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

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APPRENTICESHIP, SAFETY, BIDDING, CRANES, ROADS 2012 LEGISLATIVE SESSION

The 2012 session of the West Virginia Legislature got underway on Wednesday, January 11.

Issues for ACT and the WV State Building Trades will include legislation aimed at apprenticeship, safety, fair bidding, crane certification and funding infrastructure.

The initiative for apprenticeship training focusses on legislation passed a number of years ago to provide a tax credit to employers who employ registered apprentices.

The Trades are proposing increasing the tax credit for hiring apprentices to \$2 per hour from the current \$1 per hour. It does not matter if the apprentice works on a public or private project. However they must be indentured in an approved program regulated by the federal government.

Sen. Orphy Klempa (D-Ohio) was the lead sponsor

when the Apprenticeship tax credit first passed and he is taking the lead again.

After the mining disaster

at Upper Big Branch Mine the Trades put forward a law to require workers on Public construction projects to have

OSHA safety training for the construction industry.

The 10 hour class has been
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SENATE PRESIDENT JEFF Kessler (D-Marshall) speaks in support of infrastructure funding to a crowd gathered at the state capitol on "Transportation Day" held Thursday, January 12. A group called West Virginians for Better Transportation brought Labor and business representatives together to draw attention to much needed infrastructure funding for the mountain state. Funds for road and bridge construction and repair have not kept up with needs.

SPECIAL LEGISLATION INCLUDES MARCELLUS EMPLOYMENT REPORT

Legislation on Marcellus Shale environmental regulation passed in the December Special Session also included a report to be created about employment.

The law calls for a number of agencies to gather data on the jobs created by the Marcellus Shale extraction and processing.

The agencies are to examine the total number of jobs created, the total payroll and average salary, and how many workers come from West Virginia, surrounding

states or far away.

"We know there are many jobs being created by the drilling, piping and processing of Marcellus Shale gas," said Ed Boone, Business Manager of Plumbers & Pipefitters Local 152 in Morgantown.

"But the question we have is why are so many workers being imported when we have a qualified workforce right here who need these jobs?"

The gas industry has denied they are importing workers and point to their existing employee numbers as proof.

But anyone from the re-

gion knows the out-of-state work related vehicles are easy to find and motel rooms fully booked.

"Industry fought this provision, probably because they know the truth and didn't want more evidence," said Boone.

"Hopefully this report can get to the truth."

Del. Tim Manchin (D-Marion) created the reporting requirement due to the many constituent calls he got about the out-of-state workers.

Manchin was co-chair of the interim committee that examined the Marcellus is-

ssues after the regular session of the legislature was unable to pass a bill regarding much needed environmental regulations.

ACT had proposed additional regulations requiring the use of apprentices, compliance with state drug and alcohol testing rules, and more local workers.

The report is due by November 1 and must be done each year through 2016.

Recommendations for how to improve hiring, training and contracting opportunities for local workers and businesses are expected.

WEST VIRGINIA WAITS FOR SURVEY RESULTS

KENTUCKY BUILDING TRADES PREPARE FOR DAVIS-BACON FEDERAL WAGE SURVEY

Members of the Kentucky Building and Construction Trades Council attended workshops in three locations on how to participate in a new federal Davis-Bacon wage survey.

The workshops were held in Ashland, Central City and Louisville during the week of January 9.

US DOL representatives were on hand as well as George Jones of the Building and Construction Trades Department of the AFL-CIO.

Kentucky participated in a federal wage survey in 2007 but because of numerous data problems revealed when it was published in 2010 the state is undergoing a new survey in 2012 for both Heavy and Building construction.

West Virginia went through the data collection portion of the survey which concluded almost two years ago.

The data is still being analyzed and the results have yet to be published.

The Davis-Bacon law makes sure federal government construction projects do not drive down area wages for workers by determining what wage rates prevail in each county.

The concept is often referred to as the Prevailing Wage law.

All federal projects valued at more than \$2,000 must pay construction workers at least the Davis-Bacon or prevailing wage rate.

According to Larry Roberts, Executive Director of the Kentucky Building Trades, approximately 140 people at-

tended the events.

“The Kentucky Building Trades and Larry Roberts put together a very informa-

tive workshop,” said Steve Burton, Business Manager of the Tri-State Building Trades Council.

According to Burton the US DOL will be conducting similar wage surveys in Ohio later this year.



MEMBERS OF THE Tri-State Building Trades attend a workshop put together by the Kentucky State Building Trades Council on how to comply with a new federal wage survey for Kentucky.

WEST VIRGINIA CONSTRUCTION LABORERS' OFFER APPRENTICESHIP OPPORTUNITIES

The West Virginia Construction Craft Laborers' Joint Apprenticeship and Training Committee accept applications year round.

Those interested can apply at any WorkForce WV Employment Services Office on the third Friday of each month.

Applicants must be at least 18 years old, have a high school diploma or GED, a valid driver's license and must be physically able to

perform the work of the trade.

Applicants will be given a test administered by the WV Job Service office and if they pass may be interviewed.

A substance abuse test will be required at some point in the process.

Documents such as a copy of a birth certificate, a valid driver's license, transcripts of grades and proof of a high school degree or GED will be requested at a later date.

The apprenticeship program consists of a combination of on-the-job training and

hands-on classroom training.

The WV Laborers' Training Center in Mineral Wells provides 408 hours of classroom and hands-on training free of charge including meals and lodging.

Apprentices will also learn on the job in their home areas while earning a paycheck, for a total of 4000 hours, approximately two years.

Upon completion of the program apprentices will have earned Journeyman status and receive a certificate from the U.S. Department of

Labor.

The areas of training provide a wide variety of skills to ensure highly productive workers will have successful careers.

Topics include pipelaying, mason tending, instrument reading, environmental remediation and much more.

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

For more information visit

their web site www.wvcl.org or to receive a free brochure send a self-addressed stamped envelope to: West Virginia Laborers' Training Center, P.O. Box 6, Mineral Wells, WV 26150.

ACT Report Address Corrections Wanted

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DOMINION TO SHIP LOCAL GAS TO CHINA

Locally produced natural gas may soon be traveling overseas to countries where the United States does not have free-trade agreements (FTA's) – like China – thanks to Dominion Resources.

Dominion announced its plan to ship liquefied natural gas (LNG) overseas in early September 2011. The company made its first application with the U.S. Department of Energy, seeking authorization to ship LNG to countries with which the United States maintains an FTA. This application was approved in early October last year.

At about that same time, Dominion filed a second application, requesting to ship LNG to countries that do not have an FTA with the United States. This application is still pending.

Dominion's application to non-FTA countries seeks to export up to 1 billion cubic feet of natural gas daily by late 2016, from its Cove Point terminal in Maryland.

The company is seeking approval to export LNG because they say the natural gas supply is exceeding demand. But Dominion also sees that natural gas is selling overseas for much more than here at home.

The move has made some

ask if Dominion has disregarded any consideration of how to make more use of the resource in the United States.

"Dominion is simply after a quick buck," said Steve White, ACT Director. "We cannot depend on them to consider our national interests, let alone, our local interests."

Dominion and other energy companies have campaigned for drilling all over the country by saying it will reduce energy dependence on foreign nations.

Dominion's motive may be quick profits rather than contributing to America's energy independence.

"You have to wonder if the

company is only considering the short-term benefits of exporting LNG, which means bigger profits, and not the long-term interests of the entire country," said White.

"Natural gas can be used right here at home. It's counterproductive to export it, especially to a country like China that competes against America in the global market."

China and other countries have already hurt American manufacturing by paying their workers substandard wages to work in dangerous conditions.

According to the Wall Street Journal, because natural gas prices are low right now, for the first time in almost 10 years, steel companies and plastics makers are

building facilities in the U.S., taking advantage of the situation to better compete globally.

"It may help Dominion's bottom line, but it hurts America by selling our own much-needed energy resources to our competitors," said White.

If the natural gas being produced locally from the Marcellus Shale is used domestically American companies will have a competitive advantage to compete. The huge resource discoveries could prove to be the engine that helps grow the country's struggling economy.

White commented that Dominion may claim it wants to create jobs, but would those jobs be here in the US – or in China?

PROJECT BEST BREAKFAST



More than 400 attended the Project BEST Breakfast event in Wheeling.

The annual breakfast has become a major area event highlighting the positive contributions made by the construction industry through a cooperative approach by both Labor and Management.

A number of awards were presented for successful projects in the region.

Project BEST is the Labor-Management group servicing the Northern Panhandle of West Virginia and the Upper Ohio Valley.

The Co-Chairs of Project BEST are Orphy Klempa, a Representative for the Mid-Atlantic Regional Council of Carpenters and a State Senator and Tom Cerra, Executive Director of the Ohio Valley Construction Employers Council.

Governor Earl Ray Tomblin and numerous other political and business representatives attended.

Visit

[www.jobs
for local
workers.com](http://www.jobsforlocalworkers.com)

to support **local jobs** for
local workers and sign the
Marcellus Principles.



The Principles urge businesses to employ workers from the community to fill all industry jobs.

IRON WORKERS 549 HOST OPEN HOUSE

Iron Workers Local 549 in Wheeling hosted an open house to dedicate their recently completed apprenticeship training center.

The event took place on January 5 and saw a good attendance from area politicians and news media.

Iron Workers representatives used the event not only to dedicate their new 5,000 square foot addition but to show-off their skills and training to work in the Mar-

cellus Shale related industry.

“We wanted folks to know the Iron Workers and other crafts have the skills needed to do all of the Marcellus Shale construction,” said Keith Hughes, Business Manager for Local 549.

Open house visitors got to see modern training tools like the state-of-the-art VRTEX 360 virtual hands-on training experience.

This computerized welding simulator provides real-time feedback similar to a video game to both trainers

and student.

And the ‘green’ virtual welding system saves energy, reduces the use of costly materials and creates no waste or pollution.

The event had a positive impact on explaining the apprenticeship method of training. Outside of the Trades very little is known about craft apprenticeship.

“Most people think craft workers are trained only at vocational or technical schools,” said Hughes. “They are surprised to learn unions

and contractors provide the training at little or no cost to the apprentices or taxpayers.”

The Iron Workers apprenticeship program usually takes four years to complete and teaches all aspects of the trade including steel erection, rigging, concrete reinforcing, welding, safety and more.

Journeyman can continue

their training as well.

“Other than a mix-up where the press incorrectly said we do pipe welding the event went very well,” said Hughes.

“We tried to explain each craft, including the Pipefitters for pipe fitting and welding, has their own training programs.”



WORKING ON CRANE legislation to comply with OSHA regulations are (back row from left) Del. Greg Butch (D-Logan) and Del. Dave Walker (D-Clay), (middle) Tommy Plymale and Chuck Parker of Operating Engineers Local 132, and (front) staff attorney Brenda Thompson and Del. Dan Poling (D-Wood).

SESSION

CONTINUED FROM P. 1

come a standard in the private sector, especially at industrial facilities.

“The idea is for the state, as one of the largest purchaser of construction services, to follow the private sector and only allow construction bidders who could meet this safety standard,” said Del. Dan Poling, D-Wood, the lead sponsor in the House of

Delegates and a member of Painters District Council 53.

The bill ran into opposition from the largest contractor lobbying group, the Contractors Association of West Virginia and eventually failed to pass.

A number of union based contractor associations did join in the effort to promote the bill.

Legislation aimed at stopping bid-shopping of sub-contractors will be proposed.

The bill is patterned after a successful policy of the State School Building Authority. Once the low bidder is determined on bid day they then have two hours to list the sub-contractors they plan to use for the job.

The policy prohibits the replacement of a sub-contractor except for specific reasons.

“Once the price is in and the low bid determined some GC’s will then work the sub-contractors over to cut their

prices,” said Steve Burton, Business Manager of the Tri-State Building Trades Council and a member of the SBA.

“The owner doesn’t benefit from the lower price, in fact they lose because a sub then may cut corners to get the job.”

A number of states have adopted similar policies.

Regarding crane operators the Trades are working with the Operating Engineers on a bill to make sure West Virginia’s crane certification law is aligned with new federal OSHA regulations.

The good news is West Virginia took the lead in crane operator certification passing its law in 2000. New OSHA rules eliminate any grandfathered licensing – all operators must pass a test showing they are competent. Both a hands on and written test are required.

Del. Greg Butcher, D-Logan and Del. Dave Walker, D-Clay, are both sponsoring the bill and are members of Operating Engineers Local 132.

“We will also be working to promote local hiring especially for the Marcellus Shale related work,” said Dave Efaw, Secretary-Treasurer for the WV State Building Trades Council. “Funding for infrastructure, protecting prevailing wage and simply protecting working families keeps us pretty busy.”

Efaw said that Governor Earl Ray Tomblin is including increased funding for infrastructure in his budget. Half of any surplus that does not go into the Rainy Day Fund will go towards infrastructure.

“We will be working with the Governor to get this funding secured,” said Efaw.

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