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

Prevailing Wage Repeal, RTW Passed

2016 Worst Session Ever!

The worst legislative session perhaps in West Virginia's history is finally over.

But the damage done will hurt working families for years if not decades.

The repeal of the prevailing wage law together with passage of a so-called Right-to-Work law became the two main attacks of Republican legislative leaders.

“It was like a partisan thing...It was like prevailing wage or right-to-work...”

Senator Donna Boley

R-Pleasants

Both bills were put on a fast track with only one committee reviewing the language and little time allowed for debate or compromise.

In the state Senate the votes went along straight party lines with 18 republicans supporting the terrible measures and 16 democrats in opposition.

In the House of Delegates a number of republicans joined with the 36 democrats to make the votes 55-44 on prevailing wage repeal and 54-46 on RTW.

Governor Tomblin vetoed both the prevailing wage repeal and RTW bills.

However in West Virginia it only takes a simple majority to override vetoes and that is what happened.

Prevailing wage will officially expire on May 12, 90 days after the passage of the repeal bill and the override of the Governor's veto on February 12.

“We predict the repeal of prevailing wage will hurt not only our contractors and our workers but our communities because the jobs we fund

with our tax dollars are more likely to go to out of area contractors with imported workers,” said Steve White, ACT Director.

White explained the effect will not be immediate but gradually will erode standards long established regarding wages, benefits and safety.

“If we don't find some way to

change the direction our legislature is going, our industry will look like other states with prevailing wage, low wage, no benefits and no savings to taxpayers,” said White.

RTW will go into effect on June 30 meaning any contracts entered into after that date cannot include a union

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Members of Operating Engineers Local 132 are in the gallery to watch the House of Delegates as they take up Governor Tomblin's veto message of Right-to-Work and override it. Tomblin wrote in his veto message, “The issue of ‘right to work’ has been discussed for several years, but I have never had a company cite ‘right to work’ as a barrier to relocating in West Virginia.”

Other Legislative Actions and Inactions

Besides crushing workers and their families, the legislative session was full of fanfare but little substance. In general the failure of bills that were ill-conceived was a good thing.

A bill that would have required unemployed workers to seek seasonal jobs like apple picking passed

the Senate but failed to see a House agenda.

Similarly legislation aimed at allowing more drug testing of workers passed the Senate but failed to get to a House agenda.

“We were concerned about the unemployment bill because it just

didn't make sense,” said Dave Efaw, Secretary-Treasurer of the WV State Building Trades. “And the drug testing bill created some problems for our existing programs because we saw a conflicting standard being created.”

A bill to repeal the new HVAC

and Fire Damper licensing law was introduced but never saw a committee agenda.

A bill to change the contractors licensing law passed the House but failed to get out of a Senate Committee.

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Labor Candidates in Kentucky House Win

Labor Friendly candidates in Kentucky won three of four special elections held on Tuesday March 8 for their state House of Delegates.

After resignations and party switching following Republican Matt Bevin's gubernatorial election, the Democratic majority fell to from 54-46 to 50-46.

Labor supported candidates faced tough odds according to Kentucky State Building Trades President Bill Finn.

"Eying complete control of the state for the first time in history, Matt Bevin, Mitch McConnell and Rand Paul pulled in hundreds of thousands of dollars in out-of-state special in-

terest money to buy the House," wrote Finn.

With the three victories Democrats have improved upon a 50-46 majority to a 53-47 majority in the Kentucky House.

"A clear message has been sent to Governor Bevin and the Republicans in Frankfort that the divisive social and religious issues in Kentucky are not foremost on the minds of Kentucky's Working Families," wrote Finn. "We have faced many attacks on Prevailing Wage and enacting a so-called Right-To-Work law in recent years ... but Kentuckians clearly rejected those attacks at the ballot box." ■

Teamsters File Suit

The Teamsters Union filed two lawsuits in February against the West Virginia State Senate and WVU accusing the two of concealing email communications with a professor at West Virginia University (WVU) concerning right-to-work (RTW) legislation.

The Teamsters believe supporters of the RTW legislation used state money to fund a study intended to provide cover for anti-worker objectives, rather than independently considering the impact on the West Virginia economy or the welfare of the average citizen.

Senate leaders who advocated for the passage of RTW failed to provide the correspondence, despite numerous requests by the Teamsters.

Once the suit was filed the Senate sent more documents but was able to stop the court from taking further action while the legislative session was underway.

WVU blacked out many portions of the communications and indicated some communications were withheld.

A hearing over the WVU suit was

held on March 15.

The lawsuit alleges WVU and Senate leadership violated the Freedom of Information Act in failing to release the content of the redacted emails between Senate Committee personnel and Prof. John Deskins.

"The people of West Virginia have the right to know what their legislators are hiding. Why won't Senate leadership turn over these emails?" said Ken Hall, Teamsters General Secretary-Treasurer and President of Teamsters Local 175 in South Charleston.

State lawmakers passed the RTW bill by narrow margins in February. Gov. Tomblin vetoed the bill on February 11.

But both the House and Senate required only a simple majority to override the governor's veto, which was done on February 12.

RTW laws weaken a union's ability to help workers bargain with their employers for better wages, benefits and working conditions by allowing non-members the benefits of a union contract without paying any of the cost. ■

Meeting on \$500 Million Procter & Gamble Job



Ted Preston, Global Construction Manager for The Procter & Gamble Company, talks about the company's new \$500 million plant under construction in Berkeley County. The meeting included representatives from the trades, contractors and industrial owners and was held in Charleston on March 2.

Much of the discussion was around availability of local, skilled construction manpower and contractors.

Site preparation at the 460 acre location is currently being performed by a union contractor, ALL Construction Inc.

"We had a good first discussion looking for ways to get more local workers and contractors involved in this project," said Bill Hutchinson, President of the WV State Building Trades.

The plant is slated to open in 2017.

Other Legislative

Continued from Page 1

The proposed law would have increased the size of a project, that a contractor could take on without a license, to \$5,000 in general and created a new type of contractor that could do a \$15,000 project without a license.

A bill to cut the severance tax on coal and natural gas from five percent to three percent passed the Senate but failed in the House.

While there was a lot of talk about addressing the huge infrastructure problems the state faces in the end nothing was done.

A bill to fund road construction by changing the gas tax formula and updating some DMV fees passed the senate but failed to get voted on in the House Finance Committee.

A proposed road bond measure that would have required a vote of the public to fund a \$2 billion bond

with property taxes also failed to get much traction.

"Passage of a bill to allow drinking raw milk, making English the official state language, requiring a national constitutional convention, blocking parts of school curriculum, allowing alcohol earlier on Sundays, and carrying a concealed weapon without a permit were all touted as big accomplishments, but I fail to see how they addressed any pressing matters, especially job creation," said Efaw.

One small but positive measure was passage of a bill proposed by Governor Tomblin to require quick reporting of serious injuries on natural gas well pad and pipeline projects.

The 15 minute reporting bill was the work of a safety committee that met throughout the year and included two representatives from the Trades. ■



**Heat & Frost Insulators and Allied Workers
Local 80 Joint Apprenticeship Training Committee
Charleston – Huntington – Parkersburg, WV
Phone: 304-586-4780 Fax: 304-586-4783**

NAME OF PROGRAM: Heat & Frost Insulators Local 80 JATC
WHERE TO APPLY: Any WorkForce WV office
WHEN TO APPLY: April 1st – May 13th, 2016
HOURS TO APPLY: Monday thru Thursday: 8:30 – 5:00, Friday 9-5.
Please check with your local WorkForce WV Office for TABE testing times.

MINIMUM QUALIFICATIONS:

AGE: At least 18 yrs. of age.
EDUCATION: High School Diploma or equivalent.
PHYSICAL: Must be physically able to perform the work of the trade. A drug test will be required.
DRIVERS LICENSE: Must have a valid Driver's License.
APTITUDE: Meet testing requirements administered by WorkForce WV.
RESIDENCY: Applicants must be a resident in one of the following counties at least one year prior to applying:

Ohio - Gallia, Meigs, Washington, Jackson, Pike, Lawrence or Scioto.

Virginia – Allegheny, Amherst, Appomattox, Augusta, Bath, Bedford, Bland, Botetourt, Buchanan, Campbell, Carroll, Charlotte, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Highland, Montgomery, Nelson, Patrick, Pittsylvania, Pulaski, Roanoke, Rockbridge, Russell, Smyth, Tazewell, Washington or Wythe.

Kentucky – Bath, Carter, Floyd, Knott, Letcher, Martin, Owsley, Rowan, Boyd, Elliot, Greenup, Lawrence, Lewis, Menifee, Pike, Wolfe, Breathitt, Estill, Johnson, Lee, Magoffin, Morgan or Powell.

West Virginia - Boone, Calhoun, Fayette, Jackson, Lincoln, Mason, Monroe, Pleasants, Raleigh, Roane, Webster, Wyoming, Braxton, Clay, Gilmer, Nicholas, Pocahontas, Randolph, Summers, Wirt, Wayne, Cabell, Doddridge, Greenbrier, Lewis, McDowell, Mingo, Pendleton, Putnam, Ritchie, Kanawha, Logan, Mercer, Wood or Upshur.

REQUIRED DOCUMENTS: Certified Birth Certificate, Copy of High School Diploma or equivalent, Copy of Valid Driver's License, Certified High School Transcript of Grades, must be mailed c/o JATC, P.O. Box 806, Winfield, WV 25213 and received no later than May 27, 2016.

DO NOT MAIL UNTIL AFTER YOU APPLY AND MEET TESTING REQUIREMENTS. IF YOU ARE A HIGH SCHOOL SENIOR GRADUATING IN THE SPRING OF 2016, THE HIGH SCHOOL DIPLOMA MUST BE RECEIVED BY JULY 1, 2016.

THE RECRUITMENT, SELECTION, EMPLOYMENT, AND TRAINING OF APPRENTICES SHALL BE WITHOUT DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, OR SEX. THE JOINT APPRENTICESHIP COMMITTEE WILL TAKE AFFIRMATIVE ACTION TO PROVIDE EQUAL OPPORTUNITIES IN APPRENTICESHIP & TRAINING AND WILL OPERATE THE APPRENTICESHIP PROGRAM AS REQUIRED UNDER TITLE 29 OF THE CODE OF FEDERAL REGULATIONS, PART 30.

2016 Worst Session

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security clause.

However contracts that are already in effect on that date remain in effect until they are renegotiated or modified.

RTW is designed to weaken unions by requiring unions to represent workers who do not belong to the union and do not pay dues.

The RTW bill is under legal review because of a number of errors in the language, most likely the result of the fast pace the bill followed without much committee time or debate.

To add more harm during the last days of the session the Republican controlled Confirmations Committee rejected a number of Governor Tomblin's appointments only because those appointed were democrats.

Most boards require a balance of party affiliations.

Kenny Perdue, President of the WV AFL-CIO and Elaine Harris, International Representative for the Communications Workers of America were among those rejected along with state Democratic Party Chair Belinda Biafore.

Confirmations Chairwoman Donna Boley (R-Pleasants) explained the action in an interview.

"It was like a partisan thing, you vote, you know," Boley said. "It was like prevailing wage or right-to-work, or whatever, raising fees.

We just decided to do it."

The action was later overturned by the Senate meaning Perdue, Harris and others were confirmed. ■



GreyStar Construction from Roanoke, Virginia imported many if not all of their workers from over five hours away to the Suncrest school in Morgantown. Suncrest was bid while the prevailing wage law was suspended last year. It is predicted more contractors and workers from outside the region will take tax funded jobs from local workers and contractors because of the prevailing wage repeal.

Online Voter Registration Available in WV

It is more important than ever to make sure you and your family members are properly registered to vote. The Secretary of State's office has made voter registration and address changes available online for most West Virginians.

To register online, you must enter the following information;

- Your name as it appears on a WV driver's license or ID card
- WV driver's license or ID card number
- Date of birth
- Last four digits of your SSN

If you do not have a WV driver's license or ID card number and the last four digits of your SSN, you cannot register online, but you can fill

out your information online, print the form to sign and mail or drop it off at your County Clerk's office.

To register online, or fill out a form to print and submit by mail or in-person, go to www.sos.wv.gov and select 'Voter Registration' under the Elections tab.

Important Dates to Remember

Tuesday, April 19, DEADLINE to register to vote for the 2016 Primary
 Wednesday, April 27- Saturday, May 7, EARLY VOTING- Voting is open during regular business hours at each county courthouse or annex. Also available on Saturdays from 9:00 a.m. to 5:00 p.m. Contact your local County Clerk to confirm hours.

Now till Wednesday, May 4 - ABSENTEE VOTING

Voters who cannot make it to the polls during Early Voting or Election Day may be eligible to vote an absentee ballot by mail. If you cannot make it to the polling place because of any of the reasons below, you may apply to your County Clerk for an absentee ballot.

Here are some valid reasons:

- I am traveling outside of my county for business or personal reasons.
- My work hours and distance

from the county seat make voting in person impossible.

- A work assignment requires me to temporarily live outside of my county (four years or less).

Tuesday, May 10- PRIMARY ELECTION DAY- once your registration has been accepted and processed, you can find your polling place at www.sos.wv.gov and select 'How to Vote' under the Elections tab. ■

ACT Report Address Corrections Wanted

Call: (304) 345-7570 ext. 126
 Email: stevewhite@actwv.org or
 mail to: ACT
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Senate Dinner Protest

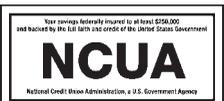


Union members and supporters protest in front of the downtown Charleston location for a state Senate Dinner hosted by Senate President Bill Cole (R-Mercer).

The event took place in mid-February right after passage of the terrible Right-to-Work law and repeal of prevailing wage.

"We wanted to let those who attacked us know that the battle might have been lost but the war was not over," said Chuck Parker, Business Manager for Operating Engineers Local 132. "We also wanted to thank the many Senators who stuck with us - the public needs to know that a little less than half the Senate is working hard to support them, but the majority is on a crusade against the middle-class."

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