



THE ACT REPORT

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A PUBLICATION OF THE AFFILIATED CONSTRUCTION TRADES FOUNDATION

APRIL, 1995

AFL-CIO Asks Members' Help In Comp Fight Back

Hampton Suit Adds 8 Workers

The fight over Workers Compensation reform is far from over according to Joe Powell, President of the West Virginia Labor Federation, AFL-CIO.

"There was an indication from some of the legislators that they thought the issue would blow over, but we are not going to forget," Powell said.

The AFL-CIO is embarking on a campaign to inform the voting public about legislators' voting record on the issue.

"A lot of the legislators who professed to be our friends did not assist us in fighting the Workers Compensation bill," he said. "We felt it necessary in the next election to inform not only our own members, but

the workingmen and women of West Virginia as well," he said.

In order to fund the "media blitz" the AFL-CIO is making a rare request for donations from union members.

"We are requesting a one-time voluntary donation of \$5.00, per member," Powell said "which will be used strictly for the Workers Comp issue in letting the people know

Members will be contacted by their business agents for details on how to donate. But ACT locals don't need to ask their members for more money. The ACT Foundation is making the donation on behalf of its members.

"We'll do all we can to work with the AFL-CIO in this fight," said ACT Director Steve White.

ACT has already done a lot to keep the issue alive, White said. Before the Workers Comp vote ACT ran newspaper ads informing the public about the worst parts of the bill. ACT also ran ads in 31

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Eight members of the United Association of Plumbers and Pipefitters Local 625 have been added by the National Labor Relations Board (NLRB) to the list of workers discriminated against by the contractor building the Charleston Hampton Inn.

That raises the number of workers eligible for back pay awards to 44.

The case against two out-of-state contractors on the Hampton Inn project is moving ahead.

The NLRB issued a complaint in February against Construction Concepts of Oakland, Tenn. and Oakland Electric

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'There was an indication from some of the legislators that they thought the issue would blow over, but we are not going to forget.'

W.Va. AFL-CIO President Joe Powell

In fact, the only other time there was a donation drive was for a "war" chest to fight a Right-to-Work-for-Less battle that occurred during the 1980s.

That fight was very successful and such legislation has not been introduced for five years.

who our friends are and who our enemies are."

Powell said a complete accounting of the use of such monies will be provided.

Workers Picket Renovation Job

Six building and construction trades members recently staged a public informa-

tion picket on Woodway Construction of Barboursville outside a renovation project in downtown Huntington.

The refurbishing of the old Huntington Department Store into a micro-brewery has been hailed by some as great economic development for the city.

However, Tim Millne, ACT's fair contracting representative, disagrees.

"We've heard all this hoopla about economic development, but that begins with a sound tax base," Millne said.

"We found out they were

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PLANNING FOR THE FUTURE is Steve Burton, business manager for the Tri-State Building and Construction Trades Council, at a recent meeting of ACT and Building Trades executive boards in Wheeling March 24-26. The group met to discuss short and long term goals for both organizations.

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Mark Estlack New Millwrights 1755 Business Agent

Ullum Gets International Post

Millwright Local 1755 of Parkersburg has recently seen a change of leadership.

Harold "Dick" Ullum, business agent for 12 years, has been named Representative to the General President of the United Brotherhood of Carpenters and Joiners of America.

His responsibilities include coordinator for the 2nd District Organizing Committee and a post on the 2nd District Steering Committee. The district covers West Virginia, Pennsylvania, Maryland, Virginia, Delaware, New Jersey and the District of Columbia.

Ullum said his new position is challenging and he's enjoy-

ing it very much. "It's something new," he said. "I'm experiencing the Brotherhood of Carpenters on a whole different level."

The Carpenters will be increasing organizing and COMET training so "the members had better be prepared," Ullum said.

Ullum was replaced by Mark Estlack who held the post of Assistant Business Agent for five and a half years.

"We have a quality organization in all respects," Estlack

said. "I intend to maintain the present standards and do whatever I can to improve it."

Estlack said his duties in-

are running smoothly but the leadership is always working to improve them, he said.

"We are very proud of our

apprenticeship and training programs," Estlack added. "We would also like to expand our COMET program and branch into new areas of political action."

Estlack said ACT is important toward meeting those goals. "Our future hinges on securing work for our members. All these are important tools to this end."

He brings much experience

to his new position. In 1972, after attending WVU and Fairmont State College, Estlack started in the trades as an apprentice. He taught for three years in the apprenticeship program and served in various delegate posts, committees and several local offices.

"I'm now looking forward to a bright future for Millwright Local 1755," Estlack said.

Charles "Chuck" Craig is Estlack's new assistant. Craig has been active in union affairs since 1975 when he came into the trades through the apprenticeship program. He served on the Millwrights' executive board.

'I'm experiencing the Brotherhood of Carpenters on a whole different level.'

New Carpenters International Rep Dick Ullum

involve a much higher level of responsibility, but with areas he is familiar. "Dick built a good, solid organization," Estlack said. "There's no need for major changes right now."

All of the local's programs

ACT Locals Organizing Political Committees In Preparation For State's 1996 Elections

Faced with a major setback at the polls last election and a stinging defeat over the Workers Compensation law in the state legislature, ACT affiliates are organizing to fight back.

In an effort to get the membership more active in politics, Raymond "B.B." Smith, ACT's legislative representative, is working with ACT affiliates to start local legislative committees.

"If we don't get going we will have our clocks cleaned in 1996," Smith said. "Let's face it, our 'friends' have told us they don't care about our endorsements any more."

"We need to show them how wrong they are."

Smith said the legislative committees would be the main line of defense in the fight for union survival.

"Our plan is built around the idea that a core group in each local can keep all members informed on issues affecting them," he said.

"We need to let our members know early on how issues like the recent Workers Compensation fight are direct attacks on working families."

Part of the plan is to have 100 percent voter registration in each local union.

"No one believes in the democratic system more than

union construction workers," Smith said. "If you love your country then you must take the time to get involved, vote, and be a part of the process."

Local committees are needed to work on a variety of activities like finding candidates to run for office, helping at election time, lobbying legislators, writing letters to newspapers, and simply keeping their fellow members informed.

Some members have already signed up to be on their local's legislative committee, but that's just the beginning, according to Smith.

"I will meet with each local legislative committee and give them the tools they need to get started," he said.

"We will be providing training and resources to back them up all the way."

"We plan to bring all the committees together each year for a training and strategy session. These committees will be in on the decision making."

If you are interested in being part of a legislative committee, contact your business agent or the ACT office for more information.

Political Committees' First Members

Boilermakers 667

Ron Bush
B.B. Smith
Bob Griffith
Keith Andrews

Bricklayers 5,9,15

Leroy Hunter
Billy Joe Smith Jr.
Richard Wilson

Carpenters 302

Randy May
John Hanshaw
Marion Priode
William G. Burton
Michael Jones
Timothy Norris

Carpenters 899

Bevin Seaman
Carl Nonamaker

Carpenters 1207

Robert Sutphin

Cement Masons 887

Mark Smithson

Laborers 543

Dave McComas
Henry Dillon
Steve Cook

Painters 1144

Harold Stephens
Dan Polling

Michael Browning

Richard Spiker
Lonnie Long
Billy Bradley

Plumbers and Fitters 83

John Hickey
Tom Johnson

Sheet Metal Workers 33
Jay Harrison
Dale Van Bibber

Teamsters 789

Tom Springer

Workers Picket

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offering \$4.75 per hour."

"Surely, this can't be considered economic development by any warped sense of the term.

After running a standard check on the company, Millne questioned whether they were in violation of the Wage Payment Collection Act and the Contractors' Licensing Act.

The Wage Payment Collection Act requires a wage bond covering workers on a project. But Hardiman only registered two employees, when Millne speculates the total is more like 11.

AFL-CIO

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papers across the state showing how legislators voted on the issue.

"Now, the Chamber of Commerce has begun running ads thanking the legislators who voted for the bill. They have the nerve to say it will protect the workers in the future," he said.

"But they fail to mention the millions of dollars businesses owe to the fund and that injured workers and their families must make up the difference with less benefits. The public must know they are paying for something big businesses cheated them out of," he said.

The Workers Comp problem is seen by many as a show of weakness for organized labor. In response ACT is planning on getting its members a lot more involved in politics in 1996.

Legislative committees are being formed at all ACT locals in order to be prepared for the 1996 legislative session and elections.

"We just lost a battle but the war will be decided next year. If we don't start mobilizing now we will be in big trouble," commented White.

The Contractors' Licensing Act states contractors must pass a test in order to be licensed. Hardiman grandfathered in as an individual but didn't become licensed after his company incorporated in 1993.

"Woodway is currently two years delinquent on its Business & Occupation taxes which I confirmed with the city auditor's office," Millne said.

"Woodway Construction's track record suggests it must feel these laws don't pertain to it."

Members from Carpenters Local 302 and Laborers Local 543 put up a picket line to get the message out.

Because of the picket, area newspapers began covering the story, then West Virginia's Division of Labor (DOL) became involved.

Millne informed the DOL of his findings and it issued two cease and desist orders, one for each violation, against the company.

"Violation of West Virginia's laws is not sound business practice," Millne said. "It's not good for the economy.

"It affects everyone, not just union members."



PICKETING a non-union job in Roane county are nine ACT members. Three crafts--Pipefitters, Operating Engineers, and Laborers--were represented on the picket line outside Gary Elementary School where Kyle Construction is the general contractor.

Laborers' Get State Approval For Apprenticeship Program

The West Virginia Laborers' Apprenticeship Program was officially signed into being early this year when union representatives met with government officials to sign the standards for the new Laborers' Apprenticeship Program.

Wetzel "Corky" Harvey, West Virginia Laborers' District Council Business Manager is Chairman of the Joint Apprenticeship & Training Committee (JATC).

Harvey commended the diligence and hard work of John Gilbert, Associate Director of the Mid-Atlantic Cooperation Trust in West Virginia, who "carried the weight of this initiative from start to finish."

The documents were signed by Harvey, Dana Daugherty, State Director of Bureau of Apprenticeship Training, and Mary Jo Thompson, JATC Secretary and Director of Association Service for the Ohio Valley Construction Employers Council.

Training Fund Administrator/Apprenticeship Coordinator Joe Tamburin, said recognizing construction laborers as a craft by the U.S. Department of Labor is truly a historical event.

"The inception of this Apprenticeship Program marks a tremendous milestone for our organization and I am deeply honored to have been selected by the JATC to serve as the program's coordinator," Tamburin said.

To achieve journeyman status under the program, apprentices must complete 4,000 hours of on-the-job training, including general and specific skills.

In addition, individuals are required to attend 408 hours of off-site, related and supplemental hands-on instruction to be held by the West Virginia Laborers' Training Fund staff.

"The skill requirements of the construction industry have changed dramatically over the last few decades," Tamburin said.

"And if we're going to be able to compete against the non-union element, we've got to be the best in the business," Tamburin said. "We believe this program will provide the ways and means to reach that status."

**Attend the West Virginia
Workers Memorial Day
in remembrance
of our brothers
and sisters who have
died on the job.**

Stand UP



A Real Voice on the Job

THE MEN AND WOMEN OF THE AFL-CIO LEADING THE FIGHT FOR AMERICA'S WORKING FAMILIES

**Friday, April 28
6 p.m.
Benwood Park
Near Wheeling
State Route 2**

(Use 4th Street Exit)

'Pulp Fiction/Poison Promises' To Air With New Discussion

Backed by federal and state Freedom of Information laws, ACT is uncovering many of the secret deals behind the Apple Grove Pulp and Paper mill project.

ACT is still fighting for access to all of the documents kept by state and federal agencies.

Some of the information revealed found so far includes the fact mill owners Parsons & Whittemore, based in Rye Brook New York want:

- State loans of \$180 to \$200 million.

- A series of road and bridge improvements costing taxpayers over \$580 million.

- The state to provide direct assistance for financing logging equipment, building logging roads, financing new logging, trucking and rail expansion.

- A lease agreement for their property to avoid property taxes.

- Super tax credits of per-

haps \$360 to \$540 million according to notes on a letter from former Governor Arch Moore.

Another interesting topic of numerous internal memoranda is the negotiations over state water quality standards.

what we have said all along," said ACT attorney Stuart Calwell.

"Secret deals were being made that jeopardized public health.

"If ACT hadn't gotten involved, West Virginia's water

age of Parsons & Whittemore's pulp mill in Alabama as well as interviews with labor leaders, Apple Grove residents and Admiral Elmo Zumwalt, former Chief of Naval Operations, a staunch adversary to dioxin pollution.

ACT Director Steve White.

White cited the fact mill owners and state officials will not even discuss the two issues ACT continues to raise -- hiring local people to build and operate the mill and building it with state-of-the-art technology that doesn't create dioxin.

"We will continue to air this show until we feel our message has been heard," he said.

"The public needs to know this new information on taxes, jobs and secret deals."

ACT has commissioned a study of the economic impact the mill will have.

The study will look at the difference to the state economy between hiring local people at local wages and importing workers at low wages.

White said he hopes ACT members who may have missed the show the first time will be sure to watch it, and all members will urge their friends and family to watch as well.

ACT PULP MILL TV SCHEDULE

WED., APRIL 19, 7 P.M.

Parkersburg, WTAP -- 15

Wheeling, WTRF -- 7

THURS. APRIL 20, 7 P.M.

Clarksburg, WDTV -- 5

THURS. APRIL 20, 7 P.M.

Oak Hill, WOAY -- 4

Huntington, WOWK -- 13

SAT., APRIL 22, 7 P.M.

Charleston, WCHS -- 8

Mill supporters were clearly advocating to change West Virginia water standards to accommodate the new mill.

ACT pointed out the result would have been a disaster in the 1992 and 1993 Cancer Creek fight.

"These documents prove

would be more polluted and for no reason other than to save the pulp mill owners money."

In an effort to reach even more people, ACT is again airing its video "Pulp Fiction/Poison Promises (see schedule above).

The program includes foot-

A new studio discussion hosted by former State Department spokesman Hodding Carter will be included.

"We have always been in support of the jobs a new mill could provide but we think there are other issues the public should be aware of," said

Discrimination Suit Against Hampton Inn Adds Eight

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Corp. of Memphis, Tenn. charging numerous unfair labor practices.

This came after 36 union

construction workers filed complaints with the NLRB charging they were passed over for jobs because of their union affiliation.

Just last month eight members of Plumbers & Fitters Local 625 were added as well.

"We waited until we could show a plumber was hired on the job who applied after we did to file our claims," said T. L. Ranson, Business Manager for Local 625.

According to Bill Thomas, ACT's industrial representative, the NLRB is sending questionnaires to all the people who applied for jobs on the project and were included in the complaint.

"I think the questionnaire is to let the Social Security Administration release wage information so they can determine the amount of backpay these people are entitled to," Thomas said.

Thomas said about 60 union members applied for jobs at the site.

However, the NLRB refused to process some of the claims either because they couldn't get in touch with the workers or because the NLRB felt some workers wouldn't have taken a job if offered one.

Thomas is very optimistic because the NLRB has agreed with the union claims and is now acting as legal council for the workers.

"I think we have a considerable amount of evidence that shows these contractors had no intentions of hiring even one union member," he said.

Besides Plumbers & Fitters

Local 625 the case involves members of Operating Engineers 132, Iron Workers 301, Carpenters 1207, and International Brotherhood of Electrical Workers 466. All except the electricians are ACT members.

The NLRB hearing date is set for July 27.

The ACT Report

A monthly publication of the Affiliated Construction Trades Foundation, an association of West Virginia building and construction trades local unions, with offices in Charleston and Clarksburg.

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