

THE ACT REPORT

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



Hi-Tech Electric off the Job

Union Company Moves In

LCN Electrical Contracting, a contractor signatory to the IBEW has taken over work on the Devonshire Senior Living Facility project in Putnam County.

That's good news for the seven IBEW members now employed at the project.

But it also is evidence of how efforts to create a level playing field in the industry are paying off.

Nonunion Hi-Tech Electric had the job but is now off the project.

Hi-Tech Electric of Ashland has underbid fair contractors on a number of projects in the region.

A combined effort by IBEW Locals 317 Huntington and 466 Charleston uncovered many reasons why the company was able to underbid fair contractors.

According to Bert McDermitt Jr., IBEW 4th District State Organizing Coordinator, Hi-Tech has a long list of problems.

"One Hi-Tech worker told us he was hurt on the job but never filed a workers compensation claim because his employer paid for the emergency

room visit," said McDermitt.

"That means if there is ever a problem because of the injury in the future he will have a hard time get-

ting any workers compensation coverage, but the employers premium will stay low."

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From left Ryan Melton, Jason Cobb, Dave Santrock, Tim Edens and John Null are five of the seven IBEW members working at the Devonshire project in Putnam County for LCN Electrical. LCN took the project over from nonunion Hi-Tech Electric in early June.

Gary McCallister Wins Election by One Vote

If you don't think every vote counts ask Gary McCallister.

McCallister, a member of the Carpenters Union, is running for election to the House of Delegates in the 22th District which includes his home county of Lincoln plus portions of Putnam, Logan and Boone counties.

When votes were counted on the night of the Primary election he was down by three.

After the election each county does a 'canvas' where the county commissioners decide what provisional ballots are opened and which

are not.

A provisional ballot is a ballot that was cast but not counted because a poll worker was not sure the vote was proper.

For example, a person shows up at the wrong polling place, or their name cannot be found in the poll book, or an absentee ballot arrived after Election day.

During the canvas County Commissioners decide one at a time whether each provisional ballot will be counted.

They never see the actual vote, only the reason why the ballot was in

question.

After the four counties performed their canvas the revised total showed McCallister was dead even with fellow democrat Josh Barker.

McCallister then asked for a recount of Lincoln County precincts.

As the recount began it was learned a mistake had been made during the canvas and one of the provisional ballots that had been approved to be counted was not.

When the additional ballot was added to the count, the new total had McCallister winning by one vote.

At that point the recount ended.

"It has been a real roller-coaster ride," said McCallister. "I certainly appreciate all the voters in my district."

"If you don't think your vote matters please think again."

Not every contest is this close but you just don't know when your vote will be the deciding one."

Two delegates are elected in the 22nd district and incumbent Jeff Eldridge (D-Lincoln) had already secured his position on the ballot.

McCallister and Eldridge will now face Republicans Justin Mullins and Michel Moffatt in the fall. ■

Labor Board Says Paint Shop Violated Law

The National Labor Relations Board has issued a complaint against Precision Coatings LLC in Parkersburg for violating workers' rights.

The Board has set a hearing date of August 11.

The charge stems from efforts by Painters District Council 53 to organize workers at the paint and sandblasting shop.

The organizing effort was gaining momentum in January when employees were signing authorization cards asking for representation.

Then the company fired three of the workers who signed cards. District Council 53 filed an unfair labor practice (ULP) complaint against Precision Coatings for firing those workers.

After investigating the National Labor Relations Board (NLRB) found enough evidence to issue a complaint against the company and Mancan, a company that supplied

employees to Precision.

The 'Complaint and Notice of Hearing' issued on May 30 by Acting Regional Director Rhonda P. Ley, for Region 6 of the NLRB detailed a long list of violations including firing three workers because of their support for a union, interrogating employees, and threatening employees the facility would close if a union was chosen.

The companies have until June 13 to respond to the complaint.

During the organizing campaign DC 53 learned that Precision was hiring some of their workers through a company called Mancan Inc.

They believe Mancan was charging \$22 per hour for workers that were earning \$8 - \$10.

In addition the workers lacked proper safety training and equipment according to Director of Organizing Brian Stanley.

"The 12 guys from Mancan had

no respirator fit test and no pulmonary function test," said Stanley. "Most had full beards, which prohibits a respirator from providing a tight seal, thereby defeating the purpose of a respirator's protection."

Stanley also believes the workers were blasting and spraying epoxy, zinc and urethane coatings while not wearing any respirator protection.

They were exposed to fumes and dust on a day to day basis which was detrimental to their health.

Stanley has been focused on paint and sandblasting shops in recent

months.

With the boom in the prefabrication of natural gas piping and equipment, these facilities have been popping up everywhere.

According to District Council 53 Business Manager Dan Poling, the organizing is part of the ongoing efforts to maintain and improve important standards in the area. "Fair companies can't compete against law breakers, I know the importance of organizing," said Poling. "Our staff is taking a proactive and aggressive stance on these shops." ■

Iron Workers Local 787 Apprenticeship Applications Taken Every Wednesday

Iron Workers Local 787 Joint Apprenticeship Committee (JAC) based in Parkersburg takes applications for their apprenticeship program each Wednesday (excluding holidays) throughout the year.

Those interested must fill out the application at 303 Erickson Boulevard, Parkersburg in person, during regular business hours; 8:00 am - noon and 1:00 pm - 4:30 pm.

Applicants must provide proof they are at least 18 years old, capable of performing work of the Iron Worker trade, be a High School Graduate or have an equivalent certificate, have a valid driver's license, and pass an aptitude test given by the Parkersburg Workforce office.

In addition an applicant must live within Local 787's area for at least one year prior to applying. Local 787's area in Ohio includes the Counties of Athens, Meigs, Morgan, Noble, and Washington; in West Virginia Calhoun, Doddridge, Gilmer, Jackson, Lewis, Mason, Pleasants, Ritchie, Roane, Upshur, Wirt and Wood Counties.

If selected a candidate must pass a

substance abuse test.

The Iron Workers Joint Apprenticeship Training Program teaches in the classroom as well as on the job. Classes are held evenings and Saturdays, allowing on-the-job learning while getting paid.

The goal is to educate new workers how to safely, efficiently, and effectively perform all aspects of the trade including structural, ornamental, and reinforcing iron work, as well as mathematics, welding, and rigging.

The Apprenticeship is a four year program with starting wages set at 50% of Journeyman scale with full benefits. Increases are given every six months until training is complete.

Applications will be kept on file for a year.

No applicant will be rejected because of race, color, religion, national origin or sex. Iron Workers Local 787 JAC will take affirmative action to provide equal opportunities in apprenticeship.

For more information contact Brad Winans, Apprenticeship Coordinator, at 304-485-6231. ■

Iron Worker Competition Hosted in Wheeling



Jeff Lilly from Cameron, an apprentice from Wheeling Local 549, competes in a portion of the Iron Workers Apprenticeship regional competition held in Wheeling on May 31.

Apprentices from Pittsburgh, Toledo, Canton, Youngstown and Cleveland also participated.

The top two contestants, Nathan Strait of Iron Workers Local 3 in Pittsburgh and Mike Wannaker of Local 207 Youngstown, will go on to the international competition which will be held in Canada later this year.

"The competition is a great opportunity to showcase the skills of union Iron Workers," said Keith Hughes, Business Manager for Local 549.

OSHA Safety Bill Goes into Effect July 1

Most construction workers at public projects will soon be required to have taken the OSHA 10 construction safety class.

Any public contract let after July 1, for projects that exceed \$50,000 in cost for the entire project, will require workers to have taken the basic safety awareness class.

During the first year the law is in effect a worker will have up to 90 calendar days from the time they arrive on a project to complete the training.

If a workers time on the project is less than 90 days then the requirement is not imposed. After the first year that time decreases to 21 days.

Contractor and subcontractors must keep records of their workers training and be subject to fines if they do not.

The WV Division of Labor can issue a 'cease and desist' order to a person who does not have the required training.

Excluded from the requirement

are law enforcement and security persons, government employees and inspectors, and material suppliers.

The WV DOL is also tasked with compiling a report of accident and injury rates before and after the law goes into effect. The report to the Joint Committee on Government and Finance is due January 1, 2017.

The concept is nothing new; most industrial facilities in the region have had a more stringent policy for years requiring anyone working at their facilities to have the basic safety training with no waiting periods.

Federal law has required miners have much more extensive training including a 40 hour new miner class before a worker is allowed on a site.

The construction industry has long been recognized as one of the most dangerous, with injury and fatality rates much higher than most other industries.

But the law comes only after a number of attempts by the trades and

a variety of union contractors and associations failed at the legislature.

Leaders of the House and Senate Labor Committees, Delegate Dan Poling (D-Wood) and Senator Jack Yost (D-Brooke), are credited with keeping the measure alive and getting all sides to find a compromise.

"We have simply asked government purchasers to follow what the private sector has done for years," said ACT's Fuzz LaRue.

"However we faced years of opposition from those concerned about short run cost rather than long run savings and safety." ■



Walter "Fuzz" LaRue (right) talks about Building Trades legislation during a weekly Labor Caucus for House of Delegates members. The Caucus is organized by the WV AFL-CIO and gives Delegates a chance to hear from labor lobbyists.

Union Company

Continued from Page 1

Some of Hi-Tech's workers filed a complaint about numerous bounced pay checks with the Cabell County Magistrate office.

Hi-Tech is one of the nonunion contractors working at the Marriott Courtyard project in Charleston.

There the company was cited by OSHA for a variety of safety violations.

In addition Hi-Tech was cited more than once by the State Fire Marshall's office for licensing violations – including at the Devonshire project.

Eventually Skip Bailey, Organizer for Local 317, started an organizing campaign with Hi-Tech employees and a number of Hi-Tech employees have joined the IBEW.

"We focused on taking Hi-Tech's key people," said Bailey.

While Hi-Tech has been lowering standards in the industry LCN Electrical has shown you can be competitive and successful using skilled local craftsmen and women.

LCN Electrical from Hurricane in Putnam County became a signatory contractor in early 2013.

Owner Harold Mynes had 20 years' experience in the trade and his four employees became members of Local 466.

"LCN has been able to win bids on many modest size projects that some of our larger contractors are not as competitive on," said Terry Turley, Organizer for Local 466.

Projects include the Dunbar Armory, McDonalds in Beaver, Beckley and Oak Hill, and Dollar General in Bluefield, Hinton and Huntington.

"The efforts by these local unions, with these contractors, have produced job opportunities for members of the IBEW not to mention the new members whose families lives have changed dramatically because they and their families are now receiving a living wage, with health care, dental, and vision benefits and are building a pension for their future retirement," said McDermitt. ■

UA Local 565 Taking Applications in July

The Parkersburg Plumbers Joint Apprenticeship will be issuing application from Monday, July 7 through Wednesday, July 25.

Applications will be available from 9:00am till noon each day, except not on weekends.

Those interested should go to 593 Cedar Grove Road, Parkersburg (two block from WVU-P).

The five year program teaches all aspects of the plumbing and pipefitting trade including, pipe fitting and welding, medical gas, CAD, instrument technician, blue print reading, plumbing, heating and cooling.

Apprentices are paid while on-the-job and also go to school for a minimum of 216 hours per year.

To qualify an applicant must be at least 18 years old, have a high school diploma or equivalent, a valid driver's license and be physically able to perform the work of the trade.

A copy of the applicant's birth cer-

tificate, driver's license, high school diploma or GED and, if recently in the military, a DD214 form will be requested at the time of application.

Completed applications together with all supporting documents must be submitted within the same time period of July 7 to July 25.

Applicants must reside in the area of Local 565 which includes Calhoun, Jackson, Pleasants, Tyler, Wirt and Wood County in WV; and Morgan County south of Route 78, Meigs, Monroe, and Washington County in Ohio.

Applicants must pass an aptitude test administered by WV Workforce as well as an alcohol and drug test.

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

For more information please contact 304-485-1565. ■

Union Sponsored Housing Project Started

A \$2.6 million housing project is being built with 100% building trades labor thanks to the West Virginia AFL-CIO.

The project is adjacent to the WV

AFL-CIO headquarters in Charleston and will be named the Thomas Patrick Maroney Unity Apartments.

Maroney is the longtime general council to the WV AFL-CIO.



Thomas "Pat" Maroney (left) along with his grandchildren and various dignitaries throws out a symbolic shovel of dirt to kick off the \$2.6 million housing project being built in Charleston.

EPA Regulations

The following is the first part of a statement issued by Sean McGarvey, President of North America's Building Trades Unions, in reaction to the Environmental Protection Agency's proposal to curb carbon dioxide:

WASHINGTON, DC - North America's Building Trades Unions express deep concerns that in releasing new, aggressive regulations affecting carbon-producing power plants across our nation, the EPA has lost sight of the potential economic chaos that will ensue if these ambitious regulations fail to provide realistic and achievable standards.

Significant numbers of states and countless communities across America are currently heavily reliant upon coal-burning power plants.

Our unions are concerned that these rules, insomuch as they are proposed on an accelerated and unrealistic timetable for implementation, will cost us in higher electricity rates, in lost jobs and in

lost business growth due to a lack of affordable electricity.

What these rules fail to acknowledge is that until large-scale renewable energy sources and their storage capabilities become commercially viable, the notion that we can meet our base-load energy needs through renewables is nothing short of fantasy.

Equally frustrating is that we must bear witness to the EPA, in effect, crafting national energy policy via regulatory fiat because our elected officials lack the political courage to develop a comprehensive energy policy. As a result, our nation is being forced, by a small band of federal bureaucrats beholden to radical environmentalists, to pick 'winners' and 'losers', with the losers falling disproportionately among the middle class that is sure to see higher energy cost and fewer opportunities for well-paying jobs.

For the full statement go to www.BCTD.org

The project was developed and will be managed by an affiliate of the WV AFL-CIO called Human Resource Development and Employment (HRDE).

RC General Contractors is the general contractor.

When complete, the 13 one bedroom apartments will accommodate low-income persons with disabilities, having accessible kitchens and bathrooms.

Funding comes from the Depart-

ment of Housing and Urban Development which will also subsidize rents for the units.

Founded in January 1976, HRDE has constructed 15 new housing complexes and rehabilitated three others throughout West Virginia.

"Pat Maroney has worked tirelessly for the men and women of West Virginia and I can think of no one more deserving of this recognition than he," said Kenny Perdue, President of the WV AFL-CIO. ■

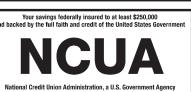
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