

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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Masonry Company Targeted, Salted, Picketed, Charged

A masonry job on the new Huntington Holiday Inn was recently targeted by the Bricklayers District Council, resulting in salting, organizing, picketing and NLRB charges filed.

Leroy Hunter, Jr., organizer for the Council, said two members were able to covertly get

jobs as salts with sub-contractor X-Cel Masonry, based in Huntington.

"One was hired in mid-July, the other in early August and they immediately began gathering information about the company and the project, and talking to employees about organizing," Hunter explained.

When several bricklayers members approached Glen Hager, the project manager, identified themselves as union members and asked for jobs they got no where.

"He directed us to the main office where we were told we weren't allowed on the job," Hunter said.

The salts got on because they didn't reveal they were union members and lived out

of the area, just what the company wanted.

"They actually told us they preferred workers from out of the area," said one salt.

Shortly thereafter, the two salts presented Hager with a letter stating they were union organizers and within 10 to 15 minutes, they were told they were no longer needed that day due to a shortage of work.

"When they returned and tried to organize the next day, the whole crew was sent home. Then Hager made statements to our guys that they were wasting their time trying to organize his job, so they might as well seek employment elsewhere," Hunter said.

He said the two, who were

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PICKETING X-CEL MASONRY'S unfair labor practices are members of Bricklayers Locals 5 & 6. From left are Billy Steele, an apprentice, and Danny Butler.

AFL-CIO President Powell To Retire

Long-time AFL-CIO president, Joe Powell, announced in August that he will not be seeking re-election when the organization holds its convention and election of officers in October.

C.J. Mahan/Laborers Sign Agreement *Safety Emphasized*

In an effort to stop another tragedy like that which killed two workers in early July, the Laborers District Council has made an agreement to shore up safety with officials of C.J. Mahan Construction Co.

The company was demol-

ishing a bridge on I-64 over the Big Sandy River between Kenova, W. Va. and Catlettsburg, Ky., when a girder slipped, killing Kit Perry, 48 of Genoa, W. Va. and Greg Gentry, 28, of Stephens, Ky. Both of whom were members of Laborers Locals.

Gary Tillis, Laborers Dis-
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offices in 1964 and later became state director of the organization's political action committee.

"While saddened to see Joe leave the position as president because he's done an outstanding job for the labor community in the state, I'm also encouraged to see the energy level of the people wanting to become officers of the AFL-CIO," said Roy Smith, secretary treasurer of the West Virginia State Building and Construction Trades Council.

Several other key positions in the AFL-CIO are also up for grabs as more senior personnel are retiring.

Kenny Perdue, Sheet Metal Workers Local 33 business agent, who was elected by the executive board when Jack

McComas retired in May, is running for election to his first full term in the position of secretary-treasurer.



Joe Powell

Perdue's running mate for president is Jim Bowen, an international representative with the steelworkers.

"Not only are both the presi-
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NLRB Says Temp Agency Acted Illegally

A complaint against the non-union hiring hall Labor Ready, was issued by the National Labor Relations Board (NLRB) in mid-August charging the company with engaging in unfair labor practices.

Charges were filed by the Tri-State Building and Construction Trades Council.

A hearing has been set for January 14th, 1998 before an administrative law judge in Charleston.

Labor Ready's no solicitation policy came under fire from the board. Organizers, while waiting in Labor Ready's office to be referred to a job, asked other workers to sign a petition to change referral policies.

"This case involves their no solicitation policy nationwide -- if the administrative law

judge rules in our favor, then they'll have to change their policy nationwide because if it's illegal here, then it's illegal everywhere," said one organizer who wants to remain unidentified for future organizing purposes.

"I was exercising my rights under the National Labor Relations Act to petition but was barred from all of Labor Ready's locations," the organizer said, "and part of the action called for by the NLRB is they are not allowed to bar me from seeking employment from their company."

"They also won't be able to set up a camera and film in the office like they did when we were there," he said.

By barring the union organizer from its premises, the company has been discriminating in regard to the hire or tenure or terms or condition of employment of its employees,

thereby discouraging membership in a labor organization, according to the complaint.

The case originally involved 125 union workers who also put in applications with the company, however, that aspect of the case was not strong enough to warrant a complaint by the NLRB, according to the suit.

Labor Ready has offices in South Charleston and Huntington and approximately 270 locations around the country.

Temporary agencies are now said to be the largest employer in the country, according to Steve Burton, Tri-State Building Trades business manager.

AFL-CIO President Powell To Retire

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dent and secretary-treasurer positions up in the air, but also a number of vice president's slots," Smith said.

The 12 vice presidents that make up the executive board will also see a great deal of turnover, according to Smith.

Among those building trades members retiring are Corky Harvey of the West Virginia

Laborers District Council, Everett Sullivan, of Millwright Local 1755, and Bob Campbell of Carpenters Local 3 in Wheeling.

"These Vice Presidents were an asset to the AFL-CIO and the building trades, and we truly appreciate the contributions they made, but we also know there is a lot of talent within the building trades for new leadership," said Smith.

Steelworkers Alan Hutchin-



PROTESTING DISCRIMINATION at the non-union hiring hall Labor Ready's South Charleston office are members of the Charleston Building and Construction Trades Council.

"The construction industry has seen a flood of these companies recently and unfortu-

nately they represent a new type of attack on construction workers and their families."

son of Huntington and Larry Ratliff of Charleston are also retiring from the Executive Board.

Smith said there will be an "energy infusion into the labor movement" when the turnover takes place.

"I think you'll see a lot of attention focused on common issues from a lot of different directions, and you'll probably

"I'd like to see the delegates to the convention support the leadership team that has been endorsed by the building trades."

**-Roy Smith,
Secretary Treasurer
State Building Trades**

see a more proactive leadership team come out of this," Smith said, "and the building trades needs to remain an active voice."

Building Trades members who are seeking election to the executive board are incumbent Steve Burton, business

manager for the Tri-State Building and Construction Trades Council, Gary Tillis, business manager for the Laborers District Council, Bruce Tarpley business manager for Operating Engineers Local 132, and Larry Linch, business manager for the Carpenters District Council.

The West Virginia State Building and Construction

Trades Council Executive Board has agreed to support both Perdue and Bowen as well as the four vice president candidates from its ranks.

"I'd like to see the delegates to the convention support the leadership team that has been endorsed by the building trades," Smith said.

"It's been a collective effort and I believe we've made some very good choices of who we're going to support," he said.

ATTENTION VETERANS!

You have ONE YEAR to register for your VA Health Card!

All veterans are being encouraged to contact their VA hospitals to register and receive a health card.

Veterans need to make sure they do this before October 1, 1998, due to changes resulting from the federal Veterans Health Care Eligibility Reform Act of 1996.

Veterans can register after this date, but funding issues will be decided upon the number registered before Oct. 1, 1998.

Call VAMCs in:

Beckley - 1-800-606-4573, Ext. 4246

Huntington - 1-800-827-8244, Ext. 3451

Martinsburg - 1-800-817-3897

Clarksburg - 1-800-733-0512

Safety Emphasized

Continued from page 1
 District Council business manager said a memorandum of understanding was developed and agreed upon by all parties.

"The intent of the memo is to undertake a more proactive stance on safety issues on the job site," Tillis said.

"C.J. Mahan reps came to us and asked for help so I contacted the Laborers International Health and Safety fund who helped us put the memorandum together."

A safety committee was established, with four members on the labor side and four from the company side, which will meet every four months.

Other requirements of the memorandum are:

- On-site inspections as well as a specified job safety plan is required for each job site.

- C.J. Mahan must hire a full-time corporate safety director.

- A project safety coordinator is required on each project who must complete an OSHA 30-hour safety course.

- All Laborers are required to complete an OSHA ten-hour safety course

- The Laborers On Time Safe (LOTS) program will be implemented which rewards employees for days worked with no lost time accidents or excessive absences.

Tillis said he is pleased with the requirements of the memorandum of understanding.

"It wasn't a matter of me demanding anything. They approached us so we helped put something together," Tillis said.

"This is a lot of requirements on the contractor that he's willing to accept.

"Hopefully, this will help ensure our members go home in the evenings to their families."

ACT Produces 4th Video For Members, Recruiting

When ACT was first launched in 1992, part of its mission was to improve the image of unions and their members.

With that in mind, a video was produced early in 1993 that showed some of ACT's accomplishments in advertising, prevailing wage monitoring and environmental permit challenges, and also talked more about what needed to be done in those areas.

"We decided it was time to do a follow up on that initial video to show how much we have actually accomplished in the last four years," said Steve White, ACT director.

This is actually ACT's fourth

video production with apprenticeship being its second topic and a presentation on the proposed Apple Grove Pulp and Paper Mill the topic of the third.

The Pulp Mill video was aired on statewide television

"We decided it was time to do a follow up on that initial video to show how much we have actually accomplished in the last four years."

-Steve White, ACT director

shortly after its completion in 1994.

"ACT spends a majority of its advertising budget on TV advertising because we've found it to be the most effective," said Steve White, ACT director.

"The visual nature of this type of advertising gets a good

response, not only from our members but from the general public as well," White said.

The video will also be used in recruiting efforts when presentations are made to locals that do not belong to ACT.

"This video will be an important tool in effectively showing non-members what ACT has done. It's important that as many locals and members as possible participate in ACT -- it's true that there's strength in numbers," he said.

Production should wrap up in mid-September, White said, and copies will be distributed to all ACT locals.

White said copies of the video will be sent to all ACT locals.

Masonry Company Targeted

Continued from page 1
 being put up at the Holiday Inn, were told they were laid off and to get their clothes from their room.

"On August 25 I went to Huntington again and met with reps from ACT and Tri-State Building Trades and we drew up NLRB charges from testimony prepared by the salts."

Charges were filed by the Bricklayers District Council.

Picketing by 12 to 14 members began the next day and continued for five days, he said.

"They tried to set up a two-gate system to begin with but they were not proper gates.

"We're checking on the legalities of their double gate system and if we get the legal

go-ahead, the picket may go back up," Hunter said.

Hunter said a very important aspect of this case is the fact that the owner of the company is Belena Hager, wife of the supervisor Glen Hager and their son, Glen Hager, Jr., also works for the company.

"Both Hager and his son carry union cards," Hunter said.

"The whole point of this picket is he [Glen Hager] refused to let my salts try to organize this job in an attempt to get the wages and benefits that he enjoys when working on union jobs.

In light of that, the Bricklayers District Council has also filed charges against Glen and

his son concerning their working for a non-signatory company.

"And probably the most severe charge is they did cross a picket line to go to work."

Hunter said with the professional help that he received from the ACT Foundation in all aspects of this case he is very confident about the outcome of the case against X-Cel Masonry.

"Because one of the salts is a member of Bricklayers 15 but also employed by ACT," he said.

"The salts have extensive, detailed notes about all aspects of the case including Hager questioning them about unions when they were hired."

Vote Yes On Amendment 1

Saturday September 27

Modern Investment Management Amendment

If passed will allow our state to invest pension funds in a blend of bonds and common stocks for the first time.

West Virginia is the only state in the nation that does not permit some investment in common stocks. As a result, the return on our investment portfolio over the last three years has been averaging only 4.6% while the other 49 states, with their blended portfolios have averaged returns of 10.9%.

Passage of this amendment can help lessen the huge unfunded liability in state pension funds.

District Council's Business Manager Retires After 35 Years Service To The Laborers Union

After serving 19 years as business manager of the Laborers District Council, and exactly 36 years after beginning his career in the Laborers on August 31, 1961, Wetzel "Corky" Harvey officially resigned on August 31, 1997.

"Corky has been around for a long time, and there's no way he can be replaced," said Gary Tillis who took over the position after three years of serving as assistant business manager.

"In my opinion, Corky had a lot to do with putting the labor movement where it is and did a lot for laborers and for all of the crafts."

"No doubt he's going to be missed, and there's no way anyone could step in and fill his shoes but I'll try. He's not going to drop out of the picture com-

pletely," Tillis said.

According to Tillis, Harvey is taking on a new role with the Laborers International as a representative on special



Wetzel "Corky" Harvey

assignment.

Tillis said the Laborers union as a whole has experienced a lot of change recently with business managers Jim

Webb of Beckley Local 453 retiring and replaced by Bill Taraczkozy, and Sam White of Clarksburg Local 984 retiring and replaced by Mike Rittenhouse.

Jim Webb has been a member of the Laborers 29 years and business man-

ager for the last 22 years. Sam White has been a member for 35 years and business manager for the last 11.

"These three men were an asset to the Laborers and the labor movement. I only hope that the next generation can do as much," Tillis said.

Political Education



LEARNING THE POLITICAL ROPES are members of Boilermakers Local 667. The class was developed by Steve Cook, (center) Director of the West Virginia Institute of Labor Studies at West Virginia University and Raymond "B.B." Smith, ACT Representative.

ACT Scratch 'n' Sniff Card Wins Journalism Award

The International Labor Communications Association, AFL-CIO, recently announced the ACT Foundation a second place winner in its Journalism Awards contest covering 1996 publications.

According to the ILCA there were 1,700 entries in this year's contest submitted by 191 member publications.

"Were happy to be recognized by the ILCA," said Steve White, ACT Director.

ACT's winning entry was the scratch

and sniff card produced about the Apple Grove pulp and paper mill. The card was mailed to about 70,000 West Virginia residents who live near the site of the proposed mill. When scratched the card smelled like the aroma that would emit from the paper mill.

The card won second place for non-periodical, special publications, class 1, editorial excellence.

"It's great to see that what construction workers have started here in West Virginia with the ACT Foundation is now getting national attention," White said.

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New Vote At Jo-Del?

The NLRB recently called for a hearing to determine if a new election will be held for employees of Jo-Del Construction of Huntington.

The Tri-State Building Trades was able to show substantial misconduct by Jo-Del Supervisor J. B. Riedel who punished union supporters by isolat-

ing, disciplining and harassing them.

Also, Reidel held up a blank piece of paper at a meeting for all employees to see and stated "When all the negotiating is done, this will be your contract," insinuating he would not bargain in good faith under any circumstances.

A hearing will be held before an administrative law judge in Huntington in October.