



# UPLIFTING NEWS



NEWS FROM THE WEB SLING & TIE DOWN ASSOCIATION

SPRING 2023





## PRESIDENT'S MESSAGE

### MANDY MASTERS, BEN-MOR CABLES

WSTDA is flourishing after its inception over 50 years ago!!! What an accomplishment! In the last 50 years WSTDA has created standards, bulletins, and warnings, as well as created new business contacts, friendships, and memories. We are dedicated to the safe operation of all synthetic web slings, round slings, and tie downs. It is our truth that we have made a difference, prevented injuries, saved money, and saved lives.

I personally have been involved with WSTDA for last 10 years, but I have been privileged to hear some great stories about the history and dynamics of WSTDA. We have come a long way, and I believe we set aside our personal competition, ego, and pride to communicate experiences and knowledge that have created and will continue to create the best guidelines for our industry. We now have 145 members located in 11 Countries.

Our success is due to our strong leadership, empowered vision, great management, and motivated team. The heart of WSTDA is the people. People that give their time to help continue with the mission, growth and process of writing standards that benefit and improve the sling and securement industry. The Stringfellow management group has been a true blessing to the WSTDA to keep us organized and focused on the future.

We recognize the value of investing in and rotating our internal leadership. We are set up with a superb team that makes up our Board of Directors and we have an 8-year plan for leaders ahead of us. We are conscious to pump new blood into our committees and we are so lucky to have the knowledge and professionalism from the people within our chair positions. I hope that the next 50 years we can be so lucky to have the same caliber of giving, intelligent people that will improve and care for our organization.

We have fostered a culture that embraces change and has a solid decision-making process. As our industry develops and creates new synthetic sling and cargo restraint products, the WSTDA ensures that we do not delay in developing the recommended safe use for all these new products. I am excited to see what comes out of our **new committee** working on some formal guidelines **for sling protection**.

Where we are today, might feel like ancient history in 10 years. I am optimistic that our world will improve outlets for education on use and inspection for synthetic slings and tie downs. I believe that technology will eliminate challenges like translation and interpretation, so the world will have equal access of understanding our standards. It will also become easier and more common to communicate with images instead of words which will transmit the intention of our standards more clearly. I anticipate and hope that one day our standards will be widely recognized by OSHA and will be the main go to for all companies in North America for safe use of web slings, round slings, and tie downs. As the world gets smaller it will be easy to collaborate with other organizations in other countries to share information and possibly create one best standard.

In the years ahead of us, on our way to our next milestone, I encourage you all to share your knowledge and experiences that will aid us in reaching the next level of standards creation. I hope in the future you can all continue cultivating the strong passion we have had in the past for developing safe use of our products.

Wishing you a successful and fulfilling 2023!

*Mandy Masters*

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# PUBLIC COMMENT DEADLINE

## **RECOMMENDED STANDARD SPECIFICATION FOR LOAD BINDERS USED WITH CHAIN TIE DOWNS (WSTDA-T-6)**

The WSTDA Load Securement Technical Committee has released its Revision Draft of the **Recommended Standard Specification for Load Binders Used With Chain Tie Downs (WSTDA-T-6)**. The Committee is seeking public review and comment, which may be submitted through **March 6, 2023**.

The revision draft is available for review on our [Standards Review](#) page, along with an online [Standards Comment/Proposal Form](#) which is required for submitting comments.

All WSTDA Standards are open for public review and comment at any time. All interested parties are invited to review the standards and submit a formal comment at any time. If you have any comments, changes or revisions to the WSTDA-T-6 revision draft, please submit them online by **March 6, 2023**.



 **SAVE THE DATE**

2023 WSTDA FALL MEETING  
AC HOTEL GREENVILLE  
GREENVILLE, SC

SEPTEMBER 18-20, 2023



# OSHA's SAFETY PAYS Program

In October 2022 at the WSTDA Fall Meeting, OSHA representative Jerred Stevens shared information with attendees about the Safety Pays program, which was launched to raise awareness of the extent to which occupational injuries and illnesses can impact a company's profitability.

## The Safety Pays Program features multiple tools to help employers estimate costs from workplace injuries:

- Safety Pays Tool: Estimates the effect of all injuries and illnesses on your business
- Individual Injury Estimator: Find out how much a specific injury could cost your business
- On-Site Consultation Program: No-cost, confidential safety and health assessment of your operation, to reduce likelihood of workplace injuries/illnesses

Using data collected from thousands of workplaces as a baseline, the program provides businesses with the opportunity to compare their workplace safety record with that of their industry peers, while the Individual Injury Estimator focuses on how much a specific injury could cost a business. The On-Site Consultation Program, initiated by the employer, can lead to better compliance with OSHA standards.

Through these tools and related resources, the Safety Pays program demonstrates the value of implementing workplace safety and health practices that keep employees safe, while also lowering costs due to work-related injuries and illnesses.

[LEARN MORE](#)



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# WSTDA 2023-2024 SCHOLARSHIP PROGRAM

## ANNOUNCING NEW SCHOLARSHIP OPPORTUNITY TO TECHNICAL CAREER & TRADE EDUCATIONAL INSTITUTIONS!

The WSTDA Scholarship Program seeks to give back to the industry and provides a valuable benefit of WSTDA membership. **WSTDA is excited to announce a new scholarship opportunity to those applying for or attending an accredited technical career or trade educational institution in the Fall of 2023!**

This year WSTDA will be presenting **two** merit-based awards to help offset educational expenses based on the following:

- **(1) \$3,000 College/University Award** – applying for or attending an accredited two-year or four-year college or university in the Fall of 2023.
- **(1) NEW: \$3,000 Technical Career/Trade Educational Institution Award** – applying for or attending an accredited technical career or trade educational institution in the Fall of 2023.



Academic achievement, community involvement, extracurricular activities, work experience, and responses to short essay questions are each considered in the selection process.

Applications to the WSTDA Scholarship Program are open to employees and legal dependents of employees of WSTDA member organizations in good standing and located in the United States or Canada. All WSTDA membership classifications are eligible.

***Applications for the 2023-2024 Scholarship Program will open March 1.***

The application deadline is June 1, 2023. Awards will be announced in late July. Be sure to let all your fellow employees know that their families are eligible to apply after March 1!

Visit the [WSTDA Scholarship Program](#) webpage for more details.

## Support the Scholarship Program: Donate Today!

Donate today in support of the WSTDA Scholarship Program! The program is currently funded entirely by the WSTDA operating budget. All donations are applied to offset program awards and expenses. At this time, donations made in support of the WSTDA Scholarship Program are not tax-deductible as a charitable contribution, but may be deductible as a business expense; please consult your tax advisor.

# WSTDA ANNUAL MEETING

APRIL 3-5, 2023 | NAPA, CALIFORNIA

## Early Bird Registration Ends on March 2, 2023

- WSTDA Technical Committee Sessions featuring speakers and discussions on web sling, roundsling, and web tie down technical topics
- Two outstanding educational sessions
- Beringer Vineyards tour and dinner
- Networking with your fellow industry stakeholders

[LEARN MORE & REGISTER TODAY >>](#)

**“ The WSTDA is very serious about their standards and keeping end-users safe. We definitely have some fun, but we are focused on our standards and safety. ”**

## Schedule At A Glance

### Monday, April 3

- 9:00 am - 2:00 pm**  
Board of Directors Meeting  
*By Invitation*
- 2:15 pm - 3:30 pm**  
Editorial Review Committee  
*By Invitation*
- 2:15 pm - 3:30 pm**  
Sling Protection Committee  
*By Invitation*
- 3:45 pm - 5:00 pm**  
Technical Resource Committee  
*By Invitation*
- 5:00 pm - 6:30 pm**  
Welcome Reception  
*All Attendees*

### Tuesday, April 4

- 8:00 am - 4:00 pm**  
Registration  
*All Attendees*
- 8:00 am - 9:00 am**  
First Timers'/New Members' Orientation Breakfast  
*By Invitation*
- 8:00 am - 9:00 am**  
Breakfast Buffet  
*All Attendees*

### Tuesday, April 4

- 9:30 am - 10:25 am**  
General Session & 50 Years of WSTDA  
*All Attendees*
- 10:25 am - 12:00 pm**  
What We Think We Know About Multi-Leg Rigging: Myths and Misconceptions  
*All Attendees*
- 12:00 pm - 1:00 pm**  
Buffet Lunch  
*All Attendees*
- 1:00 pm - 12:15 pm**  
Web Sling Technical Session  
*All Attendees*
- 2:15 pm - 2:45 pm**  
Refreshment Break  
*All Attendees*
- 2:45 pm - 4:00 pm**  
Load Securement Technical Session  
*All Attendees*
- 4:00 pm - 5:15 pm**  
Testing Technical Committee Meeting  
*All Attendees*
- 5:15 pm - 6:30 pm**  
Reception/Awards  
*All Attendees*

### Wednesday, April 5

- 8:00 am - 9:00 am**  
Breakfast Buffet  
*All Attendees*
- 9:00 am - 10:00 am**  
Round Sling Technical Session  
*All Attendees*
- 10:15 am - 10:35 am**  
Refreshment Break  
*All Attendees*
- 10:35 am - 12:00 pm**  
The Best Way to Predict the Future is to Create It  
*All Attendees*
- 12:00 pm - 1:00 pm**  
Buffet Lunch  
*All Attendees*
- 12:00 pm - 2:00 pm**  
Board & Committee Chairs' Meeting/Lunch  
*By Invitation*
- 5:00 pm - 9:30 pm**  
Vineyard Tour/Reception & Dinner  
*All Attendees*

*\*All session/event names are subject to change*

# SILVERADO RESORT AND SPA

HOTEL RESERVATION DEADLINE IS MARCH 2, 2023

The Silverado Resort & Spa is offering a special rate of \$249.00 plus tax for WSTDA meeting attendees who confirm reservations within the WSTDA room block before the cut-off date of **March 2, 2023** or before the room block is full, whichever comes first. There is also a \$30.00 a night resort fee that includes the following: self & valet parking, Wi-Fi, in room coffee & tea, tennis, fitness center, golf bag storage, property wide transportation and bocce court access.



[BOOK YOUR RESERVATION >>](#)

## EDUCATIONAL SESSIONS



### What We Think We Know About Multi-Leg Rigging: Myths And Misconceptions

Mike Riggs

While very useful in the field, the safe rating and rigging of multi-leg systems present unique challenges to the user. Do you use a master link, or sub-links? Do you check and compare leg lengths before rigging, or under tension? How do you really determine the working load limit?



### The Best Way To Predict The Future Is To Create It

Scott Friedman

In these uncertain and globally turbulent times, productivity and innovation are essential to survival. This call to action will show you and your organization how to become a victor—rather than a victim—of change. Learn to be driven not by circumstances and emotion, but by your values, purpose, and vision.

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Welcome Reception

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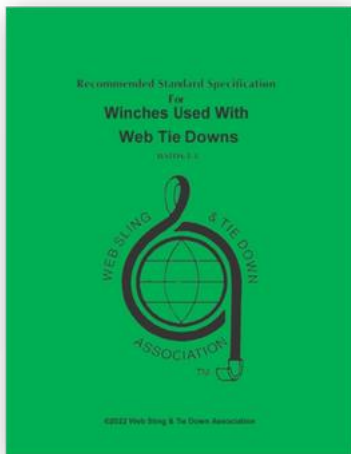
# REVISED STANDARDS

## SYNTHETIC SEWING THREADS FOR SLINGS AND TIE DOWNS



This Recommended Standard Specification applies to Synthetic Sewing Threads constructed from various synthetic fibers, specifically nylon and polyester. This standard recommends construction as well as identification and testing of synthetic sewing threads used primarily in synthetic web slings, round slings and tie downs. In addition, it gives practical advice on selection and environmental considerations of these synthetic sewing threads.

## WINCHES USED WITH WEB TIE DOWNS



This Recommended Standard Specification applies to winches designed to accommodate web tie downs for the purpose of securing cargo. This standard recommends construction as well as identification and marking of these winches. In addition, it gives important practical advice on the selection, use, maintenance and inspection of these winches.

## DOWNLOAD FOR FREE

THE ABOVE RECOMMENDED STANDARDS & MORE



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# COMMITTEE REPORTS

## Web Sling Technical Committee

Chair: Robert Hancuff & Co-Chair: Fred Ambli

Very happy to report that the revision to TH-1 has been published and is now available for download.

We have completed review of WB-1, and it is ready for board review. At this point we are only waiting for the TRC to finish the review of terms and definitions, so our terminology between standards publications is more consistent.

We are close to completing review of WS-1. We are currently working on stacking of sling eyes and what our recommendations may be.

Our work session during the Spring meeting is scheduled for April 4th at 1:00 PM. The agenda for

the meeting is not complete yet but I will update as soon as possible.

The Web Sling Technical Committee welcomes and encourages all recommendations for discussion topics surrounding synthetic web slings and current projects of the Committee. Submit your questions or discussion topic suggestions at any time to:

Bob Hancuff [bhancuff@carolinawebbing.com](mailto:bhancuff@carolinawebbing.com)

Chairman, WSTC

Fred Ambli [fred@liftpro.com](mailto:fred@liftpro.com)

Co-Chair, WSTC

## Roundsling Technical Committee

Chair: Gregory Babinchak & Co-Chair: Amanda Masters

An updated draft to the RS-1HP Standard for High Performance Yarn Roundslings has been approved by the WSTDA Board and it will now be presented for submittal of public comment upon release of a new summary of changes page.

The roundsling technical committee has started to layout some targeted work in preparation for the upcoming Spring Meeting, which we are looking to format into an updated presentation style for improved meeting attendee experience.

Much of our attention is now again returning to the topic of proposed changes to the rating and operating practices of multi-leg slings and various related lifting applications. This committee has been communicating with ASME B30.9 Committee and if the proposed changes progress as has been proposed then this work will evolve into a significant revision that would impact the recommended rating practice for all 4-leg bridle slings, for example, in all

sling types in a way similar to the more conservative ratings commonly been applied to chain type slings for many years.

Some recommended operating practices are also being considered for related slings, including field constructed bridle slings and double basket slings, for example.

The committee is also preparing to design a test fixture, to be capable of performing frictional securement testing on various slings and hitches on vertically oriented posts. The initial hitch being reviewed for possible preliminary testing is a choker hitch combined with a half hitch, which has reported been used in the initial placement of compacted piling posts.

Lastly, we plan to propose draft operating practice recommendations applicable to the field attachment of roundslings onto hardware using a choker hitch method.

# COMMITTEE REPORTS

## Testing Technical Committee Chair: Sam Socolow & Co-Chair: Troy Raines, Jr.

The committee continues to work on developing testing protocols and the modeling of the proposed testing fixture. After soliciting bids on the initial design, we have decided to make some design modifications. We hope the redesign will reduce manufacturing costs so we can seek approval from the board to manufacture such a device. We are patiently waiting for the engineers to finish the redesign so we can send it out for bid and hopefully solidify that portion of the project.

The committee will continue researching other testing protocols and work on a grading scale to aid end users in selecting sling protection products

### Have you recently learned a handy new tip that can also help your peers?

Share your tip using the QR code and help us promote knowledge sharing throughout the rigging and load securement industry. You may just find your tip featured in an upcoming issue of Lift & Secure!

TECH TIPS



## Technical Resource Committee Chair: Jeff Iden & Co-Chair: Ralph Abato

The Technical Resource Committee (TRC) has been busy with “harmonizing” (to the degree practical) the Terms and their Definitions as published in WSTDA recommended standards, test methods, and manuals.

Across WSTDA publications, the TRC is offering its Technical Committees a recommendation for how terms are defined for example the common terms “Abrasion,” “Working Load Limit,” and “Failure.” Technical Committees will have the option to use the recommended definition or a variant depending on the publication. This project is now mostly complete. Moving forward, the TRC plans to maintain this “global definitions directory” on an ongoing basis, in coordination with the Technical Committees which are welcome to recommend new and/or different definitions.

Another project in which the committee is currently involved with is the development of a Members-Only licensing program, for use of a QR code for the purpose of including in product warnings provided to users. The QR code will provide instant online access to the WSTDA Safety Bulletins and the user information provided therein. More details of this project were announced at the 2022 Fall Meeting in Savannah and implemented in Spring 2023. Contact [info@wstda.com](mailto:info@wstda.com) for additional information.

The TRC has invitation only meetings in conjunction with the spring and fall WSTDA meetings.

# COMMITTEE REPORTS

## Load Securement Technical Committee Chair: Stephane Theriault & Co-Chair: Tim Sanders

The past year has been quite productive in terms of review and revision of the WSTDA Recommended Standards under the jurisdiction of this Committee. Two revised Standards were published in late 2022, and a third is on track to publish in 2023. Here's a recap of the status of the Standards overseen by this Committee and their current review status:

- WSTDA-T-1: (Web Tie Down Standard) a new revision was published in 2022; the next revision date is 2027 or earlier
- WSTDA-T-2: (Web Tie Down Manual) this Care & Use manual is now under review, based on revisions made in 2022 to the T-1 standard on which T-2 is based
- WSTDA-T-3: (Winch Standard) a new revision was published in 2022; the next revision date is 2027 or earlier
- WSTDA-T-4: (Tie Down Webbing Standard) scheduled for review in 2023; the Committee plans to review this starting in mid-2023 and a public comment period will be announced
- WSTDA-T-5: (Van Securement Devices Standard) scheduled for review in 2025 or earlier
- WSTDA-T-6: (Load Binder Standard) currently under review, and available for public review and comment.

All WSTDA members are encouraged to review and submit comments on the draft revision of WSTDA-T-6 (Recommended Standard Specification for Load Binders Used with Chain Tie Downs) by visiting <https://wstda.com/page/standardsreview> and using the online form to submit comments for consideration by the Committee.

As it reviews the terms and definitions in the Recommended Standards, the Load Securement Technical Committee has been referencing the WSTDA's internal Global Definitions Directory in an effort to align where possible with other WSTDA Standards. The Technical Resource Committee created the Global Definitions Directory and has been reviewing all terms and their definitions which appear in WSTDA publications. It recommends but does not mandate that the various technical committees use the recommended definitions where possible.

The Committee will hold a Load Securement Technical Session during the 2023 Annual Meeting in Napa, California and is looking forward to interacting with the membership on issues of concern to the synthetic web load securement segment of the industry.

### **Do you have a burning question? Perhaps a long standing debate? Or an open inquiry from the field?**

Use the QR code to send us your question and we'll ask the experts serving on WSTDA's technical committees to chime in on your question. You may just find an answer in an upcoming issue of Lift & Secure!



ASK THE PROS



# TECHNICAL COORDINATOR'S REPORT

Robert Jasany

## ***"The New Look of WSTDA Technical Committee Meetings"***

The in-person Technical Committee meetings held during the WSTDA Annual and Fall Meetings will have a new look and a whole new agenda in 2023. In an ongoing effort to revitalize and enhance WSTDA meeting programming, and to continue to create more opportunities for technical discussions, the WSTDA Board of Directors has encouraged the Technical Committees to use their session time at spring and fall WSTDA Meetings to address issues through interactive discussion, presentations by Committee members or outside experts, or demonstrations.

Rather than conducting "working meetings" where the language in recommended standards is discussed, during these onsite meetings the committees, led by the Chair and Co-Chair, will now be working on solutions to technical questions, presenting on specific applications, and inviting guest speakers, creating an interactive and informative forum for all attendees.

These Technical Committee sessions are open to all registered WSTDA meeting attendees, and the agendas and details on presentations to be made will be available in advance.

With the increasing use of virtual meetings throughout the year by the Technical Committees, where they accomplish the detailed work of reviewing language in recommended standards, the Board is encouraging the Technical Committees to create agendas for their live sessions that engage the audience and provide some insight on specific issues under their areas of responsibility.

The 2023 Annual Meeting in Napa, California in April, will be the first demonstration of this new format. We look forward to you, the attendee, becoming engaged and participating in these Technical Committee sessions that will provide even more value to your WSTDA experience.



### Federal Trade Commission Proposes Rule to Ban/Rescind Noncompete Agreements

*What the proposed rule says.* The proposed rule defines a “noncompete clause” as a contractual term between an employer and a worker that prevents the worker from seeking or accepting employment with a person, or operating a business, after the conclusion of the worker’s employment with the employer. The definition includes a contractual term that is a *de facto* non-compete clause because it has the effect of prohibiting the worker from seeking or accepting employment with a person or operating a business after the conclusion of the worker’s employment with the employer. For example, the following types of contractual terms, among others, may be *de facto* non-compete clauses: a *non-disclosure agreement* between an employer and a worker that is written so broadly that it effectively precludes the worker from working in the same field after the conclusion of the worker’s employment with the employer; or, a contractual term between an employer and a worker that *requires the worker to pay the employer or a third-party entity for training costs* if the worker’s employment terminates within a specified time period, where the required payment is not reasonably related to the costs the employer incurred for training the worker.

*Definition of “worker”:* includes everyone. The definition of “worker” in the proposed rule is very broad: it includes almost everyone – paid or unpaid; employee, contractor or volunteer: “worker” means a natural person who works, whether paid or unpaid, for an employer. The term includes, without limitation, an employee, individual classified as an independent

contractor, extern, intern, volunteer, apprentice, or sole proprietor who provides a service to a client or customer. The term “worker” does not include a franchisee in the context of a franchisee-franchisor relationship; however, the term “worker” includes a natural person who works for the franchisee or franchisor. Non-compete clauses between franchisors and franchisees would remain subject to Federal antitrust law as well as all other applicable law.

*What the rule would do.* The proposed rule, if it ever gets enacted, would do two things: *ban, bar and prohibit* noncompete agreements; *require the rescission of existing noncompete agreements.* The rule makes it illegal for an employer to do three things: enter into a noncompete agreement with a worker, maintain a noncompete agreement, or represent to a worker that s/he is subject to a noncompete agreement where the employer has no good faith basis to believe that is the case. An employer that entered into a noncompete agreement with a worker prior to the effective date of this new rule (again, if it ever gets enacted) would have to rescind the non-compete clause no later than the effective date of the rule (180 days after it becomes final, if it does). The rule even dictates the exact wording and form of the notice. For example, the notice must be in an “individualized communication”, “on paper or in a digital format” and given within 45 days. The notice must even go to *former workers*, if the employer has the worker’s contact information readily available.

*Only one exception.* There is only one exception to the ban on noncompete agreements: sellers of a business. The prohibition on noncompete agreements would not apply to a

person who is selling a business or otherwise disposing of all of the person’s ownership interest in the business, or by a person who is selling all or substantially all of a business’s operating assets, when the person restricted by the non-compete clause is a substantial owner of, or substantial member or substantial partner in, the business at the time the person enters into the non-compete clause. “Business” includes a partnership, corporation, association, LLC, other legal entity or a division or subsidiary. “Substantial” means at least 25% ownership interest.

*Relation of the rule to state law.* The FTC rule, if enacted, would supersede any state statute, regulation, order, or interpretation to the extent that the statute, etc. is inconsistent with the rule. However, if the state statute, etc. affords a worker *greater* protection than the FTC rule, then it is not superseded. The rule would take effect 180 days after the final rule is published in the federal register.

*State laws prohibiting or regulation noncompete agreements.* Even if this proposed FTC rule is never enacted, the present tendency is for the states to restrict, regulate or even ban noncompete agreements. Indeed, for the longest time, courts have also been hostile to enforcing noncompete agreements. The rationale is that they are anti-competitive and therefore are “disfavored” in the law.

According to the Society for Human Resource Management (SHRM: [More States Block Noncompete Agreements \(shrm.org\)](https://www.shrm.org)), California; North Dakota; Oklahoma; and Washington, D.C., ban noncompete

agreements with a few narrow exceptions. Colorado, Illinois, Maine, Maryland, New Hampshire, Oregon, Rhode Island, Virginia and Washington state prohibit noncompete agreements unless the worker earns above a certain threshold.

SHRM also notes that court cases are setting legal precedent, as well. It notes as an example that the Hawaii Supreme Court ruled that a real estate brokerage could not enforce a noncompete agreement that prohibited a real estate broker from establishing her own company in Hawaii for one year after leaving the employer. The court concluded that employers in Hawaii can't enforce noncompete agreements unless there's a legitimate business purpose for doing so, such as protecting trade secrets, confidential information or special customer relationships.

*The FTC's rationale for the proposed rule.* The FTC takes the position that noncompete agreements are a widespread and often exploitative practice that suppress wages, hamper innovation, and block entrepreneurs from starting new businesses. By stopping this practice, the FTC estimates that wages could increase by nearly \$300 billion per year and expand career opportunities for about 30 million Americans (roughly 18% of the workforce, according to CNBC). The FTC takes the position that noncompete agreements are an unfair method of competition and therefore violate Section 5 of the Federal Trade Commission Act.

The chair of the FTC was quoted as saying: "The freedom to change jobs is core to economic liberty and to a competitive, thriving economy. Noncompetes block workers from freely switching jobs, depriving them of

higher wages and better working conditions, and depriving businesses of a talent pool that they need to build and expand. By ending this practice, the FTC's proposed rule would promote greater dynamism, innovation, and healthy competition." The rule may also be welcome from the prospective of those persons or businesses who want to hire someone subject to a noncompete agreement, but are afraid to, for fear of being sued.

In explaining why it was proposing this rule, the FTC noted that companies use noncompete agreements for workers across industries and job levels, from hairstylists and warehouse workers to doctors and business executives. Such agreements, in the FTC's view, harm competition in U.S. labor markets by blocking workers from pursuing better opportunities and by preventing employers from hiring the best available talent.

According to the FTC, research shows that employers' use of noncompete agreements restricts workers' mobility and significantly suppresses workers' wages—even for those not subject to noncompete agreements, or subject to noncompete agreements that are unenforceable under state law. Again, per the FTC, evidence shows that noncompete clauses also hinder innovation and business dynamism in multiple ways—from preventing would-be entrepreneurs from forming competing businesses, to inhibiting workers from bringing innovative ideas to new companies. This ultimately harms consumers; in markets with fewer new entrants and greater concentration, consumers can face higher prices. The FTC cites the health care sector as an example.

Even in the absence of any rule, the FTC has used its authority under the Federal Trade Commission Act to ban companies from imposing "onerous" noncompete agreements on their workers. In one complaint, the FTC took action against a Michigan-based security guard company and its key executives for using noncompete agreements on low-wage employees. It also ordered two of the largest U.S. glass container manufacturers to stop imposing noncompete agreements on their workers because they obstruct competition and impede new companies from hiring the talent needed to enter the market.

*The arguments in favor of noncompete agreements.* Although "job hopping" is widely considered the best way to improve one's career prospects and pay and noncompete agreements stand in the way of doing this, noncompete agreements are meant to protect the investments companies have put into their businesses and employees, protect confidential corporate information and customer/client relationships that may have been nurtured over years.

*What happens next?* A partner at a Washington DC law firm who specializes in antitrust issues relating to labor and employment said, in an interview with CNBC (What the proposed ban on noncompete clauses means for you (cnbc.com)) that the impact of the FTC's move to ban noncompete agreements will be felt by companies with employees who are governed by noncompete agreements as well as companies looking to hire workers who are

bound by such agreements: “This regulation will affect, more or less, every business in the country,” the lawyer said.

There are still several steps before the proposed regulation will go into effect, including potential litigation. The rulemaking process itself could take up to a year or even longer if that happens (litigation). “It’s too early for businesses to take any drastic action, but companies should be mindful that’s a real risk,” the attorney interviewed by CNBC said, although he did advise employers to “use this as a reason to look, as an organization, at how you are protecting your business.”

*Related restrictive employment clauses.* Noncompete agreements are often just one component in a trio of restrictive employment clauses, the other two being confidentiality agreements and non-solicitation agreements. A confidentiality agreement forbids an employee – potentially in perpetuity – from using or disclosing the confidential information or trade secrets of his/her employer for any reason, in any other job. In the sense that a confidentiality agreement can potentially have no time limit – it lasts as long as the information is confidential – it is even broader than a noncompete agreement which, to enforceable, must have a reasonable time limit (e.g., one, two, three years). A non-solicitation agreement prohibits a former employee from attempting to hire away his or her former employer’s current employees. Some non-solicitation agreements even go so far as to prohibit the former employee from engaging with his former employer’s employees *if they come to him (or her)*.

In addition to noncompete, non-disclosure and non-solicitation clauses, there are other clauses that can and do restrict some employees from simply walking away from an employer and doing whatever they want: intellectual property clauses, which state that anything created by the employee using employer equipment or on the employer’s time is a “work made for hire” and as such, owned by the employer; patent clauses, which state that anything invented by the employee belongs to the company; tuition reimbursement agreements that require the employee to repay the employer for any expenses the employer has paid to educate the employee, if the employee leaves within a certain time or is fired for cause, to name some examples.

Although the proposed FTC rule banning noncompete agreements does not address non-disclosure or non-solicitation agreements, if it were enacted in its present form, it could possibly reach even those agreements. Note that the definition of “non-compete clause” in the proposed rule covers the functional equivalent of such agreements, and explicitly mentions non-disclosure agreements: “The term non-compete clause includes a contractual term that is a de facto non-compete clause because it has the effect of prohibiting the worker from seeking or accepting employment with a person or operating a business after the conclusion of the worker’s employment with the employer. For example, the following types of contractual terms, among others, may be de facto non-compete clauses: i. A non-disclosure agreement between

n employer and a worker that is written so broadly that it effectively precludes the worker from working in the same field after the conclusion of the worker’s employment with the employer.

*Summary and conclusion.* The Federal Trade Commission has proposed a rule banning employers from requiring anyone who works for them – including independent contractors – to sign a noncompete agreement. It goes even further by requiring employers to rescind existing noncompete agreements. The only exception is for people selling a business. There is no guarantee that the rule will ever go into effect, or, if it does, the present draft will be the final version. There is nothing to do at this point, although anyone can comment on the proposed rule through Mar 10. Even without this rule, however, noncompete agreements are hard to enforce: the courts are hostile to them as being anti-competitive; more and more states are enacting their own laws against noncompete agreements; and even where noncompete agreements are legal and enforceable, the burden of proving the enforceability of the agreement is on the employer, who must demonstrate that the restrictions are reasonable with respect to time, scope and geographical reach and do not violate public policy. Companions to noncompete agreements – confidentiality and non-disclosure agreements – are also common (and enforceable), and are not covered by the proposed FTC rule, but may be affected by it indirectly, if enacted.

# MEMBER NEWS

**Alaska Rubber Group Has Rebranded to ARG Industrial** -- Alaska Rubber Group, an employee-owned industrial distribution company, headquartered in Anchorage Alaska, has rebranded as ARG Industrial. ARG Industrial is a solutions focused organization specializing in the distribution of hose, fittings, lifting & rigging products and serves a wide variety of industrial markets across Alaska and the Pacific Northwest. [Learn more >>](#)



Submitted by: [ARG Industrial](#)

**Bally Ribbon Mills Announces 100th Anniversary** -- Bally Ribbon Mills (BRM) announces its 100th Anniversary. Since BRM's founding in 1923 as a custom textile manufacturer in Bally, PA, the company has provided products for aerospace, defense, medical, safety, automotive, commercial, and industrial applications used around the world. [Learn more >>](#)



Submitted by: [Bally Ribbon Mills](#)

**Ben-Mor Cables Acquires Fortune Rope & Metal** -- Ben-Mor Cables inc. "Ben-Mor", is pleased to announce the acquisition of Fortune Rope and Metal in partnership with Mr. Mike Sullivan. In welcoming this acquisition, Ben-Mor will maintain its growth in being the major player in North America in both cable assembly and sling industries. Ben-mor's success is represented by the 375 employees amongst the 11 locations, aiming for the future. [Learn more >>](#)



Submitted by: [Ben-Mor Cables](#)

**Bishop Lifting Products Acquires All-Lifts, Inc. and Expands Their Reach into the Northeast** -- Bishop Lifting Products, a portfolio company of Altamont Capital Partners, announced today the completed acquisition of All-Lifts, Inc., headquartered in Albany, New

York. All-Lifts was founded in 1966 and has been owned and operated by the Dewey family since 1978. Since then, the company has grown into a leading fabricator of wire rope slings, synthetic slings, alloy chain slings, and below-the-hook lifting devices. Following the closing, Brian Dewey will assume a leadership role at Bishop Lifting Products. [Learn more >>](#)



Submitted by: Bishop Lifting Products, [www.lifting.com](#)

**Kaitlyn Hines of Chant Engineering has Been Awarded the Bill Franz Memorial Scholarship from AWRP** -- Chant Engineering Co. Inc. is happy to announce that Kaitlyn Hines has been awarded the Bill Franz Memorial Scholarship from AWRP in 2022. Katie is a rising Junior at Rowan University majoring in Mechanical Engineering with an automotive CUGS and Math minor. While at Chant this Summer, Katie has learned to perform design improvements for refurbished pull test machines and how to perform dimensional analysis of customer test subjects to generate Test Stand Design Specifications for Chant manufactured Test Stands. [Learn more >>](#)



Submitted by: [Chant Engineering](#)

**Columbus McKinnon Awarded Patent for Slotted Hook Latch Designed to Improve Lifting Safety** -- Columbus McKinnon Corporation (Nasdaq: CMCO), a leading designer and manufacturer of intelligent motion solutions, products, and technologies for material handling, was recently awarded a patent for a slotted hook latch, which is used on the Company's Clevlok® and Quick-Connect™ sling hooks. [Learn more >>](#)



Submitted by: [Columbus McKinnon Corp](#)

**Doleco-USA Announces Addition of New Operations Manager to Team** -- Doleco USA, a North American supplier

of cargo restraint systems (winch and ratchet strap assemblies along with other related products like lifting slings to handle the load) for the transportation, agriculture, and industrial markets, today announces that Rob Snyder, formerly with Ancra and Cargo Equipment Corp. has joined Doleco USA, a 10 year old subsidiary of Dolezych GMBH, an 88 year old German based Global leader in lifting and load securement technologies. This further highlights Doleco USA's commitment to being a major player in the USA market. [Learn more >>](#)



Submitted by: [Doleco USA](#)

**The Ratchet Depot Announces Spin Free Ratchets** -- We are proud to announce that starting in January 2023 all of our most popular 1" Ratchet Straps, 2" Ratchet Straps, 3" Ratchet Straps, and 4" Ratchet Straps will consist of SPIN FREE Ratchets. These New Patented Spin Free Ratchets have solved the age-old problem that everyone who has ever used a ratchet strap has encountered... when you're done using the ratchet strap, you must pull and tug to get the webbing free from the ratchet. No more tugging and pulling, the fight is over, whether you use 1", 2", 3", or 4" Ratchets you will find the Patented SPIN FREE Ratchets to be the most user friendly ratchets in the world. These patented Ratchets have been designed to make the task of using a ratchet strap a lot easier. When you open the SPIN FREE Ratchet to take it off your load, simply take two fingers and pull the webbing off the ratchet with ease. [Learn more >>](#)



Submitted by: [The Ratchet Depot, Inc.](#)

# YOUR NEWS CAN BE IN OUR NEXT ISSUE

The Member News section focuses on timely updates on WSTDA-Member organizations: company announcements, new employees/promotions, awards given or received, acquisitions/mergers, and the like. Member News is not meant for commercial/product/service/sales announcements.

## Submission Guidelines:

- Limit one submission per company
- Press release/announcement must be in Word format
- Word count limit is 200 words and WSTDA retains the right to edit
- May include a hyperlink to member's website/press release, etc.
- Company logos and photo(s) may also be submitted, but are limited to space availability

Keep an eye on your mailbox on how to submit your news, or email us at [info@wstda.com](mailto:info@wstda.com).

# WELCOME TO OUR NEW MEMBERS

The following new members have joined WSTDA since our last issue of *Uplifting News*:

## **Affiliate**

- [IBS Industrial](#), Decatur, AL

## **Associate**

- [Compass Global USA LLC](#), Kemah, TX
- [Jakob Mueller of America, Inc](#), Charlotte, NC
- [Shandong Rope Technology Co., Ltd.](#), China
- [Shanghai Pan Glory Industry Co. Ltd.](#), China
- [TP Industrial Yarns](#), Charlotte, NC

## **Regular**

- [Ingenieria Servicios Construccion Y Representaciones SAC](#), Peru
- [Kevno Textil S.A. de C.V.](#), Mexico

# WSTDA MEMBERSHIP

Every day around the globe, goods and materials are hoisted, lowered and carried by slings made from synthetic web. Synthetic web is also used for tie downs used to restrain cargo.

The Web Sling & Tie Down Association (WSTDA) is the largest non-profit technical organization dedicated to the safe operation of all synthetic web slings and tie downs. Comprised primarily of sling and tie down manufacturers, WSTDA membership also includes fiber suppliers, weavers, testing companies, government enforcement agencies and other interested parties from countries around the world. WSTDA is recognized internationally, with members from the United States, Canada, Mexico, Europe, Asia and the Middle East.

The WSTDA's core mission is the development and promotion of voluntary Recommended Standard Specifications covering the most common synthetic web lifting and tie down products. The current Standards cover construction, selection, use and maintenance of Synthetic Webbing, Thread, Web Slings, Round Slings, Tie Downs and Chain Binders.

If you manufacture or distribute synthetic web products to hoist, lower, carry or restrain cargo, membership in the Web Sling & Tie Down Association is vital to your business.

## KEY BENEFITS

- Active participation in technical committees
- A forum for education & networking
- Access to all WSTDA products & services at deeply-discounted member pricing
- WSTDA Scholarship Program
- WSTDA Lift & Secure Magazine
- Participation in LinkedIn Group
- WSTDA Meetings
- Industry Standard/Publications

Visit our [membership section](#) of our website to learn more and join today!



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