

THE ACT REPORT

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The ACT Foundation is an association of West Virginia building and construction trades unions, with offices in Charleston and Clarksburg. Bruce Tarpley, President; Steve Burton, Vice President; T.L. Ranson, Secretary Treasurer; Roy Smith, Executive Director; Steve White, Director.

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Trades Demand Change At DOH

Two Killed At Kenova Site

Tragedy struck near Huntington on July 2 when Kim Perry of Local 543 and Greg Gentry of Local 1445, both laborers, were killed while replacing a bridge.

The contractor replacing the Big Sandy Bridge was C.J. Mahan Construction Co. of Grove City, Ohio.

"There were several workers on the girder, as they had been on several previous occasions, that put their trust in the contractor and their engi-

neers that they were being provided a safe place to work,"

said Tri-State Building Trades Business Manager Steve Burton.

"But the plan they had to disassemble that bridge was dangerous and failed and that was a disservice to those workers."

He said there could have

been another four or five workers killed in the accident.

"The DOH must recognize the need to stress safety, and if a worker feels he's in danger or in a life threatening situation, they've got the right to say no."

**Steve Burton
Tri-State
Building Trades
Business Manager**

The injured were Sonny Pullen of Operating Engineers Local 132, Kevin Barry of Local 543 and a member of Carpenters Local 1207.

Burton was arrested at the scene while trying to gather information about the accident.

"The DOH must recognize the need to stress safety, and if a worker feels he's in danger or in a life threatening situation, they've got the right to say no," Burton said.

"Because when these accidents occur, the result is forever."

The state Division of Highways has come under fire recently for the unsafe working conditions maintained by highways contractors that are killing their workers.

Since April of last year, five workers have been killed on DOH projects, including two in early July, and labor leaders

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Weston Water Facility Still Picketed

West Virginia American Water Co. continues to draw the ire of local workers in the Weston area.

The company has not responded to requests by the union to meet and discuss the hiring of an unscrupulous contractor importing out-of-state labor and violating federal labor laws at the water company's \$14 million treatment facility.

The contractor in question is 3-D Enterprises of Lexington, Kentucky, the general contractor for the project.

Rick Williams, director of the North Central Building and Construction Trades Council has been involved in the case

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First Sentry in Huntington

Bank Target Of Organizing

Believing local union contractors never had a serious chance to bid on the First Sentry Bank project in Huntington, Tri-State Building Trades business manager Steve Burton vowed to "be the first one on the picket line."

ACT helped salt the job with two workers who were offered \$8.25 an hour, no benefits, to lay block.

"We knew the company was hiring, but local union blocklayers were refused even a job application," said one salt.

According to the West Virginia Secretary of State records the general contractor on the job, Rush Industries Inc., was dissolved by a decree of court in 1975. Paychecks came from C D Corp., a company with no con-

tractor's license. Both the Secretary of State and the Contractors Licensing Board have been notified.

The project involves Huntington businessman Marshall Reynolds and former Marshall football coach Jim Donnan.

"Here is a bank which presents itself as a first class operation, yet the contractor it

hires pays workers \$8 per hour, with no pension, and no health insurance," said Burton.

"Fair contractors can't compete against companies who don't pay their taxes or have licenses.

"That's not working with the community. I'd say that's working off the backs of the community."

School Days ...



ATTENDING SUMMER SCHOOL are several union members. The school is sponsored by The West Virginia Institute of Labor Studies at WVU in Morgantown.

Union Programs Excel

Kentucky Trades Council Compares Apprenticeship Programs

An extensive study recently completed by the Greater Louisville Building and Construction Trades Council, AFL-CIO and the Building Trades Apprenticeship Coordinators/Directors Association of Kentucky, Inc. is creating a stir in the industry.

The study, which compares apprentice training and programs in both union and non-union settings, "endeavored to determine which sector was most effective at supplying skilled journeymen to the construction industry," according to the study's co-author Bill Londrigan, business manager

of the Greater Louisville Building and Construction Trades Council.

The findings revealed that 82% of all building trades apprenticeship programs registered in Kentucky during the study period were non-union. Yet, 69% of all apprentices were in union programs, and 75% of those who became journeymen were also in union programs.

The analysis also revealed that union programs train across a broader range of apprenticeable occupations in the building trades.

In contrast, 64% of non-union apprentices were registered in electrical apprenticeship programs and non-union

programs failed to train any apprentices in several key building trades occupations.

Union programs were more diverse in race and gender than non-union programs and reported a higher percentage of minority and female apprentices registered.

Union programs graduated 84% of all minority and female apprentices becoming journeymen during the study.

The study found:

■The total number of building trades apprenticeship programs in the Commonwealth of Kentucky during the study period was 309.

Of these, 57 (18%) were union and 252 (82%) were non-union.

■The total number of registered apprentices in building trades occupations during the study period was 6,214.

Of these, 4,313 (69%) were in union programs and 1,901 (31%) in non-union programs.

■The total number of registered apprentices achieving journeyman status during the study period was 2,620.

Of these, 1,962 (75%) were union and 658 (25%) non-union.

■Of the 6,214 apprentices registered during the study period, a total of 850 were male minorities and females.

Union programs had 694 (16.1%) male minorities and females, while non-union programs had 156 (8.2%).

■Of all male minorities and females achieving journeyman status during the period, 84% graduated from union programs and 16% from non-union programs.

The study drew the conclusion that Kentucky's union building trades apprentice training programs have outperformed non-union apprentice training in every critical measure of program success.

"Our findings dramatically emphasize the difference in results produced by union vs. non-union apprentice training," the study reads.

The union sector had more registered apprentices, higher completion rates, produced a

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Two Killed At Kenova Site

are demanding answers.

Those who have died as a result of an on-the-job accident are:

■Kim Perry, 48, of Genoa and Greg Gentry, 28, of Stephens Ky., were killed July 2 when two girders collapsed during the dismantling of the I-64 Bridge between Kenova and Catlettsburg, Ky.

■George W. Robertson, 40, of Prichard, W. Va. was killed Oct. 29 1996, when he fell during construction of the Holden Bridge in Logan Co.

■Daniel Jacob Lewis II, 26 of St. Albans was killed on Oct. 8, 1996, when he fell during construction of the new Chelyan Bridge east of Charleston.

■Carval Howard, 47, of Salyersville, Ky., was killed April 25, 1996, working on a bridge on U.S. 52 near

Chattaroy in Mingo County.

"Five deaths in the last year on highway projects is five too many," said Roy Smith, Secretary of the West Virginia State Building Trades.

Smith and Burton approached DOH officials in November of last year after the fatal accident on Holden Bridge.

The two asked the Division of Highway projects to consider adopting the same policy as private industry that requires prequalifying contractors before they can bid on projects.

Prequalifying considers several components of the contractor's record including their safety records as well as their permits, licenses, tax records and other necessary paperwork.

"Nothing's happened," Burton said. "We have not heard anything from Mr. Van Kirk yet people continue to get hurt and maimed and even killed. We were told they would consider our proposal and I guess

"Five deaths in the last year on highway projects is five too many."

**Roy Smith
Secretary of the West Virginia
State Building Trades**

they're still considering it."

Burton said that several area plants including Ashland Oil, Shell, and AEP do not even allow contractors onto their property without checking their safety record for an incident record that is at least equal to the national average.

"Some are a lot more strict and require an incident record lower than the national aver-

age," he said.

Since the most recent accident, Burton said, there have been rumors and it's even been stated publicly through the media that the DOH is considering using a prequalification system to award contracts.

"Then others make these ridiculous statements about how they use workers comp premiums to weed out bad contractors," Burton said.

"Bob Tinney, [chief of the DOH construction division,] made a statement in the *Charleston Gazette* that contractors who have high incident records will have a workers comp premium that will render them uncompetitive.

"He's full of it."

"The contractor can make a

lower bid using the next smallest size of crane, or fewer workers. There are plenty of ways to take shortcuts to make up for that high workers comp premium," Burton said.

"None of which makes that contractor any safer.

"If the state continues to support contractors who are dangerous -- that's just wrong."

As far as what the building trades or ACT can do to help solve this problem, Burton said, if we can stay positive and "prove to the media and the community and provide facts that we need a change, then there will be an outcry that yes it's needed.

"We can work together for all people by making someone be responsible to see that every contractor provides a safe place to work."

Pipe Trades Association Hires Full-Time State Wide Organizer

The West Virginia State Pipe Trades Association hired Tim Jividen as a full-time statewide organizer this year.

Jividen interviewed with a committee made up of members from all five Plumber and Pipefitters locals in the state, and began his new post early this year.

Jividen is a member of Plumbers and Pipefitters Local 625, Charleston.

He said his job duties include organizing both workers and employers.

"I meet with employees, usually one-on-one, and they bring someone else in and so on," Jividen explained.

"Most are uninformed about their rights," he said, "so it's my job to educate them about their rights through the National Labor Relations Act.

"Their employers can't

threaten to close down if they join a union, but they don't know that.

"And I also tell them about

"Most are uninformed about their rights, so it's my job to educate them about their rights through the National Labor Relations Act."

**Tim Jividen
Pipe Trades
Organizer**

the benefits that come with union membership-- insurance and pension plans, safety training, and better working conditions.

"Also, we offer free training to members in everything from welding to HVAC, classes that you would have to pay for at a vocational school if you weren't a member."

Jividen said in some instances he tries to organize

from the 'top down'.

"Most contractors in the state who are non-union have never worked with union employees, and are unaware of the benefits of doing so.

In those cases, I point out to the contractor how much better skilled union workers are."

He said that ACT is the most important resource in helping to carry out his job.

"ACT is my right arm," Jividen said. "They help me get all of my contractor information, -- like how many employees they have, what jobs they bid on and what ones they were awarded, if their taxes are paid, if they have a contractor's license or other permits.

"All that information I would have to research on my own if it weren't for ACT."

Indirectly, all crafts benefit from ACT whether or not they are members, Jividen said.

Weston Water Still Picketed

Continued from page 1
from the beginning, and continues to help with the picketing at the job site.

"We have from ten to 12 picketers a day for over a month," Williams said, "and the response from the public has been really positive."

Williams said in addition to "horn support from passing motorists" several local merchants have agreed to pass out fliers ACT produced outlining the problem, and the media has focused attention on the issue.

"The newspapers in Weston and Clarksburg have both carried stories after ACT ran ads about the issue," he said.

He said that overall things are going well with the case, and the NLRB is still investi-

gating the charges filed by North Central and involves employees who were fired because they wanted to organize.

"They went to 3-D with a petition signed by more than 51 percent of employees, but were told 3-D does not recognize the union.

"They told them to go back to work and if not they would be permanently replaced, then they brought in people from Kentucky."

Williams said he believes support from the people of Weston is growing as they learn more about what exactly the issue is.

"ACT has really helped us get the information out to the general public which has brought us a lot of support," he said.

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**Rick Williams
North Central
Building Trades
Director**

Apprentice Programs Comparison

Continued from page 2

much higher number of skilled journeymen, and were more diverse in race and gender.

The findings also demon-

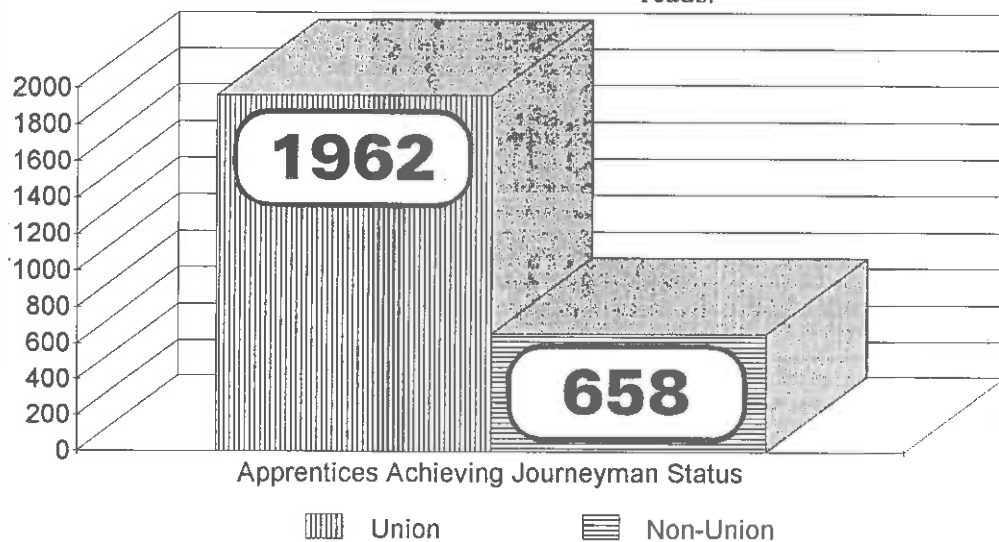
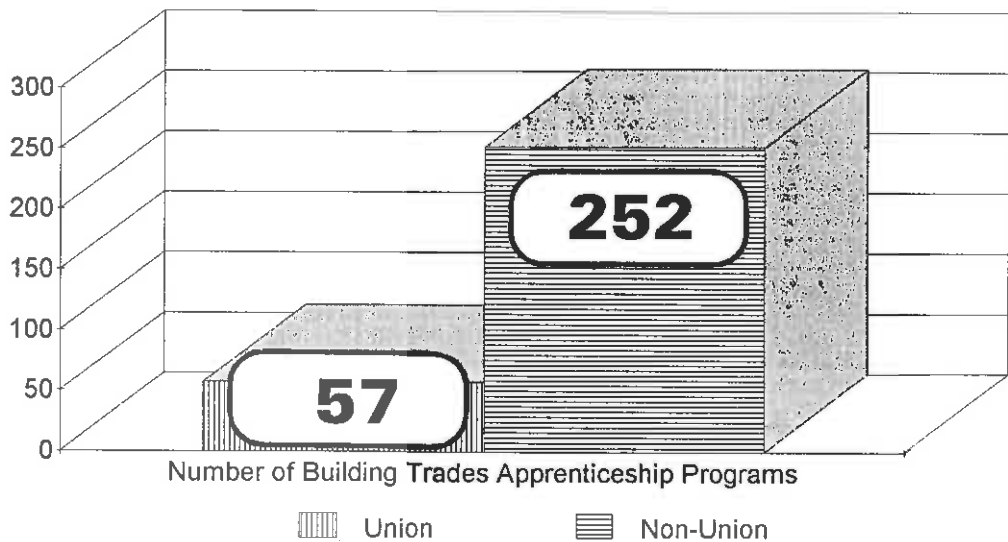
strated that the vast majority of non-union apprentice training has been concentrated in the electrical occupation.

Conversely, union appren-

ticeship programs have trained across a broader range of occupations and in proportion to the range of building trades occupations found nationally.

"As concerns over skills shortages continue, and new approaches to training are designed and tested, the facts about the relative performance

of union and non-union apprentice training are critically needed so that resources are directed to the more efficient training model," the summary reads.



Over \$25,000 Raised

Building Councils Raise Money For Charities

Three local building trades councils have raised more than \$25,000 for charities recently.

The Tri-State Building and Construction Trades Council held their annual golf tournament at Sugarwood Golf Course near Huntington in June.

According to the event's organizer Tina Compliment, the tournament raised more than \$9,000 and had 168 dedicated golfers hitting the links.

The 42 foursomes consisted mainly of local union members and contractors plus some local political figures.

The team sponsored by Red Dawson Construction of Huntington came away with the top score, \$100 each and the trophy (which was provided by Tri-State Contractors Association.)

Prizes were also given out for closest to the pin and longest drive, and lots

of door prizes were donated and awarded by raffle.

"In addition to raising money through entry fees, we had 39 organizations that sponsored a hole or a tee," Compliment said.

The money was raised for Dad's Day's Dollars Against Diabetes, which the national building trades has been involved with since 1985.

The event's chairman was Steve Burton and the co-chairmen were Paige Humphreys, Ron Bush, Glenn Bush and Jim Porter.

The North Central Building and Construction Trades Council held a similar tournament in early June at Bel

Meadow Country Club near Clarksburg to raise money for the Ruby Memorial Children's Hospital at WVU.

According to the Council's director, Rick Williams, this year's fourth annual tournament sported 48 building trades members, associates, and contractors and raised \$7,200.

"We built that hospital and its physician's office center and the building trades pledged to donate \$100,000 to the hospital shortly after it was completed," Williams said.

"That goal was met in the early 90s but we continue to donate money to such a worthy cause, and have raised about \$35,000 with the golf tournaments over the years.

"It's our way of thanking them

June in the hopes that not only would the public see them, but members of the County Commission who were meeting a few days later.

"There are at least four different development agencies, some public some private. But most of the people on the agencies are the same. And I'm afraid that public money

may be going into public development groups and then moved to private ones so prevailing wage and open bidding laws can't be enforced.

"I'm also afraid that a few key businesses are benefiting from the development plans and that local union construction workers will never get an opportunity to get the jobs our taxes are paying for," Lewis explained.

One example is the annexation of land in the Pettyville/Mineral Wells

for their support of us."

The Charleston Building Trades, in conjunction with the Kanawha Valley Construction Labor Management, held their third annual tournament on July 7 at Edgewood Country Club in Sissonville to benefit the Kanawha Valley Hospice

Approximately \$9,000 was raised by the 29 foursomes with first place (and \$75 each) going to the team sponsored by W.Q. Waters.

Second place honors went to the Bricklayers District Council and Third to the Charleston Building Trades team.

The event also sported raffles and door prizes.

"It's a way we can give back to our communities and work together with labor and management," said business manager Mike Matthews.

"That builds trust and a makes for a better working relationship among all participants."

area by the city of Parkersburg.

"Local residents are upset that they have no say in what is happening in their own community. Wood County officials contend that only the land holder has a say in annexation, not the neighbors. To make matters worse they went and annexed almost three miles of Interstate 77 to make a 'bridge' to this 'island' and for

what we still don't know," said Lewis.

"We want good economic development, projects that hire local workers and contractors, jobs that pay a decent wage with benefits, and companies that want to work with communities as neighbors.

"We don't want out-of-area workers and contractors, poverty level jobs and industry that pollutes excessively, especially when our tax dollars are footing the bills."

"It's a way we can give back to our communities and work together with labor and management."

**Mike Matthews
Charleston Building Trades
Business Representative**

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Economic Development Done Right

The ACT Foundation has always been a big supporter of economic development -- but only if it's done right.

"Too often we are seeing economic development done the wrong way and that costs us jobs and money," said Jim Lewis, ACT representative.

Lewis has been following various

agencies in Wood County and said he has found more confusion than answers.

"This just highlights the problem, a few people control the purse strings and the process is made so confusing and complex the public has little or no input," Lewis said.

That's why ACT ran full page ads in the Parkersburg News-Sentinel in mid-