

# THE ACT REPORT

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The ACT Foundation is a division of The West Virginia State Building and Construction Trades Council, with offices in Charleston and Clarksburg. Steve Burton, President; Roy Smith, Secretary-Treasurer; Steve White, Director.

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## PROTESTERS WANT LOCAL JOBS FOR LOCAL WORKERS

# Workers Picket Ritchie Dam Construction Site

**Whether a broken promise or a 'bait and switch' scam, the result is the same. Jobs promised to local workers, and paid for with your tax dollars are going to out-of-state workers imported by out-of-state contractors.**

That's why members of the Parkersburg-Marietta Building and Construction Trades Council began a "Local Jobs for Local Workers" picket at the North Fork Hughes River Watershed dam construction site on August 28.

The dam construction is receiving funding from the Appalachian Regional Commission which requires the contractor to hire at least 80 percent of the employees from within a 75-mile radius of the project site.

However, the \$17 million dam project's general contractor, Barnard Construction Co., Inc. of Bozeman, Mont., is importing the majority of the project's workers from outside the required area.

West Virginia is not the only state where workers are upset with Barnard.

According to Rob Trinkle, a Laborers International Representative, workers in a number of other states are protesting Barnard's construction practices.

Barnard Construction has operated in several other states including Utah, Minnesota, California and Arizona.

Trinkle said union locals in these states are making a combined



Laborers, operating engineers, plumbers and pipefitters, cement finishers and carpenters protested against Barnard Construction. Pictured holding signs from left to right are Bevin Seaman, Trevie Cox, Fuzz LaRue, John "Moose" Miller and Charlie Metz.

## WV Laborers District Council Celebrates 60th Anniversary

**On Sept. 5, 1940, the West Virginia Laborers' District Council was issued a charter from the Laborers International Union of North America.**

Now, 60 years later, members gathered to celebrate the 60-year history of the West Virginia Laborers District Council.

More than 3,000 people attended the Sept. 9th celebration held at the Wetzel "Corky" Harvey Laborers' Training Center in Mineral Wells.

The celebration was held in conjunction with the West Vir-

ginia Laborers' Training Trust Fund Open House from 10 a.m. to 4 p.m.

Entertainment, games and activities for the children, as well as food and beverages were free for members and their families.

Special entertainment ap-

pearances were made by gospel singer Bill Neil, country music singer Johnny Staats and

country music great T.G. Shepard. "My family is having a great time," Clyde Dawson, a member of local 1353 said. "I hope the celebration becomes a yearly thing."

Laborers International Union North America General President Terry O'Sullivan, a former director of the center, participated in the event.

**'OUR MEMBERS AND THEIR FAMILIES HAD A GREAT TIME.'**

GARY TILLIS, LABORERS DISTRICT COUNCIL

He thanked the dedicated men and women who made the

appearances were made by gospel singer Bill Neil, country music singer Johnny Staats and

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# Workers Picket Columbia Gas

**For the second time in one year, union members set up an informational picket against Columbia Gas for hiring a contractor that is bringing in out-of-state workers and paying them substandard wages.**

Members of Operating Engineers Local 132, Laborers Locals 1353 and 543, and Pipeline Welders Local 798, started picketing in late August at Columbia Gas because it hired Sunland Construction, Inc. of Louisiana.

Sunland is paying its out-of-state workers substandard wages to work on a project at the Gladly compressor station near Elkins.

Bill Lemley, an Operating Engineers International pipeline representative, said this picket against Columbia Gas is similar

to a picket placed against the company earlier this year.

He said this is the second time in recent months Columbia Gas has used an out-of-state company that paid its employees substandard wages.

"Earlier this year, we put up a picket against Columbia Gas because it hired Western Construction to work on a project where it paid

employees wages below the standards for this area," Lemley said.

"Now, we're tackling the same issue because Columbia Gas has hired Sunland Construction, which isn't paying its employees adequately."

Lemley said Columbia Gas used contractors who hired lo-

cal workers on construction projects in previous years and now the company is using out-of-state contractors that bring in their own workers.

"Local trades workers have been on Columbia Gas projects for years," he said.

"Because Sunland Construction pays its employees substandard wages, it can underbid our

cal 1353 field representative, said Columbia Gas awarded the contract to the cheapest contractor at the expense of the Sunland Construction employees and local workers.

"Sunland is not providing its workers with the compensation they deserve," Harvey said.

"We have several responsible contractors in this area who would use the qualified local workforce."

"We believe Columbia Gas should be more responsible for who they pick as a contractor."

Harvey said the picket's purpose is to send a clear message to Columbia Gas.

"We want Columbia Gas officials to realize that hiring contractors outside this state, who

import low-wage workers, lowers the standard of living in our area," Harvey said.

"West Virginia has given Columbia Gas tremendous tax breaks to keep the local jobs in this area," he said.

"Now Columbia Gas is ignoring the community that has supported it in the past."

"This is not just a union issue, this is a community issue."

Lemley said it still is unclear if Sunland Construction even submitted a bid on the Gladly compressor station project.

He said members have been waiting for answers from Columbia Gas representatives.

"A Columbia Gas representative has promised to talk with us but we haven't heard from them yet," Lemley said.

"We hope to get some answers."

***"THIS IS NOT JUST A UNION ISSUE,  
THIS IS A COMMUNITY ISSUE."***

**CRAIG HARVEY, LABORERS 1353 REPRESENTATIVE**

## Protest At Bethany During Kennedy Visit

**Union workers have taken another opportunity to protest Bethany College's use of imported workers on a student housing project where jobs were promised to local workers when the project was financed by a community-backed bond sale.**

This time protesters gathered during the college's annual convocation-- a ceremony that marks the beginning of the school year.

The featured guest speaker was Robert F. Kennedy, Jr., a well-known labor advocate.

Because of his family's longstanding support for the labor movement, R.F.K. Jr.'s visit was a perfect time to highlight the broken promises made by Bethany College officials.

At the demonstration, supporters handed out informational flyers to students, parents and staff.

A large, inflated rat, symbolic of the decay between Bethany College and the Brooke County community, attracted the attention of many people.

Labor leaders believe Kennedy was not aware of the situation at Bethany before he agreed to speak at the school's convocation ceremony.



Protesters at Bethany College held an informational picket at Bethany College's campus during Robert F. Kennedy Jr.'s visit. Supporters of the Local Jobs For Local Workers protest used a large, inflated rat to symbolize the decayed relationship between Bethany College and the Brooke County community.

# ACT Billboard Placed In Eastern Panhandle



The ACT Foundation has used this billboard in several parts of West Virginia to get the message out about working families.

## RITCHIE DAM

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effort to change Barnard Construction's hiring practices.

"We want them to hire local people on local projects, although they currently are bringing their workforce in from Montana," Trinkle said.

Barnard Construction's payroll records at the Hughes Dam project, acquired by the ACT Foundation through a Freedom of Information Act request, show the contractor has only hired between 25 percent to 40 percent of its employees from the local workforce--at least

40 percent less than the Appalachian Regional Commission requires.

Throughout ACT's history, it has exposed several contractors who have failed to hire local workers on publicly-funded

projects.

Mike O'Hara, Operating Engineers 132 organizer, said a responsible contractor would follow the Appalachian Regional Commission's rules.

"With the unemployment rate in this area, it is not necessary to bring workers from Montana and New Mexico," O'Hara said.

**'WITH THE UNEMPLOYMENT RATE IN THIS AREA, IT IS NOT NECESSARY TO BRING WORKERS FROM MONTANA AND NEW MEXICO.'**

MIKE O'HARA, OPERATING ENGINEERS LOCAL 132 ORGANIZER

"Many of our qualified local workers have applied to work on this construction job, they have done their part. Now we are doing everything possible to make sure the contractor follows the hiring requirements."

**W**orking for the rights of working families.

That's the message ACT is sending out to Martinsburg area motorists traveling along Rt. 9.

It's the first billboard in ACT history to be displayed in the Eastern Panhandle.

Larry Young, ACT's Northern Representative, said the billboard is attracting attention.

"We want to develop positive visibility in the community," Young said.

"It's important for people to know what ACT is all about."

Rex Longwell, Laborers' Local 1085 Business Manager, said the picket is an effort to raise awareness among local citizens and to get jobs for local workers.

"We are just trying to get our local members hired to build this dam," Longwell said. "Many people in this area really need the jobs that the project could provide. Hiring local workers will help to promote our local economy."

Tim Millne, Laborers' District Council Assistant Business Manager, said he has contacted U.S. Sen. Robert C. Byrd's office concerning Barnard Construction's direct violations of ARC's hiring provisions.

"When the law is broken, Senator Byrd is the first guy to step in and rectify the situation," Millne said.

# Kanawha Valley Contractor Group Receives An OSHA Safety Partnership

**U**nion construction workers in the Kanawha Valley area should have safer work environments thanks to a landmark partnership between the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) and the Kanawha Valley Builders Association (KVBA) a multi-employer trade association.

The three-year agreement provides incentives for participating construction contractors to voluntarily improve their safety and health performance under

tered into by OSHA in the nation," said Stanley D. Elliott, area director of the Charleston OSHA office.

"Partnerships like this create incentives to improve safety and health in an industry that traditionally has a high number of injuries and illnesses."

Establishing partnerships to improve safety and health is one of OSHA's major strategic goals. OSHA expects that this partnership will reduce the need for inspections of participating contractors and will allow the agency to pinpoint problem work sites for inspection.

OSHA and KVBA have worked closely in past years to

**'PARTNERSHIPS LIKE THIS CREATE INCENTIVES TO IMPROVE SAFETY AND HEALTH IN AN INDUSTRY THAT TRADITIONALLY HAS A HIGH NUMBER OF INJURIES AND ILLNESSES.'**

STANLEY ELLIOTT, CHARLESTON OSHA DIRECTOR

guidelines set up by the partnership.

OSHA will recognize contractors who have created exemplary safety programs, although the participating employers will not be exempt from compliance with OSHA's regulations and standards.

"This is the first local comprehensive partnership recognized by OSHA in West Virginia and is one of the first comprehensive construction partnerships en-

promote safety and health programs through the establishment of the Labor Education and Development program (LEAD) in 1991.

"The whole intent of the partnership program is to minimize and reduce workplace hazards and to eliminate fatalities," Jim Smith, LEAD co-chairman said.

"We work very closely with our employees to make sure they go home safely at the end of the day."

**UNDERWOOD'S WORDS ARE NOT ENOUGH TO SOLVE THE PROBLEM**

# Governor's Policy Banning Use Of Illegal Workers Viewed As Politically Motivated

## **Underwood Fails To Protect Local Jobs For Local Workers**

**T**oo little...too late. That's what local workers are saying about Gov. Cecil Underwood's decision to keep state agencies from doing business with companies that employ illegal aliens.

After ignoring the loss of state-funded jobs on construction projects across the state the Underwood administration finally admitted the use of illegal workers is an issue in West Virginia.

Also, Underwood told state agencies not to do business with companies that hire

illegal workers.

After reviewing the ban, many people question whether it will provide any relief.

According to analysis provided by the ACT Foundation, the ban is so weak even

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Remediation, the company caught with illegal workers at WVU, wouldn't be affected simply because the company

claims they didn't know the workers were illegal.

Rick Williams, North Central Building

Trades representative, believes Underwood's ban was politically motivated.

"Underwood's stand against illegal workers came at a convenient time

held accountable for his actions thanks to the ACT commercials."

Williams said the governor's ban prohibiting state agencies from using illegal workers doesn't stop other groups from employ-

ing them. "Illegal aliens do not work exclusively on state projects," Williams said.

"What will be done to prevent them from working on county, city or private jobs?"

**'IF THE GOVERNOR WANTED TO PROTECT WORKING FAMILIES, HE WOULD HAVE BACKED LEGISLATION LIKE THE WEST VIRGINIA JOBS ACT THAT WOULD HAVE SUPPORTED JOBS FOR LOCAL WORKERS.'**

**RICK WILLIAMS, NORTH CENTRAL BUILDING TRADES REPRESENTATIVE**

when he is attempting to gain some voter support," Williams said.

"Because the INS raid at WVU's coliseum gained statewide media attention, the governor was forced to recognize the problem with illegal aliens," Williams said.

"Underwood would have continued to ignore the issue if the Morgantown newspaper was the only one to report the story.

"If the governor wanted to protect working families, he would have backed legislation like the West Virginia Jobs Act that would have supported jobs for local workers.

"Instead he vetoed the Jobs Act pilot project bill and now he is being

Williams believes stronger action is needed. He said taking away a contracting company's state license, if it is caught with illegal workers, would be more effective.

Recent resolutions passed by both the West Virginia State Building Trades and the West Virginia AFL-CIO support such an action.

"Our contractors licensing law can protect the public from unprincipled contractors by stopping them from operating in West Virginia," he said.

"That's the kind of law we need."

Legislation is being developed to introduce a bill in the next legislative session and to turn these resolutions into laws.

## **LABORERS ANNIVERSARY**

*CONTINUED FROM PAGE 1*

Laborers International Union a great organization.

"I am so proud to be a part of the Laborers District Council in Charleston and a member of Local 1353," O'Sullivan said.

Gary Tillis, West Virginia Laborers District Council business manager, said the event focused on the accomplish-

ments of the Laborers District Council as well as the opportunities available to members through the Laborers' training center.

"Our members and their families had a great time," Tillis said.

"Our Laborers Council anniversary celebration provided a great opportunity to show all of our members what the training center has to offer them."

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523 Central Avenue  
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## **WEST VIRGINIA WORKS SHOWTIMES**

### **FOX 11**

Charleston, Huntington, Parkersburg  
Sundays @ 11:30am

### **CABLE CHANNEL 10**

Wheeling, St. Clairsville & Moundsville  
Saturdays @ noon

### **CABLE CHANNEL 16**

Steubenville, Follansbee & Wellsburg  
Saturdays @ noon

### **FOX 46**

Clarksburg & Morgantown  
Saturdays @ 7:30am

### **FOX 59**

Beckley & Bluefield  
Saturdays @ 12:30pm

Give us a call if you have an idea for a show!

1-800-930-WORK!