



THE ACT REPORT

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ACT Elects New Officers; Legislators At Reception

The ACT Foundation held its third annual Constitutional Convention and Legislative Reception February 10.

More than 40 ACT delegates attended the conference and stayed for the reception, when more than 200 additional guests arrived, including Delegates and Senators from all over the state.

During the convention, delegates elected officers and board members.

Re-elected president of ACT was Bruce Tarpley, Business Manager of Operating Engineers Local 132. Dave McComas of Laborers Local 543 of Huntington replaced Earl Johnson as Vice President, and Willard "Bubby" Casto of Ironworkers Local 301 replaced Sammy Saul as Financial Secretary.

Elected to the ACT Executive Board in addition to the

officers were Ron Bush of Boilermakers Local 667, statewide; Billy Joe Smith of Bricklayers

Huntington; Dave McComas, Laborers Local 543, Huntington; Dick Ullum, Millwrights

Jarrett, Chemical Valley District Council of Carpenters; and Glen Johnson, Teamsters Local 505,



REPORTING CONSTITUTIONAL CHANGES at ACT's annual convention held earlier this month in Charleston were new Vice President Dave McComas (left) of Huntington Laborers, and Sammy Saul, Charleston Pipefitters and out-going financial secretary.

Local 5, Huntington; Mark Smithson, Plasterers and Cement Masons Local 887, Charleston/

Local 1755, statewide; Randy Henderson, Plumbers & Fitters Local 565, Parkersburg; John

Huntington.

Other business conducted at
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'Community Protection' Is Main Legislative Goal

The ACT Foundation's main Legislative goal for the current West Virginia Legislative session, the "Community Protection Act", was introduced in early February.

The bill was sponsored by nine senators and seven delegates, an indication of its broad support.

The senators were James Humphreys, D-Kanawha, Thais Blatnik, D-Ohio, Larry Wiedebusch, D-Marshall, Keith

Wagner, D-McDowell, Mike Withers, D-Taylor, Robert Holliday, D-Fayette, David Grubb, D-Kanawha, Billy Wayne Bailey, D-Wyoming, and John Chernenko, D-Brooke.

In the House of Delegates the bill was introduced by delegates Larry Linch and Percy Ashcraft, both D-Harrison; Steve Cook, D-Monongalia; Steve Williams, D-Cabell, Gene Tribett and Scott Varner, both D-Marshall, and Dave Pethtel, D-Wetzel.

The purpose of the bill is to protect the communities where industrial facilities are built, by
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UBC Uses Pensions In B&R Struggle

Leaders of the United Brotherhood of Carpenters and Joiners of America (UBC) from the U.S. and Canada are using the muscle of their pension fund investments in the drive to organize Brown & Root.

Letters were sent to DuPont, Rhone-Poulenc, and Union Carbide from UBC pension funds which own millions of dollars in stock in these companies.

John Jarrett, Business Manager of the Chemical Valley District Council of Carpenters and Chairman of their pension fund, participated in the letter writing campaign.

He said that at least 40, "but maybe 100," Carpenter funds from all over the U.S. took part.

"Our International tracks pension money for carpenters all over the U.S. and Canada, they know how much is invested in each company's stock and who owns what," he said.

In his letter to Edgar Woolard, Chairman and CEO of DuPont, Jarrett wrote "to express our grave concerns regarding DuPont management's alleged conduct at our Belle, West Virginia facility."

He then went on to mention
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Call Your Senator & Delegate At 1-800 642-8650 Ask Them To Support The Community Protection Act!

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White House Feud Slows Union Vote On Brown & Root

A feud between the White House and the Senate Republicans has left the National Labor Relations Board (NLRB) short on members and unable to settle any labor-management disputes, including the one involving Brown & Root, according to a Charleston Gazette article in late January.

The Charleston Building and Construction Trades Council asked in early April of 1993 for the vote on the workers' behalf.

The NLRB was delayed for months by legal arguments made by Brown & Root about the number of workers who could vote.

The National Labor Relations

Boards' regional office in Cincinnati finally forwarded the case to Washington for a decision late last year.

However, there are only two sitting members on the five-member NLRB panel, and three are needed for a vote.

Senate Republicans blocked the Clinton administration's two Democratic nominees when the president delayed nominating the third new member, who would be a Republican, the Gazette reported.

Steve Midkiff, an organizer for the Charleston Building & Construction Trades Council, said "They're not just holding us

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Plumbers / Steamfitters Want To 'Turn the Tide'

"I think the members want to turn the tide on the non-union element who are taking the jobs they think they should be getting," said John P. Hickey, business manager of Wheeling-based Plumbers & Steamfitters Local Union 83.

"With the success that ACT had through the cooperation of all the affiliated locals, I can see improvement in the area of being able to give contractors better opportunities to get jobs."

The Local consists of about 340 members including 90 who are retired. The majority of the members work on commercial and industrial jobs, according to Hickey, although they also do some residential work.

Local 83 also maintains 14 apprentices who are required to complete five years of school and 8000 hours of on the job training. The apprentices' school year is September to May, and the students attend two nights per week, 3 hours a night.

Their advancement is based on 6 month increments, which means they have to work 800 hours per period as well as keep their schooling up to date in order to advance.

"We have our own facility, and its being upgraded constantly. I would say our school is probably as modern and up-to-date as any in West Virginia,"

he commented.

Hickey said one of the big problems members are facing has been ongoing for about the last eight years -- they have to go on the road more.

He said in many cases members may travel 250 to 400 miles away in order to find work.

"It's hard for them to be away from their families," he said.

He said he could remember when work was so slow there were members who traveled 1000 miles in order to get work.

Although the job market is slow, he said his members are better off than other workers.

"The members know they're lucky to have a Building Trades card in their pocket because it gives them a bigger chance for work. There are a lot of people who have it worse. I can call 350 to 400 locals in the U.S. and Canada looking for work for the members of Local 83."

Hickey said ACT is doing a lot to stem non-union work.

"I think ACT has been overwhelmingly successful in that area. But that isn't the only problem we have," he said.

"We also need to focus on the proposed legislation that is currently before the state legislature. ACT is working to get certain bills passed that are favorable to union labor, such as Cancer Creek and Community Protection," he said.

He added he's pleased ACT has opened an office in Clarksburg.

"There are a lot of problems in various parts of the state, but its hard to get the blessing of 100 percent. I understand that they can spread themselves too thin.

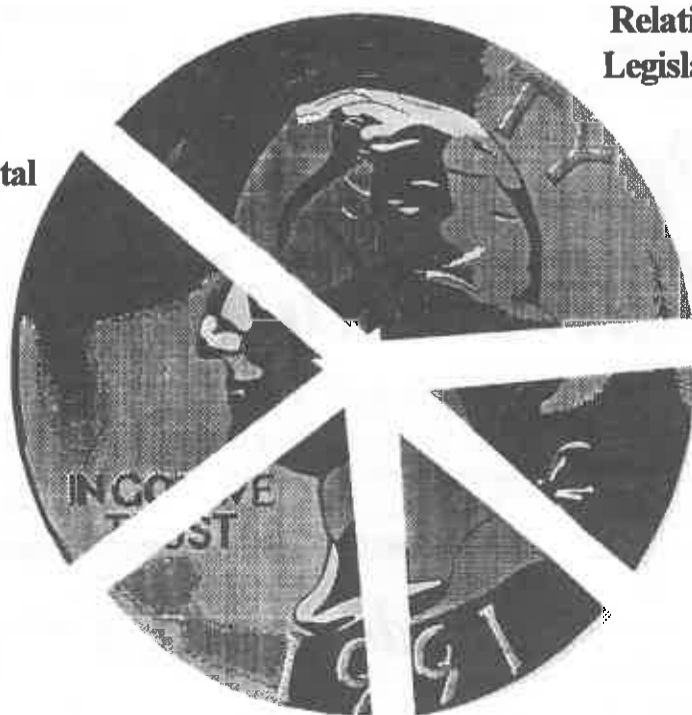
"But if everyone in the building trades would work in unity, I don't believe there would be anything they couldn't do.

"ACT would have the funding to take on a problem in any area and come up a winner."

Where Your Quarter Went ACT Expenditures 1993

Advertising, Public
Relations,
Legislative - 10 ¢

Environmental
Studies,
Legal - 6 ¢



Salaries, Benefits,
Payroll, Taxes - 5 ¢

Rent, Supplies, Travel,
Equipment, Misc. - 2 ¢

Income not
yet spent - 2 ¢

Reception

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the convention included a discussion of 1993 ACT budgetary expenditures, and an update on ACT projects. This included a review by Bill Thomas, ACT's industrial representative on the Construction Organizing Membership Education Training (COMET) program and the need to implement it.

Carl Cox, ACT's northern representative, talked about Pittsburgh Plate Glass' increased use of non-union contractors at its New Martinsville plant.

Finally, Tim Millne, ACT's prevailing wage representative; covered several cases in the program; Director Steve White reviewed ACT's Project Tracking System and public relations effort; Raymond "BB" Smith gave an update on the Community Protection Act's legislative status; Steve Burton, of the Tri-State Building & Construction Trades Council, gave an update on Cancer Creek and other current legislative issues; and Stuart Calwell, ACT's attorney, updated the delegates on the foundation's many on-going legal and environmental battles.

Teamsters Local 175**Teamster Construction Unit Finds Employment Goes Up**

It may surprise some, but the ACT Foundation's membership includes Teamster Local 175 in Charleston.

They're not the truck-driving Teamsters that many people think about whenever the nation's largest union is mentioned.

Instead, these Teamsters are members of Local 175's Construction Division.

There are approximately 100 members in that division out of the local's 2,800 members.

While Teamsters may generally specialize in truck driving, they also cover all aspects of labor from police to nurses, according to Dwight Sutton, Local 175's secretary treasurer.

"The difference between the Teamsters who are ACT members and those who aren't is the type of contract they work under, with the main difference being the work, such as highway or bridge construction, and building construction," he said.

The President of Local 175 is Ken Hall. He is also a business agent and an international repre-

Irey Offers Ex-Workers \$16,000 Deal

Frank Irey, Jr. Construction Co. has again offered a settlement, this time for \$16,591, to nine of its former employees who worked on the Marshall University Football Stadium project.

This is the second offer from the Pittsburgh-based Irey to settle the pension fund dispute.

The first offer to 12 employees was for \$16,651. In all, 21 former Irey employees will be paid more than \$32,000.

Tim Millne, ACT's fair contracting representative, said, "We're not finished with Mr. Irey. We're turning over all the information we have about the case to the Foundation for Fair Contracting in Pittsburgh."

sentative.

When asked what he thought his members expected to gain from being a part of ACT Sutton said "Exactly what we have gained."

"Our employment rate has gone up a lot, particularly in the last year. We have had more people working in the last year than in the prior two years combined. ACT has made a tremendous difference."

One of the problems facing

members is just getting work, Sutton said.

"So many people are reluctant to hire Teamsters for construction work. That's where ACT has played a major role in getting work back. They've been instrumental in getting contractors who are cheating--on taxes, on workers compensation. We've seen a real gain in jobs for Teamsters because of it."

Sutton said that ACT has been *(Continued On Page 4)*

Pittsburgh Plate Glass, Belleville Dam In Plan

Two projects evaluated at the annual ACT conference--one potential and the other on-going--involved the Pittsburgh Plate Glass Co. (PPG) of New Martinsville and a hydroelectric facility in Belleville.

Concerning PPG, Carl Cox, ACT's northern representative, said the company is increasing its use of non-union, out-of-state contract workers, possibly some illegal aliens.

"If a company is willing to use illegal aliens to save a dollar you can bet they'll short change not only the local labor force and economy but also the environment without hesitation," Cox said.

A confidential source said Brown & Root is trying to get work in PPG.

The Belleville effort began last summer when Bill Thomas, ACT's industrial representative, was asked to check into the project to "see what was going on."

"I sent a couple of letters to the owner, American Municipal Power of Ohio, asking for some information. It wasn't until the third letter, when I brought up the Freedom of Information Act, when they agreed to a meeting,"

Thomas said.

Thomas, along with ACT Vice President Earl Johnson and Dick Ullum, a board member, met with company officials in August. The three worried the project would be non-union or merit shop.

"We came out of there with a lot of concerns but we felt we could work with them," Thomas remarked.

All this may be meaningless, however. The whole project could be scuttled in a dispute over the route of a power line to transmit electricity generated by the dam.

Some argue there's no real benefit to West Virginia from the project because it's an Ohio consortium of local governments building it. However, ACT is gauging its impact on the local economy.

"With \$40 million earmarked for construction workers' wages, the benefits of having that kind of money put into the local economy should be weighed against other issues," Thomas commented.

He said those opposed to the powerlines are not opposed to the project, "but you can't have one without the other."

ACT has been working closely

Troubles Mount For Institute's Rhone-Poulenc

There's no letup in sight for Rhone-Poulenc's industrially-troubled Institute plant.

During the past month Rhone-Poulenc has been buffeted by:

- The disclosure that the company's total toxic releases climbed by 25 percent between 1991 and 1992 to more than 23.8 million pounds.

- The company's Rodimet unit reportedly is inoperative.

- A long-delayed internal report on the cause of Rhone-Poulenc's Aug. 18 explosion which killed one worker and injured others was not released until just before a federal OSHA report was released.

The 4.1 million pound increase in the amount of hydrochloric acid at Rhone-Poulenc sends off-site for treatment and resale accounted for most of the jump in toxic releases, according to a company report.

But while Rhone-Poulenc increased its emissions, other chemical plants in the Kanawha Valley report they're reducing the dangerous chemicals they pollute air, land and water.

The Rodimet Unit construction was completed last September with production slated to begin around the same time. So far, however, nothing has happened.

ACT's Bill Thomas said because of the Building Trade's organizing efforts, 500 workers--many from out-of-state--were added to Brown & Root's construction payroll to vote against the union in an up-coming recognition election.

Brown & Root

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up, they're holding up decisions all over the country."

In the meantime, Brown & Root will try to limit the number of workers voting in the election with impending layoffs among the valley work-force.

More than 400 Brown & Root workers will be laid off in late March when they finish building Carbide's \$30 million Triton Surfactant unit which makes chemicals used in soaps and detergents.

A federal ruling gives workers who have worked for Brown

& Root for 30 days in the last year, or 45 days in the last two years the right to vote in a union election.

That could mean as many as 2,500 workers will vote.

An ad is running in both Charleston newspapers, urging Brown & Root workers who are laid off to come forward and vote when the time comes.

"We're probably breaking records for waiting the longest time between filing and getting a vote," Midkiff said.

"We've waited a year for the vote. That's outrageous."

Pension Power Used In Battle

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the fact that construction workers employed at that facility by Brown & Root will be voting on union representation by the Charleston Building Trades in the near future.

"As owners, the United Brotherhood of Carpenters is very disturbed by the proliferation of rumors that DuPont's management has decided to remove Brown & Root as the preferred contractor in Belle if their workers vote for union representation," Jarrett wrote.

He then went on to make clear that he holds the company responsible for setting the record straight publicly.

That's necessary so the workers can cast their votes free from falsehoods perpetuated by either DuPont or Brown & Root, but only if that is the case and the rumors are untrue.

If it is DuPont's position that preferred contractors are automatically disqualified once their workers vote for union representation, the UBC strongly believes the company would be allowing an ideological prejudice against unions to compromise its otherwise prudent business judgement.

"Union representation would allow Brown & Root to take advantage of the union's first rate apprenticeship and training

program, would allow workers to alert their supervisors to safety concerns without fear of retribution and would produce a more stable workforce, all of which benefit DuPont.

Jarrett and other UBC pension fund chairmen believe disqualifying outside contractors from being preferred contractors solely on the basis of workers voting for union representa-

tion is a bad business move.

He said it could possibly threaten the status of their pensions.

The UBC fully intends to monitor the

activities of both DuPont and Brown & Root during the election campaign and to report those activities to other concerned shareholders, according to Jarrett.

"It's understandable that they would be concerned about the business decisions DuPont makes," said Steve White, ACT director.

"They have a lot at stake if the company makes a bad move. And it really seems unfair that they are owners of the company, in a sense, and the company turns its back on union workers."

In addition to DuPont, a similar letter was sent to Union Carbide and Rhone Poulenc from pension funds based in New York, Philadelphia, Toronto, San Francisco, New Jersey, Florida, North Carolina, Texas, Wisconsin, Louisiana, Nevada, Kentucky and additional funds in the United States and Canada.

"We wanted to get their attention," Jarrett said.

"The UBC will follow up with attendance at each company's next shareholders meeting."

Worker pension funds are a major economic force in this country. It is estimated that by the year 2000, pension funds will own more than 50 percent of the stock for the largest 200 U.S. corporations.

Community Protection Act

State's Cancer Creek Bill Faces Backdoor Approach

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requiring that only trained, skilled construction workers be allowed to build such facilities.

Currently, no training is required for chemical or other hazardous industry construction workers.

The campaign urging the Legislature to pass the "Community Protection Act" has already begun, with two commercials playing on statewide television.

WCHS of Charleston, WOAY of Oak Hill, WOWK of Huntington, WTAP of Parkersburg, WDTV of Bridgeport/Clarksburg, and WTRF of Wheeling are currently carrying a series of two commercials featuring the "Chemical Valley," where several plants are located.

The ads urge the Legislature to pass the measure, "before it's too late" and an explosion destroys a chemical plant in a mushroom cloud of smoke and debris.

"It's an effective way to show what can happen when people who build dangerous facilities don't know what they're do-

ing," said ACT Director Steve White.

ACT plans a major public relations, lobbying and advertising campaign during the Legislative session similar to last year's blitz urging opposing passage of the "Cancer Creek Bill."

That bill has yet to be put before a vote of the Legislature, due to an agreement between Governor Gaston Caperton and the Legislature, directing a review of state water pollution regulations by an independent special committee. However, the chairman of the committee resigned, and the status of the bill is unpredictable.

"The Governor and John Perdue, his administrative assistant, have insinuated to me that the issue is dead, and the administration is not pushing it," said Steve Burton, business manager of Tri-State Building & Construction Trades Council.

However, Delegate Debbie Phillips (D-Putnam) proposed an amendment to a bill that would provide a backdoor approach to

adopting Cancer Creek, Burton said.

"During the floor session on the bill, Delegate Larry Linch (D-Harrison) challenged the amendment, as well other delegates.

"Thanks to Larry, the amendment was stopped," Burton commented.

The bill would have mandated that state environmental regulations must be set at the lowest federal standards. "Just like the right-to-work arguments industry keeps pushing for low standards and we will fight them all the way," said Burton.

ACT has a new commercial running that urges the Governor to protect our waterways and to "Say No" to Cancer Creek.

"I think the commercial should help," Burton said. "It lets the public know that it's still an issue."

Burton said that the Governor requested that commercials about the Cancer Creek bill be stopped until the committee designated to study it made a decision.

"But since that hasn't happened, we went with this new one," he said.

"If the public doesn't want their water pollution standards to change, they should contact their legislators and tell them so," he said.

Teamsters Local 175

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an effective research tool for local business managers, and they do it much better.

"I don't know of any craft that could research the permits, and the taxes, and the payrolls, all of that, and do an effective job at it. Or good enough to stop the cheaters. ACT has been a God-send."

Additionally, Sutton cited the gains made in the Legislature as part of ACT's benefits.

"They've been a tremendous help. No-one ever thought they would reach the point they have [with Legislation]."

Advertising is also a positive aspect of ACT membership, Sutton added.

"ACT has created a new repu-

tation for unions. They've shown that we're neighbors, people you go to church with, people you deal with on a daily basis -- not thugs. It's created a positive image for all of us," he said

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