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A Division of the WV State Building Trades, AFL-CIO | Bill Hutchinson, President | Dave Efav, Secretary-Treasurer | Steve White, Director

WV Supreme Court Hears Brooke Permit Challenge

Harrison Air Permit OK'd

The West Virginia Supreme Court of Appeals listened to arguments on Tuesday, October 9 regarding the Public Service Commission siting certificate issued to Brooke County Power and challenged by the Ohio Valley Jobs Alliance (OVJA).

Project developers Energy Solutions LLC received the siting certificate permit for the \$884 million project in February of this year after a series of public hearings and formal testimony about the project.

Energy Solutions and the Trades have entered into an agreement to make sure local union workers will build the project which will result in more than \$90 million in wages and benefits.

OVJA has been attempting to block gas-fired power projects in West Virginia and their legal efforts have been funded by Murray Energy Corporation.

“This is just another appeal without merit that can only delay the project and hurt local workers,” said

Steve White, ACT Director.

OVJA claims they are supporting coal jobs but have never shown how stopping West Virginia gas plants will help anyone.

“We support coal projects, but the facts are nobody is building them,” said White. “Gas projects are being built in surrounding states and we

Cont. on p. 4>>



Argument Docket, October 9, 2018
Case Four - No. 18-0249

Ohio Valley Job Alliance, Inc., et al.
vs.)
Public Service Commission of West Virginia, et al.

Attorney Vince Trivelli (inset) appeared before the West Virginia Supreme Court of Appeals on Tuesday, October 9 to support the PSC siting permit and represent local construction workers who want to build the Brooke County Power Project.

Florida Bridge Painting Company Assessed for Only Two of 12 Years in Back Taxes

A Florida bridge painting contractor didn't paying withholding tax to West Virginia for 12 years but has only been required to pay back two years' worth.

That leaves an estimate \$350,000 in uncollected taxes that falls on local taxpayers, workers and businesses.

Seminole Equipment was low bidder on at least 13 tax funded bridge

painting projects since 2006.

The projects range in amount from \$147,810 to \$8,368,480.

Painters District Council 53 reviewed payroll documents on a Kanawha project awarded in 2016 and found the problem.

They turned the documents over to the state tax department and the Division of Highways but neither

side took action.

After two public protests and significant news coverage the state tax department filed a lien for unpaid taxes.

Records at the Kanawha County Clerk's office dated March 14, 2018 show two liens including one "for accrued Withholding, interest, additions to tax and penalties" in the

amount of \$163,915.07. The other was for \$3,382 owed for "accrued Pass Through, Interest additions to tax and penalties" for periods 12/31/2014 and 12/31/2013.

The amounts apparently are only for two prior years.

"What happened to the other 10 years of tax they owe?" asked Dan

Cont. on p. 2>>

AFL-CIO Endorses Kessler, Tabit for Court

The WV AFL-CIO has endorsed former Senate President Jeff Kessler from Marshall County and Kanawha Circuit Court Judge Joanna Tabit for election to West Virginia's Supreme Court of Appeals.

Both candidates were picked after a questionnaire was mailed to all candidates who filed to run and the COPE Executive Committee interviewed those who returned the questionnaire.

While candidates from the court cannot discuss particular cases they may end up judging they can tell you about their background, their prior experience and understanding of the labor movement, and about their capacity to undertake a strong campaign for a statewide office.

"There are some excellent candi-

dates," said Steve White, ACT Director.

"The COPE Executive Committee felt Jeff Kessler and Judge Tabit will listen to all sides, be fair in their application of the law, are free of any special interest influence and have the best chances to be elected to this important office."

The two openings are the result of recent resignations at the court and are for the time remaining on each term.

Tabit will be running for the position Judge Menis Ketchum resigned from.

That unexpired term will end in 2018 and is referred to as Division One.

Kessler is running for the unexpired term of Judge Robin Davis.

That term will end in 2024 and is referred to as Division Two.

A full term of the WV Supreme Court is 12 years. ■



Jeff Kessler, one of Labor's endorsed candidates for the WV Supreme Court, speaks to the WV State Building Trades Convention delegates in September.

Re-Opening Event Saturday, October 27, 11:00 am to 2:00 pm Union Trades has New Charleston Location

Union Trades Federal Credit Union has relocated their Charleston office to 210 Tennessee Avenue.

Located at the corner of Tennessee Avenue and Randolph Street on Charleston's west side the new office has four drive through lanes, around 2300 square feet of office space and plenty of parking.

"Our members really wanted the drive through service and our board decided it was time to buy a building to accommodate them," said Dianah Angert, CEO of Union Trades.

There will be an open house on Saturday, October 27 from 11:00 am till 2:00 pm. Current members should check out the new location and it would be a great time for others to

join up. Any member of a building trades union, or a family member of a current Union Trades member is eligible to join.

The drive through lanes are open from 8:00 am to 5:00 pm, Monday through Friday with hours extended to 5:30 pm on Wednesdays.

The lobby is now open from 8:30 am till 4:30 pm, Monday through Friday.

On the second and fourth Saturdays of each month the credit union is open from 9:00 am till noon.

An ATM is planned for their fifth drive through lane and expected to be in place mid-November.

The phone number remains the same (304) 344-0194. ■



Union Trades CEO Dianah Angert (from left), loan officer Malena Boggess and teller Deanna Hendricks at the new Charleston branch at 210 Tennessee Ave.

Florida Bridge

Continued from Page 1

Poling, Business Manager for the Council.

State law prohibits the award of a contract to anyone who owes the state \$1,000 or more.

However even with the liens in place Seminole is still bidding tax funded projects in the state.

"I don't understand why our state would forgive a company for 10 years of taxes and still let them bid on more projects while they haven't even paid off the lien," said Poling.

Since 2006 Seminole Equipment has been awarded more than \$19 million in projects. ■

12/12/2006 Wood \$403,790	6/15/2010 Greenbrier \$1,319,750
4/30/2009 Cabell \$149,285	6/15/2010 Mercer \$329,696
4/30/2009 Greenbrier \$579,385	5/22/2012 Marion \$1,537,220
4/30/2009 Mercer \$271,220	12/4/2012 Kanawha \$3,688,230
4/30/2009 Pendleton \$147,810	10/18/2016 Kanawha \$1,249,165
5/14/2009 Mercer \$343,896	5/16/2017 Raleigh \$8,368,480
5/28/2009 Lincoln \$695,285	Total = \$19,083,212 million

Trade Endorsement 2018 General Election

U.S. Senate - Joe Manchin	23rd	Rodney Miller
U. S. House of Representatives	24th	Ralph Rodighiero
1st District David McKinley (R)		Timothy Tomblin
2nd District Talley Sergent	25th	Tony Paynter (R)
3rd District Richard Ojeda	26th	Ed Evans
WV Supreme Court	27th	Carol Bailey
Division One Joanna Tabit		Lacy Watson
Division Two Jeff Kessler		Phoebe Meadows
State Senate	28th	Andrew Evans
1st William Ihlenfeld		Sandy Shaw
2nd Denny Longwell	29th	Ricky Moye
3rd James Leach	30th	Mick Bates
4th Brian Prim	31st	Richard Snuffer
5th Mike Woelfel	32nd	Luke Lively
6th Charles Sammons		Margaret Staggers
7th Ron Stollings		Mel Kessler
8th Richard Lindsay	33rd	David Walker
9th William 'Bill' Wooton	34th	Brent Boggs
10th Stephen Baldwin	35th	Andrew Byrd
11th Bill Hamilton (R)		Renate Pore
12th Mike Romano		James Robinette
13th Bob Beach		Doug Skaff Jr.
14th Stephanie Zucker	36th	Andrew Robinson
15th Jason Armentrout (I)		Larry Rowe
16th John Unger		Amanda Estep-Burton
17th Terrell Ellis	37th	Mike Pushkin
House of Delegates	38th	Tom Tull
1st Diana Magnone	39th	David "Woody" Holmes
Randy Swartzmiller	40th	Melissa Huffman
2nd Phillip Diserio	41st	Paul O'Dell Jr.
3rd Shawn Fluharty	42nd	Jeff Campbell
Erikka Storch (R)		Cindy Lavender-Bowe
4th Joe Canestraro	43rd	Bill Hartman
Lisa Zukoff		Cody Thompson
5th Dave Pethtel	44th	Dana Lynch
6th T. Chris Combs	45th	Matthew Kerner
7th Lissa Lucas	46th	Robert "Bob" Stultz
8th David Bland	47th	Ed Larry
9th Jim Marion	48th	Tim Miley
10th Andy Daniel		Richard Iaquina
Harry Deitzler		Robert Garcia
J. Morgan Leach		Derek McIntyre
11th Sarah Duncan	49th	George Abel
12th Missy Morris	50th	Mike Caputo
13th Scott Brewer		Linda Longstreth
14th Brianne Solomon		Michael Angelucci
16th Sean Hornbuckle		Guy Ward (R)
Matt Spurlock	51st	Barbara Fleischauer
Vera Miller (R)		Evan Hansen
17th Chad Lovejoy		Rodney Pyles
Matthew Rohrbach (R)		Danielle Walker
18th Karen Nance		John Williams
19th Ken Hicks	52nd	Gary Knotts
Robert Thompson	53rd	Cory Chase
21st Phyllis White	54th	John Hott (R)
22nd Gary McCallister	55th	Isaac Sponaugle
Zack Maynard (R)	56th	Timothy Ryan

58th Bibi Hahn
59th John Isner
61st Jason Barrett
63rd Sam Brown

There are nine candidates affiliated with the WV State Building Trades whose names are bolded.

Andy Daniel is a 20 year member of the Carpenters union and also owner of 3D Construction, a union general contracting firm based in Parkersburg. Daniel is running for the House of Delegates in the 10th District which covers part of Wood County.



"I don't understand why our legislature has been hurting local businesses like mine with the repeal of our prevailing wage law for example," said Daniel.

"There needs to be more emphasis on helping small companies that are the real job creators in our communities."

Chris Combs is running for the House of Delegates seat in the 6th District which includes Tyler, Doddridge and a portion of Pleasants Counties. Combs has been a member of the IBEW since 1987.



"I'm running for the House of Delegates because union members and hardworking West Virginians don't have adequate representation

64th Barby Frankenberry
65th Sammi Brown
66th David Dinges
67th John Doyle

in Charleston," said Combs.

Combs is committed to reversing the so-called Right-to-Work law to bring back jobs to West Virginia. He supports all workers in the fight for fair wages and proper representation between workers and employers.

"I stand behind our senior citizens, working West Virginians, our educators, service personnel, all state workers, our disabled, and our veterans."

Gary McCallister is running for House of Delegates in the 22nd district which includes most of Lincoln County, the southern half of Putnam County and parts of Logan and Boone Counties.



"I want to stop the attacks on workers, reinstate prevailing wage, and repeal Right-to-Work," said McCallister.

A twenty-five year member of Carpenters Local 439 in Charleston, McCallister is now a service representative and financial secretary for the Local.

He also serves as president of the Charleston Building & Construction Trades Council.

"Workers are hurting because of the leadership at the capital, we must stop them," said McCallister. ■



Members of IBEW Local 466 Charleston get ready to go door-to-door volunteering for an endorsed candidate. Members across the state have been doing the same.

McKinley Tours Pipefitters Apprenticeship

Congressman David McKinley (R-Ohio) recently went on a tour of Plumbers and Pipefitters Local 152 Apprenticeship and Training facility

in Morgantown. The tour took place on Friday, October 5.

"Having a skilled workforce is key to our economy," said McKinley. "I



(From right) Chad Oleksa, Plumbers and Pipefitters Local 152 Apprenticeship Coordinator leads a tour of their training facility along with Bryan Raber, Business Manager of Local 152 and special guest First District Congressman David McKinley. Dave Morris, (left) President of the North Central WV Building Trades and a representative of Painters District Council 53 explained how all crafts have similar facilities.

am very impressed not only with the great facility Local 152 has but with the strong commitment union workers and contractors make to apprenticeship and training."

McKinley is endorsed for reelection by the West Virginia State Building & Construction Trades Council along with its affiliated local unions.

He has a proven track record in

support of the Davis-Bacon Act (federal prevailing wage), Project Labor Agreements and collective bargaining rights.

"We appreciate Congressman McKinley taking the time to tour our facility and stay up to date on the latest craft training methods," said Bryan Raber, Business Manager for Local 152. ■

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Laborers Volunteer at Habitat for Humanity



Jesse King (left), Scott Leisure, and Matt Freeland of Laborers Local 1085 Parkersburg volunteer on a Habitat for Humanity house in Marietta, Ohio.

The volunteer effort took place Saturday, September 22.

"We want to help our community, and show our support," said Jesse King, Business Manager for Local 1085.

According to King there were five volunteers from Local 1085 along with others from the community, and the owner, a single mom with two kids.

Not pictured from Local 1085 were Dave Sheppard and Teresa Coss.

Brooke Permit

Continued from Page 1

may end up with nothing in West Virginia if OVJA is successful."

A ruling by the Supreme Court on the PSC permit is expected before the end of the year.

The Brooke project recently received their air permit in September and the deadline to appeal that permit is later this month.

OVJA has taken a number of actions to block three proposed gas-fired projects in West Virginia totaling more than \$2.1 billion in potential investment and \$215 million in construction worker wages.

In a related matter the written order rejecting OVJA's appeal of an air permit for the Harrison County Power project was finally issued by the Air Quality Board on September 24.

OVJA had a long list of complaints about the Harrison County Power air permit. They claimed the permit ap-

plication did not comply with EPA requirements, failed to use the correct data, improperly predicted pollution results and more.

However after examining each complaint the board repeatedly concluded "the OVJA failed to offer sufficient threshold evidence in support of its allegations..."

"In layman's terms they figured out OVJA had no case," said White. "We believe OVJA's efforts will just push these types of power plants into surrounding states and result in killing jobs for local union construction workers."

OVJA has 30 days from the written order to appeal the ruling to the WV Supreme Court of Appeals.

If there is no appeal then construction could begin on the \$615 million Harrison project within early in 2019. ■