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

2019 Legislative Session Half Over, Much Like 2018

The 2019 legislative session is more than half way complete and is shaping up, in many ways, to be similar to the 2018 session.

Those in the education community are once again targets for Republican Senate Leadership. A pay raise bill was saddled with many controversial measures aimed at hurting existing public school programs, teachers and school service personnel.

For the construction industry the same series of bad bills fought last session were back this session with a few new ones thrown in.

Included are proposed legislation to weaken safety by lowering crane operator certification standards, to weaken the WV Jobs Act by making payroll information from public projects secret, to ban responsible contractor policies at the county and city level, to cripple the WV Division of Labor by removing Contractor Licensing responsibilities, to threaten new wind power jobs by reneging on a tax policy put in place to equalize property tax rates between coal, gas and wind, and more.

“Almost all of these measures have been introduced and been on a committee agenda which is very trou-

bling,” said Dave Efaw, Secretary-Treasurer of the WV State Building Trades.

In the House of Delegates, with solid support from all Democratic members and an important group of Republic Delegates who will listen and often support the Trades, some small successes have been made.

According to Efaw a bill intended to help cities have more flexibility

had Right-to-Work language, seen as a way to further insult union members. The language was removed by an amendment in a committee. Unfortunately a Senate version SB 4 passed the Senate and must be fought again in the House.

Another bill HB 2708 aimed at restricting counties and cities ability to pass ordinances and regulations about wages and a variety of other is-

ssues was also amended in committee to take the worst language out.

“In a few committees we can get support from both democrats and republicans to stop the constant attacks on Labor,” said Efaw. “We have a fighting chance.”

In most committees the Labor supporters are outnumbered.

The House Industry & Labor

Cont. on p. 4>>



Members of the Keystone Mountain Lakes Regional Council of Carpenters talk to Delegate Daniel Linville (R-Cabell). Representatives from craft unions across the state have been showing up to talk with legislators.

Two New National Studies Show Negative Effects of Prevailing Wage Repeal

Two new scientific studies looking at the effects from prevailing wage repeal show both increases in injury rates and decreases in benefits

among construction workers.

The authors, from the University of Utah, published their finding in Public Works Management & Policy

found on the website SAGE.

It has been well documented that the elimination of prevailing wage laws lead to wage cuts.

What has been less studied is the effect on job site safety and benefits.

In the study about benefits the au-

Cont. on p. 2>>

LiUNA, API, NABTU Partnership

Laborers Hold “First of Its Kind” Pipeline Construction Safety Training Class

A new “first of its kind” Pipeline Construction Safety Class took place at the West Virginia Laborers Training Center on February 5 & 6, 2019.

The class of 27 included both journeymen and apprentices.

According to WV Laborers Training Administrator Ross McPherson the goal is to provide safety training for both pipeline work and at processing facilities.

“This was the very first class

of its kind to be held in the United States and is the result of a partnership between LiUNA Training, the American Petroleum Institute and the North American Building Trades

Unions,” said McPherson.

McPherson said the class will become part of their curriculum and he hopes to get more members trained in the upcoming years. ■

Two New Studies

Continued from Page 1

thors found statewide annual average legally required benefits fell from between 3.8% to 10.1% (social security, workers injury-compensation insurance, and unemployment insurance contributions) for blue- and white-collar construction employees combined.

Statewide annual average voluntary benefits (primarily health insurance, pension contributions, and apprenticeship training) for blue- and white-collar construction employees combined fell 11.2% to 16.0%.

Because prevailing wage laws govern only blue-collar construction remuneration, the authors question whether blue-collar benefits prob-

ably fell more than blue- and white-collar benefits taken together.

In the study about safety the authors found that repealing state prevailing wage laws increase construction injury rates across various types of injuries 11.6% to 13.1%.

Disabilities increase by 7.5% to 8.2% depending on the model specification.

The studies can be found on the web site us.sagepub.com and are also posted on the ACT web site actwv.org.

Founded in 1965, SAGE is a leading independent, academic and professional publisher of innovative, high-quality content. ■



Laborers Training Instructor Corey Dornon shows members how to properly inspect a trench according to the OSHA standard and install various types of trench protection. The session was part of a new two day Pipeline Construction Safety Class aimed at protecting worker health and safety and was held at the Laborers Training facility in Mineral Wells.

WV Laborers Construction Apprenticeship Takes Applications Year Round

The West Virginia Construction Craft Laborers’ Joint Apprenticeship and Training Committee is accepting applications year round.

Those interested can apply at any WorkForce WV Employment Services Office between the hours of 8:30 am and 5:00 pm Monday through Thursday and 9:00 am to 5:00 pm on Friday.

Applicants must be at least 18 years old; have a high school diploma (or equivalent) or pass a test administered by WorkForce (if you are to test check times with WorkForce); have a valid driver’s license; and be

physically able to perform the work of the trade.

A substance abuse test, including random tests, will be required at some point in the process.

Documents such as a copy of a birth certificate, a valid driver’s license, transcripts of grades and proof of a high school degree (or equivalent) will be requested but at a later date.

The apprenticeship program consists of a combination of hands-on classroom training and paid on-the-job training.

The WV Laborers’ Training Cen-

ter in Mineral Wells provides 400 hours of classroom and hands-on training free of charge including meals and lodging.

Apprentices will also learn on the job in their home areas while earning a paycheck, for a total of 4000 hours, approximately two years.

Upon completion of the program apprentices will have earned Journeyman status and receive a certificate from the U.S. Department of Labor.

The areas of training provide a wide variety of skills to ensure highly productive workers will have suc-

cessful careers.

Topics include pipelaying, mason tending, instrument reading, environmental remediation and much more.

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

For more information visit their web site www.wvccl.org or to receive a free brochure send a self-addressed stamped envelope to: West Virginia Laborers’ Training Center, P.O. Box 6, Mineral Wells, WV 26150. ■

Painters GP Rigmaiden Speaks

WV AFL-CIO Conference Held in Charleston

Kenneth E. Rigmaiden, General President of the International Union of Painters and Allied Trades, was one of the keynote speakers at the WV AFL-CIO's recent conference held in Charleston.

Rigmaiden, who became President of the Painters in 2013, spoke on the second day of the two day event held January 23 & 24.

Also at the conference was an update of the legislative session

and the various challenges faced by unions from the teachers and school service personnel to the construction industry.

ACT's Steve White reported on

the many negative effects the repeal of prevailing wage has had on construction workers, union contractors and tax payers. One of the best documented examples is the Chapmanville Intermediate School project which was months late, had a variety of quality, safety, licensing and tax issues and still has unresolved problems.

White said it may be "the worst school built in our lifetimes."

A review of efforts labor made during last year's election cycle was also presented showing some significant gains were made.

"We are gaining back ground

slowly but surely," said Josh Sword, President of the WV AFL-CIO. "We need to stay on message about the

needs of workers and their families in our state and not be distracted by issues meant to divide us." ■

"We need to stay on message about the needs of workers and their families in our state and not be distracted by issues meant to divide us."

Josh Sword

*President
WV AFL-CIO*



Kenneth E. Rigmaiden, General President, International Union of Painters and Allied Trades speaks to delegates at the WV AFL-CIO's conference held in Charleston on January 23 & 24. Painters District Council 53 Business Manager is to the right, WV AFL-CIO President Josh Sword (left) and members of the WV AFL-CIO Executive Board are also pictured.

Electrical Apprenticeship Opportunity

The Parkersburg Joint Electrical Apprenticeship Training Committee has set a cut-off date of Tuesday, March 19 for taking applications for the 2019 selection process.

The International Brotherhood of Electrical Workers Local 968 and the Parkersburg Division of the WV-Ohio Valley National Electrical Contractors Association work together to deliver the highest quality training available for electrical apprentices in all phases of commercial, industrial, instrumentation, and tele-data work.

Apprentices receive free of charge five years training with a total of 900 hours of classroom instruction and 8,000 hours of paid on-the-job training.

This provides affiliated contractors with craftsmen who have the knowledge, skills, and attitude to remain competitive with honest, wages

and benefits.

Any applications taken after March 19 will not be considered until the following selection process.

Applications are taken on a year-round basis at 1845 East 7th Street, Parkersburg, WV.

Applications are taken each Tuesday from 8:30 A.M. until 11:00 A.M. and from 1:30 P.M. until 3:30 P.M.

To qualify for an in-person interview an applicant must meet the following basic requirements unless he or she has a minimum of four thousand (4000) hours substantiated work experience specifically in the electrical construction trade.

Applicants MUST:

1. Be a minimum of 17 years of age to apply and be a minimum of 18 years of age at time of selection and indenture.

2. Have a high school diploma or equivalent (GED or TASC), or have a two-year Associate Degree or higher. Applicants also must show evidence (transcript) of successful completion of: one full credit of high school algebra with a passing grade, or one post high school algebra course (e.g. Adult Education, Continuing Education, Community College, etc.) with a passing grade.
3. Qualify for an interview by obtaining a score of "4" or higher using the electrical trade's aptitude test developed and validated by the American Institutes for Research.
4. Have resided in the following areas at least one year

prior to making application; Wood, Wirt, Tyler, Jackson, Pleasants and Ritchie Counties in West Virginia.

Veterans who submit a DD-214 form will receive consideration for military training and experience.

There is an application fee of \$25 and applicants must have a valid driver's license.

Before admission and during the program a substance abuse test will be administered at random times.

All applicants will be received without regard to race, color, religion, national origin, sex (including pregnancy and gender identification), sexual orientation, genetic information, or because they are an individual with a disability or a person 40 years old or older.

For more information contact 304-485-7412. ■

Preparing for National Crane Certification

Crane operators in West Virginia lead the nation in safety and national certification thanks to a law promoted by Operating Engineers Local 132 and passed by the legislature in 2001.

It was updated in 2007.

In order to be certified to operate various types of cranes in West Vir-

ginia a person must pass both a written and hands on test.

According to Local 132's Training Director Allen Nelson 47 members recently took classes to prepare for upcoming written and hands on tests at Operating Engineers Local Medina training site.

In West Virginia the written and practical tests created by the National Commission for the Certification of Crane Operators have been the standard to meet.

Recent legislative efforts to weaken that standard and put the lives of crane operators, other construction workers, and citizens in jeopardy has been vigorously opposed by Oper-

ating Engineers Local 132, the WV State Building Trades and ACT and the WV AFL-CIO.

"We won't compromise on safety," said Chuck Parker, Business Manager for Operating Engineers Local 132.

"Some in the legislature want to allow tests that are not verified or monitored. That would be a big mistake." ■



Members of Operating Engineers Local 132 prepare for the written and hands on crane operators test at their Medina training facility.

2019 Session

Continued from Page 1

Committee passed HB 2441 to weaken the WV Jobs Act by removing payroll documents from the requirements a contractor must follow.

"We have caught many companies, not only cheating on the Jobs Act, but cheating on their tax payments and licensing requirements because we can look at payrolls," said Efaw.

The same measure passed the Senate last year and failed in the House largely because the West Virginia Press Association opposes any restrictions on public access to documents with a valid reason.

While Labor advocates have a chance in a few committees in the House of Delegates, the same is not true in the State Senate.

"We are completely outnumbered and when leadership wants to push a bill through they do it without hesitation," said Efaw.

Senate Bill 47 would increase the

property taxes paid by wind power projects and was set to pass the Senate when the ACT Report went to press. The measure ignores a compromise the coal industry signed off on during the Manchin administration that equalized tax rates among coal, gas and wind projects. It passed the Senate last year but was not taken up in the House.

Four different bills were introduced to weaken construction safety by lowering state standards used for certifying crane operators. However none of the bills have yet to reach a committee agenda.

"We have caught many companies not only cheating on the Jobs Act but cheating on their tax payments..."

Dave Efaw

Secretary-Treasurer
WV State Building Trades

"We watch the committee agendas two to three times a day because we never know when a bill will pop up that attacks us," said Efaw.

And, as the education community learned, just watching for agendas is not enough.

Using extraordinary procedures the State Senate maneuvered their massive education bill SB 451 around the Finance Committee to avoid any amendments. The bill started with increasing class sizes, attacking union members who want to pay dues, saddling taxpayers with property tax increases and allowing public funds to be used at for-profit charter schools.

Ultimately the bill passed the Senate by a vote of 18-16 with two

republican Senators Bill Hamilton (R-Upshur) and Kenny Mann (R-Monroe) joining all of the democrats to oppose the bill.

It is now in the House of Delegates and many of the worst measures already have been removed because the balance in the House is not as lopsided as in the Senate.

As the ACT Report goes to press the three education unions have announced they have work stoppage authorizations from all 55 counties. Whether we see another work stoppage like last year is unknown.

A bill to provide free community college tuition passed the Senate but efforts to at least mention apprenticeship were rejected.

"We simply want students to know apprenticeship is an option for those who are not interested in college – or community college," said Efaw.

Efaw believes the Senate equates apprenticeship with Labor. "Anything that even appears to favor Labor is shot down in the Senate, you can feel the hatred." ■

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