

The opportunities are endless. Toolbox talks can address mental wellbeing alongside traditional safety topics. Discussions about sleep, hydration, fatigue, substance use, stress management, financial wellness, and work-life balance all connect directly to mental health. Even broader awareness campaigns throughout the year can provide opportunities to reinforce the message that seeking help is a sign of strength, not weakness.

Ultimately, the goal is to create a true culture of care.

What does that look like?

A culture of care recognizes that mental health exists on a continuum and that everyone moves along that continuum throughout their lives. It creates environments where employees are trained to look out for one another and know what to do when they are concerned about a coworker. It fosters realistic expectations, second-chance opportunities, and supportive leadership practices. It removes stigma and encourages open dialogue.

Most importantly, it creates workplaces where people understand that feelings belong on the tool list just as much as hard hats, safety glasses, and gloves.

If your organization is looking for a place to begin, there has never been a better time than now. Start by visiting www.preventconstructionsuicide.com

Use September as your starting point. Host a town hall meeting. Include a mental health toolbox talk at a safety meeting. Share resources through your intranet, social media channels, or company newsletter. Create small but meaningful opportunities for employees to recognize that support exists, and that conversations are welcome.

One simple action is updating your email signature with a resource such as:

"If you or someone you care about is experiencing a crisis, call or text 988 for the Suicide & Crisis Lifeline."

Small actions create visibility. Visibility creates awareness. Awareness creates connection, and connection saves lives.

Together, we can continue changing the statistics. We can continue changing the conversation. Most importantly, we can create an industry where every worker knows they matter, every worker knows help is available, and every worker has the opportunity to go home healthy in both body and mind.

About the Author:

Sonya Bohmann- Executive Director- Construction Industry Alliance for Suicide Prevention. Coming from a commercial (re) construction having spent over a decade in the commercial remodel and refresh and facilities maintenance space. Giving her the unique understanding of how the industry works as well as the mental health challenges faced daily by construction workers. This experience has given her insight into how companies both large and small are tackling this worker crisis and what work still needs to be done.

[Mental load: What it is and how to manage it | UCLA Health]

FEATURE

Building Resilience: Why Mental Health Belongs in Every Contractor's Safety Culture

by Cathy Tyler, NCCER

Every contractor understands that safety begins long before the first tool comes out. It starts with a culture where everyone takes responsibility for looking out for one another. From daily toolbox talks to job hazard analyses, the industry's strongest safety programs are built on the belief that every person deserves to go home safe. **Sign in**.

Today, that commitment must extend beyond physical hazards. Construction continues to face one of the highest suicide rates of any industry, a stark reminder that some of the greatest risks aren't always visible. While companies have made tremendous strides in reducing physical injuries on the jobsite, mental health remains an area where many organizations are still learning how to respond.

Treating mental health as part of an organization's overall safety culture isn't just the right thing to do. It's an essential part of protecting the workforce and building a more resilient industry.

Safety Has Evolved. It's Time for Mental Health to Be Part of the Conversation.

Construction has never stood still when it comes to safety. Heat illness prevention, fatigue management, ergonomics and psychological safety have all become more prominent conversations over the past decade because leaders recognized that protecting craft professionals means addressing every factor that affects their well-being.

Mental health deserves the same attention. Stress, anxiety, depression and substance misuse don't stay at home when someone arrives at the jobsite. They influence focus, decision-making, communication and overall performance. Left unaddressed, they can contribute to injuries, absenteeism, turnover and, in the most tragic cases, suicide.

Just as companies train employees to recognize physical hazards, they can also equip supervisors and crews with the knowledge to recognize when someone may be struggling and respond with confidence and compassion.

Why Construction Faces Unique Challenges

Suicide is complex, and no single factor causes someone to reach a crisis point. However, several realities of the construction industry can increase risk.

Construction often attracts people who pride themselves on being dependable, resilient and able to push through difficult circumstances. Those qualities are valuable on the jobsite, but they can also make it harder for someone to admit they're struggling or ask for help. Other challenges may include:

- Chronic pain from physically demanding work
- Long hours, schedule pressure and fatigue
- Seasonal employment and financial uncertainty
- Higher rates of substance misuse compared to many industries
- Greater access to lethal means during times of crisis

None of these factors determine a person's future. But together, they reinforce why contractors should approach mental health with the same proactive mindset they bring to every other safety initiative.

The Role of Leadership

Creating a mentally healthy workplace doesn't require field supervisors to become counselors. It requires them to become approachable leaders. When leaders openly discuss mental health alongside topics like heat stress, fall protection and safe lifting practices, they help remove the stigma that often prevents people from seeking help.

Sometimes the most important step is simply noticing when someone doesn't seem like themselves.

A normally dependable employee may become withdrawn. A talkative crew member may suddenly become quiet. Someone may appear unusually frustrated, exhausted or disconnected.

Those changes don't always signal a mental health crisis, but they create an opportunity to check in.

A simple conversation can make an enormous difference.

"I've noticed you haven't seemed like yourself lately. How are you doing?"

That question communicates something every employee needs to hear: Someone noticed. Someone cares.

Having the Conversation

Many people worry that asking someone directly about suicide could make the situation worse.

Research shows the opposite. Asking thoughtful, direct questions can help someone feel seen and open the door to getting support.

If you're concerned about someone:

- Talk privately and without distractions.
- Share what you've observed rather than making assumptions.
- Listen without trying to immediately solve the problem.
- If warning signs suggest someone may be in immediate danger, ask directly whether they're thinking about suicide.

These conversations may feel uncomfortable, but avoiding them doesn't make the risk disappear. A compassionate conversation can be the first step toward connecting someone with the help they need.

Small Actions Can Save Lives

Construction professionals understand that small safety practices prevent serious incidents. Wearing eye protection, securing a ladder or taking a moment to verify a lockout procedure may seem routine, but each action reduces risk.

Mental health works the same way.

Helping someone create distance between themselves and a means of self-harm during a crisis can save a life. Encouraging safe firearm storage, securing medications, reducing access to alcohol or other substances and helping connect someone with professional support all create valuable time for a crisis to pass.

No one should feel responsible for solving another person's struggles alone, but everyone can help reduce immediate risk while encouraging appropriate care.

Building Resilience Into Your Safety Culture

The strongest organizations don't wait until there's a crisis to talk about mental health.

Instead, they build support into everyday operations.

That might include:

- Incorporating mental health into toolbox talks and safety meetings.
- Training supervisors to recognize warning signs and respond appropriately.
- Promoting Employee Assistance Programs and other mental health resources.
- Encouraging peer support and regular check-ins.
- Celebrating a culture where asking for help is viewed as a sign of strength, not weakness.

When mental health becomes part of routine safety conversations, it becomes easier for employees to speak up before challenges become emergencies.

A Partnership Focused on Saving Lives

To help contractors bring these conversations to their jobsites, NCCER partnered with the American Foundation for Suicide Prevention (AFSP) to develop Talk Saves Lives: An Introduction to Suicide Prevention in the Construction Industry.

Designed specifically for construction, the free online program helps participants recognize risk factors, identify warning signs and learn practical ways to respond when someone may be struggling.

Like every successful safety initiative, suicide prevention starts with education. Giving employees the confidence to recognize concerns and start a conversation helps create workplaces where people know they're not alone.

Building a Stronger Industry

Construction has always been built on teamwork. Crews watch each other's backs, speak up when something doesn't look right and step in before a small problem becomes a serious incident.

Mental health deserves that same commitment.

When contractors expand their definition of safety to include emotional well-being alongside physical protection, they create workplaces where people feel supported.

Because sometimes the most important thing we can do for a coworker isn't handing them the right tool. It's asking one simple question:

"How are you doing?"

To learn more about Talk Saves Lives: An Introduction to Suicide Prevention in the Construction Industry, visit **nccer.to/talksaveslives**.

About the Author

Cathy Tyler is the Director of Workforce Development at **NCCER** *and has supported the organization's mission for 26 years. Throughout her career, she has led impactful partnerships with organizations such as FFA, COABE, and Hiring Our Heroes, while also serving in leadership roles with ACCE and TIVA to advance workforce development initiatives both locally and nationwide. She is passionate about building cross-sector partnerships, developing workforce solutions, and strengthening industry outcomes.*

Not Every Jobsite Hazard Is Visible.

Sometimes looking out for your team means looking a little closer.

Talk Saves Lives: An Introduction to Suicide Prevention in the Construction Industry is a free online course that helps you recognize when someone may be struggling and know how to start the conversation that could save a life.

Make mental health part of your safety culture.
Take the course at nccer.to/asa

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FEATURE

Collaboration That Saves Lives: Inside the ASAC Health & Safety Summit

by Nick Williams, ASA of Colorado

Construction is an industry built on coordination. Trades stacking work, schedules aligning, materials arriving on time, and people showing up for each other when the stakes are high.

What we do not always coordinate well enough is care.

The 2025 ASAC Health & Safety Summit was born out of that realization. Not from a single organization's vision, but from a collective acknowledgment that safety, mental health, and workforce well-being cannot be solved in isolation. They require collaboration across associations, companies, disciplines, and community partners.

That belief shaped every decision we made, from planning to execution to the lasting impact that continues well beyond the event itself.

A Shared Table, Not Separate Silos

The Summit was a statewide effort supported by seven association partners who chose collaboration over competition, led, planned, and executed by ASA Colorado. Alongside ASA Colorado were Independent Electrical Contractors Rocky Mountain, Colorado Contractors Association, Rocky Mountain Steel Construction Association, Hispanic Contractors of Colorado, National Utility Contractors Association, and Associated General Contractors Colorado.

Each organization brought its members, its perspective, and its credibility. Together, we created something none of us could have achieved alone.

Sponsors also played a pivotal role in bringing this vision to life. Trailblazer sponsors Fisher Phillips and DPR Construction provided critical support that made the Summit possible. Basecamp sponsor JHL Constructors contributed to both planning and funding, while Trail Provisions sponsors MSC Safety Solutions, Rocky Mountain Crisis Partners, and Guardian Recovery ensured attendees had access to delicious brain fuel all day long. Waypoint Contributor sponsors, including

Colorado Public Works Journal and JHL Constructors, helped amplify the reach of our message. And our Auto Sponsor, Ed Bozarth Chevrolet, played a role in supporting the event's logistics and accessibility.

That partnership sent a powerful signal. Workforce well-being, ethical business practices, and safe jobsites are not association-specific issues. They are industry obligations.

Education Designed for Action

The content of the day reflected that same philosophy. Two tracks ran in parallel, one focused on jobsite safety and risk management, the other on workforce well-being and leadership.

From emergency preparedness and proactive safety culture to transformational leadership and recovery-friendly workplaces, the sessions were practical, honest, and grounded in real-world experience.

Cal Beyer of SAFE Project opened the day with a keynote that confronted the realities of suicide in construction head-on. His message was not theoretical. It was urgent and deeply human.

Throughout the day, speakers from across the industry and public health community addressed substance use disorder, early recovery support, suicide prevention, and leadership accountability. These were not conversations about compliance. They were conversations about people.

Leadership at the State Level

The presence of Colorado Attorney General Phil Weiser was a powerful symbol, reinforcing that this work matters beyond our jobsites and companies. It matters at the state level

During his session, we distributed and trained attendees on naloxone. More than 400 kits were placed directly into the hands of empowered advocates who are now equipped to save a life on a jobsite, in a parking lot, or at home.

That moment captured the spirit of the Summit. Practical tools, immediate impact, and shared responsibility.

An Industry Connections Showcase With Purpose

The Industry Connections Showcase was not a traditional trade show. It was a living example of collaboration in action.

Suppliers, contractors, insurers, safety professionals, recovery organizations, and community partners shared the same space, not to sell, but to connect.

From new safety technologies and best-in-class protective gear to mental health resources, recovery programs, and training solutions, the Showcase reflected the full ecosystem required to support a healthy workforce.

Community organizations included:

- Spark the Change
- Rocky Mountain Crisis Partners
- Red Rock Recovery Center
- Valley Hope Treatment Center
- Wellness Tools for the Trades
- Recovery Friendly Workplace
- Colorado Construction & Design Magazine
- Recovery Friendly Leader
- Mental Health Colorado
- Construction Education Foundation
- Centers for Health, Work and Environment

This was not resource referral in theory. It was access in real time.

Students, Trades, and the Future Workforce

We were intentional about inviting CTE programs and students into the room.

The next generation of construction professionals deserves to see an industry that values their well-being as much as their productivity. By including students alongside general contractors, subcontractors, and suppliers, we reinforced that safety, ethics, and mental health are foundational, not optional.

Culture is taught long before the first jobsite assignment.

Core Values in Action

At ASA Colorado, our core values are collaboration, professional development, healthful and safe work environments, and ethical business practices.

The Summit was not designed to talk about those values. It was designed to live them.

Collaboration showed up through multi-association partnership and cross-sector participation. Professional development was delivered through high-quality, relevant education. Health and safety were addressed holistically, encompassing physical safety, mental health, and substance use recovery. Ethical business practices were reinforced through transparency, shared responsibility, and leadership accountability.

When values align with action, trust follows.

Lasting Impact Beyond the Day

The true success of the Summit cannot be measured by attendance alone.

It lives in the naloxone kits now on jobsites across Colorado. In the leaders who left with a clearer understanding of their role in suicide prevention. In the connections made between contractors and community partners. In the conversations that continued after the event ended.

We did not gather to check a box. We gathered to save lives, strengthen our industry, and model what collaboration can accomplish.

A Call to Continue the Work

The challenges facing construction are not short-term. Mental health, safety, and workforce sustainability demand ongoing commitment, sustained investment, and shared ownership.

The ASAC Health & Safety Summit was intentionally designed not only as an educational gathering, but as a fundraiser for health and safety in the construction industry. Each partner association will share in the Summit's proceeds and has contracted with ASA Colorado to reinvest those funds directly into health and safety efforts tailored to the unique needs of their members. The result is not a one-time event, but a multiplier effect that strengthens programs, resources, and leadership capacity across the entire industry.

This model matters. It proves that collaboration does not dilute impact, it amplifies it. When associations work together, align resources, and trust one another with shared stewardship, the return extends far beyond a single day.

Our responsibility now is to build on this momentum. To take what we learned back to our companies. To support leaders willing to have hard conversations. To invest in systems that prioritize safety, mental health, and ethical leadership. And to continue showing up for one another when it matters most.

Collaboration cannot be a one-day event. It must be a habit.

By intentionally collaborating, we achieve more than just completing projects. We cultivate a legacy of genuine care, creating an industry truly deserving of the commitment, effort, and lives dedicated to it. This is the legacy we are bound to uphold.

Save the Date for November 12th, 2026. We'll see you at the Annual ASAC Health & Safety Summit.

About the Author

Nick Williams is the CEO of both R.I.S.E LLC and the American Subcontractor's Association of Colorado. He has chaired the AGC Mental Health Working Group since 2021. He is the Vice Chair of the non-profit training company Recovery Friendly Leader. He holds a graduate certificate in Total Worker Health from the Colorado School of Public Health. He loves travelling the world with his wife and son, is almost always with his Westies named Pacey and Joey, and is an avid consumer of all things pop culture.

Editor's Note: A Blueprint for Replication

The ASAC Health & Safety Summit was designed with intention beyond a single event. From the outset, the goal was to create a repeatable model that other ASA chapters and national partners could adapt to meet the specific needs of their members.

The collaboration framework, shared financial model, education tracks, community partnerships, and emphasis on mental health and safety leadership were all built as components of a larger blueprint. A future workbook and planning guide are being developed to help chapters replicate this approach locally and scale it nationally, ensuring that health, safety, and workforce well-being remain central priorities across the construction industry.

FEATURE

Mental Health Is a Leadership Imperative in Construction

by George Nash, Maxim Consulting Group

In 2023, there were 982 work-related fatalities in the construction industry. During that same period, an estimated 5,095 construction professionals died by suicide. While our industry has made tremendous progress in improving physical safety, these numbers make one thing clear: protecting our people requires more than hard hats, PPE, and safety meetings. It requires a commitment to Total Human Health—a culture that values the physical, mental, and emotional well-being of every individual in our organizations.

Whenever I tell people that I teach VitalCog classes—a specialized suicide awareness and prevention training program designed specifically for construction—I am often asked two questions: "Why has the construction industry begun focusing on mental health?" and "Is mental health really a problem in our industry?" The answer to both questions lies in the data. According to the CDC, construction has the second-highest suicide rate of any industry in the United States. In 2021, 66 construction professionals per 100,000 died by suicide, compared to 14 per 100,000 in the general population (2023 CDC report). Those statistics have compelled leaders across our industry to rethink what safety truly means.

For many people outside our profession, these numbers can be difficult to understand. But anyone who has spent time on construction projects recognizes the realities our workforce faces. Long hours, extended periods away from home, demanding schedules, labor shortages, strained personal relationships, and the pressure to overcome every obstacle regardless of the cost can take a significant toll. When left unaddressed, these challenges can contribute to mental health struggles and increase the risk of substance abuse, depression, and suicidal thoughts.

As awareness of these issues has grown, the construction industry has expanded its definition of safety. What began as a focus on preventing physical injuries has evolved into a broader commitment to the total health and well-being of construction professionals. This shift did not happen overnight. In the early 2020s, Associated Builders and Contractors (ABC) introduced its Total Human Health Initiative, recognizing that worker well-being extends beyond physical safety. In 2023, ABC further reinforced this commitment by integrating Total Human Health into its STEP Safety Management System, helping companies connect mental health and wellness directly to their safety cultures. At the same time, the National Institute for Occupational Safety and Health (NIOSH) continued advancing its Total Worker Health framework, which integrates workplace safety with overall worker health and well-being. Together, these initiatives helped move mental health from the margins of industry conversation to a central component of workforce development and safety leadership.

One example of this commitment is VitalCog, a suicide awareness and prevention program developed through the Helen and Arthur E. Johnson Depression Center at the University of Colorado Anschutz Medical Campus in collaboration with construction leaders. The program equips construction professionals with practical skills to recognize the warning signs of suicide, engage in supportive conversations, and connect individuals with appropriate resources. Its development reflects the industry's growing belief that protecting people includes addressing the mental and emotional challenges they may be facing.

The momentum behind mental health awareness continues to grow. Organizations such as Associated Builders and Contractors (ABC), Associated General Contractors of America (AGC), and the United Association of Plumbers and Pipefitters have partnered with VitalCog to provide training throughout the country. In 2025, CURT, the Construction Users Roundtable, launched an initiative in conjunction with VitalCog to address why mental health is a leadership challenge…not simply an HR issue. This effort reinforces a growing belief throughout the industry that creating healthier workplaces requires visible commitment from executives, project leaders, supervisors, and field teams alike.

This is where leadership becomes critical. My approach to safety has always been simple: if someone I care about is doing something unsafe on a jobsite, I would not walk by without saying something. I would intervene because I care about that person's well-being. The same principle applies to mental health. If we are willing to step in when a coworker is at risk of physical injury, we must also be willing to recognize when someone may be struggling emotionally and connect them with the support they need. Many of us are trained in CPR, and when we see someone in distress, we do not walk by—we step in to help. We must bring that same commitment to supporting the mental health of our teammates, families, and friends.

Many companies have already begun taking proactive steps by providing employee assistance programs, mental health resources, wellness initiatives, and onsite support services. Some organizations have partnered with groups such as Workforce Chaplains to offer confidential support through phone calls, virtual meetings, and jobsite visits. These resources can provide an important outlet for individuals who may be more comfortable speaking with someone outside their organization during difficult times. Many industry leaders have also invested in professionals who visit jobsites specifically to check on the physical, mental, and spiritual well-being of their teams, reinforcing the message that every worker matters. Gaylor Electric out of Indiana has not only established a team of professionals to carry out this mission but they also rely on the help of Workforce Chaplains to ensure their employees' mental health needs are a focus that matters.

The encouraging news is that suicide is preventable. While no single program can eliminate the risk, leaders can create cultures where people feel valued, supported, and comfortable asking for help. Small actions—checking in on a coworker, recognizing signs of distress, encouraging professional support, or simply listening—can make a meaningful difference in someone's life. The goal is not to become a mental health professional; it is to care enough to start the conversation.

My approach to safety is simple: I challenge myself and others to ask how much we truly care about our fellow workers. If someone I loved most was doing something unsafe on a jobsite, would I walk by without saying anything, or would I speak up because I cared and wanted to prevent harm? We must apply that same philosophy to mental health. Many of us are trained in CPR, and when we see someone in distress, we do not walk by—we step in to help. We must bring that same commitment to supporting the mental health of our teammates, families, and friends.

The construction industry has made remarkable progress in improving physical safety over the past several decades. Now we have an opportunity to make similar progress in protecting the mental health of our people. The path forward is simple:

- Admit there is a crisis,
- Believe change is possible, and
- Commit the resources necessary to support our workforce.

If we can make physical safety a core value, we can do the same for mental health. Our people are our greatest asset and protecting them means caring for the whole person—not just the worker who shows up on the jobsite each day.

About the Author

George Nash is a Director at Maxim Consulting Group and is responsible for assessing, evaluating, and implementing client processes. With over 40 years of experience, he works with construction-related firms to solve complex business challenges and improve organizational performance. Throughout his career, he has focused on developing high-performing teams and building strong relationships with employees, clients, and industry partners. George can be reached at george.nash@maximconsulting.com

FEATURE

Suretyship: A Primer on Common Indemnity Agreement Provisions

by Christopher R. Ward and Emory Allen, Clark Hill

Any contractor seeking bonding capacity, whether it be for public or private projects, will necessarily see a general indemnity agreement as a part of establishing a relationship with any surety. As you may know, sureties are generally to be held harmless with multiple common law rights at their disposal for indemnification against a nonperforming principal. Indemnity agreements further expand upon the surety's common law rights and are standard across the surety industry. While the indemnity agreements are generally non-negotiable for contractors, it is imperative to be familiar with their terms. Although not intending to be all encompassing, the following is a brief analysis of some of the common indemnity provisions a contractor, and other indemnitors, should be familiar with. These provisions were selected in particular due to their significance and frequency in indemnity agreements.

Indemnification. When there is an express contract for indemnity, the rights of the surety are to be determined by the letter of the contract for indemnity. The primary purpose of the indemnity agreement is to spell out the surety's rights to indemnification and to be held harmless, and any discussion of the indemnity agreement without addressing the indemnification provision would be amiss. Typically, the indemnitors agree to compensate the surety for any loss sustained or for any liability which the surety incur. The specific language of the indemnity agreement governs whether the surety is entitled to indemnification for liability, actual loss, damage, or a combination of these. More common than not, the surety's indemnification provision will provide rights to indemnity for both liability and actual loss. Without an indemnity agreement, and without this provision, the surety's right to reimbursement arises under common law or statutory law. Such rights to recovery are generally limited to the surety's payments under its bonds– not nearly as encompassing as the indemnity agreement's indemnification provision or the definition of "loss" in most indemnity agreements.

Collateralization. Most, if not all, contract surety indemnity agreements contain certain clauses for collateralization. Generally, these provisions provide that if at any time, the surety is threatened with liability, receives a claim against a bond, or believes it may incur liability, the indemnitors will immediately, upon demand, pay the surety an amount which the surety deems necessary to protect itself from loss. As a general rule, these provisions also include, or are paired with, a specific performance provision which stipulates the indemnitors' failure or refusal to comply with a demand for collateralization irreparably harms a surety. Similarly to the indemnity provisions, collateralization provisions are also generally enforced across the country and are frequently the basis for preliminary injunctions against unobliging indemnitors.

Books and records. Most indemnity agreements also entitle the surety to access to the indemnitors' books and records. As with collateralization, the majority of courts across the country likewise routinely provide sureties with injunctive relief in the form of specific performance to review the books and records of its indemnitors.

Prima facie clause. The prima facie evidence clause is arguably one of the surety's most powerful provisions in an indemnity agreement. Designed to facilitate the surety's prompt recovery of losses, this clause permits the surety to present verified payment vouchers or other documentation as prima facie evidence of both the existence and amount of the indemnitors' liability. Together with other provisions in the indemnity agreement, such as the right-to-settle clause, the prima facie clause shifts the initial burden of proof to the indemnitors, requiring them to demonstrate that the surety's payments were made fraudulently. Typically, prima facie clauses state that affidavits or other evidence of payment by the surety are prima facie evidence of the indemnitors' liability or the surety's right to recover those losses. This often includes attorneys' fees as a "Loss."

Power of attorney. Most indemnity agreements grant sureties broad-ranging power-of-attorney rights over the affairs of principals and, depending on the specific language of the agreement, indemnitors. The provision is most often used by sureties to settle the claims brought against it and, in some instances, claims brought by the principal. While sureties can be reluctant to exercise their power of attorney rights, they are generally enforceable and something a principal should be aware of. As with the other rights identified above, the relationship between principal and surety is governed by the terms of the indemnity agreement and applicable state law.

Conclusion. Contractors seeking to perform bonded work will always be faced with an indemnity agreement as a pre-requisite to obtaining bonding capacity. As long as the contractor performs its bonded contracts accordingly, there should be little concern. Nevertheless, the power of the indemnity agreement should not be ignored, and every contractor should understand the obligations which it owes to its surety under the same if, or when, a claim is made. Hopefully, this paper has provided the reader with general knowledge of the basics of some common indemnity agreement provisions. Of course, if you have any questions, please do not hesitate to contact the Clark Hill construction team for assistance.

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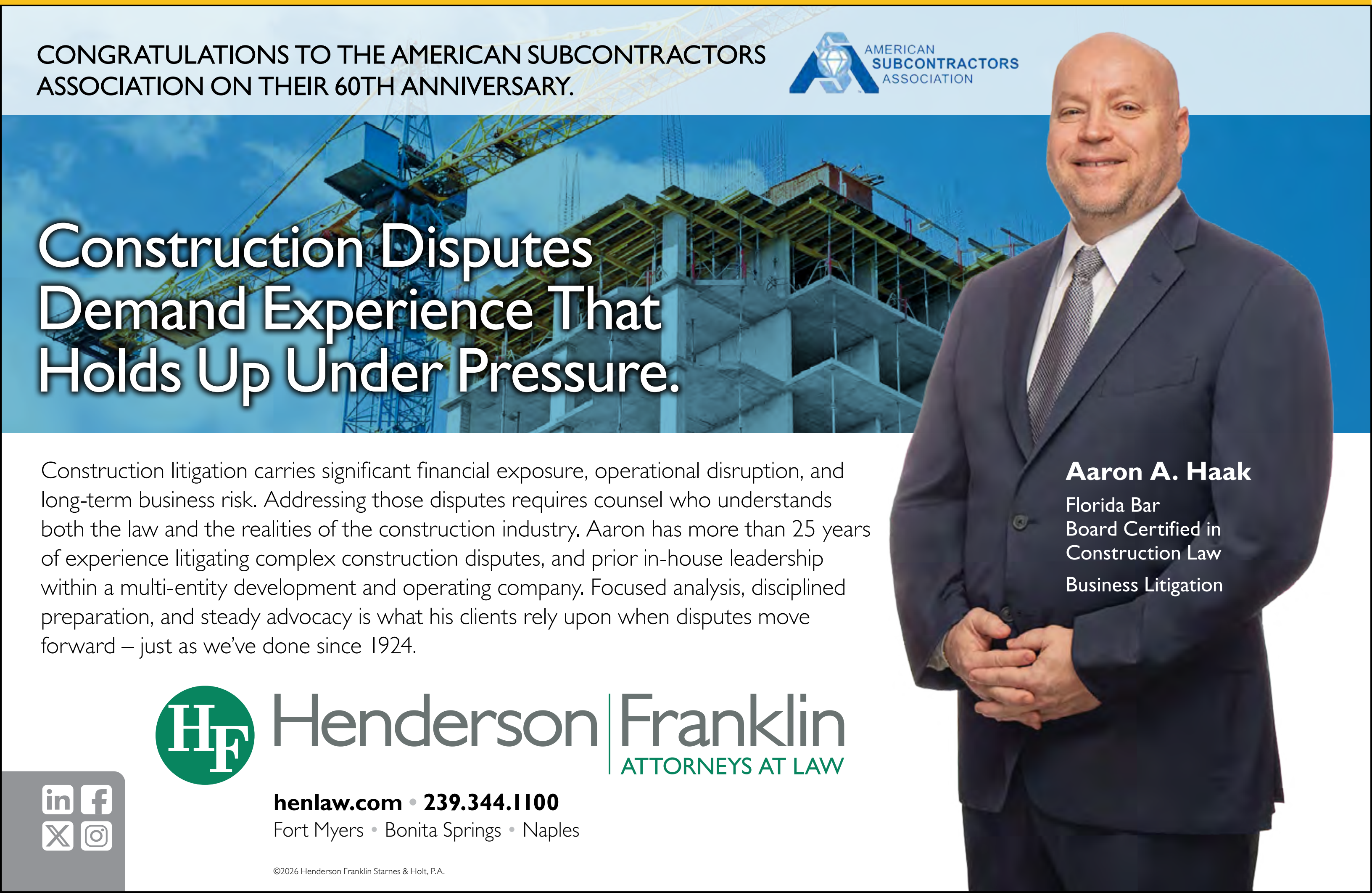
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FEATURE

Construction Subcontractors Need AI Guardrails That Protect Margins and Field Judgment

by Gleb Tsipursky, Disaster Avoidance Experts

Construction subcontractors face a practical AI problem that differs sharply from the one described in most corporate technology advice. A specialty contractor cannot measure success by how many emails, summaries, or estimates an AI tool produces. The work succeeds when a bid reflects the actual scope, a submittal matches the specifications, a change order preserves entitlement, a crew receives accurate information, and the company protects a narrow margin under real schedule pressure.

That makes AI adoption a management and judgment challenge before it becomes a software challenge. Used carefully, generative AI can reduce administrative drag across estimating, project management, safety, closeout, and back-office work. Used carelessly, it can accelerate errors that travel from an office prompt into a contract commitment or a field decision.

Start With Tasks Where Mistakes Stay Contained

The safest starting point involves repetitive, reviewable work. A subcontractor might use an **approved AI tool** to create the first draft of a meeting summary, organize questions from a bid invitation, turn field notes into a draft daily report, compare a subcontract checklist against a standard internal template, or outline a toolbox talk for a supervisor to review.

These uses save time without giving the system authority to make binding decisions. A project manager still confirms every date, quantity, commitment, specification reference, and responsible party. The AI produces a draft. The employee owns the result.

Companies should delay higher-risk uses until they have stronger controls. These include interpreting contract language, deciding whether work falls inside the original scope, calculating a price, selecting code requirements, approving a safety procedure, changing a fabrication detail, or communicating a legal position. AI may help organize the relevant information, but a qualified person must make and document the decision.

Constrain the Inputs Before Judging the Output

AI behaves differently when a user gives it controlled source material instead of allowing it to roam across general information. For example, a project engineer reviewing a submittal can provide the approved specification section, relevant drawing notes, the supplier data sheet, and the company checklist. The prompt can instruct the system to identify possible conflicts, quote the supporting text, and label every uncertain point for human review.

That approach creates a bounded comparison. It does not prove compliance, but it gives the reviewer a structured way to find issues. By contrast, asking a general AI tool whether a product complies with a project can invite unsupported assumptions about the code, jurisdiction, design intent, or latest revision.

The same principle applies to estimating. An estimator can use AI to organize bid documents, extract apparent alternates, and draft a list of exclusions. The estimator should never assume the extraction is complete. The final estimate still requires a page-by-page scope review, takeoff validation, supplier confirmation, labor assumptions, and an independent check of the proposal language.

Build Stop Conditions Into Every Workflow

A useful AI procedure tells employees when to stop. A subcontractor should require escalation whenever source documents conflict, a drawing revision appears missing, the tool cannot cite the exact source, a response affects price or schedule, personal or confidential information appears in the material, or the employee lacks the expertise to verify the answer.

These stop conditions prevent speed from becoming false confidence. They also reduce the shame employees may feel when they are uncertain about an AI-assisted result. The company should treat escalation as expected quality control, not as failure.

Managers can reinforce that norm through short review questions:

- What source supports this statement?
- What could be missing?
- Who has the authority to approve this conclusion?
- What happens if the answer is wrong?
- What evidence should we retain?

Protect Field Judgment and Trade Knowledge

Experienced foremen, superintendents, estimators, and project managers carry knowledge that does not appear neatly in a database. They recognize sequencing problems, access constraints, crew capabilities, fabrication realities, weather exposure, inspection patterns, and coordination risks. Poor AI adoption can make these professionals feel that management wants to replace judgment with generic output.

A better approach uses their expertise to design the guardrails. Ask experienced employees to identify common failure points, required inputs, nonnegotiable checks, and situations that demand escalation. Then build those insights into reusable prompts, checklists, and review procedures.

This process also protects professional identity. Employees remain the authors of decisions and the owners of quality. AI handles portions of the administrative burden while people apply trade knowledge, relationship judgment, and accountability.

Measure Margin Protection, Not Usage

Counting prompts or licenses tells leaders little about value. Subcontractors should measure outcomes tied to the business. Useful measures include hours saved on meeting documentation, fewer missed bid requirements, faster processing of routine submittals, reduced rework in closeout packages, shorter change-order preparation time, and fewer preventable handoff errors between the office and field.

Each pilot should establish a baseline, a responsible owner, a review standard, and a limited trial period. The company should compare the AI-assisted process with the prior process and check both speed and quality. A faster workflow that creates more corrections or weakens documentation does not save money.

One practical pilot could focus on change-event documentation.

The project team provides approved daily reports, correspondence, photos, schedule notices, and the relevant subcontract provisions. The AI organizes a chronology and drafts a factual summary. The project manager verifies every entry, removes unsupported language, adds missing context, and decides what belongs in the formal notice. The measurable outcomes include preparation time, completeness of supporting records, and fewer late or inconsistent notices.

Adopt AI as a Controlled Work Process

The strongest subcontractors will avoid both extremes. They will neither ban useful tools nor encourage employees to use AI everywhere. They will select narrow workflows, control the source material, define human authority, establish stop conditions, and measure business outcomes.

That approach fits the operating reality of **specialty contractors**. Margins remain tight, schedules change quickly, documentation matters, and field conditions punish confident mistakes. AI can help subcontractors reduce administrative load and respond faster, but only when the process preserves the judgment of the people who understand the work.

Adapted from: The Psychology of AI Adoption at Work: From Resistance to Results (Georgetown University Press, 2026) **https://disasteravoidanceexperts.com/aibook**

About the Author---

Dr. Gleb Tsipursky, a behavioral scientist called the "Office Whisperer" by The New York Times, helps tech-forward leaders stop overpaying for AI while boosting engagement and innovation. He serves as the CEO of the AI consultancy Disaster Avoidance Experts, and wrote eight books, including The Psychology of AI Adoption at Work: From Resistance to Results (Georgetown University Press, 2026).

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Fifth Circuit Rules OSHA Recordkeeping Requirements Do Not Apply to Workplace Mental Illness and Affirms Viability of Loper Bright Defense

by Michael Metz-Topodas and Jacob Tosti, Saul Ewing LLP

A decades-old Occupational Safety and Health Administration (OSHA") requirement has come to an end. Certain employers no longer need to record employees' work-related mental illness on OSHA's record-keeping forms due to a recent decision from the United States Court of Appeals for the Fifth Circuit in Exxon Mobil Corporation v. Occupational Safety and Health Review Commission. The court determined OSHA lacked authority to issue that rule under the Occupational Safety and Health Act (the "OSH Act").

After an Exxon Mobil ("Exxon") employee assisted firefighters at the scene of a petroleum refinery explosion and fire in Texas, the employee sought medical evaluation and counseling for anxiety. Two licensed clinical social workers, the employee's primary care doctor, and a licenses psychologist all diagnosed the employee with post-traumatic stress disorder stemming from the incident.

After receiving these diagnoses, Exxon determined it did not need to record the employee's illness on its OSHA-required injury and illness log or incident form, OSHA Forms 300 and 301 respectively, based on 29 C.F.R. 1904.5(b)(2)(ix) (the "Rule"). As Exxon read the Rule, it did not need to record any employee's mental illnesses "unless the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional with appropriate training and experience . . . stating that the employee has a [work-related] mental illness."

Because Exxon found three of the employee's health care providers lacked "appropriate training and experience" to diagnose recordable work-related mental illnesses and because the employee's psychologist's diagnosis contradicted the one Exxon's doctor made based on reviewing the employee's file, Exxon concluded the employee did not have a recordable work-related mental illness.

Upon the employee's union reporting Exxon's decision to OSHA, the agency issued a Citation and Notification of Penalty to Exxon for failing to record the employee's PTSD diagnosis on OSHA Forms 300 and 301, and Exxon contested the citation. Following a hearing before an administrative law judge ("ALJ"), the court affirmed the citation, and the Occupational Safety and Health Review Commission declined further review. Exxon appealed to the Fifth Circuit on the ground, among others, that the OSH Act does not authorize OSHA to require employers to consider mental illnesses in their record-keeping obligations in light of the recent U.S. Supreme Court decision in Loper Bright Enterprises v. Raimondo, 603 U.S. 369 (2024) ("Loper Bright").

In Loper Bright, the Supreme Court ruled that where an agency, like OSHA, interprets ambiguity in any statute, including the statute granting the agency its power, like the OSH Act does for OSHA, courts need not defer to such agency interpretations. Instead, courts "must exercise their independent judgment in deciding whether an agency acted within its statutory authority," 603 U.S. at 412. The Fifth Circuit requires a court performing this analysis to use "'all relevant interpretive tools' to determine the 'best' reading of a statute; a merely 'permissible' reading is not enough." Mayfield v. Dep't of Lab., 117 F.4th 611, 617 (5th Cir. 2024) (quoting Loper Bright, 603 U.S. at 400).

In applying these standards, the Fifth Circuit observed that the OSH Act states that OSHA "shall prescribe regulations requiring employers to maintain accurate records of . . . work-related . . . injuries and illnesses . . . ." 29 U.S.C. § 657(c)(2). Because, contrary to OSHA's interpretation of this language, the statute requires reporting only "illnesses," not necessarily both physical and mental illnesses, the Court had to "ascertain the best reading of that term." The Court found that the OSH Act's use of illnesses pertains only to physical illnesses for several reasons:

- Reading "injuries and illnesses" together, along with the statute's exceptions for certain physical injuries, support a conclusion that the statute "concern[s] . . . physical, not mental, workplace harms";
- Other reporting requirements in the same statutory section pertain only to "physical dangers of the workplace";
- OSHA's recording-keeping requirements sit within "a larger inspection regime" to examine workplace "conditions, structures, machines, apparatus, devices, equipment, and materials," all of which are "categories of things that risk physical harm," (emphasis in original)
- Several contemporaneous dictionary definitions of "illness" do not "expressly contemplate non-physical conditions."

Because the requirement to report "illnesses" under the OSH Act relates only to physical work-related ailments and conditions, OSHA exceeded its statutory authority in promulgating the Rule that requires employers to record work-related, non-physical, mental illnesses. With no basis for OSHA to issue the Rule, the Court had no choice but to vacate such rule along with the citation and penalty under it imposed on Exxon.

Due to this decision, employers in Louisiana, Mississippi, and Texas (the Fifth Circuit) no longer need to record work-related mental illnesses on their OSHA 300 log or a 301 report. Moreover, should in the future OSHA attempt to promulgate or enforce rules or issue citations pertaining to employee mental illnesses, OSHA may face a similar Loper Bright challenge to such rule or enforcement activity.

The availability of such a Loper Bright defense, however, should not necessarily alter employers' compliance programs. OSHA regulations and standards set a legal compliance floor, not a workplace safety ceiling. Separate and apart from any legal requirement, employers have good reasons to continue policies and practices related to employee mental health illnesses and issues and to document and address related employee matters, especially those work-related. An internal policy concerning confidential reporting and documentation of employee mental illness, for example, may support disability accommodation and workers' compensation compliance initiatives. The Fifth Circuit decision does not render such policies illegal, only that the underlying workplace mental illness issues fall outside OSHA's purview.

More broadly, the Fifth Circuit's decision demonstrates the powerful new defense employers have based on the Loper Bright decision in contesting an OSHA citation. Where OSHA attempts to enforce a rule created under a reading of ambiguous OSH Act language about the agency's power, employers can challenge such interpretation as leading to a rule OSHA does not have the power to create or enforce. In ruling on such challenges, courts no longer have to defer to agency interpretations of the OSH Act, as courts had to do before the Loper Bright decision. Instead, a court may use its independent judgment to determine whether OSHA properly determined that the statute afforded it the power to issue and enforce the rule in question. In exercising such judgment, courts may override OSHA's interpretation of its statutory authority. Thus, each citation potentially affords a new opportunity to reconsider the scope and reach of OSHA's rulemaking and enforcement power. For employers deciding whether and how to assert a Loper Bright defense in response to a citation or other enforcement action, they should consult with legal counsel experienced in such issues.

About the Authors

Michael Metz-Topodas is a partner in the Construction Group at Saul Ewing LLP. His practice includes construction litigation, day-to-day project and claims counseling, contract review, drafting and negotiations, bid preparation and bid protests, along with OSHA compliance and enforcement defense. In his OSHA practice, he has represented clients before the OSHRC and advised clients on dozens of citation contests, investigation demand responses, and safety standards compliance matters. Mr. Metz-Topodas represents general contractors, subcontractors, owners, designers, and suppliers on private, public, and federal projects and handles all forms of construction disputes. He can be reached at michael.metz-topodas@saul.com.

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About the Presenter

Rob Levin is a serial entrepreneur, best-selling author, and co-founder of WorkBetterNow. With more than 30 years of experience as a CPA, CFO, COO, CEO, and business owner, Rob helps organizations build high-performing teams and overcome today's talent challenges. He is the author of The New Talent Playbook, host of The New Talent Playbook podcast, and a sought-after speaker who delivers practical strategies that business leaders can implement immediately.

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