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

\$5B Atlantic Coast Pipeline Project One Step Closer

The Federal Energy Regulatory Commission (FERC) issued its **Final Environmental Impact Statement** (FEIS) on the Atlantic Coast Pipeline and Supply Headers projects on July 21.

This moves the project one step closer to ground breaking and completes years of study and surveys aimed at avoiding and minimizing impacts to sensitive areas. Over 300 reroutes across the 600 mile project were adopted to reduce impacts to environmental and cultural resources.

The \$5 billion project consists of 333 miles of 42-inch-diameter pipeline; 186 miles of 36-inch-diameter pipeline; 83 miles of 20-inch-diameter lateral pipeline; three new compressor stations totaling 130,348 horsepower; nine meter and regulating stations; and 11 pig launcher and receiver facilities in West Virginia, Virginia, and North Carolina.

The ACP will deliver up to 1.5 billion cubic feet per day of natural gas to customers in Virginia and North

Carolina.

Pipeline construction companies Price Gregory International,

US Pipeline, Michels, and Rockford Corp., will be working on West Vir-

Cont. on p. 2>>



Rob Merritt of Operating Engineers Local 132 was among representatives of the Operating Engineers and Laborers speaking in support of the Atlantic Coast Pipeline at a DEP public hearing in Buckhannon on July 31 and an August 1 hearing in Marlinton.

National RTW Committee Demands In on Case West Virginia Supreme Court Hearing on Challenge to RTW Injunction September 5

West Virginia's Attorney General has asked the WV Supreme Court to overturn a preliminary injunction blocking the so-called Right-to-Work law.

If successful the AG's move would require union members to fund services for nonunion workers immedi-

ately. Unions argue there should first be a ruling on whether or not the RTW law is unconstitutional.

Oral arguments will be heard on Tuesday, September 5 in Charleston.

In August of 2016 Kanawha County Circuit Court Judge Jennifer Bailey granted the preliminary

injunction requested by a number of labor organizations including the WV State Building Trades Council preventing the law from taking effect.

Earlier in 2016 the West Virginia legislature passed the RTW law which would force union members to pay for services received by non-

union members.

Governor Tomblin vetoed the bill but the legislature overrode his veto.

Republican leaders claim that weakening unions will help attract businesses to the state.

Judge Bailey made her ruling dur-

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Governor Justice Switches Political Parties

Elected as a Democrat, Governor Jim Justice switched to become a member of the Republican Party.

The significance of the change is unclear because at the same time Governor Justice has said he will stick with his same policies.

The announcement came as President Donald Trump made an appearance in Huntington on August 3.

“What matters to us most is what

the Governor does and who he picks for key positions,” said Dave Efaw,

Secretary-Treasurer of the WV State Building Trades.

According to news reports many, if not all of the Governor’s staff and Cabinet Secretaries were unaware of the change until the day it happened.

The WV AFL-CIO issued a statement soon af-

ter the announcement.

“Governor Justice’s decision to

“What matters to us most is what the Governor does and who he picks for key positions,”

Dave Efaw,

*Secretary-Treasurer
WV State Building Trades*

Alaska Governor Signs Responsible Contracting Order

While republican leaders in West Virginia often try to destroy labor unions, some republican leaders in other states actually help working families.

Republican Governor Bill Walker of Alaska has stepped up enforcement of workplace safety and health laws, wage and hour protections, and efforts to combat worker misclassification.

On July 27 Walker signed the Responsible Contracting Administrative Order, which will embed safety, health and labor rights compliance in the State’s contracting processes.

The Responsible Contracting Administrative Order requires the Department of Administration to work with the Department of Labor and Workforce Development and the Department of Transportation and Public Facilities to develop regulations that ensure state contracts are awarded to businesses that comply with state and federal labor laws, including:

- Alaska Occupational Safety

and Health Administration laws

- Alaska Wage and Hour Act
- Alaska Workers’ Compensation Act
- Fair Labor Standards Act
- Davis-Bacon and Little Davis-Bacon Acts
- Contract Work Hours and Safety Standards Act
- National Labor Relations Act
- Employment Security Tax Laws

The Department of Administration will also consider regulations to address debarment and suspension of contractors who have serious violations of workplace safety and labor laws.

In sharp contrast republican leaders in the West Virginia legislature attempted to outlaw all responsible contractor language entered into by any public agency.

Their effort failed on the last day of the legislative session due to opposition from elected city and county officials. ■

switch political parties is unnerving. But given his vow to only pursue legislation that helps working families succeed, we are hopeful that he will use his position as the most powerful Republican state official to steer

the Republican legislative leadership away from its current War on Working Families.”

As the ACT Report goes to press no changes to the Justice administration have been announced. ■



Governor Jim Justice takes the podium to announce his switch to the Republican Party at an August 3 Huntington event with President Donald Trump looking on.

Atlantic Coast

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ginia sections of the pipeline project which will be built with union workers under the National Pipeline Agreement.

Bids for the compressor and metering stations have not yet been awarded.

The Supply Header Project is included in the FEIS but is a different set of contractors. Ace Pipeline, a union contractor out of Clendenin near Charleston, will install 37 miles of 30 inch pipeline for the project. Still to be awarded are contracts for a meter and regulation station and upgrades to four existing compressor stations.

FERC wrote in the FEIS that “based on the implementation of impact avoidance, minimization, and mitigation measures, we have concluded that most of the impacts from construction and operation of ACP and SHP, when added to the impacts of other projects, would not result in

a significant cumulative impact on the environment.”

The issuance of the FEIS starts a 90-day federal authorization period. If FERC determines the proposed pipeline meets the “public convenience and necessity” it will issue the project certificate.

For the past six months, and until early August, FERC did not have enough members for a quorum creating a problem for final approval of the pipeline.

However in early August the U.S. Senate confirmed two of President Donald Trump’s nominations to the Commission which now has three of five members.

In West Virginia the DEP recently held public hearings in Upshur and Pocahontas County for comments to water quality permits for the pipeline.

The permits are needed for erosion control and stream crossings. ■

UA Local 486 Wants Applications for WV Apprenticeship

UA Local 486 Plumbers & Steamfitters Joint Apprenticeship Training Committee is accepting applications for their Martinsburg, WV apprenticeship through August 31, 2017.

The program teaches pipefitting, plumbing, welding and HVACR skills. Starting pay is \$15.68 plus benefits.

Applications can be submitted at Borlie Mechanical, 5521 Tabler Station Road, Inwood, WV 25428 (see Robert Parker), Monday through Friday from 7:00 AM to 4:00 PM.

There is a \$ 75.00 non-refundable processing fee, payable by money order only, due at time of application.

You can also apply on line at www.getpiping.com.

If you would like an application mailed or have any questions, please call 410-866-5313 and press "0" for the operator.

Applicants must have a high school diploma or equivalent, a valid driver's license, and be eligible to work in the US. Applicants must be able to obtain a Maryland Plumber and HVAC apprentice license, and WV Plumber and HVAC apprenticeship licenses. A drivers license or valid government issued ID is required at time of application.

A math test, as well as a physical and drug screening will be required.

No applicant shall be rejected because of race, creed, color, sex or national origin. ■

WV Supreme Court

Continued from Page 1

ing the first hearing on the case held in August.

She then issued a written ruling February 23 of this year.

Core to the case is West Virginia's constitution.

Many violations are claimed including that RTW is an unconstitutional taking of property.

Judge Bailey summarized the argument in her **decision to grant a preliminary injunction.**

"The Plaintiffs argue that forcing union members to pay dues to support the provision of services to 'free riders' confiscates that portion of their dues to benefit others," wrote Bailey.

The West Virginia State Attorney General's office petitioned the WV Supreme Court in March of 2017 for expedited consideration of their effort to override the injunction.

By a 3 – 2 vote the court declined expedited consideration and said the AG's office should "seek a final order from the [Kanawha County] court

and then pursue an appeal if appropriate."

However the court did schedule a hearing on the preliminary injunction appeal.

That appeal will be heard next month.

Judge Bailey has yet to rule on the unions motion to permanently enjoin the law.

In a related matter, the anti-union Right-to-Work Foundation is appealing a separate decision by Judge Bailey in the case.

Minutes before the hearing on the permanent injunction held on December 2, 2016 the RTW group asked to intervene on behalf of a worker at the Greenbrier.

Judge Bailey denied their request.

The group had filed friend of the court briefs in the case.

The WV Supreme Court set a deadline of August 17 for unions to submit paperwork and will then decide on whether or not to have a hearing on the issue. ■

More Problems at Crum



This picture from the new Crum Elementary school under construction in Wayne County shows poor quality workmanship. The project has had numerous quality issues and was the site where workers from Honduras and Mexico were videoed. The job was suppose to be ready for the start of school this month but may not. General contractor Swope Construction was awarded the \$11 million general trade's portion of the \$17 million project in November of 2015.

Labor Day Events

Marietta, Ohio

To kick off the Washington County Fair on Labor Day Weekend a Parade will be held in Marietta on Saturday, September 2. The line-up is at 8:00 AM on 6th Street (between Food-4-Less and the Stadium). The parade starts at 10:00 AM.

www.facebook.com/WashingtonCountyFair

Portsmouth, Ohio

As part of their annual River Days event Portsmouth Ohio has a Labor Day Weekend parade on Saturday.

The parade line-up begins at 9:00 AM at Spartan Stadium, up river of Shawnee State University. Billed as the largest daytime parade in Ohio with 236 entries last year, the parade starts at 11:00 AM. Entertainment is throughout the weekend.

www.facebook.com/portsmouth.riverdays

Catlettsburg, Kentucky

The Catlettsburg Labor Day parade line-up begins at 8:30 AM on Labor Day Monday near the Oakland Avenue Baptist Church, 3265 Oakland Ave. The parade begins 10:00 AM.

Also on Labor Day at 8:30 PM the Oak Ridge Boys perform at the main stage located on 29th Street near the Boyd County Court House, downtown Catlettsburg.

www.facebook.com/CatlettsburgLaborDay

Paden City, West Virginia

Perhaps the longest running Labor Day Parade event in West Virginia is at Paden City. This year the parade will be on Monday at 1:00 PM with other events all weekend.

Charleston, West Virginia

See page 4. ■

Governor Promotes \$1.6 Billion Road Bond

Governor Jim Justice is leading an effort to educate voters about the October 7 vote on a state road bond.

"No new taxes are needed for this bond," stated Justice at a July 20 event in near Charleston. "The money is already in place, but we need voter approval in order to convert current funds into a bond."

Voters will be asked to approve the sale of up to \$1.6 billion in bonds in a measure called the Roads to Prosperity Act.

If approved \$800 million in bonds could be issued right away with the

remained amount being issued in following years.

The bonds will be paid back by already approved increases to DMV fees, vehicle sales taxes and gas taxes. If the bond fails, the \$130 million per year of funding remains in place.

Justice focused not only on the fact that new taxes are not needed; he wants to create as many construction and related jobs as soon as possible.

He has stated 48,000 jobs could be created if his full roads package is implemented.

ACT and Trades representatives

have made a number of policy suggestions to make sure local workers and contractors have a fair chance at getting those jobs.

The bond funds will be in addition to two other major funding measures already approved for Governor Justice's \$2.6 billion infrastructure plan.

The continuation of the West Virginia Turnpike Authority allows the

financing of up to \$500 million in new bonds which will be paid back with tolls.

The legislature also approved the sale of bonds backed by future federal government payments that could raise another \$500 million.

These bond measures do not need voter approval because the funding does not come from tax revenues. ■



Members of the West Virginia Laborers (from right) Craig Harvey, Council Business Manager; Jim Hailey, Local 1353 Business Manager; Shane Dillon, LU 1353 Representative; Eric Sharp, LECET, with Governor Jim Justice at a July event in Putnam County to promote passage of the Roads to Prosperity bond issue.

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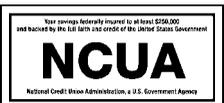
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330 14th Street
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toll free (855) 355-7284

177 29th Street, Wheeling, WV (304) 232-0181

"Labor Day" at Appalachian Power Park

Free Game Tickets for Union Members &
Their Families! (4 tickets per family)

Saturday, August 26
Join us for a 3:00 PM Tailgate
Charleston Building & Construction Trades
600 Leon Sullivan Way
Free Food & Drinks
Gates open at 5 pm - Game time 6:05pm

Presented By:

Charleston Building & Construction Trades Council
And members of the Kanawha Valley Labor Council, AFL-CIO

For free tickets contact Paul Breedlove,
Charleston Building Trades 304-542-6952