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A Division of the WV State Building Trades, AFL-CIO | Chuck Parker, President | John Epperly, Secretary-Treasurer | Justin Williams, Director

# Unemployment Cuts Die for Second Year in a Row

On March 11th, the West Virginia Legislature adjourned at midnight after their annual 60-day session.

At the end of the night, the bill to cut unemployment benefits had not been placed on an agenda, and therefore has officially died for the second year in a row.

SB 59 would have cut unemployment compensation benefits from 26 to 12 weeks as well as tie the benefits to the WV statewide unemployment rate.

While the Senate passed the bill in both 2022 and 2023, the bill has died in the House of Delegates both times due to not being taken up for consideration.

While the Senate has made this proposal a priority, it is widely unpopular with many members in the West Virginia House of Delegates.

One of these members is Delegate Evan Worrell (R-Cabell), Chairman of the Republican Labor Caucus and Chairman of the House Workforce Development Committee, where the

bill was referred after passage from the Senate.

Both Chairman Worrell, and Vice

Chairman Charlie Reynolds (R-Marshall), came under fire for refusing to put SB 59 on an agenda.

However, Worrell and Reynolds stood strong to the end in opposition **Cont. on p. 4>>**



Delegate Evan Worrell [R-Cabell] (left), speaks with George Capel (right), Government Relations Director for the WV State Building and Construction Trades, about SB 59. The bill would have cut unemployment benefits, but it died in the House of Delegates.

## 2023 Legislative Session: Multiple Policy Wins and a Loss for Construction Labor

While much of the legislative spotlight was focused on the cuts to unemployment benefits, there were many other pieces of legislation ACT and the trades weighed in on during the session.

Included among these bills were: SB 21, a bill to conceal certified payroll documents; SB 2005, a bill to

allow for dual enrollment; and HB 3270, a rollback on deliberate intent laws.

Contractors completing work on publicly funded construction projects are required to submit certified payroll documents to the state each week throughout the course of the project. These documents are a part

of public record.

In the past, ACT and the West Virginia State Building and Construction Trades have used FOIA laws to get these documents to report illegal activities and workers on public projects.

However, SB 21 would have made these documents private, and exclud-

ed from Freedom of Information Act (FOIA) laws.

While SB 21 passed the West Virginia Senate without much opposition, the bill was referred to the House Judiciary Committee and was never put on an agenda, effectively allowing the bill to die.

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# Legislature Approves Additional Funding, \$105 Million for Weirton Battery Plant

Last month, the legislature approved an additional \$105 million funding appropriation bill to support the proposed Form Energy Battery plant in Weirton, West Virginia.

Form Energy expects to start construction of the factory on 55 acres at the site of the old Weirton Steel property in 2023 and begin manufacturing iron-air battery systems in 2024 for broad commercialization.

With the additional \$105 million provided by the bill, the total state funding for the project is \$290 million, including \$75 million put up by the WVDED for the purchase of the land and construction of certain pieces of infrastructure to support the project.

Form Energy is putting up at least \$350 million to get the project up and

running, for a grand total investment of approximately \$640 million.

The project has come about in response to the provisions of the federal Inflation Reduction Act (IRA) which provides tax incentives for renewable energy sources and manufacturing.

In addition, the company was courted by the West Virginia Department of Economic Development (WVDED), which has provided significant incentives for the company to locate its factory in West Virginia.

According to an MOU between the WVDED and Form Energy, dated January 10, 2023, the state of West Virginia will purchase the 55 acres of land as well as fund any “necessary infrastructure advancements” that may be needed as a part of pre-construction.

The MOU also outlines how the project will be completed in three phases.

Phase 1 includes the construction of a 100,000 square foot facility to house battery manufacturing equipment. Furthermore, completion of Phase 1 requires that Form Energy certify that it has contracts to sell at least 5 MW of its products and provide evidence of 65 full-time employees to be hired.

Phase 2 includes the construction to expand the facility to 350,000 square feet.

The completion of Phase 2 requires that Form Energy certify that it has contracts to sell at least 50 MW of its products and provide evidence

of 178 full-time employees.

Phase 3 includes the construction to expand the facility to 400,000 square feet.

The completion of Phase 3 requires that Form Energy certify that it has “valid customer contracts to sell 50% of 500 MW Form’s product.” Form Energy must also provide evidence of 350 full-time employees at the factory.

As a part of the deal, West Virginia will own the buildings and land, and Form Energy will lease it back.

The property will transfer to Form Energy after five years if the company meets all of the criteria laid out in the MOU and ultimately employs at least 750 full-time workers. ■

## 2023 Session

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George Capel, Government Relations Director for the West Virginia State Building and Construction Trades, has fought this bill in the past.

“This was the ninth year in a row a version of this bill has been run,” said Capel. “We’re glad our friends in the House realized how damaging this would have been to the construction industry and decided to let the bill die.”

A bill which did pass was HB 2005.

This bill allows for dual enrollment in a high school or secondary institution and a post-secondary institution such as a college.

The bill was supported by the trades to promote associate degrees for individuals who complete apprenticeship programs.

“Right now, most collegiate institutions will award apprentices with 45 credit hours once they complete their program. You need 60 course credit hours for an associate degree,” said Capel.

“With this bill, individuals can take 15 college credit hours in high school before starting an apprentice-

ship.

Later, at the end of their program, they will not only become a journeyman, but they will also graduate with an associate degree.”

Another important bill, which did pass, was HB 3270.

HB 3270 will amend the deliberate intent statute to limit noneconomic damages to \$500,000.

“Deliberate intent occurs when an employer knowingly puts an employee in a dangerous, potentially life-threatening situation,” said Capel. “In the worst cases, this extreme negligence can even mean the death of the employee.”

In cases of deliberate intent, strict laws require the plaintiff employee, or their family, to prove negligence on behalf of the employer.

Now, after the passage of HB3270, plaintiffs can only receive a maximum \$500,000 for damages.

“Placing a dollar amount on the lives of workers is wrong,” said Capel. “Now, workers and their families will be significantly limited in the reparations they can receive for injury or death while they are on the job.” ■

## Lobby Efforts at WV Capitol



Members of the West Virginia State Pipe Trades meet with Deputy House Speaker Delegate Matthew Rohrbach (R-Cabell) about SB 59, which would have cut unemployment benefits from 26 to 12 weeks.

“Members of the legislature, like Deputy Speaker Rohrbach, were instrumental in helping us make sure this bad bill did not pass,” said C.D. Adkins, Southern West Virginia Representative for the West Virginia State Pipe Trades.

While the proposal to cut unemployment benefits passed the West Virginia Senate for the second year in a row, it also died in the House of Delegates for the second year in a row, and the bill will not become law this year.

# Groundbreaking Held for Jackson County Microgrid and Titanium Melt Facility

On Saturday March 4th, state leaders, representatives of the trades, and industry officials gathered in Jackson County at a groundbreaking ceremony for a new microgrid, including solar and power storage, and a titanium melt facility in Jackson County.

The microgrid, being built by Berkshire Hathaway Renewables (BHE), will include a 140MW solar installation and a 30MW battery storage hub,

to power the titanium melt facility, being built by Precision Castparts

Corporation.

The project will be located on 2,000 acres of Jackson County land at the former Century Aluminum site and amounts to an approximated \$300 million investment.

The titanium melt facility will employ about 200 people to manufacture titanium aerospace products as well as products for other industries.

In addition to the microgrid and titanium melt fa-

ility, Our Next Energy Inc. (ONE) announced it will build an Aries Grid

**“The Inflation Reduction Act, sponsored by Senator Manchin, paved the way for this project,”**

**Chuck Parker**

*President  
West Virginia State Building  
and Construction Trades*

battery factory to manufacture utility-scale battery storage systems using lithium-ion phosphate battery cells.

The additional announcement from ONE adds another \$22 million to the investment in the area and creates another 105 full time jobs.

The project was spearheaded by Senator Glenn Jeffries (R-Putnam), who contacted longtime Berkshire Hathaway CEO Warren Buffett about building the factory in West Virginia.

During the ceremony, Jeffries characterized the project as symbolic of a new start for the area in Jackson County.

“It’s a new beginning here in Ravenswood. It’s a new beginning here in Jackson County,” said Jeffries. “I

really do see this area exploding again to the way it was 20, 30 years ago.”

Members of the trades are also excited about the project and optimistic about the state of the construction industry.

West Virginia State Building and Construction Trades President Chuck Parker says projects like this wouldn’t be possible without recently passed federal legislation.

“The Inflation Reduction Act, sponsored by Senator Manchin, paved the way for this project,” said Parker. “Tax incentives for advanced renewable forms of energy, which were included in the bill, make projects like these possible and can create good paying jobs for our members.” ■

## Trades Apprenticeship Day at the Capitol



Members of the Painters District Council 53 staff a booth at the West Virginia State Building and Construction Trades first annual Trades Apprenticeship Day at the West Virginia Capitol on March 6.

Apprenticeship coordinators and representatives from WWSBT-affiliated crafts set up exhibits to display informational material and craft equipment to promote their apprenticeship programs.

The event is part of a larger initiative by the WWSBT to educate lawmakers and the general public about the benefits of construction apprenticeship programs and how they can be used to help in the state’s workforce development efforts.

## Mountaineer Challenge Career Day



Steve Hancock, Organizer with the Sheet Metal Workers Local Union 33 shows Mountaineer Challenge Cadets how to use a Mobile Arc Virtual Welding System as part of a career day event on February 16 in Montgomery, West Virginia.

During the event, more than 50 cadets met with members of the trades to learn more about their apprenticeship programs and how to join them after their graduation.

Representatives from the Laborers, Painters, Electricians, Bricklayers, and Carpenters were also in attendance.

“I want to thank everyone for their participation in working to expand our manpower numbers and offer quality career opportunities for the graduating Cadets,” said Fred Chandler, Business Manager for the Charleston Building and Construction Trades.

## Special Presentation

# Trades Promote Apprenticeship in House Workforce Development Committee

On February 16, representatives of the West Virginia State Building Trades gave a presentation to the House Workforce Development Committee about craft apprenticeship programs.

George Capel, WV State Building and Construction Trades Government Relations Director, spoke to the members of the Committee about how craft apprenticeship programs should be promoted to help with the state's workforce development needs.

The presentation was focused around developing West Virginia's workforce in response to the federal funds made available for public construction projects as a part of the Bipartisan Infrastructure Law and the Inflation Reduction Act.

"We believe our apprenticeship programs are the key to addressing the state's need for labor on publicly funded construction projects over the course of the next decade," said Capel.

"The funds our state is receiving due to the federal legislation that was passed creates a once-in-a-lifetime

opportunity in the construction industry. We must work together with lawmakers and state agencies to ensure we use it effectively."

Capel also educated lawmakers about how apprenticeship programs operate and provided information as to how their constituents could apply for programs if they are interested.

In addition to Capel's presentation, Brett Matthews, Training Director of Plumbers and Pipefitters 625 in Charleston spoke about the details of their program and provided more information about the work their apprentices complete during their time in the program.

The presentations given by Capel and Matthews are a part of a much larger initiative by the Affiliated Construction Trades (ACT) and the West Virginia State Building Trades to educate the general public as well as lawmakers and public authorities about the benefits of craft apprenticeship programs.

"Now more than ever it is important for us to get the word out about what our programs have to offer," said

Capel. "Our programs are the gold standard of the industry, and they are vital to increasing the number of craft workers in our state and making the most of this great opportunity we

have in front of us."

For more information about craft apprenticeship programs, and how to apply for them, log on to the website at [www.wvapprenticeships.com](http://www.wvapprenticeships.com). ■

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George Capel, Government Relations Director for the WV State Building and Construction Trades, speaks to the members of the House Workforce Development Committee about the benefits of craft apprenticeship programs on February 16.

## Unemployment Cuts

**Continued from Page 1**

of the proposal, effectively killing bill.

"SB 59 is an attack on the skilled workers of West Virginia who are laid off through no fault of their own," said Worrell.

"Many colleagues and I were successful in keeping this bill from passing for another year."

Worrell and others believe a new version of the bill may come back next year due to support from out-of-state organizations.

The push to cut unemployment

benefits is part of a nationwide initiative brought by certain policy think-tank organizations, which bring it to state legislatures for adoption.

A similar proposal passed last year in Kentucky, after the KY Legislature overrode a veto from Governor Andy Beshear.

ACT and the West Virginia State Building Trades will continue to work with Worrell and other partners in the House of Delegates to fight this harmful legislation in the future. ■