

CONTRACTOR GROUPS BLOCK CRACK DOWN ON ILLEGAL WORKERS

Jobs Act Passes, Health Care Bill Killed

The renewal of the West Virginia Jobs Act passed the legislature and only needs to be signed by Gov. Manchin.

S.B. 364 removed language in the law that ended the Jobs Act on March 15.

"This is the third time we have passed the Jobs Act," said Gary Tillis, Business Manager for the Laborers District Council.

"We no longer have to go back every few years to renew

it, the Jobs Act is permanent."

The law requires 75 percent of construction workers on state, county or city projects costing more than \$1 million to come from the local labor market area.

Unfortunately the health care bill promoted by the Trades was stopped by the Contractors Association of West Virginia for the second year in a row.

The health care bill passed through two committees in the House of Delegates and two committees in the Senate only to get within one more vote on either side

in order to pass.

In the House the bill was killed by the powerful Rules Committee. On a motion by Mitch Carmicheal (R-Jackson) the bill was pulled from the House floor on its third and final reading.

"We were only two votes short," said Steve White, ACT Director. "Two of the bill sponsors, Jon Amores (D-Kanawha) and Rick Staton (D-Wyoming), double-crossed us and voted against the bill."

In the Senate the bill was on its third and final vote but needed

to win a procedural vote to be read two times in the same day. The "rule suspension" needed to pass by four-fifths of the Senate. The 23-11 vote in favor of the bill was four short of the 27 needed.

"The contractors claimed the bill would violate federal ERISA law, but we proved them wrong" said White.

"Then they claimed no one could buy short term health policies, and again we proved them wrong."

Continued on p. 2

Trades Hold New Contractor Classes

More than 40 union workers from various trades attended a class in Parkersburg last month for members who are interested in forming their own construction company.

The Parkersburg-Marietta Building and Construction Trades Council put the class together.

Members of the plumbers, sheet metal workers, electricians, roofers, and other trades came from West Virginia and Ohio to learn tax laws, state regulations and business plans.

"The turnout was really surprising," said Sam Davis, Business Manager of the Parkersburg-Marietta Building Trades. "There is definitely an interest out there."

Walter "Fuzz" LaRue of the ACT Foundation helped put the class together. He said the idea for the class came from a monthly meeting organizers hold at the Trades Council.

The meeting usually is a discussion about various non-union contractors.

The organizers realized they had put so much effort into pursuing non-union contractors it might be easier to help some of their own members to open up their own contracting companies.

"We want to help educate our members who want to go into business," said LaRue.

The class began with a presentation from representatives of the Internal Revenue Service of Pittsburgh, who spoke for two hours

on the basics of tax payment preparation, followed by a question and answer session.

"They filled in a lot of blanks for people and gave them a lot of information to read," LaRue said of the tax agents.

Representatives of the West Virginia and Ohio Departments of Labor spoke about state rules and regulations, obtaining a contractor's license, department expectations of contractors, and

contractor license testing.

Finally, representatives of the Small Business Administration instructed the class on how to put a business plan together.

Attendees suggested future topics such as how to get bonding and how to put bids together.

"One of my biggest issues is our need for smaller contractors. The best way to get work for local workers is to have local union contractors getting the jobs."



STRONG ATTENDANCE AT the new contractor class sponsored by the Building Trades will mean more classes according to Sam Davis, Business Manager.

THE ACT REPORT

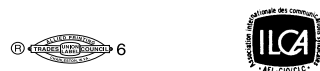
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INSIDE

Laborers, IUOE	Pg. 2
Carpenter Banner	Pg. 2
Worker Dies	Pg. 3
Home Show	Pg. 3
Apprenticeship	Pg. 3
Longview	Pg. 4

Laborers and Operators Leave National Building Trades

The Laborers' International Union and the International Union of Operating Engineers announced on February 14 they were leaving the National Building Trades Department of the AFL-CIO.

The unions set March 1 as the date of their departure.

Both unions are still members of the AFL-CIO.

In West Virginia the affiliates of both international unions are still members of the West Virginia State Building Trades and of local building trades councils as well as the WV AFL-CIO.

The move prompted harsh criticism by Edward Sullivan,

Jobs Act

CONTINUED FROM P. 1

"Then they tried to make it a union issue and even attacked prevailing wage laws, it was not a pretty sight."

The bill would have required contractors on public works projects to show at least 75 percent of their work force was covered by health insurance.

"I can't understand why the contractors we work with, who share our concerns about rising health care costs, would fight this bill so hard," said Ronnie Burdette, Business Manager, Operating Engineers Local 132.

Another bill blocked by a contractor group was S.B. 426 which imposed penalties for contractors who use illegal workers, or use sub-contractors who use illegal workers.

The bill was written by legislators from the northern panhandle together with members of the Upper Ohio Valley Building Trades Council.

president of the Building and Construction Trades Department, AFL-CIO.

At the same time he called on state and regional councils to wait for future orders on how to deal with the disaffiliations.

The Laborers and Operators wasted no time in announcing their plans to form a new group called the National Construction Alliance, an independent labor organization comprised of six basic trade unions modeled on the National Heavy & Highway Alliance.

The BCTD had already lost the Carpenters and Teamsters, both of which plan to participate in the new group.

Similarly the mechanical trades on the national level have said they will form an alliance of their own.

Again the CAWV opposed the bill and were joined by the West Virginia Home Builders Association.

And again Del. Amores (D-Kanawha) worked against the bill, this time by refusing to put it on the House Judiciary Committee agenda where he is chairman.

"We've lost jobs for our members to contractors who use illegal workers," said Bill Dean, President of the Upper Ohio Valley Building Trades. "This law would have been a good tool to stop illegal contracting activity."

A bill to rewrite rules on how workers who have been poisoned with asbestos and silica dust failed to make it out of a committee this year.

S.B. 474 claimed to make it easier for those who have deadly asbestosis, silicosis and related diseases to go to court and get compensation but lawyers representing workers showed it will do the opposite.

The Laborers and Operators noted a list of key issues they claim were not being addressed by the BCTD which they felt were crucial.

They demanded that the voting structure of the BCTD be changed to be weighted towards membership numbers.

Elimination of the "Green Book" of jurisdictional agreements between building trade unions, used in resolving work assignment disputes, and a review of the department's budget were also at issue.

They also pressed for the res-

ignation of Ed Sullivan, the current President of the department.

News reports quote Laborers President Terry O'Sullivan saying "We cannot stand idly by tied to a past that promises only further decline for construction workers, their unions and employers."

Operating Engineers President Vincent Giblin said he wanted to see changes in the AFL-CIO's Building Trades Council's issues focus and approach to jurisdictional disputes, but those changes were refused.

Ed Sullivan lashed back claim-

ing both unions had ample opportunity to address their concerns by staying in the organization.

Local building trades leaders are unsure what the consequences of these national actions will be on day-to-day operations of local unions and councils.

"We will have to see what the folks in DC decide in the next few months" said Roy Smith, secretary-treasurer of the WV State Building Trades.

"And we should make our voices heard to our leaders about where we want our organizations to go."

Carpenters Use Banner to Inform Public



THE MID-ATLANTIC REGIONAL COUNCIL of Carpenters (MARCC) decided to use a banner reading "Shame on M. Zafrullah Khan" to let the public know about a Charleston project.

Local carpenters stood outside Charleston Area Medical Center (CAMC) to protest the hiring of contractors MARCC employees say do not provide health care and pay wages lower than the local standard. According to Joe Harmon, of the Carpenters, Khan, a heart surgeon based at CAMC, hired low-paying contractors to build a new office building on Chesterfield Avenue.

"When people work for less it hurts all of us by lowering the standard of living," said Harmon.

Harmon pointed out the dispute was not with CAMC.

CMD Plus, of Charleston is listed as the general contractor on the job.

Khan works at Thoracic Cardiovascular Associates Inc. He recently made headlines as the spokesperson for a group of heart surgeons who boycotted the CAMC General Hospital trauma unit in December claiming unfair on-call pay. The boycott ended last month.

The doctors had demanded \$2500 for daily on-call pay, whether they actually were called in or not. Records revealed the heart surgeons rarely had to respond during their on-call time.

Fire Kills Construction Worker at Power Plant

A fire at the American Electric Power's (AEP) coal-fired, Kammer-Mitchell Plant, killed one worker and trapped three others for hours at the top of a 1000 foot stack.

The incident took place Saturday night, March 4 at the Marshall County plant.

Gerald W. Talbert, 27, a member of the Boilermakers Union, was found dead on Monday March 6. Talbert had recently relocated from Indiana.

Talbert was part of a crew

installing fiberglass lining inside the 1000' tall smokestack when the blaze erupted Saturday night at about 7:30 p.m.

Three workers had to escape by going to the top of the stack. A Maryland State Police helicopter picked them up, at about ten p.m. after being trapped for two hours above the flames. Rescuers lowered a basket to the smokestack and lifted off each of the three survivors individually.

The three workers were all in stable condition and taken to area hospitals.

Talbert was stuck inside the stack in a manlift.

The workers were employed

by Pullman Power LLC, a contractor AEP hired to build the new stack at the Mitchell Plant.

According to Pullman officials it took crews several hours to lower the cage in which Talbert had been working, high up inside the tower. Fire officials decided to let the fire burn itself out before trying to enter the stack.

OSHA officials are investigating the incident. Work was stopped by AEP on a similar Pullman Project at its Mountaineer Plant, and it will not resume until a cause of the Mitchell fire

is determined and steps are taken to prevent a similar accident at Mountaineer.

Officials from Boilermakers Local 667 have been on site participating in the investigation.

Pullman is a subsidiary of Structural Group, a specialty contractor located in Hanover, Maryland. The company, formerly known as Pullman Power Products, was bought in 2000.

By 2010, Columbus, Ohio-based AEP plans to spend more than \$4 billion on major pollution-control upgrades at eight

plants in four states. In West Virginia, the company will spend more than \$2 billion dollars to install sulfur-dioxide scrubbers at its John Amos plant outside of St. Albans, the Mountaineer Plant at New Haven, and the Mitchell Plant, in Moundsville.

Talbert was married with two children and his wife is pregnant with their third. Contributions to the family can be sent to:

Tiffany Talbert
c/o Carpenters Local 546
3000 South Old US 41
Vincennes, IN 47591

Millwrights, Painters Take Apprentices

Millwrights Local 1755 will be taking apprenticeship applications April 10 - 21.

The program covers 40 counties in WV and two in Ohio.

Training in all aspects of Millwright work includes welding, optical instruments, engineering principles, safety and mathematics.

Applicants must apply at locations in Parkersburg, Bridgeport or Charleston at certain dates and times. To find out details call 422-1593 or go to www.millwright1755.com.

The apprenticeship term is 10,000 hours and consists of on-the-job training as well as related classroom training.

Applicants must have transcripts of school courses and grade, a birth certificate, record of previous work experience and a DD 214 military discharge, if applicable.

A written test, mechanical aptitude test, substance abuse test

and physical examination will be required for successful applicants.

Painters District Council 53 takes applications year-round at their offices in Wheeling; Steubenville, OH; Clarksburg; Parkersburg; Kenova; and Charleston.

Call 343-8259, ext. 12, for the dates and times for each location or for more information.

The program offers a three year apprenticeship for Painters, Drywall Tapers, and Glaziers, and a two year apprenticeship for Hydro-Blaster Vacuum Technicians.

Applicants must be at least 18 years of age, have a high school degree or GED equivalent and be physically capable of performing the essential functions of the apprenticeship program.

As with all apprenticeship programs of the building trades both the Millwrights and Painters consider all applicants without regard to race, color, religion, national and ethnic origin or sex.

UA Booth at Home Show

Plumbers and Pipefitters Local 83, Wheeling, was among many local groups participating in the Home and Garden Show sponsored by the Wheeling Chamber of Commerce.

The three day event, held in

mid February, was attended by more than 10,000 area residents and was considered a big success.

Local 83 set up a display featuring educational videos, training manuals and equipment relating to their industry.

"We were able to raise awareness about the apprenticeship training our members

receive," said Joe Oakland, organizer for the WV State Pipe Trades Association.

According to Oakland many apprentices volunteered their time to staff the booth. Lots of pro-union give-away's were on hand and the public was invited to sign up for a drawing to win an American flag.



MANNING THE UA booth at the Wheeling Home and Garden Show are (back row, from left) Jason Dean, second year apprentice; Roy Estep, Instructor; Adam Cetorelli, first year apprentice (front row, from left) Timmy Shia, Jr. First year apprentice; Travis Beckett, second year; Pete Keller, second year.

Longview Hearings Held

Once again public hearings were held on the proposed Longview Power Plant to be built in Monongalia County near Allegheny Energy's Fort Martin Plant.

This time two hearings were held in one day by the Public Service Commission (PSC) as part of Longview's application to build a 600 mega-watt, \$1 billion coal fired power plant.

Longview must secure the permit for construction of the transmission lines before it begins construction at the power plant site.

More than half of the morning meeting's crowd of 114 people were union construction workers who showed their support for the project. The evening meeting had a larger turnout of 140, of which the majority were in opposition.

According to Natalie Stone, Executive Director of the North Central West Virginia Building and Construction Trades Coun-

cil, the coal-fired plant will provide 1,200 union jobs to the area for about three years. She said Longview will hire only local workers for the construction project and will provide them with livable wages, health insurance, and pension plans.

Some opposed to the plant have claimed the project will cause acid rain and noise pollution from conveyor belts.

According to Stone, Longview will be a state-of-the-art plant using environmental controls such as new scrubbers and emission reducing filters.

Longview was awarded a certificate for the site and construction in 2004, given that certain conditions are met.

At the time, the length and route of the transmission line had not been determined. Allegheny Power and Longview have been feuding over the details. Ultimately Longview routed the line around Allegheny's property.

The PSC also requested more

detailed plans, a noise impact/mitigation study, evidence of financial viability, and evidence of the taxes Longview would pay if it was not under a payment-in-lieu-of-taxes agreement.

The county will receive \$105 million for the negotiated payment of property taxes. The Monongalia County Development Authority, which owns the property the plant will be built on, will receive \$100,000 dollars per year as rent payments during the 30-year life of the lease.

"It is the highest pilot payment ever negotiated in West Virginia," explained Stone.

"There are a lot of non-profit organizations in Morgantown that don't pay taxes. Yet, the biggest complaint we've heard is that Longview won't be paying their fair share.

"These complaints don't look at the real facts. Once the Longview project begins, Longview will be the largest taxpayer in Monongalia County."

Cell Phone Discount Offer

Coupon for CellularOne Discount - North Central WV Building Trades Members

Name on Account _____

Account Number _____

Signature _____ Date _____

You must include proof of union membership, dues receipt, health card, etc.

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

Non-Profit Org.
U.S. Postage
PAID
Permit # 1374
Charleston, WV 25301

Union members may benefit from reduced cellular phone rates through CellularOne, which covers Flatwoods north, and Cingular Wireless, which is nationwide.

Cellular One will be giving members of the North Central WV Building and Construction Trades Council a 15% discount. Members have to take the coupon above and proof of membership, such as their health card or a dues receipt, to the Van Voorhis location.

The sign-up campaign for Cellular One is from March 15 through April 30. The discount will go into effect on May 1. Members must go on the GSM network plan.

If you already have an account then just call 304-599-5444 and ask for Regina McDaniel. She will send you a form in the mail and you can send

the coupon and proof of union membership through the mail. The adjustment will come in the next billing cycle.

"The North Central WV Building Trades have been using Cellular One for years," said Natalie Stone, Executive Director of North Central.

"While working on our account I learned we could make North Central a tier account and make our discount available for all of the members."

In other areas of the state Cingular Wireless is also offering a discount to union members of 18% on their monthly re-occurring charge rate plan, with a two year contract only. Members must bring in a form of identification and a pay stub copy to Chris Morton, at the Charleston Town Center location, 304-344-1957. If one already has a plan, proof of ID can be faxed to the Cingular Wireless organization and the discount will appear on the second billing cycle.



MEMBERS OF THE North Central West Virginia Building Trades turned out again to support the Longview Power project in Monongalia County. The Public Service Commission hearing is hopefully the last public hearing the project will face.