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## General Contractor “Safety Fines”

by Chris Love | Associate | Andrews Myers, P.C.

Some general contractors (GCs) have begun assessing monetary fines and penalties against subcontractors for what they perceive to be alleged jobsite safety violations.

The question becomes, are these GC-imposed safety penalties and fines enforceable? Does a subcontractor really have to pay them? In most cases, the answer to both is, probably not.

There is a long-standing legal tradition in Texas which favors parties’ freedom to contract. As a rule, parties have the right to contract as they see fit, as long as their agreement does not violate the law or public policy. Freedom of contract allows parties to bargain for mutually-agreeable terms and allocate risks as they see fit.

[Read More](#)

## General Lunch Meeting: Meet the GCs

### PANELISTS

- Bill Scott, Executive Vice President, Linbeck Group LLC
- Jim Stevenson, President, Houston Division, McCarthy Building Companies, Inc.
- Jason Hogue, Project Manager, Teal Construction Company
- Jim Snyder, Vice President, White Construction Company

Join ASA-HC for a panel presentation and networking opportunities with four Houston-area general contracting firms. The presentation will focus on upcoming work, thoughts on Houston’s construction industry over the next six months and how area GCs and subcontractors can best work together to ensure success for all involved.

Thursday, November 17, 2016

11:00 a.m.

Hess Club  
5430 Westheimer Road  
Houston, Texas 77056

### Schedule

11:00 – 11:30 a.m.	Networking
11:30 a.m. – Noon	Lunch
Noon – 12:35 p.m.	Panel Discussion
12:35 – 1:00 p.m.	Networking

[Register Now](#)

For more information about this event, [visit our website](#).

## Safety and Dividends Go Together Like a Hammer and Nails.

In construction, safety builds dividends. Plus, as a member of the **Texas Construction Association Safety Group**, you may receive a greater discount on your workers’ comp premium. We’re helping our policyholder owners be safer and stronger—and we think you’ll find it very rewarding.

For dividends built on safety, contact your agent or Gina O’Hara at (512) 330-9836, ext. 6324 or [info@txconstructionwc.com](mailto:info@txconstructionwc.com).



While we can’t guarantee dividends every year, Texas Mutual has returned \$1.8 billion to safety-conscious policyholder owners since 1999.



## DID YOU KNOW?

### COMMON TERMS USED IN THE TEXAS LEGISLATURE

- **Conference Committee:** Five senators (appointed by the lieutenant governor) and five representatives (appointed by the speaker) form a committee to resolve differences between the two house versions of a bill. No new provisions are allowed to be added during conference committee proceedings without the express written instruction of both houses.
- **Filibuster:** In Texas, a filibuster is allowed only in the Senate. A filibuster occurs when one senator holds the floor through talking or long speeches, without sitting down or leaving the vicinity of the senator’s desk. Although the primary purpose of a filibuster is usually to kill a bill, sometimes this is also done to reach a compromise or to delay a vote as long as possible.



## Opportunity Found

Welcome to the Team

[ACCUDATA SYSTEMS, INC.](#)

[THE CROMEENS LAW FIRM, PLLC](#)

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## Impact the Industry Encourages a Safer Construction Industry



The fifth and final installment of ASA-Houston Chapter’s 2016 Impact the Industry safety series, **Train the Trainer for Aerial Lifts**, takes place November 8. We hope you’ll join us for this informative event aimed at making the construction world a safer place. Impact the Industry allows construction professionals to undergo training, talk through important safety issues and seek out best practices, all in a relaxed atmosphere surrounded by colleagues.

### FIVE SESSIONS MAKE UP IMPACT THE INDUSTRY’S INAUGURAL YEAR:

~~Feb. 16, 2016~~  
~~Confined Spaces~~

~~Aug. 4-5, 2016~~  
~~OSHA-10~~

Nov. 8, 2016  
[Train the Trainer for Aerial Lifts](#)

[Series Details Here](#)

~~May 10, 2016~~  
~~First Aid and CPR~~

~~Sept. 22, 2016~~  
~~Controlling and Managing Incidents~~

Impact the Industry events are free to ASA-HC members and prospective members, but attendance is limited.

## ADVERTISE YOUR OPPORTUNITY.

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## Annual Fall Fishing Tournament

September 30, 2016

[View More Photos](#)



Check out pictures from past events!

[View Photos](#)

## Build Up Your Calendar

NOVEMBER 2016

**3rd** [Contract Language Seminar](#)  
9:00 a.m.

[Associate Member Peer Group](#)  
2:00 p.m.

**8th** [Impact the Industry: Train the Trainer for Aerial Lifts \(Scissor/Boom\)](#)  
9:00 a.m.

**9th** [Board of Directors Meeting](#)  
9:00 a.m.

**10th** [Customer Service: Dealing with Difficult Situations \(English\)](#)  
4:00 p.m.

**16th** [Schmooze & Mingle with JE Dunn](#)  
4:00 p.m.

**17th** [General Lunch Meeting: Meet the GCs](#)  
11:00 a.m.

[Customer Service: Dealing with Difficult Situations \(Spanish\)](#)  
3:30 p.m.

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