



# The Green Sheet

Central Pennsylvania Golf Course Superintendents Association

Volume 23 Issue 7

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Fall 2016



## Upcoming Events for 2017

- **January 4-5, 2017**  
Eastern Pennsylvania Turfgrass Conference  
Valley Forge Casino Resort  
King of Prussia, PA
- **January 24-27, 2017**  
Sports Turf Managers Association Conference  
Orlando, FL
- **January 19, 2017**  
Northeastern PA Turfgrass Conference & Tradeshow  
Woodlands Inn  
Wilkes-Barre, PA
- **February 4-9, 2017**  
Golf Industry Show  
Orange County Convention Center  
Orlando, FL
- **February 7, 2017**  
Lawn Care Association of PA Annual Conference  
Holiday Inn - Lehigh Valley  
Allentown, PA
- **February 28 - March 2, 2017**  
Western PA Turfgrass Conference & Tradeshow  
Doubletree by Hilton  
Monroeville, PA

## GCSAA Chapter Delegates Meeting Key Messages

The Chapter Delegates Meeting was held October 11-12, 2016 at the Hilton Kansas City Airport and GCSAA headquarters in Lawrence, KS. Brian Ahrens, Superintendent at Reading Country Club and CPGCSA Vice President represented our association at this event.

- **CPI Dues Process** - GCSAA has a long-term membership dues pricing structure that ties a proposed dues increase to the Consumer Price Index (CPI). The GCSAA Board makes a recommendation to the membership on changes to A, B or C membership dues every two years based on the CPI. The CPI increased by 1.2% over the past two years and this translates to a proposed of \$5 dues increase for A, B and C members. This proposed increase will be voted on at the Annual Meeting. The delegates also heard about a proposed Bylaws amendment in which the dues approved by the membership could not exceed the set amount. This would allow flexibility to offer introductory, reduced membership dues for new members or other entities.
- **Political Action Committee** - GCSAA is investigating the possibility of resurrecting a GCSAA Political Action Committee (PAC) to further its advocacy efforts on behalf of the membership and remain the leader in advocacy for the golf industry. GCSAA stressed that if a PAC were started the money distributed would be to aid champions of policies that advance GCSAA's priorities from the GCSAA Priority Issue Agenda, not a particular person or party. Staff will provide additional educational materials to each chapter before year end to help gauge the level of interest. Please contact Chava McKeel if you have questions about a PAC at 800-472-7878 or [cmckeel@gcsaa.org](mailto:cmckeel@gcsaa.org). Your comments will be vital to shape the direction of this initiative.
- **Rounds 4 Research Auction** - The delegates celebrated the success of the top 4 chapter fundraisers in the 2016 R4R Auction. Chapters are encouraged to find a champion – a delegate, the president, chapter executive – some-

.....Continued on Page 2.....

## GCSAA Chapter Delegates Meeting ..continued from Page 1

one who will spearhead the initiative in their chapter. 2017 Auction will be April 1-9. Chapters just need to recruit the rounds to donate – GCSAA administers the rest of the program. Call or email Mischia Wright, Associate Director, EIFG at 800-472-7878 or [mwright@gcsaa.org](mailto:mwright@gcsaa.org).

- **Member Engagement Through Committees and Task Groups** - Delegates learned more about GCSAA's committee and task group process. We are asking you to spread the word that GCSAA is looking for volunteers. The Call for Volunteers for 2017 will open on November 1. More information will be available on the GCSAA website or call our office at 800-472-7878.
- **Membership Growth** – GCSAA has a renewed focus on membership growth and value. We need your help at the local level as we are working to achieve a set goal of 20,000 members by 2020. Delegates were presented with several different membership growth initiatives, including ideas to partner with affiliated chapters. Delegates heard about, and asked questions concerning, potential bylaws definition changes surrounding the ISM and EM classifications aimed at being more inclusive and introducing others to golf employment opportunities.
- **Department of Labor Overtime Rule** - December 1, 2016 is the deadline when the new Department of Labor overtime pay rule goes into effect. The final rule will raise the exempt salary threshold indicating eligibility from \$455/week to \$913 (\$47,476 per year). All golf facilities should come into compliance with this significant jump in the salary threshold in the next 6 months. GCSAA has provided a webinar and other important resources to help you get ready for the change at <http://www.cqrcengage.com/gcsaa/Labor>.
- **BMP Planning Guide and Template** - Delegates heard about GCSAA's 50 by 2020 BMP initiative. This aims to have all 50 states with a golf centric BMP program in place by 2020. GCSAA unveiled portions of its new BMP Planning Guide and online template which can be utilized by the chapters creating the state level BMPs programs. We will need your help at the local level as key constituents within your state and chapter will play a vital role in this initiative.
- **Interactive Meeting** - Delegates took part in small group discussions and an interactive Town Hall with the GCSAA Board of Directors.
- **Candidate Presentations and Breakouts** – the candidates for the 2017 GCSAA Board of Directors gave presentations and hosted breakout rooms for the delegates. The delegates were awarded ample time to interact and ask questions of the candidates. Those running for the 2017 GCSAA Board of Directors are:
  - o For President – Bill H. Maynard, CGCS
  - o For Vice President – Darren J. Davis, CGCS
  - o For Secretary/Treasurer
    - § Rafael Barajas, CGCS
    - § John R. Fulling, Jr., CGCS
  - o For Director (Six members are on the slate for three director positions)
    - § Mark F. Jordan, CGCS
    - § Jeffrey F. Millies, CGCS
    - § Kevin P. Sunderman
    - § Rory Van Poucke
    - § John Walker
    - § Jeff L. White, CGCS
- There are three open positions for director, with John R. Fulling Jr, CGCS, and Mark F. Jordan,

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### Directors

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Jeff Green - 2019  
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John Long - 2017  
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Kevin Skarbek - 2018  
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CGCS, at the end of their two-year director terms and John Walker completing a one-year appointment. The three director candidates receiving the most votes will be elected to two-year terms.

- For the secretary/treasurer candidates, if Rafael Barajas, CGCS, is elected secretary/treasurer, John R. Fulling Jr., CGCS, will have to be nominated from the floor for the position of director, since he is at the end of his two-year term, and the remaining year of Rafael Barajas, CGCS, director's term would be filled by an appointment. If John R. Fulling Jr, CGCS, is elected secretary/treasurer, Rafael Barajas, CGCS, will automatically remain on the board as a director for another year.
- Kevin P. Breen, CGCS, remains on the board with one year remaining in his two-year term. Peter J. Grass, CGCS, will serve on the board for one year as immediate past president. John J. O'Keefe, CGCS retires from the board after serving the last year as immediate past president.
- If you have any questions regarding the voting process or the slate of candidates, please contact GCSAA at 800-472-7878.

## Chapter Delegates Meeting purpose

The Chapter Delegates Meeting is an event that brings together representatives from GCSAA-affiliated chapters. Delegates carry the opinions of their chapters' members regarding initiatives and issues affecting the profession, the association and its members to this meeting. In addition, they are responsible for communicating information they receive at the meeting to their chapter. Finally, this meeting is also the beginning of a new election year, as delegates meet GCSAA board candidates and discuss their campaign platforms.

According to Section IV.G. of the **Affiliation Agreement**, "A Chapter representative shall attend the annual Chapter Delegates meeting unless otherwise approve by the Chapter Relations Committee. If an affiliated chapter fails to send a representative, who is a member of the chapter, to the Chapter Delegates Meeting for two consecutive years, the chapter delegate's right to vote at the next annual meeting shall be suspended. A letter will be sent to all eligible voting members of the chapter, notifying them that their chapter lost its privilege to vote on behalf of its members at the annual meeting."

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## Oktoberfest Golf Results West Shore Country Club

- 1<sup>st</sup> Jim Byrne, Rebecca Clark,  
Rick Gibney, Pete Mickelwright
- 2<sup>nd</sup> Matt Turner, Tom Mahute,  
Chris Martin, Wes Rowe
- 5<sup>th</sup> Jeff Austin, Barry Bollinger,  
Nolo Fernandez, Doug Rider, Paul Wickey
- 8<sup>th</sup> Faron Stoops, Mike Gruber  
Barry Ehrhart, Goodale
- 13<sup>th</sup> Joe Adam, Rick Eschbach,  
Don Benner, Dennis Latshaw

Closet to Pin: #3 Mike Clepper  
#9 Craig Esbenshade  
#13 Chris Martin  
#18 Rick Gibney

Long Drive: #2 Cody Frederick  
#17 Jeff Austin

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## Federal Judge Halts Overtime Rule

Until a final decision is reached, employers may continue to follow the existing overtime rule

By [Lisa Nagele-Piazza, SHRM-SCP, J.D.](#) Nov 22, 2016

Just 10 days before the implementation date, a federal judge in Texas put the brakes on the Department of Labor's (DOL's) new [federal overtime rule](#), which would have doubled the Fair Labor Standards Act's (FLSA's) salary threshold for exemption from overtime pay.

Twenty-one states filed an emergency motion for a preliminary injunction in October to halt the rule. They claimed that the DOL exceeded its authority by raising the salary threshold too high and by providing for automatic adjustments to the threshold every three years.

### FLSA Overtime Rule Compliance

For more overtime compliance news, tips and tools, check out the SHRM resources provided below:

- [FLSA Overtime Rule Resources Guide](#)
- [Overtime Rule Blocked: Now What?](#)
- [Compliance Checklist](#) · [Infographic](#)

The states' case was [consolidated last month](#) with another lawsuit filed by the U.S. Chamber of Commerce and other business groups, which raised similar objections to the rule.

The overtime rule was scheduled to take effect Dec. 1 and would have raised the salary threshold from \$23,660 to \$47,476. The rule also provided for triennial adjustments based on the 40th percentile of weekly earnings of full-time salaried workers in the lowest-wage Census region.

"A preliminary injunction preserves the status quo while the court determines the department's authority to make the final rule as well as the final rule's validity," said Judge Amos Mazzant of the U.S. District Court for the Eastern District of Texas in a Nov. 22 ruling.

"This is a total surprise in many respects, but you have to tip your hat to the judge who made a tough call and hopefully a decision that will stay in place," said Alfred Robinson Jr., an attorney with Ogletree Deakins in Washington, D.C., and a former acting administrator of the DOL's Wage and Hour Division.

The Society for Human Resource Management's (SHRM's) "members and Advocacy Team played a key role in highlighting the difficulties of the rule and raising awareness of its negative impacts on the workplace including its impact on workplace flexibility and employee morale," noted Nancy Hammer, senior government affairs policy counsel for SHRM.

"The court's decision is welcome news for SHRM members and employers who have been struggling with the impacts of the rule—especially nonprofits and smaller organizations," she said.

### What's Next?

For now, the overtime rule will not take effect as planned Dec. 1, but it could still be implemented later down the road. Employers may continue to follow the existing overtime regulations until a decision is reached.

[Read more: [The Federal Overtime Rule Has Been Blocked. Now What?](#)]

A preliminary injunction isn't permanent, as it simply preserves the existing overtime rule—which was last updated in 2004—until the court has a chance to review the merits of the case objecting to the revisions to the regulation.

However, the revised regulation may face an uphill battle: The judge wouldn't have granted the nationwide preliminary injunction unless, among other things, he thought the states showed a substantial likelihood of succeeding on their claims.

The purpose of the FLSA's provisions under review in this case "was to exempt from overtime those engaged in executive, administrative and professional capacity duties," Mazzant said. The salary level was purposefully set low to screen out the obviously nonexempt employees, he added.

Mazzant noted that the DOL "has admitted that it cannot create an evaluation 'based on salary alone.'" However, "this significant increase to the salary level creates essentially a de facto salary-only test," he said. "If Congress intended the salary requirement to supplant the duties test, then Congress—and not the department—should make that change."

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Robinson mentioned that the DOL will likely challenge the decision. "We strongly disagree with the decision by the court, which has the effect of delaying a fair day's pay for a long day's work for millions of hardworking Americans," the DOL said in a statement. "The department's overtime rule is the result of a comprehensive, inclusive rulemaking process, and we remain confident in the legality of all aspects of the rule. We are currently considering all of our legal options."

[Update: On Dec. 1, the DOL [appealed the decision](#) to the 5th Circuit.]

#### HR's Role

Many employers have already either raised exempt employees' salaries to meet the new threshold or reclassified employees who are still earning less to nonexempt status.

Employers will likely want to leave decisions in place if they have already provided salary increases to employees in order to maintain their exempt status, Robinson said. It would be difficult to take that back.

If there are exempt employees who were going to be reclassified to nonexempt, but haven't been reclassified yet, Robinson said employers may want to postpone those decisions and give the litigation a chance to play out.

"This should be a welcome sign for employers, even if they've already made changes," he said. "They can at least hold off on further changes."

Employers shouldn't assume, however, that the overtime rule will be permanently barred. They should still have a plan to move forward if necessary in the future.

In the meantime, HR professionals will have to consider [what to do now](#).

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## Will Trump Administration be good for golf?

**Lawrence, Kan. (Nov. 22, 2016)** – The Golf Course Superintendents Association of America is involved in broad-based advocacy efforts that would continue no matter who is the incoming President or the majority party in Congress. But with Donald Trump winning the presidential election and the Republican party controlling Congress, GCSAA sees an opportunity to better communicate its priority agenda to Trump, a president who understands the value of the game of golf, both as a golfer and golf course owner.

On the campaign trail, Trump targeted several laws and regulations coming from the Obama Administration that could impact golf course management operations and the environment. Some of those regulations, of course, impact the use of inputs used to create healthy turfgrass and excellent playing conditions for golfers.

The pending Clean Water Rule (WOTUS) dramatically increases the federal scope of the Clean Water Act over rivers, streams, wetlands and ditches. GCSAA opposes WOTUS as it is written and wants agencies to go back to the drawing board to write a more balanced rule.

Trump's win provides more options for that to happen. Congress could pass legislation that stops WOTUS either by killing it outright or by cutting off its funding. President Obama had threatened to veto such measures. In contrast, President Trump would likely sign them into law. Alternatively, he could choose to simply not appeal, should WOTUS be struck down in a court of law.

Myron Ebell, the man leading Trump's Environmental Protection Agency (EPA) transition team, has called WOTUS "an unprecedented power grab."

"We have a lot more options available to us in the area of WOTUS going forward and that's good news," said Bob Helland, director of congressional and federal affairs at GCSAA. "Trump and his transition team have expressed many of the same concerns about WOTUS that we have."

Trump is also familiar with the H-2B Visa program that a number of golf facilities utilize, including one of his own in Florida. This could lead to a breakthrough in the red tape that makes using the program so frustrating.

In the interim, however, GCSAA continues to support measures to help cut through the red tape, including adding language to the pending Fiscal Year 17 Omnibus spending bill that renews the exemption for H-2B workers who are returning to the U.S. for temporary and specific work within a three-year period.

For more insights, check out the recent [GCSAA government affairs webcast](#).

*GCSAA This Week - November 29, 2016*

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