

B&R Union Election OK'd

After 14 months of waiting, the election for Brown & Root employees has finally been ordered.

On June 7, the National Labor Relations Board (NLRB) sided with the Charleston Building and Construction Trades Council and ordered that an election must take place within 30 days.

That means the election most likely will be held in the first week of July.

The NLRB also agreed with the Council on the Daniels Rule, and ordered that even laid-off workers have the right to vote. Brown & Root had tried to stop laid-off workers from voting.

"We've fought hard to get this far and we are going to go all out

for this election," said Bubby Casto, business manager of the Charleston Building Trades.

Brown & Root must turn over a list of eligible voters by June 14 to the NLRB. However, B&R has said that list will include only about 800 workers while Casto said it should include more than 1,500.

"We need all the help we can get to win this thing," said Casto, "If you know of someone who has worked for Brown & Root or can help in any way let us know."

To help or get more information, call the Charleston Building Trades at 343-6952.

'Build It, Dioxin Free, Hire West Virginians'

ACT Wants Mill's Commitment

ACT's long-running fight for a clean environment and good jobs for West Virginians was presented in force to state of-

ficials and industrial developers recently.

The occasion was a public hearing on a proposed pulp

and paper mill to be built at Apple Grove in Mason County. About 400 people attended the hearing held June 7 at Point

Pleasant High School.

At issue was not whether or not to build the mill but how to build it.

Steve Burton, business manager of Tri-State Building and Construction Trades Council repeated ACT's call for a commitment from the company, Parsons & Whittemore, to meet two requirements: build the mill dioxin-free and hire West Virginians.

"We want a commitment," Burton said. "That's all. Sound economic development requires the creation of quality jobs for local workers and a concern for the environment for future generations.

"Yet neither the proposed mill's owners nor state government officials will assure West Virginians they will receive either from the company owners."

Questions asked during the hearing centered on a commitment to hire West Virginians

and to use dioxin-free technology.

A rare appearance was made by a Parsons & Whittemore representative. When asked for a commitment to hire locally, company officials gave none. Yet sources in the West Virginia's economic development office said the mill's developers want a \$100 million state loan in addition to state tax credits.

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WAITING THEIR TURN to speak at the public hearing on the pulp mill are, from left, Steve Burton, business manager of the Tri-State Building and Construction Trades Council, Steve White, ACT director, and Kim Baker, president of the West Virginia Environmental Coalition.

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Officials Refuse To Guarantee Work For West Virginians

Mill Wants \$\$\$ Without Jobs Promise

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The hearing focused on Parsons & Whittemore's request for water and landfill permits.

Company officials previously said they could not build the mill without a change in state water standards.

ACT fought against that change with its "Cancer Creek" campaign and won a legislative study to see if such changes were necessary.

However, the permits recently requested meet the state's current standards.

"We've always said the mill could operate under our present regulations and this proves we were right," said Burton. "We want the mill built but we know we can get a better deal if everyone will sit down and talk."

The company still proposes to build its plant using outdated technology which produces deadly dioxin.

The U.S. Environmental Protection Agency has found dioxin to cause an increase in cancer and reproductive prob-

lems. Further, there is strong evidence exposure to dioxin causes suppressed immune systems leading to a greater incidence of disease.

The toxic effect of dioxin has been the focus of several fierce public health struggles over the last 20 or 30 years, including battles about the dangers of Agent Orange.

The impact on local residents while the mill is being built and when in operation, will be large and long-lasting.

"West Virginians have been victimized by awarding huge tax giveaways and tax credits to lure industry into supposed job creation projects with far too few results," Burton said.

"We won't let it happen again."

VA To Bid \$5 Million

When the Veterans Administration in Clarksburg reported it had selected a general contractor for a \$5 million expansion, ACT representative Steve Montoney was surprised. He thought the project wouldn't be bid until July 1.

On further investigation he discovered there had been no public notice or competitive bid on the project. And he found the project was part of a Small Business Administration program designed to help disadvantaged companies.

But Montoney wanted to know more about the program and how a project worth \$5 million could be handed out.

Montoney's persistence had an effect. The VA decided to put it out for public bid.

"I've got no problem with the SBA program," said Montoney. "I just wanted to make sure the program wasn't going too far or excluding other contractors for participating in the work."



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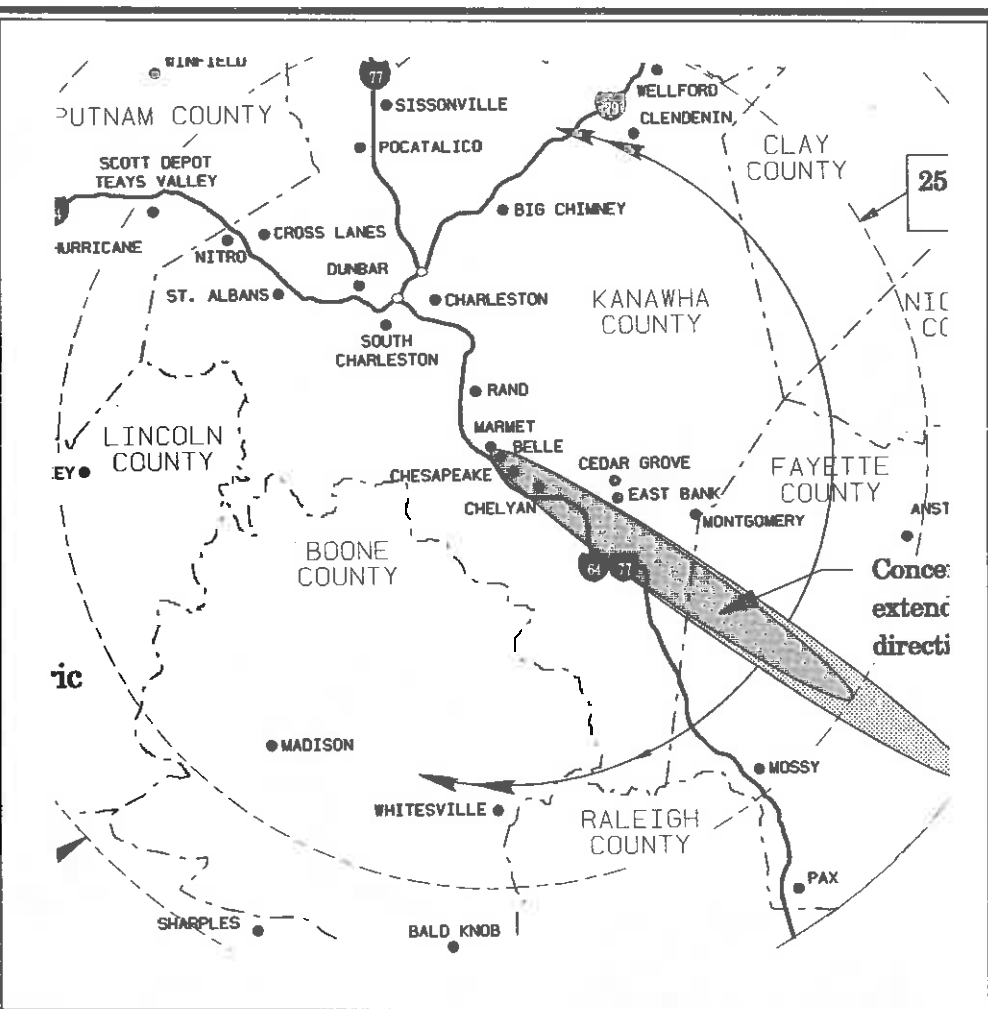
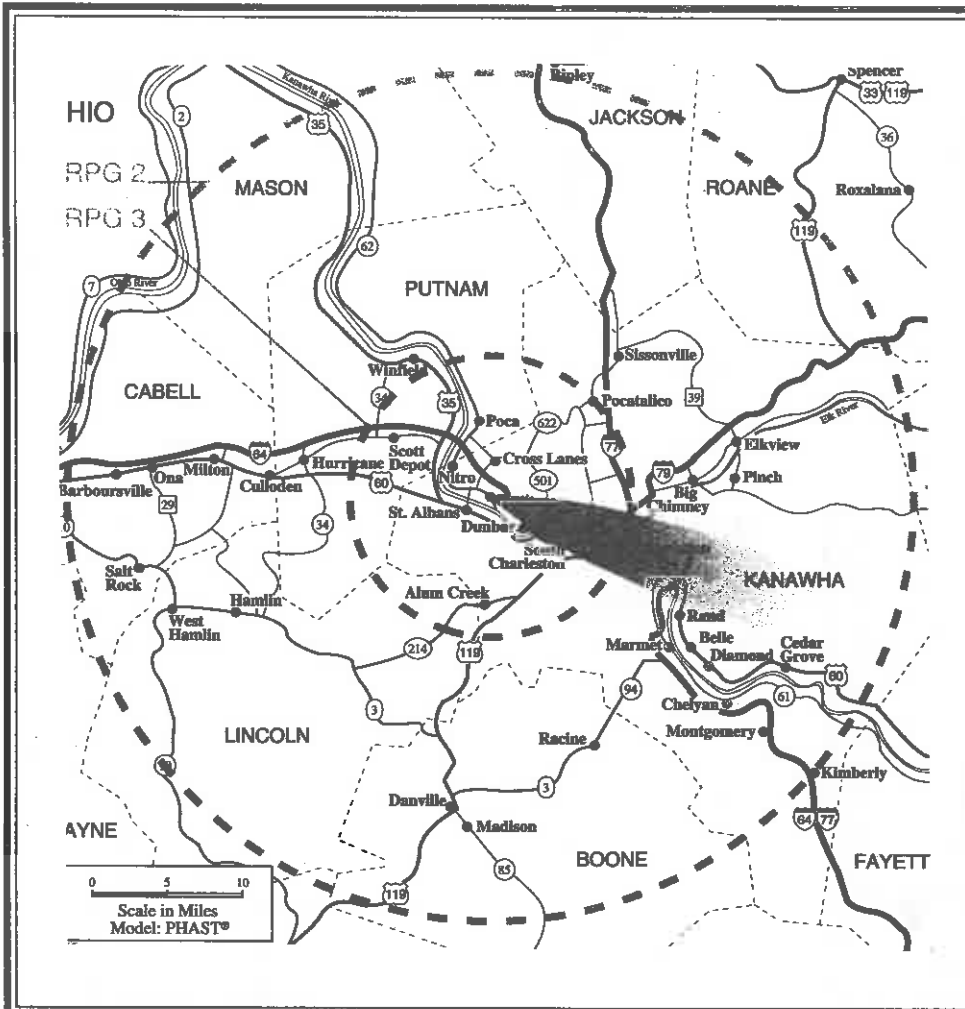
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SHOWING THE DEATH ZONE are two worst case scenarios released by the Kanawha Valley chemical industry. At left is Rhone-Poulenc's Methyl Isocyanate (MIC) scenario, and at right DuPont's ammonia. Each shaded area

is a chemical cloud, the inner ring shows where life-threatening health effects will occur, and the outer ring is where serious health effects will result. Both chemical companies use Brown & Root for construction and maintenance work.

Chemical Industry Releases Worst Cases

The chemical companies of the Kanawha Valley finally released their versions of worst case scenarios after years of pressure from local activists.

The matter was made into a public relations jamboree by the chemical industry which called the resulting trade show "Safety Street."

Every chemical corporation in the valley presented the pub-

FBI Project

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Nick Joe Rahall.

"Since we had some real dirt on the Clarksburg project, we brought suit against the FBI for its refusal to give us straight answers under the Freedom of Information," he said.

"Taking on the big dogs has become a part of life for the fair contracting program at ACT," Millne said. "Even the FBI can not put themselves above the law."

lic with three maps showing what areas would be affected by a chemical release from each plant. The maps showed the affects of individual releases of their three most dangerous chemicals.

The scenarios, in effect, described what would happen if the worst possible leak or spill would occur of one storage vessel -- how far away from the plant people would die, and how far away they would be affected by other health problems.

ACT is leading the fight for the Community Protection Act requiring chemical plants to hire certified skilled workers.

"The Community Protection Act is simply common sense," said Steve White, ACT director. "Why should we let untrained, unskilled, inexperienced people build something that has the potential to kill so many?"

"These scenarios show we must redouble our efforts to

prevent any accidents from happening and that begins with skilled workers. The next step is to look for ways to reduce risk at these sites."

In the flurry to reassure the public it was safe from harm,

the companies neglected to reassure workers that they, too, were safe.

Most of the accident histories provided at the exhibition by the companies said previous small chemical leaks had

caused no "off-site" consequences and created "no hazardous consequences outside the plant boundary." Most of the reports did not say whether there were any consequences within the plant.

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Update & Planning
Conference**

**10 A.M. Wednesday, June 22, 1994
Radisson Hotel, Huntington
Open to All ACT Affiliates
And Their members**

**For Further Information Contact your
Local Union Business Agent**



WORKERS SUPPORTING the union organizing effort of the Charleston Building & Construction Trades Council at Brown & Root are using this safety cartoon for a handbill.

B&R Cuts OSHA Logs In Half, Hides Injuries

After trying for months to get company logs filed with the Occupational Safety and Health Administration (OSHA) which list injuries of Brown & Root employees working at Kanawha Valley chemical companies, patience has paid off for ACT and the Charleston Building Trades

Well, at least half way.

The logs, known as OSHA 200s, arrived in the building trades office during the first week of June.

At Carbide, full pages were

provided while OSHA 200 logs from DuPont and Rhone-Poulenc were cut in half.

"We tried for months to get these logs but when we got them they were cut down the middle," said Steve Midkiff, organizer for the Charleston Building and Construction Trades Council.

"Now we have to file another complaint with OSHA to get the other halves of the pages," Midkiff said.

Brown & Root cut employee names, date of their injuries, job listing, and a description of injuries and illnesses.

"We're trying to check why they cut pages in two," Midkiff said. "It makes me think they have something to hide."

OSHA's compliance officer said Midkiff will get the other half because it's required.

The Brown & Root OSHA 200 log for Union Carbide shows 237 days listed as re-

stricted work activity.

"It's not the workers' fault," Midkiff said. "Ten of the 41 injuries listed on Brown & Root's OSHA 200 log for Carbide were helpers. That's almost 25 percent. These guys don't get enough training."

Midkiff was a Union Carbide construction worker for 15 years.

"When I worked there, there was no such thing as restricted duty," he said. "If you couldn't do your job, you didn't work."

There are other questions Midkiff has about the logs.

"We have eyewitnesses to injuries which took place but aren't listed on these logs," he explained.

According to these logs, Brown & Root's safety record isn't all that they said it was, Midkiff added.

"It's not what they claim it to be," he said. "There's a lot more than meets the eye."

ACT Asks Court For FBI Payrolls

The ACT Foundation is seeking a Freedom of Information Act (FOIA) injunction against the Federal Bureau of Investigation (FBI) in United States District Court.

"We had all we could stand," said Tim Millne, ACT's fair contracting representative.

"We repeatedly asked for information about the FBI Center in Clarksburg because we had legitimate questions. But we didn't get a hill of beans from them," Millne said.

ACT began investigating the construction activities at the FBI Center when George Hyman Construction was bidding.

ACT previously investigated the company when it bid for work on the Beckley Prison. Enough information was gathered by the Foundation to get Hyman thrown off that project.

ACT requested, under FOIA, public documents regarding the FBI contract, including a copy of the contract, a list of the subcontractors, the notice to proceed, a copy of the pre-qualification statement, and a variety of payroll requests.

"These were lawful requests, but we were practically ignored on every one of them," Millne said.

Instead of providing the in-

formation within 10 working days as required by the law, the FBI told Millne his request was "number 10,001" on a list and would get to it on a "first in, first out" basis.

Millne said since the agency had taken such careful steps to circumvent ACT's requests, he decided to take another avenue to get information about the project.

"I handed out handbills to workers on the project and began getting surprising responses. We found a contractor was paying people cash and overtime at straight time," he explained.

"And we found workers who were paid at a laborer's rate but doing the work of higher-paid crafts."

Millne also said a worker who was injured on the job found that the contractor hadn't paid into the Workers Compensation Fund when he submitted a claim.

He since has been laid off but has been unable to get unemployment compensation because the contractor hadn't paid into that fund, either."

ACT has asked its lawyers to look into these and other issues. And an ACT-demanded audit of the project reportedly is being conducted at the request of U.S. Rep.

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