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

# 2018 Legislative Session Underway in Charleston

The 60 day 2018 legislative session started on Wednesday, January 10 in Charleston.

West Virginia construction workers and contractors have seen many legislative attacks from the Republican leadership in the last two regular sessions and anticipate more to come.

One of the session goals for Trades representatives is to show lawmakers the ruin repeal of the prevailing wage law has had on the construction industry.

Careful research since repeal has shown absolutely no savings to taxpayers as promised by Republican leaders in both the House and the Senate.

School construction is the most studied area for the prevailing wage

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From left - Delegates Scott Brewer (D-Mason), Mike Caputo (D-Marion) and Phil Diserio (D-Brooke) get ready for the first day of the 2018 legislative session. Brewer is a member of the Carpenters; Caputo - United Mine Workers of America; and Diserio - Electricians.

## Report: WV Jobs Act Compliance Lacking

A legislative report reviewing the WV Jobs Act states the law has not been implemented properly and recommends more enforcement.

At issue is the lack of payroll data sent in on governmental construction contracts. It was also noted the WV Division of Labor has not submitted required reports to the legislature.

The WV Jobs Act requires 75 percent of the construction workers on tax funded projects to come from the local labor market. The local labor market is defined as all West Virginia counties and any bordering county

that falls within 50 miles of the WV border.

The requirement applies only to public projects valued at \$500,000 or more. Projects with any federal funding are not included.

If an employer is unable to find local labor that meets their requirements, and they have already given WorkForce WV three days to find someone,

they can then get a waiver to bring in whoever they need.

From 2011 to 2017 WorkForce issued only 12 waivers, and most of them were in the last two years.

“Without prevailing wage the Jobs Act is about all we have to help local workers and contractors get tax funded projects,” said Dan Poling, Business Manager of Painters District Council 53.

“For the Jobs Act to work as defined by code, the Division and other entities must work together.”

The legislative report points out that while the WV Division of Labor is charged with enforcing the WV Jobs Act “nothing in the Code provides the Division authority or control over public authorities to enforce compliance with the Jobs Act...public authorities must first meet their responsibilities in monitoring employers...”

“For the Jobs Act to work as defined by code, the Division and other entities must work together.”

Commissioner of Labor Mitch Woodrum responded to the report

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# Plasterers & Cement Masons 926 are Taking Apprenticeship Applications February 5 - 9

The West Virginia Area Plasterers and Cement Masons 926 Joint Apprenticeship and Training Committee will be accepting applications from Monday, February 5 through Friday, February 9, 2018, during normal business hours.

Applications will be accepted at four locations.

## OVCEC

21 Armory Drive  
Wheeling, WV 26003  
304-242-0520

## CEA-NCWV Inc.

2794 White Hall Blvd.  
White Hall, WV 26554  
304-367-1290

## OP&CMIA Local 926

3130 7th Ave.  
Charleston, WV 25387  
304-744-8389

## OP&CMIA Local 926 Training Center

720 Staunton Turnpike  
Parkersburg, WV 26104  
304-865-8389

If accepted into the program you will learn all aspects of the Plasterers and Cement Masons trade including a variety of methods to finish concrete surfaces, an understanding of the properties of concrete curing, the effects of temperature and different compositions of product, the application of stucco and similar exterior products, and more.

Apprentices will have classroom training along with paid on-the-job training and depending on work availability usually complete the program within three years.

Applications must be at least 18 years old, a U.S. citizen and have the following documentation to be eligible.

- a copy of your birth certificate
- a copy of your High School Diploma or equivalent (GED)
- a valid driver's license
- proof of residency such as:

driver's license, utility bill or rent receipt in your name.

You must reside within the jurisdiction of Plasterers & Cement Masons Local 926: (All of West Virginia: Belmont, Jefferson, and Harrison Counties in Ohio: Allegheny, Garrett, and Washington Counties in Maryland.)

In addition you must be physically capable of performing the work of the trade and be able to pass a pre-employment drug screening.

You may bring certificates for vo-

ational/technical school or college if applicable. Veterans can bring a form DD-214 for consideration of military service.

Contact Kevin Parr at 304-639-9200 or local926apprenticeship@gmail.com with any questions.

The recruitment, selection, employment and training of apprentices shall be without discrimination because of race, color, religion, national origin, or sex. The JATC will take affirmative action to provide equal opportunity in apprenticeship. ■

## Legislative Session

### Continued from Page 1

debate and every major project since repeal shows the same result – no savings.

Instead there have been huge wage cuts, delays in completions, poor quality and a rash of imported workers – exactly as predicted by prevailing wage supporters.

“We are calling on each of our affiliates to send people to the capitol once again,” said Dave Efaw, Secretary-Treasurer of the WV State Building Trades. “We will have documentation of the recent school project bids they can show their legislators and point out the savings promised is nowhere to be found.”

While Efaw does not expect any action to restore the prevailing wage law this session he still thinks the mission is critical.

“Given the make-up of this legislature it is almost impossible to see a bill to restore prevailing wage even getting on a committee agenda,” said Efaw. “Our goal is to hold legislators accountable.”

According to Efaw a renewed effort to make public construction payrolls secret is expected.

Last session a bill to exempt payroll documents from the Freedom of Information Act passed the Senate but failed in the final days in the House.

Also expected to come back from

last year is a bill to prevent any state agency, county or city government from awarding contracts to responsible contractors.

Asking any contractor questions about their company's track record for on-time completions, compliance with a variety of wage and tax laws, or whether or not a company hires locally or provides any benefits or training will be made illegal if the bill passes as proposed last year.

During the January Interim meetings a document was circulated that attacked occupational licensing – think electricians license, crane operator certification or contractor license for example.

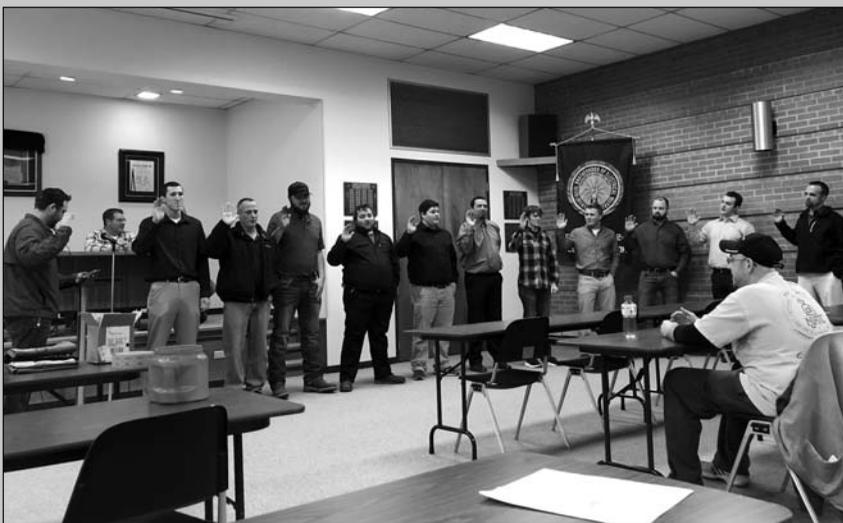
“This appears to be another Koch Brothers inspired report that seeks to destroy the protections working families get from certifications,” said Efaw.

The session is starting out with many discussions on needed spending for public employee salaries, especially corrections workers, free community college tuition, and property tax cuts for businesses.

Because of past tax cuts, mostly to businesses, it is unclear where the funds for these ideas will come from.

West Virginia by its constitution must have a balanced budget and cannot have deficits like the Federal government. ■

## IBEW 246 New Members



IBEW Local 246 Vice President Ryan Omaitis (left) swears into membership new inside and residential apprentices at a December 27 union meeting. New members are (standing from left to right) Hunter Wallace, Ronny Payton, Corey Mitchell, Mike Pietro, Shane Keener, Jason Holt, Ean Bland, Devin Ferguson, Steve Mitchell, Scott Kosek, and Mark Moore. Also pictured are Treasurer Rob Biacco (at front desk) and fifth year apprentice Rob Kovalski (seated right). Local 246 is based in Steubenville, Ohio and covers counties in both Ohio and WV.

# Gas-Fired Power Project Planned in Ohio

A new \$450 to \$500 million power project slated for Monroe County, Ohio is expecting to break ground in late-Spring this year.

The Hannibal Port Power Project, a 485-megawatt natural gas fired electric-generating facility, will be located at the old Ormet Aluminum plant site which was closed in 2013.

Developers, Fortress Investment Group, estimate the project will generate 300-350 construction jobs and employ a permanent staff of 20. More than 500 billion cubic feet of natural gas will be purchased over a 25-year period.

The project has already received approval from the Ohio Power Siting Board (similar to the WV Public Service Commission) and has an Ohio

EPA air permit.

The public comment period for the company's wastewater discharge draft permit closed December 29.

Ohio EPA is reviewing comments and will hopefully issue the permit very soon.

Members of the Parkersburg-Marietta Building and Construction Trades Council have been supporting the project developers in a number of ways.

"We had 150 people turn out for a hearing in November," said Bill Hutchinson, Business Manager of the Council. "We've talked with project representatives about using our local guys, we are looking forward to the work."

General Contractor bids are in

and under review.

Forest Investment Group is a subsidiary of SoftBank Group Corp., a

Japanese multinational telecommunications corporation headquartered in Tokyo, Japan. ■

## WV Laborers Craft Apprenticeship Opportunity Open

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

Those interested can apply at any WorkForce WV Employment Services Office.

Applicants must be at least 18 years old; have a high school diploma, GED or pass a test administered by WorkForce (if you are to test check times with WorkForce); have a valid driver's license; and be physically able to perform the work of the trade.

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.wvcccl.org](http://www.wvcccl.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. ■

## Tri-State BT Customer Appreciation Event



Tri-State's Mark Johnson (right) looks on as Tom Householder, Director of Construction Labor Relations for American Electric Power, speaks to a gathering of union contractors, craft representatives and major construction customers from the Tri-State area at the annual Customer Appreciation Christmas Breakfast.

The event was sponsored by the Tri-State Building and Construction Trades Council in Ashland, Kentucky on December 15.

"We believe in the partnership between craft workers, contractors and customers," said Tri-State Business Manager Mark Johnson. "When we focus on working together we produce the best product, at the best price, with the safest outcomes."

Other speakers included Brad Levi, Plant Manager of Marathon Petroleum at Catlettsburg and Blain Holt, Executive VP of Operations, Bradley Industries.

## WV Jobs Act

**Continued from Page 1**

by acknowledging the Division's lack of compliance especially in past years.

He detailed in a December 21, 2017 letter a number of recent steps taken to increase compliance including more communication with public authorities, the filing of overdue procedural rules, the creation of a new database for Jobs Act investigation

reports, and working with the Governor's Jobs Act and Tax Compliance Task Force.

Woodrum also credited the recent amendments made to the Jobs Act during the last Special Legislative Session called by Governor Jim Justice which clarified some definitions and strengthened enforcement of the Act. ■

# Local 80 Announcement of Apprenticeship

**PROGRAM NAME:** Heat & Frost Insulators Local 80 JATC

**WHERE TO APPLY:** Any WorkForce WV office

**WHEN TO APPLY:** February 6th – March 6th, 2018

**HOURS TO APPLY:** Monday thru Thursday: 8:30 – 5:00, Friday 9 – 5. Please check your local WorkForce WV Office for TABE testing times.

**MINIMUM QUALIFICATIONS**

**AGE:** At least 18 years 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:** Must reside in one of the following counties at least one year prior to applying

**Ohio:** Gallia, Meigs, Washington,

Jackson, Pike, Lawrence or Scioto

**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.

**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.

**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, Mer-

cer, Wood or Upshur.

**DOCUMENTS:** Certified Birth Certificate, Copy of High School Diploma or GED/TASC Certificate, 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 April 2, 2018.

DO NOT MAIL UNTIL AFTER YOU APPLY AND MEET TESTING REQUIREMENTS. THE RECRUITMENT, SELECTION, EMPLOYMENT, AND TRAINING OF APPRENTICES SHALL BE WITHOUT DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, OR SEX. For more info contact (304) 586-4780. ■



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## Holiday Volunteers



James Elmore, an Apprentice with Painters Local 970 Charleston, with wife Makala and daughter Maleaha volunteer to ring the Salvation Army bell in Charleston for the holidays. The Charleston Building Trades helped organize volunteers for 10 locations which raised more than \$7,000.

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