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

# Re-Set Primary Election to End on Tuesday, June 9

The rescheduled 2020 primary election ends on Tuesday, June 9.

All registered voters should have received an absentee ballot application form from their County Clerk. Absentee ballots are available to anyone who wants one.

Clerks are to mail the ballots to voters within 24 hours of receiving the application but because of the high demand some are taking much longer.

You can request the absentee ballot thru June 3.

If you chose to vote in person there will still be an early voting period starting on Wednesday, May 27 and ending Saturday, June 6.

This usually takes place at a County Court House or Clerks office.

On election day polls will be open the normal times, 6:30 am to 7:30 pm.

This election is very different because of the covid-19 precautions.

Traditional door-to-door campaigning, rallies, meet-the-candidate events have all been derailed leaving many candidates scrambling to find ways to communicate with voters.

The delay from the May primary to June, and the availability of absentee ballot to all voters has lengthened

the voting period.

Some people may have asked for and cast an absentee ballot before the

original primary day of May 12.

“In prior elections the absentee

**Cont. on p. 4>>**

**TRENTON BARNHART'S INEXPERIENCE PUTS YOUR HOME AT RISK FOR ELECTRICAL FIRES.**

Despite the pleas of West Virginia's electricians, newly-appointed Delegate **TRENTON BARNHART** voted to cut journeyman electrician's on-the-job training in half.<sup>1</sup> Annually, **ELECTRICAL FIRES** account for 51,000 fires and 500 deaths in the US.<sup>2</sup>

West Virginia has **STRONG** requirements to reduce the number of electrical fires, which in turn can keep insurance rates from skyrocketing. Does **TRENTON BARNHART** think **LESS TRAINING** causes fewer electrical fires?

**YOUR FAMILY SHOULDN'T PAY THE PRICE FOR BARNHART'S INEXPERIENCE.**

1.) WV CODE §29-3B-2; HB 4358 1/22/20; HB 4185 1/31/20  
2.) Electrical Safety Foundation International, www.esfi.org

**VOTE AGAINST DELEGATE TRENTON BARNHART.**

*This postcard was mailed to voters in the 7th House of Delegates District, which includes Ritchie and most of Pleasants Counties. Other candidates who voted against the Trades and are in competitive primary races saw similar cards.*

## Anti-Worker Court Adopts So-Called RTW

There was never a doubt how the majority of West Virginia Supreme Court members would rule on so-called Right-to-Work.

On April 21, as expected, they overturned Kanawha Circuit Judge Jennifer Bailey's earlier ruling that right to work was unconstitutional.

Because of this decision West Virginia is now a right to work state.

“We knew it was coming,” said Josh Sword, President of the WV AFL-CIO. “This is simply a rigged court, justice for workers is not on their agenda.”

Calling the Court's action “naked-

ly political”, Justice Margaret Workman was the lone dissent against RTW and she wrote a separate 20-page opinion.

A few excerpts from Justice Workman's very critical opinion are below, the entire document can be found on the ACT website.

“... West Virginia became the 26th jurisdiction to enact right-to-work laws, thus joining in the inexorable march of the states toward eradication of labor unions as a force in the American economy.

“And it is beyond the pale of rea-

**Cont. on p. 4>>**

## 12+ Million Shipped SMART Makes Aluminum Nose Bridges

Members of SMART (Sheet Metal, Air, Rail and Transportation Workers), and partner contractors across the country have been supplying aluminum nose bridge material for free to people who are making covid-19 masks.

According to Jim King, Business Representative of Sheet Metal Workers Local 33, Charleston District, more than 12 million strips have been shipped nationwide.

“In our District, Tri-State Roofing, Dougherty and Air Systems have

all been letting our members cut up aluminum strips, then I mail them out,” said King.

The nose pieces are 3” x 1/4” and made from .032 aluminum.

Requests are filtered through a national website.

King says the Charleston District has mailed out 4,100 pieces and the total from all Districts of Local 33 have passed 200,000.

Other WV affiliates, SMW 24 and SMW 100 have also been participating in the effort. ■



Piles of aluminum nose bridges are ready to ship from the Charleston District of Sheet Metal Workers Local 33.

## Essential Workers at Cabell Huntington



Carpenters Local 439 members Gary Hail, Lenny McClary are among the many union construction workers providing essential services during the pandemic. They are working for MIRC Construction Services at Cabell Huntington Hospital building a new clean sterile department.

## Longview Files Bankruptcy Reorganization - Says Gas Project Still on Schedule

Longview Power filed for bankruptcy protection on April 14 with plans to keep operating and reorganize its debt according to news reports.

Longview Power II, a separate but related entity, recently won approval from the state Public Service Commission to build a new gas and solar facility.

The company has said the new project is still moving forward and the reorganization will not affect it.

According to plant manager Jeff Keefer the combination of low energy prices and the covid-19 pandemic created an impossible situation.

However, Keefer said the company will keep on operating, pay all bills and basically needs to refinance

its debt.

Keefer also made a point of saying the bankruptcy would not hurt plans for Longview II.

Longview II received approval from the state PSC on April 3 for a siting certificate to build a \$1.1 billion, 1,200-megawatt combined cycle gas unit near the existing 710-megawatt coal unit.

A gas line and short transmission line will be required.

A 70-megawatt solar field is also planned with most of the solar panels to be in Pennsylvania.

The state-of-the-art coal-fired plant was built with local union trades and the company has committed to build the gas unit with local union workers. ■

# Building Trades Endorsements for Primary

**Bold** = Building Trades member

|                                   |      |                            |                          |                       |                         |                     |
|-----------------------------------|------|----------------------------|--------------------------|-----------------------|-------------------------|---------------------|
| <u>1st Congressional District</u> | 1st  | <b>House of Delegates</b>  | 34th                     | Mark Hurt (D)         | 49th                    | Josh Maxwell (D)    |
| David McKinley (R)                | 2nd  | Jack Wood (D)              | Brent Boggs (D)          | Margaret Staggers (D) | Robin Righter (D)       |                     |
| <u>Governor</u>                   | 3rd  | <b>Phillip Diserio (D)</b> | Kathy Ferguson (D)       | Patti Hamilton (D)    | 50th                    | Mike Mannypenny (D) |
| Ben Salango (D)                   | 4th  | Shawn Fluharty (D)         | Doug Skaff Jr. (D)       | Rusty Williams (D)    | Barbara Fleischauer (D) |                     |
| <u>State Treasurer</u>            | 5th  | Erikka Storch (R)          | Amanda Estep-Burton (D)  | Larry Rowe (D)        | Evan Hansen (D)         |                     |
| John Perdue (D)                   | 7th  | Christian Turak (D)        | Mike Pushkin (D)         | Robin Cutlip (D)      | Rodney Pyles (D)        |                     |
| <u>Attorney General</u>           | 10th | Lisa Zukoff (D)            | Dana Ferrell (R)         | Gary Connell (R)      | Danielle Walker (D)     |                     |
| Isaac Sponaugle (D)               | 11th | Dave Pethel (D)            | David "Woody" Holmes (D) | Ed Larry (D)          | John Williams (D)       |                     |
| <u>Supreme Court</u>              | 13th | <b>Kerry Murphy (R)</b>    | Cindy Lavender-Bowe (D)  | Robert Garcia (D)     | Justin Hough (R)        |                     |
| Richard Neely                     | 14th | Vernon Criss (R)           | Jeff Campbell (D)        | Richard Iaquinta (D)  | 52nd                    | Justin Hough (R)    |
| Joanna Tabit                      | 15th | Trish Pritchard (D)        | Bill Hartman (D)         |                       | 53rd                    | Cory Chase (D)      |
| <u>Secretary of State</u>         | 16th | Luke Winters (D)           | Cody Thompson (D)        |                       | 58th                    | George Miller (R)   |
| Natalie Tennant (D)               | 17th | Mark Pauley (D)            | Robin Cutlip (D)         |                       | 60th                    | Brad Noll (D)       |
| <u>State Auditor</u>              | 18th | <b>Scott Brewer (D)</b>    | Gary Connell (R)         |                       | 61st                    | Jason Barrett (D)   |
| Mary Ann Claytor (D)              | 19th | Brian Scott (R)            | Ed Larry (D)             |                       | 62nd                    | Debi Carroll (D)    |
| <u>Agriculture Commissioner</u>   | 20th | Tess Jackson (D)           | Robert Garcia (D)        |                       | 63rd                    | Daniel Bennett (D)  |
| Bob Beach (D)                     | 21st | Mark Bates (R)             | Richard Iaquinta (D)     |                       | 65th                    | Sammi Brown (D)     |
| <b>State Senate</b>               | 22nd | Sean Hornbuckle (D)        |                          |                       | 66th                    | Storme Frame (D)    |
| 1st                               | 23rd | Chad Lovejoy (D)           |                          |                       | 67th                    | John Doyle (D)      |
| Randy Swartzmiller (D)            | 24th | Matthew Rohrbach (D)       |                          |                       |                         |                     |
| 2nd                               | 25th | <b>Paul Ross (D)</b>       |                          |                       |                         |                     |
| Josh Gary (D)                     | 26th | Evan Worrell (R)           |                          |                       |                         |                     |
| 4th                               | 27th | Ric Griffith (D)           |                          |                       |                         |                     |
| <b>Bruce Ashworth (D)</b>         | 28th | Tom Jarrell (D)            |                          |                       |                         |                     |
| 5th                               | 29th | Nathan Brown (D)           |                          |                       |                         |                     |
| Bob Plymale (D)                   | 30th | Mark Dean (R)              |                          |                       |                         |                     |
| 7th                               | 31st | Joe Jeffries (R)           |                          |                       |                         |                     |
| Rupie Phillips (R)                | 32nd | Zack Maynard (R)           |                          |                       |                         |                     |
| Ralph Rodigerio (D)               |      | Rodney Miller (D)          |                          |                       |                         |                     |
| 8th                               |      | Timothy Tomblin (D)        |                          |                       |                         |                     |
| <b>Glenn Jeffries (D)</b>         |      | Tony Paynter (R)           |                          |                       |                         |                     |
| 9th                               |      | Ed Evans (D)               |                          |                       |                         |                     |
| David 'Bugs' Stover (R)           |      | Tina Russell (D)           |                          |                       |                         |                     |
| 10th                              |      | Ryne Nahodi (D)            |                          |                       |                         |                     |
| Bill Laird (D)                    |      | Mick Bates (D)             |                          |                       |                         |                     |
| 11th                              |      | Chris Toney (R)            |                          |                       |                         |                     |
| Denise Campbell (D)               |      | Randy Halsey (D)           |                          |                       |                         |                     |
| John Pitsenbarger (R)             |      |                            |                          |                       |                         |                     |
| 12th                              |      |                            |                          |                       |                         |                     |
| Doug Facemire (D)                 |      |                            |                          |                       |                         |                     |
| 13th                              |      |                            |                          |                       |                         |                     |
| Mike Caputo (D)                   |      |                            |                          |                       |                         |                     |
| 14th                              |      |                            |                          |                       |                         |                     |
| David Childers (D)                |      |                            |                          |                       |                         |                     |
| 15th                              |      |                            |                          |                       |                         |                     |
| Kenneth Mattson (R)               |      |                            |                          |                       |                         |                     |
| 16th                              |      |                            |                          |                       |                         |                     |
| Pete Dougherty (D)                |      |                            |                          |                       |                         |                     |
| 17th                              |      |                            |                          |                       |                         |                     |
| Andrew Robinson (D)               |      |                            |                          |                       |                         |                     |

*Note: Candidate for the Supreme Court John Hutchinson had been endorsed by the WV AFL-CIO but was unendorsed as a result of his vote to overturn the Kanawha Circuit Court ruling that Right-to-Work violated the WV Constitution. The WV State Building Trades participates in the WV AFL-CIO endorsement process but may endorse additional candidates and at times picks different candidates.*

## ABSENTEE BALLOT, VOTING DATES

Thru June 3: Voters may apply for absentee ballot

April 24: County Clerks begin mailing absentee ballots

May 19: Voter Registration Deadline

May 27–June 6: Early Voting In-Person

June 3: Absentee Application must be received by County Clerk

June 9: Absentee Ballot must be postmarked by this date

June 9: Primary Election Day

# Anti-Union Gov. Candidate Thrasher Gains Anti-Union Contractor ABC-WV's Support

Woody Thrasher, a republican candidate for Governor, has been endorsed by the anti-union contractors group Associated Builders and Contractors of WV (ABC).

According to ACT's Steve White the two are a perfect fit.

"Woody Thrasher is anti-union and so is the ABC," said White.

White points to recent comments made by Thrasher about so-called Right-to-Work (RTW) as an example.

Thrasher put out a press release praising RTW and said "... our Court boldly exercised sound reasoning to protect true workplace freedom."

"Thrasher praised the recent WV Supreme Court's unfair ruling on RTW that forces union members to pay the costs of service non-union workers can demand," said White.

Governor Jim Justice vetoed RTW legislation in 2017, but the legislature overrode his veto.

Thrasher, owner of Thrasher En-

gineering, had been the Secretary of Commerce for Governor Justice before being ousted in 2018 for mis-handled flood relief efforts.

Thrasher is now running against Justice for the Republican party's nomination for governor.

The ABC of WV filed briefs in support of RTW.

They have also been the main proponents of prevailing wage repeal.

"The ABC promised great saving to taxpayers if our prevailing wage

law passed, 25 to 33 percent," said White.

"Now prevailing wage is gone there are no savings, but their low-wage contractors are getting more tax funded work, paying lower wages, making more money and ripping off the taxpayers with poor quality and delayed projects in the process."

For more information about the disaster caused by repeal of the prevailing wage law go to [www.wvbropromise.com](http://www.wvbropromise.com). ■

# Workers Memorial Day Honors 22 Who Died

April 28 was Workers Memorial Day; the day labor groups across the country remember those who lost their lives at work during prior year.

The tradition continued this year in a different way. The WV AFL-CIO created a Facebook live event which was held at noon on the 28th.

During 2019 22 workers lost their lives on the job. As each name was read a bell rang in their honor.

“While we couldn’t gather in person as we have in the past, the West Virginia AFL-CIO held the 32nd annual Workers Memorial ceremony live on our Facebook page,” West Virginia AFL-CIO President Josh Sword

said.

Workers Memorial Day is also a call for action to make workplaces safe.

“We will continue to work tirelessly in hopes that one day no one is risking their life to make a living,” Sword said. “And until every workplace is 100 percent safe.” ■



Andy Walters (left) Secretary-Treasurer of the WV AFL-CIO reads off the names of the 22 workers who died on the job during 2019 while BB Smith, President of the Marshall-Wetzel-Tyler Central Labor Council, rings a bell for each name.

## Anti-Worker Court

**Continued from Page 1**

soned disagreement that this is exactly what the West Virginia Legislature intended to do when it enacted a right-to-work law, and specifically when it enacted W. Va. Code § 21-1A-3, requiring unions to fulfill all of their existing duties to non-members – to represent their interests in contract negotiations, to represent their interests in all matters arising from administration of a collective bargaining agreement, and to represent them in grievance, disciplinary or termination appeals -- without compensation.

“Federal law imposes the duty on unions to represent the interests of non-union workers, and now state law has imposed the duty on them to do it without compensation.

“In short, the statute serves no purpose other than to thrust a dagger into the heart of labor unions by

presenting them with a false choice: represent the interests of non-union members in the bargaining unit without compensation, or don’t represent

the bargaining unit at all.”

In the majority opinion many references were made to a recent U.S. Supreme Court decision called Janus.

The court ruled in Janus that a public employee union in California could not require a payment

for services.

“Our case was based on the West Virginia constitution, and our case was about private companies and unions entering into agreements not the public sector,” said attorney Vince Trivelli who argued on Labor’s behalf.

“To say Janus decided everything is simply wrong,” Trivelli added. “It is only one of a number of issues the Supreme Court got wrong.” ■

“...[RTW] serves no purpose other than to thrust a dagger into the heart of labor unions...”

**Justice Margaret Workman**

*WV Supreme Court*

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## Primary Election

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ballots were a very small number and the real start of voting was the two weeks of early voting before election day,” said Dave Efaw, Secretary-Treasurer of the WV State Building Trades.

“Now a lot of voting started when the absentee ballots started going out on April 24, that means people will be voting for five weeks leading up to election day.”

According to Efaw we have learned all too well, elections have consequences.

And the outcome of this round of elections will be no different.

Key defeats for labor during past legislative sessions like prevailing wage repeal and so-called right to work have severely hurt the construction industry.

At stake more recently have been licensing issues like weakening li-

censing for Plumbers, Sprinkler Fitters, Electricians, and Contractors.

“We have fought back attempts to weaken the WV Jobs Act but failed to add provisions to strengthen licensing laws by preventing illegal workers from getting licenses,” said Efaw.

To better educate the public about the importance of issues such as licensing and local jobs ACT and the WV State Building Trades have launched voter education efforts.

“We are educating the public in key races about who voted to weaken licensing,” said Efaw.

“Legislators should face consequences too.”

“We are educating the public in key races about issues important to communities and the Trades such as who voted to weaken licensing laws,” said Efaw. “Legislators should face consequences too.” ■