



THE ACT REPORT

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ACT AFFILIATES consider a new approach to organizing presented by Jeff Grabelsky (left), of Cornell University. Grabelsky has worked with the IBEW to develop "Construction Organizing Membership Education Training", COMET. The program explores new approaches to organizing, as well as old methods like job salting.

Charleston Trades Begin Organizing Drive At B&R

When Brown & Root first came to West Virginia about three years ago, picket lines went up and union members turned out. If the organizing effort is successful it'll be a new twist for Brown & Root. For years it's been a union-buster. Now it faces being unionized itself.

But the story that has been told and retold so many times previously across the nation came true here in West Virginia as well.

The power of the picket line wasn't enough. Work that once couldn't be done without local union construction trades suddenly was being done by non-union workers.

It's three years later and the Charleston Building & Construction Trades Council is now taking a new approach.

Instead of standing alongside highways in front of the chemical plants where Brown & Root has a foothold, they're organizing Brown & Root workers.

Two Locals Added To Act Membership

ACT has added two new pipefitters local union also members to its ranks. Cement Masons Local 887 and the United Association of Plumbers and Pipefitters Local 565 recently voted to join the Affiliated Construction Trades Foundation.

The Cement Masons, based in Charleston, met last Nov. 19 and all 31 of the members voted unanimously to join. Then on Jan. 22 the 350-member, Parkersburg-based

"You're a fool to think that Brown & Root is just going to walk away from these plants," said Charleston Building & Construction Trades Council member Randy Henderson, business manager of the pipefitters local, said members joined for several reasons.

"We felt we needed to join ACT in order to educate the public about the dangers of non-union Brown & Root and contractors of this nature," he said.

That effort already is paying off. Just this past Feb. 8 seven members of the Joint Legislative Rule Making & Review Committee backed ACT's stand on Cancer Creek. Now the bill goes before the entire Legislature. It likely won't be acted upon until near the current session's end in early April.

The Cancer Creek Bill is a proposal by the state's Water

ACT Battling Cancer Creek Fight In Media

In what may be the most costly legislative public relations effort in state history — the Affiliated Construction Trades Foundation (ACT) is battling the proponents of the Cancer Creek Bill at the State Capitol and in West Virginia's media.

Picking up where a then newborn ACT and Steve Burton's Tri-State Building & Construction Trades Council left off at the end of the 1992 legislative session, ACT is explaining to West Virginians statewide probably for the first time what will be the real effects of special interest industrial legislation.

ACT's Cancer Creek television and newspaper advertising schedule alone — expected to cost more than \$175,000 by the legislative session's end — has touched every corner of the state from Wheeling to Martinsburg to Parkersburg to Bluefield and points in between.

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Resources Board to permit industry to dump up to eight times more cancer-causing chemicals, including deadly dioxin, in West Virginia's rivers and streams — the water we drink and swim and fish in.

The Cancer Creek Bill was originally sought by Gov. Gaston Caperton's administration as a lure to Alabama Pulp & Paper Co. to cheaply build and operate a non-union paper mill at Apple Grove, Mason County. But to achieve that Alabama P&P would have to be permitted to dump more dangerous chemicals into the Ohio River than modern paper mill technology requires.

Of course, the state can't pass a law just to favor one industry. So to make matters

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Hectic Activity Good For ACT

By Bruce Tarpley
ACT President

It's been truly hectic around and with ACT in the past several weeks. That's good for ACT's members.

It's hard to say what has been the prime cause of all this busyness. Fact is, it's been everything. And that's the pain of a truly good thing growing. As ACT has been.

Take the work of Tim Millne, for example. Tim's job is to search out prevailing wage government projects and make certain that contractors are doing just that — paying their workers the prevailing wage. And, of course, he's finding some who aren't — and others who didn't in the past and now bidding for new jobs.

When you're just beginning a project of such wide scope like this, it requires a lot of travel. That's what Tim's doing — traveling throughout the state. It's time consuming now, but it'll pay off for ACT — and ACT's members — in the long run. Eventually, of course, we hope the day will come when the contractors who would otherwise cheat if they weren't closely watched will be afraid to do so because they know for certain ACT is watching.

Meanwhile, ACT's Bill Thomas is hard at work with Bubby Casto of the Charleston Building & Construction Trades Council in navigating an organizing drive among Brown & Root workers at Union Carbide, duPont and Rhone-Poulenc in the Kanawha Valley. Shocked? Don't believe Brown & Root can be brought into the Union family? You say the nation's largest contractor has successfully fought off all previous union organizing drives?

So what? There's always a first, and ACT believes West Virginia will be that first. We believe Casto and Thomas have a real shot at succeeding in their organizing efforts. We won't give away their strategy, of course. But you can be certain the extensive financial resources of ACT made possible by its local union members' contributions have created an entirely different playing field and ballgame in our contest with Brown & Root. Something B&R has already learned.

On yet another front up at the State Capitol where the Legislature is now meeting, ACT is continuing its biggest fight yet against out-of-state corporations which want to increase the amount of industrial pollution — cancer-causing chemicals — they can dump into our streams and rivers.

That's not an easy fight. Many would-be state economic development experts and key state legislators are supporting what ACT calls The Cancer Creek Bill. They mistakenly claim it'll be good for West Virginia if it's adopted. Good for industry which wants to make bigger profits by not building the necessary environmental controls and facilities needed to provide a healthy

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Finally Cheaters Getting Caught

ACT Fights Bid Award

Finally . . . some of the "We protested on the grounds that Mid-Eastern had falsified certified payrolls and not responsible bidders. Not cheaters are beginning to be caught. lied to a judge about that only did we have Mid-Eastern

And ACT is catching them. The Highgate Carriage House project in Fairmont is the renovation and restoration of a historical site. falsification on a previous project," Millne said. were also given access to

Later Millne met with Fairmont City Planner Dave until it is finished.

Before the bid opening date of Jan. 8, ACT sent a standard letter to all of the bidders — including Mid-Eastern Construction of Fairmont — letting them know they would be monitored for compliance with the prevailing wage requirements of the federal Davis Bacon Act. Marino. Millne said he was told Mid-Eastern had been returned its bond money, and was no longer contracted to do the work. "We'll be watching and these guys (Brothers Corp.) will have to do everything by the letter of the law."

Mid-Eastern was also awarded contracts the Mon-Pointe Health Care Project in Morgantown, and the County Court House in Pendleton County.

ACT also is looking into the possibility of having these contracts rejected as well.

"We think having them thrown off the job in Fairmont will carry a lot of clout when they're considering them for the job in Morgantown and Pendleton County," Millne said.

According to Tim Millne, the ACT Fair Contracting Representative, when the contract was awarded to Mid-Eastern, ACT moved into high gear and protested. "The over-all goal of ACT in situations like this is to create a level playing field for all contractors", he said.

Trades Beginning Brown & Root Drive

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Construction Trades Council have said that they support the Business Manager Bubby Trades organization efforts of Casto. Brown & Root.

"These workers need to be organized and they want to be organized by the building trades." These unions represent approximately 1,200 members who work alongside B&R employees at the Union Carbide and Rhone-Poulenc plants.

The building trades has responded to that need by hiring an organizer to take on this project. ACT continues to work on a useful tool in getting that pointing out the risk to the public of having untrained workers in these plants.

According to ACT Director Steve White, "We will do whatever we can to assist in this effort. If the building trades can succeed, the message to all companies will be clear that the construction unions are unified in their fight to provide a trained, skilled, and safe workforce." ACT received internal memos from DuPont's Belle plant that confirmed Brown & Root's shoddy work practices.

Telephone calls and letters from B&R's own employees as well as other company employees complaining about safety in the plants are regularly received in the ACT office.

Local unions 498 and 656 of the International Machinists and Aerospace Workers (IAM) office.

Two Locals Join ACT

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"People need to know what the unions are doing and how well our members are trained."

Henderson said ACT will be a useful tool in getting that message out. "We feel ACT is the new vehicle to get the union's point across to the public," he said.

ACT President Bruce Tarpley welcomed these two new affiliates, commenting:

"We are getting the job done and simply need more participation to do more. Adding Cement Masons Local 887 and Plumbers and Pipefitters Local 565 certain greatly contributes to this goal."

'Cancer Creek' TV Ad Isn't Just Pretending

Just in case you haven't seen ACT's "Cancer Creek Bill" television ad which has been shown throughout West Virginia in recent weeks, here's what it says:

Remember when you were a child and played "let's pretend." It was fun.

But it's no fun when big industry wants the legislature to play "let's pretend."

Because they want a law pretending there's more water in our streams than there really is.

And then they'll pretend the chemicals they dump in that water won't really cause cancer.

And then you can pretend . . . You're really not dying.

Say "no" to the cancer creek bill. It's not pretending.

New Video Explains Whys, Hows Of ACT

Over the months of November, December and January, ACT's Bill Thomas became a television director. Thomas ordinarily is industrial representative. But during the last months of 1992 and early 1993 he spearheaded the video production telling ACT's story and goals from its beginning in December, 1991, to the present.

The actual taping was performed by Chris Bedford of Organizing Media Project in Maryland. Thomas set up the interviews and meetings with members of ACT's participating local unions. The video explains the why, where, and how things are done at ACT, and why other local unions should join the effort.

During the taping, Thomas had a unique opportunity to meet a lot of people who earn their living in the trades — some union, some non-union. And he said one fact became clear to him in these meetings. "Non-union contractors are scared of ACT!"

For Thomas, the highlight of the project was when he and Bedford went to a scab job with their camera rolling. "Tim Millne had targeted this job and was making a stop to check to see if all federal regulations were being complied with," Thomas explained.

"The scab contractor objected strongly to our presence but we kept filming anyway." Thomas believes the result of his visit was positive. "The contractor sent his undocumented foreign workers packing and when the local Painter's Union business agent

made his visit two days later, he was treated very cordially," he said. Tim Millne is following up on this project by reviewing the certified payrolls. Thomas added that something not so positive was uncovered by his interviews. He said he learned many union workers in early March.

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ACT Protests Road Contract

Last November the Department of Highways awarded the \$27 million job," Millne said.

Crawley Creek highway contract in Logan County to Elmo Greer & Sons Inc. But Greer & Sons may have trouble keeping that contract. After checking with the Secretary of State's office, ACT representative Tim Millne found discrepancies he felt might affect the award.

Millne obtained a copy of a court decision showing that the Circuit Court of Kanawha County dissolved Greer & Sons' corporate charter on April 24, 1991. The charter was dissolved for non-payment of state corporate taxes. Millne took this information to Jackie Hallinan, a lawyer in the office of ACT Attorney Stuart Calwell, and asked her to protest Greer's bid to the Division of Highways in the State Department of Transportation.

Millne said that ACT's next step is to notify the public. "We're going to take it public, and we're going to lobby to give them that authority," he said. "We want our state agencies to be able to take contracts away from irresponsible bidders."

The Secretary of States office has contacted ACT for help in drafting new legislation to prevent this type of event from occurring again.

Millne also notified the other bidders on the Crawley Creek project he was protesting the award of the bid to Greer.

"We protested on the grounds Greer was in receivership and his charter

was dissolved. Yet he was still allowed to obtain the project either be re-bid or awarded to the next responsible bidder. But when Division of Highways Commissioner Fred Van Kirk was presented with this plan he rejected it. Van Kirk said he was without authority to take the job away from Greer.

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Cancer Creek Fight Carried Out In Media

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even worse, opening the door for increased stream pollution by Alabama P&P opens it to all other industries, including existing ones which now meet present-day state industries which now meet West Virginia's stream pollution regulations.

What will happen if the Cancer Creek Bill is passed, then, is existing industries will flood the Water Resources Board with new applications to increase the amount of cancer-causing chemicals they can dump into West Virginia's waterways.

Although ACT has been accused by some state officials and legislators of fighting the Cancer Creek Bill only because Alabama P&P wants to build the Apple Grove, Tri-

State's Steve Burton said that's "absolutely not true."

"We want to protect our members and their families," Burton said. "They live here and the corporate executives of Alabama Paper don't."

"ACT is opposed to passage of the Cancer Creek bill today, tomorrow, next week, next month and next year."

Trades To Hold Memorial Service

Workers Memorial Day falls on April 28 this year.

The West Virginia Building & Construction Trades Council plans to participate by holding a memorial service for workers who were killed on injured while on the job.

The service is scheduled to take place April 28 at 6 pm at the State Capitol staging area.

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ACT Conducts Public Opinion Poll

State Says Worker Training Is Necessary

The results of a public opinion poll conducted by ACT were released to the public at a news conference Feb. 17 in the rotunda of the State Capitol.

Copies of the poll were also presented to all 132 members of the Legislature and Gov. Gaston Caperton.

The conference was conducted by ACT President Bruce Tarpley. Tarpley discussed the attitudes of West Virginians toward construction, the environment and the chemical industry.

"The public overwhelmingly agrees that construction workers in dangerous plants should be skilled", Tarpley said.

"This is an issue of public safety as much as worker safety."

Tarpley

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environment; bad for West Virginians whose jobs, environment and health will suffer if industry is allowed to go on the cheap.

The Cancer Creek legislative fight alone will cost ACT upwards of \$175,000. All those Cancer Creek television and newspaper advertisements you've been seeing the past two months aren't free, you know.

We believe ACT can win the Cancer Creek fight — just as it won it last year working with Steve Burton and the Tri-State Building & Construction Trades Council. Just as we believe we're going to win in our organizing efforts at Brown & Root.

It'll take time. It'll get even a lot more hectic around the ACT office before we achieve all this.

But we'll win. We know it. And our opponents fear it.

Also attending were Joe Powell, president of the West Virginia Federation of Labor,

Training Benefits Plasterers, Masons

Operative Plasterers and Cement Masons Local 249, based in Huntington, has 53 members.

The jobs they do vary — but most of their work is on bridges, buildings and inside plants.

Business Manager Leonard Romans says unfortunately membership has decreased recently, largely due to the lack of work and the "non-union element doing most of the construction work."

The local has four apprentices, Romans said. They benefit the local by keeping new members trained and help contractors "by

AFL-CIO, and Allen Fisher, secretary of the West Virginia Building & Construction Trades Council.

giving them someone qualified to train."

Romans' members are concerned about health care costs and "the non-union element."

On his local's relationship with ACT, Romans believes "it puts us closer with other crafts involved in all aspects of the building trades."

"Also, it keeps us on a first name basis. We're more friends than foes," he concluded.

The president of OPCMIA Local 249 is Dave Furgeson and the vice president is Glen Romans II.

Bricklayers Grow Despite Economy

Charleston-based Bricklayers' Local Union 9 was organized in 1921 and membership is continuing to increase despite the poor economy.

Currently there are 210 members, according to Business Manager Herb Smith. He said this increase in membership is due to several reasons.

"There has been more work available and the jobs have been better," Smith said. "When these conditions arise,

people tend to become more involved in union activities."

When asked what type of work his members prefer, Smith answered "everyone prefers long-term jobs."

The local boasts 13 apprentices. Smith said he's a fan of the apprenticeship program because it "perpetuates itself, it gets us more skilled journeymen."

Not unlike workers everywhere, Smith says his members are most concerned with "making enough money to pay the bills." And he believes his local benefits from working with ACT.

"The fact that ACT is in existence means jobs down the road because it (ACT) has the potential to make the trades' voice heard," said Smith.

The president of Bricklayers' Local 9 is Robert Eads and the vice president is Tedie Jackson.

D-Kanawha, have agreed to introduce the legislation which will require skill certification.

The Poll Results

- 97% believe workers should receive at least a fair amount of training before being allowed to work in chemical plants which produce highly dangerous chemicals.
- 73% believe chemical companies would risk hiring people with little or no job training to work around dangerous chemicals if those companies believed they could make bigger profits.
- 92% would be somewhat fearful of their health and safety if they lived near a chemical plant that didn't require its construction workers to be trained in their jobs before building facilities to produce dangerous chemicals.
- 69% believe chemical plants are potentially the most dangerous of industries to the health of the general public.
- 46% believe jobs are most important to them and their families in their daily lives (compared with 32% who said the environment and 13% who said schools).
- 53% believe an accidental release of an unknown gas or chemical into the air is the most dangerous of industrial accidents to the general public.
- 56% believe the government's environmental controls on industrial air and water pollution are not sufficiently strong.
- 75% believe air and water pollution produced by chemical companies affect their health and that of their families.
- 79% believe there are health considerations for them and their families in deciding whether to live near a chemical plant.
- 89% believe chemical companies should tell the public when they're producing highly dangerous chemicals.

Affiliated Construction Trades
523 Central Avenue
Charleston, WV 25302
(304) 345-7570

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