

'Positive Campaign'

New ACT TV Ads Begin

ACT's new positive advertising campaign has hit the airwaves. ACT's Executive Board decided it was time to "toot our own horn" and let the public know how we contribute many things to our neighbors and community.

A new slogan was developed to get across this message, and it will possibly become a permanent one for all aspects of advertising. The slogan is "building a better community" which plays on two themes: building, or actually constructing, new and better structures, and building a better atmosphere for our neighbors in other ways.

A series of seven commercials was developed, all with the same central theme and slogan but focusing on different aspects of how unions build a better community.

The ads center on issues such as health care and pensions paid for by unions rather than the public, union members who volunteer time for their community such as Volunteer Firemen and Little League coaches, members who live in communities spend their money at businesses in the communities, and local union members are more careful of the job they do

(Continued On Page 2)



BOILERMAKERS LOCAL 667's annual picnic at Jackson County's Cedar Lakes became a photo opportunity when members and their families were recruited to appear in the closing scene of ACT's new series of positive television commercials.

ACT Hires Clarksburg Rep

After an extensive search, the ACT Foundation has hired a representative for the new branch office to be located in Clarksburg.

Carl Cox, 58, of Millstone in Calhoun Co., worked as an operator at the Harrison Power Center, just outside of Clarksburg, before being hired

by ACT.

He has been a member of Operating Engineers LU 132 for 17 years, and a Teamster for 9 years before that.

The office location has yet to be selected although the field has been narrowed to two, both in Clarksburg.

Cox's duties will be similar to

those carried out by both the industrial sector representative, Bill Thomas, and the fair contracting representative, Tim Millne, who work out of the Charleston office.

"I'll be checking prevailing wages, and 80/20 quotas, among other things," Cox said.

(Continued On Page 2)

Rhone-Poulenc Incident

R-P Explosion Cause Worries ACT, Citizens

When Rhone-Poulenc's Institute plant was again rocked by an explosion recently, ACT joined a chorus of citizen complaints about the company providing little information and giving conflicting accounts of the incident and its cause.

The Aug. 18 explosion and fire sent eight workers to area hospitals, with three critically injured. One Rhone Poulenc employee, Robert Ruby, died on Sept. 3. More than 30 area residents were also injured. Thousands were forced to take shelter in their homes.

Wheeling Plumbers/Fitters Join

The 250 members of Plumbers & Steamfitters Local 83 of Wheeling voted to join ACT.

"I was surprised it passed as easily as it did," said business manager John Hickey.

"Usually when someone wants to take money out of a person's paycheck, they don't agree so readily.

"But our members recognize there are serious problems within our industry, with the non-union element, and the number of construction jobs available.

"We haven't seen those problems here as significantly as in other parts of the state, but problems could occur tomorrow.

(Continued On Page 4)

The plant experienced a similar problem in mid-May, when two workers were injured in a chlorine leak. ACT then joined a coalition in calling for an independent investigation into the chlorine gas release.

Van Long, manager of the Institute plant refused the investigation, even though the company released conflicting reports about the accident, saying Rhone-Poulenc handled the May 20th incident properly.

"We want to make sure Brown & Root's activities in maintaining the Larvin unit are part of the investigation," ACT Director Steve White said.

ACT has long contended that the use of untrained and unskilled construction workers can lead to disaster.

This time, however, ACT and the coalition were successful in

(Continued On Page 3)

Inside The ACT Report

Brown & Root	Pg. 2
Courthouse Bid	Pg. 2
Tax Breaks	Pg. 3
Bricklayers	Pg. 3
Carpenters	Pg. 4
Wage Program	Pg. 4

Brown & Root Union Vote Waits For NLRB Decision

The National Labor Relations Board (NLRB) is still deliberating over the Brown & Root vote.

"The only real issue they have to decide is 40 people who may or may not vote," said Steve Midkiff, an organizer for the Charleston Building & Construction Trades Council.

Midkiff said these cases usually average about 300 pages of transcripts for the Board to read.

"But this time there was 3500 pages of transcripts for them to go through mainly because of B&R's stall tactics."

Due to the large amount of transcripts the case was transferred from the Cincinnati regional NLRB office to the na-

tional office in Washington, D.C. "So any decision made is final," he said.

Midkiff estimates the vote will be near the end of October. "We

guessed they'd be finished with reading the transcripts by the end of September, so they'll probably set the vote around a month from then."

\$80 Million Project

Bids On Federal Courthouse Construction Go Over Budget

The \$80 million Federal Courthouse project in Charleston went to bid on August 24 but appears to be over budget and must be re-bid.

The low bidder for the project was George Hyman Construction out of Maryland.

However, Hyman's bid was

\$14 million over the \$61.5 million available for this phase of the project.

The courthouse must be redesigned and will go out again for bids which may take six months.

In a related manner, the North Central District Council of Carpenters and Laborers Local 984 recently signed a project agreement with Hyman who has a major portion of the FBI Center in Clarksburg.

The Carpenters lost an election late last July, but had asked for an NLRB investigation.

At the same time, ACT Fair Contracting Representative Tim Milne has been working to get certified payrolls from the FBI site.

ACT previously caused Hyman to lose a federal prison job in Beckley.

a portion of which was recently filmed at a Boilermakers LU 667 picnic. The ads will run altogether 26 weeks.

Watch for them between 6 and 8 p.m. Monday through Friday on the following stations: WCHS of Charleston, WOAY of Oak Hill, WOWK of Charleston/Huntington, WDTV of Bridgeport, WTRF of Wheeling, and WTAP of Parkersburg.

New TV 'Positive' Ads

(Continued From Page 1)

because their families live nearby, as opposed to workers who have been imported, and whose families live out-of-state away from danger.

"We need to get the message out that there is a positive difference for everyone when construction work is done fair and safe," said Dick Ullum, business manager for the Millwrights and a member of ACT's public relations committee.

The commercials began August 23 and feature animated figures. They will eventually be replaced by ads with real people,

GOLF TOURNAMENT TO BENEFIT

RUBY MEMORIAL
CHILDREN'S HOSPITAL
Bell Meadow Country Club
Rt. 20 South Clarksburg
September 24, 25

SPONSORED BY WV STATE
BUILDING & CONSTRUCTION
TRADES COUNCIL, AFL CIO
Call (304) 298-3751

to register or for information
on how to sponsor a hole.

Carl Cox Named Clarksburg Rep

(Continued From Page 1)

Cox began his employment with ACT August 23, by traveling around the state with Thomas and Millne on their various projects, to get the feel of the job.

The Clarksburg office's territory will cover the northern part of the state, from Clarksburg up,

responsible positions, such as steward and working foreman. He will contribute an extensive knowledge in many phases of the construction industry.

"I know he can get the job done, because he works well with people."

Cox said he is eager to begin working with ACT.

"I'm glad to be with a worthwhile organization," he said.

"And even though it's very new, ACT has felt from the beginning a need to provide a physical presence in Northern West Virginia. This will continue to grow into a force to be reckoned with."



CARL COX
ACT's Northern Man
including the two panhandles.

Cox has also spent a lot of time in Clarksburg trying to find suitable office space.

ACT director Steve White is confident about Cox's abilities and the success of the Clarksburg office.

"Once the office is established Cox will be working with ACT locals to stop non-union cheaters in the north," White said.

"Carl is well respected in his craft, and has held a number of

Wages

(Continued From Page 4)

pension money back.

"Why did they get their money back, and the other guys didn't?" Millne asked.

"It's important we learn whether money taken from these guys to put in their pensions was their own money and didn't require vesting," he said. "Had it been Irey's money, then it would have required vesting."

Letters were sent on behalf of the employees requesting a copy of the pension summary plan, and all pertinent information which is their right under the ERISA Act of 1974, which gives employees the right to information about retirement funds in their name.

"We sent them by certified mail, and requested return receipts. All of them got the receipts back. Irey had 30 days to respond or he was in violation. Well, we didn't get anything back," Millne said. "We've really got a good case."

Millne is also investigating a similar situation at the U.S. Post Office project being built on U.S. 119 south of Charleston and is pursuing that too.

**COME & ATTEND
ACT FOUNDATION'S ANNUAL
UPDATE & PLANNING
CONFERENCE
10 A.M. TUESDAY, OCT. 12
FAIRMONT HOLIDAY INN**

**Meeting Open To All Local Union ACT Members
For Further Information Contact Your Local Union Business Agent**

ACT Uncovers New Tax Breaks

As was reported in the last issue of the ACT Report, ACT uncovered land tax breaks for some of the largest corporations in West Virginia.

Their land taxes have been lowered as much as 47 percent for 1993.

A tax law passed in 1990 to equalize tax rates for all the state's counties, including land, buildings and equipment, is what's responsible.

After investigating the land value of specific plants, ACT also learned industrial building values were significantly lowered for the 1993 tax year.

Union Carbide, Dupont and

Rhone-Poulenc all saw dramatic decreases in their 1993 property taxes on buildings.

Rhone-Poulenc enjoyed a decrease of \$4,175,931 in the assessed value of its buildings. That's a difference of 40 percent fewer tax dollars its paying the citizens of West Virginia.

DuPont and Union Carbide saw drops of 27 and 20 percent, respectively.

"These types of tax breaks are ridiculous," said Steve White, ACT director. "It doesn't seem right for these companies to underpay construction workers, pollute the environment, and then not pay their fair share of taxes."

Bricklayers Local 15

Local Unions, State Councils Termed 'No Longer Enough'

"A local union or even a building trades council is no longer enough," said Leroy Hunter, business agent for Bricklayers LU 15 and director of the Bricklayers Council of West Virginia.

"It takes a statewide organization to facilitate the needed actions, and get things rolling."

What members need is labor law reform, Hunter said, because of anti-union sentiment shown by the previous administration the past 12 years.

"Our right, and ability, to organize is hampered," he said. "We have work, but it's very

difficult to organize the non-union segment of our industry.

We need legislation to help, such as the striker replacement bill and the implementation of a bill similar to the 'Boston Harbor Agreement' which allows government agencies to enter into building trade project agreements."

The local has 267 members, with approximately 95 percent of active members employed. They work with brick, block, ceramic tile, and quarry tile.

They also do specialty work such as terrazzo, which is poured cement with the top layer ground off to expose imbedded gravel.

Hunter said being a part of ACT gives his local advantages it wouldn't have otherwise.

"With ACT, we have an income pool - we're not just a small local that must rely on our own income source. We're backed by five to six hundred thousand dollars, and we can

count on those resources."

"An example is the pulp and paper mill. ACT didn't let the big industry pollute our streams and rivers under the guise of helping us, he said.

Members often don't realize how much ACT is doing for them," he said.

"I wish members could see what I do. It's hard for the average member to see what ACT does on a weekly or even a daily basis. They don't see the involvement, the meetings. They don't have an idea of the paperwork needed to get things done."

Prevailing wages are one area in which ACT is helping.

"ACT has put non-union contractors in a precarious position with regards to prevailing wage," he said.

Hunter said that the best thing for ACT would be growth. "Now I would like to see all the locals who participate in ACT to promote it to others, and get everyone involved on an even grander scale."

Rhone-Poulenc Accident

(Continued From Page 1)
getting the company to agree to an independent investigation.

"It's a shame it took a tragedy like this to get them to agree," said White.

Rhone Poulenc agreed to pay for a consultant to review its own internal investigation.

A review committee was established composed of community leaders, the president of the Machinist local union at Rhone Poulenc, nearby residents, and a representative of the nearby state rehabilitation center.

At the committee's first meeting it was expanded to include Bill Thomas from ACT, Howard Thomas and Larry Hagerman of

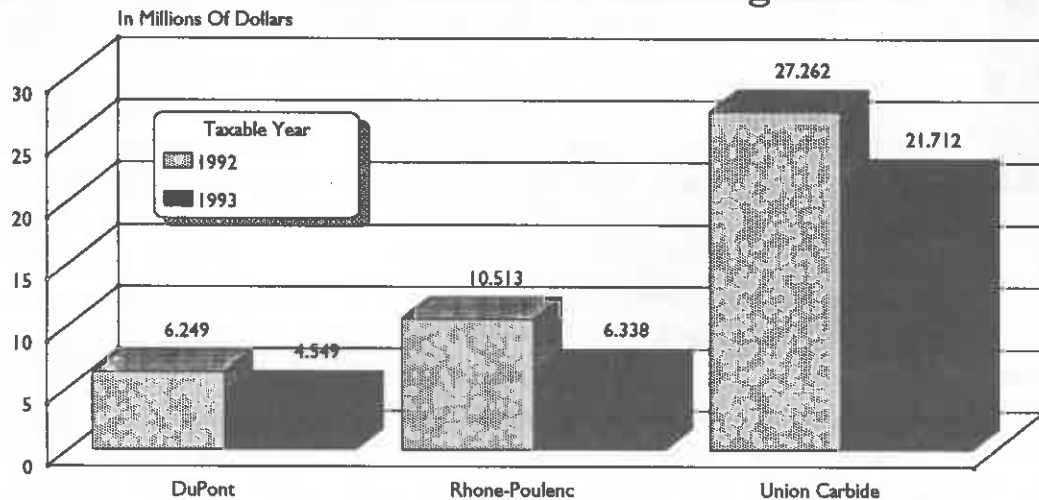
Pipefitters Local 625 and more community members. This group is now in the process of selecting a consultant.

"We hope to get answers to why this explosion occurred, what actually happened that day, and what can be done to prevent future incidents," said Thomas.

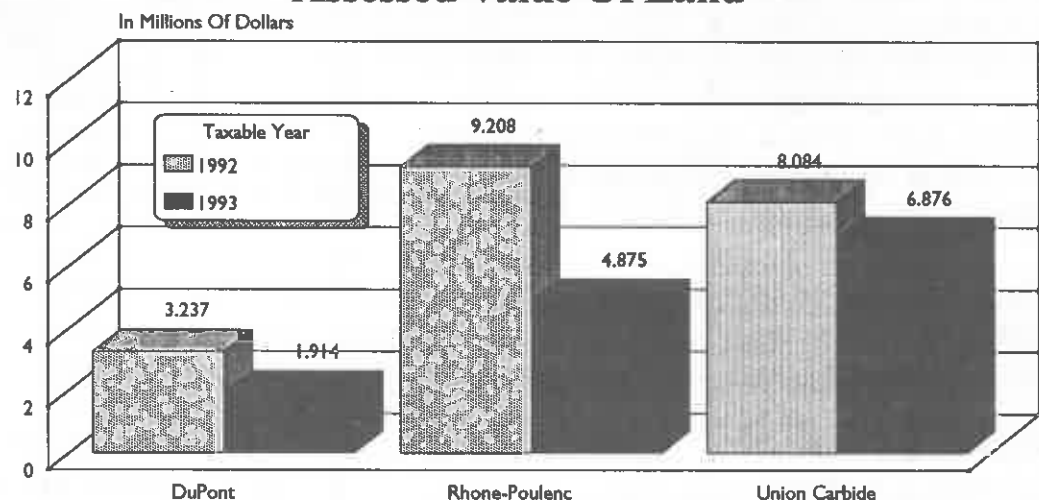
"All we want is a safe place to live for our families, and we're not so sure that Rhone-Poulenc can provide that without someone watching them. The Chemical Manufacturers Association has a program called 'Responsible Care', and they encourage the public to keep an eye on their actions. That's what we're trying to do."

ACT Uncovers Industry Tax Breaks In The Kanawha Valley

Assessed Value Of Buildings



Assessed Value Of Land



PROPERTY TAX BREAKS for the chemical industry in the Kanawha Valley were significant for the 1993 tax year. The graphs above indicate tax cuts up to 47 percent for the three major companies.

Monitors Workers' Pay, Uncovers Pension Scams

Wage Program Wide Scope

ACT's prevailing wage program involves a complicated process, and actually covers a lot more than just monitoring prevailing wage.

Tim Millne, ACT's fair contracting representative, has found two major ways in which non-union companies cheat.

"They mis-classify workers," Millne said. "They call someone a laborer but then have them do the work of a carpenter or operator without paying the proper rate for that work.

"Second, we have found a number of benefit scams used to cut costs at the expense of the workers."

Millne has been focusing on these benefit scams and has uncovered some serious violations.

"What the non-union con-

Wheeling

(Continued From Page 1)

ACT is the vehicle to use to address those problems."

Hickey said his members have a lot of confidence in ACT, and it's a step in the right direction.

"It takes two things - cooperation and funding. You can work very hard, but without financial backing, things just don't get done.

I told my members - look, we're team players, and with teamwork, you win, but when you try it on your own, you usually go unrewarded."

tractor is doing is taking more money out of the workers pay to lower their social security, unemployment and workers compensation payments," he continued. "This money is going into

benefit funds set up, not for the worker, but as a loophole to cheat the worker.

"What we find is up to \$7 per hour going to pension plans. The worker then has to chase the

contractor for his money after the job. If he can get through the mountain of paper work to get his money, the worker is then faced with a 20 percent tax penalty, plus as much as a 30 percent

charge for administrative costs."

Millne has been able to get workers to come forward to fight for their benefits by using questionnaires mailed or passed out on the job.

As complaints come in, Millne begins investigating them by calling the worker and going over the questionnaire with him.

In the case of the Marshall University football stadium, ten questionnaires were returned by non-union employees with complaints about Pittsburgh-based Frank Irey, Jr., the prime contractor on the project.

Millne said the next step is getting permission from the employee to give his or her name to ACT's lawyers.

"Confidentiality is a major point with us," he said, "for obvious reasons. We certainly don't want to jeopardize anyone's job."

After the grievants in the Marshall case gave permission they were contacted by ACT's attorney Jackie Hallinan. That case revolves around the Irey company's pension program.

According to the workers, they were told they had to wait five years until they were vested to get their money. However, ACT received information from two electricians who got their

(Continued On Page 2)

Carpenters & Joiners Local 1207

'False Sense Of Security' Allowed Non-Union Rise

"I have never seen such an influx of non-union contractors in our area," said Bob Sutphin, business agent for Local 1207 of the United Brotherhood of Carpenters and Joiners.

"We've been lulled into a false sense of security, because the work was so limited people lost interest in trying to keep them out, and the non-union crept up."

Sutphin said it's now difficult for union contractors to get the new projects because the non-union element has a toe-hold.

"That's the problem with some of these jobs, like the federal building, the FBI building and such, they bring in the non-union element," he said.

"Work is scarce in surrounding states, too. Contractors come in from Kentucky, Ohio and Maryland. They follow the money.

"If West Virginia has a little boom in work, these people come to take advantage."

Members of Local 1207 do all types of work - carpentry, concrete forms, metal stud, dry wall,

cabinets, carpet.

There are even some hard hat divers who do underwater burning and welding.

The active and retired 440 members come from parts of ten counties in the Charleston area.

Recently, members have become interested in refresher courses to keep their skills up-to-date.

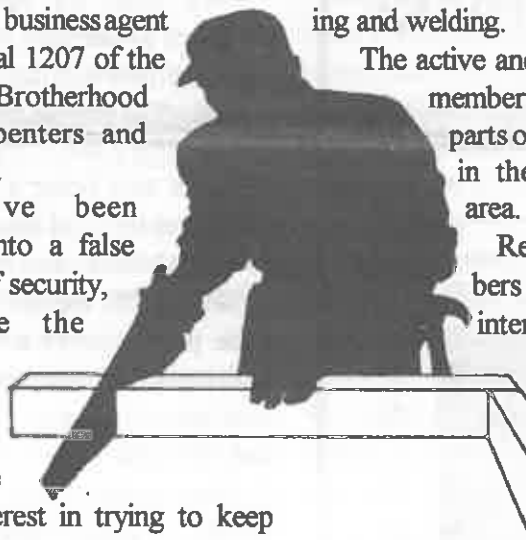
According to Sutphin, members have been taking classes in blueprint training, transit work and welding. "Members want to learn the new way of doing things," he said.

ACT is a new venture Sutphin is glad his local decided to try.

"Personally, I believe this is the best program we've ever embarked on. ACT will turn the tide.

"It's the best thing we can do - stick together and organize the non-union contractors," he added.

"Twenty years ago, you didn't have to wonder if a job was union or not, it just was. And this turn-around didn't happen in the last six months, or year or even



The ACT Report

A monthly publication of the Affiliated Construction Trades Foundation, an association of West Virginia building and construction trades local unions, with offices in Charleston and Clarksburg.

Officers: Bruce Tarpley, President, Earl Johnson, Vice President, Samuel Saal, Financial Secretary, Allen Fisher, Executive Director, Steve White, Director.

Telephone (304) 345-7570
523 Central Ave., Charleston, WV 25302

ACT Foundation
523 Central Avenue
Charleston, WV 25302
(304) 345-7570

Non-Profit
U.S. Postage
PAID
Permit No. 88
Chas., WV 25301