

# THE ACT REPORT

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CONSTRUCTION  
TRADES FOUNDATION

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.

Charleston - (304) 345-7570  
Clarksburg - (304) 624-0682

email actwv@compuserve.com



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# Participating In Election Is Important For Members

**V**olunteers help to 'level the playing field' for Building Trades candidates.

Many times their opponents are supported by big businesses and are able to raise more money and therefore are more visible to the voters.

Volunteers can support candidates by doing everything from stuffing envelopes to making phone calls.

"The most important thing we can do is get out and vote," said ACT's Steve White.

"We need to encourage friends and family to vote as well."



BILLY MULLINS, A MEMBER OF WV LABORERS RETIREE COUNCIL and of Local 1353, is pictured talking with Bob Wise, candidate for Governor, about issues that concern him.

## Interviews, Record Get Endorsement

**T**he WV AFL-CIO endorsement process is a long and thorough one. The decision is made to endorse a candidate only after a series of interviews, votes and review.

The process begins with a questionnaire that is mailed to all candidates - republican, democrat and independent.

Those candidates who send back the questionnaire are interviewed by a committee appointed by the Labor Council in their area.

In the interviews, the candidates are asked, among other things, about their responses to the questionnaire.

The committee members vote,

on each candidate, whether to endorse, take no action, or not to endorse. The candidate needs a 2/3 majority to get an endorsement.

If the committee votes to endorse, the candidate moves on to the next stage in the process.

A vote for no action means local unions can elect to participate in the individual's campaign, but the AFL-CIO as a whole will not participate.

A vote not to endorse means the candidate does not support labor issues and local unions are encouraged not to participate in the individual's campaign at all.

If the committee decides to endorse the candidate, the labor council as a whole takes a vote.

## Building Trades Candidates



**L**arry Linch is the only Building Trades member running who is currently in office.

Linch, a member of the West Virginia Regional Council of Carpenters, is running for his 6th term in the House of Delegates representing the 41st District, Harrison County.

Linch is not only a strong supporter of labor issues, but he also works for consumer protection laws and for protection of senior citizens.

As a veteran himself, Linch also spends a lot of time working on veteran's issues.

Linch introduced the 'WV Jobs Act' during his first term in the Legislature and has been fighting for it ever since.

"We need legislation like the 'Jobs Act' to protect jobs for local workers.

"Hopefully this election will bring in new people who agree."

Linch also serves as Vice President of the West Virginia AFL-CIO.

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# WV AFL-CIO Election Endorsements

## State Senate

1st District - Tal Hutchins  
 2nd District - Jeffrey Kessler  
 3rd District - Louis Flade  
 4th District - Randall Taylor  
 6th District - John Pat Fanning  
 8th District - Mark Hunt

9th District - Billy Wayne Bailey  
 10th District - Anita Skeens Caldwell  
 11th District (unexp) - Mark Burnette  
 14th District - Jon Blair Hunter  
 16th District - Herb Snyder  
 17th District - Larry Rowe

## House of Delegates

1st District - Joe DeLong, Randy Swartzmiller  
 2nd District - Roy Givens, Jack Yost  
 3rd District - Rick Altman, Jack Fahey  
 4th District - Scott Varner, Ken Tucker  
 5th District - Dave Pethtel  
 8th District - **Bevin Seaman**  
 10th District - Larry Godfrey (D), Guy Lowther (D), Rick Modesitt (R)  
 11th District - Oscar Hines  
 12th District - Mike Dunlap  
 13th District - Dale Martin (D), Brady Paxton (D), Diana Persinger-Randolph (R)  
 15th District - Margarette Leach, Arley Johnson, Herman Beckett  
 16th District - Susan Hubbard, Dale Stephens  
 17th District - Richard Thompson  
 18th District - Don Perdue  
 19th District - Seven Kominar, Harry Keith White  
 20th District - Tracy Dempsey, Greg Butcher, Lidella Wison Hrutkay  
 21st District - Earnie Kuhn  
 22nd District - Emily Yeager, Lacy Wright  
 23rd District - Rick Staton, Eileen Schlager  
 24th District - Phil Hancock (D), Dick

Mitchum (R)  
 25th District - Richard Flanigan, Mark Willis  
 26th District - Mary Pearl Compton  
 27th District - Virginia Mahan, Randolph McGraw, Sally Sussman  
 29th District - Tom Louisos, Libby Campbell  
 30th District - Bonnie Brown, Cynthia Evans, Bobbie Hatfield, Joe Shelton, Cubert Smith, Joe Smith  
 31st District - Carrie Webster  
 33rd District - **David Walker**  
 34th District - Brent Boggs  
 35th District - Bill Salomon  
 36th District - C. Randy White  
 39th District - Bill Hamilton (R)  
 40th District - Mary Poling  
 41st District - **Larry Linch**, Ron Fragale, Frank Angotti  
 42nd District - Diane Parker  
 43rd District - Mike Caputo, Paul E. Prunty, A. James Manchin  
 44th District - Barbara Fleischauer, Charlene Marshall, Eugene Claypole, Nancy Houston  
 52nd District - Vicky Douglas  
 54th District - Laura Rose  
 56th District - Dale Manual

## Union Members Running For Delegates to Democratic National Convention

1st Congressional Dist.  
 Charlene Marshall  
 Margaret Martino

1st District (Con't.)  
 John Martino  
 Steven Cook  
 Larry Linch

2nd Congressional Dist.  
 Gary Tillis  
 3rd Congressional Dist.  
 Wetzel 'Corkey' Harvey

## Federal & Statewide

**President**  
*Al Gore (D) Tennessee*

**US Senate**  
*Robert C. Byrd (D)*

### US House of Representatives

*1st District - Alan Mollohan (D)*  
*2nd District - Jim Humphreys (D)*  
*3rd District - Nick Joe Rahall (D)*

**Governor**  
*Bob Wise (D)*

**Attorney General**  
*Darrell McGraw (D)*

### Justice of the Supreme Court of Appeals

*Joe Albright (D)*  
*Bob Bastress (D)*

## Building Trades Candidates



**Bevin Seaman is a candidate for the House of Delegates in Wood County's 8th District.**

He is a life-long resident of Wood County and is currently working as an organizer for the West Virginia Regional Council of Carpenters.

Seaman is a supporter of senior citizens issues, especially those having to do with health care.

"No citizen in this state, but especially the elderly, should have to choose between medicine and food."

Seaman would also like to see improvements for working families in West Virginia.

"We must put in place and maintain the infrastructure to attract positive economic development opportunities."



**Jessie Corley is running for the House of Delegates in the 43rd District.**

Although Corley was not endorsed by the WV AFL-CIO, he is a member of Iron Workers Local 549.

He is a resident of Marion County and is currently serving as Mayor of Whitehall.

## ENDORSEMENT PROCESS

CONTINUED FROM 1

Again a 2/3 majority is needed to move on.

If the labor council as a whole votes to endorse the candidate, the next step is a vote by the WV AFL-CIO Committee on Political Education in which a 2/3 majority is needed to secure the endorsement.

"The decision to endorse a candidate is not a simple one," said ACT's B.B. Smith.

### Building Trades Candidates



**David Walker is running for the House of Delegates in the 33rd District.**

He is the AFL-CIO's only endorsed candidate running in this district - Clay, Calhoun and part of Gilmer Counties.

Walker has been an active member of Operating Engineers Local

132 for 25 years.

"As a heavy equipment operator I know about the lack of job opportunities in our area.

"I think it's past time working families of West Virginia actually have a say in formulating the laws that govern them.

"While we struggle to pay our taxes, our lawmakers are cutting taxes for the big corporations.

"We need people in the Legislature looking out for our interests."



**Diane Parker is a candidate for the House of Delegates in the 42nd District.**

She lives in Grafton and is currently employed as Assistant Business Manager for the West Virginia Laborers' District Council and auditor for Laborers Local 814.

Parker has been a member of Local 814 for nine years.

While Parker is not a member of the Building Trades, her experience with the Laborers has helped her understand the needs of construction workers and their families.

Parker supports quality, affordable education and health care for all West Virginians, as well as, attracting living wage job opportunities.

"I will fight to bring employment opportunities to this state so our children won't have to leave to find jobs paying a living wage."

"Several people and several steps are involved.

"The AFL-CIO does its best to make certain the candidates it endorses will support labor issues if they are elected.

"However, in spite of the lengthy endorsement process, some candidates do not live up to expectations."

*(To the right is a complete list of questions from the AFL-CIO questionnaire.)*

## AFL-CIO Candidate Questionnaire

**1. PEIA** - Would you support legislation to protect the integrity of the Public Employees Insurance Agency (PEIA) without shifting the cost to public employees, in the forms of higher premiums, deductible, and co-pays?

**2. COLLECTIVE BARGAINING** - A bill supported by the AFL-CIO has been introduced into the legislature providing the right of public employees to organize. The bill includes: (a) prohibition of strikes; (b) negotiations ending with binding arbitration, and (c) all cost items must be submitted to the appropriate governmental body for approval. Employees must achieve a simple majority within a unit to secure a union. A public employees board would be appointed by the governor to govern all proceedings. Would you support such a bill? If No, what provisions would you support?

**3. PRIVATIZATION** - Would you oppose legislation designed to turn over the operation of any of various traditionally state-operated programs to private entities?

**4. CIVIL SERVICE** - Would you support legislation extending Civil Service protection to employees working at the West Virginia Regional Jails, West Virginia Parkways, and the Economic Development Authority?

**5. OCCUPATIONAL SAFETY AND HEALTH** - Would you support legislation to cover all public employees, including those in Corrections, Health, and the Legislature, under the same basic safety and health considerations mandated by law for all workers in the private sector and some select public employees? Do you support funding for this legislation?

**6. HATCH ACT** - There are currently three classification of citizens that are not permitted to run for political office in West Virginia: felons, the mentally impaired, and public employees. Would you support legislation that would permit public employees to run for political office?

**7. CORRECTIONAL EMPLOYEES** - (a.) Would you support legislative efforts to fund a substantial pay increase for the West Virginia Division of Corrections, the West Virginia Division of Juvenile Services, and the Regional Jail employees, to bring their wages more in line with the national average and federal jurisdictions? (Currently they are paid as much as 20% less.)

b. Would you support legislative efforts to provide full retirement benefits to the employees of the West Virginia Division of Corrections, the West Virginia Division of Juvenile Services, and the Regional Jail after 20 years of service and 55 years of age.

**8. EDUCATION** - (a.) Would you support legislation that would system-

atically move teacher salaries to the national average? (b.) Would you oppose any legislation that would erode the working conditions of education employees, such as eliminating seniority and job bidding provisions? (c.) Would you support legislation that would allow education employees to retire when age and years of service equal 80?

**9. WORKERS' COMPENSATION** - Would you support or oppose any effort to reduce workers' compensation benefits?

Would you support these measures to strengthen and better stabilize the Workers' Compensation Fund:

a. Restoring continued benefits at Social Security age?

b. Removing company doctor requirement?

c. Restoring two year statute of limitations for filing a claim?

d. Strengthening of nonpayment penalties and collection of delinquent accounts by employers?

e. Reducing the Permanent Total Disability (PTD) threshold?

**10. NON-PARTISAN JUDICIAL ELECTIONS** - Would you oppose non-partisan elections for Supreme Court justices, Circuit Court judges, and Magistrate Court judges?

**11. TORT REFORM** - Do you believe existing laws should change to allow limits on lawsuits by limiting awards, restricting liability, and in general making it harder for people to bring lawsuits?

**12. SELF-AUDIT BILL** - Do you support legislation that would give an environmental audit privilege to businesses who conduct their own audits (this would mean that the audit results could not be used as evidence in legal proceedings)?

**13. UNION SECURITY** - Section 14(b) of the Taft-Hartley Act of 1947 allows individual states the option of adopting "open shop" which outlaws mandatory union membership.

Section 9(a) of the same act, however, requires unions to represent all workers, members and non-members alike, with no provision for recuperation of the expense of that representation. This is commonly known as 'right to work.' Would you support a 'right-to-work' law in West Virginia?

**14. NURSING HOME STANDARDS** - Would you support a bill designed to clearly establish minimum nursing home standards, to eliminate inadequate staffing - a major problem in many nursing homes?

**15. WEST VIRGINIA JOBS ACT** - For projects built in West Virginia, that are financed in whole or in part with West Virginia's tax dollars, would you support a bill requiring at least 90% of the work site employees to be West Virginia residents or residents from nearby states?

**16. PREVAILING WAGE** - Most projects funded by public money have special minimum wages for construction workers called prevailing wages.

The purpose of using prevailing wages is to stop public construction from driving down wages in an area through low wage competition. The Department of Labor establishes what the prevailing wage is by surveying each community. Do you support the prevailing wage for West Virginia workers?

**17. DEBARMENT** - Contractors who repeatedly violate laws, have a track record of poor performance, or are forbidden from bidding federal contracts should also be forbidden to bid on state and local contracts. Do you agree?

**18. ELECTRICIANS LICENSES** - Will you support moving the administration, and enforcement of electricians' licensing to the state Department of Labor to increase efficiency and accountability?

Legislative performance audits of the State Fire Marshall have consistently shown licensing fees being used for purposes other than license administration and enforcement.

**19. TAXES** - Current administration proposals for major tax overhaul may lead to large breaks for the wealthiest individuals in our state, and tax increases for working families.

Real reform would include elimination or regressive taxes, like the food tax, and proper collection of taxes on natural resources. Would you commit to tax breaks for working families before any tax breaks for the wealthiest?

**20. 'RIGHT-TO-KNOW'** - In 1982, the Legislature excluded coal mining from the hazardous chemical Act. Would you support legislation to get coal mining properties and areas, and coal preparation plants, included once again in the "Right-to-Know" About Hazardous Chemicals legislation?

**21. MOUNTAIN-TOP MINING** - What is your position on mountain-top mining?

**22. ECONOMIC DEVELOPMENT** - Recent changes to state law allow economic development agencies to withhold information from the public regarding pending deals until the deal is final.

Those in favor say this secrecy is needed to protect potential companies from unwanted exposure and to prevent competing states from gaining an advantage.

Those against this measure say the public has a right to know what deals are being made, before it is finalized, especially when tax funds are being committed. What do you think?

**23. LEGISLATIVE LEADERSHIP** - If elected, will you commit to not supporting a candidate for Speaker of the House or President of the Senate until after the Labor Endorsed Candidates Caucus meets?

# Area Labor Council Endorsements

## Cabell Area COPE

Judge - 6th Judicial Circuit

Div 1 - Alfred E. Furguson

Div 3 - John C. Cummings

Div 4 - Dan O'Hanlon

County Commissioner

Bob Bailey

Sheriff

Dallen Fields

Magistrate

Francis Jackson

## Marion / Taylor Area COPE

Marion/Taylor Counties

Judge - 16th Judicial Circuit

Div 2 - Rodney Merrifield

## Jackson/Roane/Mason Area COPE

Roane/Jackson/Mason/Calhoun Counties

Judge - 5th Judicial Circuit

Div 1 - David W. Nibert

Div 2 - James P. McHugh

## Putnam Area COPE

Judge - 29th Judicial Circuit

Div 1 - Clarence Watt

Div 2 - O.C. Spaulding

Sheriff

Stan Farley

Assessor

D.W. Arthur

Magistrates

Bonnie Dunn, June Sovine

## Brooke / Hancock Area COPE

Hancock/Brooke Counties

Judge - 1st Judicial Circuit

Div 1 - Ronald E. Wilson

Div 2 - Arthur M. Recht

Div 3 - Martin J. Gaughan

Div 4 - Fred Risovich

Brooke County Commissioner

John Cainelli

## Wetzel Area COPE

County Commissioner

Robert Gorby

## Kanawha Valley Area COPE

Judge - 13th Judicial Circuit

Div 1 - Irene Berger

Div 2 - Carol Stafford Powell

Div 3 - Tod Kaufman

Div 5 - Fran Hughes

Div 6 - Herman Canaday, Jr.

Div 7 - Charley King, Jr.

Sheriff

Dave Tucker

Magistrates

Janie Moore, Kim Aaron,

Traci Carper, Pete Lopez,

Ward Harshbarger,

Margaret Chico Eddy,

Nancy Starks, William Witherell,

Jack Pauley

## Wheeling Area COPE

Ohio County

Judge - 1st Judicial Circuit

Div 1 - Ronald E. Wilson

Div 2 - Arthur M. Recht

Div 3 - Martin J. Gaughan

Div 4 - Fred Risovich

Prosecuting Attorney

Rosemary J. Burgoyne

Assessor

Gregory Kloppner

Magistrates

Dan Tennent, Rose Humway

Harry A. Radcliffe, Gregory Fahey

## Pleasant / Ritchie Area COPE

Pleasants Co. Commissioner

John Elliot



**Bob Bastress**, candidate for the Supreme Court, has been a member of the faculty of WVU College of Law for 22 years.

He has represented many public interests including employee privacy and equal access to the political process.

He has received several public service awards.



**Joe Albright**, candidate for the Supreme Court, served West Virginia as both a member of the House of Delegates and on the Supreme Court. While in the House, Albright served as Speaker.

He has provided leadership to his community through many boards, special projects and public service activities.



**Jim Humphreys**, candidate for the U.S. House of Representatives, served West Virginia as both a member of the House of Delegates and the Senate.

While in the House of Delegates, Humphreys served as Chairman of the Committee on Constitutional Revision and as Vice-Chairman of the Judiciary Committee.

While in the Senate he served as Chairman of the Judiciary Committee.

Humphreys has a proven record of supporting prevailing wage and competitive bidding laws.

**Bob Wise**, candidate for governor, has been a member of the U.S. House of Representatives since 1983.

While in Congress, he has had a strong record of supporting unions. In 1998 Wise voted to stop H.R. 3246 which made organizing harder for workers.

He also voted against H.R. 2608 which would have restricted unions' ability to participate in political and legislative activities.

In 1999 Wise voted yes on H.R. 975 which provided for the reduction in the volume of steel imported from foreign countries.

He also voted against H.R. 987 which will delay OSHA from issuing much needed ergonomics standards.

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523 Central Avenue  
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(304) 345-7570

