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

# Brooke County Power Win at WV Supreme Court

The West Virginia Supreme Court of Appeals issued a ruling on Thursday, November 1 upholding a permit for ESC Brooke County Power, a major victory for project developers Energy Solutions Consortium Brooke County Power and local construction workers.

The ruling said the WV Public Service Commission properly granted a siting certificate to Brooke County Power for their \$884 million gas-fired power project.

The Ohio Valley Jobs Alliance (OVJA), with financial support from Murray Energy, had challenged the PSC claiming they didn't properly evaluate the economic benefits or possible negative consequences of the project.

OVJA claimed it was false to conclude that the project would benefit the local economy and that local workers would be hired. OVJA offered no supporting evidence.

However both the developer and ACT testified about the positive economic benefits from the project and

specifically from the employment of local union construction workers.

The project developer Energy Solutions and the Upper Ohio Valley Building Trades Council entered into

a memorandum of understanding ensuring any contractor hired would employ local union construction workers.

The project will bring an estimat-

ed \$90 million in construction payroll.

The West Virginia Oil and Gas Association filed a brief in support of

**Cont. on p. 2>>**



Drew Dorn (left), a partner in Energy Solutions Consortium LLC, the developer of both the Brooke and Harrison County Power projects, and Pat Ford, Executive Director of the Business Development Corporation of the Northern Panhandle talk to the WV Oil and Gas Association at an October conference about the importance of building gas-fired power projects in West Virginia. ACT's Steve White was also part of the panel.

## Modest Gains Made for Labor Candidates

Overall there were modest gains for labor endorsed candidates in the 2018 election with three additions in the State Senate and six in the House of Delegates as compared to 2016.

However, Labor endorsed members of the West Virginia House of Delegates and State Senate will continue to be a minority.

There were plenty of disappointments too.

Of the nine building trade's candidates running for the House of Delegates only Phil Diserio (D-Brooke and member of the IBEW) won.

Incumbent Scott Brewer (D-Mason and member of the Carpenters) lost by only 106 votes.

Seven other building trades' members also lost their bids to win a House of Delegates seat.

"We thank all of our building

trade's and other endorsed candidates who ran," said Dave Efaw, Secretary-Treasurer of the WV State Building Trades. "We recognize the personal sacrifice they make when entering a political race."

There will be three new State Senators supporting Labor; Bill Hamilton (R-Upshur); Bill Ihlenfeld (D-Ohio) and Rich Lindsay (D-Kanawha).

That brings the total of labor sup-

porters in the Senate to 15 out of 34.

Building Trades endorsed candidates won 45 seats in the House of Delegates. That number is an increase of six over the 2016 election when 39 endorsed candidates won.

While the Republicans maintain control in both the House and the Senate the labor endorsed candidates increased in both chambers.

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# Harrison County Gas Power Permit Done

A critical air permit for the Harrison County Power project has been finalized which means construction of the \$630 million project should begin in mid-2019.

After months of delay the project cleared the last major hurdle when the 30 day time frame for filing an appeal of the air permit passed on October 24.

The Ohio Valley Jobs Alliance (OVJA) filed a number of appeals to block construction of gas powered energy projects including an appeal of the Harrison air permit.

The Air Quality Board heard the air permit appeal and soundly rejected it with a written order dated September 24.

OVJA had 30 days to appeal that ruling to the West Virginia Supreme Court of Appeals and did not do so.

Through legal testimony it was

learned Murray Energy was paying the lawyer fees for the group.

Murray Energy has confirmed this in public statements.

"That's great news," said Bryan Raber, Business Manager for Plumbers & Pipefitters

Local 152, Morgantown.

"Not only does this mean tens of millions of dollars in payroll for local union construction workers it means we are creating more local jobs from natural gas."

Raber believes part of the reason the group didn't appeal the air permit was increased public awareness that the coal industry was behind the effort to hurt

economic development.

With all major permits in place the project can advance with land acquisition and final contract negotiations and looks to break ground in mid-2019. ■

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**Bryan Raber,**

*Business Manager  
Plumbers & Pipefitters Local 152*

# Brooke County

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the project.

The West Virginia Coal Association voiced opposition to the project claiming, without providing any evidence, that the gas projects somehow have unfair advantages over coal fired projects.

"We support coal fired power plants, our members have made good livings building them and maintaining them," said Brian Hussell, Business Manager of Boilermakers Local 667, Winfield.

"But, with gas-fired plants being built in Ohio and Pennsylvania we want our members to get some of

those jobs here in West Virginia."

Brooke County Power project also had an air permit finalized once the 30 day time frame to appeal the DEP permit passed in October.

OVJA had appealed a similar permit issued to a Harrison County project and was rejected.

With the air permit complete and the PSC challenge defeated the project now has a green light and developers can focus on finalizing all needed details like final contracting bids and financing.

Developers look to a mid-2019 construction start. ■

# The Finishing Trades Institute Needs New Apprentices

The Finishing Trades Institute of the West Virginia Region will be accepting applications for apprenticeship in the areas of Commercial Painting, Industrial Painting, Drywall, Glaziers, and Hydro Blaster/Vacuum Technicians. Applications will be taken through November 30th. Classes will start the 2nd week of January 2019.

To obtain an application or for more information please contact the apprenticeship office at 304-343-8250 ext 1 or

**Jerry Scarbro 304-539-2914**

Charleston, WV

**Harold Keller 740-516-0090**

Parkersburg, WV/Marietta, OH

**David Morris 304-380-5635**

Fairmont/Wheeling, WV

**Rodney Skaggs 304-932-2001**

Huntington, WV/ Ashland, KY

The program, sponsored by District Council 53 Painters and Allied Trades and participating contractors, serves residents of West Virginia and a number of bordering counties in Ohio, Kentucky and Virginia.

The two to three year apprenticeships teaches all aspects of the trade in both classroom and paid on-the-

job settings.

All applicants must fully meet the following minimum qualifications to qualify:

1. All applicants shall be at least eighteen (18) years of age (with the exception of school to work students). Applicants are required to submit a birth certificate for proof of age.

2. Applicants must possess sufficient educational knowledge to satisfactorily complete the on-the-job training and related technical instruction. Applicants are required to submit a high school diploma or equivalent (GED or TASC).

3. Shall be physically capable of performing the essential functions of the apprenticeship program without posing a direct threat to the health and safety of individual or others.

4. All applicants applying for the Glazier trade must take Reading and MC/AP tests at Job Service locations.

5. All applicants shall provide proof they have a valid driver's license.

All applications will be received without regard to race, color, religion, national origin, or sex. ■



Local elected officials, construction labor representatives and citizens from the Harrison County area meet in late July to talk about delays were jeopardizing the Harrison County Power project.

# 2018 General Election Endorsed Results

U.S. Senate - Joe Manchin✓	23rd	Rodney Miller✓
U. S. House of Representatives	24th	Ralph Rodighiero✓
1st District David McKinley (R)✓		Timothy Tomblin✓
2nd District Talley Sergent	25th	Tony Paynter (R)✓
3rd District Richard Ojeda	26th	Ed Evans✓
WV Supreme Court	27th	Carol Bailey
Division One Joanna Tabit		Lacy Watson
Division Two Jeff Kessler		Phoebe Meadows
State Senate	28th	Andrew Evans
1st William Ihlenfeld✓		Sandy Shaw
2nd Denny Longwell	29th	Ricky Moye
3rd James Leach	30th	Mick Bates✓
4th Brian Prim	31st	Richard Snuffer
5th Mike Woelfel✓	32nd	Luke Lively
6th Charles Sammons		Margaret Staggers✓
7th Ron Stollings✓		Mel Kessler
8th Richard Lindsay✓	33rd	<b>David Walker</b>
9th William "Bill" Wooton	34th	Brent Boggs✓
10th Stephen Baldwin✓	35th	Andrew Byrd✓
11th Bill Hamilton (R)✓		Renate Pore
12th Mike Romano✓		<b>James Robinette</b>
13th Bob Beach✓		Doug Skaff Jr.✓
14th Stephanie Zucker	36th	Andrew Robinson✓
15th Jason Armentrout (†)		Larry Rowe✓
16th John Unger✓		Amanda Estep-Burton✓
17th Ferrell Ellis	37th	Mike Pushkin✓
House of Delegates	38th	Tom Tull
1st Diana Magnone	39th	David "Woody" Holmes
Randy Swartzmiller✓	40th	Melissa Huffman
2nd Phillip Diserio	41st	Paul O'Dell Jr.
3rd Shawn Fluharty✓	42nd	Jeff Campbell✓
Erikka Storch (R)✓		Cindy Lavender-Bowe✓
4th Joe Canestraro✓	43rd	Bill Hartman✓
Lisa Zukoff✓		Cody Thompson✓
5th Dave Pethtel✓	44th	Dana Lynch
6th <b>T. Chris Combs</b>	45th	Matthew Kerner
7th Lissa Lucas	46th	Robert "Bob" Stultz
8th <b>David Bland</b>	47th	Ed Larry
9th Jim Marion	48th	Tim Miley✓
10th <b>Andy Daniel</b>		Richard Iaquina
Harry Deitzler		Robert Garcia
J. Morgan Leach		Derek McIntyre
11th Sarah Duncan	49th	George Abel
12th Missy Morris	50th	Mike Caputo✓
13th <b>Scott Brewer</b>		Linda Longstreth✓
14th Brianne Solomon		Michael Angelucci✓
15th Sean Hornbuckle✓		Guy Ward (R)
Matt Spurlock	51st	Barbara Fleischauer✓
Vera Miller (R)		Evan Hansen✓
17th Chad Lovejoy✓		Rodney Pyles✓
18th Matthew Rohrbach (R)✓		Danielle Walker✓
19th Karen Nance		John Williams✓
20th Ken Hicks✓	52nd	<b>Gary Knotts</b>
21st Robert Thompson✓	53rd	Cory Chase
22nd Phyllis White	54th	John Hott (R)✓
<b>Gary McCallister</b>	55th	Isaac Sponaugle✓
Zack Maynard (R)✓	56th	Timothy Ryan

58th	Bibi Hahn	64th	Barby Frankenberry
59th	John Isner	65th	Sammi Brown✓
61st	Jason Barrett✓	66th	David Dinges
63rd	Sam Brown	67th	John Doyle✓

## Modest Gains

### Continued from Page 1

As usual outside money poured into the election, and much of it from unknown sources.

For example a group which spent hundreds of thousands of dollars attacking democratic candidates called West Virginia's Future PAC reported contributions from a group called Coalition for a Stronger West Virginia but that group didn't disclose where their funds came from.

Another group calling themselves 1863 PAC Ltd. was issued a cease and desist letter by the WV Secretary of State's Office for not filing any reports on where their money came from.

However the group went on to

spend hundreds of thousands of dollars to defeat many labor backed candidates.

Labor came up with some funds to protect candidates who would otherwise have been unable to respond to a variety of unfair attacks.

"We are usually outspent 3 to 1 and likely were this time as well, unfortunately we will never know who put up much of the funds..."

**Dave Efaw,**

*Secretary-Treasurer  
WV State Building Trades*

Members of the trades and other unions pitched in by volunteering for door-to-door canvassing, rallies, phone banks, and putting up signs. ■



Workers rally in support of Bill Ihlenfeld outside of Independence Hall in Wheeling during a debate between state Senate candidates Ihlenfeld and Ryan Ferns. Ferns, who was beaten by Ihlenfeld, supported Right-to-Work, the repeal of prevailing wage and opposed public employee raises that led to the Teacher strike last year.

# WVU Economist Abandons RTW Prediction

During the 2015 debate about so-called Right-to-Work an economist from WVU's Bureau of Business and Economic Research provided the legislature with a report about its effect on the economy.

John Deskins, in his report to the legislature, claimed RTW would bring economic growth to the state, a claim that was widely criticized as being politically driven rather than based in any facts.

Deskins is head of the WVU Bureau of Business and Economic Re-

search.

Now that RTW has been imposed a new report from the same Bureau of Business and Economic Research apparently abandoned the earlier prediction and is now predicting growth at a rate of .4 percent per year for the next five years, lower than the national average.

"The lack of accountability is astounding," said Ken Hall, President of Teamsters Local 175 and Secretary-General of the International Brotherhood of Teamsters.

"When looking at this current report nothing is said about so-called Right-to-Work and that's because it has already proven to be a failure in boosting our economy and most likely will lead to a further decline."

Hall testified in opposition to the measure and brought vast experience having worked in both RTW and non-RTW states.

"I have seen it first hand," said Hall. "The only thing RTW does is weaken the efforts workers make to get better wages, benefits and safety."

West Virginia's Supreme Court ordered the new law into effect in September of 2017 even though a ruling has never been issued in Kanawha County Circuit Court where a challenge from Labor is still pending. ■

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## Pipelines Mean Local Construction Jobs



Thousands of local union construction workers are building a number of major pipelines like this one near New Martinsville.

All major pipeline work in the state is currently being worked under the National Pipeline Agreement. A minimum of half the workers must come from the local area.

"Our members are working lots of overtime to get these important projects completed," said Chuck Parker, Business Manager of Operating Engineers Local 132.

Most if not all projects are working 60 hours or more a week.

TransCanada, EQT, Dominion and others have major projects under construction. And there are plenty of routine pipelines being built as well.

"If a member gets laid-off from a pipeline they usually can go right out again because the demand for skilled Laborers remains strong," said Craig Harvey, Business Manager for the Laborers District Council of WV.

Operating Engineers, Laborers, Pipeline Welders and Teamsters are the four crafts on pipeline work.

Pipeline work is under a different contract than the compressor stations. Unfortunately much of the compressor station work is being done by out of state workers and contractors.

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## \$6 Billion Shell Cracker Ahead of Schedule



Construction of this \$6 billion Royal Dutch Shell ethane cracker in Monaca, PA is reportedly ahead of schedule and within budget according to recent news reports.

There are approximately 3,000 workers on site with peak employment of 6,000 expected in 2019.

Steel headed for the project was held by U.S. Customs and Border Protection in June because of the steel quotas. The steel for the plant was delivered after elected officials from Pennsylvania urged President Trump to sign a proclamation ordering the shipment to be released.

Top management at Shell has expressed concerns about possible delays due to steel tariffs and restrictions on steel imports.