

THE ACT REPORT

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The ACT Foundation is an association of West Virginia building and construction trades unions, with offices in Charleston and Clarksburg. Bruce Tarpley, President; Steve Burton, Vice President; T.L. Ranson, Secretary Treasurer; Roy Smith, Executive Director; Steve White, Director.

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Meade Workers Vote 'Yes' For Tri-State Representation

An early April vote by the 72 employees of Meade Construction of Catlettsburg, Ky. was in favor of the Tri-State Building and Construction Trades Council.

The vote was a run-off between joining Tri-State and the American Federation of Unions (AFU), based in Louisiana.

The final vote was 35 in favor of Tri-State, 30 for AFU, two challenged ballots and five who didn't vote.

Tom Williams, organizer for Tri-State, said the outcome came after a lot of hard work by everyone involved.

Bricklayers, Iron Workers Vote to Join

Two Parkersburg locals voted to join ACT recently, adding more than 500 new members to its roster.

Iron Workers Local 787

In late March Iron Workers Local 787, with 340 members, voted ACT in.

Bob Dotson, business manager, said the local also has about 10 retirees and 33 apprentices with employment currently at about 90 percent. Dan Slavin is financial secretary and treasurer.

Dotson said the members of Local 787's major concern is the non-union element beginning to take over work in the

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"I'm pleased to have been a part of this team effort and

of the business agents who worked so hard to make it

what they already knew, Williams said, that is -- if unions want to be successful in organizing and gaining new contractors, "they have to do it through the people, make a commitment to the people and stand by their commitment."

Williams said the Meade campaign had been ongoing for about two years.

"We had some false starts along the way where we had to back up and regroup, but we kept at it," Williams said.

Salting proved unsuccessful until last summer when a Boilermaker was hired on a job and got some representa-

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VICTORY AT LAST for the employees of Meade Construction in Catlettsburg, Ky. shown here with local business agents after the vote in favor of Tri-State Building Trades Council.

proud of the Meade employees who were willing to stand up to the company and fight for their rights. And I'm proud

happen. Without them, none of this could have been possible," he said.

The campaign reinforced

No Vote For WV Jobs Act, Bill To Gather Data In Doubt

It is another year of disappointment for local workers who want a chance at getting the jobs our taxes create.

Even though the West Virginia Jobs Act has tremendous public support, the leadership of both the House and Senate prevented the bill from getting on almost all agendas.

"Both Senate President Earl Ray Tomblin and Speaker of the House Bob Kiss refused to let the Jobs Act come up for a vote," said ACT Director Steve White. "They don't want you to know where they really stand on local jobs."

"We documented how our

tax dollars are used to finance jobs for out-of-state workers. Yet many of these same politicians, who promise to create jobs for local workers, refuse to do anything."

A public hearing was held in late March where representatives from the Contractors

"... we have no right to find out where our own money goes."

Steve White, ACT Director

Association of West Virginia and the Associated Builders and Contractors spoke in opposition to the bill.

Critics of the Jobs Act have raised questions about whether the bill is constitutional and if other states may retaliate.

"In response, we point to the Appalachian Regional Commission and its similar hiring standards for federal construction projects," said White. "The federal government already requires local hiring -- we can do it too."

Jim Cerra, president of the West Virginia Construction Council came to support the bill stating "our contractors believe in hiring local workers. When they go to other states they hire locally. We support this bill."

When the bill was finally put on the agenda it passed easily, but the legislative session was almost over. Even though the

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Resolution To Study May Pass

Certification Requirement Added To Crane Safety Bill

One good thing that might come out of this year's legislative session is a resolution to study a crane safety bill.

Although the resolution is short of the bill to require certification of crane operators, the study resolution is considered a positive step.

The bill started out as a measure requiring cranes to have a warning device alerting operators when the boom was in close proximity to a high-voltage power line.

ACT worked to add skills certification as an important part of crane safety.

"A proximity warning device would be good but the deciding factor in the safety of the machine will always rest with the skill of the operator

sitting in the driver's seat", said Bruce Tarpley, business manager for Operating Engineers Local 132 and ACT President.

"There was consensus on the issue of safety and the need for skilled operators. It was agreed to study the situation and rework it," said Tarpley.

A number of states have crane operator certification laws already. In West Virginia certification is only required in some instances by industrial facilities.

"For instance, Dupont re-

quires certification through American Crane testing," Tarpley said. "But for the most part testing and certification are not required."

Tarpley said Local 132 implemented their own testing program and required certification for all crane operators as of January 1, 1996.

Operators can be certified through the National Commission for the Certification of Crane Operators which is sponsored by the Specialized Carriers & Rigging Association.

Benefits of Crane Operator Certification

1. Reduced risk of loss
2. Fewer accidents, injuries and fatalities
3. Assurance of operator's abilities
4. Less property damage
5. More efficient operation
6. Improved safety records
7. Enhanced public image of crane operators

Two Get \$11,000 From Embassy Suites Contractor

Two former employees of Dee Shoring received \$5,500 each from the company after reaching a settlement in an unfair labor practices suit.

Dee Shoring is the contractor who was hired to do the foundation and concrete form work at the Charleston Embassy Suites Hotel.

"The suit actually evolved from the case involving the

company Hiring Hall, which is closed now in large part due to the efforts of both the Tri-State and Charleston Building Trades," said Tom Williams, an organizer for Tri-State.

"Several people submitted applications to the Hiring Hall, where some revealed and some concealed their union affiliation," Williams explained.

Two carpenters from Ashland were referred to Dee Shoring by the Hiring Hall and put to work on the hotel project in Charleston.

"The day they started work was the day the Charleston Trades brought in a large group of people on the job.

"The two were surprised to

"You need a license to drive anything in this state from a MoPed on up," Tarpley said.

"Yet you can get on a crane and take it downtown and lift loads that endanger the lives of everyone within the boom distance.

"You don't have to prove your skill to anybody until you hurt someone and even then you don't have to be certified.

"We feel it makes for a better, safer work place if our workers must demonstrate the skills needed for certification," he said.

"And we as operating engineers want to be on the leading edge not waiting until the state makes a law.

"That's why we're going ahead and making sure ours are the highest skilled people running rigs in the state."

be fired upon their return from lunch.

"They were told the superintendent wasn't happy with their work, and weren't given any other explanation than that."

A later conversation between one of the workers and an employee of the Hiring Hall pretty much sealed the case, Williams said.

According to Williams when he called back, he was told "it looked very suspicious when a large group comes on to the job site to organize, then there are probably union workers already there, so the contractor has to fire everyone and start over."

Legislative Labor Issues

The Dirty Secrets bill passed in two different versions in the House and Senate.

The bill makes self-audits by industrial facilities inadmissible in civil, criminal and administrative proceedings.

"Because the measure was changed by the Senate, it still must go to a conference committee, where a compromise occurs, or it dies," said Steve White, ACT Director.

■The Greenbrier bill would have given the residents of Greenbrier County a vote on whether or not to allow limited gambling at the Greenbrier Resort but did not pass.

■State employees failed to expand OSHA regulations to cover correctional and legislative employees who currently have no safety protection.

■Mine Workers fought back a bill to allow diesel equipment in mines. Instead a special panel will study the issue and make recommendations back to the legislature.

■The West Virginia Development Office wanted a bill to stop the public from getting documentation regarding their projects. "Sen. Jack Buckalew, R-Kanawha, was the lead sponsor. When asked for examples of where such an exemption is needed Buckalew came up blank," White said.

That bill never made it out of the committee.

■Finally, a bill allowing utility companies to have political action funds was killed.

"Public utilities, such as power and water companies, have a monopoly. All of their costs are paid by the public. Allowing them to make contributions is just bad politics."



ACCEPTING CHECKS for \$5,500 are (l-r) Clyde Wallace and Joe Brumfield from Tom Williams, Tri-State organizer.

Parkersburg Iron Workers And Bricklayers Join ACT

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area. "Up until about the past five years you didn't see many non-union iron workers in our area. Now they're starting to creep in and when you start seeing jobs we have traditionally done now going non-union -- that's a big concern."

He said in his opinion ACT could help by monitoring jobs and enforcing the laws that are already on the books -- like prevailing wage.

"We can compete on an equal playing field with anybody but only if the laws are applied the way they should be."

Dotson said members of the local do all kinds of plant maintenance work, and structural steel such as bridges and rods.

Apprentices are required to complete a three-year appren-

tice course consisting of class work and on-the-job training, with six to eight hours per week in the classroom plus a 40-hour work week.

"They are certified in structural welding, reinforcing, blueprinting, fabrication and rigging when they complete the apprentice program," Dotson said.

Dotson said members of Local 787 discussed for quite some time the advantages of joining ACT.

"ACT is going to have to be the 'police' on construction jobs, because the government sure isn't going to. I believe whatever ACT does to enforce the laws we already have in place is going to benefit every-

body, not only union workers," Dotson said.

He also mentioned advertising and legislative lobbying as important aspects of ACT's work.

"We're looking forward to working with ACT and I hope

the Bricklayers District Council, said there are 68 members in the Parkersburg Local, including seven retirees and six apprentices.

Rich Wilson is the Bricklayers field representative at the Parkersburg local whose territory also covers Wheeling and Weirton.

The union offers a state-wide three-year appren-

ticeship program through the District Council which requires 6000 hours to complete. Of those hours, 480 are in the classroom, the remainder are on-the-job training. Students must also complete an additional 144 hours of related training each of the three years.

Hunter said the members of Local 6 joined ACT because

of "the coordination of benefits in reference to pooled money and ACT's ability to organize non-union workers . . . also for promotion purposes."

As far as ACT's most important contribution to the labor movement, such as advertising, legislative lobbying or monitoring jobs, Hunter said all are equally important.

"ACT is pretty comprehensive both financially and politically. Information-wise, we use them regularly to download data on contractor licensing. We find them to be a reliable and accurate source of information," he said.

"No local or district council can stand alone," Hunter said. "It takes unified cooperation of all the state unions to be successful.

"There's strength in unity."

"No local or district council can stand alone. It takes unified cooperation of all the state unions to be successful."

**Leroy Hunter,
Bricklayers District Council Director**

everything works out for the better. Now that we're in we're going to enjoy some of the benefits."

Bricklayers Local 6

In early April, Bricklayers Local 6's vote to join ACT brought the total number of ACT members in that craft up to around 550.

Leroy Hunter, director of

No Vote For Jobs Act, Bill To Gather Data In Doubt

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committee voted not to send the bill to the Finance Committee that is where it was sent and that is where it stayed.

"We felt the public hearing went in our favor, and we had a lot of support, but it got the 'Kiss of Death' when it was sent to the Finance Committee instead of to a vote by the full House."

"It was clear leaders of the House were not going to let the Jobs Act be voted on. The Finance Committee was the place to kill our bill, it's as simple as that," said White.

In the meantime, over in the Senate side, a smaller bill was developed -- "Jobs Act, Jr." This bill would simply require that companies who ask for economic development incen-

tives do two things. First they should estimate how many construction jobs their project would create and the percent that would go to West Virginians. Second they would file a report at the end of the project listing the number of jobs created and the county and state where the employees came from.

This bill was passed in the Senate and then the House Industry & Labor Committee -- then it was sent to the House Finance Committee.

"We wanted to collect data on who is getting the construction jobs our tax dollars create," White said.

"Right now when you ask these questions nobody can give you an answer because there is no data kept."

"This bill would not cost the taxpayers a dime. It would simply let us know where our tax dollars are going," said White. "Yet leaders in the House sent it to Finance to kill it and that's where it sits with two days left in the session."

White believes there is still a chance the bill may be passed. "We have some delegates who are really working with us and we may get this bill yet."

"Jobs Act Jr." would also help the public gauge the accuracy of claims by eco-

nomics development officials that public financing of construction projects boosts the number of jobs, White said.

"It's to evaluate whether your tax dollars are doing what they say they are," he said.

"It's accountability."

"On April 15 we are held accountable to pay our taxes, but as of April 10, with two days left in the session, we have no right to find out where our own money goes."



SPEAKING AT THE PUBLIC HEARING in favor of the Jobs Act is Jim Cerra, President of the West Virginia Construction Council.

Boilermaker Involved in Career Day

Steve Wedge, a 21-year member of Boilermakers Local 667, recently paid a visit to Ravenswood Middle School to participate in the eighth grade class' Career Day.

Wedge is also in the third year of his first term on the Jackson County Board of Education and is currently serving as the Board's vice president.

Wedge said he really enjoyed the opportunity to spend a day with the students.



TALKING TO STUDENTS about a construction career is Steve Wedge, of Boilermakers 667 and the Jackson Co. Board of Education.

He said the students were "intrigued by the whole thing. They were fascinated with one day being on the ground welding and the next day way up in the air working on something else."

One of the points he said he tried to convey was the importance of skilled labor, and how they fill a very important need in society.

"I think there's a misconception that somebody who works with their hands is inferior to other people who may work with computers or in an office. I hope I broke down that barrier."

Meade Workers Vote Yes For Tri-State Representation

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tion cards signed.

"I had worked with him on salting operations before with other contractors and we had a couple of meetings in late summer and early fall last year. We had good support at that site but we had a hard time getting to other sites. I never felt comfortable with the number of cards we got signed going into the election."

The decision was made to file for an election in November with the hopes of getting more cards signed as the campaign progressed.

According to Williams, Meade employees were already supposed to be members of AFU, but "we went into our organizing campaign more or less ignoring the existence of the AFU and its bargaining agreement because we didn't feel it was

It is very important for other Boilermakers and ACT members to volunteer for activities like Career Day, Wedge said.

"I know of a lot of construction workers who are really involved in their communities in everything from little league to elected office. We have a lot to offer and much of it comes from the skills we learn on the job -- like how to deal with adverse situations. We can take that back to help our communities, and I want to encourage them to do so."

a valid union."

The victory at Meade allows Williams to concentrate on his next target Jo-Del Construction of Huntington. Tri-State and Charleston Building Trades, along with ACT have been working on Jo-Del for the past year.

"We will probably have a date for an election soon," he said. "We just need to settle a few issues first."

Williams is trying to make sure workers get a chance to vote even if they are laid off or out on strike.

He is also trying to secure the use of either multiple voting sites or mail ballots.

"The NLRB does not have the resources to stage multiple sites so I think there may be mail ballots allowed, which is important because the employees of Jo-Del live over such a wide area.

"We also have extensive charges against Jo-Del and the NLRB has ruled in our favor. An administrative law judge is scheduled to hear the case in early May which could be just when the election is scheduled to take place."

In order to win the Jo-Del organizing campaign, Williams said it will take a lot of hard work and the commitment from the crafts to the employees and a lot of personal contact with them.

But as the Meade election shows, it can be done.

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Workers Memorial Day

Monday, April 28th 6 p.m.
Coonskin Park - Gorman Shelter
Please Attend!

Sponsored by WV AFL-CIO and
Kanawha Valley Labor Council
Questions: 344-3557

STOP THE PAIN!

Every year more than 700,000 workers suffer from crippling back injuries and repetitive strain injuries (RSIs), which are the nation's biggest job safety problem.

Ergonomic solutions to these problems are well known and must be implemented. But employer groups and some Congressional Republicans are trying to block OSHA from taking action to protect workers.