

# THE ACT REPORT

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CONSTRUCTION  
TRADES FOUNDATION

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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# State Building Trades' Delegates Want Full Participation In ACT

**Major changes were adopted at the West Virginia State Building Trades convention earlier this month.**

Three resolutions were passed to change the constitution of the organization.

First, a new structure for the executive board was put into place.

Now the locals of each affiliated international union will select an executive board member, similar to how ACT has

## Victory For Local Workers At Maplewood

**A victory for local workers was achieved when United Hospital Center recently asked Harris Masonry, a union brick contractor, to take over the work at the Maplewood Retirement Community in Bridgeport.**

Members of Bricklayers Local 15 had waged a long battle for fairness at the retirement home and were very pleased with the outcome.

"The Bricklayers District Council is excited about UHC's decision to use Harris," said Leroy Hunter, Sr., business agent

done.

This means each of the fifteen crafts will have equal representation on the executive board.

were distributed at the convention.

Now each local will get a vote, but instead of additional

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**"WE HOPE ALL THE TRADES CAN GET BEHIND THIS EFFORT. WE NEED A BUILDING TRADES WITH ONE VOICE AND ONE AGENDA."**

**STEVE BURTON  
PRESIDENT STATE BUILDING TRADES**

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The second resolution changes the way voting rights

delegates being figured on membership they will now be based on hours worked in the state.

Prior to the changes it was possible for a local with just one or two counties in West Virginia and very little work to have more

votes than many locals in the state which pay far more in per capita to the State Building Trades.

This was possible because locals with a large membership based in surrounding areas like Washington, DC, Pittsburgh or Cleveland were able to bring in delegates based on their total membership, not the work they do in the state.

The change turns the direction of the Council back to those with the greatest interest in West Virginia.

The third and most dramatic change was a resolution that calls on the new executive board to develop a plan to consolidate

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## 'Just Say No' Amendment 1

**ACT and the West Virginia State Building Trades are asking all voters to say "No" to Amendment 1 this November.**

**Amendment 1 will change our state constitution and allow some companies to avoid property tax payments.**

**The change will let counties or cities pass bonds to finance private projects and let the property taxes that would have been collected be used to pay back the bonds.**

**"We examined the Amendment carefully and frankly we came up with more questions than answers", said Steve White, ACT Director.**

**"We wanted to know if these new bonds will be treated like other public funds or**

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# WV AFL-CIO Election Endorsements

## US House of Representatives

1st Congressional District: Alan Mollohan	2nd Congressional District: Bob Wise	3rd Congressional District: Nick Joe Rahall
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## State Supreme Court

Unexpired Term: Warren McGraw

## State Senate

1st - Edwin Bowman	4th - Oshel Craigo	9th - Bill Wooton
2nd (full) - Larry Edgell (unexp) - Jeffrey Kessler	6th - Truman Chafin	14th - Gary Livengood
3rd - Paul Thornton	7th - Lloyd Jackson II	16th - John Unger
	8th - John Mitchell, Jr.	17th - Brooks McCabe

## House of Delegates\*

1st - Jeff Davis	18th - Don Perdue	(con't) Larry L. Rowe
Tamara Pettit	19th - Steven Kominar	Rudy Seacrist
2nd - Roy Givens	Harry Keith White	Joe Smith
3rd - Tal Hutchins	20th - Tracy Dempsey	Sharon Spencer
4th - Scott Varner	<i>Greg Butcher</i>	32nd - Art Ashley
<i>Ken Tucker</i>	21st - <i>Earnie Kuhn</i>	Denise Tucker
5th - Dave Pethtel	22nd - <i>Emily Yeager</i>	Debra Whanger
7th - <i>Paul Janes</i>	Lacy Wright	34th - <i>Brent Boggs</i>
9th - Sharon S. Maloney	23rd - <i>Joe Sparks</i>	36th - C. Randy White
10th - <b>Sam Henry</b>	25th - Richard D. Flanigan	40th - Rick Everson
<i>Guy Lowther</i>	Mark E. Willis	41st - <b>Larry Linch</b>
Rick Modesitt (R)	26th - Mary Pearl Compton	43rd - <i>Mike Caputo</i>
11th - Oscar Hines	27th - Virginia Mahan	<i>Paul E. Prunty</i>
12th - <i>Carol Jett</i>	Warren McGraw II	44th - <i>Eugene Claypole</i>
13th - <b>Gary Tillis</b>	Sally Susman	Barbara Fleischauer
14th - Phil Stowers	28th - Thomas Campbell	Nancy Houston
15th - Margaret Leach	Carroll Willis	<i>Charlene Marshall</i>
Terence Rowsey (R)	29th - Tom Louisos	46th - <i>David 'O.B.' Collins</i>
16th - Susan Hubbard	John Pino	52nd - Vicki Douglas
<b>Jim Ritter</b>	30th - Bobbie Hatfield	54th - Laura R. Rose
17th - Jerry M. Dameron	Pam Nixon	56th - Dale Manual

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

# STATE TRADES

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ACT and the State Building Trades.

"We asked the question - 'Should everyone be paying into ACT?' And the overwhelming answer was 'Yes,'" said Roy Smith, Secretary-Treasurer of the State Building Trades.

Some concerns were voiced about keeping ACT's identity.

One idea was to incorporate the ACT constitution into the State Building Trades and make ACT a division of the trades.

"It will be up to the new executive board to devise a plan to accomplish the consolidation," pointed out Steve Burton, President of the State Building Trades.

"This plan will then be taken

back to the delegates at a special constitutional convention for approval.

"If delegates don't approve the plan, they can change it however they see fit."

There was opposition to the resolution; however it easily passed the two-thirds margin needed for constitutional changes.

"We hope all the trades can get behind this effort to move forward," Burton said. "We need a building trades with one voice and one agenda."

"It makes sense for everyone to be involved and support what the convention believed to be the most valuable tool for construction workers we have."

## MAPLEWOOD VICTORY

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walked around the inside of the buildings," said Leroy Hunter, Jr. organizer for the Bricklayers District Council.

"Some of the walls were cracked, some were falling in and basically there was a lot of shoddy masonry work.

contractors to work on this project from the beginning," said ACT's Steve Montoney.

"Because of that, Harris now has to deal with the poor construction."

Hunter thanked both ACT and the North Central Building Trades Council for helping re-

## "FINALLY WE HAVE WON AT LEAST A SMALL VICTORY IN THIS LONG BATTLE WITH UHC."

STEVE MONTONEY  
ACT NORTHERN REPRESENTATIVE

"For months we stood on the hill by the construction site and watched the men doing the block work and we knew there were going to be some problems.

"What we didn't know was just how bad the problems were until we looked over the job site."

"UHC has allowed non-union

solve this dispute which started last June.

"Finally we have won at least a small victory in this long battle with UHC," said Montoney.

"However, we are not finished.

"We want a commitment from UHC to hire local workers for other parts of this project."

# New Charges Filed Against Labor Ready

**L**abor Ready, Inc. the anti-union temp agency, is back at it again -- attacking construction workers and their families by promoting low wage, no benefit construction jobs.

But the Tri-State Building Trades is responding with salting, picketing and an innovative organizing campaign.

The site is a Huntington demolition project.

Two years ago ACT coordinated a joint mass application effort by the Charleston and Tri-State Building Trades at Labor Ready's South Charleston site.

It was no surprise when Labor Ready refused to hire any

union applicants but quickly hired salts sent in afterwards.

This action led to numerous unfair labor practice charges the unions won even after numerous appeals by Labor Ready.

Labor Ready has been told its no solicitation policy is illegal and a violation of employees rights under the National Labor Relations Act.

Labor Ready has banned ACT's Donnie Huff from its office because of his union affiliation, a move also ruled illegal.

Huff and Tri-State Building Trades Tom Williams went to Labor Ready's Huntington office in August to sign up for work.

But they were never given work, and police were called to

force them out of the office.

Williams and Huff began talking to employees outside of Labor Ready's office and learned workers were being sent to the Chafin Building to work on the demolition project.

Two union members, posing as non-union workers, were able to salt the job, clearly showing Labor Ready's anti-union position.

On Sept. 16, Huff, Williams and other Tri-State members moved their activities to the Chafin Building, when the two

salts were sent to work there for Phoenix Park Corp.

tractors and Mountaineer Fire Protection.



TRI-STATE BUILDING TRADES MEMBERS let public know about Labor Ready's illegal activities.

Among the other contractors on this project were B&L Con-

That same day, a group of Labor Ready employees, including the salts, were warned by a Phoenix Park representative if they were caught talking to the union representatives outside they would be fired.

The salts started to organize, talking to the employees about a union.

Eventually they told another Phoenix Park representative they were voluntary union organizers, at which time the salts were isolated from the other employees.

The next day the salts were told there was no more work for them.

They joined Huff and Williams and other Tri-State members picketing outside the Chafin Building on Sept. 18.

Several employees were seen entering the building on this day after the salts were told there was no work for them.

Now two new sets of unfair labor practice charges have been filed against Labor Ready by the Tri-State Building and Construction Trades Council.

## North Central Trades Picket Hospital

**M**embers of the North Central West Virginia Building and Construction Trades Council held an informational picket at the new Broaddus Hos-

pital site in Barbour County along Rt. 119 late last month.

Broaddus Hospital is building a \$7 million dollar medical facility and has selected a general contractor who provides no

health or pension benefits and pays wages well below norms.

The picket sought to publicly raise questions about whether the people who end up working on the project will be given benefits and why the project was not bid out, said North Central's Executive Director Rick Williams.

Broaddus Hospital was facing financial difficulty in 1992 and was forced to declare bankruptcy. In an effort to save the their hospital, Barbour County citizens voted to pass a bond levy.

Most citizens thought the money collected by the levy would ensure their hospital

would remain the same.

Instead they learned their money was used to pay off the hospital's debts. Then Broaddus Hospital officials sold the community hospital to Elkins based Davis Health Systems, (DHS).

Construction on the new hospital began in August and is expected to take 18 months.

"As far as we know this project was not put out for public bids," said ACT's Steve Montoney.

News reports list Heckel Construction of Elkins as the general contractor.

ACT can find no record that Heckel has health care, training or pension programs.

"Heckel Construction has never come close to building a project this size," said Montoney. "I think they've done work for DHS and were hired on the 'buddy system.' Is that what the citizens of Barbour County want?"



PICKETING AT THE NEW BROADDUS HOSPITAL site in Phillippi are members of the North Central Building Trades.



**JOHNSON BOILER ELECTION SET****UA Local 83 Wins Back \$2,000 In Member's Unemployment**

**Plumbers and Pipefitters Local 83 won back almost \$2,000 in unemployment money for volunteer organizer, Joe McAninch, after his employer Johnson Boiler got the state to withhold six weeks of payments.**

McAninch was fired last April and Johnson Boiler canceled his insurance three days later even though McAninch's wife was eight months pregnant.

Charges filed earlier by the union led to a NLRB complaint against Johnson Boiler. McAninch had been a witness for the union.

Johnson Boiler claimed he was fired

because he refused to take a job out of town.

After being fired, McAninch went to the Wheeling unemployment office to collect his unemployment benefits.

Johnson Boiler challenged McAninch's unemployment and the unemployment office ruled in its favor, saying McAninch was fired for misconduct and would be denied unemployment for six weeks.

ACT appealed the unemployment office's decision before Administrative Law Judge (ALJ), Harry Cronin, Jr. and he upheld the original decision.

According to Tim 'Squirrel' Jividen, statewide organizer for the plumbers and pipefitters, McAninch was concerned

over the health of his wife who was close to completing a difficult pregnancy.

Members of Local 83 hit the streets with leaflets informing the public about the treatment McAninch received from Johnson Boiler.

Jividen has filed for a union election at Johnson Boiler.

ACT then went to the Unemployment Appeals Board and two weeks later the board ruled in McAninch's favor.

"It hasn't been easy," commented McAninch, "but I've gained a lot.

"Before this fight I was on my own and all the decisions were up to my boss.



PICTURED ARE MCANINCH AND SOME members of Local 83 who took to the streets to support him.

The election will take place sometime in early November.

Local 83 in Wheeling filed unfair labor practice charges after McAninch was fired but withdrew them to gather more evidence after ACT lost the first appeal.

"Now I'm a member of Local 83, learning more than I've ever learned about the trade, and making good money for my family. "In just five weeks I've put over \$400 into my pension.

"Local 83 stuck with me and I really appreciate that. Without the union I don't know where I would be right now."

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**'JUST SAY NO' TO AMENDMENT 1**

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will they be exempt from prevailing wage, freedom of information, open competitive bidding, and other oversight measures.

Since we have received no answers to these important questions, we must oppose this amendment."

White also questioned the benefits of taking property taxes, that would go to school systems, and giving them back to corporations. Not only will schools suffer but competing businesses will be put at a disadvantage.

"And what happens if a company leaves or goes bankrupt, who will pay

these bonds?

"These bonds can be 40 years long, that's a long time."

"This change is too broad and like many recent economic development schemes it gives away too much and requires nothing but vague promises in return," said Roy Smith of the West

Virginia State Building Trades.

White said ACT and the State Building Trades will go to the AFL-CIO and member unions and ask for their support in stopping Amendment 1. "We also plan to communicate with working families across the state to ask they vote no on Amendment 1."