

THE ACT REPORT

VOLUME 19 NUMBER 2
FEBRUARY 2010



A PUBLICATION OF
THE AFFILIATED
CONSTRUCTION
TRADES FOUNDATION

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

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JOBS ACT, BREAK BILL STILL POSSIBLE

WV LEGISLATIVE SESSION PASSES HALF WAY MARK WITH SLOW START

ACT's proposed changes to the WV Jobs Act have been slow to move in the legislature but have received a favorable response.

By most accounts the first half of the 2010 WV legislative session was slow for all legislation.

The Jobs Act changes are in House Bill 4359 and would make projects worth more than \$250,000 have the local hire requirement, down from the current \$1 million level.

Local hiring for tax funded projects has long been a priority for ACT and the Building Trades.

In addition the definition of "local" would include those who live in West Virginia or a county within 50 miles of our border, down from the current 75 miles.

Another bill ACT is work-

ing on would give workers a 15 minute paid break for every four hours worked.

The bill passed the House of Delegates last years but

stalled in the Senate.

This year the bill was started in the Senate as Senate Bill 487.

"We are trying to talk with

groups who opposed the bill last year to see if we can work out any differences," said Dave Efaw, Secretary-Trea-

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MEMBERS OF PAINTERS COUNCIL 53 talk with Delegate Dan Poling (D-Wood) a member of the Council himself, during one of the weekly Labor Caucuses for House of Delegate members. Labor lobbyists use the weekly sessions to brief their elected officials about issues and bills as well as get feedback from legislators.

PINNACLE WIND GETS APPROVAL

The Pinnacle Wind Farm at New Page has received approval from the WV Public Service Commission to construct 23 wind turbines near Keyser in Mineral County.

The \$131 million project will have the capacity to produce 55 megawatts of power, enough for 14,000 homes.

Approval was given January 11, 2010.

The application was filed almost one year ago and lengthy public hearings and formal hearings took place as the project was reviewed.

Developer U.S. WindForce

and both the North Central and WV State Building Trades have an agreement to use local union construction workers for the project.

"The project comes at a great time for us," said Natalie Stone, Executive Secretary of the North Central WV Building and Construction Trades Council.

"West Virginians need the work, and the country needs more clean energy."

Developers say more than 100 workers will be used for construction of the project.

In addition the company will hire five workers to operate the facility and will pay

more than \$430,000 per year in taxes.

The approval comes after years of study and preparation by the project developer to meet the many standards imposed on wind projects.

However approval from the PSC doesn't mean the project has cleared all hurdles.

Groups opposed to the project have already filed a motion for reconsideration to the PSC.

ACT has intervened in support of the project.

Additional legal action could be aimed at the WV Supreme Court or to Federal Court where a similar proj-

ect was derailed in December due to concerns the Indiana Bat may possibly face hazards from the wind turbine blades.

Construction of the wind farm will take less than a year, and could be operational by the end of 2010.

However, construction startup may be delayed, as U.S. WindForce works to finalize a deal to sell its "green" energy to the University of Maryland.

U.S. WindForce plans to sell the project to Edison Mission Group, a national firm that operates a wind farm in nearby Somerset County, Pa.

BEECH RIDGE DEAL MEANS GREENBRIER PROJECT RE-STARTS AFTER INJUNCTION

A deal between the developers of the Beech Ridge Energy wind project and opponents will allow part of the project to continue.

The compromise came after U.S. District Judge Roger Titus ruled on December 8, 2009 that the project could possibly harm an endangered species - the Indiana Bat.

Judge Titus, based in Maryland, issued an injunction which forced the company to stop construction at 27 tower sites and put restrictions on the times the remaining 40 wind towers could operate.

At the time developers Invenergy were nearing the end of their first phase constructing 67 turbines of the 131 permitted in Greenbrier County by the West Virginia Public Service Commission.

With 27 expensive wind turbines and towers laying on the ground indefinitely the decision was a costly one for the company.

And to make matters worse the company had a contract to deliver clean energy from 67 turbines but only had 40.

The settlement will allow the remaining 27 turbines to be erected, but at least ten will be at new locations.

In addition Beech Ridge agreed to abandon 31 locations and restrict the times when the turbines operate.

The turbine can only operate during the Indiana bat hibernation period (from November 16 to March 31 of each year), and during daylight hours at other times of the year.

Local workers are glad to return to the job but the experience has left many bitter.

"Try to get an injunction for unsafe working conditions, or illegal workers, or to stop illegal drugs at the workplace - it can't be done," said Ronnie Burdette, Business Manager for Operating Engineers Local 132.

Seventeen of the 27 towers can go up as soon as crews

can get re-started.

The remaining 10 wind turbines must wait till new bases can be installed.

Beech Ridge must go to the U.S. Fish and Wildlife Service for additional per-

mits if they want the turbines to operate all the time. These "Incidental Taking Permits" may be granted, but there is no guarantee and the process could take years and cost hundreds of thousands of dol-

lars.

Phase two of the project, if it is ever built, will be about half of what originally planned with only 33 turbines left after the other locations were abandoned.



MEMBERS OF THE Trades and General Contractor White Construction pose for a picture after completing the 67 base installations for wind turbines at the Beech Ridge project in Greenbrier County. A Judges ruling forced developers to abandon ten of the sites already completed meaning the crew may get to build ten more, but will cut 31 other sites from the second phase of the project - if there is a second phase.

LEGISLATURE

CONTINUED FROM P. 1

surer of the WV State Building Trades.

Those groups include the WV Chamber of Commerce and the Hospital Association.

A number of bills aimed at stretching construction dollars for highway projects are being followed.

The biggest impact would be legislation allowing toll-road and private financing for highway projects.

A change to the WV Public-Private Transportation Act

which allows such projects is in the works.

If passed the bill, H.B. 4441, would streamline the government approval process for projects.

Efaw also points to numerous bills attacking construction workers wages and the prevailing wage laws.

"For the most part these bills are not moving because our friends in the legislature understand attacking working families is not a path to prosperity," said Efaw.

One controversial proposal came from Governor Man-

chin and would change the way business personal property taxes were collected and potentially eliminate them all together.

ACT's Steve White testified at a public hearing and asked where the funds would come from to make up the difference?

However once the price tag was figured to go higher than \$200 million per year in lost business tax revenues the proposal was quickly modified.

A version passed out of the House Constitutional Amend-

ment Committee limited the tax break only to property put on the tax rolls after the measure would be approved by voters and County Commissioners.

The idea is new investment will be rewarded and help the economy.

According to White a question still remains about how the word 'new' is defined.

If 'new' means anything that has been placed on future County Tax roles then even old equipment that is moved from County to County could qualify.

This appears to be a big loop-hole in the proposal.

White also questioned what effect the change would have on the new Marcellus Shale drilling.

Would all the rigs and associated equipment be exempt from property taxes?

The huge Marcellus Shale natural gas find is certainly making money for some, but local workers have yet to see the benefits.

Instead out-of-state companies and workers are taking the jobs and the tax benefits are hard to find.

CUMBERLAND AREA COVERS SEVEN WV COUNTIES, THREE IN MD

SHEET METAL WORKERS LOCAL 100 JOINS

Sheet Metal Workers Local 100, Cumberland MD area, has joined the WV State Building Trades and ACT.

Local 100 is based in Suitland, Maryland and covers Washington, D.C., the entire States of Maryland and Virginia, and seven counties of West Virginia.

John R. Shields, Jr., is Business Manager of the

Local which has more than 3,300 members including around 300 apprentices in their four year program.

The Cumberland area district covers seven West Virginia Counties including Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, and Morgan; as well as Allegany, Garrett and Washington Counties in Maryland.

Other area offices are in Baltimore, MD; Norfolk,

Richmond and Roanoke, VA.

In charge of the Cumberland area office is Business Representative Mike Adams who has held the position for 16 years.

Brian Diehl is the organizer for the area.

According to Adams the Local joined the State Building Trades and ACT because he saw the good work being done by ACT Representative Larry Young.

“I wanted to join and my members wanted to join because we see the benefits of ACT and we want to pay our way,” said Adams.

“ACT Representative Larry Young stays on top of project information, that helps us get on jobs.

“If a job does go nonunion he can help us monitor it to make sure we get fair competition.”

There are approximately

150 members in the jurisdiction of the Cumberland area office.

The range of work opportunities for members include heating, ventilating, air conditioning (HVAC), air and water balancing, sheet metal roofing, architectural sheet metal, specialty sheet metal fabrication, industrial, service work, welding, and indoor air quality and energy management.

WV LABORERS' TRAINING PROGRAM SEEKS NEW CONSTRUCTION CRAFT APPRENTICES

The West Virginia Laborers' Training Trust is accepting applications for their Construction Craft Laborers' program.

Applicants can go to any WorkForce West Virginia Employment Service Office to apply.

Applications are accepted on the third Friday of each month.

Apprentices will get at least 408 hours of classroom and hands-on training each year at the Laborers' Training Center in Mineral Wells (Parkersburg), WV.

Apprentices will be required to attend two 160 hour training sessions at the Center. Both sessions consist of four consecutive five-day weeks, Monday through Friday, eight hours per day. The first session is normally held in the spring and the second session is normally held the following winter.

Instruction, meals and lodging are provided free of charge.

In order to complete the program apprentices will earn an appropriate wage while receiving and additional 4000 hours of on-the-job training on construction projects in their home areas.

Areas of training include safety, mason tending, concrete placement, traffic control, hazardous material abatement, pipelaying, scaffold building and a variety of skills to provide a lifelong career.

Applicants must be 18 years of age, possess a high school diploma or GED, hold a valid drivers license and must be physically able to perform the work of the trade.

In addition applicants will be given a test administered by the WV Jobs Service and must pass a drug test.

The recruitment, selection, employment and training of apprentices shall be without discrimination because of race, color, religion, national origin or sex.

The sponsor will take affirmative action to provide

equal opportunities in apprenticeship.

For more information visit

their web site www.wvlaborers.com or send a self-addressed stamped envelope to

WV Laborers' Training Center, PO Box 6, Mineral Wells, WV 26150.

STATE BUILDING TRADES HOLD LEGISLATIVE CONFERENCE



SENATOR JEFF KESSLER (D-Marshall) speaks to members of the WV State Building Trades during their annual legislative conference held in Charleston on January 26. Kessler is Chair of the Senate Judiciary Committee and has helped the Trades pass legislation such as the WV Jobs Act and the Alcohol and Drug Free Act. Also speaking at the conference was Supreme Court Justice Tom McHugh and State Treasurer John Perdue.

WV GETS \$6 MILLION FOR GREEN TRAINING

The U.S. Department of Labor has awarded WorkForce West Virginia a three year, \$6 million grant to support "green-jobs" education and training.

U.S. Labor Secretary Hilda Solis made the announcement on January 20 and said the money would go to train about 1,850 people.

The WV State Building Trades, through its Construction Works division, is one of the partners WorkForce WV used to apply for the grant.

The grant is aimed at four

initiatives;

- Green training for current, future and unemployed workers in building, construction, retrofitting and installation occupations;

- The development of a new community college GREEN-UP certificate program, a new wind-energy technology program and new water and wastewater treatment programs;

- The development and implementation of community and technical college courses that teach basic and green technical skills in combination, as well as green

entrepreneurship for those interested in starting green businesses; and

- Professional development for faculty of career centers, registered apprenticeship programs and community and technical colleges that will help them incorporate green concepts and skills into classes and programs.

"There are a number of opportunities for our members and training programs to advance their skills in the area of "green-jobs", said Roy Smith, Executive Director of the Construction Works. Final details on how the fund-

ing will be used are still in the works.

In many ways Trades programs have been teaching green construction techniques for years.

"Our members install all types of energy saving devices and have worked on clean coal, wind, hydroelectric and solar projects," said Smith. "But we are looking for ways

to train workers and trainers in the latest technology and skills."

The West Virginia GREEN-UP Council, which consists of representatives from business, labor, non-profit organizations, research firms, economic development, education providers and other groups, will coordinate grant activities.

COURT CREATES CORPORATE FRANKENSTEIN?

The U.S. Supreme Court recently ruled that limits on corporate spending were illegal. Below is a commentary from John R. Shields, Jr., Business Manager of Sheet Metal Workers Local 100.

On Thursday, January 21st, five of the nine justices on the Supreme Court of the United States of America gave birth to a Corporate Frankenstein.

They ruled that corporations can give unlimited amounts of money directly to political campaigns.

They gave corporations the same rights as living breathing human beings. How absurd.

Certainly the justices must be confused about what a human being is.

I don't know about you but I never stood in line with a corporation while getting

coffee in the morning on my way to work.

I've never bumped into a corporation walking down the street.

Plain and simple, corporations are creations of the state that exist to make money. With this ruling, corporate owners can contribute individually as human beings and then again, in an unlimited fashion, as a corporation to elect the candidates they want and to defeat candidates they don't want. It is people that create corporations not out of love itself but out of love for money.

While corporations may "do a few good things" you'll never know what they are really doing because everything corporations do is shrouded in secrecy.

Less government is less government oversight. Isn't that what got us into the economic mess we're in now?

Yes. Even Senator John McCain said, "I am disappointed by the Supreme Court ruling..."

Labor unions on the other hand are the most transparent organizations on the face of the earth. Every dollar that unions bring in comes from its membership and every dollar that unions spend is a matter of public record. All you have to do is go to the internet.

We live and we die. The oldest living person may now be replaced with the oldest living corporate entity. The blood that runs through the corporate body is money.

The only thing that limits the life of a corporation is profit and they don't want to die anymore than we do. Corporations are not human.

Corporations have no feelings. Without unions and responsible government there are no rules attached to how

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their profit is earned.

So what can we as human beings, as citizens, as workers and as union members do now?

If ever there was any doubt in the minds of our member-

ship, this action by the Supreme Court should erase that doubt. Our survival as a union has never been more clearly presented to us. We must organize. Our survival depends on it.