

Boilermakers File Charges With NLRB, Workers Picket Weyerhaeuser In Protest

UNFAIR LABOR practice charges have been filed with the National Labor Relations Board (NLRB) by the International Brotherhood of Boilermakers.

The charges involve the main contractor on the \$120 million Weyerhaeuser mill in Braxton

The discrimination charges were filed in mid March, and about twenty union members have been picketing the job site ever since.

County and are a result of the union's Fight Back program, according to Bill Thomas, ACT's industrial representative.

About 140 union workers applied for advertised jobs with Casey Industrial Construction of Portland, Oregon but none were offered jobs until after the company realized the Boilermakers were trying to organize the

project, Thomas said.

The company continues to hire non-union workers from all over the U.S. to avoid offering the 140 local people jobs.

About half of the 140 were members of the International Brotherhood of Boilermakers. Crafts represented in the suit include pipefitters, millwrights, boilermakers, operating engineers, and bricklayers.

"Everyone of those people were well qualified for the jobs," Thomas said. "There was no reason not to hire them, other than the fact that they were union members."

The discrimination charges were filed in mid March, and about 20 union members have been picketing

the job site ever since.

Thomas said the NLRB has begun its investigation which will

more than likely continue for a couple of weeks.

"I think the Boilermakers and

other unions have a strong case of discrimination including other violations against Casey," Thomas said.

"The Boilermakers are prepared to go the distance because they have a lot of evidence to back up the charges."

ACT has been monitoring the project since it was first bid about a year ago, he said.

"We're pleased to provide the support and do the research for the crafts that are trying to organize," he said.

"This case, like many others, is about a union person's right to work on a project.

"And exercising his or her right to organize other workers on that job," Thomas said.



ANGRY ABOUT DISCRIMINATION, union members show their displeasure to non-union workers entering and leaving the Weyerhaeuser job site.

Grant County Hospital Probe Pays Off, Six Workers Given \$18,000 In Back Pay

AFTER MORE than a year of perseverance, all the trouble has finally paid off, just a bit," said Steve Montoney ACT's northern representative.

Grant Memorial Hospital was recently forced by the West Virginia Division of Labor to pay six employees of Gerald Sites Construction who were working on the hospital parking lot \$18,905 in additional compensation, which included benefits.

"They were paid the differ-

ence between the prevailing wage and what they actually received."

The Grant County Commission had earlier challenged the local wage rates in order to construct the \$8 million Grant County Memorial Hospital expansion project with sub-standard wages and no benefits.

The commission had conducted its own 'survey' of the area in an attempt to lower wages on the project.

When the matter reached a courtroom, the judge decided the prevailing wage would remain at its current rate.

When they couldn't lower the prevailing wage they tried another way to get out of paying prevailing wage, Montoney said.

According to Montoney, the hospital claimed their own employees were doing the work when in fact they were former or current employees of Gerald Sites Construction.

"It was an obvious attempt to circumvent prevailing wage laws," Montoney said. "I couldn't imagine they would pull employees from their hospital and put them on heavy equipment to build a parking lot."

The West Virginia Division of Labor then became involved at ACT's request.

"Those people didn't even know they weren't employees of Gerald Sites, until they got

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AFL-CIO Endorsements Show Changes

YOU'LL NOTICE there are a lot of familiar names absent from the endorsement list for this primary election," said Raymond "B.B." Smith.

"The AFL-CIO meant it when it said we were going to remember workers' comp in '96," he

said.

The federation endorsed 70 candidates who do not hold office. It backed only 21 current legislators, and refused to endorse incumbents who voted to gut workers' compensation.

"Union members work hard

to back politicians who say they will back us," Smith said. "But too often when it comes down to the wire, they treat us like second class citizens."

One noticeable change on the endorsement list is a lot more rank and file union members.

"It's good to see people who are true union supporters," Smith said.

Two of the AFL-CIO endorsed House of Delegates candidates are ACT employees: Bill Thomas, industrial representative, in the 32nd district and Steve

Montoney, northern representative in the 37th district.

Smith said all ACT members should be receiving a letter and card from their business agents soon asking for volunteers this election season.

"The building trades are getting a lot more involved in the political arena, and we want our members to become more involved as well," Smith said.

"Members have to realize how much a good candidate can help when it comes to passing laws in our favor," he said. "But first they have to get elected."

West Virginia AFL-CIO Primary Election Endorsements

STATEWIDE

U.S. Senate: Jay Rockefeller
Gubernatorial: Charlotte Pritt
Attorney General: Darrell McGraw

Justices of the Supreme Court:

Joseph P. Albright (12 yr. term)

Arthur M. Recht (12 yr. term)

Robin Davis (unexpired term)

CONGRESSIONAL

1st District: Alan B. Mollohan

2nd District: Bob Wise

3rd District: Nick Joe Rahall

STATE SENATE

1st: John G. Chernenko

2nd: Gene Tribett

3rd: Louis F. Flade

4th: Steve Donohew

6th: John Pat Fanning

7th: Moss R. Burgess

8th: David Grubb

9th: Bruce O. Williams

10th: Bill Morefield

11th: Bob Holliday

12th: Mike Gissy

13th: Vernon Swisher

14th: Jon Blair Hunter

16th: Herb Snyder

17th: Richard L. Hines

STATE HOUSE OF DELEGATES

1st: David Scott Barrett
Jeff Davis
Loretta Price (R)

2nd: Paul R. Higgins

3rd: Tal Hutchins
Paul Rusen

4th: Kenneth D. Tucker
Scott G. Varner

5th: Mark Tucker

6th: Kenneth R. Livingston*

7th: Paul Janes

9th: Larry Godfrey

10th: Sam Henry
Fred Gillespie (R)

11th: Joseph L. Weiland II*

13th: Brady Paxton
Gary Tillis*

14th: Larry W. Robinson

15th: David Bell (R)
Mark Forest Underwood

16th: Susan Hubbard
Joe Hutchinson
Jack R. McComas

17th: Jerry "Mike" Damron

18th: Larry Jack Heck

19th: Grant Preece

20th: Tracy Dempsey
Harry Morgan Freeman
Noel A. Napier
David E. Whitman

21st: Ernie Kuhn

22nd: Mike Joe Gonzales

23rd: Ted Angle
Joe Sparks

24th: David C. Smith

25th: Richard D. Flanigan
Gregory S. Prudich

26th: Mary Pearl Compton

27th: Larry Van Cox
Virginia Mahan
Warren R. McGraw II
Clyde D. McKnight Jr.

28th: Jim Gerl
Tommy D. Scarles

29th: Sidney Fragale
Tom Louisos

30th: Pam Nixon
Conni Gratop Lewis
Curtis G. Robinson, Jr.
Larry L. Rowe
Gary L. "Gig" Robinson II
Sharon Spencer
Roger L. Weir

31st: Norman Ferguson

32nd: Lucille "Lue" Chandler
Bill Thomas*
Debra Whanger
David R. Workman

33rd: David A. Walker*

34th: Brent Boggs

35th: George Kallai

37th: Stephen W. Montoney*

40th: Steve Tilson

41st: Ron A. Fragale
Larry Linch*

42nd: John R. Taylor

43rd: Mike Caputo
Paul E. Prunty
Nelson Jay Starcher

44th: Bob Beach
Eugene Claypool
Barbara Fleischauer
Twila S. Metheny

46th: David "O.B." Collins

51st: Larry D. Miller

54th: Laura R. Rose

56th: Dale Manuel

*Indicates building trades members. Please note: Districts not listed had no endorsed candidates or no action was taken.

Hospital

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their first paycheck from the hospital," Montoney said.

Despite the evident success, Montoney said he will continue to monitor the hospital project.

"The design-build deal negotiated with Virginia-based general contractor Howard Shockey continues to bother me," he said.

Montoney believes the project should have been offered for competitive bidding rather than private negotiations.

He said the process used by the hospital shut out a large number of West Virginia contractors and workers, both union and non-union, from jobs.

"Any project funded by taxpayers must be put out to bid," he said. "But this one wasn't.

"Instead of resenting having to pay prevailing wages to local people, they ought to realize it can only boost the local economy. We deserve to work for good wages, especially when we pay the bills."

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; Jay Harrison, Vice President; T.L. Ranson, Financial Secretary; Roy Smith, Executive Director; Steve White, Director.

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'This is an award for damages.'

Tri-State's Discrimination Suit Nets Workers \$30,000 Backpay

The ACT Report will no longer publish the names of people involved in salting due to the nature of construction work. Future employers may see their names and decline to hire them for that reason.

A \$30,000 back pay settlement has been reached in the Tri-State Building & Con-

nation.

The six were illegally laid off by Resources Consultants & Developers, Inc. (RCDI) of Parkersburg because of their union affiliation, according to Tom Williams, organizer for the Tri-State Council.

Of the six men involved, one is a Boilermaker, two are Oper-

The six workers have already received their checks in varying amounts, Williams said, and all were employed one month or less.

Three received \$4,000, two received \$4,800, "significantly increasing their earning wage above the \$10 and \$12 dollar per hour level at which they had been hired," Williams said.

One worker who received

\$8,360 was hired at \$7 per hour and worked just over two weeks.

"His compensation for time worked turns out to be in the neighborhood of \$100 per hour," he said.

"The reason for the varying amounts was because it was based upon wages the individuals were receiving prior to their termination, and the length of time their particular job would

have lasted," Williams explained.

The project drew heat by local workers because of its lack of jobs for local people.

Of the 27 sub-contractors hired for the sizable project, only one was from the tri-state area.

Williams said he was happy with the outcome of the case.

"I'm pleased with the way we were able to set up the award.

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struction Trades Council's case against the general contractor on the Foster Foundation's retirement complex, the Woodlands Retirement Community, in Huntington.

The charges were filed in the fall of last year with the National Labor Relations Board on behalf of six workers and were based on employment discrimi-

ating Engineers, one a Laborer, and one a Cement Finisher.

The sixth worker, a Carpenter, was not a union member.

Williams said a hearing before an administrative law judge was slated for mid-March, but a decision was reached prior to actually convening the session.

"The settlement was agreed to by all parties," Williams said.

Workers' Memorial Day Rally

April 28, 1996 - 6:00 p.m.

On April 28, workers, families, union members, the West Virginia AFL-CIO, and gubernatorial candidate Charlotte Pritt will be at Hough Park in Mannington (near Fairmont) to remember workers who died on the job.

This is the day unions have set aside to observe the dangers of hazardous jobs, and to renew the fight for safe work places.

Legislation is now pending in Congress to weaken the Occupational Safety and Health Act (OSHA).

Hopefully, Workers' Memorial Day will help focus greater attention on workplace conditions and further efforts to defeat this legislation.

SAFE JOBS

The fight of our lives

Directions To Hough Park: From I-79 North or South—get off at the South Fairmont Exit—proceed to downtown Fairmont—take 250 North to Mannington for approximately 12 miles—look for Hough Park sign. (Approximately one mile to park).

Highlights of West Virginia AFL-CIO Statewide Election Endorsements

For Governor: Charlotte Pritt

- WV House of Delegates - 1984-1988
- WV State Senate - 1988-1992
- Served on Small Business Committee, Judiciary Committee, Banking and Insurance Committee and the Finance Committee.
- Rated 100% voting record by the AFL-CIO on labor issues.
- Named Legislator of the Year by numerous groups and organizations for her work on issues that helped consumers, small businesses, the environment, working families, women and children, and seniors.
- Named Woman of the Year by the Charleston Area Professional & Business Women's Club.

For U.S. Senate: Jay Rockefeller

- Successfully stopped repeal of Davis Bacon.
- Protected Medicare and medicaid from attacks.
- Protected OSHA from being gutted.
- Successfully brought jobs to West Virginia: among them Sino-Swearingen Aircraft - 100% union built; and NGK Sparkplug plant - 100% union built.

For Attorney General: Darrell McGraw

- Served as counselor to the Legislature
- Served as Chief Justice of the Supreme Court
- Served as Counselor to former Governor
- Was named Appellate Judge of the Year
- Received the Susan B. Anthony Award
- Currently serves as Attorney General

For Supreme Court 12 Year Term: Joe Albright

- Native of Wood County
- Member of Law Review
- Won Webber Prize for Appellate Advocacy
- Served as attorney for the City of Parkersburg
- Former Asst. Prosecutor for Wood County
- Currently serves as 66th Justice of the West Virginia Supreme Court of Appeals
- Past Speaker of the House of Delegates

For Supreme Court 12 Year Term: Arthur Recht

- Native of Wheeling
- Judge of the First Judicial Circuit, Hancock, Brooke and Ohio Counties
- Chairman of the Committee on Legal Ethics, WV State Bar
- Member of Governor's Committee on Selection of Judicial Candidates for Circuit Courts
- Assistant Solicitor of the City of Wheeling
- Represented industrial and building trades unions in the northern panhandle

For Supreme Court Unexpired Term: Robin Davis

- West Virginia Celebrate Women Award for Outstanding Achievement in the Professions 1991
- Subscriber to the AFL-CIO Lawyers Coordinating Committee
- Successfully defended labor unions in proceedings before the NLRB and the W. Va. Human Rights Commission
- Successful in making out-of-state contractors and employers respect the rights and the contractual obligations owed to the working people of West Virginia.

'It's the deal that stinks'

ACT Gives 70,000 First Whiff Of Mill

ACT CAUSED a statewide uproar recently when it mailed a scratch 'n' sniff card to more than 70,000 residents.

ACT director Steve White said the organization

trick," White said.

The final product was mailed to people living in areas surrounding Mason County where the mill is slated to be built.

smells that go with everything. It's all a matter of what part of the deal it is."

White pointed out mill-owner Parsons & Whittemore refuses to commit to hiring West Virginians to build and operate the mill.

It also won't promise to use up-to-date technology which does not produce deadly dioxin.

Also discussed in the card is the \$738 million tax credit package offered to the company, \$580

'We wanted to do something that would grab everyone's attention. And this certainly did the trick.'

ACT Director Steve White

million in road construction, 10,000 trees per day and 56 million gallons of water per day needed by the mill.

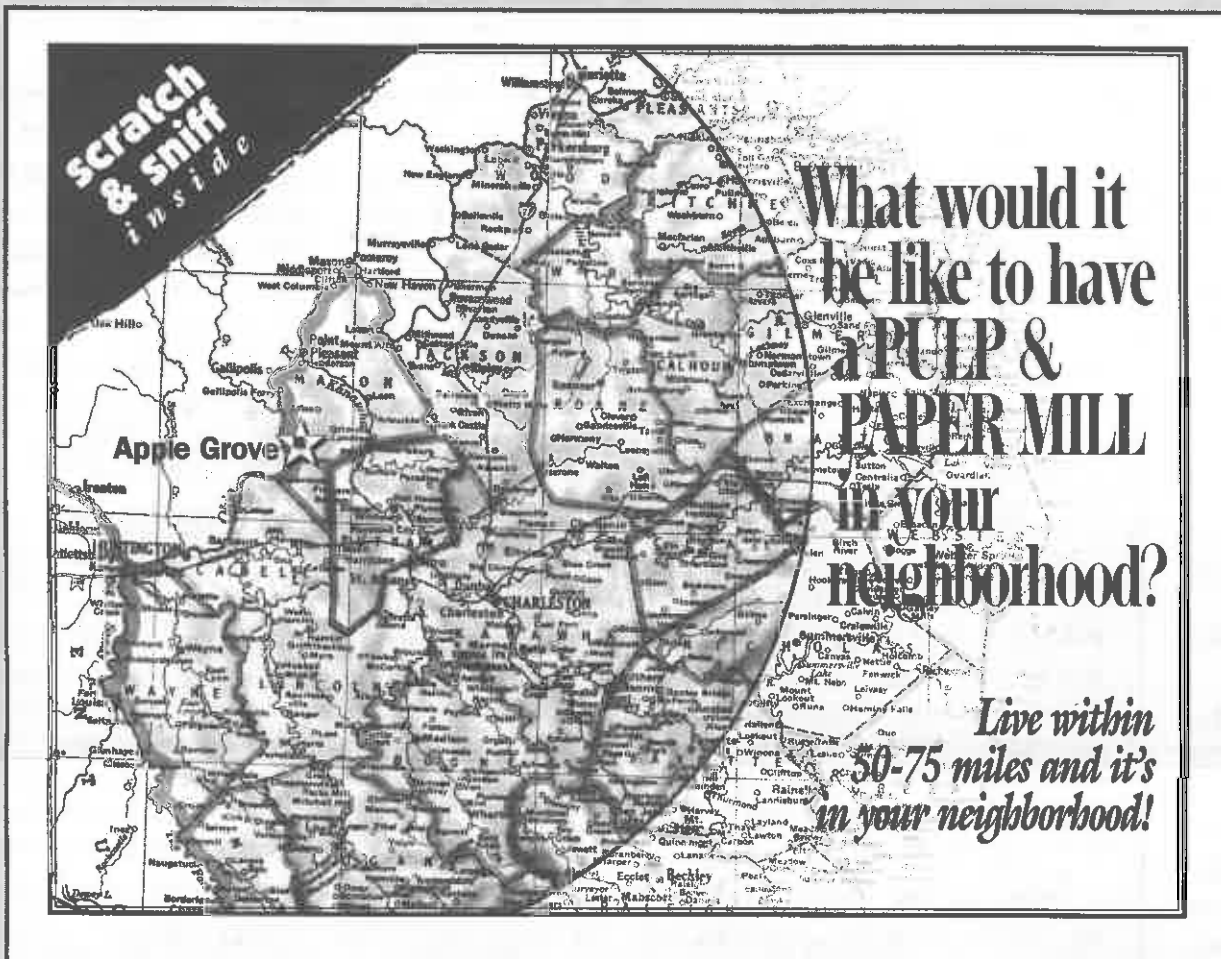
"We would be all for something that would truly benefit the people of West Virginia," White said. "But what Parsons & Whittemore is offering isn't worth what we are being asked to give."

White said the card welcomed calls from people with questions about ACT's position on the pulp and paper mill.

The ACT office received hundreds of calls generated by the card, he said.

"They averaged about five to one in agreement," White said.

"And once we explained our position to those callers who were in disagreement, most of them changed their minds."



worked on the project over two years.

"We wanted to do something that would grab everyone's attention. And this certainly did the

No matter how bad it smells, White said, the worst part is the deal the company is offering.

"It's the deal that stinks," he said. "There are

Tri-State/RCDI Settlement

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In the words of the judge, "this is an award for damages," Williams said.

He also said he would like to

thank the six workers involved in this case.

"They were willing to make the sacrifice to go to work for the non-union company with no

guarantee of reward.

"I'm glad we have members who are willing to take the chance and do what's right."

Williams said he didn't know if the settlement would convince RCDI to go straight, but it would definitely have an effect on other non-union contractors.

"One of our objectives is to organize contractors, and one step in that process is to level the playing field when it comes to construction wages."

"Non-union contractors do have a network," he continued, "and they will know that fair wages have to be factored into estimates when they bid work in Huntington, West Virginia."

ARE YOU REGISTERED TO



With the Primary Election drawing near we need to work to get as many of our members registered as possible. You may register at your County Courthouse or by returning a postcard registration form. Postcard forms are available through the ACT office at (304) 345-7570.

THE DEADLINE IS MONDAY APRIL 15TH

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