



A PUBLICATION OF THE AFFILIATED CONSTRUCTION TRADES

A Division of the WV State Building Trades, AFL-CIO | Steve Burton, *President* | Dave Efaw, *Secretary-Treasurer* | Steve White, *Director*

Hotel Contractor Breaks Labor Law Claims IBEW

Electrician Justin Lore found out he didn't have a job with Hi-Tech Electric soon after he talked to union representatives.

So members of the International Brotherhood of Electrical Workers, along with dozens of craft supporters, put up a picket line at a Charleston hotel project to protest alleged unfair labor practices.

Hi-Tech Electric of Ashland, Kentucky is a subcontractor on the project and, according to charges filed by the IBEW with the National Labor Relations Board, the company has acted illegally on a number of occasions.

The unfair labor practices charges, filed on September 4, allege Hi-Tech "discharged employees of the company for trying to establish a Union" and that the company "questioned and spied upon employees during their union activity."

The pickets started the following two days after the charges were filed and future actions are still being de-

termined.

Lore had worked for the company for six years prior to his discussions with the union.

"Workers have the right to talk

about a union without getting fired or spied on," said Joe Samples, Business Manager for IBEW Local 466, Charleston.

Samples said five Hi-Tech workers

were either fired or laid off during the past two weeks.

The hotel project has been the site of a number of demonstrations

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From right - Electrician Justin Lore along with Skip Bailey and Dan Doss of IBEW Local 317 Huntington; Joe Dillow, IBEW Local 575, Portsmouth, OH; and Lorne Mills from IBEW Local 968 Parkersburg and dozens from other crafts picket at a Courtyard by Marriott project in Charleston where Hi-Tech Electric is a subcontractor.

Top 1% Gets 20% of All WV Income

Manufacturing Decline Leads to Lower State Wages, Construction Job Loss

In 1979 the construction industry was one of the top five private employers in the state. Today it has been replaced in the top five by "accommodation and food services" employment.

According to a recent report from the West Virginia Center on Budget and Policy, the average West Virginia worker's job pays 17 percent less today than the national average and income inequality has steadily risen,

with the top one percent of the state's population earning 20 percent of all the income.

The report addressed the factors behind the decline of West Virginia's economy over the past four decades.

West Virginia's economy shifted from good-paying, goods-producing jobs, like those provided by Weirton Steel, to low-paying, service oriented jobs like those at Wal-Mart.

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OSHA Announces New Silica Standards

New standards aimed at lowering worker exposure to silica have been proposed by OSHA.

Silica is known to cause lung cancer, silicosis, and related disease which kills hundreds of workers and sickens thousands each year, many who are in the construction industry.

Exposure to airborne silica dust occurs in operations involving cutting, sawing, drilling and crushing of concrete, brick, block and other stone products and in operations using sand products, such as in glass manufacturing, foundries and sand blasting.

“The proposed rule uses common sense measures that will protect workers’ lives and lungs — like keeping the material wet so dust doesn’t become airborne,” said Dr. David Michaels, assistant secretary of labor for occupational safety and health in an agency press release. “It is designed to give employers flexibility in selecting ways to meet the standard.”

The proposed rulemaking includes two separate standards — one for general industry and maritime employment, and one for construction.

The agency currently enforces 40-year-old permissible exposure limits (PELs) for crystalline silica in general industry, construction and shipyards that are outdated, inconsistent between industries and do not adequately protect worker health. The proposed rule brings protections into the 21st century.

The proposed rule includes a new exposure limit for respirable crystalline silica and details widely used methods for controlling worker exposure, conducting medical surveillance, training workers about silica-related hazards and recordkeeping measures.

Almost 80 years ago the Hawks Nest Tunnel project near Charleston left hundreds and perhaps thousands of workers dead from exposure from

silica dust.

“Even 80 years ago they knew about the deadly consequences but decided it was easier to get more workers than protect the ones they had,” said Gary Tillis, Business Manager for the Laborers in WV.

“These regulations are long overdue.”

OSHA will accept public comments on the proposed rule for 90 days following publication in the Federal Register, followed by public hearings.

Once the full effects of the rule are realized, OSHA estimates the results would save nearly 700 lives per year and prevent 1,600 new cases of silicosis annually.

Additional information on the proposed rule, including a video; procedures for submitting comments and the public hearings can be found at www.osha.gov/silica.

A web site focused on how to work safely around silica based products can be found at <http://www.silica-safe.org/> ■

Operating Engineers Help Create New T-Ball Field



Shane Cooper, a member of Operating Engineers Local 132, operates a bulldozer as part of a volunteer effort building a t-ball field for the Vinson Little League in west Huntington.

Local 132 Business Manager Tommy Plymale and Training Coordinator Chuck Parker were also on hand in mid-August to help get the job done.

“We were happy to help out and volunteer so area kids have a place to play t-ball,” said Plymale.

Walker Machinery donated the equipment and fuel for the project.

ANNOUNCEMENT OF APPRENTICESHIP OPPORTUNITIES

CHARLESTON JATC OF PLUMBERS & PIPEFITTERS LOCAL UNION 625

WHERE TO APPLY: 3601 James Ave, Charleston, WV

WHEN TO APPLY: October 1st, 2nd and 3rd
October 8th, 9th and 10th
Applications will only be given out on listed days

HOURS TO APPLY: 8:00 AM to 11:00 PM, 1:00 PM to 3:30 PM
On listed days only

(\$35.00 APPLICATION FEE, WHEN YOU PICK UP YOUR APPLICATION)

MINIMUM QUALIFICATIONS AS FOLLOWS:

AGE: 17 years of age at the time of application, and must be 18 years of age, prior to being indentured by the JATC

EDUCATION: High School Diploma or G.E.D.

PHYSICAL: Must be physically able to perform the work of the trade. A Drug test will be required

DRIVERS' LICENSE: Must have valid WV Driver's license or State ID

APTITUDE: Must score standard level on able test administered by the WV Job service

A copy of the applicant's birth certificate, high school transcript of grades, high school diploma or G.E.D., DD2-14 Form (if former Military), and valid driver's license or State ID will be requested at the time of application.

{ONLY COPIES WILL BE ACCEPTED}

The Recruitment, selection, employment and training of apprentices shall be without discrimination because of race, color, religion, national origin or sex. The JATC 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.

New Jersey Contractor Gets \$10 Million Project Beckley Veterans Hospital Site of Protest

Trades members took to the streets to protest the use of out-of-state labor at the Beckley Veteran's Administration Medical Center.

Two projects with a combined value of \$10 million went to Seawolf Construction based in New Jersey.

Seawolf has been unwilling to talk to the Trades about using local workers and subcontractors for the project.

paying applicable payroll taxes as well.

"We can compete if there is a level playing field," said Rebich. "But contractors who gain an advantage by disregarding our laws are hard to beat."

Rebich claims their electrical, mechanical and masonry subcontractors are from South Carolina, Florida and New Jersey.

Painters Representative Jerry

Scarbro has been trying to find out for weeks if Seawolf has selected contractors for their painting and interior work but hit a wall.

"I ended up having to file a Freedom of Information request just to ask a simple question, and then the VA denied my request for subcontractors saying it was a trade secret," said Scarbro.

Representatives at the VA have been less than helpful when it comes

to enforcing state law or encouraging local hiring.

"The Building Trades has a solid history of working with veteran's, like our Helmet's-to-Hardhat's program," said Rebich. "The VA in return does little to help our folks get a job, and that just doesn't make sense."

A variety of crafts have participated in the demonstrations that started in late August and have continued into September. ■

"...contractors who gain an advantage by disregarding our laws are hard to beat."

Wayne Rebich

ACT Representative

An investigation led by ACT's Wayne Rebich has learned that Seawolf is not following state law regarding contractor licensing and wage bonding.

The WV Division of Labor issued a cease and desist order.

Rebich wonders if Seawolf and their out-of-state subcontractors are



Craft representatives from numerous trades showed up at the Beckley VA in late August to protest millions in construction contracts going to New Jersey based Seawolf Construction and their numerous out-of-state contracts.

Manufacturing Decline Leads to Job Loss

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Deindustrialization has resulted in major negative consequences for many industries in West Virginia, including the construction industry.

In 1979, West Virginia outperformed the nation in several key economic indicators, including higher medium and average wages, stronger economic output, less income inequality, higher unionization, and better employment benefits like health care and pensions.

Today, the real median hourly wage is about 80 cents less than the national average and almost \$1 less

than it was in 1979.

In 1979, the state's largest private-sector industry was manufacturing, with over 131,000 workers or 21 percent of the state's private sector workforce.

Today, only seven percent of private-sector employment, or about 52,000 workers, is manufacturing.

Construction employment has also fallen by 2,621 jobs since 1979. However if construction employment had kept pace with the service sector an additional 10,983 jobs might have been created between 1979 and 2011.

"What the public doesn't realize is our members from the construction industry work in manufacturing plants all the time, and when manufacturing declines we have less places to work," said Dave Efaw, Secretary-Treasurer of the WV State Building Trades.

"Replacing good paying manufacturing and construction jobs with those at Wal-Mart hurts our communities simply because the pay is so much lower and benefits are so much less."

The report also looked at the rela-

tionship between union membership and wages.

"Unions play a significant role in bargaining for higher wages and better benefits for workers. It is no coincidence that the growth in income inequality and the decline in wages have coincided with declining union membership."

Decline in employer sponsored pensions and health care also followed the decline in manufacturing and union membership.

The entire report is available at: <http://www.wvpolicy.org/> ■

Operators and Laborers Protest Louisiana Pipeline Contractor in Wheeling

Members of Operating Engineers Local 132 and Laborers Local 1149 Wheeling are protesting nonunion Sunland Construction Inc., who is installing a 14 mile natural gas pipeline in Ohio and Brooke County.

According to Larry Young, Organizer for the Operating Engineers, the protest is in support of local hiring for Marcellus and related projects.

"We've got some of the richest natural gas resources in the world and it doesn't make sense that out-of-state contractors and imported workers get the jobs our local workers and businesses need and can do competitively," said Young.

Sunland is headquartered in Louisiana with offices in Texas, Colorado,

Alabama, New Mexico, South Carolina, and North Dakota.

Vehicles with license plates from Louisiana, Oklahoma, Texas, Mississippi, and Arkansas have been seen going to the job site.

Young estimates around 65 workers are at the project.

"They have way more people on a job then our contractors would use," said Young.

Some workers have told union representatives that they are making \$14 per hour, well below area standards.

Safety is an issue as well. "Just go to the internet and type in three words - Sunland accident pipeline - you can see the results yourself," said Young.

The project started in late July and the crafts have been protesting since mid-August.

The protest is only part of the story according to Tom Gray, Business Manager of Laborers Local 1149.

"We have the best pipeline workers in the world right here locally," said Gray.

"They are getting the job done professionally every day and that means those paychecks stay right here locally."

"We protest to let the public know what is going on but at the same time we get the job done on our projects to show using union labor makes good business sense." ■



Operators and Laborers want the public to know Sunland Construction is not using local workers on their 14 mile pipeline project. The protest is taking place in Wheeling at the company's yard near the Highlands. Representatives from the Teamsters and Pipeline Welders have also supported the protest.

Labor Law

Continued from Page 1

by the trades over poor safety practices and the use of imported and low wage labor.

Hi-Tech was cited by OSHA on July 29 for a number of serious violations.

The proposed fine is \$9,000.

One worker at the site said he was

making \$9 per hour.

Members of the trades have also been frustrated by the South Carolina based building developer VIM, Inc and its CEO Charles Wendell, because they have been unable to find out how local contractors can bid the project. ■

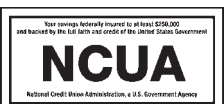
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