

# THE ACT REPORT

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A Division of the WV State Building Trades, AFL-CIO | Steve Burton, President | Dave Efaw, Secretary-Treasurer | Steve White, Director



## Dominion/Blue Racer Job Goes Union for Phase Two

Chapman Construction will build phase two of Dominion's natural gas processing complex in Marshall County.

On July 6 the union contractor held a pre-job conference with the crafts outlining the manpower needed for the project. Completion is ex-

pected in early 2014.

"This is a pretty dramatic turnaround for this site going from a non-union Texas contractor to Chapman," said Tom Gray, President of the Upper Ohio Valley Building Trades.

Chapman is a well-respected general contractor based in Washington,

PA, that has lots of experience building gas processing facilities.

"CB&I took 21 months to do a 15 month project, I know our guys are going to perform much better," said Gray.

Gray was referring to the first phase of the Dominion project that

went to the nonunion contractor CB&I from Texas. The project was started in August of 2011 and was to be complete by December of 2012 but did not finish until early July of this year.

The site is now owned by a part-  
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## 27 million craft hours worked at Amos, Mitchell Since '05 Building Trades Back AEP at PSC Hearing

With a dozen building trades representatives in the audience ACT's Steve White testified in support of AEP's request to rearrange corporate ownership of their John Amos and Mitchell power stations.

The hearing before the state's Public Service Commission was held in Charleston on July 16 and was the start of a week-long review of AEP's application to rearrange ownership of two major electric power plants.

ACT has intervened in support of the change that will allow Appalachian Power to acquire more of the John Amos and Mitchell power plants from their sister company Ohio Power.

White's testimony focused on the millions of manhours craft workers have been employed at the two facilities in recent years.

For the years 2005 through 2012 more than 27 million hours have been worked by building trades craft members at the two facilities. At John Amos near Charleston the total is 16,750,000 and at Mitchell south

of Wheeling 10,442,000 craft hours were worked.

"We wanted to make sure the Commissioners factor in the huge economic impact these plants have

for construction workers and their families," said White. "They hear about coal and they hear about the power company 'full time jobs' but they don't hear enough about con-

struction."

White also points to the strong relationship the crafts have with AEP at all of their plants. "We have a solid

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Steve Keller (front left) was among a group of local craft representatives present at the WV PSC when testimony was entered showing more than 27 million manhours have been worked by building trades members at John Amos and Mitchell from 2005 through 2012. "Our jobs are at stake," said Keller. "We support AEP because they support us." The hearing was about AEP's request to shift ownership of the plants among subsidiary companies.

# *Marcellus, Vocational Education Focus*

# Craft Apprenticeship Conference Held

More than 65 people attended a conference about construction apprenticeship held in Charleston on Friday, July 26.

The key-note speaker was Jeff Jackson who handles business development for the Chapman Corporation based in Washington, PA.

With around 1,500 craft workers on their payroll Chapman is the largest employer of union construction workers working on Marcellus Shale construction. Jackson explained quite a bit about the Marcellus and Utica Shale industry.

"We are successful because of the skilled workforce we get from union programs," said Jackson. "And we will need more skilled people to build an expanding natural gas processing industry."

Additional speakers included apprentice coordinators, veterans groups, women in construction, vocational education, community col-

leges, WV WorkForce, and the US Department of Labor.

The meeting was scheduled to allow apprenticeship folks to get together with vocational educators who were already in town for an annual training event.

"We are trying to get vocational educators and apprenticeship coordinators talking on a more regular basis," said Carl Reynolds, Administrator for the WV Laborers' Training program.

Reynolds along with ACT's Steve White held a workshop for vocational instructors about apprenticeship.

In addition, a reception was held for vocational instructors and craft people to meet and get to know each other.

"We had representatives from all the crafts at tables to talk with the vocational instructors," said Reynolds. "The folks who stopped by were enthusiastic and we all made some

good contacts."

The WVU Institute for Labor

Studies helped put the program together. ■



(From right) Kristina Szczyrbak, Job Developer with WV Women Work and Rick Cheuvront, a vocational instructor from Roane-Jackson Technical Center, talk with Iron Workers Cliff Wendricks, Local 568 Cumberland; Brad Winans, Parkersburg Local 787; and Rick Barker, Charleston Local 301

## Carpenters Volunteer for Big Brothers/Big Sisters



Members of Carpenters Local 1207 and 1070 along with some Jobs Corps students volunteered their time to install a 64' x 176' dance floor for a charitable fund-raiser.

The event was the Big Brothers/Big Sisters annual "Myrtle Beach Dinner Dance held in South Charleston on July 20. "We have helped the Big Brothers and Sisters organization for years because it is a great community service," said Scott Brewer, Business Manager for Carpenters 1207.

## Labor Day Weekend Events

### Paden City Labor Day Annual Parade

Marshall-Wetzel-Tyler, AFL-CIO

Monday, September 2 - Celebrating 65 Years!

Parade to begin at 1:00pm, line up at noon.

Questions? Contact Susan Wade (304-771-1574) or Judy Ferrebee (304-771-3925)

### Marietta Parade

Saturday, August 31

Parade starts at 10:00am, line up starts at 8:00am  
Between football field and Pay For Less

### Marion County, AFL-CIO

Labor Day Celebration

Sunday, September 1 – Noon to 4:00pm  
Hough Park, Mannington, WV

### United Mine Workers of America

75th Annual Labor Day Celebration & Picnic

Monday, September 2 – 11:30am to 4:30pm  
John Slack Memorial Park, Racine, WV

Additional info contact Ted Hapney (304-552-4498)

# Fed's Charge CB&I with Violating Federal Labor Law at Dominion's Natrium Project

The nonunion contractor CB&I, Inc., who built the first phase of the Dominion gas processing project in Marshall County, has been charged with illegally interfering with, restraining and coercing employees in violations of their rights by the National Labor Relations Board.

A hearing has been set for October 1 in Wheeling before an Administrative Law Judge according to a July 16 written order by Robert Chester, Regional Director for the NLRB Region Six in Pittsburgh.

The Board consolidated two complaints against CB&I, one brought by the Carpenters and the other by the Boilermakers, claiming CB&I violated the legal rights of local union members while it was building Dominion's facility in Natrium.

The project started in August of 2011 and was supposed to take 15 months to complete. Union representatives had tried to work out a deal to get local workers hired but Texas based CB&I refused.

Some subcontracts went to local contractors but the majority of work was performed by out-of-state workers and companies.

In the spring of 2012 union members applied for work, knowing the

company needed workers and knowing the plant owner, Dominion Resources, had stated they wanted local workers employed at the project.

On more than one occasion groups of union workers went to CB&I's office in New Martinsville to put in applications.

The NLRB complaint states that CB&I Supervisor Robert Allen told "employees that union members could file all the applications they wanted but Respondent [CB&I] was not going to hire them."

The NLRB also states that Allen also told "employees that Respondent [CB&I] was willing to hire former union members who were disenfranchised from the union and were not current members."

As detailed in the NLRB Complaint, CB&I Pipefitting and Welding Supervisor Tony Farrow "informed employees that Respondent [CB&I] was not going to hire any job applicant referred by the union for anything." Also Brad Showers, Lead General Foreman informed employees "that Respondent [CB&I] did not hire union (members.)"

The National Labor Relations Act makes any interference, restraint or coercing of employees who want to

join or form a union an illegal act.

"I credit all the crafts and ACT staff for working together and gathering the evidence for this case," said Mike Jenkins, Senior Organizer for the Mid-Atlantic Regional Council of Carpenters. "Publicly CB&I said they didn't care if workers were union or not, but the NLRB thinks differently."

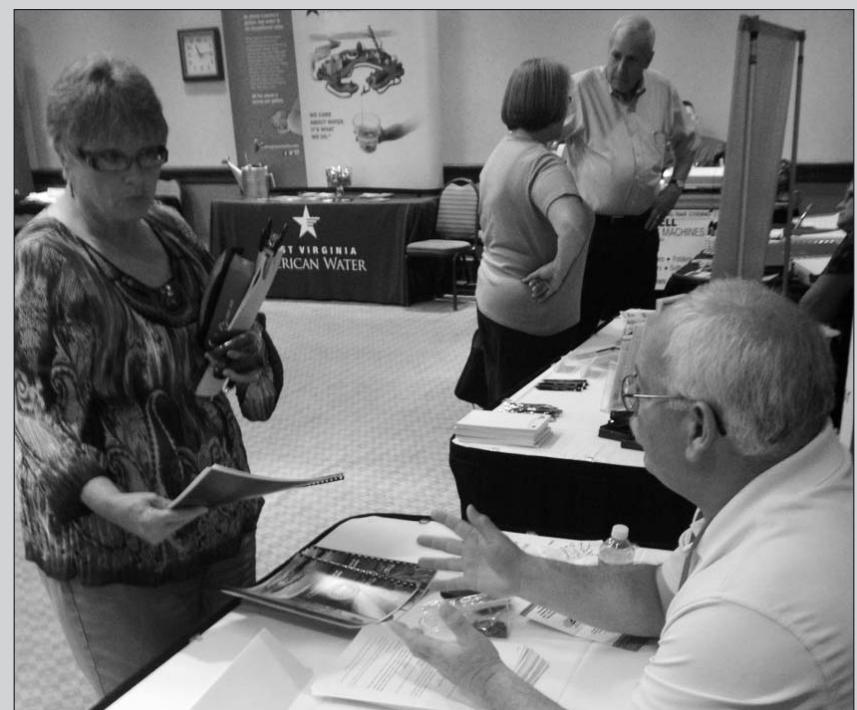
According to Boilermaker 667 Business Manager Jim Dingess CB&I's discrimination was also a bad business choice. "Without local

skilled workers the 15 month project turned into 21 months and CB&I did not get to build the second phase," said Dingess.

CB&I filed a response on July 30 through the law firm of Oglethorpe, Deakins, Nash, Smoak & Stewart, P.C. based in Greenville, South Carolina.

Among other things their answer said the NLRB had no authority to act and denied the allegations of unfair practices. ■

## County Commissioners



Kathy Mace, Preston County Administrator, talks with ACT's Walter 'Fuzz' LaRue at the County Commissioners' Association of WV 2013 annual meeting in early August.

ACT had a table to talk about improving bidding procedures by requiring general contractors to disclose their subcontractors when bids are turned in. Current law requires the information on state projects and those funded by the State School Building Authority but not county or city ones.

The purpose of the disclosure is to prevent bid shopping, after the low price has been presented project owners gain nothing by subcontractors lowering their price.

"We believe in competition," said LaRue. "But once the prices are in, driving down a subs price only hurts a project."

Also of interest to conference attendees was information about craft apprenticeship.

## Dominion/Blue Racer

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nership between Dominion and Caiman Energy called Blue Racer Mid-Stream.

A number of gas processing companies have used local workers to build similar facilities on-time including Caiman Energy, Williams Partners, and Mark-West.

These projects separate the valuable liquids, such as propane, butane and pentane, which are coming from the new Marcellus and Utica Shale wells.

The first stage of separation involves chilling the gas to get the liquids out in a bulk form.

The gas that is left goes into pipelines for distribution to homes and businesses.

The second stage of separation involves heating the bulk liquid to separate it into the different compounds.

Phase one of the Dominion project included both types of separators. The second phase, now called the Blue Racer project, is to build a second chilling bulk separator on-site.

"Local hiring makes a huge difference in the economic impact for our communities," said Gray. "Without local workers on these projects all the money leaks out-of-state." ■

# Trades Expose Low-Road Hotel Project

Trades from the Charleston area are exposing low-road methods used to build a new Marriott hotel project.

The general contractor is VIC of WV, LLC from Fayetteville.

Some think this may be simply a front for out-of-state folks building the project since the president of VIC is Charles Wendell from South Carolina.

The developer is VIM, Inc. which also has a Fayetteville address but lists Wendell as CEO.

Low wages and dangerous working conditions have already been

documented at the Courtyard by Marriott project.

In addition many local contractors are finding it impossible to even bid the project.

Before the projects started craft representatives repeatedly tried to find out how local contractors could bid the project but failed.

Representatives learned shortly after the project started that some workers on the job were getting paid as little as \$9 per hour.

People also noticed safety violations at the job site.



Terry Turley, Business Representative for Electricians Local 466, noticed this worker in a trench with no shoring or protection and knew right away it was a dangerous situation. OSHA fined Hi-Tech Electric \$9,000 for numerous violations including the lack of shoring at the site.

## Crafts Support AEP

**Continued from Page 1**

track record of project agreements with AEP for many years and we appreciate their willingness to employ union craft workers," said White.

On August 1 regulators in Virginia denied AEP's request to transfer ownership of the Mitchell facility but approved the John Amos transfer. If

AEP does not appeal the ruling then the WV PSC decision about Mitchell won't matter.

A number of groups are using the regulatory process as an opportunity to raise questions about climate change and energy efficiency and are opposing the changes. ■

The electrical subcontractor, Hi-Tech Electric Inc., from Ashland, Kentucky, was fined by OSHA for numerous serious violations on the job.

Employees of Hi-Tech were seen working in a vertical walled trench that was more than six feet deep and had no shoring or trench box.

Seven serious violations were noted along with a \$9,000 fine in a July 26 Citation and Notification of Penalty document issued by OSHA.

Many local contractors have tried

to bid parts of the project but have been unable to get a response from the owner or his contractor.

A few local companies are being used where heavy equipment is needed, such as site prep and paving, but for the most part the project will be done by out-of-state companies.

"I know our contractors have tried to bid this project but they get nowhere," said Scott Brewer, Business Representative for Carpenters Local 1207. ■

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