

THE ACT REPORT

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The ACT Foundation is a division of The West Virginia State Building and Construction Trades Council. Steve Burton, President; Dave Efaw, Secretary-Treasurer; Steve White, Director.

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MARCELLUS SHALE BENEFITS GO OUT-OF-STATE

LABORERS & OPERATORS PICKET

Workers are manning two picket lines in northern West Virginia protesting unfair labor practices, low wages and out-of-state workers.

Members of Operating Engineers Local 132, WV Laborers District Council and Pipeliners Local 798 have been protesting two Holloman Corporation construction sites since in mid-April.

Holloman, based in Texas, is working for Caiman Energy in Marshall County and Chesapeake Energy in Upshur County.

At the Caiman site pickets went up April 13 to protest the use of out-of-state workers and low wages. Holloman is building well gathering lines and a natural gas processing facility.

Still to come at the site is a water treatment facility and a compressor station.

“The majority of workers are from Oklahoma, Texas, and Louisiana,” said Donnie Huff, Organizer and Pipeline Representative for Operating Engineers 132.

In nearby Upshur County another picket line went up in early May.

Unions are upset that two local workers were fired because they talked about

unions with their co-workers.

The Upshur project is for Chesapeake Energy.

Holloman has been hired to install six miles of 20

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LABORERS, OPERATORS AND PIPELINE WELDERS man an Upshur County picket line while a Dodge Welding Rig from New Mexico drives through. The picket is in response to Texas contractor Holloman Construction firing two local workers who simply talked about a union. The project is being done for Chesapeake Energy.

PROJECT LABOR AGREEMENTS ENCOURAGED FOR FEDERAL JOBS

Details on how to implement Project Labor Agreements on Federal Projects were released on April 13.

The final rule follows an Executive Order signed by President Barack Obama on February 6 that tells Federal Agencies to consider Project Labor Agreements (PLAs) for all jobs larger than \$25 million.

The new rule will take effect May 13.

Although the measure does not require agencies use a PLA it does require them to

look at each major construction project and consider the use of a PLA.

Executive agencies may use a PLA if they determine it is in the best interest of the project for efficiency, economy or labor market stability.

If a PLA is used, any contractor, union or nonunion can bid, however the winning bidder must agree to work under negotiated collective bargaining agreements.

Unions will have the ability to bargain over wages hours and working conditions but must agree not to strike or engage in similar work dis-

ruptions.

PLAs must also have mechanisms to quickly resolve disputes, promote labor-management cooperation in areas such as safety, productivity and work quality, and must abide by existing laws and statutes.

PLAs are nothing new to the construction industry and are routinely used on large private sector projects where the supply of skilled labor is critical to a successful project.

The public sector also has a long history of success with PLAs.

The Tennessee Valley Authority (TVA) has used project labor agreements on its construction projects for almost 19 years.

In the nearly 200 million man hours of work on TVA construction projects using PLAs, there have been no formal strikes nor any organized work stoppages.

In addition, the rate of injury on TVA projects has also been significantly reduced.

Former President George W. Bush banned the Federal Government from using PLAs soon after he was elected.

2010 FUNDING CYCLE APPROVED**\$190 MILLION IN SCHOOL CONSTRUCTION**

The State School Building Authority approved their con-tribution to a total \$190 million during an April 26 meeting. plan worth more than Nine counties were given \$95 million to be matched by \$47 million in local funding. In addition \$50 million will

go to projects where multi-year commitments were previously approved.

Four counties must first pass local bond measures before the funding from the SBA will be made available.

Gilmer, Hancock, Marion and Preston Counties will each be asking this fall for voter approval of a bond to fund part of their building program.

Steve Burton is a member of the SBA and also represents the Tri-State Building and Construction Trades Council.

“We have been able to fund a number of school projects that will give kids a great place to learn and provide much needed jobs for local workers,” said Burton “It’s a win-win situation.”

Needs Grants Announced

The following grants have been awarded by the SBA at their April 26, 2010 Meeting:

County	Project Description	Local Funds	2010 SBA Funds	2011 SBA Funds
Gilmer*	2 New Elementary Schools	\$ 8,771,840	\$ 8,771,840	
Hancock*	New PK-4 Elementary	\$ 2,443,400	\$ 9,500,000	\$ 9,500,000
Kanawha	New Westside PK-5 Elementary	\$ 2,945,988	\$ 8,837,964	
Marion*	New East Fairmont Middle School	\$ 7,060,000	\$ 6,940,000	\$ 7,500,000
Monongalia	New PK-5 Elementary	\$ 2,872,800	\$ 8,618,400	
Nicholas	New PK-5 Elementary	\$ 2,736,000	\$ 8,208,000	
Preston*	New South Area PK-5 Elementary	\$11,116,200	\$ 8,000,000	
Raleigh	New Marsh Fork PK-5 Elementary	\$ 6,010,473	\$ 2,646,231	
Wayne	New PK-8 Fort Gay Elementary/Middle	\$ 3,300,000	\$15,810,094	
<u>Multi-year Commitment from Previous Funding Cycles</u>				
Berkeley	New Spring Mills High			\$12,500,000
Cabell	New Beverly Hills Enslow Middle		\$ 4,000,000	\$15,185,396
Marshall	New Cameron High		\$ 8,301,238	
Putnam	County-Wide Building Program		\$10,000,000	

* Indicates Grant is contingent upon a local bond passage.

Source: SBA Website

PICKET

CONTINUED FROM P. 1

inch natural gas transmission pipeline.

About a third of the workforce is local, but according to Unfair Labor Practice Charges filed by the Operating Engineers, when two workers started to talk about a union with their fellow employees Holloman fired them.

The National Labor Relations Board is investigating the charges.

“Between the two jobs there are over 100 employees, and most of them are from out-of-state,” said Huff.

According to Huff the pipeline is part of a huge effort to build a National Grid to get natural gas to northern customers.

The construction activity is

a result of a huge new natural gas find in what is called the Marcellus Shale region.

From upstate New York through Pennsylvania and West Virginia the Marcellus Shale fields are considered the largest natural resource finds of the century.

Improved drilling techniques have made possible wells that are more than a mile below the surface.

The economic benefits are huge, but the question remains whether only a few individuals and out-of-state companies will profit or if local communities will share in the wealth.

“Right now it looks like another phase of West Virginia history where local people get the crumbs and big companies get the riches,” said Huff.

RAHALL SUPPORTS BUILDING TRADES LEGISLATIVE EFFORTS

AFTER MEETING WITH Congressman Nick Joe Rahall in his Washington DC office representatives from West Virginia's Building Trades unions pose for a picture. The delegation was attending the Building and Construction Trades Departments Legislative Conference. Congressman Rahall committed to support the Trades on efforts to stop worker misclassification and independent contractor abuses, Davis-Bacon and prevailing wages, and job creating legislation.

MAY PRIMARY ELECTION RESULTS FOR WV AFL-CIO COPE ENDORSED CANDIDATES

Supreme Court of Appeals

Thomas E. McHugh✓

U.S. House of Representatives

1st Congressional District:

~~Alan Mollohan~~

3rd Congressional District:

Nick Joe Rahall✓

State Senate

1st Orphy Klempa✓

2nd Larry Edgell✓

5th ~~John Cummings~~

6th H. Truman Chafin✓

7th ~~Jeff Eldridge~~

8th ~~Richie Robb~~

9th Mike Green✓

10th Ronald Miller✓

11th ~~C. Randy White~~

12th Joe Minard✓

13th ~~Ron Justice~~ (withdrew)

14th Steven Shaffer✓

16th John Unger✓

17th Brooks McCabe✓

House of Delegates

1st ~~Marilyn Boyd~~, Randy Swartzmiller✓

2nd Roy Givens✓ ~~Alan~~

Klein

3rd Shawn Fluharty✓ Er-

ikka Storch✓

4th Michael Ferro✓ Scott

Varner✓

5th Dave Pethtel✓

9th Jim Marion✓

10th Dan Poling✓ John El-

lem✓

12th Jo Boggess Phillips✓

13th Dale Martin✓ Brady

Paxton✓

14th ~~Darrell Black~~, Cathy

Larck✓

15th ~~Carl Eastham~~, Jim Mor-

gan✓ Matthew Woelfel✓

16th Doug Reynolds✓ Dale

Stephens✓

17th Don Perdue✓ Richard

Thompson✓

18th Larry Barker✓

19th Greg Butcher✓ ~~Ted El-~~

lis, Ralph Rodighiero✓ Josh

Stowers✓

21st Harry Keith White✓

22nd Daniel J. Hall✓ Linda

Goode Phillips✓

23rd Clif Moore✓

25th John Frazier✓

27th Mel Kessler✓ Virginia

Mahan✓ Ricky Moye✓ Sal-

ly Susman✓ Bill Wooton✓

28th Thomas Campbell✓

Ray Canterbury✓

29th David Perry✓ Margare-

ret Staggers✓

30th Bonnie Brown✓ Nan-

cancy Guthrie✓ Bobbie Hat-

field✓ Mark Hunt✓ Doug

Skaff Jr.✓ Sharon Spencer✓

Danny Wells✓

31st Meshea Poore✓

32nd Scott Lavigne✓

33rd David Walker✓

34th Brent Boggs✓

35th Sam Argento✓

36th Joe Talbott✓

37th ~~Paul "PJ" Louk~~

39th Bill Hamilton✓

40th Mary Poling✓

41st ~~Frank "Chunki" Angot-~~

ti Jr., Ron Fragale✓ Richard

Iaquinta✓ Tim Miley✓

42nd Michael Manypenny✓

43rd Mike Caputo✓ Linda

Longstreth✓ Tim Manchin✓

44th Stephen L. Cook✓

Barbara Fleischauer✓ Char-

lene Marshall✓

45th Larry Williams✓

46th Stan Shaver✓

49th Charles Messick✓

50th Ruth Rowan✓

52nd Mike Roberts✓

53rd Robert V. Mills✓

54th Walter Duke✓

55th Donn E. Marshall✓

56th Terry L. Walker✓

57th ~~Lorraine M. Rea~~

58th Tiffany Lawrence✓

County School Boards

Jackson County Board of Ed-

ucation – Steve Wedge✓

Preston County Board of Ed-

ucation – Jason Hershman✓

ALL SIX TRADES CANDIDATES WIN

All six Building Trades candidates running for election in the May Primary won.

For Dave Walker in the House 33rd District that means he will be going back to the legislature because he has no opposition in the fall. For Dan Poling, who ran unopposed in the Primary, he must still face a tough challenge in the General election.

Orhpy Klempa running in the First Senatorial District easily won his bid to become perhaps the first Building Trades member to be elected

to the State Senate although he still faces an opponent this fall.

Greg Butcher won re-election in the 19th House District and faces what should be an easy challenge.

Steve Wedge won his re-election to the Jackson County School Board and Jason Hershman won for Preston County School Board.

The biggest news of the election was the defeat of 14 term Congressman Alan Mollohan.

Mollohan was defeated by former State Senator Mike Oliverio.

IRONWORKERS 301 PROTESTS OUT-OF-STATE WORKERS



MEMBERS OF IRONWORKERS Local 301, Charleston protest the use of out-of-state labor at a downtown Charleston project.

The protest started in mid-April.

Birdair Inc., from Amherst, NY, is installing a new retractable canopy roof for the Haddad River Park project and has brought in workers from outside the local area.

Imported workers and high unemployment have local workers upset.

According to Ronnie Smith, Organizer for the Ironworkers, Birdair has worked union in other parts of the country but refuses to do so in Charleston.

"They are bringing in their people while we have 80 guys out of work," said Smith.

The contract for the canopy roof was let by the City of Charleston.

There are two local union contractors on the project under a separate contract.

CONSTRUCTION COALITION CONFERENCE

The Ninth Annual Construction Coalition Conference was held on April 28 allowing representatives from labor,

contractors and construction users to meet for the purpose of improving the construction industry.

Topics included future eco-

economic predictions, workers compensation, electric transmission regulation, Clean Coal Technology, and safety.

Approximately 75 people attended the event held in

Weirton and hosted by a variety of industry groups. The event was facilitated by West Virginia University's Institute for Labor Studies.

"We try to find areas where we can work together," said Dave Efaw, Secretary-Treasurer of the WV State Building Trades.

"Supporting areas like Clean Coal, electric genera-

tion and transmission all fit into that category."

In previous year's issues of safety, alcohol and drug testing, security checks, productivity and project agreements have been discussed.

The Appalachian Construction Users Council took an active role in conference planning and coordination as well.



FIVE OWNERS REPRESENTATIVES talked to the Construction Coalition Conference about Energy, Safety and Productivity issues. From left are Mark Reed and Tom Householder, of American Electric Power's Safety and Labor Services; Don Jones, Senior Regional Manager, Bayer Technology Services; Gil Rogers, Staff Engineer and Site Coordinator, M&G Polymers; and Howard Bradburn, Resident Construction Manager, DuPont - Washington Works Plant.

The Parkersburg-Marietta Building & Construction Trades Council AFL-CIO invites you to support a local business that created jobs for local union construction workers.

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For more information call **S&P Harley Davidson** at **304.375.2530** or visit **www.sandpharleydavidson.com**

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Health Correction

In last months ACT Report the story about the Health Care bill incorrectly stated a special definition of small businesses applied to the construction industry. That provision was removed from the bill. Small employers, no matter what industry, are employers with more than 50 employees.

Also, the tax on high end health plans will only fall on the portion of health benefits, excluding dental and vision, above \$30,930 per year. There is no difference between family or single coverage for workers enrolled in multi-employer plans. The tax does not start until 2018.