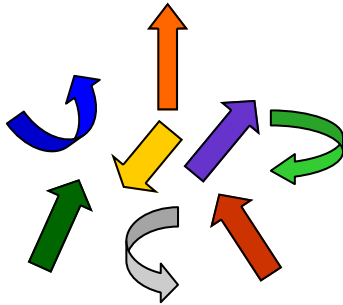


October 2011

EXECUTIVE DIRECTOR'S MESSAGE:

Robert H. Pope



OWQA MOVING IN NEW DIRECTIONS

SALES ARE THE LIFEBLOOD OF OUR INDUSTRY AND THE SUCCESS OF OUR BUSINESS!!!! So, your OWQA Board of Directors is introducing our "Quarterly Sales Meeting" educational series at the Annual Meeting coming up in Columbus.

I know all of our firms have internal Sales Meetings and Sales Training. This idea is for the Association to provide Company Owners and Sales Managers assistance in their training and motivation of their sales staff.

The Quarterly Meetings will be available both live and via webinar. They will be moderated by a professional Sales Consultant who is a skilled instructor and discussion group facilitator. The series will use a reference book, **Coaching Salespeople into Sales Champions**, and will also provide you with forms and tools that can be easily customized and quickly implemented.

This new approach will allow you as the Owner and/or Sales Manager to learn new techniques, review good solid basic principles, and **to also network with your peers and discuss what works;**

what doesn't; and current challenges in sales.

Now I know there will be some that say, "well I am not going to discuss sales techniques with my competitors". Here is why that is **WRONG THINKING**. Everyone's operation is unique and everyone will take away different impressions and applications from these sessions. Plus, we all face the same problems out there like **false claims about the industry**. All of us discussing these issues together can move toward **workable solutions** for everyone.

I hope every firm has at least one representative attend this Kick-Off Session, because obviously the **more participation, the better the results for everybody**.

Your OWQA Board of Directors is trying to think outside the box and I hope that spreads to the entire membership.

One other thing we are trying new; I recommend you consider coming in the night before the conference. The Easton Complex offers a fun spot full of restaurants and shopping, plus we are holding a very informal "Dutch Treat" Dinner at the Brio Tuscan Grille. Heck, you might even talk me into buying a few drinks.

I look forward to seeing you all there!

Bob Pope, Executive Director



2011 Annual Meeting Schedule:

November 3, 2011

Brio Tuscan Grille at Easton Town Center
3993 Easton Station, Columbus, Ohio 43219

- 3:30 p.m. Joint OWQA/IWQA Board Meeting
- 6:00 p.m. Dinner (dutch treat) open to Boards and any attendees coming in the night before

November 4, 2011

Aladdin Shrine Center
3840 Stelzer Road, Columbus, Ohio 43219

- 9:00 a.m. Registration and Exhibitor Table Top Setup
- 9:30 a.m. Welcome and Introductions
- 9:45 a.m. **Disinfection/Sanitization Procedures of Water Softeners & RO Units**
Preston Short of Pro Products regarding Specifying the Best Disinfection Technology Options in Residential/Commercial Applications as well as income opportunities through sanitization.
- 10:15 a.m. **Introduction of OWQA/IWQA Quarterly Sales Meeting Series**
Antonette Lucente of Bluegill Consulting will introduce the OWQA's newest educational series!
- 11:45 a.m. **Luncheon and Table Tops**
- 1:30 p.m. **Annual OWQA Business Meeting**
With Reports from the Ohio Department of Health and the Ohio EPA
- 2:00 p.m. **Tabletop Exhibition & Dessert**
- 4:00 p.m. Exhibitor Teardown

OWQA Launches Sales Development Series

The November 4th Annual Meeting and Exhibition will feature the introduction of the OWQA's newest education series on developing your salesforce. These quarterly live meetings, with optional webinar access, will provide water quality professionals with professionally facilitated and interactive opportunities to discuss this development process and will include concrete tools, as well as training materials that are easy to put into use immediately.

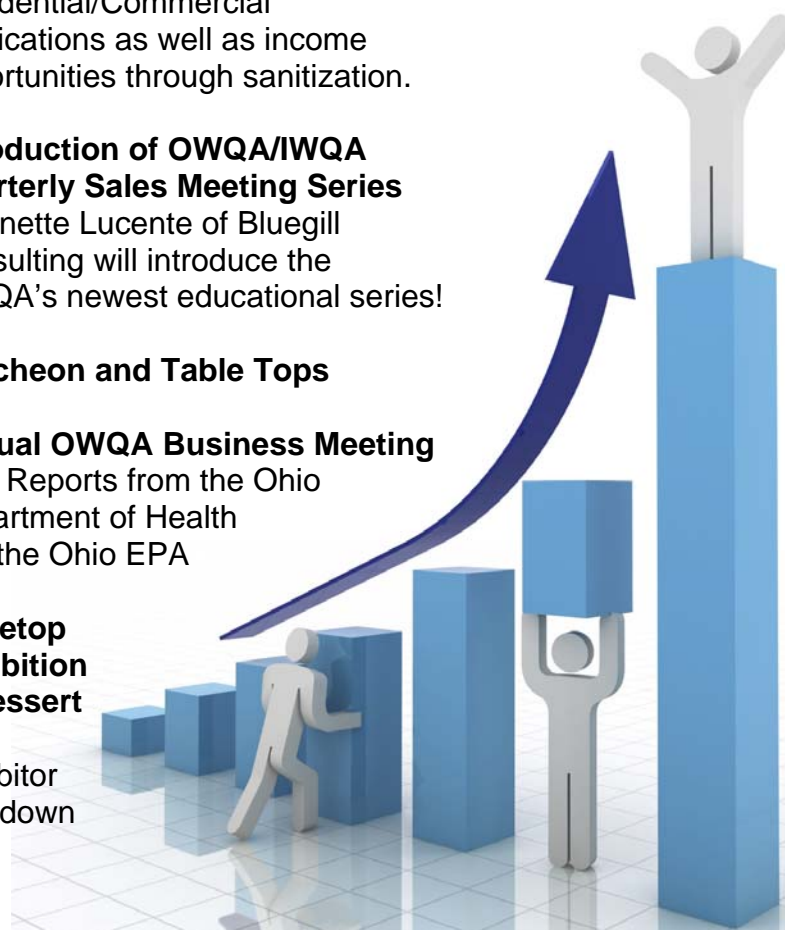
The introductory session will include a personal profile assessment which is then professionally presented. By understanding your style and by learning to recognize the styles of others you can begin to manage and incentivize your sales team more effectively.

This session will also introduce the reference book that will be used for the first series: **Coaching Salespeople into Sales Champions** is the ultimate guide to maximizing team productivity through executive sales coaching.

The premise: *Between professional deadlines and other business responsibilities, most sales managers can't find the time to develop their sales staff. This book shows you how to develop your own executive sales coaching skills so you can boost sales efficiency, train your staff to perform better, and hire and retain top sales talent.*

Join our professional facilitator and trainer, Antonette Lucente of Bluegill Consulting for this fast-paced introduction to what promises to be one of the most practical and effective sales development series that has been specifically designed for the Water Quality Industry. Your registration fees will include your profile and assessment, the book for the session, and a notebook to use throughout the series for sample forms, reference materials, and personal profile data.

Members who sign up for the series later will have to pay an additional start-up fee for the materials. So save today by registering for the Annual Meeting & Exhibition and get your materials now!



REGISTRATION FORM

DEALER Company Name

Attendee Names

Address

City, State & Zip

Phone & Fax

Email

Dealer Registration:

\$98 Members \$120 Non-Members

Registration includes all meeting materials, sales program startup book, profile, and series notebook, lunch, breaks, and exhibition entry.

Donation to Scholarship Fund \$ _____

Vendors, please register on the Exhibit and Sponsorship Form provided.

Payment Information

Check to OWQA Visa MC AmEx

Card Number

Name on Card

Expiration Date & Billing Zip code

The Aladdin Shrine Center is conveniently located across from Easton Town Center, one of Central Ohio's top entertainment and dining centers. It's a great location to extend your trip to the Annual Meeting and enjoy some of the great offerings. More at www.eastontowncenter.com! Below are some hotels nearby to choose from:

Hilton Columbus at Easton
3900 Chagrin Dr. (614) 414-5000

Courtyard Inn by Marriott
3900 Morse Crossing (614) 416-8000

EXHIBITS & SPONSORSHIPS

VENDOR Company Name

I have included or will send a digital copy of our logo for pre & post-show promotion and recognition
Company Mailing Address

City, State & Zip

Company Billing Address

City, State & Zip

Contact Person

Contact Phone & Fax

Contact Email

Exhibitor Representative Names

2 representatives are included in exhibit fees. Add'l reps \$25.00 each

Please note: Each table is 6' long and draped. Additional furnishings and electrical hookups are available. Please contact Rachel Pinkus at the OWQA office if you need them. Exhibitors will also receive FREE EXHIBIT PASSES that can be distributed to dealers as an invitation to come see you for dessert after the Annual Meeting from 2:00 - 4:00.

EXHIBIT FEES:

\$295 Members Vendors \$345 Non-Member Vendors

SPONSORSHIPS:

\$100 Nametag Sponsor \$150 Beverage Break Sponsor

\$100 Handout Sponsor \$250 Lunch Sponsor

Donation to Scholarship Fund: \$ _____

Total Due: \$ _____

Payment Information

Check to OWQA Visa MasterCard AmEx

Card Number

Name on Card

Expiration Date & Billing Zip code

Residence Inn
3999 Easton Loop W. (614) 414-1000

Columbus Marriott Airport
1375 N. Cassady Ave. (614) 475-8530

Cancellations must be made 5 business days in advance for refund. Exhibit fees must be paid before setup.

Study Launched to Look at Softener Effects on Septics

Ohio Water Quality Association supports the Water Quality Research Foundation in funding for crucial project to scientifically examine issue

The Water Quality Association has announced that a new study conducted through Virginia Tech will examine the effects water softeners might have on septic tanks.


The investigation is being funded by WQRF (Water Quality Research Foundation), which also announced it is seeking funding for the project and other projects. The study is expected to be completed in summer, 2012. The Ohio Water Quality Association is supporting this effort with a donation from the association.

Dr. John Novak of Virginia Tech is heading up the research. Novak has earned awards and recognition for more than 30 years for his studies on wastewater treatment and other projects.

The goals are to find out whether various water softener operation patterns might have a negative effect on septic tank performance, and if so, to develop operating guidelines to minimize any problems.

Studies have shown that in activated sludge systems, an imbalance of the cation ratio in wastewater can lead to poor flocculation. The imbalance is typically caused by excessive sodium and can lead to poor settling, which might ultimately clog outlet filters. Water softeners operated primarily for removal of calcium and magnesium produce a discharge that has a cation ratio that has been alleged to impact septic tank performance.

WQRF, a not-for-profit foundation, is seeking donors for the project and other initiatives. More information on donations can be obtained at WQRF@wqa.org or by calling WQA at 630-505-0160.



*Congratulations to our
2011 Scholarship Winners:*

Dylan Moore and Morgan Spiegel

MEMBERSHIP APPLICATION

The undersigned hereby makes application for Membership and the dues will be as follows:

DEALER – \$149.00/YEAR

Additional Locations May Be Added for \$99.00 Each

MANUFACTURER / SUPPLIER – \$249.00/YEAR

Additional Factory-Owned Retail Locations May Be Added at \$99 each

Firm Name _____

Address _____

City _____

State _____ Zip Code _____

Phone _____

Fax _____

Website _____

Firm Representative _____

Email _____

Alternate Representative _____

Email _____

By the applicants signature, if accepted for membership in the Ohio Water Quality Association, agrees to abide by the Constitution and By-laws.

Check to OWQA Visa MasterCard AmEx

Card Number _____

Name on Card _____

Expiration Date & Billing Zip code _____

Submitted by: _____

Date _____

Send back completed form and payment to:

FAX: (937) 278-0317

MAIL: 2077 Embury Park Road
Dayton, Ohio 45414

*Have Questions? Call 937-278-0308
or owqa@assnsoffice.com*

MEMBER BENEFITS

Giving you more for your dollar every day!

LEGAL SERVICES PLAN:

This plan provides members with the ability to get back their investment in dues many times over. Every OWQA Member is entitled to one free telephone or email consultation per month with any of the attorneys of Dunlevey, Mahan, and Furry. This firm specializes in all aspects of Business Law.

NEWSLETTER:

OWQA's newsletter highlights Association activities, upcoming events, and featured articles on industry related topics. If you have local stories of interest, this publication is a great opportunity to get your story out too!

FAX AND EMAIL BULLETINS:

These Bulletins brings industry news to our members between newsletter issues. It also provides valuable industry information in a condensed format so you can get up to date fast, and use the information immediately!

ANNUAL MEETING AND EXHIBITION:

Each year OWQA holds its Annual Meeting and Exhibition. The event features seminars specifically geared to the Water Quality Industry and a Trade Show featuring all of the latest water quality products and services.

PERIODICAL TOPICAL SEMINARS:

In addition to the seminar schedule offered at the Annual Convention, OWQA offers seminars via the web throughout the year on topics such as Safety, Sales Tax, etc.

LEGISLATIVE:

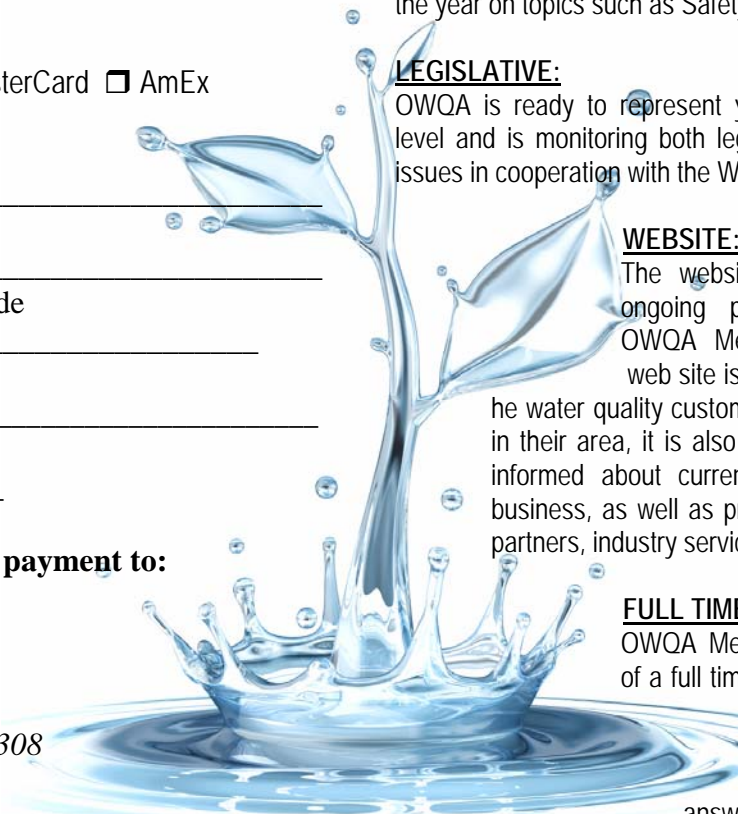
OWQA is ready to represent your interests at the State level and is monitoring both legislative and administrative issues in cooperation with the Water Quality Association.

WEBSITE:

The website is a key item in our ongoing program to promote our OWQA Member Contractors. This web site is not only designed to help the water quality customer find an OWQA Member in their area, it is also designed to help you stay informed about current issues that affect your business, as well as providing access to member partners, industry services, and product suppliers.

FULL TIME ASSOCIATION STAFF:

OWQA Members receive the service of a full time staff; ready to give direct answers to your questions or to find the source with the answer you need.





LEGALLY SPEAKING

by Bob Dunlevey

SUPREME COURT BROADENS RIGHTS OF INJURED WORKERS

In the recent Ohio Supreme Court decision of *Sutton v. Tomco Machining, Inc.*, the Court ruled that an employer's termination of an employee shortly after a work related injury, but even **before** he filed a workers' compensation claim, can be **retaliation in violation of public policy**. The effect of the decision is to cloak Ohio's at-will employees with an additional cause of action against employers for "workers' comp retaliation," even before the employee has expressed an intent to file a claim or has actually done so. Prior to this decision, Ohio law merely prohibited an employer from retaliating against an employee **after** he or she filed, instituted, or pursued a workers' compensation claim. To now have a wrongful termination claim, an employee merely needs to show a nexus between the adverse employment action (i.e., termination) and the potential workers' compensation claim. Therefore, employers should take additional precautions to ensure that they have an "overriding business justification" for terminating an injured employee shortly after an incident. Of course, it is not unusual for an employer to take disciplinary action against an employee who has been injured as a result of his or her own negligence or misconduct. This decision encroaches upon that right to discipline and also upon the general law of Ohio that employees serve at the will of the employer thereby permitting termination without cause.

Employee DeWayne Sutton allegedly injured his back early on a Monday morning in April of 2008 while disassembling a saw at Tomco Machining, Inc. located in Dayton. Within one hour of being told of the injury, Tomco's President Jim Tomasiak fired Sutton, who had been an employee for 2 ½ years. Tomasiak did not give Sutton a reason for the firing but did state that the firing was **not** because of Sutton's work ethic, job performance or because Sutton had broken any work rule or company policy. On July 1, 2008, Sutton sent a letter to Tomco informing it of his intention to file a claim under Ohio's workers' compensation retaliation statute – O.R.C. 4123.90. Sutton accused Tomco of terminating him to avoid having him considered an employee when he filed for workers' compensation benefits thereby foreclosing the claim and avoiding higher workers' compensation premiums. Customarily, back injury claims are very costly to employers and are investigated and monitored closely. In addition, injuries complained of at the start of a shift on Mondays are scrutinized carefully by many employers to make sure the injury is not attributable to personal weekend activities.

The Supreme Court ruled that while the retaliation statute was inapplicable due to Sutton not filing a claim before he was fired, a new public policy tort claim should be created to cover the "gap" in the statutory workers' compensation law. As a result, the case has been sent back to the lower court to have a trial on the issues of fact, including the motivation of the employer in terminating Sutton.

Based upon several cases over the last two decades, the right of employers to terminate employment at-will for any cause no longer includes the discharge of an employee where the discharge is in violation of a "public policy." Unfortunately, an employer does not know that it has violated such a policy until the courts find one to exist --- long after the termination decision has been made. The broadening of employee claims by the Supreme Court arguably undermines the authority of the legislative branch to prescribe what is in violation of the law and upsets the intricate

statutory scheme designed to address workplace injuries. The dissenting Justices argued that the existing retaliation statute which requires the workers' compensation claim to be filed or pursued before retaliation protections arise should be honored because the lawmakers could have written a broader law to fit Sutton's pre-claim circumstance if it had chosen to do so.

-- RAMIFICATIONS OF THE CASE --

Every employer should carefully consider whether to terminate or discipline an employee for circumstances surrounding a workplace injury. Also, consider whether the employee has claimed an injury or sought accommodation under the Americans With Disabilities Act in an effort to strategically block the employer from taking justifiable disciplinary action against him or her for some other reason. Always document and date performance issues in a timely manner to avoid an inference of retaliation after the employee claims the injury. No law prohibits an employee from terminating or disciplining an employee who disregards safe working practices and engages in misconduct. But, work and safety rules should be carefully crafted to justify such disciplinary action and those rules should be uniformly applied. Employers should not be discouraged from enforcing their safety discipline programs – especially if an employer wishes to raise in an OSHA case the affirmative defense of unpreventable employee misconduct. Most importantly, any discussion at the time of termination must be well considered before the words are uttered. Remember, you need not give any reasons for termination. But, if you do, make sure they are reasons that can be supported. Review your safety and work rules today. Closely monitor all of your workers' compensation claims and consult experienced counsel on these delicate issues.

For further information, contact Bob Dunlevey at Dunlevey, Mahan & Furry (937) 223-6003. Bob is a Board Certified Specialist in Labor and Employment Law.



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2011

Annual Meeting
& Exhibition

November 4

Shrine Center

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Columbus, Ohio

DETAILS INSIDE!!!

www.owqa.org

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