

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; Randy May, Vice President; T.L. Ranson, Secretary Treasurer; Roy Smith, Executive Director; Steve White, Director.

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RESULT OF MASS PICKETING AND CHARGES FILED

KSC Volunteer Organizer Goes Back To Work

Due to the picketing of several Kanawha Stone Company sites and the charges filed with the National Labor Relations Board (NLRB), volunteer organizer Phil Selman was called back to work on March 20.

Selman was put on 'permanent layoff' for two months after he informed company officials of his support for a union.

Support of Selman by dozens of trades workers produced an important victory for the organizing drive.

Operating Engineers,

Laborers and Teamsters are the core group of unions heading up the organizing drive.

"Art King [president of KSC] finally realized Selman has guar-

anteed rights under the National Labor Relations Act," said Henry Dillon, field representative for Laborers Local 543.

"Selman sent Art King the message that he has rights and so do his co-workers," said Dillon.

Still at issue is back pay owed Selman for the time he missed.

The NLRB is currently investigating this case, as well as seven other unfair labor practice charges against KSC.

Their decision of whether or not to issue a complaint should be made by the end of April.

Picketing and hand-billing continued at KSC's Wayne County site, as well as their of-



PICKETING AT KSC's Doddridge County Regional Jail Site are members of Operating Engineers Local 132 and Laborers Local 984.

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Governor Underwood Kills Jobs For Local Workers

Governor Cecil Underwood turned against West Virginia working families when he vetoed a bill limiting importation of foreign and out-of-area construction workers on three state test projects.

"Gov. Underwood has just denied jobs to hundreds of local workers," ACT Director Steve White said.

Underwood vetoed the Jobs Act Pilot bill passed during the recent legislative session.

The bill called for a limited test of a local hiring requirement of

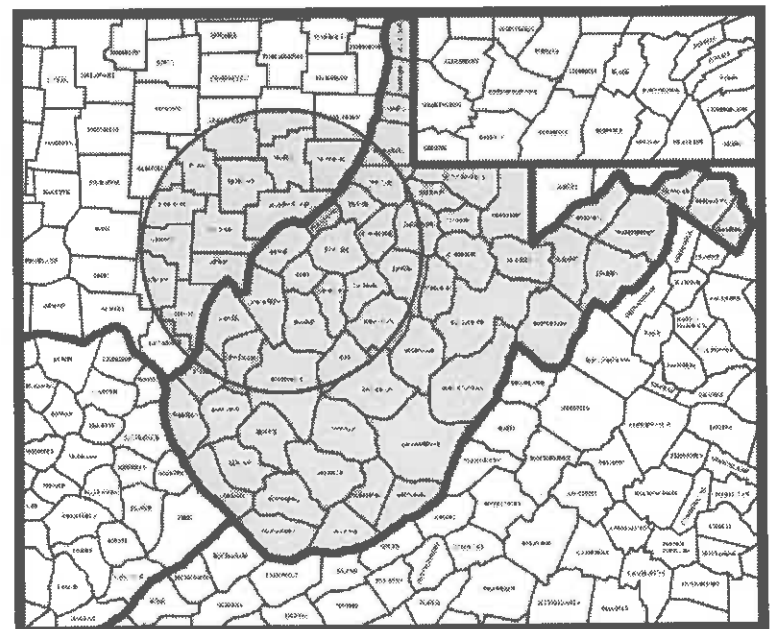
construction workers on projects built using state or local taxes or tax credits.

Currently construction contractors often turn to low-paid workers from outside the West Virginia or surrounding area, frequently from foreign countries, while local workers are unable to get jobs.

What Underwood vetoed would have required 90 percent of hourly workers on three future state projects to live within the local area.

In effect, the bill defined "local area" as a combination of a 75-mile radius around each

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RESIDENTS OF THE SHADED AREA would have been considered local workers for a project in Parkersburg.

Problems Continue At Jeld-Wen's Craigsville Plant

ACT has learned the Jeld-Wen project, where two strikes are ongoing, has not received the proper environmental permits needed to even start construction. Construction began back in October and state regulators knew as early as November that the permits needed had not

even been applied for.

The Division of Environmental Protection issued a Notice of Deficiency to Jeld-Wen on December 18, 1997, yet construction of the plant continued.

A Consent Order was proposed shortly after providing special rules Jeld-Wen was to follow until the appropriate permit applications were approved, yet construction of the plant continued.

Now, seven months after construction began, Jeld-Wen still does not have the proper permits, they never even signed the consent order, yet construction of the plant continues.

In addition to this violation, Jeld-Wen, who is acting as their own general contractor, has still not signed up for workers compensation.

This is even after a notice was posted at the construction site and the company was put on a default list. One worker who was hurt on the job, has over \$300 worth of medical bills unpaid for months.

Add these things to the long list of unfair labor practice charges, and Jeld-Wen is in a heap of trouble, or at least it should be.

"Laws like environmental permits, the National Labor Relations Act and workers compensation are not being enforced," commented ACT's Bill Thomas.

"It's not because this is a little company who doesn't know better, it's the opposite. "Jeld-Wen is a large national corporation who thinks they are above the law. "And in West Virginia they are getting away with it."

West Virginia AFL-CIO Primary Election Endorsements - May 12

STATEWIDE

Justice of the Supreme Court of Appeals: Joseph P. Albright (D)

CONGRESSIONAL

1st District: Alan Mollohan (D)

2nd District: Bob Wise (D)

3rd District: Nick Joe Rahall (D)

STATE SENATE

1st: Edwin Boman (D)	3rd - Paul Thornton (D)	9th - Bill Wooton (D)	15th - Leslee McCarty (D)
2nd: (full) Larry Edgell (D); Larry Tighe (R); (unexpired) Jeffrey Kessler (D)	4th - Oshel Craigo (D)	10th - James Leslie Jr. (D)	16th - John Unger (D)
	7th - Lloyd Jackson II (D)	11th - Mark Burnette (D)	17th - Brooks McCabe (D)
	8th - John Mitchell Jr. (D)	12th - Rebecca White (D)	

STATE HOUSE OF DELEGATES*

1st - <i>David Barrett (D)</i> Tamera Pettit (D)	Phil Stowers (D)	25th - Richard D. Flanigan (D) Mark E. Wills (D)	33rd - David Walker (D)
2nd - Jack Yost (D) Roy Givens (D)	15th - Margarette Leach (D) Herman Beckett (D)	26th - Mary Pearl Compton (D) 27th - Virginia Mahan (D)	34th - <i>Brent Boggs (D)</i>
3rd - Tal Hutchins (D)	Terence Rowsey (R)	Warren R. McGraw II (D)	35th - George Kallai (D)
4th - Scott Varner (D) <i>Gene Tribett (D)</i>	16th - Susan Hubbard (D) <i>Billy Chafin (D)</i> Jim Ritter (D)	Sally Susman (D)	36th - C. Randy White (D)
5th - Dave Pathtel (D)	17th - Jerry Mike Damron (D)	28th - Tommy D. Scarles (D)	37th - Steve Montoney (D)
6th - Kenneth Livingston (D)	18th - Don Perdue (D)	29th - Tom Louisos (D) John Pino (D)	40th - Rick Everson (D)
7th - <i>Paul Janes (D)</i>	19th - Steven Kominar (D) Harry Keith White (D)	30th - Pam Nixon (D)	41st - Larry Linch (D) <i>Rodney Riggelman (D)</i>
9th - Sharon Sue Maloney (D)	20th - Tracy Dempsey (D) <i>Moss Burgess (D)</i> Harry Morgan	Larry L. Rowe (D) Bobbie Hatfield (D)	42nd - Christopher Weaver (D)
10th - Sam Henry (D) <i>Guy Lowther (D)</i> Kelly R. Rice (D)	Freeman (D) <i>Greg Butcher (D)</i>	Rudy Seacrist (D) Raymond Keener (D)	43rd - <i>Mike Caputo (D)</i> <i>Paul E. Prunty (D)</i> <i>Vernon Swisher (D)</i>
Rick Modesitt (R)	21st - <i>Earnie Kuhn (D)</i>	Joe Smith (D)	44th - <i>Charlene Marshall (D)</i> <i>Eugene Claypole (D)</i> Barbara Fleischauer (D)
11th - Oscar Hines (D)	22nd - <i>Emily Yeager (D)</i> Lacy Wright (D)	32nd - Deborah Whanger (D) Denise G. Tucker (D)	46th - <i>David "O.B." Collins (D)</i>
12th - <i>Carroll Jett (D)</i>	23rd - <i>Joe Sparks (D)</i>	David R. Workman (D) Art Ashley (D)	54th - Laura R. Rose (D)
13th - Gary Tillis (D)	24th - Zona W. Meskinish (D)	<i>Robert Mattox (R)</i>	56th - Dale Manual (D)
14th - Shawn Bayliss (D)			

* bold indicates building trades members; italics indicates other union members

FOR UNFAIR LABOR PRACTICES

Complaint Issued Against Tmaro Corporation

The National Labor Relations Board has issued a complaint against Tmaro Corporation on behalf of two workers at the Circleville School project in Pendleton County.

The charges were filed by the North Central West Virginia Building and Construction Trades Council.

Steve Montoney and Greg Wainscott had salted the school job last May.

The second day the men were on the job, a letter stating they were voluntary union organizers was accidentally sent to Mark Owen, president of Tmaro Corp.

"We were just getting the letter ready," said Montoney. "Somehow it got put in the mail and we stopped getting work."

The following Monday, the men informed the project superintendent they were going on strike.

Gov. Kills Jobs

CONTINUED FROM PAGE 1

project and the state of West Virginia. For example, for a project located in Parkersburg area anyone living within 75 miles of Parkersburg or in any part of West Virginia would qualify as a local worker in terms of the bill.

Among the three test projects, two would have been selected by the Division of Highways and one by the West Virginia School Building Authority.

Underwood said in his veto message he was concerned be-



STRIKING AT THE Seneca Rocks Visitor's Center site against Tmaro Corporation is Steve Montoney.

After being on strike about two months both Montoney and Wainscott offered to return to work for Tmaro Corp.

Shortly after this offer was made, Tmaro hired replacement workers for Montoney and Wainscott to do the same type of work at the Seneca Rocks Visitor's Center.

The charges upon which the complaint was issued, state that

cause he believed its implementation might prevent West Virginia workers from getting jobs outside the state.

But White said that isn't true. He said the same concept for hiring is used by the Appalachian Regional Commission for infrastructure projects.

"The idea of using local workers for ARC projects works, why shouldn't it work for every other construction project in the state using tax funds or credits?" White asked.

Tmaro violated the National Labor Relations Act for refusing to reinstate both Montoney and Wainscott to their former positions.

Apparently, with the charges being filed, Owen called Montoney back to work at a project in Doddridge County, paying substandard wages.

On Feb. 17, Montoney went to work and immediately began to organize.

Montoney then went on an economic strike for higher wages.

Owen retaliated by suspending Montoney, but called him back to work three days later.

Montoney went to work again, but went on an unfair labor practice strike because of the illegal disciplinary action taken by Owen.

"We did quality work for Tmaro," said Montoney. "We just wanted to be treated fairly and to organize on our own time."

Hall Announces for Teamsters' Presidency

On April 5 Ken Hall, president of Teamsters Local 175 in Charleston, announced he is running against James Hoffa, for president of the International Brotherhood of Teamsters.

Hoffa lost the election in 1996 to Ron Carey, who was forced out of the presidency because of alleged illegal campaign contributions.

Last summer, Hall was national co-chairman of the negotiating committee during the successful strike against United Parcel Service.

Hall declared his candidacy after a federally ap-

pointed oversight board barred Carey from running again.

Hoffa is currently under investigation for alleged campaign violations and may be ruled ineligible to run as well.

Hall said both Hoffa and

Carey supporters urged him to run for Teamsters' president.

"I'll continue to clean up the Teamsters," Hall said, "by fighting corruption and keeping the mob out of our union and their hands out of our pension funds."



A CROWD OF OVER 200 supporters gathered at Teamsters Local 175 union hall to listen as Ken Hall announced his candidacy.

WITH AMERICAN WATER COMPANY

Union Members In Missouri Face Similar Problems

Problems with West Virginia American Water Co. for local workers are not unique.

In St. Joseph, Missouri, union members, including members of Laborers Local 579, are unhappy with Missouri American Water Co. for hiring a contractor out of Iowa to build a \$79 million water treatment plant.

Missouri American Water Co. and West Virginia American Water Co. are both subsidiaries of American Water Co. in New Jersey.

"We have faced the same problem with this company in Weston, Huntington, and Bluestone," said Rick Williams of the North Central Building Trades.

Williams noted the case against West Virginia American's contractor, 3-D Construction, will go to a hearing later this month. 3-D, based in Lexington, Kentucky is general contractor for a \$14

About 20 union workers protested the plant's ground breaking ceremony on April 3, carrying signs that read "un-American Water Co. Not St. Joseph Proud. Imports Workers. Exports Dollars."

until Missouri American Water Co. realizes that."

Missouri American Water Co. President, Robert Gallo, and Story Construction officials responded to the protest by saying more than half of the jobs on the project will be done by subcontractors from the local St. Joseph area.

"We heard the same excuses and they just don't hold up," said Williams. "It's local people who pay the water bills. There's no reason local people shouldn't get the jobs their payments create. We support the workers in Missouri and encourage them to keep fighting."

"WE SUPPORT THE WORKERS IN MISSOURI AND ENCOURAGE THEM TO KEEP FIGHTING"

**RICK WILLIAMS
NORTH CENTRAL BUILDING TRADES COUNCIL**

million water treatment plant in Weston.

Missouri workers are also worried that the Iowa contractor, Story Construction, will bring in a significant number of workers from outside of St. Joseph.

"St. Joseph workers can build this plant," said G.E. Pierce of Laborers Local 579, "and we plan to protest

Annual Workers Memorial Day Event

April 28, 1998 is Workers Memorial Day. This event, sponsored by the AFL-CIO, is observed nationwide to remember those who have suffered and died on the job, and to renew the fight for safe workplaces.

All workers, as well as those whose family members have been hurt or killed on the job, are invited to Virginia Point in Kenova, WV on Tuesday, April 28th at 6:00 p.m. to remember.

Virginia Point is the site where two women were killed last year while

working on a bridge job.

The West Virginia and Kentucky state federations of the AFL-CIO will be conducting this memorial in a joint effort.

Steve Burton, Business Manager of the Tri-State Building and Construction Trades Council, said he "... extends a personal invitation to each person in the area to attend this memorial in recognition and support of fellow brothers and sisters who have lost their lives on the job."

For more information, contact the West Virginia AFL-CIO, 344-3557.

**organize...
mobilize...
fight for safe jobs!**
AFL-CIO

To get to Virginia Point, take I-64 to the Kenova exit, turn right onto Rt. 75 go to Rt. 60 and turn left. Go to Dreamland Pool, turn right and follow narrow road to Virginia Point.

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KSC ORGANIZER

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fice.

"We are back out there in support of Selman," said ACT Representative Donnie Huff.

"We want him to get the money he deserves."

"We plan to continue the organizing campaign at KSC and we have gained

support of KSC workers throughout the state."

Supporters have also shown up to hand-bill new sites like the Diamond/Chelyan project and the Doddridge County Regional Jail.

"I am pleased to be back at work," said Selman. "It's nice everyone is glad to see me back too.

"I am grateful to the men who helped me