

Unions Back New Amendment 1

Vote “Yes on Amendment One.”

That’s the message you will hear from now to November from not only labor leaders but business and government ones too.

A newly formed ‘All for One’ committee will be spreading the word about this new job creation toll that must first be approved by voters.

The measure would allow county commissions and municipalities to help finance new developments by redirecting property taxes from a new project.

If a company is willing to bring new jobs and will locate in an economically depressed area, they can use their property taxes to help finance their project for up to 30 years.

Only property taxes from



GOV. BOB WISE Introduces All For One Co-chairs Paul Arbogast (standing left) and Jim Bowen at the June 5 Campaign kickoff.

new projects or project areas will be effected. Regular property taxes will not change and if a project fails, only the project

developer and his investors pay the bill, no public bail-outs. The proposal has several

improvements over one ACT opposed in 1998. First, all construction resulting from this law
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State Health Care Authority Decides Against Ban on Hospital Construction

The state Health Care Authority (HCA) came close to calling a halt to all new hospital construction projects at their June 5th meeting.

The HCA considered the moratorium because many of the state’s hospitals are claiming to be in the midst of a financial crisis, while collectively planning to spend more than half a billion dollars on construction projects.

“If they are experiencing a financial crisis, how can they afford all this new construction,” asked HCA Chairwoman

Sonia Chambers in The Charleston Gazette.

But Chambers and the remaining board members never

Treasurer Roy Smith had argued for.

Smith told HCA members that they couldn’t afford to stop

longer the hospitals wait the more these projects will cost.”

Smith also pointed out renovation projects, like the \$60 million dollar CAMC parking garage and emergency room upgrades, will also be more expensive in the future because the facility will have time to deteriorate further.

“Right now is a very good time for the hospitals to begin construction projects due to the lowest interest rates we’ve seen in years and good prices on bonds,” Smith added.

“The sooner these hospitals can build modern, more efficient
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**‘THE BOTTOM LINE IS CONSTRUCTION PROJECTS DONE NOW WILL MORE THAN PAY FOR THEMSELVES IN THE NEAR FUTURE’
ROY SMITH, SECRETARY-TREASURER, WV STATE BUILDING TRADES**

voted on the measure. Instead, they agreed to look at each new proposal on a ‘project by project’ basis.

And that is just what State Building Trades Secretary-

construction projects.

“Waiting to do construction will only cause costs to escalate,” Smith said. “Both labor and material costs consistently rise as time goes by, so the

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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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Labor Ready Inc. to Pay Three Workers \$40,000 for Numerous Unfair Labor Practice Violations

Labor Ready must pay three union members \$40,000 for the unfair labor practices the company committed while the employees were attempting to organize on behalf of the Tri-State Building & Construction Trades Council.

The settlement is one-third of the original back pay estimated by the National Labor Relations Board (NLRB) and reflects the culmination of a four-year battle that began in 1996.

Earlier this month, the NLRB decided to accept the \$40,000 settlement to be divided among the union workers, according

to their percentage of lost wages. Those receiving the settlement were Donnie Huff, Steve Montoney and Tom Williams.

The NLRB originally calculated the back-pay amount to be between \$120,000 and \$126,000, but settled the case for \$40,000 without the approval of the victims.

"We're glad we took on this anti-union giant and won but, this is a bittersweet victory," said Huff, Director of Organizing for IUOE 132.

"The NLRB settled for the lesser amount because the 4th U.S. Circuit Court recently set

a bad precedent awarding an IBEW worker only five week's back pay when the NLRB recommended five years' worth," said Lafe Chafin, counsel for the Tri-State Building Trades.

the union members will not appeal the decision," said Chafin.

Chafin estimates Labor Ready spent more than \$1 million to fight the unions in West Virginia.

The settlement was the result of Huff being discriminated against in several ways for his union

and other union members while they were waiting for work assignments at the office.

Huff's complaints got consolidated with related incidents of discrimination involving union members Williams and Montoney.

The two were first isolated after announcing their union affiliation, and later fired the same day by Labor Ready from a Huntington demolition project.

"We're not thrilled with the settlement amount, but we are glad to see this long battle end with a decisive victory for workers in West Virginia," said Steve Burton, Business Manager for the Tri-State Building Trades.

'WE'RE GLAD WE TOOK ON THIS ANTI-UNION GIANT AND WON BUT, THIS IS A BITTERSWEET VICTORY'
DONNIE HUFF, DIR. OF ORGANIZING, IUOE LOCAL 132

"When you consider this recent ruling, NLRB issued a fair, legal settlement."

"Even though we won favorable decisions against Labor Ready in two hearings before two different administrative law judges, as well as two appeals before the 4th Circuit,

affiliation.

Labor Ready violated his rights by having him escorted from the company's South Charleston office after firing him for violating an illegal "no solicitation policy."

The company's management also illegally videotaped Huff

WILL PROVIDE SIX YEARS OF WORK

Marmet Dam Project Goes Union Hospital

Union construction workers will build the huge expansion project at the Marmet Locks and Dam.

The contract was awarded to Kokosing/Fru-Con LLC of Fredricktown, Ohio.

The \$232 million dollar project is expected to take 100,000 man-hours per year over a six-year period to complete.

The project, located near Charleston, slated to begin on July 1, will be active year round.

"This is a great project," said Ronald Burdette, Business Manager for the Operating Engineers Local 132. "The operators as well as all the

other crafts will get a lot of work.

"The project is under local agreement that will make for a very good working relation-

and fishing access.

"We would like to express our gratitude to the locals for all of their cooperation," said Jon Deutsch, Executive Secre-

'LOCAL UNION WORKERS NEED THIS KIND OF CONSISTENT WORK WITH GOOD PAY AND BENEFITS'

MARK SMITHSON, BUS. MANAGER, CEMENT MASONS LOCAL 887

ship between the locals and the company."

The project includes building a larger lock chamber to accommodate larger barges and building a three-story operations center, as well as building a picnic area, a parking lot

tary for the Constructors Labor Council, more commonly referred to as the 'Heavy and Highway' contractors association. "They have earned this much needed project for West Virginia."

The Constructors Labor

Council is responsible for the negotiation and administration of the local agreement.

"Senator Robert Byrd and our congressional delegation deserve much of the credit for this project, considering 150 Corps of Engineers projects have been canceled this year," said Deutsch.

The contractor is really a joint venture of two companies, Kokosing from Ohio and Fru-Con, from Missouri.

"We are excited to have this huge project," said Mark Smithson, Business Manager for Cement Masons Local 887. "The local union workers need this kind of consistent work with good pay and benefits."

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cient facilities the sooner the cost of day-to-day operation will decrease," said Smith "The bottom line is construction projects done now will more than pay for themselves in the near future."

At the start of the June 5th meeting Chambers told the public the board has serious concerns about rising health care costs. In the last year \$138 million in construction projects had been approved by the authority but an anticipated \$700 million in proposals were expected in the next few weeks.

A thorough review of each project will be undertaken, according to Chambers.

Organizer Uses Photos For Enforcement

A picture is worth a thousand words.

And possibly a saved life or thousands of dollars in fines.

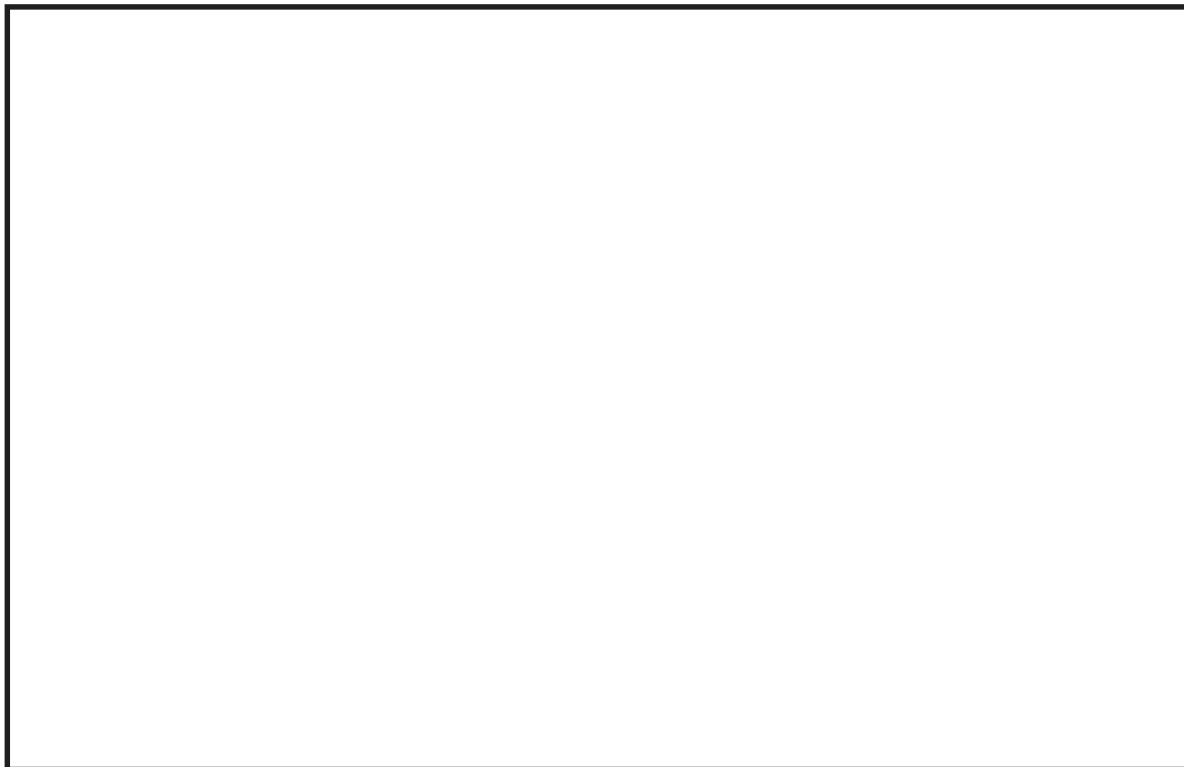
At least Rodney Marsh of Operating Engineers Local 132 thinks so.

He snapped photographs of Lang Brothers Inc. employees working in an unsecured ditch on the \$6.9 million Coalfield Expressway project in Beckley.

Marsh immediately took the pictures to OSHA because the working conditions were in clear violation of OSHA safety regulation.

"Photos give the authorities the proof they need to catch safety violators," said Marsh. "They also provide authorities ammunition when they confront the company officials."

According to OSHA, working in an unsecured ditch is an eminent danger situation because the ditch could cave in



A LANG BROTHERS WORKER and the project superintendent are working in a smoky 'eminent danger' situation where the unsecured walls of the ditch could cave in on them at any time.

on top of the workers at any time, burying them under tons of dirt.

"Everyone knows an

unshored trench is dangerous and potentially deadly," said Marsh.

An eminent danger situation

is one of the few violations that OSHA can immediately shut down a job for, however they haven't done so on the

Coalfield Expressway.

OSHA is still investigating the incident. At press time OSHA had not yet filed charges against the Bridgeport-based company.

This is not the first time Marsh has used his camera as an organizing tool.

Last year, Marsh's photos of an eminent danger situation on a Wyoming County school project helped OSHA nail Radford and Radford with a \$5,100 fine.

"We can be much more effective with organizing using photos," said Marsh.

"It provides clear and undisputable proof of safety violations which costs cheating companies thousands of dollars in fines and tarnishes their safety records."

"This levels the playing field for safety conscious union contractors."

MISCLASSIFIED, FIRED WORKERS GET BACK PAY

Carpenters Win Big Victory at Lee Reger

After a struggle lasting one and a half years the Mid-Atlantic Regional Council of Carpenters (MARRC), West Virginia District has signed a settlement agreement with Lee Reger Builds of Shinnston.

After a week of hearings at the end of May before the National Labor Relations Board (NLRB) it became apparent that the carpenters had proven their majority support among Lee Reger's employees, which gave merit to their request for

a bargaining order.

As a result, Reger management has agreed to bargain in good faith for a contract for more than 30 employees. Negotiations will begin immediately.

In addition, Reger agreed to stop using the anti-union Associated Builders

and Contractor's apprenticeship program to screen applicants as to their union membership or sympathies.

Also included in the settlement was back pay for workers terminated for union activities.

Workers received back pay from the Federal Wage and

misclassification.

"Worker misclassification at the Gilmer Prison is what sparked the campaign in Spring 2001," said John Zony, MARRC Organizer.

During the organizing campaign several men endured harassment, threats, isolation and finally unlawful firing, which lead to a

list of several unfair labor practice charges being filed.

"After an 18 month campaign, Lee Reger workers won

the right to organize," said Stanley.

"We look forward to building a good working relationship with Lee Reger."

"This is a good situation," said Dick Ullum, head of the Carpenters in West Virginia. "We will provide Lee Reger with a well-trained work force. All we expect in return is a decent wage and benefits."

"This was a combined effort by all of our organizing staff and rank and file union carpenters in the Volunteer Organizing Committees in the Clarksburg and Morgantown Locals," said Stanley.

'WE WILL PROVIDE LEE REGER WITH A WELL-TRAINED WORK FORCE. ALL WE EXPECT IN RETURN IS A DECENT WAGE AND BENEFITS.'

DICK ULLUM, HEAD OF MARCC, WV DIVISION

Hour Division for their work performed on the Gilmer County Federal Prison in 2001 due to worker

N. Central WV Trades to Build Wind Power Plant

The North Central West Virginia Building Trades has signed an agreement to help U.S. Wind Force LLC harness the power of the wind in Grant County.

About 250 union construction workers will build the proposed wind farm near Mount Storm.

"This is a win-win situation for union workers the company and the environment," said Darwin Snyder, President of the North Central West Virginia Building Trades. "This project will not only be a boost to our economy in the short term, but Wind Force is looking at four additional sites in West Virginia that would help union workers in the long term."

The project will be completed in two phases. Phase one will consist of building 100 windmills each being 300 feet tall and is slated to begin in spring 2003. The estimated cost of phase one is approximately



SEALING THE DEAL to build the Grant County Wind Mill project are: G. Thomas Matthews (from left), James Cookman, Darwin Snyder, and Roy Smith. \$160 million.

Phase two will include constructing 66 additional windmills.

At a recent Public Service Commission (PSC) hearing for a certificate of convenience, which would authorize the project, union officials testified in support of the project.

"There's a lot of potential for the wind industry in West Virginia," said ACT Director Steve White. "Its expansion could create many good construction jobs."

An important part of the windmill application was a memorandum of understanding between the trades and the developer.

"This agreement is solid evidence that there will be a true economic benefit to the citizens of West Virginia," said ACT lawyer Vince Trivelli before the PSC.

According to U.S. Wind Force President, G. Thomas Matthews the turbines would be located on reclaimed or abandoned strip mines on ridge

tops from Mount Storm Lake into Tucker County.

Studies have been conducted showing that the wind farm will not significantly disturb any wildlife or the patterns of migratory birds.

The 250 megawatt wind farm is expected to generate enough power to supply 250,000 homes.

Like most of the other power plants being built in West Vir-

ginia, the wind plant's power will be sold to brokers who will resell the power to customers in northeastern states who are willing to pay a premium price for environmentally friendly power.

"If union workers and companies like Wind Force and Panda Energy continue to work together we can ensure a West Virginia power plant boom," said White.

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Yes On One

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will be subject to prevailing wage and competitive bid laws. Secondly, some economic accountability measures are built in to the bill so the cities and counties can see if the companies taking advantage of the tax break are doing their part by providing good jobs to local workers.

"This bill is a good thing now," said Sam Davis, Business Manager for the Parkersburg - Marietta Building Trades.

"The current administration addressed all of our concerns.

This bill should help older, less-desirable business locations flourish again, while providing good construction jobs for local workers in the process."

"This bill is a prime example of what organized labor, business and political leaders can do when we all work together," said ACT Legislative Representative, BB Smith.

Forty-six other states have some form of economic devel-

opment financing like Amendment One.

"If it works in 46 other states, I'm sure it can help West Virginia too," said Davis.

Jim Bowen, president of the West Virginia AFL-CIO is co-chair of the new committee along with Paul Arbogast, former head of the West Virginia Business Round Table.

ACT's Steve White has agreed to serve on the steering committee.

"We need good jobs in West Virginia, and we can't just sit

around waiting for it to happen, said Bowen.

"This is a tool to help - not a magic button. And the broad support of business, labor and government shows we are all committed to working together for jobs."

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