

THE ACT REPORT

VOLUME 11, NUMBER 2
FEBRUARY 2002

A PUBLICATION
OF THE AFFILIATED
CONSTRUCTION
TRADES FOUNDATION

The ACT Foundation is a division of The West Virginia State Building and Construction Trades Council, with offices in Charleston and Clarksburg. Steve Burton, President; Roy Smith, Secretary-Treasurer; Steve White, Director.

Charleston - (304) 345-7570
Clarksburg - (304) 624-0682

place printer Bug Here
place ILCA bug here, too

INSIDE

Session	Pg. 2
Winter School	Pg. 3
Expo	Pg. 3
Econ. Dev.	Pg. 4
Org. Class	Pg. 4

North Central W.Va. Building Trades, WVU Settle PLA Case

After a long court battle the North Central West Virginia Building Trades and West Virginia University (WVU) have settled a lawsuit over a project labor agreement signed four years ago.

The settlement says WVU must state in all bid documents that any general contractor or project manager must meet and confer with the Building Trades, in good faith, for the purposes of formulating a project labor agreement (PLA) for projects worth more than \$1 million.

"This has been a hard four year fight," said Darwin Snyder,

President of North Central. "We still have to see if they will live up to this deal but I consider this a victory for the North Central

This resolution comes after two prior attempts by the Building Trades to sign WVU to a PLA.

'WE STILL HAVE TO SEE IF THEY WILL LIVE UP TO THIS DEAL BUT I CONSIDER THIS A VICTORY FOR THE NORTH CENTRAL BUILDING TRADES.'

DARWIN SNYDER, PRES. N. CENT. WV BUILDING TRADES

Building Trades.

"This is the best deal we could have hoped for at this point," added Snyder who is also Business Manager of IBEW 596.

The trouble started when WVU reneged on a PLA after signing a letter of intent.

A law suit followed and the case was supposedly settled

when WVU agreed to require all of the general contractors meet with the Building Trades.

However, ACT re-opened the suit when WVU was not requiring contractors to make a good faith effort to reach a PLA.

The case was recently settled out of court with the provision that WVU must place the meeting stipulation in all public bid documents.

"This settlement is an a step forward and will let everyone know up front what their responsibility is," said Vince Trivelli, ACT lawyer.

"On behalf of the members of North Central, I would like to thank ACT," said Snyder.

OWNERS, CONTRACTORS AND LABOR WORK TOGETHER

Conference Tackles Important Issues

Owners, contractors and building trades representatives came together recently at Lakewood Resort in Morgantown to discuss many important industry issues at the third annual Construction Coalition Conference.

The purpose of the conference is to bring together all three integral parts of the construction industry to discuss issues that are important to everyone.

Since the first Construction Coalition Conference the participants have decided on the most important issues facing them at the time and set up committees to explore those issues and report their findings at the follow-

Continued on pg. 2

CONTRACTORS, Owners and Labor Representatives discuss important issues at the Construction Coalition Conference at Lakewood Resort in Morgantown WV. The purpose of the conference is to get information from committees on issues from last year and to decide what issues committees should investigate for next year's meeting.

2002 LEGISLATURE:**Trades Push For Apprenticeship, Good Economic Development**

The 2002 legislative session has passed the halfway mark and many important issues to working families are under consideration.

State Building Trades Secretary Treasurer Roy Smith and ACT's Steve White are teaming up at the Capitol to make sure the voices of building trades workers are heard loud and clear.

And Raymond 'BB' Smith is coordinating the grass roots effort making sure legislators hear from the folks back home.

It is important for members to contact their legislators and urge them to support important building trades legislation.

The Senate Military and Finance committees approved Senate Bill 288 allowing West Virginians called to serve in the National Guard to credit their earnings towards unemployment if their jobs no longer exist when

they return from active duty.

"We proposed this bill because it is common for construction workers to return from emergency duty to find the projects they were working on have ended," said Raymond "B.B."

Smith, ACT Legislative Representative. "Right now your earnings from the Guard are not counted in your unemployment calculation."

The Building Trades also supports House Bill 4399 which would require all publicly funded projects to hire apprentices.

"The requirement would make the state a supporter of apprenticeship programs," said Smith. "And that's doing the right thing."

S.B. 529 would allow public/private infrastructure projects.

This bill sets ground rules for private companies to pay for the construction of infrastructure projects such as roads.

As it stands now only the state can pay for and build highways.

For example a toll-bridge

where companies could make road improvements that could not be done otherwise, under the state's supervision," said Smith.

"This could lead to more investment of private dollars into the state, better roads and more

it is being used for; and provide evidence that the company followed through on all of the terms of the agreement.

The Trades are also supporting a bill allowing the state to partially fund the construction of a Victorian outlet mall in downtown Wheeling.

"Besides revitalizing the downtown area, this project would provide 380 good union construction jobs for a duration of 3 years," said Smith.

The bill calls for the state to invest \$80 million while private investors will put up \$75 million.

"In the long run this project will not cost the state anything," said Smith. "The outlet center would generate and estimated \$23 million dollars in tax revenue annually," he added.

The problem of companies using illegal aliens on construction projects is a growing one in West Virginia. S.B. 560 has

Continued on pg. 4

'OUR PRESENCE AT THE LEGISLATURE IS TO WORK WITH OTHER MEMBERS OF ORGANIZED LABOR TO ENSURE THAT THE LEGISLATORS ELECTED BY THE STATE'S WORKING PEOPLE DO WHAT WE ELECTED THEM TO DO'

BB SMITH, ACT LEGISLATIVE REPRESENTATIVE

good paying construction jobs."

There are also several bills pertaining to economic development this session.

"As always eco-

economic development is very important to ACT," said Smith.

According to Smith, ACT's stance on any economic development bill which gives companies economic incentives from the state must: hire local workers; provide detailed reports on where the money goes and what

spanning the Ohio River near Mountaineer Race Track in the Northern Panhandle might pay for itself with tolls. However, with the condition of some of the state's roads, the cost for constructing the bridge cannot be justified by the state. "Hopefully this bill would set up a system

CONFERENCE

FROM P. 1
ing year's conference.

This year was no exception.

Participants, including Gov. Bob Wise and Morgantown's Mayor Scaffola, heard reports from committees on three topics: drug program database; supervisory training; and a comparison of union and non-union apprenticeship programs.

The group decided to form new committees to explore new issues: cost effectiveness in the construction industry; safety rules and regulations at certain job sites; and state-wide drug cards programs. The committees will

report their findings next year.

"Any time we can get owners, contractors and labor in one location to discuss important issues it is always very productive," said Natalie Stone, Executive Secretary for the North Central WV Building Trades.

"This conference provides an opportunity for the three main players in the construction industry to discuss and resolve issues before they become problems that get in the way of the construction process," said Ed Boone, Business Manager for Plumbers and Pipefitters Local 152 in Morgantown.

NATALIE STONE Exec. Secretary of N. Cent. WV Building Trades and Ed Boone of Plumbers and Fitters Local 152 present a door prize to Marty Edwards of Alstom Elec.

Annual Winter School Provides Much Needed Info

Construction union leaders from around the state discussed a wide range of topics from worker safety to organizing at the annual Winter Conference earlier this month.

During the three-day event

compensation.

Exec. Director of the WV Development Office, Dave Satterfield answered questions about Economic Development.

Labor Commissioner Jim Lewis dropped in to give an update on how the West Virginia Division of Labor is enforcing the laws of the land.

'I WAS VERY IMPRESSED WITH THE PRESENTATIONS AND THE PEOPLE WHO PARTICIPATED.'

STEVE BURTON, PRES. WV STATE BUILDING TRADES

business managers, business agents and organizers attended seminars on technical issues of union activity such as "Fiduciary Responsibilities of Union Officials and 'Collectively Bargained Workers Compensation - Something to Think About.'"

The State Building Trades brought in highly respected university professors, state government officials and national construction union officials to talk about changes in the laws that affect union activity as well as many other important issues such as worker turnover in the construction industry.

Richard Resnick, a lawyer who often works for the National Building Trades Department presented the Fiduciary responsibilities not only for union agents and staff but also trustees.

Another highlight of the conference was a presentation by Jim Correll, President of the Baltimore Building and Construction Trades Council about Collective Bargaining and workers

ACT Attorney Vince Trivelli talked about the ins and outs of filing unfair labor practices.

"This conference is very helpful," Steve Keller, Organizer for Asbestos Works Local 80 said. "You get to talk to professionals in the field who are always full of good information."

Summing up the Winter Conference, Steve Burton, President of the West Virginia State Building Trades said, "I was very impressed with the presentations and the people who participated."

"We heard some innovative ideas to keep us competitive by controlling our own workers comp. Overall, it was very well put together by Steve Cook of the West Virginia Institute for Labor Studies."

"Finally I think those who took the opportunity to go to this conference learned a lot and I hope those who didn't participate will choose to do so next year," Burton added.

Expo to Showcase Trades, Contractors

The Parkersburg-Marietta Building Trades will show students and the public what the construction industry is all about at the Construction Career Expo.

The expo will be held at the old PharMor store in the Grand Central Mall in Vienna on March 5 and 6 from 10 a.m. to 9 p.m.

The expo is open to students, the public and construction users.

Admission to the expo is free and the first 75 visitors per day will receive a free hard hat.

"This show started out as a career day where the crafts and apprenticeship programs were

going to have students come to them," said Sam Davis, Business Manager for the Parkersburg-Marietta Building Trades. "But

ready spoken for so it looks like it's going to be a pretty big event."

The expo will include safety workshops, construction seminars and displays from equipment vendors and craft apprenticeship programs.

According to Davis the expo came about because the locals have had problems recruiting new members.

"This is the perfect way to sell ourselves, which we need to do more often," said Davis.

"The expo is a team effort and we appreciate all of the help we have received in pulling this thing together."

For more information please contact Davis or Pam Smith at 304-424-6443.

Construction Expo

**March 5 & 6
10:00a.m. to 9:00p.m.**

**Grand Central Mall
(former PharMor store)**

Free Admission

**Open to the public, students and
Construction users**

**For more info call:
PMBTC, 424-6443**

after word got around contractors and vendors expressed interest in participating and the event blossomed into a construction industry expo.

"Twenty-five booths are al-

Local Economic Development Conference

"Learn how organized labor can become a unified voice in local economic development."

Sponsored by the WV AFL-CIO and the Institute for Labor Studies, WVU

Friday, March 22, 2002

Charleston House

Charleston, WV

10:30 to 5:00

Registration starts at 9:30

Registration Fee: \$50 per person, due in advance (by March 15) includes materials and lunch

For More Info Call Dave Cormier, ILSR, 1-800-499-0486

Get Your EITC

You or someone you know could pay less taxes, no taxes or even get money back with the Earned Income Tax Credit.

This federal tax credit is for people who work and earn below \$32,121 per year.

Free help in filing your tax return is available call:

1-866-WVA-EITC

The EITC is a tax Benefit for Workers.

Claim it!



Apprentices Learn Importance of Organizing

What is the importance of organizing?

That's the question journeyman and apprentices were answering at Plumbers and Pipefitters Local 83, Wheeling, at a recent two-day course.

"We like to have our apprentices go through these classes so they understand what organizing is all about," said Joe Kochy, Business Agent/Organizer for Local 83.

In the class conducted by ACT Representatives Bill Thomas and Walter "Fuzz" LaRue, students covered topics such as the importance of organizing to the union movement and an overview of how to organize.

"I think the class was very useful," said Kochy. "The students have a better understanding of organizing. Even if the students don't become active organizers, I think they will at least be supportive of organizing ef-

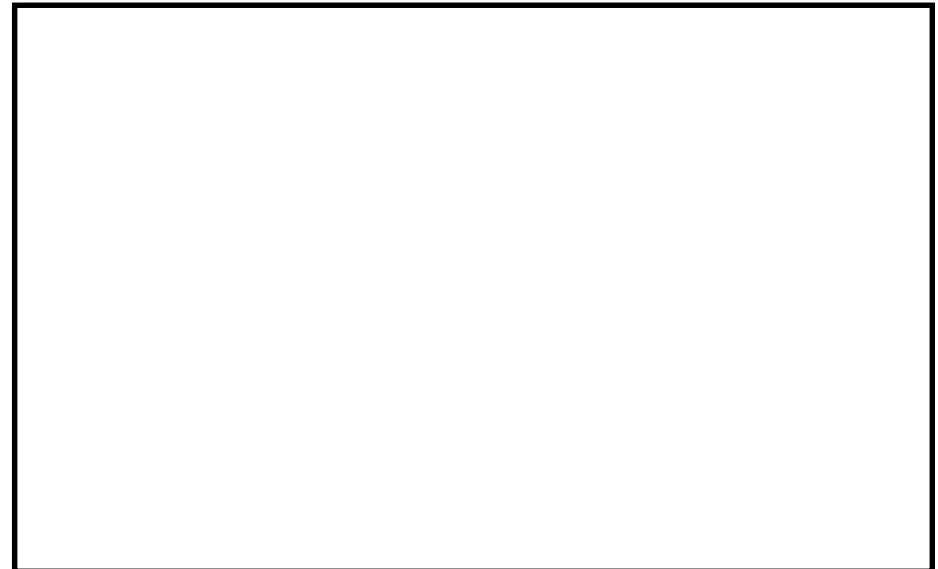
forts."

According to LaRue, another class is being planned to teach the specifics on how to conduct an organizing campaign.

"We want to have another class so the students can get enough information to become active participants in organizing efforts.

"Organizing is the best way we can expand our base of union workers, but to do this we need to organize the projects, the workers, and the companies they work for," said LaRue.

If your local or council is interested in a class about organizing contact Bill Thomas at the ACT Foundation at 1-800-930-9675.



APPRENTICES AND JOURNEYMAN from Plumbers and Pipefitters Local 83 listen intently to ACT Representatives talk about the importance of organizing.



ACT Foundation
600 Leon Sullivan Way
Charleston, WV 25301
(304) 345-7570

NON-PROFIT ORG.
U.S. POSTAGE
PAID
PERMIT # 1374
CHARLESTON, WV
25301

SESSION

FROM P. 2

already passed the state Senate and is aimed at providing the WV Department of Labor more tools to enforce labor laws and regulations.

"The bill makes each company responsible for having their employees identification on the job and available," said Smith. "Companies who have illegal workers probably violate many of our State employment and tax laws. We can't force the IRS to do

their job but we can help state agencies get the information needed to enforce state laws."

Smith points out there is a toll free number available for citizens to call and leave messages for their senators and delegates, 1-877-565-3447.

"Our presence at the Legislature is to work with other members of organized labor to ensure that the legislators elected by the state's working people do what we elected them to do," said Smith.

CABLE CHANNEL 9

Steubenville, Follansbee & Wellsburg
Sundays @ 11:00am --NEW TIME!

CABLE CHANNEL 10

Wheeling, St. Clairsville & Moundsville
Sundays @ 11:00am --NEW TIME!

WEST VIRGINIA WORKS SHOWTIMES

WOAY 4

Oak Hill
Sundays @ 11:00am

FOX 11 Charleston,
Huntington, Parkersburg,
Beckley, Bluefield
Sundays @ 11:30am

WDTV 5

Clarksburg & Morgantown
Sundays @ 11:00am --New