

Get Licensed, Get Certified



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Without the proper credentials, including insurance, you're not a real pro

"Fly by night." It's an old phrase that, as legend has it, came to describe renters skipping town under cover of darkness to avoid paying the landlord. Today, it's a term used to describe unscrupulous businesses. Unfortunately, it's a term that all too often is applied in the green industry. For true lawn care and landscape professionals, there's nothing worse than competing with "fly by night" companies operating without the proper licenses, certifications and insurance.



Denis Perry, owner of Citrus Park Lawn Care, Tampa, Fla., says that carrying the right licenses and certifications helps set his company apart from fly-by-night competitors and helps sell his company's services.

PHOTO COURTESY OF CITRUS PARK LAWN CARE.

"You should be licensed and educated and have any certification possible. Being a business owner, to me it's the right thing to do," says Denis Perry, owner of Citrus Park Lawn Care in Tampa, Fla. "It's talked about a lot [in the industry], especially with the economy the way it is. We're seeing guys just buying a lawnmower and a blower, and they just open up a business out of the back of their cars."

Perry is not alone in feeling that individuals operating without insurance and required licenses and certifications creates an uneven playing field, and hurts those companies doing things the right way. Of course, some of those just getting started in the business simply don't realize what is required. In a sense, that's understandable. With a diverse array of local, county, state and federal requirements, it can be confusing, says Tom Delaney, director of government affairs with the Professional Landcare Network (PLANET), a national green industry organization.

For starters, says Delaney, nearly every state requires a license for those

applying pesticides, and some states additionally require a pesticide business license. "In those cases, the company gets the license, which typically requires liability insurance in case of run-off or drift to adjacent properties," he explains. "Each state is a little different on their requirement for applicators. Most allow that only that one person in the company be certified and then others can work under them."

Certification vs. licensing

Adding further to the confusion, Delaney explains that, in some states, the terms "license" and "certification" may be used interchangeably when referring to authorization to apply pesticides. In others states, the two words may carry different meanings. "The federal requirement is that if you use a 'restricted use' pesticide, you need a pesticide license," he notes. "But rarely does anyone in our industry use what's considered a 'restricted use' pesticide based on toxicity to the person or the environment. Still, most states require that if you're applying a pesticide for hire, then you need that license – no matter the type of pesticide. Some states have a requirement to take a test to become certified, and then you pay a fee to get a license. Some states just roll the two things together and say you're certified and licensed."

Then there are requirements for "recertification" (a term that is used by nearly every state), which involves meeting certain continuing education requirements or retaking the test, typically every two to five years, depending on the state. It can get confusing, so it's always best to check on the exact requirements in your state, Delany advises.

Delaney notes that several states have recently said that no license is required for lawn care operators who apply just glyphosate (RoundUp). "We don't really support that line of thinking," he explains of PLANET's position. "We feel that the applicator should be more professional and take the test to become licensed or certified." And, in cases where only one person in a company needs to be licensed and certified, PLANET encourages others in the company to also take these steps. It increases professionalism throughout the company and also prevents a situation where the one licensed/certified employee leaves and there is no one else permitted to apply pesticides.

Licensing laws vary

Beyond pesticide licenses, "Most states require you to have a local city and/or county business license, no matter what type of business you're in," says Delaney. Typically these are local rather than state licenses, though he says there are a few states, such as New Jersey, that require landscapers to hold a license that falls under the building contractor's licensing program. "Then there are a few states, such as Oregon, that have specific landscape contractor's licenses."

Despite the confusion, understanding and obtaining all of the necessary licenses, certifications and coverages helps a company stand out from the competition, says Enzo Minniti, co-owner of Scenic Landscaping and Property

Maintenance in Connecticut. The company is licensed with the state of Connecticut in the landscape category of a building contractors licensing program.

“Here, landscapers are treated sort of like home improvement contractors,” says Minniti. “Even though the work usually doesn’t involve the house itself, we’re licensed to do any type of work at houses – whether it’s ripping out part of the landscape that’s currently there or installing new features.”

While this type of certification isn’t always needed, Minniti feels it’s important. “It’s sort of like a bonus. It’s something that homeowners like to see. It also sets us apart from the smaller companies, or just some guy out there trying to do this work to make a couple extra bucks,” he explains. “It definitely helps to have it.”



Scenic Landscaping and Property Maintenance in Connecticut proudly states that it is “Licensed and Fully Insured” right in the company logo, which is used in advertising and on vehicles. “So just about every customer that finds us already knows that,” explains Co-owner Enzo Minniti.

PHOTO COURTESY OF SCENIC LANDSCAPING AND PROPERTY MAINTENANCE.

Insurance a must

In Connecticut, there’s a filing fee paid to the Department of Consumer Protection to get the license, and every year there’s a small fee due to maintain that license. The government, then, has some idea of which companies are operating in the state and what type of work they’re doing. It also gives the state a chance to be sure that licensed companies are carrying insurance. Never underestimate the importance of being properly insured.

Insurance coverage also differentiates true professionals from fly-by-nighters. In addition to insurance coverage on all of its vehicles, Scenic Landscaping also carries a general liability policy. While the costs of insurance are real, so too is the peace of mind it brings, he emphasizes.

“I would never do business without insurance. You never know what’s going to happen on the job. We’ve had incidents where we’ve backed into garage doors when we’re out plowing, just because it was slippery out. Having insurance has probably saved us money in the long run,” says Minniti, who uses his licensing and insurance coverage as a marketing tool, of sorts. “So just about every customer that finds us already knows that.”

He is not alone in stressing how important it is to operate with all of the necessary licenses and insurance. “I feel that it’s an important part of what we do – to let perspective clients know that we do care about what we’re doing,” says Gary Stoffel, owner of Valley Lawn Care in Appleton, Wis., who prominently promotes on his website that the company is “Licensed, Certified & Insured.” “I think it communicates to people that, if they were to hire us, they would get the best professional care there is,” Stoffel explains.

Let customers know

In Davie, Fla., Frank Prieto, owner of Superior Lawn & Landscape, goes so far as to scan actual images of his company's various licenses and insurance certificates and put them up on his website for customers to see.

At the very top of the Citrus Valley Lawn Care website (www.citrusparklawncare.com), the company touts that it is "Licensed/Insured/State Certified." Denis Perry explains, "I use it as a big part of our sales presentation and in all of our marketing materials. It's something that we definitely point out and emphasize to potential customers." Commercial customers usually require documentation of licenses and insurance, but many homeowners aren't aware of the importance of these issues, he says. In particular, Perry says he tries to educate customers on the licenses required to apply chemicals, and explains that his company has those licenses while some others may not.

For lawn and landscape companies to operate legally in Tampa, a state business license is required, and a business tax is charged each year based on the number of employees, explains Perry. "So we have that; we have a \$1 million general liability insurance policy; we have workers' comp; I have all my chemical licenses," says Perry, who admits there's a cost for all of the proper insurances and licenses.

"We point out that we might be a little bit higher price because we have all of those things in place," he says. "Similarly, our crews in the field are all backgrounded and drug-tested and are all in uniform. It's all part of the overall package of operating at the highest level of professionalism we can." Perry also explains to potential clients how having these credentials and the proper types of insurance offers them greater assurances of a quality job and protection should something go wrong. "It just shows that we're more reputable, and that we're committed to doing the right thing."

Perry is secretary of the Florida Landscape Maintenance Association, and from his involvement with that organization knows that there are plenty of opportunities for those in the green industry to get the education they need. "We provide the classes and the courses for members and non-members to get their certifications and proper licenses," he explains. Pesticide training is available within every state, and a few states, such as Georgia, even offer industry certification programs that help to educate and test the general knowledge of those working in the turf profession.

PLANET offers a variety of different national certification programs, and the educational components to go with them. These include certifications for managers (covering the financial aspects of running a company), turf-related certifications (that cover technical and horticultural topics), and a new Landscape Industry Certified Lawn Care Technical program (which is unique in that it requires technicians to demonstrate they can do certain jobs with a hands-on component).

"It's a good way to train people who have come into the industry and don't know it that well," explains Delaney of the certification programs. Company

training is important for getting employees to understand procedures and expectations within the company, but PLANET's certification programs operate on a national, industry-wide scope and consist of carefully designed training systems based on proven concepts, he emphasizes.

Some companies tie PLANET certification to employee pay grades; in other cases it's simply a situation where the employee can feel pride in having accomplished something (certification) than many others in the industry haven't. "It makes them feel good that they were able to train for something and then prove themselves on a test," says Delaney. And it benefits the industry by increasing the professionalism of those working in it.

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