



# MOVING FORWARD



## President's Corner by Luke Shively

Hello, I'm Luke, I have the distinct honor and privilege of serving as the PMSA President for 2019, the fifteenth anniversary of the Association. I would like to take this opportunity to thank Ricky for his past year as President.

As you know New Year's Day marks the start of a new year according to the Gregorian calendar. It marks the end of New Year's Eve celebrations in the United States and gives many Americans a chance to remember the previous year.

If you happen to live in Philadelphia or the surrounding area ring in 2019 at the Mummers Parade with the over the top spectacle in its 119<sup>th</sup> year that brings 10,000 Mummers to Broad St.

Before the calendar turns a new leaf over, before the social networking sites get flooded with messages, before the mobile networks get congested, let me take a quiet moment out to wish you a wonderful, happy, healthy and prosperous New Year.

I'll pick things up in February.



## Executive Director's Notes by Jack McGrath

2018 is in the rear view mirror and as we enter 2019, the **15<sup>th</sup> Anniversary of the PMSA**, we should focus on three areas:

1. Mission – Vision – Values
2. Existing members
3. Potential members.

Our mission is to project the vision to become more visible and promote value to existing and potential members, including partner members and the general public who utilize our services and as stated on our home page: to represent the interest of the moving and storage industry throughout Pennsylvania and to help the customers it serves.

Our request is simple to the existing membership; please recruit potential members, including vendor partners promoting the mission-vision and values of PMSA membership. Have them check out our main website [www.pennmovers.org](http://www.pennmovers.org) for details on the availability of partner members, opportunities to apply for scholarship and other awards. Promote the brand; point out the legislative and regulatory oversights, the newsletter with mid-month updates, discount programs, the Annual Golf/Conf/Expo, training, Move for Hunger and the comradery that exists. There will be some new programs on the horizon, so watch for the announcements. If your company or individuals have received an award or you have an article for the newsletter, please submit for consideration, keeping in mind the association maintains the right to edit.

To quote Walt Disney, "Whatever we accomplish belongs to our entire group, a tribute to our combined effort. "

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**WARNING: STAY (THE HELL) AWAY FROM OUR WORKERS!**

Pretty blunt, huh? I urge you to verbally **and in writing** insert a similar warning (**in legalese**) in every customer contract. After I tell you “the rest of the story,” you’ll know why our “Order for Service” included this disclaimer:

**CUSTOMER WARNING—FURNITURE MOVING IS DANGEROUS:** *Instruct your employees to stay a safe distance from the movers. Tell them not to touch, grab, push, pull or catch the furniture during the move.*

And here’s why...

One Friday evening, a moving company was working in an office building in Fairfax, Virginia, for a Fortune 500 company. Included in the move were 60 fireproof file cabinets weighing around 800 pounds each. Three movers were using the “shotgun” or “Philadelphia method” of cantilevering a heavy cabinet onto a 4-wheel dolly with a second dolly.



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## Promotion of Partners:

United Brokerage, <http://www.ubpackaging.com/>

Victory Packaging, <https://www.victorypackaging.com/en/home>

Obermayer, Rebmann, Maxwell & Hippel,

<https://www.obermayer.com/our-team/andrew-j-horowitz/>

Milburn Printing, <http://www.milburnprinting.com/>

The Selzer Company, <https://www.selzercompany.com/>

Relo Solutions Group, <http://relosolutionsgroup.com/>

USI Insurance, <https://www.usi.com/>

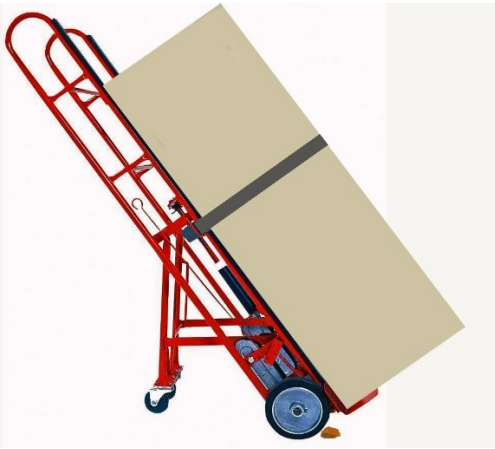
*“Be always at war with your vices, at peace with your neighbors and let each new year find you a better man.”  
-Benjamin Franklin*

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### The “shotgun” method for placing cabinets onto dollies

When they started placing the 22<sup>nd</sup> cabinet onto a dolly, the supervisor’s sweaty hands caused the cabinet to slip. The movers did what they should have done—they scattered—saving themselves from injury. However, at the same time, the customer contact, who was standing next to the cabinet, threw himself in harm’s way. Fearing the supervisor would be crushed by the weight of the cabinet, the contact tried to catch it as it fell. Unfortunately, it landed on his foot, flattening it like a pancake.

You probably think this is the end of the story with the injured party collecting workers’ compensation for the rest of his life—but not in America! The injured victim sued the moving company for \$7.5 million, alleging that the only reason the accident happened was because the moving company was negligent. The plaintiff said the shotgun method was not safe and should not have been used to move the cabinets. According to the plaintiff’s expert witnesses in the 3-day trial-by-jury, the movers should have used an appliance hand truck or tipped the cabinets onto their backs instead of using the shotgun method.



**Appliance hand truck**



**Tipping a file cabinet onto a dolly**

At the end of the first day of the trial, the defendant’s insurance company offered to settle the case for \$1 million. The plaintiff would still receive his employer’s workers’ comp insurance for all his medical bills and would get an additional \$1 million tax-free for his pain and suffering. Apparently, he believed the insurance company would never have made the offer unless they thought they were going to lose the case, and he rejected the settlement.

I was the only expert witness who testified for the defense, arguing that no matter which of the three ways you move fireproof file cabinets, there is a tremendous risk of injury. Before I tell you the verdict, I want to share the advice the defendant’s attorney, Geoffrey S. Gavett, of Gavett, Datt, & Barish, P.C., gave me at the end of the trial. He counseled that movers should always verbally and in writing warn customers to stay away from the workers during a job.

After three days of trial and after deliberating for only two hours, the jury found in favor of the defendant. Thus, the plaintiff received only his state’s limit of workers’ compensation.

The best way to avoid litigation is to avoid the causes for it. There’s no such thing as an ironclad contract but by including a ‘stay away from our workers’ clause in every service contract, you’ll lessen your risk of being sued and let customers know you’re not taking any chances.

For the actual article, see <http://officemoves.com/jury-finds-dc-area-mover-not-guilty-in-7-5mil-suit/>

For more information on our online office moving training, please visit <http://www.officemoves.com/training/index.html> or call Ed Katz at 404.358.2172.