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LOCAL WORKER PROVISION TIED TO MARCELLUS SHALE TAX BREAK

Tax breaks for companies who will process the natural gas from the Marcellus Shale discovery will only be granted if local worker provisions are followed.

During the final minutes of the legislative session S.B. 465 cleared its final hurdle to pass both the House and Senate.

Once signed into the law the bill will provide tax breaks for companies who build gas processing facilities if those companies comply with local hiring provisions

similar to the WV Jobs Act.

The law allows a Manufacturing Investment Tax Credit if 75 percent of the construction workers come from the local labor market area.

local workers.

Only projects worth more than \$500,000 are covered.

If a contractor cannot find the workers they need locally they can hire from outside the

able.

If a company does not want the tax break they don't have to comply with the local hiring.

The purpose of the bill was to attract investment in an ethane cracking unit.

Ethane is a by-product of the rich gas found in the Marcellus Shale formation in WV.

The ethane must be separated from the gas because it burns at too high a temperature.

There are a number of other chemicals such as propane and butane that also are separated.

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"WE WORKED HARD TO MAKE SURE ANY TAX BREAK INCLUDED SOME COMMITMENT TO LOCAL WORKERS,"
DAVE EFAW, SECRETARY TREASURER, WV STATE BUILDING TRADES

Workers who live in West Virginia or any surrounding county within 50 miles of West Virginia are considered

area but only after they go to WV Job Service, put in a request and wait three days to see if local workers are avail-

DEBELLO MASONRY SHUT DOWN, OWNER STARTS NEW COMPANY

Debello Masonry Inc. has defaulted on their workers compensation payments at least twice and has been shut down numerous times by regulators.

And now that state agencies have shut the company down the owner simply started a new company and keeps on working.

This situation has gotten leaders of the Bricklayers Union angry, and rightfully so.

"In my opinion, Debello Masonry owner Don Debello has been one of the worst contractors to work in the State of West Virginia," said Steve Ruble, an Organizer for the Bricklayers District Council of WV.

Ruble has chased Debello for benefit payments when they were a union contractor

in 2008 and now has followed the company's trail of unpaid bills as a nonunion company.

In addition to the workers compensation problems, Debello has pending court ac-

tion on wage payment issues.

Last year they were blocked from renewing their contractor's license because they were listed on the Insurance Commissions default

employer list.

At the June Contractor Licensing Board meeting Debello said he was entering a repayment plan with the In-

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DEBELLO MASONRY STARTED work on this AutoZone in Cross Lanes. After they defaulted on payments to the Insurance Commission and were shut down the company started a new corporation, D & N Masonry, and kept on working.

2011 LEGISLATIVE SESSION COMPLETE

West Virginia construction workers faced the usual successes and defeats during the 2011 legislative session.

Passage of a Marcellus Shale incentive bill that includes local worker provisions was one of the highlights (see page 1).

Securing additional funding for secondary road projects was another important piece of legislation.

Approximately \$40 million per year will go to highways projects coming from updates to Department of Motor Vehicle fees made in S.B. 608.

Operating Engineers 132 member Chuck Parker worked with labor and industry representatives to help pass the bill.

“Road funding is down because the gas tax is frozen and the Federal Government is cutting back,” said Parker. “Our roads are in terrible shape and this funding will help.”

Parker also worked on passing legislation to extend the time the Department of Highways has to use the design-build method for bidding projects.

S.B. 282 keeps design

build as an option for another two years. Then a decision will be made on how to make it a permanent option.

A bill aimed at giving the WV Division of Labor the ability to check the validity of ID's they get on jobsites didn't pass, but the problem was solved during the session.

Employers are required to have their employee's identification on the jobsite, a bill passed a few years ago to deal with the rise in unauthorized workers found in WV.

However the DOL was unable to check the ID's they were given.

For example ACT found one roofing contractor with 25 invalid social security numbers but the DOL was unable to take action without their own source of information.

Del. Dave Walker (D-Clay) introduced H.B. 3122 to allow the State Police to share information with DOL to verify worker identification.

As the bill advanced the State Police, DOL and ACT were able to find a solution without the legislation. The DOL now has the capability of verifying ID's.

The OSHA 10 Hour bill

complex to be leased by the FBI.

In February Ruble noticed Debello was back on the Insurance Commission default list.

Once notified that the company was still operating the Insurance Commission contacted the DOL who promptly shut Debello down.

Debello was also shut

proposed by the Trades passed out of a House Industry and Labor sub-committee in early February.

But it failed on an 11 – 8 vote in the House Government Organizations Committee and could advance no further.

The bill, H.B. 2545, would have required workers on public works projects to have taken an OSHA 10 Hours safety class.

The Contractors Association of WV opposed the bill. However a number of union

contractors lobbied in support of the measure.

A bill to aid the bond sale needed for construction of Route 35 failed to pass the Senate when Sen. Karen Facemyer (R-Jackson) took the floor to oppose the measure.

Other Senators stated they would not vote for the measure if Facemyer, whose district would benefit from the road, opposed the bill.

Union contractor Kokosing Construction was low bidder on the last phase of

Route 35 but delays have led to cost increases and funding for the project is now in question.

“We may lose hundreds of good paying union jobs and a vital road may not be built for decades because of this bill failing,” said Tommy Plymale, Business Manager of Operating Engineers Local 132.

A bill to increase tax credits for employers who hire apprentices failed to get onto the agenda for the Senate Finance Committee and therefore died.



DAVE EFAW, SECRETARY TREASURER of the WV State Building Trades goes over legislation with Del. Erikka Storch (R-Ohio) and Del. Dan Poling (D-Wood). Both legislators are labor endorsed and are from the construction industry.

down from working at an AutoZone store in Cross Lanes.

Debello then claimed they were no longer working as Debello, but now went by the name D & N Masonry Inc.

Don Debollo is President of both companies.

D & N was formed on January 27, right before Debello went back onto the Insurance Commission default list.

D & N first claimed they didn't need a workers compensation policy because they had no employees.

However the DOL cited D & N for Wage Bond problems on March 3 when they were found with eight employees.

D & N then said they were working under the Debello Workers Compensation policy.

But the Insurance Commission determined they had to have their own policy.

D & N eventually bought a workers compensation policy and is now back at work.

“This is unbelievable,” said Ruble.

“Honest contractors have to compete against this guy, and he is working at an FBI office.”

DEBELLO

CONTINUED FROM P. 1

insurance Commission and got his license reinstated.

However the Board said the license would be revoked if the company did not comply with the repayment plan.

Earlier this year Ruble had been watching Debello do work at a Charleston office

STATEWIDE LOCAL FORMED

PLASTERERS-CEMENT MASONS LOCAL 926 BUILDS NEW TRAINING FACILITY

Newly formed Operative Plasterers & Cement Mason Local 926 is building a training facility in Parkersburg.

The 8,000 square foot building will offer space for both classroom and hands-on training.

Plasterers & Cement Masons have a four year apprenticeship program that requires 150 hours a year of related instruction.

Most of the training takes place from January through March.

Apprentices are brought in for a week at a time and housed near the site.

Classes cover a wide variety of skills for both Cement Masons and Plasters including pervious concrete, dryvit

systems, and concrete stamping.

Anthony Farber is the Training Coordinator for the Local.

“We will also be providing classes for Journeyman,” said Farber.

“This facility will make it easier for us to do the kind of training we need to insure our members are the best.”

Construction began earlier this year and is expected to be completed by June.

According to Business Manager Chris Womack and Randy Bostic, Financial Secretary, Locals 39 Wheeling and 887 Charleston merged to form the new statewide local.

The change was effective the beginning of this year.

The new Local covers all

of West Virginia as well as three Counties in Ohio, three Counties in Maryland and 29

Counties in Virginia.

Offices will be in Charleston and Shadyside, Ohio.

There are approximately 600 members in the Local including 20 apprentices.



BUILDING A NEW training center in Parkersburg for Plasterers & Cement Masons Local 926 are union workers from Agsten Construction.

BRICKLAYERS APPRENTICESHIP OPEN

The Bricklayers & Allied Craftworkers District Council of West Virginia Apprenticeship Program has a year round application process.

Those interested in applying can go to any WorkForce WV Job Service office on the Third Friday of each month. The Western Maryland One Stop Job Center will also process applications Monday through Friday. Both agencies are open normal business hours of 8:00am to noon and 1:00pm to 4pm.

The program trains in all aspects of the trade includ-

ing brick and block laying, as well as other trowel trade skills.

Starting wages range from \$12.35 to \$14.09 plus fringe benefits and increase as the apprentice progresses through the program.

It takes 6,000 hours of on-the job training plus related classroom training to complete the program.

Apprentices begin with an eight week training session at the Councils training facility located in Ritchie County. Apprentices from out-of-the area are provided local housing.

For the remainder of their

apprenticeship they attend monthly meetings closer to their home area.

The WV Bricklayers District Council Apprenticeship program provides apprenticeship opportunities for those who reside on any West Virginia County as well as the Counties of Allegheny, Garrett and Washington, MD.

Bricklayers minimum qualifications for application to the Apprenticeship program require that applicants be at least 18 years old, have a high school diploma or a G.E.D and a valid driver's license. Applicants must be a resident of West Vir-

ginia, or Allegheny, Garrett or Washington Counties in Maryland. Applicants must be physically able to perform the work of the trade.

A drug test will be required.

All applicants will be administered a standard written aptitude test by the WV Job Service or the Western Maryland One Stop Job Center. In order to be accepted you must provide copies of your birth certificate, high school diploma or G.E.D. A copy of your driver's license will be required at a later date. Only copies will be accepted please do not bring originals.

The recruitment, selection, employment, and training of apprentices shall be without discrimination because of race, color, religion, national origin or sex. The Bricklayers Joint Apprenticeship and Training Committee will take affirmative action to provide equal opportunities in apprenticeship and training and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations, part 30.

For more information contact Apprenticeship Coordinator Brian Greynolds at 304-363-9250 or bricklayerwv@gmail.com.

PATH TRANSMISSION PROJECT POSTPONED

Developers of the 275-mile Potomac Appalachian Transmission High-line (PATH) have withdrawn their application for approval from the WV Public Service Commission. Applications in Virginia and Maryland have also been withdrawn. The reason given was the poor economy and new pro-

jections saying the power would not be needed as soon as previously expected by the transmission coordinating agency PJM.

Industry reports suggest the project has been set back

five years from the original plan for a 2012 completion.

The partnership of American Electric Power and First-Energy Corp. are the PATH developers.

They had agreed to use local union workers for the construction of the 765-KV line that would stretch from the John Amos plant near

Charleston to Frederick, Maryland.

A large substation would have been built in Hardy County.

Trades members had attended numerous public hearings to support this project.

The total project cost was estimated at more than \$1 billion.

1,000 WV WORKERS RALLY



A RALLY IN support of workers under attack in Wisconsin, Indiana and Ohio took place on the Capitol steps in Charleston on Saturday, March 12.

Approximately 1,000 workers from a variety of unions across the state participated.

The Trades had a large showing with banners from Sheet Metal, IBEW, Laborers, Teamsters, Carpenters, Painters and UA.

MARCELLUS

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rated.

Once separated the ethane can be used as a feedstock for the ethane cracker which in turn produces materials for the plastics and chemical industries.

"We worked hard to make sure any tax break included some commitment to local workers," said Dave Efaw, Secretary Treasurer of the

WV State Building Trades.

"We would have liked stronger language but still feel good about what we ended up with.

"Calls from our members to their Legislators made a difference as did ads on TV and newspaper."

Efaw also noted the key role building trades members Del. Dan Poling (D-Wood) and Sen. Orphy Klempa (D-Ohio) played in passing the measure.

They both worked with their respective leaders, House Speaker Rick Thompson (D-Wayne) and Senate President Jeff Kessler (D-Marshall).

The bill will also allow a sales tax credit for pipeline projects 20 inches or greater and compressor stations, but the same local hiring provisions apply.

The bill was one of two key measures aimed at the Marcellus Shale activity.

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A bill to provide basic environmental regulations and increase permit fees to fund inspectors failed to pass.

In-fighting between large and small gas producers re-

sulted in no consensus on what the legislation should include.

Environmental and land-owner groups say regulation is desperately needed.