

# The Contractors Critic

Reporting on Safety, Productivity and Honesty in the Construction Industry

ROHDE BROTHERS, INC., AN ABC MEMBER

## Lax on law, safety, work

### Rohde survives short pay claim by ex-employee

On June 30, 2004 a state Labor and Industry Review Commission confirmed an administrative law judge’s decision that Rohde’s reason for laying off an employee was “valid.”

The nine-page review concluded that the administrative law judge for the Equal Rights Division of the Wisconsin Department of Workforce Development had acted correctly in siding with the Plymouth, Wisconsin based Rohde Brothers firm.

The review commission’s “findings of fact” sketched out the story of how Jesse Hephner had been hired by Rohde for the position of “subjourneyman” or “preapprentice” after learning that

Hephner was not a high school graduate and therefore did not qualify for a journeyman’s job.

“At the time of hire, (Ted) Rohde asked Hephner if he was willing to get his GED so that he could get involved in the apprenticeship program, but Hephner stated that he was not willing to do so,” the written de-



*Hephner complained that Rohde was not paying up to standard. Reportedly, the company owed him \$4,034.88.*

cision reported.

After several days of employment, Hephner was assigned to work on the “Resch Center project, an ice arena located in Green Bay,” the report said.

The Resch Center project was a public works project; therefore Rohde was required to pay prevailing wages, which would have been just over \$31 an hour, the report said.

A pay dispute arose in which Hephner complained that Rohde was not paying up to standard. Ted Rohde looked into it and decided the firm had erred.

*Short pay cont’d on page 2*

### Rohde a two-time loser on state financial rules

Rohde Brothers has been penalized twice for failing to meet filing requirements imposed by the Wisconsin Department of Financial Institutions, records show.

Rohde’s most recent notice of

delinquency was issued January 1, 2007. The firm’s registered agent-in-charge for maintaining registration records was Charles E. Rohde.

According to the departments website, “a corporation goes delinquent

because it failed to file its required annual report with this department. If a corporation is allowed to continue in delinquent status for an extended period, it runs the risk of being administratively dissolved.”

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## Short pay

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"Rohde told Hephner that the company had made a mistake, that it owed him money (reported to be \$4,034.88) and that the money was going to be deposited into a 401K white paper account. Hephner stated that he did not want the money deposited into a 401K white paper account and questioned

whether Rohde could do that."

Shortly thereafter, "Rohde then told Hephner that he was being laid off because Rohde could not afford to pay him journeyman's wages for what he was doing. Rohde asked Hephner if he wanted to finish out the day, or if he wanted to leave right away. Hephner elected to finish out the day,"

the report described.

The administrative law judge based his decision against Hephner for several reasons, but primarily because he "did not find Hephner to be a credible witness."

"In several parts of his testimony the Complainant exaggerated his testimony beyond credibility," the report stated.

# OSHA safety law enforcement or lack thereof

In a tacit deal with industry, the Occupational Safety and Health Administration has effectively granted employers immunity from prosecution no matter how many times their willful actions result in worker deaths, a major newspaper study has shown.

A *New York Times* reporter and a team of researchers investigated 20 years of OSHA enforcement of "horrific" workplace deaths in which, 93 times out of 100, employers received little or no punishment, even if they had a known past history of acting just as negligently.

According to online data from OSHA, while Rohde Brothers has never had a "horrific" workplace death, the company has repeatedly violated electrical safety laws and laws regarding "Floor/Wall Openings, Guardrails, Handrails & Covers." The company has also violated safety laws in the areas of excavation, fall protection and head protection. (*For more detailed information on Rohde's OSHA history, see box on page 3*).

These violations should be of concern to Rohde considering that according to statistics from the Bureau of Labor in 2000, electrical power installers and construction laborers rank as

two of the ten most dangerous jobs in America.

The huge study by reporter David Barstow, aided by Remy Gerstein, Robin Stein and analyst Tom Torok, was published Dec. 22, 2003. It showed that over a span of two decades, from 1982 to 2002, OSHA investigated 1,242 of these horror stories — instances in which the agency itself concluded that workers had died because of their employer's "willful" safety violations. Yet in 93 percent

of those cases, OSHA declined to seek prosecution, an eight-month examination of workplace deaths by *The New York Times* has found.

What is more, having avoided prosecution once, at least 70 employers willfully violated safety laws again, resulting in scores of additional deaths. Even these repeat violators were rarely prosecuted.

OSHA's reluctance to seek prosecution  
*OSHA cont'd page 3*

## Federal safety laws Rohde has violated

- Duty to Have Fall Protection
- Head Protection
- Electrical Rules
- Excavations (*general requirements and requirements for protective systems*)
- Scaffolding Rules
- Gas Welding & Cutting
- Floor/Wall Openings, Guardrails, Handrails and Covers
- Construction, Housekeeping
- Fire Prevention

ecution, *The Times* found, persisted even when employers had been cited before for the very same safety violation. It persisted even when the violations caused multiple deaths, or when the victims were teenagers. And it persisted even where reviews by administrative judges found abundant proof of willful wrongdoing.

Behind that reluctance, current and former OSHA officials say, is a bureaucracy that works at every level to thwart criminal referrals. They described a bureaucracy that fails to reward, and sometimes penalizes, those who push too hard for prosecution, where aggressive enforcement is suffocated by endless layers of review, where victims' families are frozen out but companies adeptly work the rules in their favor.

In a comprehensive survey of recorded cases of willfully negligent deaths and interviews with hundreds of victims, witnesses, investigators and reluctant employers *The Times* looked into 2,197 deaths between 1982 and 2002 that resulted from situations which were "deliberating violating workplace safety laws."

The offenders ranged from giant transnational corporations such as Shell Oil to small privately-held construction companies in towns across America.

Many cases involved the solo deaths of individual workers. Others included multiple-death tragedies that resulted from rapacious corporations flouting safety rules so as to plump their bottom line profits.

Out of those 2,197 deaths, *The Times* reported, "employers faced \$106 million

in civil OSHA fines and jail sentences totaling less than 30 years...twenty of those years were from one case."

OSHA officials said they were surprised to learn of these statistics, inasmuch as they allegedly never bothered to keep track of such trend.

As reporter Barstow points out, the maximum penalties allowed by law for employers who intentionally pursue workplace standards virtually guaranteed to result in worker deaths have always been trivial:

When Congress established OSHA in 1970, it made it a misdemeanor to cause the death of a worker by willfully violating safety laws. The maximum sentence, six months in jail, is half the maximum for harassing a wild burro on federal lands.

*OSHA cont'd on page 4*

## OSHA violations

<u>Inspection #</u>	<u>Location</u>	<u>Violation(s)</u>	<u>Fine</u>
303323638	Univ. of Wisc., Washington County, West Bend, WI	1 serious	\$ 1,225
122043680	Signicast Corporation, Hartford, WI	1 serious	\$ 375
106510472	Hwy 67n & County Trk Xx, Kiel, WI	1 serious	\$ 625
106503295	Cedar Grove Elementary School, Cedar Grove, WI	2 other	\$ 500
106500465	Plymouth Elementary School, Plymouth, WI	2 serious	\$ 1,750
002427904	Parkview Elementary School, Plymouth, WI	1 other	
001952399	Schwartz Resort Hotel, Elkhart Lake, WI	1 serious	\$ 240
014337836	Lincoln High School, Manitowoc, WI	1 other	
014334361	Paper World, Appleton, WI	1 serious, 1 other	\$ 200
014347314	59 Weimar Ct., Appleton, WI	1 other	
015526189	Beaver Dam Community Hospital, Beaver Dam, WI	1 other	
014387062	Calumet County Courthouse, Chilton, WI	1 other	

### *15 total OSHA violations, 7 of which were serious violations*

*Above is a partial listing of OSHA violations issued against Rohde Brothers. The violations listed reflect initial citations and fines. The amounts may have been reduced or bargained down at later dates.*

With more than 5,000 deaths on the job each year, safety experts and some members of Congress have long argued that hundreds of lives could be saved if employers faced a credible threat of prosecution.

“A company official who willfully and recklessly violates federal OSHA laws stands a greater chance of winning a state lottery than being criminally charged,” said a 1988 Congressional report.

Actually, it overstated the odds for much of the country. During the two decades examined by *The Times*, in 17 states, the District of Columbia and three territories, there was not a single prosecution for willful violations that killed 423 workers.

Some have pushed for years to raise penalties for willful workplace deaths from a misdemeanor to a felony.

“But strong opposition from Republicans and many Democrats doomed every effort,” *The Times* reported.

Penalties were increased in a token way, insufficient to put a meaningful bite in the law.

Congress did ... agree in 1984 as part of a broader sentencing reform package to raise the maximum criminal fine to \$500,000 from \$10,000. And in 1991, it raised civil fines. But the added deterrent appears modest.

From 1982 until 1991, the median fine for a willful violation that killed a worker was \$5,800, according to the *Times* examination. Since 1991, the median has been \$30,240.

But whatever OSHA may have toughened on one front for public relations reasons, it mollified the industry with more than compensatory gifts elsewhere, the journalistic investigation showed.

A much less publicized change has

actually eroded any remaining potential for prosecution. Starting in 1990 ... OSHA began to accede to employer demands that it replace the word “willful” with “unclassified” in citations involving workplace deaths.

Unclassified was a term invented by lawyers who specialize in defending corporations against OSHA. Indeed, the word appears nowhere in the law or regulations governing OSHA. But the agency’s field manual permits the “un-



***Out of 2,197 deaths, “employers faced \$106 million in civil OSHA fines and jail sentences totaling less than 30 years... twenty of those years were from one case.”***

classified” designation when an employer is willing to correct unsafe conditions “but wishes to purge himself or herself of the adverse public perception attached to a willful” violation.

Workers should not hold out any hope that state OSAs will fill in the gap left by unwilling federal regulators.

*The New York Times* also investigated the states’ records for prosecuting willful workplace deaths. Prosecutors there were by and large no more willing to hassle corporations and employers.

And yet in at least one region of the country, OSHA inspectors have been instructed in writing not to initiate contact with state law enforcement authorities, whose local laws often offer stronger and more flexible criminal sanctions.

Until presented with results of the *Times* examination, the agency had never done a comprehensive study of how often workers were killed by willful safety

violations.

*The Times* tried to identify every such workplace death in the last 20 years. It also tracked every prosecution, conviction and jail sentence that resulted from these deaths, and it tallied every civil fine.

The deaths were the subject of 1,798 investigations, 1,242 of them by OSHA. The rest were done by the 21 states and one territory with their own versions of OSHA. But with a hand-

ful of exceptions these state agencies have been just as hesitant to seek prosecution as the federal OSHA.

In all, *The Times* found 196 cases that were referred to state or federal prosecutors, resulting in 81 convictions and 16 jail sentences.

*The New York Times* study followed by two months the release by the federal Bureau of Labor Statistics on workplace deaths by industry, which showed construction-related industries to be among the 10 most dangerous occupations (*See box on page 5*).

The construction trades that show up here are the roofers, electrical power installers and construction laborers.

Oddly enough, miners and other workers in “extractive industries” are lumped in the “structural metal workers” categories. Ordinary people might consider construction-type jobs such as  
*OSHA cont'd on page 5*

heavy equipment operator, that labor in “extractive” and “structural metal” part of this deadly equation.

Ironically, police and firemen do not place in this list of dangerous occupations. Statistics otherwise available indicate that in 2000 police had an on-the-job rate of only 18-19 per 100,000 per year.

So, next time city and county politicians are ladling out high salaries to police officers they might want to remember that low-paid roofers and non-union electrical installers run a far greater risk of getting killed on the job.

## America's 10 riskiest jobs

According to the latest statistics from the Bureau of Labor Statistics, the most dangerous jobs ranked by fatalities per 100,000 workers, included:

- Fishers: 118.4**
- Loggers: 92.9**
- Pilots and navigators: 66.9**
- Structural metal workers: 55.6**
- Recycle collectors: 43.8**
- Farm occupations: 41.1**
- Electrical power installers: 32.7**
- Truck drivers: 29.1**
- Agriculture: 23.2**
- Construction: 22.7**

Source: Most recent report provided by the US Department of Labor, Bureau of Labor Statistics; Census of Fatal Occupational Injuries, 2005.

# From the docket

The following lawsuits are just a sampling of Rohde Brother's voluminous and varied legal problems.

*Rohde Brothers, Inc. v. C.D. Smith Construction, Inc.; Case #03 CV 136; 3/7/03; Dodge County (Wisc.) Circuit Court*

On March 7, 2003, Rohde Brothers filed suit in the Dodge County Circuit Court against general contractor, C.D. Smith Construction, Inc., seeking \$132,918.36 for uncompensated subcontracting work done on the Dodge County Criminal Justice Facility, court records showed.

According to the complaint, Rohde Brothers and C.D. Smith Construction entered into a contract calling for Rohde Brothers to install HVAC units and the cooling system in the facility. Rohde Brothers claims that under the subcontract terms, “Rohde ... was not liable for any defective material or equipment furnished and purchased directly by Dodge County or for damages caused thereby.”

Rohde Brothers contends that after installing a cooling system provided by the contractor and the client, problems developed “with pressure buildup in the Cooling System.” Upon investigation, it turned out that “freon from the Chiller was leaking into the Cooling System.”

The tubes in the tube-bundle in the chiller were tested, which revealed that some “were dented or damaged... some of those damaged tubes were... leaking freon into the Cooling System.”

After correcting the problem tubes and the related damages, Rohde Brothers “demanded that it be reimbursed” the \$132,000 worth of work performed. “C.D. Smith has not reimbursed Rohde for these costs and expenses.”

*Rohde Brothers, Inc. v. Wausau Insurance Co.; Case #02CV0363; 5/28/02; Sheboygan County (Wisc.) Circuit Court*

Wausau Insurance Company refused a \$60,000 claim stemming from a workplace incident in which Rohde broke freon tubes in an HVAC job at the Dodge County Correctional Institution, court records show.

Rohde Brothers filed suit in Sheboygan County Circuit Court in July 2002 seeking to force the insurance carrier to reimburse it for something that occurred in the summer of 2000 in connection with the installation of a cooling system at the county jail.

“Dodge County alleged that Rohde had negligently damaged the tubes of the chiller, a component of the cooling system owned by Dodge County, which resulted in freon leaking from the tubes,” papers filed in the court showed.

“Dodge County demanded that Rohde replace and repair the damaged property, which Rohde has undertaken to do. At the present time, Rohde has expended in excess of \$60,000 to repair and replace the damaged property,” pleadings stated.

Rohde Brothers asserted that Wausau Insurance was obligated to pay under the terms of an applicable insurance policy, but Wausau Insurance demurred, citing several passages in the insurance policy including one that exempted property damage claims relating to, “5) ...property on which you... are performing

*From the docket cont'd on page 6*

## From the docket

*cont'd from page 5*

operations, if the 'property damage' arises out of those operations, or 6) That particular part of any property must be restored, repaired or replaced because 'your work' was incorrectly performed on it."

No further information was available on the case, which appears to still be pending.

*Rohde Brothers, Inc. v. Noel a/k/a Bud Weigele; Case #00SC000478; 3/1/00; Sheboygan County (Wisc.) Circuit Court*

Rohde Brothers filed a small claims action in Sheboygan County Circuit Court on Mar. 1, 2000, against Noel "Bud" Weigele of Mequon, Wisconsin for the amount of \$652.

Rohde complained that it had made a service call to Weigele's residence on Nov. 9, 1998 to assist with a furnace problem. There was "no heat," according to invoice #30855 obtained from the court.

Upon inspection, the Rohde Brothers' serviceman discovered that the manual gas valve on the furnace was in the "off" position, court documents showed.

"The furnace was stopped and restarted several times to verify proper operation," the description on the invoice stated.

The next day, the furnace again wouldn't start. This time the controls were checked and low combustion air was found. The plastic combustion air pipe was disconnected from the blower and leaves were found against the blower inlet screen.

On Dec. 9, 1998, Rohde Brothers sent Bud Weigele an invoice for no materials and \$464 in labor charges for 1) turning the heater on the first day, 2) taking the furnace screen off the second day, 3) brushing away the leaves, and 4) replacing said screen.

Apparently Weigele objected to being billed \$77.33 an hour for a having a serviceman take two hours to move the furnace switch from the "off" to the "on" position and shake out a few leaves.

On Mar. 27, 2000 the circuit court judge awarded Rohde \$652.57 – that would include a judgment of \$548.57, plus fees.

*Rohde Brothers, Inc. v. David Huppchen, OJ Rallye Automotive; Case #95SC00120; 1/11/95; Sheboygan County (Wisc.) Circuit Court*

On Jan. 11, 1995, Rohde Brothers sued David Huppchen in Sheboygan County Circuit Court for \$1,074.94.

In a short written statement, the president of Rhode Brothers attested that a Rohde Brothers' service employee had been dispatched to OJ Rallye Automotive and worked there Nov. 2-4, 1993, to fix a problem. A bill for the services was mailed to Huppchen, but no payment was received, Rohde Brothers declared.

Huppchen contested the bill and wrote to the court stating his objection, "The charge for parts was exorbitant, the diagnosis of the problem inaccurate, and the time billed was more than required to solve the problem, due to the inexpertise of the repair person. I have discussed this bill with Chuck Rohde several times with no success at reaching an understanding. Additionally, I

*From the docket cont'd on page 7*

## Rohde change orders rake in more money

Construction industry veterans know that for some contractors, the real profits are in the change orders. In order to win a bid, some contractors low-ball their initial estimates and plan to make it up by adding on additional work that is discovered once the project gets underway.

When this happens, the original construction budget begins to inflate from unforeseen circumstances. Customers must then seek change orders which raises costs. Sometimes it is the contractor who claims an unpredicted problem has been found and that they need extra payments to correct the problem. Sometimes an experienced contractor will notice that a job's design may neglect to include all the requirements of specialty construction codes. When inspectors catch the oversight later, the contractor is able to cash in on the change order.

Rohde Brothers was a subcontractor on the Marinette County Law Enforcement Center project in 2003. Whatever costs they may have shaved off upfront to get the contract, it seems they added on in the many change orders and "supplementals" forced through once on the job site.

A half-dozen or so of the change orders, proposals and "project supplementals" Rohde Brothers ran through the project *Change orders cont'd on page 7*

## Change orders

*cont'd from page 6*

have surfaced. They show a steady pitch for more and more add-ons that fetched Rohde Brothers thousands of dollars in extra profits. A few included Proposal #171: "Increase sewer depth:" \$4,193, RFI# 573.025: "Change Sewer from 4:" to 6" \$2,366, Proposal #169: "Add drop manhole:" \$11,980, and Proposal #322: "Furnish floor scuppers:" \$3,162.

In 2001, Rohde Brothers managed to cash in on change orders during their construction work at the Dodge County jail in Juneau, Wisconsin just as they did with the Marinette County Law Enforcement Center.

The Dodge County Criminal Justice Center was a one-year construction job. C.D. Smith Construction was the general contractor, and C.D. Smith subcontracted the plumbing and mechanical work to Rohde Brothers. However, once the job got underway, Rohde Brothers began to receive extra money—over and beyond what they bid—from many different avenues.

An example was Rohde Brothers' proposed substitutions on the bid for the water closet and lavatory types revealed that they were attempting to make an overhead and profit of 24.5%. The architect noted, "This is greater than what is consistent from previous proposals."

In sum, Rohde Brothers made \$57,550 on a \$670,000 job in change order profits alone.

## From the docket

*cont'd from page 6*

can imagine no justification for his attempt to be awarded almost double the original bill."

*Rohde Brothers, Inc. v. Jim Kolar and Steve Reinhardt d.b.a. K&R Construction; Case #93 CV 709 & Case #93 CV 489; Filed 6/29/93; Sheboygan County (Wisc.) Circuit Court*

Rohde Brothers filed suit in Sheboygan County Circuit Court on June 29, 1993 against Jim Kolar and Steve Reinhardt, doing business as K&R Construction, seeking \$13,118.81 for unpaid debts involving the sale and purchase of steel.

The two men responded separately, Reinhardt contending that he was just an employee of the company and Kolar, on the other hand, replied that Reinhardt signed for the steel "without the say so or permission from Jim Kolar."

In the same garnishee complaint case, Rohde Brothers also tried to corral monies owed to Kolar by two other companies, Integrity Mutual Insurance and Mayline Co., Inc.

In a handwritten statement dated Oct. 21, 1993, James Kolar admitted that Integrity Mutual indeed owed his firm money from a fire, but wanted to know where the credit Rohde Brothers owed him was.

"James Kolar still has not received credit for any of the steel which Rohde Brothers picked up to [be] returned to the Manufacturer which they got it from," Kolar acidly noted in his statement.

## Rohde Brothers liens on its customers

- In 2004, Rohde Brothers filed a construction lien against the proprietors of the Turner Hall Tavern, a Plymouth, Wisc. enterprise whose very name explains its business. The tavern is located in the 200 block of East Elizabeth Street. Rohde sought some \$19,986 apparently for services rendered. (*Case #2004CL0000022*).
- Rohde Brothers filed a lien in Sheboygan County in the amount of \$4,800 against George E. Morrelle of Sheboygan, Wisconsin. (*Lien# 97 LI 004*)
- Rohde Brothers took out a construction lien against Lake Vue Outdoor Corporation and/or The Marcus Corporation for \$7,345.80. (*Lien# 91 LI 07*)
- Rohde Brothers obtained a claim for a lien in the amount of \$42,154.54 against Morningside Nursing Homes, Inc. (*Lien# 90 LI 19*)
- Rohde Brothers obtained a construction lien in the amount of \$10,300 plus interest, against 52 Stafford, a Wisconsin Limited Partnership. (*Lien# 88 LI 13*)
- Rohde Brothers placed a lien of \$70,537.30 against property owned by Plymouth Creameries, Inc. (*Lien# 87 LI 17*)
- Rohde Brothers lodged a lien to the tune of \$1,174.18 against Leys Department Store in Sheboygan County Circuit Court. (*Lien# 84 LI 12*)

# Source Notes

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## LITIGATION:

Rohde Brothers, Inc. v. C.D. Smith Construction, Inc.; Case #03 CV 136; 3/7/03; Dodge County Circuit Court, WI.  
Rohde Brothers, Inc. v. Wausau Insurance Co.; Case #02CV0363; 5/28/02; Sheboygan County Circuit Court, WI.  
Rohde Brothers, Inc. v. Noel a/k/a Bud Weigle; Case #00SC000478; 3/1/00; Sheboygan County Circuit Court, WI.  
Rohde Brothers, Inc. v. David Huppchen; Case #95SC00120; 1/11/95; Sheboygan County Circuit Court, WI.  
Rohde Brothers, Inc. v. Jim Kolar; Case #93 CV 709; Case #93 CV 489; Filed 6/29/93; Sheboygan County Circuit Court, WI.

## LIENS:

Rohde Brothers v. Turner Hall Tavern, Wisc. Case #2004CL0000022.  
Rohde Brothers v. George E. Morrelle; Sheboygan County, Wisconsin. Lien# 97 LI 004  
Rohde Brothers v. Lake Vue Outdoor Corporation and/or The Marcus Corporation. Lien# 91 LI 07  
Rohde Brothers v. Morningside Nursing Homes, Inc. Lien# 90 LI 19  
Rohde Brothers v. 52 Stafford, a Wisconsin Limited Partnership. Lien# 88 LI 13  
Rohde Brothers v. Plymouth Creameries, Inc. Lien# 87 LI 17  
Rohde Brothers v. Leys Department Store, Sheboygan County Circuit Court. Lien# 84 LI 12

## OSHA:

Obtained through OSHA website ([www.osha.gov](http://www.osha.gov)) and Freedom of Information requests through the U.S. Department of Labor.

## ARTICLES:

"U.S. Rarely Seeks Charges For Deaths in Workplace." David Barstow, Remy Gerstein, Robin Stein. *The New York Times*. 12-22-03; <http://www.nytimes.com>.

## MISCELLANEOUS:

Wisconsin Department of Workforce Development, Division of Equal Rights. Labor and Industry Review Commission. Jesse J. Hephner v. Rohde Brothers, Inc. Fair Employment Decision, Case #200200512. <http://www.dwd.state.wi.us/lirc/erdecsns/685.htm>.

Wisconsin Department of Financia Institutions. Corporate records, Rohde Brothers, Inc.

U.S. Department of Labor, Bureau of Labor Statistics. Fatal Occupational Injuries 2005 annual data. <http://www.bls.gov/iif/oshcfoi1.htm>

# Corporate Information

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*The information contained in The Contractor's Critic does not reflect a complete history of the business practices of Rohde Brothers, Inc. LASER is publishing information that contractors do not and will not publish about themselves. LASER has relied on the public record to present this information to the public in an effort to promote safety, productivity, and honesty in the Construction Industry. Rohde Brothers, Inc. has been given the opportunity to review this material for errors and inaccuracies.*

*As of publication, Rohde Brothers, Inc. has not made any suggestions or refuted any of the information in this publication.*

*LASER, Inc. will continue to seek and publish additional data.*

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