



March 2024 Volume 43 Issue 7

Chapters are not authorized to speak for the Society

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AMERICAN SOCIETY OF
PLUMBING ENGINEERS
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Chapter AYP Liaison
OPEN

Chapter WOA Liaison
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MARCH CHAPTER MEETING

Date: TUESDAY, March 19, 2024

NEW Location: Countryside YMCA
1699 Deerfield Rd
Lebanon, OH 45036
Tel 513.932.1424

Cost: \$15 at the door

Schedule: 12:30PM-2:30PM Professional Ethics

Reservations: Make a reservation and pay for the meeting
through the Chapter Website or email Bill Berger
at bill.berger@kohler.com or John Fox at
john.fox@lixil.com before noon on MONDAY,
March 18th, so that a head count can be
established. As always, guests are welcome.

All content displayed at ASPE meetings is copyrighted. No one may copy any part
of it without permission of the copyright owner. Violation of this rule can lead to
monetary damages.

LOOKING AHEAD

Chapter Meetings to be held at Countryside YMCA,
Lebanon, OH unless noted otherwise.

April 16, 2024 TBD

May 21, 2024 TBD

The ASPE Newsletter is published by the Southwestern Ohio Chapter of the American Society
of Plumbing Engineers. Opinions expressed herein are those of the authors and do not
necessarily reflect the views of the Society, the Chapter or the Editor.

Presidential prose...



The Certified in Plumbing Design exam dates are **April 15th thru 26th**. Registration deadline is **April 1st**. ASPE also now has a four-part webinar series for online review for the CPD exam. Visit education.aspe.org to view that series.

The Chapter Board has voted and going forward students (including co-ops) are always **FREE** to attend meetings.

Our Chapter will be hosting the Region 2 Presidents meeting in Dayton. This brings together over 10 different ASPE Chapters from 6 states and Canada. It's our chance to really showcase our area and extend hospitality to our fellow members.

Currently we are planning to host everyone at the UD Marriott and enjoying social time (and a Bluegrass band) at Carrillon Park Museum. We are seeking affiliate partnerships to advertise during the event and provide some swag-bag items. If you are looking for a slam dunk marketing opportunity please reach out to Brian Fraley or myself.

Secondly, the ASPE Convention & Expo will be in Columbus in October. This is ASPE's biannual event that brings together thousands of engineers and manufacturers. The last Expo featured over 250,000 square feet of event space, will products ranging the entirety of the plumbing industry. With such easy access to this event (you can drive home at the end of the day if you want) I hope to see great turnout from the Southwest Ohio Chapter.

Upcoming Events:

Next SWO Chapter meeting – Professional Ethics – March 19, 2024

CPD Exam Registration Deadline – April 1, 2024

ASPE Convention & Expo 2024 – October 18-23, 2024 - Columbus, OH

Thanks for being here, we like having you.

– **Andrew Hemmelgarn**
President

A promotional graphic for ASPE Young Professionals. It features the ASPE logo (American Society of Plumbing Engineers) in the top left. The main text reads "ASPE YOUNG PROFESSIONALS" in large, bold, blue letters. Below this, it says "Learn more about our group!" in a smaller font. A paragraph follows: "AYP is dedicated to the needs of plumbing designers 35 years old and younger. Your local ASPE Chapters have been busy organizing exciting opportunities to help you excel in your career:". This is followed by a bulleted list of benefits: "» Partnerships with other industry groups", "» Social and networking events", "» Professional development opportunities", "» Mentoring programs", and "» And more!". At the bottom, it says "For more info visit: aspe.org/ayp" and features the ZURN logo as an "Exclusive AYP Sponsor".

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Plumbing Engineers

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PROFESSIONALS**

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- » Social and networking events
- » Professional development opportunities
- » Mentoring programs
- » And more!

For more info visit: aspe.org/ayp

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Technically Speaking...

The Southwestern Ohio Chapter would like to wish a

Happy Birthday

to the following members celebrating their birthday this month:

Travis Burke, Ron Cobb, Tony DeNiro, Michael Hagan, Erich Knemeyer, Jon O'Donnell, Christopher Swank and Matthew Wyles

And the Chapter would like to wish a

Happy Anniversary

to the following members commemorating their ASPE anniversary this month:

Travis Burke, Terry Cannon, Deana Crawford, Doug Dockus, Kevin Hansman, Bob McGinnis, Jim Miller, Andy Monnig, Ben Oisten, Jeff Papania, Tyler Smaga, Christopher Swank and Kevin Witte



We had an astounding turnout last month, so thank you to all who attended, especially amidst the busy code update season! I am continually impressed by Greater Cincinnati's superb community of engineers. The meeting itself was incredibly informative with Paul Rice of Lochinvar's Heat Pump division. From refrigerants, to install guides, to the guts of what makes a heat pump run, Paul produced an efficient walkthrough of "Heat Pumps 101." The material used for his presentation is available upon request-- as well as product-specific design tools and diagrams. Please feel free to reach out to me if you are interested. This month we are right back at the Countryside YMCA on the 19th for an ethics seminar via the Ohio Ethics Commission's Susan Willeke. Not only will this secure the ethics requirement for continued licensure, but it will also provide insight into Ohio's outlook on ethical engineering. This will be a joint meeting with ASHRAE's Cincinnati chapter. To accommodate the larger audience and Susan's time, the meeting space will open at noon, with the seminar starting at 12:30 and lasting until 1:30 pm. You can still register through the standard ASPE pathways. I hope to see you there!

Kindest Regards,

– **Samuel Church**
VP, Technical

Legislative lingo...



New Ohio Codes in effect now!
 The Plumbing Code with Ohio Amendments can be found on ICC website here: [Ohio Building Codes - ICC Digital Codes \(iccsafe.org\)](http://Ohio Building Codes - ICC Digital Codes (iccsafe.org))
 The red text is added by Ohio to the 2021 IPC.

– **Jeremy M. Williams PE, LEED AP BD+C VP, Technical**

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Membership musings...



It is hard to believe we are almost one quarter of the way through the year already, hopefully everyone is checking back on their 2024 New Years resolutions we were all talking about not too long ago and keeping up with them.

Our next chapter meeting at the Countryside YMCA in Lebanon **starting at 12:30pm** on Professional Ethics - State of Ohio CEU Course by Susan Willeke, Education & Communications Manager for the Ohio Ethics Commission and will be providing a 1 hour CEU course over professional ethics. 1 hour of ethics is required every year for professional registration and is often forgotten when folks renew their licenses. Note: This session is being done in combination with our local ASHRAE Chapter so it will be a great opportunity to meet with even more local engineers.

We have two new members to welcome this month. Izsak Rapp with Motz Engineering and Todd Huber with Feldkamp Enterprises Inc. both of whom will be working to secure their CPD credentials. Please let us know if there is anything we can do to help. We hope to see you at our next meeting.

The following members renewed in February, and we'd like to acknowledge them for their continued support to our local chapter, Doug Dockus, Chrissy Elliott, Michael Heaton, Dennis Helmig, Case Hoskins, Mario Linares, Andy Monnig, Pat Nolan, Toju Omaghomi, Greg Pearson and Christopher Swank. Thank you all!

Our total membership is holding strong at 103 members this month with these new additions

and renewals. We have 58 Full members, 17 Associate members, 25 Affiliate members, 2 Life members, and 1 Retired member.

Total Membership		
	Mar. 23'	Mar. 24'
Buffalo-Niagara	42	41
Central Indiana	113	122
Central Ohio	99	106
Cleveland	95	89
Eastern Michigan	102	105
Evansville	33	34
Johnstown	28	30
Kentucky Bluegrass	25	29
Pittsburgh	98	95
Rochester	63	78
Southwestern Ohio	100	103
Toronto	100	110
Western Michigan	82	92
Region 2 Total:	980	1,034

Thanks,

**– Brian Selander
VP, Membership**

Through the pipes...



- **Registration Opens Soon**

The biennial **ASPE Convention & Expo** is the only event designed to enhance the professional development, skills, and career growth of plumbing system design professionals, combining technical education sessions with the largest plumbing product tradeshow in the country. The 2024 ASPE Convention & Expo will be held October 18–23 at the Greater Columbus Convention Center in Columbus, OH, and registration will open in the spring. To be notified when registration opens, visit expo.aspe.org.

- **ASPE Announces the 2024 Convention & Expo Sunday Night Party Presented by NIBCO Inc.**

ASPE is pleased to announce that once again NIBCO Inc. is sponsoring the famous Sunday Night Party at the 2024 ASPE Convention & Expo. ASPE's Sunday Night Party Presented by NIBCO Inc. will be held October 20 at the world-renowned Center of Science and Industry (COSI) in Columbus, OH.

COSI, a nationally acclaimed science center, has been captivating Central Ohio with its diverse array of science-related offerings for 58 years. Since 1964, COSI has welcomed more than 33 million visitors from all 50 states and numerous foreign countries. It serves as a catalyst for fostering interest in science, technology, engineering, and math (STEM) subjects, promoting their unique brand of experiential and "hands-on fun" learning.

A perennial highlight of ASPE's Convention & Expo, the Sunday Night Party Presented by NIBCO Inc. is sure to be the most exciting networking event at the 2024 ASPE Convention & Expo. Attendees will enjoy food, drinks, music, and fun while connecting with new and old friends.

- In every Convention year, you have an opportunity to make your mark on our Society by proposing an amendment to the [ASPE Bylaws](#).

At the biennial Business Meeting, Chapter Delegates will debate and vote on amendments to the ASPE Bylaws that have been proposed by

members. If you would like to propose an amendment, please fill out the [Proposed Bylaws Amendment Form](#) and submit it to Billy Smith, FASPE, at bsmith@aspe.org by June 21, 2024.

This opportunity to make your mark on our Society only occur every two years, so don't miss out. If you would like to propose an ASPE Bylaws amendment, submit the proper documentation soon.



- **[Join the Industry's Elite This Year](#)**

The 2024 CPD exam will be held via remote proctor on April 15–26, and registration is open for eligible candidates on ASPE Education. The deadline to register is April 1, 2024. [Learn more>>](#)



- **[Registration Is Open for the 2024 EWTS](#)**

Co-convened by ASPE, IAPMO, and PMI, in cooperation with the World Plumbing Council, the 2024

EWTS will be held May 14–15 in Scottsdale. The theme for this year's conference is "The Nexus Between Sustainability and Safety: Avoiding Unintended Consequences," and the schedule will feature experts on these topics. [Register now>>](#)



- **[MedGas Workshop Registration Is Open](#)**

This year, ASPE's popular in-person MedGas Workshop will be held four times across the United States, and registration is now open for all of them so you can choose the workshop that best fits your schedule and location.

For the third and fourth quarters of 2024, the in-person MedGas Workshop will be held on September 26–29 in [Grand Rapids, MI \(hosted by](#)

[Bradford White](#)) and November 7–10 in [Exton, PA \(hosted by MediTrac\)](#) (click on the links to register.).

ASPE's MedGas Workshop is perfect for anyone seeking to sit for the ASSE 6060 personal certification exam. The workshop also provides the skills and knowledge needed for engineers who want to branch into medical gas system design.

The cost to take the workshop is \$2000 for ASPE members and \$2350 for nonmembers. Not an ASPE member? [Join today](#) to get the member price and save \$150, and you'll also be able to take advantage of all of ASPE's other member benefits.

[Visit ASPE Pipeline](#) for more information on the workshops and links to register.



● **ASPE's Book of the Month** program continues with the [ASPE/ANSI 45 \(2018\): Siphonic Roof Drainage](#) (eBook

version)..

Through March 31, 2024, you can purchase the digital edition for 15% off the regular member price. Just enter the coupon code **WorldPlumbingDay** when you check out.

The discount is only valid on the digital version of the publication, and the coupon code can only be used once. If you are purchasing multiple items, the discount will be applied only to the assigned publication.

Don't forget to enter the coupon code when you check out to receive the discount.

Around the Water Cooler...

The month of March is here. And coming with it are March Madness, MLB Spring Training, St Patrick's Day and the arrival of spring. And we have a new Water Cooler conversation to help us fill the time.

One of the unfortunate realities of our profession is that from time to time, a firm deems it necessary to reduce its staffing level. Other times, an employee moves on to (hopefully) greener pastures. But how does this translate to **accrued benefits**? This is the question received from a Cooler. Read on...

● *I recently learned about an employee that, as part of a multi-person layoff, was informed their services were no longer required. While the employer was generous enough to give two week's severance pay, the employee was not paid for any of the roughly four weeks of accrued vacation time.*

I can't help but wonder if this is legal and, if not, what means of recourse would be available?

Bear in mind that we are not attorneys, nor are we making any attempt to practice law or hold ourselves out as such. But with that said, we do have a few thoughts to share.

Let's start by considering what the receiving of severance pay entails. At the discretion of the employer, it can include any (or even none) of the following (as always, highlight ours):

- Any additional payment based on months of service
- Payment for unused accrued PTO or vacation time, holiday pays or sick leave unless the employee is picked up by a new buyer (as in a merger or buy-out) wherein all benefits become the responsibility of the new employer.
- COBRA insurance or healthcare benefits through a certain period of time.
- A payment in lieu of a required notice period
- Retirement accounts
- Assistance in searching for new work, such as access to employment services or help in producing a résumé

In this case, was vacation pay included in the severance pay received? Considering this was for two weeks service time and there was roughly four weeks of vacation pay involved, we think not. So we now ask the question of whether an employer must pay an employee for their accrued but unused vacation time when they leave employment.

Based upon research performed, if an employee has left under difficult circumstances, such as an involuntary discharge, there can easily be a dispute about post-employment issues like this.

But in this case, as part of a company layoff and under Ohio law, accrued vacation is considered an earned benefit that an employee has a legal entitlement to. So an employee's right to pay for vacation time that was not used during employment will normally survive the employee's termination or resignation, and payment will be owed.

However, we say "normally" because an employer can circumvent this through a written policy that is clearly communicated to employees in an employee manual. If the employer clearly stipulates a policy stating that any unused vacation pay is forfeited when employment ends, that policy

is legally enforceable, notwithstanding the general rule under Ohio law.

With that said, employers should carefully consider whether to have a blanket policy like that described above, as it can lead to some harsh results. For example, some employees who are planning to end their service, being aware that their vacation pay will be lost when they leave, will simply take their vacation right before they resign – and often quit without notice as soon as they return.

For some employers, a sensible middle ground may be to have a policy stating that vacation pay is forfeited only under certain circumstances – such as if an employee is discharged for cause, or if they leave without giving two week’s notice.

So the generally accepted status on accrued vacation time may be dependent on what is stated in the employer’s policy manual. Note that if an employee was not required to read the manual nor were they required to signify in writing they have done so could bring some additional concerns into play.

The powers-that-be at the previous place of employment certainly will not offer this information (unless, of course, it was in the employee manual at that time). And the only way the employee could learn of this (and recover any monies due) would be to retain counsel and, at need, take the matter to court. However, we are talking of roughly four weeks of time so even if they did prevail the cost of legal services could exceed any award received.

Also, under Ohio law, the employee could be entitled to triple compensation. And attorney’s fees

could be included as damages. But in both cases, it would be up to the court as to whether or not a plaintiff would prevail.

And it could prove to be a pricey way of getting the satisfaction of proving they were right.

Parting thought...

Hello, March.

May you be filled with warmth, love and kindness.

May you bring an abundance of everything my heart desires, and may you fill my days with the beauty of a smile and the touch of a caring heart.

-Rebecca Fox

Looking to stay in touch
with the Chapter



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