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

Teacher Strike Dominates 2018 Legislative Session

Thank a teacher, school bus driver or cook for standing up for fair wages and benefits at the 2018 legislative session.

The public employee work stoppage dominated the session.

For weeks the Capitol was filled with thousands of chanting public employees who called on legislators to fix their health insurance (PEIA) and provide a decent pay raise.

At one point the Capitol was closed by the State Fire Marshall because so many people were in the building and huge lines were still at security check points. Concerns about possible violations of the Open Governmental Meetings Act got the building reopened.

The result was a five percent pay increase for all public employees, a freeze to PEIA benefit cuts and the appointment of a group charged with finding a permanent PEIA fix.

Another result of having thousands of chanting and angry workers at the Capitol daily was that many attacks on working families and labor organizations failed.

The "Paycheck Deception" law aimed at making it hard for labor unions to collect dues failed to pass.

Also stopped was an attack on the WV Jobs Act and an effort to weaken construction safety standards for crane operators. (See related stories.)

All of these bad bills and others passed the Senate but for a variety of reasons never made it through the House of Delegates.

A bill to ban responsible contractor language SB 458 passed the Sen-

ate but died in the House.

The bill would have made it illegal for any County, City or state agency to ask about a contractor's record regarding safety, training, or past performance.

Current law says public construction contracts must be awarded to the lowest responsible bidder.

The State School Building Au-

thority and many county Boards have adopted responsible contractor language, commonly referred to as 18-points, to define responsible.

A measure failed to repeal the HVAC and Fire Damper license law, which was passed in 2014 and implemented in 2015. The repeal bill was placed on a House Committee agen-

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Thousands of teachers, school service personnel, other public employees and supporters attended many rallies and events like this one held on the steps of the state Capitol on Monday, February 26.

Paycheck Deception Stopped in the House

Most notable of the failed attacks on labor organizations and their members was the "Paycheck Deception" law SB 335 aimed at making it hard for labor unions to collect dues. The Senate passed the bill on party lines but the House of Delegates nev-

er took action on the measure.

"We were two votes away from stopping it [Paycheck Deception] last year in the House when it passed but was later vetoed by Governor Justice," said Josh Sword, President of the WV AFL-CIO.

"This year we gained a number of votes in the House and were prepared to defeat the measure if it came to the floor."

The bill was never taken up in any House of Delegates committee. A number of bad bills faced the same

fate, passed from the Senate but never moved in the House.

"We must make gains in the next election if we are to stop these endless attacks on labor unions, their members and working families in general," said Sword. ■

Siting Certificate Issued for \$884 Million Brooke County Power Project by State PSC

The State Public Service Commission issued a siting certificate for Brooke County Power on February 20.

A critical air permit is still required but the siting permit is clearly a positive step for the \$884 million, 830 megawatt gas-fired power project.

Developer ESC Brooke County Power has committed to use local union construction workers to build the project.

The project as described in PSC documents is a “state-of-the-art clean-burning natural gas-fueled electric generating equipment consisting of two combustion turbines driving two combustion turbine generators.

The exhaust from the CTs will be directed through two heat recovery steam generators that utilize exhaust heat from the CTs to generate high-quality, superheated steam to drive a single steam turbine that will generate electricity in an efficient and environmentally friendly manner using a steam turbine generator.”

The plant, to be located two miles south of Colliers at a former strip mining area, will use around 48 billion cubic feet of natural gas annually of which up to 50 percent can be ethane.

The application was first filed on May 2017 and a hearing was held October 17 – 18 in Charleston.

ACT’s Steve White testified explaining a memorandum of under-

standing had been entered into with the developer and the Trades to require contractors to use local union craft workers on the project.

The agreement was part of the evidence showing a positive economic impact from the project resulting from the hiring of local union construction workers.

The siting permits includes a long list of permits and agencies that also must be satisfied before construction can proceed such as air quality, water quality, US Fish and Wildlife, Federal Aviation, State Historic Preservation, and more.

The siting permit was opposed by a group called the Ohio Valley Jobs Alliance.

At the hearing a witness for the

group stated their legal fees were being paid for by Murray Energy.

“We believe it is significant that the opposition to these gas-fired projects is now known to be coming from a competing industry,” said Steve White, ACT Director.

“We support coal fired power generation and would welcome the construction of a new coal plant but the likelihood appears to be non-existent. We want to build these gas projects in West Virginia or else they will simply go to other states.”

The same developers are working on a similar project in Harrison County. They also have a completed permit for Moundsville Power but because of lengthy legal delays have been unable to start the project. ■

Strike Dominates

Continued from Page 1

da but was withdrawn because the Sheet Metal Worker representatives had secured enough votes to defeat full repeal.

Instead a compromise was reached in SB 506 to create a new residential license which requires less on-the-job experience than a full license.

There will be a grandfather period where those who can show 2,000 combined hours of on-the-job experience and training can get a license without a test.

Bills attacking the wind power industry SB 22, 150 and 523 by raising the property tax on wind projects failed.

For the most part these bills appear to be promoted by the coal mining industry and were aimed at stopping wind projects as a way to help the coal industry. It is unclear how this would happen.

The result would likely have been to hurt construction workers who stand to gain jobs from wind projects.

A series of bills aimed at stripping funds from the WV Division of Labor and crippling enforcement

of many worker protections for the most part failed.

An effort to move the contractor licensing board away from DOL oversight HB 4317 passed out of a House Committee but failed to advance further.

Had the measure been successful the DOL would have lost a major funding source from contractor licensing fees used to put field inspectors on the road and at project sites.

“There is an efficient system now where a DOL inspector can check not only contractor licensing but a variety of craft licensing and certification laws, child labor, the WV Jobs Act, unauthorized workers and more with one stop,” said Dave Efav, Secretary-Treasurer of the WV State Building Trades.

A bill to make it harder for a worker to collect their final compensation when leaving a job passed the Senate but was voted down by the House.

The bill SB 7 would have required a worker to send a certified letter if benefits such as vacation pay, holiday pay, retirement, health or other compensation other than wages were not



Members from Laborers Local 1085 Parkersburg (from left) Tim Sprouse, Matt Freeland, Paula Prunty, Mike Kay, Jessie King, Business Manager, and Tony McCloy were among many trades who showed up to support teachers and school service personnel at the Capitol.

paid.

A bill to provide free community college tuition SB 284 was passed by the Senate but not taken up by the House. Trades representatives wanted apprenticeship programs to get some recognition and not be excluded.

“The Senate passed many terrible bills but thankfully the House could not get them passed,” said Efav.

“I say ‘could not’ because Repub-

lican leaders wanted them to pass but the combination of a united Democratic caucus and a number of responsible Republican members created a road block that was key to preventing these bad bills from becoming law.

“We also recognize, had the teachers and other public employees not been here in force, many of the bad bills aimed at us would have likely passed.” ■

Bill to Weaken Test Fails

WV Crane Operator Certification Preserved

A bill to weaken the crane operator certification process SB 558 passed the Senate Workforce and Government Organizations Committees and then the full Senate.

It would have created a second standard for companies that administer the crane certification test. Currently West Virginia allows any testing company that meets

the requirements of the American National Standards Institute (ANSI).

ANSI is an independent nonprofit

organization that has been setting all sorts of standards since 1918.

“We saw no value in lowering a standard that has worked well in West Virginia since 1999,”

Chuck Parker,

*Business Manager
Operating Engineers Local 132*

It is highly respected as a non-partisan, high quality organization.

The bill would have allowed other organizations with lower standards to validate tests.

“We saw no value in lowering a standard that has worked well in West Virginia

since 1999,” said Chuck Parker, Business Manager of Operating Engineers Local 132. ■



Chuck Parker, (left) Business Manager of Operating Engineers Local 132, testifies before the Senate Workforce Committee about the importance of crane certification and having tough national testing standards.

Around 500 Students Attend

Fourth Annual Project BEST Construction Job and Career Fair Held in Wheeling

On Thursday, February 22 Project BEST held their fourth annual Construction Job and Career Fair.

The free event, held at the Wes-Banco Arena in Wheeling, was co-sponsored by the Upper Ohio Valley Building Trades.

A special effort was made to entice graduating high school students from sound-ing schools to attend.

Around 500 students did just that.

Crafts had

“We discuss things like eight hours worked for eight hours pay and that they must be drug and alcohol free. Most students are surprised to learn all the math that is involved.”

Glenn ‘Doug’ Giffin,

*President
IBEW Local 141, Wheeling*

booths where students and others learned about careers in the trades.

“We start our presentation letting each student know what we expect out of them,” said Glenn ‘Doug’ Giffin, President IBEW Local 141, Wheeling.

“We discuss things like eight hours worked for eight hours pay and that they must be drug and alcohol free.

“Most students are surprised to learn all the math that is involved.”

According to

Giffin each craft points out what their job would be in building the Wes-Banco Arena as a way to explain the occupation.

In addition a new career awareness video produced by Project BEST was shown for the first time at the event. ■



Students talk with Dave Morris of Painters District Council 53 about career opportunities in commercial and industrial painting as well as glazing during the fourth annual Construction Job and Career Fair held in Wheeling.

Payroll Secrecy, Attack on Jobs Act Fails

A bill to weaken the WV Jobs Act by making payrolls secret, SB 474, passed the Senate Workforce and Government Organizations Committees, and then the full Senate on party line votes.

Republicans supported the bill and Democrats opposed it.

But when the bill got to the House of Delegates it was never placed on a committee agenda.

The bill would have made contractor payrolls from tax financed construction projects a secret document that could not be disclosed through the Freedom of Information Act. Such payrolls have been public documents for more than 50 years.

The WV Press Association opposed the bill and testified in both Senate committees.

"We see it as a First Amendment issue," said Don Smith, Executive Director, of the West Virginia Press As-

sociation.

"It [SB 474] restricts the ability of the press to do its job and the right of the people to petition the government for a redress of grievances. Without access to information there cannot be effective monitoring of government.

"With the Roads to Prosperity bond issue, the legislature promised prosperity along with the roads. If you pass this bill, we will be able to see the roads, but you are hiding the information on the prosperity."

Newspapers from across the state ran editorials against the bill.

Members of the Trades also worked to defeat the bill talking with many legislators about the problems of imported workers and low wages in the construction industry, especially with the repeal of the prevailing wage law.

"We talked about companies like

Seminole Equipment from Florida that not only refused to hire qualified local workers but never paid the appropriate payroll taxes," said Dan Poling, Business Manager of Painters District Council 53.

"Without payrolls we could never have been able to document these violations."

This is the second year in a row the bill has passed the Senate and

failed in the House.

The WV chapter of the anti-union Associated Builders and Contractors testified in support of the bill first citing worker privacy and then claiming wage information is a trade secret.

"We think the real secret is the low wages and imported workers a few contractors want to profit on when they take our tax dollars," said Poling. ■

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Members of the construction trades, like this group of IBEW members from Local 466 Charleston and Carpenters from the KML Regional Council, came to the Capitol throughout the session to let legislators know they wanted to protect the WV Jobs Act.

IBEW 246 Steubenville Volunteers at School



Rob Bianco, Treasurer of IBEW Local 246, works with fourth grade students from Pugliese West Elementary School in Steubenville on an underwater robotics project. Bianco was one of a number of volunteers from the electricians who, in February, helped students waterproof motors for remotely operated underwater vehicles.


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