

Having trouble viewing this email? [Click here](#)

# THE ZONE REPORT



Official Newsletter of the HUBZone Contractors National Council, a non-profit, non-partisan trade association representing companies certified as HUBZone firms by the U.S. Small Business Administration.

[Get more information.](#)

**June 2010**

**Volume 10, Number 6**

This is the non-member edition of The Zone Report. Our records indicate that your company is not yet a member of the HUBZone Council. [Become a member](#) today to receive exclusive members-only information about the HUBZone Program and how to improve your contracting success.

Your membership helps the Council protect and improve the HUBZone Program while encouraging the advancement of the nation's economically challenged areas, combatting unemployment, and reducing homelessness.

HUBZone certification is not a requirement of Council membership.

**REGISTRATION NOW OPEN -- This event sold out last year!**  
Open to the entire HUBZone Business Community.



**September 15-17, 2010**  
**The Dupont Hotel - Washington, DC**



Meet with federal contracting officers from a variety of agencies. Learn more about the HUBZone Program and how to win more contracts. Discover how to effectively protest bids and contract awards.

## In This Issue

[HUBZone Program Policies Clarified](#)

[Federal Labor & Employment Advisories](#)

[HUBZone Council Industry Awards Program](#)

[Federal Small Business Task Force Invites Input](#)

## New HUBZone Council Members

4-D Construction  
Lufkin, Texas

81Biznet

### **HOTEL ROOMS ARE GOING FAST!**

A block of hotel rooms is available at the Dupont Hotel for conference participants. The discounted room rate is \$229 per night for single/double occupancy, plus tax. The discount expires on August 8 or when the room block is sold-out, whichever comes first. To reserve your room, call toll-free 866-534-6835 during East Coast business hours and request the special 'HUBZone Contractors National Council' discounted rate. [The regular room rate at the Dupont Hotel is \$299 per night.]

### [Conference Details & Registration Information](#)

## HUBZone Program Policies Clarified

### Updates on Rules That Impact HUBZone Companies

Officials of the HUBZone Council recently met with U.S. Small Business Administration (SBA) officials regarding several issues impacting the HUBZone Program: tax returns, grandfathering for 2010 U.S. Census results, and employee work hours.

**Tax Returns:** For some time, the SBA has been requesting copies of federal tax returns from all owners of companies applying or recertifying for HUBZone certification so that they can evaluate the extent to which the applicant companies are managed by those who have controlling interests in other companies. The HUBZone Council requested that the SBA consider minimizing the number of individual tax returns required. As a result, the SBA has changed its policy to require tax returns only from individuals who have 20% or more ownership in a HUBZone certification applicant company.

**Grandfathering for 2010 U.S. Census Results:** When the results of the 2010 U.S. Census have been applied to the HUBZone map (expected sometime in 2011), there will probably be many resulting changes to the boundaries of HUBZone areas. The SBA will extend a three-year grandfathered grace period for companies that find their primary offices are no longer in HUBZone areas to relocate their offices and hire employees who reside in revised HUBZone areas. Areas that have been previously grandfathered in recent years for other reasons are not eligible for additional grandfathering.

**Employee Work Hours:** With the new definition of an employee as one who works 40 or more hours per month, the Council requested clarification on which payroll period(s) will be used to confirm the work hour requirement. The SBA will request payroll data for the period that includes the date in question (i.e., the application, bid, proposal, or award date) and may request data for periods prior to the date in question to confirm that the employee worked at least 40 hours during the month.

More Information: Contact the SBA's HUBZone Help Desk at 202-205-8885 or [hubzone@sba.gov](mailto:hubzone@sba.gov).

## Federal Labor & Employment Advisories

### Important Reminders for Government Contractors

#### **Federal Contractors and Subcontractors Must Inform Employees of Right to Join a Union**

On May 20, the Office of Labor-Management Standards (OLMS) issued a

Charleston, South Carolina

**Bickerstaff Bros.**  
Batesville, Mississippi

**C.W. Hines & Associates**  
White Stone, Virginia

**Enterpro STC Services**  
Charlotte, North Carolina

**ENVIRO AgScience**  
Columbia, South Carolina

**Harbison Bros.**  
Buffalo, New York

**Hury Justice General Contractors**  
Vero Beach, Florida

**Lake Michigan Contractors**  
Indiantown, Florida

**Michael Crow**  
Takoma Park, Maryland

**Northstate Equipment**  
Cottonwood, California

**Pacific Defense Solutions**  
Kihei, Hawaii

**Parker Design**  
San Francisco, California

**Pearson Services**  
Louisville, Kentucky

**Phoenix Products**  
McKee, Kentucky

**RC&D**  
Providence, Rhode Island

**SoftDev**  
Faison, North Carolina

**Southeast Cherokee Construction**  
Montgomery, Alabama

**Spexus**

final rule implementing Executive Order 13496 (Notification of Employee Rights Under Federal Labor Laws). The rule requires federal contractors and subcontractors at any tier to do two things: (1) post a notice informing employees of their collective bargaining rights and (2) include a clause in covered federal contracts, subcontracts, and purchase orders requiring their subcontractors to post the employee notice. The effective date for this rule is June 21, 2010.

### Department of Defense (DoD) Issues Interim Rule Regarding Prohibition of Mandatory Arbitration Agreements

On May 19, DoD issued an interim rule (Restrictions on the Use of Mandatory Arbitration Agreements) implementing section 8116 of the DoD Appropriations Act for FY 2010. The rule prohibits the use of funds appropriated or otherwise made available by the Act for any contract in excess of \$1 million if the contractor requires its employees to arbitrate (a) claims under Title VII of the Civil Rights Act of 1964 or (b) torts related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

*For more information about these issues, contact your attorney. HUBZone Council members may use the Legal Hotline service for a complimentary consultation with an experienced government contracting attorney.*

Courtesy of David J. Taylor, Buchanan Ingersoll & Rooney  
[david.taylor@bipic.com](mailto:david.taylor@bipic.com)

## HUBZone Council Industry Awards Program

**Nomination Deadline: July 31**

The HUBZone Council will present the following awards at the [2010 HUBZone Council Annual Meeting & Conference](#) (September 15-17, Washington, DC):

**HUBZone Employee of the Year Award** - recognizes an employee of a HUBZone-certified company who resides in a HUBZone area and has demonstrated success in improving the lives of him/herself, family, and/or community.



**HUBZone Corporate Citizen of the Year Award** - recognizes a HUBZone-certified company that has made significant contributions to improve the economic, educational, and/or social quality of its community.

**HUBZone Council Contractor of the Year Awards** - two awards recognize the HUBZone Council member companies that earned (a) the largest number of HUBZone contract awards and (b) the largest total HUBZone contract dollar volume during fiscal year 2009.

NOMINATIONS CLOSE JULY 31. Self-nominations are accepted and encouraged.

McLean, Virginia

**Thermasteel  
Marianas**

Saipan, Northern Mariana  
Islands

**UGE-ECS**

Los Angeles, California

**Virtual Technology**

Rio Rico, Arizona

**Z4 Enterprises**

Sierra Vista, Arizona

*Platinum* **HUBZONE  
PARTNER**

Thank You to  
HUBZone Council  
PLATINUM PARTNERS

Contemporary  
Graphics

CWS

Cycle Construction  
Company

The Davis Group

Garrett Container  
Systems

Heeter Construction  
Company



[More Information](#)

<http://www.hubzonecouncil.org/clubportal/images/clubimages/528/10%20awards%20appl.pdf>

## Federal Small Business Task Force Invites Input

### Public Comments Can Be Made at June 28 Meeting or via Email

President Obama recently established an interagency task force to develop proposals and recommendations for enhancing the use of small businesses owned by women, minorities, socially and economically disadvantaged individuals, and service-disabled veterans -- including HUBZone-certified businesses.

The task force co-chairs invite interested parties to offer their views on the challenges small businesses face in pursuing federal contracts, on best practices for overcoming these challenges, and increasing small business participation in the federal marketplace. Comments are needed regarding (1) removing barriers to small business participation, (2) using innovative strategies and technologies to increase opportunities for small business contractors, and (3) identifying successful agency and private sector outreach practices for matching small businesses with contracting and subcontracting opportunities.

Interested parties may provide oral comments at a public meeting at 1pm on June 28 at the Department of Commerce Auditorium, 1400 Constitution Avenue, NW, Washington, DC. Meeting participants should pre-register by 5pm on June 21 by sending an email to [SB\\_TaskForce\\_Comment@sba.gov](mailto:SB_TaskForce_Comment@sba.gov) with their name, company, contact information, and topics of interest.

The public is also encouraged to submit comments via email to [SB\\_TaskForce\\_Comment@sba.gov](mailto:SB_TaskForce_Comment@sba.gov) by June 30. Please put "Comment" in the subject line of your email.

**CORPORATE SPONSOR**

**Buchanan Ingersoll & Rooney PC**  
Attorneys & Government Relations Professionals

**David J. Taylor**  
Attorney at Law  
1700 K Street, N.W., Suite 300  
Washington, DC 20006-3807  
T 202 452 6052  
F 202 452 7989  
[david.taylor@bipc.com](mailto:david.taylor@bipc.com)

[www.buchananingersoll.com](http://www.buchananingersoll.com)

HUBZone Council:  
Your Voice in  
Washington

**QUICK LINKS**

[SBA HUBZone Program](#)

[Federal Business  
Opportunities](#)

[Central Contractor  
Registration](#)

[HUBZone Regulations  
\(13CFR126\)](#)

[HUBZone Council](#)

**INDUSTRY  
CALENDAR**

[Visit the HUBZone Council  
Website Calendar for More  
Events](#)

June 22-24  
**Women in Business  
Conference**  
Baltimore, Maryland  
[More Information](#)

July 19-22  
**National Veteran  
Small Business  
Conference**  
Las Vegas, Nevada  
[More Information](#)

September 15-17  
**HUBZone Council**

Annual Meeting &  
Conference  
Washington, DC  
[More Information](#)

## Become a Council Member Today!

If you own or work at a HUBZone-certified company, or are just interested in federal contracting, please consider joining the HUBZone Council.

Your membership provides access to the latest federal contracting and HUBZone-related news and developments, maximizes your success in earning federal contracts, and supports on-going representation on Capitol Hill to improve the HUBZone program and help rebuild America's economically-challenged communities.

Company memberships start at just \$95 per year. [Get more information.](#)



[Forward email](#)

✉ [SafeUnsubscribe®](#)

This email was sent to mark.crowley@hubzonecouncil.org by [info@hubzonecouncil.org](mailto:info@hubzonecouncil.org).  
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).

Email Marketing by



HUBZone Council | PO Box 4041 | Falls Church | VA | 22044