

**“SETTING KITCHEN CABINETS,” BY JLC STAFF (AUG/14)**

While this article was good, it omitted one very important check: that of keeping cabinets in plane to each other. It is possible to have cabinets level, plumb, and square as you recommend and still be out of plane.

Imagine a kitchen wall that starts to go out of plane at the left side of a freestanding-range opening. If the cabinets follow the wall, the right cabinet will be farther back than the left, and the cabinet installer has left the countertop installer with some unpleasant choices. If the countertop man keeps the depth of the tops on each side equal, the amount the top overhangs the cabinets on the right side is greater, affecting the look of the drawers and door fronts. If he keeps the overhang the same and changes the top depth, the reveal at the range is off.

Does he make the tops perpendicular to the rear wall, keeping the space between the rear of the range and the wall equal and the tops out of square to their fronts? Or should he cut the tops square to their fronts and hope the homeowners don't notice the difference in the gap between the range back and the wall side-to-side?

Read any of the home-improvement chat boards and you'll find unhappy homeowners blaming countertop installers for cabinet installers' mistakes. —*Joseph Corlett, Sarasota, Fla.*

**WHEN A 'CONTRACTOR' IS REALLY A CHEATED EMPLOYEE (ONLINE, 9/11/2014)**

**Eric Dickerson:** Deliberately misclassifying workers has been going on as long as I have been in the business (over 30 years). In Colorado where I work, that is almost the norm—most contractors are “paper contractors” or contractors who have no employees and therefore don't require workers' comp and sub out all of their work to “subcontractors” who in turn sub out their work to other “subcontractors.” It's comical.

I have a custom-home building company and have employees, so I am responsible for the entire labor burden, matching retirement contributions, and so on, and I have to compete against builders who have none of that.

If and when the states where these loopholes are allowed change the rules, then the playing field will be even. One easy way is to make everyone have the required insurance.

Another is to require builders to be licensed, and that to be licensed they have to have the required insurances. Where I work, it is still the Wild West.

**John Williams:** Same here in N.Y., but the contractor on the permit is required to show proof of workers' comp. A lot of them list their wife as an employee (bookkeeper) to qualify for workers' comp at a low rate. Audits here are catching a lot of these because anyone you issue a 1099 to better provide you with a Certificate of Compensation or you will wind up paying for it after the fact.

The other thing I've seen is that the contractor has the customer pay the subs, claiming it's the only way to get the job done on budget.

**A.B. Creech:** In North Carolina, our laws do not require a general contracting license unless the job is \$30,000 or more—so you do many small jobs and handyman work.

How do you compete in the kitchen and bath remodel market when the other guys have no burden, can hire the same subs as we do, and provide no insurance at all? I agree with Mr. Dickerson: All should have some kind of license requirement and have to show proof of insurance.

**WHEN IS A 2X4 NOT A 2X4? (ONLINE, 9/11/2014)**

**Maria Daniels:** If Lowe's has to pay the fine, then so be it. But The Home Depot, Menards, and all the other lumberyards should be held to the same standard and pay the fine accordingly. It's not right to single out one store for merchandise that is the same in all stores. And why are the retailers being fined? Why aren't the mills being fined for selling the goods at the wrong measurement?

**Gabe Keway:** Buy your lumber from a reputable lumber store and get what you pay for. Even that isn't always the case. I buy lumber from several local yards (those that are left) as well as the big ones. I have found that, depending on what you need, you may need to rethink your buying habits.

I actually like #2 lumber from The Home Depot and Lowe's. It is usually dryer, straighter, and smoother than what's at the yards that store their lumber outside. For treated lumber, the yards are usually better. Structural plywood is the same everywhere but finish plywood must come from a yard. Cedar is often better from a yard but not all yards have quality cedar. I hear a lot of ridiculous “blanket” statements like your claim, but the fact is they are just dumb mantras.

Here are a couple of other shockers for you ... my Home Depot salesman is my best salesman and takes care of me way better than any local yard. Also, in case it comes up, just because it says “Made in USA” on it doesn't mean it's quality.

## Reader Feedback

The following are letters and excerpts taken from comments in response to the JLC articles referenced.

**Bob Engelhardt:** So what was the actual size of the Lowe's 2x4s? You've left us hanging here!

**Brian Bishop:** I agree. Are they carping because they were kiln dried and came in a 32nd or 16th under, or was the lumber 1.25 x 3 or something and graded in such a way as to have the strength of a 2x4 or ... ?

**JLC editors respond:** Good questions. The actual dimensions seem to be a closely kept secret in the lawsuit, but one homeowner investigating this story recently posted this on a dslreports.com forum:

"Stock at my local (Indiana) Lowe's: 'Standard Pine'—which I assume means it's not 'Southern Pine':

- 2x4s are 1 1/4 in. x 3 5/16 in.
- 2x6s are 1 1/4 in. x 5 5/16 in.
- 2x8s are 1 1/16 in. x 7 1/4 in."

Another post in the same forum points to this PDF from the Forest Products Lab, [http://www.fpl.fs.fed.us/documnts/misc/miscpub\\_6409.pdf](http://www.fpl.fs.fed.us/documnts/misc/miscpub_6409.pdf), a 1964 paper titled "History of Yard Lumber Size Standards" that tracks the decrease in standard lumber sizes from about 1914 to 1964.

"After World War I, the increasing demand for construction lumber led to the first national size standard in 1924. This was revised in 1926, 1928, 1939, and 1953, while still another revision is proposed for adoption in 1964."

The FPL paper is an interesting read. It not only demonstrates that we've been here before, many times, but it also details the controversies and discontent that shrinking standards for lumber have raised over the years. Ultimately, this paper seems to side with the manufacturers and assumes that the technical spec—what provides builders with assurances about the performance of a given lumber size—will follow market demand. It's full of the sort of economic optimism so popular in the 1960s.

"Smaller sizes will reduce production costs of lumber but it remains to be seen how much. If lumber is thinner, raw material (log) costs will be less, and drying costs will also be reduced. On the other hand, the manufacturing cost and the cost of installation of a piece of board or dimension will remain practically unchanged."

To find out how the Lowe's ruling might prompt changes to your contracts, see Leonard Klingen's legal column on page 31.

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