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

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Gov. MANCHIN PRAISED FOR SELECTION

Mullins Named Labor Commissioner

"It's a huge learning curve."

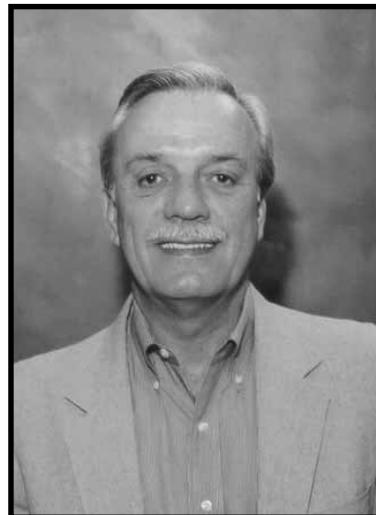
That is how David Mullins described his first week on the job as West Virginia's Labor Commissioner.

Mullins assumed his new position on January 8, following his appointment by Governor Joe Manchin to succeed Jim Lewis as head of the West Virginia Division of Labor.

"The Division of Labor staff has been very supportive and helpful," said Mullins. "Former Commissioner Lewis has prepared an excellent transition process for me, and I appreciate that tremendously."

A 33-year member of the International Union of Operating Engineers, Mullins currently serves as President of Local 132. Since 1990, he worked as Director of Apprenticeship and Training for the Local.

In addition to his labor experience, Mullins has held board



positions at the WV Public Port Authority and the WV Economic Development Authority.

In a news release, Manchin said Mullins "brings a very strong labor background to this position, and I know that he is committed to providing the strong leadership that this important state agency requires."

The Division of Labor is responsible for overseeing a number of key laws and regulations.

They are the primary agency for administering the states prevailing wage law.

They also enforce the contractors licensing law, crane operator certification, manufactured housing installations, and amusement ride and elevator inspections.

The wage and hour division oversees overtime, child labor, minimum wage, and related issues.

Ronnie Burdette, Business Manager for Operating Engineers Local 132, said his union's loss of a veteran employee has a positive side.

"Dave has been very important to our local, and I know we will miss his contribution," said Burdette.

"But having Dave at the Divi-

sion of Labor will be a good thing for working people overall. He will do a great job there, same as he did here."

Lewis served as Labor Commissioner since 2000 when he was appointed to the post by former Governor Bob Wise, and then reappointed in 2004 by Manchin.

Lewis decided to return to his home area of Parkersburg where he plans to work with his union, Plumbers and Pipefitters Local 565, starting in February.

According to Roy Smith, Secretary of the WV State Building Trades and a former Commissioner of Labor during the Caperton Administration, there is an important aspect to having building trades veterans as Labor Commissioners.

"It means we can count on the DOL to enforce the laws we have," said Smith.

Poling Chosen For House Seat

An official of the Painters union will fill a vacant seat in the West Virginia House of Delegates, following a gubernatorial selection process.

Dan Poling, business representative for the International Union of Painters and Allied Trades District Council 53, was selected by Governor Joe Manchin to serve the unexpired term of former Delegate J.D. Beane.

Beane resigned the 10th District seat to accept an appointment as Judge in the 4th Judicial Circuit.

Poling won out over two other candidates nominated for the seat by the Wood County Democratic Executive Commit-



IN THE House Chamber for the swearing in Ceremony are (standing from left) Nelson Thompson, Assistant to the General President, International Union of Painters and Allied Trades; Richard Hackney, Business Manager for Painters District Council 53; Dan Poling and his daughter (seated) Danielle Poling.

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NEW HOUSE LEADERSHIP MEANS OPPORTUNITY

2007 Legislative Session Underway

The 2007 Legislative Session began on January 10 with many promising changes for building trades members.

Two new members of the House of Delegates are also building trades members, Orphy Klempa of the Carpenters and Dan Poling of the Painters.

And new labor backed leadership in the House significantly changes the way legislation proposed by the building trades will be handled.

“We feel the new leadership will give us more opportunity to place bills on committee agendas and get serious consideration,” said Steve White, ACT Director.

“And having legislators like Poling and Klempa who know first hand about our issues is a real plus.”

One of the key legislative issues this year will be a return of a bill proposed for the past two sessions on health care.

The bill would require contractors who bid on public works construction projects to show most of their workforce has health insurance.

“We need to do something about out-of-control health care cost,” said Scott Brewer, Business Representative with the Mid-Atlantic Regional Council of Carpenters.

Another top priority will be the growing “underground economy” and the use of illegal workers in the state.

Last year a bill started by the Upper Ohio Valley Building Trades and their northern pan-handle legislators aimed at imposing penalties against contrac-

tors caught with illegal workers was blocked by contractor groups.

ACT investigations have shown some companies who use imported workers are receiving tax credits for job creation.

ACT is working on a bill to make sure tax dollars are only given to create decent jobs with benefits for local workers.

Licensing for Plumbers and Spinklerfitters, which had been on hold pending a long application and review process, is now back on track.

An interim committee made up of members from both the House and Senate Government Organizations Committees gave approval to a version of the bill on January 9.

The bill will be recommended to the entire legislature and should see action early in the session.

Patterned after electrician licensing, the bill aims to require workers performing plumbing and sprinklerfitter work to have a license, just as currently required in many states of the nation.

A new bill making it illegal to sell products aimed at allowing illegal drug users to pass a drug test will be proposed.

“We think mail order products like synthetic urine should be illegal in West Virginia as they are in many other states,” said Sam Davis, Business Manager of the Parkersburg-Marietta Building trades.

A new proposal to promote

craft apprenticeship programs will also be introduced.

According to Carl Reynolds,

lowers contractors to take limited tax credits based on the wages paid to apprentices they hire.

“WE NEED TO DO SOMETHING ABOUT OUT-OF-CONTROL HEALTH CARE COST,” SCOTT BREWER, BUSINESS REPRESENTATIVE, MID-ATLANTIC REGIONAL COUNCIL OF CARPENTERS

Training Director for the Laborers District Council, “other states have provided incentives to employers who hire apprentices, why shouldn’t ours?”

Reynolds points to a bill passed in Connecticut that al-

lows contractors to take limited tax credits based on the wages paid to apprentices they hire. A bill to provide an alternative campaign financing method called ‘Clean Elections’ will also get another look this session.

Following the lead of a growing number of states the bill would provide public funding for candidates who get a large number of small contribution from voters.

Candidates who took public funding would not be allowed to take any other money from indi-

viduals or PACs. The agenda of the trades is just a small part of the overall sessions proposals.

Two big issues already becoming the focus of the session are proposals to allow tracks to have table games and safety measures for all terrain vehicles (ATV’s).

“We won’t have a position on the ATV bill but we are watching the bill to allow table games closely,” said White.

“We can support the bill only if the four tracks commit to using local union labor for their construction projects and they show how passage of the bill will help all West Virginians.”

Local 80 Donates Toys-For-Tots



OUTGOING INSULATORS Local 80 Financial Secretary Mike Bittle (right) and incoming Financial Secretary Terry Hudson deliver toys to help the Marines Toys-for-Tots program. This is the 15th year of the toy drive. This is the second year Local 80 has participated and once again more than 100 toys were donated. The Toys-for-Tots program works with state Department of Health and Human Resources to locate the children in need.

Trades and Marines Work to Help Kids for Holiday

Trades members dug deep and contributed more than \$6,450 on just one big project this Christmas season.

Local union construction workers of the Tri-State Building and Construction Trades Council working at the AEP Mountaineer Plant in Mason County recently joined forces with the Marine Corps League Detachment No. 1180 of Point Pleasant to help bring a brighter Christmas to local youth.

The money was used to buy toys from Toys-R-Us to be distributed by Marines in Mason,

Gallia and Meigs counties.

AEP is undertaking a major project to retro-fit the Mountaineer coal-fired power plant with a flue gas desulphurizing (scrubber) unit. At its peak, the project employed 2,368 local union workers.

“Having such a large

fund-raising effort at the plant because he is a former Marine, once serving with Company A 4th Combat Engineer Battalion, 4th Marine Division.

“All the crafts participated and we ended up honoring four people as ‘Members of the Month’ at the Tri-State Building

Trades,” said Tom Plymale, Business Agent with Local 132.

The awards went to Barr, Pam McFall, Kenny Blessing and Connie Bowen, wife of

Tom Bowen, Business Agent of Laborers Local 543.

According to Plymale AEP and Foster Wheeler, the general contractor, both supported the effort.

“HAVING SUCH A LARGE WORKFORCE OF LOCAL TRADES PEOPLE HELPED MAKE THE EFFORT SUCCESSFUL,” JASON “BIG LIFT” BARR, A CRANE OPERATOR WITH OPERATING ENGINEERS LOCAL 132

workforce of local trades people helped make the effort successful,” said Jason “Big Lift” Barr, a crane operator with Operating Engineers Local 132.

Barr was chosen to lead the

ACT Plans to Sue Raleigh Delegate

The ACT Foundation filed notification of its intent to sue the state over Delegate Ron Thompson (D-Raleigh) refusal to show up for his legislative job.

Thompson has not shown up for any of the monthly interim legislative meetings since last March.

On Wednesday, 99 Delegates were accounted for when it came time to be sworn in, only Thompson’s whereabouts were unknown.

ACT believes that Thompson should not get paid if he does not show.

Last year Delegate Joe Ferrell (D-Logan) missed the entire legislative session but was still paid the \$15,000 salary that comes with the job.

“Our members have to show up to work to get paid,” said Steve White, ACT Director. “We don’t think it should be any different for Ron Thompson.”

State law requires a notification letter to be filed 30 days before any lawsuit can be filed against the state.

The earliest ACT could file its suit would be February 8.

ACT Representative Wayne Rebich, who is based in Raleigh County, has been working with the local Chamber of Commerce to find out Thompson’s status.

According to Rebich numerous attempts to contact Thompson including letters and phone calls have failed.

“The citizens of Raleigh County deserve to have their representative at the Capitol,” said Rebich. “If Thompson can’t or won’t serve he should resign so we can replace him.”

Poling

CONTINUED FROM P. 1

tee, but he doesn’t look at the appointment as an individual achievement.

“I think my appointment happened because of the positive working relationship the Painters District Council 53 and the State Building Trades have established with the Governor’s office,” said Poling. “Gov. Manchin sees labor as partners in progress for West Virginia.”

Poling, 52, began his involvement with organized labor in 1974 when he joined Painters Local 1144 in Parkersburg.

As a new Legislator, Poling states his goals in broad terms.

“Right now my goal is to do my best to be a fair advocate for working people,” said Poling.

Rick Hackney, Painters

Council 53 Business Manager, said Poling’s selection shows Gov. Manchin “understands today’s progressive labor movement is ready to work closely with business to create high quality jobs for West Virginians.”

“People who know Dan Poling understand he has a good heart and will do a great job,” said Hackney.

Poling will serve the remainder of the two year term and must face election in 2008.

In a press release, Manchin stated why he decided Poling was his selection for the job. “I have known Daniel Poling for many years,” Manchin said.

“He is a person of character, a quality individual and a dedicated community leader who ... knows the importance of finding the balance between the interests of both business and labor.”



MEMBERS FROM all the crafts, together with the Marine Corps League, AEP, general contractor Foster Wheeler, and many sub-contractors on the Mountaineer Scrubber project helped make the Christmas Season a little brighter for kids in local area.

PSC HEARING SET FOR JANUARY 24

Trades Sign Project Agreement for Longview

Another milestone in the development process of a \$1.8 billion Morgantown-area power plant has been reached.

On December 29, 2006, officials of the North Central WV Building and Construction Trades Council signed a National Construction Agreement (NCA) with Aker Kvaerner USA, the general contractor who will build the Longview Power LLC, a state-of-the-art coal fired electric generating plant.

According to North Central's Executive Director, Natalie Stone, this development milestone is significant to building trades members throughout the region.

"A billion-plus dollar project will have positive impact for the regional economy, which is good," said Stone. "And by securing the NCA with the general contractor, we are ensuring local construction workers will be part of that positive impact."

North Central negotiated some additions to the regular NCA agreement including two dollars per hour extra for second shift work, guaranteed two hour show up pay, and a guaranteed 40 hour weekly pay for top supervision.

Project developers had committed to North Central early in the permitting process to select a contractor that would negotiate an agreement with the Trades.

The final selection of a contractor follows a long list of ac-

complishments including environmental permits, financing, PSC approval, and many lengthy legal appeals.

The project, scheduled to break ground early this year, will provide 1200 union construction jobs over the next three to four years, according to published projections.

Although the project promises major economic benefit to the surrounding area, a relatively small number of opponents have challenged the project continually since the project's inception in April of 2000.

"That opposition probably won't go away," cautioned Stone, "but that is part of the process. We have to be as diligent as the other side, and so far, we're making the kind of



REPRESENTATIVES FROM each craft affiliated with the North Central WV Building Trades, and from Aker Kvaerner pose after signing a project agreement to cover the \$1.8 billion Longview Power project in Monongalia County. Site clearing work has already begun.

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progress we need to make."

The project only needs a final go-ahead from the state Public Service Commission to proceed. The PSC is reviewing a minor permit change to increase the proposed generating capacity to 695 megawatts from 600.

The PSC has called for a January 24 public hearing in Charleston on the permit modification issue.

Sited in Ft. Martin, just a few miles north of Morgantown, Longview Power will burn more than two millions tons of locally mined coal when in full operation.

There will be approximately 60 full time employees and the plant will be Monongalia County's biggest taxpayer.

Darwin Snyder, North Central's President and one of those participating in the negotiations and agreement signing last month, believes North Central's experience working within

the Allegheny Power system helped Gen Power, the project's developer, in their decision to locate in this area.

"North Central's ability to provide the skilled labor this project will need had a lot to do with the project coming here in the first place," said Snyder.

Aker Kvaerner is based in Oslo, Norway with its United States operations headquartered in Houston, Texas and a regional office in Canonsburg, PA.

The Company employs over 24,000 people in 30 countries with revenues last year totaling \$5.63 billion.

They are currently working under an agreement with the Tri-State Building Trades at the M&G Polymers plant in Mason County and the AK Steel plant in Ashland, Kentucky.

They are also about to start a flue gas desulphurizing (scrubber) retrofit at the Kyger Creek Electric Plant in Cheshire, Ohio.