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BY MINIMIZING TRAVEL
TIME COMPENSATION

EXPAND YOUR
REVENUE WITH HOLIDAY LIGHTING



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PRESIDENT'S MESSAGE





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Jeff Davidson

ello everyone. What a busy and tough summer we endured with the extreme heat slowing production and the rain causing delays.

We have been busy with licensing issues. Alachua County is looking to write an ordinance for irrigation installation. We are in the process of working with them to help push the state to set a standard so that all counties and municipalities follow the same guidelines.

Florida Irrigation Society was invited to attend the water conservation conference in Las Vegas with all expenses paid by Hunter and Ewing. It was a great opportunity that allowed Scott King to attend the conference and our thanks goes out to Hunter and Ewing for their continued support. Be on the look-out for Scott's report.

We have been asked to sit on a board with other green industries, educators and water management districts that will focus on water conservation and proper landscape. Along with Dr. Dukes from the University of Florida, Tom Allen will serve as our representative.

In addition, we have been contacted by a group regarding DOT standards of plant material regarding water needs and requirements.

So the next time someone asks what does the Florida Irrigation Society do for me, let them know that we are continually working on improving our industry. As volunteers, we have to learn to balance our time between our businesses and volunteering. But, we continue to find the time to push for professionalism in our industry.

We know there are other concerns such as landscape lighting and drainage but both of these technically already have licensing in place through other trades or professions and we will address those issues in the future. In the meantime, the Society needs your support in the way of continued support at the Chapter level and help in growing membership in the only organization that represents our industry.

leff Davidson President



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Legislative News Update

By Diana Ferguson, Esq. Rutledge Ecenia, P.A.

Florida circuit court judge in Miami-Dade County has ruled that Florida's workers' compensation law is unconstitutional. The judge focused on the "exclusive remedy" provision of the law, finding that it no longer contains a viable alternative to court because workers' rights have been "so decimated" since the law was enacted. The law, created in 2003, was designed to address rampant fraud in the system, which had led to escalating costs, although advocates for workers' rights have argued that the law requires employees to bear part of the employer's cost of doing business.

What does this mean for your business or for you personally if you are an employee? No one seems to know yet. First, it appears that the ruling will apply in Miami-Dade County, at least until the decision is stayed or appealed. It does not apply in other areas of the state. What remains unclear is the impact this will have on insurance coverage in Miami-Dade County. Since the entire law was declared



unconstitutional, this includes the mandate to have workers' compensation coverage. This may mean that insurers begin providing liability coverage to employers. There is some possibility that other circuit courts could use this ruling as persuasive authority and it could spread, leading to a hodge-podge of regulatory schemes across the state. The insurance uncertainties have the potential to wreak havoc for both employers and employees.

Attorney General Pam Bondi is expected to appeal this ruling. In the meantime, the business community has been buzzing over the implications, what solutions might be needed to move forward, and what the potential impact could be on workers' compensation and insurance rates going forward as well. I will continue to keep FIS apprised as the issue develops.

Northeast Chapter

The NE Chapter will be hosting their 6th Annual Creek Wars Fishing Tournament on November 8. Their title sponsor again this year is Firehouse Subs and the proceeds are for the Firehouse Subs Public Safety Foundation and Guy Harvey Ocean Foundation. Last year's proceeds helped to outfit all FWC (Florida Wildlife Commission) boats in Northeast Florida with portable defibrillators.

The NE FIS Chapter and the FNGLA Chapter will be installing irrigation and landscaping for the Westjax Outreach project slated for late 2014 or early 2015.

The Chapter meets the 3rd Tuesday of each month at various locations. Contact the chapter to be added to their email list.

Visit their website for tournament info and registration. www.creekwars.com



Southwest Chapter

The Southwest chapter is having the Emma Hall fishing tournament on October 25. Their meetings are held the third Wednesday of each month at Conner's Steak House in Gulf Coast Town Center. Meeting time is 11:30 AM to 1:00 PM.

Central Florida Chapter

Central Florida chapter members, it is our goal this upcoming year to strengthen and revitalize our efforts as strong proponents of irrigation in our region. In order to achieve this goal, we need your help! Magic Johnson once said, "Ask not what your teammates can do for you.

Ask what you can do for your teammates." Is that you? We are seeking a Leadership Team for the Central Florida chapter.
Please contact Florida Irrigation Society, (727) 209-1595, pmanrique@fisstate.org.

Tampa Bay Chapter

At the October meeting of the Tampa Bay Chapter, held at the Hilton Garden Inn in Tampa, our guest speaker was Calvina Fay, the executive director of Drug Free America Foundation Inc.

Calvina, the 2008 Tampa Bay Area Business Woman of the Year (*Tampa Bay Business Journal*), talked about Amendment 2, medical marijuana, that we will be voting on November 4.

She gave a thorough explanation of what the amendment would allow, and what effects the amendment might have on us as citizens and business people. She was able to offer a great deal of insight on the topic based on her knowledge and experience in this area.

Volusia Chapter

The Volusia County Chapter was asked by the V.C. Health Department to review the proposed changes they would like to make to the 2004 Volusia County Water Wise Ordinance.

The chapter has been discussing the proposed changes and preparing a response to Volusia County Health Department's request. It should be ready to present to them by first quarter of 2015.

The Chapter hosted their annual Golf Outing on October 12, 2014. Below are a few photos from the event.











Save Money, Conserve Energy With LED Landscape Lighting

By Cruz R. Pérez, Vice President of Marketing, Vista Professional Outdoor Lighting

Outdoor spaces are an extension of the home. Places where homeowners relax, entertain, cook and garden. For the past few years, demand for attractive, functional residential landscaping has been trending, and according to the 2014 Residential Landscape Architecture Trends Survey conducted by the American Society of Landscape Architects (ASLA), the movement isn't waning.

This year's survey, which asked landscape architects to rate the expected popularity of residential outdoor design elements, revealed



94.2 percent of respondents rated gardens and landscaped areas as very popular. Outdoor living spaces, like kitchens and entertaining spaces, and outdoor recreation followed closely behind. Across all categories, lighting took the top spot, with 98.3 percent of respondents rating lighting as very in demand for 2014.

High demand for lighting makes sense as lighting is not only aesthetically pleasing, but also functional. Homeowners can't enjoy their newly updated backyard spaces after dark without it. Professional landscape lighting also provides home security, allows for safe passage throughout a property and increases a home's value overall.

While homeowners recognize the necessity of adding lighting to their outdoor spaces, many express concern about how much it will affect their energy bill. They're

also unsure about what kind of lighting is right for them. Prior to beginning a landscape installation, it's the contractor's job to explain a homeowner's options and consider their budget and vision. Communication of the details will ensure both homeowners and contractors benefit.

Low-Voltage Landscape Lighting

Low-voltage 12-volt systems are ideal for landscape lighting and offer advantages to homeowners and contractors. They're less expensive to operate than

commercial 120-volt systems, and they have lower wattage lamps available that do not require a conduit. Safety should always be top of mind for lighting professionals, and 12-volt systems don't exceed Underwriters Laboratories recommended maximum voltage of 15 volts.

The wide variety of lamps and fixtures available in 12 volts allows the amount, intensity and pattern of light to be controlled as desired. Being small in size, the fixtures are less obtrusive than 120-volt systems and, considering the lower voltage involved, a



12-volt lamp filament can be wound much more closely together than a 120-volt filament. This creates a small point from which light is produced, which is characterized by focused sharp shadow lines when mounted inside a clear bulb. Additionally, the color balance in 12-volt light is truer to the color of sunlight than most 120-volt lamps.



Add Light, Not Energy

Since 2002, average electricity rates in the U.S. have risen by more than 25 percent, spurring demand for eco- and budget-friendly solutions. Experts predict that high-efficiency light-emitting diodes (LEDs) will rapidly replace traditional incandescent sources, thanks to their many benefits.

LEDs provide equal light output while using 80 to 90 percent less energy.

How do LEDs work?

An LED is a semiconductor that converts electricity into light. It is a solid-state device that does not contain a breakable filament. Each LED diode is small, typically one-quarter inch or less in diameter, and multiple LEDs are arrayed in patterns to create the desired amount of light output. These systems are naturally best at providing light in a focused direction, so advanced optics are often combined with the LED arrays to create carefully controlled, glare-free lighting patterns. Unlike a halogen lamp that generates significant heat, LEDs themselves do not generate any infrared heat. This allows the fixture lens to remain entirely cool to the touch, which is a

significant advantage for in-ground and accent fixtures.

LEDs require a driver to operate. The driver converts incoming AC power to DC current and regulates the voltage for optimum operation. The quality and efficiency of the driver is essential in determining the longevity and performance of the fixture. Low-quality circuits will lead to premature fixture failure. Effectively integrating the driver into a fixture is a complex engineering task. The driver is essentially a circuit board, so it must be hermetically sealed to protect its components from moisture. In addition, excess heat created by the driver board can dramatically reduce the light output and fixture longevity, therefore, the fixture must be designed to dissipate heat effectively.

LED manufacturers use a measure called color temperature to numerically indicate the





appearance of the color of light sources. Those with a color temperature of 2900K have a warm, orange-white appearance. This includes most incandescent and halogen light sources. LEDs are now indistinguishable from their halogen equivalents in color and lumen output - resulting in the dramatically increased acceptance of LED technology in residential applications.

Benefits for the homeowner

The benefits of LEDs almost sell themselves, but it's important for lighting installers to communicate these advantages to homeowners. Whereas incandescent lamps use up to 90 percent of energy consumed as heat and only 10 percent for actual light, LEDs are the opposite. They use up to 90 percent of the energy consumed as light and lose only 10 percent to wasted heat.



Considering an installation using 900 watts of halogen lighting and operated nightly for 10 hours with a local rate of \$0.145 per kwh, the annual energy cost is approximately \$476. The same system with an equivalent number of LED fixtures and lumen output costs approximately \$95 per year to operate. LEDs have a rated life based upon the time it takes for the light output to decrease to 70

percent of the original output, which is typically about 50,000 hours or 17 years of normal residential use. A typical incandescent fixture will need to be re-lamped 10 or more times during the life span of a typical LED fixture.

Benefits for landscape/ irrigation professionals

Professionals can use MR-16 LED lamps to upgrade existing landscape lighting installations, resulting in the energy-saving benefits of LEDs. Because these lamps use far less wattage than comparable halogen lamps, they save dramatic amounts of energy while also allowing for the installation of more lamps per cable and transformer. This also makes it easy to add new fixtures when converting existing lamps to MR-16 LEDs.



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Dramatically lower wattage consumption by each LED fixture allows landscape lighting professionals to significantly increase the number of fixtures on each cable run and decrease the size of the system's transformer. For many residential installations, a single continuous cable run may be all that is required to supply power to more than two dozen fixtures. Because each fixture contains a driver that helps regulate and balance the flow of current, all fixtures will have uniform light output regardless of minor variations in incoming voltage.

The combination of lower power use and self-balancing fixtures can virtually eliminate the need for laborious voltage drop calculations in many systems. It can also allow for the addition of more fixtures into many installations without



affecting the performance of the system's balance.

Future of LEDs in Landscape Lighting

In the past decade, landscape lighting has been one of the most profitable segments of the green industry. Once used solely as indicator lights for electronics, LEDs have evolved into a major lighting technology, and the LED lighting business is growing rapidly. With an ideal mix of efficiency and output, LEDs are changing the way professionals light outdoor living spaces.

Florida Licensing Requirements

While the installation of solar landscape lighting does not require a license, note that the installation of low-voltage landscape lighting for compensation may require a limited energy systems specialty certification depending on the type of installation through the Florida Department of Business and Professional Regulation. Be sure to review the scope of the State license before beginning the install.





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State Irrigation License Numbers Growing

Congratulations to those Florida Irrigation Society (FIS) members who have become Florida State Licensed Irrigation Contractors. The numbers are growing slowly for those who have completed the application and testing process. Many others have taken the

technical exam but have yet to complete all the requirements. The list of FIS state licensed members will soon be listed on the Florida Irrigation Society's website for easy reference. The following are licensed members as of October 2014.

Newberg, Ronald M. Newberg Irrigation, Inc.

Clifford, Sean Patrick...... Massey Services, Inc

Okros, Stephen David Heron Lawn & Pest Control

Tveite, Roy White Water Irrigation, LLC

If you have not started or completed the licensing process and are in need of an exam prep class, the FIS office can make arrangements for you to participate in a class near you for either the technical or business/finance exams. Current

locations are available on varied dates for Kissimmee, Sarasota, Plantation, and Tampa. The pass ratio for the technical exam is still very high at 85%, which shows those sitting for the exam were well prepared.

Photo Contest

The Florida Irrigation Society challenges you to capture the beauty of Florida for the cover of our upcoming issues of Pipeline. Starting with the Fall issue, we will be accepting your photographs for consideration for the cover of Pipeline.

FIS staff is responsible for judging the photos and reserves the right to publish submitted photos in other media, including the FIS website and future Pipeline issues.

Submission

Submissions should include the name of the photographer, the company, the date of the picture if known, equipment used (smart phone, digital camera, etc.) and a short description regarding the location. Only one photo entry will be accepted per photographer per issue. Photos are limited by your imagination, the FTC, and must be acceptable for print and public consumption.

Format

Images should be TIFF, JPG or RAW, and at your camera's highest resolution settings (jpgs preferred).

Electronic submission is preferred for quality and ease of use. All submissions become the property of FIS and will not be acknowledged or returned. Send electronic images to pipeline@fisstate.org with Photo Contest listed in the subject line.

Deadlines for Receipt

- Winter 2014 -November 15, 2014
- Spring 2015 -February 1, 2015
- Summer 2015 -May 1, 2015
- Fall 2015 -September 1, 2015





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Maximize Profits by Minimizing Travel Time Compensation

By Kevin D. Zwetsch, Esq., Shareholder

and Warren D. Astbury, Esq., Associate: Ogletree, Deakins, Nash, Smoak & Stewart, P.C., Tampa, Florida.

Travel time is usually unproductive time. Minimizing compensation for unproductive travel time helps maximize profits. So does compliance with wage and hour laws and avoiding legal disputes. This is especially important in the irrigation industry, where hourly employees often travel great distances from jobsite to jobsite throughout their day.

This article presents a series of questions and answers on travel time compensation (meaning employees must be paid their hourly wage) under the Fair Labor Standards Act (FLSA), and some practical strategies to help minimize compensation for unproductive travel time and comply with the FLSA.





Kevin D. Zwetsch

Warren D. Astbury

Do I need to pay my hourly employees for their jobsite commute to and from work?

No, if the commute is less than one hour. If the commute (home to the first jobsite or from their last jobsite to their home) is more than 1 hour, then any commute time beyond that first hour must be compensated. For example, if the employee travels 2 hours to their first jobsite, then 1 hour of travel time must be compensated. To minimize this compensable commute time, try to rearrange the employees schedule to ensure their first and last jobs are within 1 hour of their homes.

When does the clock start?

The clock starts running when the employee does his or her first work

related task. For instance, if an employee is asked to stop and pick up supplies on the way to work, the time spent traveling after that stop may need to be compensated. To avoid starting the clock prematurely, all employers should make and enforce a clear policy statement or in their company handbook that no job duties should be performed prior to arriving at their first jobsite unless otherwise authorized by a supervisor.

Do I need to pay my hourly employees' commute time in a company vehicle?

It depends on the type of vehicle and some additional factors. If the employee commutes in a company vehicle not normally used for commuting (e.g. an 18-wheeler or a dump truck) then the time spent traveling probably must be compensated. If they commute in a normal commuting vehicle (e.g. a company car or truck or van) then time spent commuting does not need to be compensated if:

- The employee can still take a normal travel route to work;
- The employee does not incur any additional maintenance or

parking costs because of the employer-provided vehicle;

- The employee's travel is within the "normal" commuting area for the employer's business;
- The use of the vehicle is subject to an agreement between the employee and the employer.

To avoid compensation for commute time in a company vehicle, employers should take extra care to ensure that all of these conditions apply.

Do I need to pay my hourly employees for travel during the workday?

Yes. All travel time, within the course of the working day must be compensated. For example, time spent traveling from customer-to-customer to do repairs or installation is compensable. In order to keep this compensable time to a minimum, schedule service and installation calls in a way that minimizes wasteful travel.

Do I need to pay my hourly employees for commute time to an emergency service call after he or she has completed their shift?

Yes. If an hourly employee goes home after finishing his regular working hours, but is subsequently asked to travel a substantial distance to perform an emergency job, all commute time is compensable. For example, your hourly employee works 9 a.m. - 5 p.m., returns home, but then is required to travel a substantial distance to perform an emergency

repair at 8 p.m. that evening. That employee must be compensated from the moment he gets in his car at home to the moment he exits the car back home when the job is complete. Additionally, the extra work hours may move the employee past 40 hours in a workweek, requiring overtime pay. Some states also require overtime pay based on daily work hours, but not Florida.



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Do I need to pay hourly employees for time spent travelling to an out-of-town jobsite?

That depends on two things: (1) when the travel occurs; and (2) how the travel occurs. If travel time is within normal working hours, hourly employees must be compensated regardless of their method of travel (e.g. car, plane, etc.). Outside of regular work hours, if the employee drives, travel time is probably compensable. However, if the employee is a passenger on an airplane, train, or in a car, travel time outside of work hour is probably not compensable. For example, an employee who usually works from 9 a.m. - 5 p.m. drives from Orlando to Miami on Thursday night starting at 8 pm for a job that begins the following day. That travel time is compensable. However, if that employee travels as a passenger, the time will not be compensable. To minimize compensation for outof-town, overnight travel, consider having the employee take a train, fly after hours, or ask employees to carpool so only one employee is paid for working.

Minimizing unproductive labor costs wherever possible always makes sense, and compliance with wage and hour laws is mandatory. Developing strategies to minimize compensation for travel time while remaining in compliance will give you a competitive advantage and help you maximize your profits.





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Expand Your Revenue with Holiday Lighting

By Nicholas Schriver, Decorating Elves, St. Petersburg, FL

When your customers are pestered with getting ready for the holidays, there is a way you can help them while growing your business and generating additional revenue.

The holiday season is the busiest time of the year. From shopping and cooking to parties and spending time with family and friends. Then there is the decorating, who has time to spend hours untangling lights, up & down on ladders and decking the halls for the holidays?

Some people want to avoid injury while others don't want to bicker with their spouse. In reality, most just don't have the time to unravel lights, search for power sources and climb around on ladders, much less, find a place to store all of the outdoor decorations. But, the majority of people are not aware of their options.



That is where you come in. During what is traditionally a slower time of the year for the industry, hanging holiday lights and decorations can mean more income for your business. You may find that the client base you have needs to hire a professional service to decorate for them. In fact, they have already hired you to provide a service so that they can enjoy their house and don't have to do it themselves. Plus it is not very often that by adding an additional service to your business

you can create cheerful memories for families to remember for years, and spread the Christmas spirit.

Holiday lighting and decorating is the perfect addition to an already existing business. It provides the opportunity to generate additional revenue and keep employees busy during the slower season. In addition, it is a great opportunity to continue to use your equipment including work trucks, warehouse, tools, insurance and employees.

The other good news is that there is not a substantial investment needed up front and the opportunity for a

large profit is attainable. The most important thing is good training and learning all aspects of the business including design, layout, sales, marketing, proposals, estimating, electrical load, installation, removal, and most importantly safety. It is best to get this from qualified people in the industry.

Nicholas Schriver is founder of Decorating Elves out of St. Petersburg, Fla. He is also active in keeping with the latest trends and products in the Holiday Lighting & Decorating Industry. You can email him at nick@ decoratingelves.com.



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UPCOMING INDUSTRY EVENTS

Review and Exams Limited Certification Pesticide Applicator License

November 13, 2014

UF/IFAS Extension - Orange County

Irrigation Association - Irrigation Show & Education Conference

November 17 - 21, 2014

Phoenix, AZ

Florida Green Industries Best Management Practices Certification

December 18, 2014

UF/IFAS Extension - Orange County

Orlando, FL

TPIE (Tropical Plant Industry Exposition)

January 21 - 23, 2015

Broward County Convention Center

Fort Lauderdale, FL

Jacksonville Landscape Show

February 12 - 13, 2015

Jacksonville Fairgrounds

Jacksonville, FL

Florida Irrigation Society's Water Summit

July/August 2015- Check www.fisstate.org for updates

Irrigation Association-Irrigation Show & Education Conference

November 9-13, 2015

Long Beach, CA

Submit your industry events for consideration to Pipeline pipeline@fisstate.org



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I am: A New Mem	ber	Renewing	my Membership		
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