

Labor's Future Is Uncertain

Election Will Bring Changes

The loss of the governor's race was a hard blow to organized labor.

Issues such as right-to-work, prevailing wage, local jobs, the Mason County pulp mill and workers compensation are predicted to be battle grounds for the next four years.

ACT Director Steve White pointed out construction workers could be hard hit by changes in the West Virginia Division of Labor which has been very successful in administering the state

prevailing wage system and enforcing the contractors licensing laws.

"Our future is uncertain," commented White.

"We now must pick up the pieces and come up with a plan for our survival."

**Steve White,
ACT Director**

"Governor Caperton, Joe Manchin and others have blown a hole in the democratic party. They abandoned its candidate and even resorted to sabotage.

"We now must pick up the pieces and come up with a plan for our survival."

Although losing in the

governor's race, AFL-CIO endorsed candidates won many other contests.

After Long Battle at Weyerhaeuser Unions Reach \$130,000 Settlement

More than 130 construction workers will receive about \$1,000 each from the company that built Weyerhaeuser's new wood plant in Braxton County under a recent National Labor Relations Board (NLRB) settlement.

The NLRB found Casey Industrial violated federal law by refusing to hire union members to work on the plant in Heaters.

Here is how COPE endorsed candidates fared in the November 5th General Election:

Federal Races:
U.S. Senator Jay Rockefeller
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According to Ron Bush, business manager for Boilermakers 667, at least 138 union construction workers tried to get jobs on the project and were turned down.

"Every one of those people were well qualified," Bush said.

"There was no reason not to hire them, other than the fact that they put 'volunteer union organizer' on their applications."

Organizers on the job found out Casey sub-contracted work to a South Carolina company.

"While we were applying they were bringing people in from out-of-state," Bush said.

"Weyerhaeuser talked a lot about local hiring but their contractors did just the opposite."

Pickets went up in protest last March and April.

The effort was led by Boilermakers Local 667, and also involved members from Operating Engineers Local 132, Pipefitters Locals 625 & 152 and Bricklayers Local 15.

Bush said the workers were pleased with the settlement as were the business agents.

"They were glad to get the money, but would have liked the opportunity to organize the job.

"This case was really about a union person's right to work on a project and exercise his or her right to organize workers.

"Casey also agreed to a preference."
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Out-Of-State Company Released From Contract

Union Picket Gets Jobs For Local Workers

About 25 union members picketed a Holiday Inn in Bridgeport Oct. 29 protesting an out-of-state contractor hired for renovations, according to

Steve Montoney, ACT's northern representative.

It was also learned that workers on the job were Turkish Nationals, legally in this country

but more evidence of a disturbing trend of the out-of-state invasion local workers face.

As a result of the picket, union contractors representing elec-

tricians, painters and roofers have been hired to work on the project, and more are expected, Montoney said.

"In fact, the main contractor, Prestige Stucco of Atlanta, Ga. was relieved of their contract.

"The hotel owner agreed to use contractors from West Virginia, thereby using workers from West Virginia," he said.

Montoney said the Prestige received a cease and desist order from a compliance officer with the Division of Labor for failure to obtain a West Virginia contractor's license and not having a wage bond.

The picket was initiated by LeRoy Stanley, organizer for the North Central Carpenters District Council based in Bridgeport.

Other locals participating were Sheet Metal Workers Local
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PICKETING the Bridgeport Holiday Inn by several union crafts brought jobs for local workers. The out-of-state general contractor was replaced with West Virginia contractors.

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Involvement With School Boards And County Commissions Key To Success

The importance of union members becoming involved in their communities was demonstrated recently by Bud Parsons, assistant business manager of Operating Engineers Local 132's Clarksburg office.

Parsons is also on the Tucker County Board of Education and was instrumental in getting the Board to pass at least two resolutions that support local hiring on publicly funded projects.

Last month Parsons intro-

duced a resolution to set guidelines on what qualifications a responsible bidder must have.

"We want to make sure any contractor who builds our new Tucker County High School meets certain basic qualifica-

tions," said Parsons. "These qualifications include taking part in an apprenticeship program, having a good track record, employing a skilled and local work force, participating in health and pension funds, and a number of other items."

"We will look at the lowest bid, but we will also consider other factors when awarding a project," Parsons said.

Last June Parsons proposed a resolution to support local hiring on tax funded projects.

"In general the resolution simply stated we support local hiring for local projects," Parsons said.

ACT has a bill designed to accomplish local hiring -- the West Virginia Jobs Act which would require 90 percent of the workers on publicly funded construction projects to be hired from the local work force.

Both resolutions passed unanimously.

Many believe the role of county government in West Virginia combines to a power equal

to that of governor.

County commissions, school boards, planning and economic development commissions are found in every county. Together they make up a powerful force in our communities and have a big impact on job opportunities for construction workers.

"If we took the time to participate in each county commission and school board in this state we would be a much more successful force than we are today," commented Tri-State Building Trades representative Steve Burton.

Burton worked successfully with the Wayne County School board to get a similar resolution passed early this year, and Cabell County last year. He also is a member of the state School Building Authority.

"The governor's race is important but the way to win is to start from the county level and work our way up.

"And along the way we can help our communities tremendously," he said.



MEETING with other Tucker County School Board Members is Bud Parsons, center, business agent for Operating Engineers Local 132. The Board recently passed two resolutions in support of local workers and quality construction.

More OSHA Enforcement And Safety Training Needed

Charleston Locals See Four Dead In Six Months

Two workers died in October after falling from bridges in different accidents marking four deaths for Charleston-area Locals within the last six months.

George Robertson, 40, of Pritchard died after an Oct. 28 fall from the Holden Bridge in Logan County.

The accident is still under investigation.

Robertson was a member of Carpenters Local 1207 in Charleston and had been a member of Laborers Local 543 in Huntington, with a long history of trades membership.

"George was a straight up guy," said Bob Sutphin, business manager for Local 1207.

"He was very personable,

very friendly. I don't think he'd ever met a stranger, and everyone that worked with him felt he was a true friend and a good man," Sutphin said.

Sutphin said a fund will be set up for Robertson's family following the Local's November meeting.

Anyone interested in donating to the fund can make checks out to Mrs. George Robertson and mail to Local 1207 at 205-A Tennessee Ave., Charleston, WV 25302.

Harvey Canada, a member of Carpenters Local 1207, was working on a downtown Charleston building when he died from a fall in July of this year.

Ironworkers Local 301 member Daniel "D.J." Lewis, II, 26, died from a fall from the Chelyan Bridge on October 8.

"I think safety netting and tie-offs should be used on all high work if it's feasible."

***Jim Hammock,
Iron Workers Local 301 President***

Lewis, of St. Albans, had just completed his apprenticeship but was already considered a top hand, according to Jim Hammock, president and apprenticeship coordinator.

Hammock said OSHA is investigating the accident.

Because the two most recent deaths were falls from bridges, some have questioned why

safety netting is not required on bridge work.

"Safety netting would have helped," Hammock said. "If he

fell on the inside of the bridge on netting, he would still be here."

The state requires either tie-offs (safety harnesses) or netting, not

both, he said.

"I think safety netting and tie-offs should be used on all high work if it's feasible," he said.

Donations are being collected to help Lewis' mother pay the funeral expenses.

Anyone who would like to contribute can call the Ironworkers Local 301 office at 342-5343 for more information.

Local 301 also lost a member in a June accident at a Charleston parking building.

Freddie Searls, 57, of Hamlin, was killed when a 10-ton concrete slab fell on him.

These deaths have prompted calls for more emphasis on safety and training programs as well as more enforcement by OSHA.

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 Turpley, President; Steve Burton, Vice President; T.L. Ramon, Secretary Treasurer; Roy Smith, Executive Director; Steve White, Director.

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NLRB Charges Company Unfair

The general contractor on the Elk Two Mile Watershed project in Kanawha County was recently slapped with a complaint and notice of hearing from the National Labor Relations Board.

Charges were filed against Scott Depot-based B.F. Foster Co., Inc. by Local 132 earlier that month on behalf of a worker who was fired because of his union affiliation.

"B.F. Foster implied to an employee that he was being discharged in retaliation for his support for and activities on behalf of a labor organization," the complaint reads.

The company implied to its employees that it "would not rehire an employee because of the employee's support for and activities on behalf of a labor organization."

A hearing has been scheduled for February 18.

Foster's office and job site were picketed by Operating Engineers Local 132 and Laborers Local 1353 in early June.

Separate charges were filed on behalf of 32 applicants who the union alleges were not hired because of their union affiliation.

"The NLRB failed to act on those charges because of a lack of evidence," said Gary Tillis, Assistant Business Manager for the Laborers District Council.

Inside sources say the company hired two workers after they turned down the 32 union members, but proving this turned out to be difficult.

Shortly after firing the union organizer Foster requested the NLRB hold an election. "First he fires a union organizer and lets it be known he won't hire union members," said Bruce Tarpley Business Manager for Operating Engineers Local 132.

"Then he calls for an election," Tarpley said.

"I think he is trying to use the NLRB to get us off his back, and I think it won't work."

The NLRB has put the issue of an election off until the unfair labor practice charges are resolved.

Election Will Bring Changes

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and all three incumbent members of Congress, Alan Mollohan, Bob Wise and Nick Joe Rahall won re-election.

All are Democrats and were COPE endorsed.

Statewide:

While losing in the effort to elect Charlotte Pritt as governor COPE endorsed candidates were successful in other statewide races.

Longtime labor-supported Darrell V. McGraw won re-election as Attorney General while Larry Starcher and Robin Davis both won seats on the Supreme Court of Appeals. All three are Democrats.

State Senate:

COPE Endorsed candidates John Pat Fanning (D-McDowell), Jon Blair Hunter (D-Monongalia) and Herb Snyder (D-Jefferson) were successful in their efforts to win election to the State Senate.

Two other AFL-CIO backed Senate candidates went down to defeat. Lois F. Flade (D-Calhoun) failed in his attempt to unseat Senate Minority Leader Donna Boley while incumbent David Grubb (D-Kanawha), a longtime friend of working-people, lost his bid for re-election to Republican Vic Sprouse.

House of Delegates:

COPE endorsed candidates

Election Results For West Virginia AFL-CIO Endorsed Candidates

STATEWIDE

Bill Clinton ✓
President

Jay Rockefeller ✓
U.S. Senate

Charlotte Pritt
Governor

Darrell McGraw ✓
Attorney General

Larry Starcher ✓
Supreme Court (full term)

Robin Davis ✓
Supreme Court (unexpired term)

U.S. HOUSE OF DELEGATES

Alan B. Mollohan ✓
1st District

Bob Wise ✓
2nd District

Nick Joe Rahall ✓
3rd District

STATE SENATE

3rd: ~~Louis F. Flade~~

8th: ~~David Grubb~~

16th: **Herb Snyder** ✓

6th: **John Pat Fanning** ✓

14th: **Jon Blair Hunter** ✓

STATE HOUSE OF DELEGATES

1st: **Jeff Davis** ✓
~~Loretta Price (R)~~

Mark Forest Underwood ✓ 30th: ~~Pam Nixon~~
Larry L. Rowe ✓

16th: **Susan Hubbard** ✓
~~Joe Hutchinson~~

Sharon Spencer ✓

3rd: **Tal Hutchins** ✓
~~Paul Rusen~~

17th: **Jerry "Mike" Damron** ✓ 32nd: ~~Bill Thomas*~~
Debra Whanger

4th: **Kenneth D. Tucker** ✓
Scott G. Varner ✓

David Workman

18th: **Larry Jack Heck** ✓

34th: **Brent Boggs** ✓

5th: ~~James Fauber~~

19th: **Grant Preece** ✓
Harry Keith White ✓ 38th: ~~John J. Tucci~~

6th: ~~Kenneth R. Livingston*~~

20th: **Tracy Dempsey** ✓
Greg A. Butcher ✓ 41st: **Ron A. Fragale** ✓
Larry Linch* ✓

7th: ~~Paul Janes~~

21st: **Ernie Kuhn** ✓

43rd: **Mike Caputo** ✓
Paul E. Prunty ✓

9th: ~~Larry Godfrey~~

23rd: **Joe Sparks** ✓

10th: ~~Sam Henry*~~
Fred Gillespie (R) ✓

25th: **Richard D. Flanigan** ✓ 44th: **Bob Beach** ✓
Mike Buchanan ✓
Eugene Claypole ✓
Barbara Fleischauer ✓

11th: ~~Joseph L. Weiland II*~~

26th: **Mary Pearl Compton** ✓

12th: ~~Gimny Starcher~~

27th: **Virginia Mahan** ✓ 46th: **David Collins** ✓
Warren R. McGraw II ✓

13th: **Gary Tillis** ✓

28th: **Thomas W. Campbell** ✓ 51st: ~~Larry D. Miller~~

14th: ~~Debbie Phillips~~

29th: **Tom Louisos** ✓ 54th: ~~Laura R. Rose~~

15th: ~~David Bell (R)~~
Margaret Leach ✓

56th: **Dale Manuel** ✓

*Indicates building trades members, ✓ indicates winners.

for 55 of the 100 seats in the West Virginia House of Delegates. Of those 36 (65%) were successful in the November 5th balloting. Unfortunately, of the six building trades members vying for election to the House only two, incumbents Gary Otho Tillis (D-Putnam) and Larry Linch (D-Harrison), were successful.

\$130,000 Settlement

Continued from page 1
erential hiring arrangement for the workers, too," Bush said.

The \$120 million Weyerhaeuser plant makes oriented strand board, and employs 180 full-time workers. Bush points out that state tax funds helped pay for the mill.

Tax free bonds financed \$30 million and another \$70 million came from county-sponsored revenue bonds.

"This is a perfect example of why the West Virginia Jobs Act is needed," commented Bush. "If our tax money is used, local workers should get the jobs."

Temporary Agency Attacks Construction Workers

Trades/ACT Target Non-Union Hiring Agency

The ACT Foundation rented a bus in early November and hauled 30 workers from the Tri-State Building and Construction Trades Council to meet 20 members of the Charleston Building Trades.

Their purpose -- to apply for positions at Labor Ready, the newest temporary construction employer in the area.

Eight crafts were represented including Laborers, Operating Engineers, Carpenters, Bricklayers, Electricians, Painters, Cement Masons and Pipefitters.

Manpower type agencies are now said to be the largest employers in the country. They are popping up more often in the construction industry and represent a new type of attack on construction workers and their families.

Labor Ready, a South Charleston Company, opened in late September and is based

on the same premise -- to help non-union contractors find cheap workers.

"This company is like the Hiring Hall but bigger," said Tom Williams of the Tri-State Building Trades. "It has over 100 locations and it's not a franchise, it's all owned by the same organization."

Labor Ready pays all of the overhead associated with employees -- including workers comp, social security, state and federal taxes.

The employers pay directly to Labor Ready, who in turn pays the employee. The company claims to save money on help wanted advertising, overhead, and pension plan costs.

"I guess that just means the workers don't have a pension plan," said Williams.

"We put in applications for all types of construction jobs," he said. "They now have a great

pool of labor to draw from."

"We learned in the Hiring Hall campaign that these temporary services can be a great organiz-

ing tool," said Williams.

"We have several union members that are out of work and really need a job. But we make

sure the company is aware that these guys are working with the Building Trades and are acting as voluntary union organizers."



APPLYING FOR JOBS at Labor Ready in South Charleston, a non-union temporary hiring agency geared toward the construction industry, are members of the Charleston and Tri-State Building and Construction Trades Councils. About fifty members put in applications, making sure to list themselves as voluntary union organizers.

Embassy Suites Sub-Contractor Charged By Labor Board

The National Labor Relations Board (NLRB) issued two unfair labor practice complaints on October 31 against sub-contractor, Dee Shoring Co. of Richmond, Va., at the Embassy Suites Hotel project in Charleston, W. Va.

"These NLRB complaints back our claim that Dee Shoring

is guilty of illegal discrimination, intimidation and coercion," said Gary Tillis, Assistant Business Manager for the Laborers District Council of West Virginia.

The first complaint alleges Dee Shoring illegally fired two employees because of their union affiliation.

Both workers were members

from the Tri-State Building Trades who applied through the Hiring Hall, a non-union referral service that recently shut down.

The second alleges Dee Shoring's superintendent threatened to fire employees, withheld pay raises and "gave employees the impression their union activities were being kept under surveillance."

According to Tillis, workers voted on July 12th to go out on strike, "after repeatedly asking for better wages, hours and working conditions."

Workers had asked for a ten minute break but were told no organized breaks are allowed.

"Working ten hours a day in the hot sun they were only allowed to take lunch," Tillis said.

"They couldn't take a ten-minute break to sit down."

A hearing has been scheduled for late February, 1997.

Union Picket Gets Jobs

Continued from page 1

cal 33, Cement Masons Local 711, Teamsters Local 789, International Brotherhood of Electrical Workers Local 596 (IBEW), and the North Central Building and Construction Trades Council.

"When we picketed the hotel, Hope Gas, a natural gas company was holding a convention and board meeting there," Montoney said.

"It turned out to be a union company that employed members of Allegheny Mountain Gas Workers Local 999."

Montoney said the company honored their picket and pulled out of the hotel.

"We heard they cancelled their reservations for all the people staying there and the meeting rooms and moved to a hotel down the street.

"It seems that the IBEW had honored one of their pickets when they were striking and they

returned the favor."

Having customers actually pull out in support of union workers "really made the management sit up and take notice," he said.

"It wasn't five minutes before a hotel representative came out to talk with LeRoy [Stanley]."

Impac Hotel Group purchased five hotels including those in Bridgeport, Fairmont and Morgantown. The others are in Florence, Ky. and Syracuse, N.Y.

The company plans to spend around \$3.7 million on updating the three local hotels, with the Fairmont Hotel getting a \$700,000 renovation. The Bridgeport and Morgantown Hotels will each be updated for \$1.5 million.

Work has not begun on the Fairmont or Morgantown Hotels.

"Hopefully, what we accomplished in Bridgeport will carry over to the other two projects."

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