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The ACT Foundation is a division of The West Virginia State Building and Construction Trades Council, with offices in Charleston and Clarksburg. Steve Burton, President; Roy Smith, Secretary-Treasurer; Steve White, Director.

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Trades Sign Agreement To Build Proposed \$850 Million Power Plant

Massachusetts based GenPower is planning to build an \$850 million coal fired power plant in Monongalia County. And an agreement has been reached to use all union trades to get the job done.

The North Central West Virginia Building Trades and the West Virginia State Building Trades have signed a Memorandum of Understanding with Robinson Run Power, LLC, a subsidiary of GenPower to build the 600-megawatt plant.

This memorandum says that any contractor hired to build the plant must sign a project labor agreement with the trades. Bechtel Construction has already been chosen as the

contractor for the project.

"GenPower is the kind of company we like to deal with," said Natalie Stone, Executive Secretary for the North Cen-

The project is expected to create three years of construction work for all trades.

"This construction work will be a huge boost to the local

construction wages."

Much work still needs to be done before the plant is built. Negotiations over economic development incentives are still taking place. Permits still need to be approved and financing has yet to be secured.

"These are complex projects trying to move forward in an uncertain business climate," said Snyder.

But if the project is built it is now clear that at least 1,200 local union workers will be the ones on the job.

"This contract is another example of what can happen when unions and companies open the lines of communication early in the process," said Stone. "And it was the ACT Foundation that helped us open those lines of communication."

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NATALIE STONE, EXEC. SECRETARY, N. CENTRAL WV BUILDING TRADES

tral West Virginia Building Trades. "This agreement was signed, sealed and delivered within a two-week period, with perfect cooperation between both parties."

economy," said Darwin Snyder, President of the North Central. "Because of the multiplier effect these jobs are expected to pump millions into the local economy from con-

Two Operating Engineers Receive \$17,000 ULP Settlement From ASI RCC Dam Project

Two Operating Engineers won a \$17,000 settlement for unfair labor practices committed during an organizing campaign at the \$19 million Bluestone Dam project in 2001.

"We are thrilled for the workers," said Rodney Marsh, Organizer for the Operating Engineers Local 132. "They stuck their necks out there and trusted the justice system and it came through for them."

Nat Carter received money as part of the settlement because the Colorado based company ASI RCC refused to reinstate him after he stopped pick-

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NAT CARTER (Left) and Donnie Carter display their checks from ASI RCC, which settled their unfair labor practice cases out of court.

Operating Engineers File ULPs Against Greenbrier Sporting Club, Lynch Const.

The Greenbrier, a high class resort, is showing no class when it comes to supporting local workers.

Out-of-state workers are building new Greenbrier Sporting Club facilities, which will include several construction projects worth millions of dollars.

Members of Operating Engineers Local 132 are picketing to protest the Greenbrier's violation of federal labor laws by the Greenbrier and Lynch Construction.

Members of the Greenbrier Sporting club pay \$85,000 per year.

They are accusing the Greenbrier Sporting Club of driving down living standards and wages for local construction workers by hiring less qualified migrant workers.

"There are two separate issues we are dealing with here," said Donnie Huff, Director of

Organizing for Local 132.

First, the Greenbrier Sporting Club has hired Medalist Golf Inc., which has in turn hired West Contracting to build its new golf course. Both are out-of-state contractors, which are allegedly hiring migrant workers.

The second issue is with Lynch construction, which is working on numerous projects for the Sporting Club and the Greenbrier.

Lynch has a contract with the Operators but, Henry Lynch, the company's owner, has refused to abide by the contract.

"It just isn't right for Lynch to pay operators \$10 dollars per hour," said Huff.

"We have filed several unfair labor practice charges against Lynch and the Green-

brier for a range of violations of the National Labor Relations Act (NLRA)."

According to Huff, informational handbilling began around the first of June at the gate of the Greenbrier.

To make a bad situation worse, on June 20 the White

But the information was still not getting to the members of the Greenbrier Sporting Club.

Huff along with Organizer Rodney Marsh tried to reach their intended audience on August 1 by going inside the Greenbrier to handbill in front of the Greenbrier Sporting Club Office.

They were arrested for trespassing.

The following charges have been filed

against the Greenbrier with the National Labor Relations Board:

1. Refusing entry to the Greenbrier property to perform duties under a collective bargaining agreement with Lynch Construction.

2. Interfering with, threatening and demanding that organizers leave while exercising Section seven rights under the NLRA.

3. Arrest while exercising Section 7 rights under the NLRA.

Several unfair labor practice charges have also been filed against Lynch Construction for threatening to close the operation in an attempt to stop union activity and circumventing the existing bargaining agreement with the Operating Engineers.

All of the charges are pending with NLRB Region 11. "We have a hearing on my Motion to Dismiss the trespassing charges on August 27," said McHugh. "If the case is not dismissed I am prepared to take other legal action. The Greenbrier shouldn't get away with trampling their Section 7 rights."

"Win or lose, we will fight for our members' jobs," said Ronnie Burdette, Business Manager for Local 132. "At the very least we hope to show the public how unfair the resort is to local workers."

'WIN OR LOSE, WE WILL FIGHT FOR OUR MEMBERS' JOBS.'

RONNIE BURDETTE, BUS. MANAGER, IUOE LOCAL 132

Sulphur Springs Police Department threatened protestors with fines and even arrest if they didn't stop handbilling.

When the police showed up to break up a June 24 picket, legal counsel for Local 132 Jim McHugh was there to meet with the police chief.

After informing the police about the First Amendment and Section 7 of the NLRA, the police left the protesters alone.

Asbestos Workers Local 80 Launches Website

Asbestos Workers Local 80 now has a stop on the information superhighway.

The new web page, located at www.awlu80.com, covers everything from the history of the insulator's local to information on the advantages of joining a union.

"We wanted to start the site to get important information to our members more quickly," said Steve Pigg, Business Manager for Local 80.

The site includes links to other unions' sites as well as

links to the Division of Labor, OSHA and other useful sites.

Another major part of the site is the section on health care. It contains information on mesothelioma and a list of PPO providers.

"Along with getting info out to the members we will also use the site as an organizing tool," said Pigg.

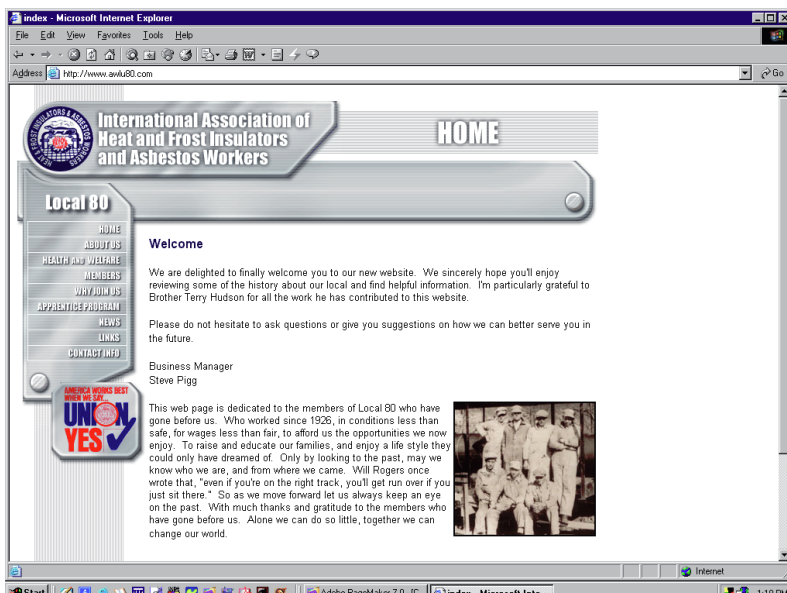
The site also has information on the advantages of collective bargaining for workers as well as an overview of the apprenticeship program.

Also noteworthy is the site's

news page, which will contain links to relevant news articles for union members.

"We are working on getting a contact page set up complete with email addresses, but for the time being we encourage people to contact us at our current email address, Awlu80@msn.com," said Pigg.

"I think the site will be a success," said Pigg. "I would like to thank Terry Hudson for all of his hard work on the new site. I know he contributed many hours of his time."



Local 80 member Terry Hudson helped put the site together. Check it out at www.awlu80.com

Unsafe Contractors Keep OSHA Busy In WV

OSHA has been busy around the state, and not just on union jobs.

Union leaders reported violations on three separate projects and each led to serious fines.

called to my attention by the Painters' organizer, Gerald McMillion," said Carl Harper, Business Manager for Roofers Local 185. "Steve Burton got additional details, then I called OSHA."

"These lawbreakers will

'THESE LAWBREAKERS WILL SOON LEARN WE HAVE EYES AND EARS EVERYWHERE AND WE ARE MORE THAN WILLING TO BLOW THE WHISTLE ON THEM WHEN THEY ENDANGER WORKERS.'

CARL HARPER, BUS. MANAGER, ROOFERS LOCAL 185

OSHA confirmed ACT independent tests results; subcontractors doing abatement work at WVU Tech in Montgomery were not properly disposing of asbestos.

OSHA has fined Salrecon LLC, a subcontractor of Harco Construction, \$35,400 for 11 violations including endangering workers and the public by exposing them to deadly asbestos.

"This is proof that if we work together we can get much more accomplished," said Steve Keller, Organizer for Asbestos Workers Local 80. "If we continue to work as a team the building trades will be an unstoppable force."

OSHA was also called in to investigate Foam Coat Roofings and Coatings Inc., a non-union roofing contractor, at a Wayne County elementary school for not ensuring that a power line was far enough above the roof they were constructing.

"This OSHA violation was

soon learn we have eyes and ears everywhere and we are more than willing to blow the whistle on them when they endanger workers," said Harper.

Currently Foam Coat is charged with nine violations and will be fined \$3,100.

Finally, Lang Brothers, which is working on the Coal Field Expressway in Raleigh County, was fined a total of \$12,000 for five violations.

As previously reported, Rodney Marsh of Operating Engineers Local 132 took photographs of Lang employees in an unsecured ditch, which OSHA ranks as a serious violation.

"I'm glad OSHA responded to our call for an investigation so quickly," said Marsh.

"We are a little disappointed the original \$54,000 fine was reduced to \$12,000. It was obvious those guys were in real danger."

OSHA has not officially closed any of these investigations.

Carpenter Local 1207 Lends a Helping Hand

THE CARPENTERS volunteered their time to the Salvation Army by helping construct facilities at Camp Happy Valley earlier this summer. (L to R) Back row: Mac Stone, Donald McNeil, Edward White, Darrell Burford, Floyd Holstine, Roger Johnson Middle Row: Kelth Jividen, Kenny Rooper, Laurel Davis, Front row: Ben Shamplin, Tim of G&G, Dave Morris.

President Bush Bans PLAs

President Bush has struck a terrible blow to construction workers and their families by outlawing Union Project Labor Agreements for all federally funded projects.

The U.S. Court of Appeals for Washington, D.C. upheld a controversial executive order banning

PLAs on federal projects or projects receiving federal funds.

The order prohibits federal agencies, recipients of federal assistance, and construction managers acting on behalf of such agencies, from using PLAs

on their construction projects.

"With the stroke of a pen President Bush has taken food off the table for thousands of construction workers and their families," said Roy Smith, Secretary-Treasurer of the West Virginia State Building Trades.

used on parts of a project that are not federally funded.

In addition, the order says contractors and subcontractors can voluntarily enter into PLAs binding only their contractors and subcontractors.

"The Court's decision and the order are outrageous," said Steve Burton, Business Manager for the Tri-State Building Trades. "I guess the President is under

' WITH THE STROKE OF A PEN PRESIDENT BUSH HAS TAKEN FOOD OFF THE TABLE FOR THOUSANDS OF CONSTRUCTION WORKERS AND THEIR FAMILIES.'

ROY SMITH, SEC. TREAS., WV STATE BUILDING TRADES

"PLAs let union workers sell their skills for large projects. Bush has taken that away."

The order severely limits the use of PLAs on federally funded projects, but it doesn't shut the door completely.

Labor agreements may be

the false impression that PLAs cost the taxpayers more money, when the opposite has been proven time and time again, when you consider quality, quantity of skilled workers needed, safety, repair cost and many other factors."

DOL Cites N.C. Contractors For Illegal Workers

Thanks to the Bricklayers and ACT, the West Virginia Division of Labor (DOL) has cited two out-of-state contractors for using undocumented workers at the New Pointe Shopping Center in Clarksburg.

The Bricklayers have been picketing the site to protest the use of imported workers.

Two North Carolina subcontractors are using imported workers to build the new Lowe's and more strip mall space.

According to DOL officials, three of the four citations were issued to subcontractors working for the John S. Clark company on the strip mall site.

The other improper documentation citations were issued to subcontractors working for general contractor James R. Vannoy on the Lowe's site.

In addition to the improper documentation citations, two

Settlement

CONTINUED FROM P. 1

eting. The National Labor Relations Act protects a worker's right to protest, and ASI RCC broke the law by trying to punish Carter for his protest. Carter was compensated for the wages he would have earned had he been properly reinstated.

Donnie Carter, Nat's brother, received his portion of the \$17,000 because ASI assigned him to lower paying work after he agreed to return to work. The money was to compensate him for the hours he would have worked in his original position.

"These workers got about



MEMBERS OF BRICKLAYERS Local 15 man a picket line to protest the use of imported workers at the New Pointe Plaza in Clarksburg.

masonry subcontractors were issued cease-and-desist orders for operating without a West Virginia contractor's license and failing to post a wage bond on the strip mall site.

According to John Jenkins, a DOL supervisor, some of those masonry contractors' workers may still be working at the site for legal contractors.

"The general contractors ignored our contractor's bid which was invited when they

needed to replace the illegal masonry contractors," said Leroy Hunter, Business Manager for Bricklayers District Council.

"A few days later we talked to the out-of-state contractor who got the work.

"He told us that the general contractor put his workers on its payroll while he was getting his contractors license."

Contractors from other local trades also bid on these

90 percent of the wages they would have actually earned on that job," said Ronnie Burdette, Business Manager for Operating Engineers Local 132.

"ASI must have known they broke federal labor laws to settle for 90 percent out of court."

This battle began in August 2001 when several workers including Nat and Donnie Carter announced that they were voluntary union organizers for the Operating Engineers Local 132.

The organizers were immediately threatened, scrutinized and isolated when they returned

to work.

These actions led to an unfair labor practice picket at the job site.

Union leaders later agreed to an unconditional return to work.

Then the company committed the above-mentioned violations against the two workers.

"It is very important to let these out-of-state lock and dam repair contractors know that with the help of ACT the unions will be ensuring that they do the right thing because there are several dam projects in the area right now," said Burdette.

projects, but didn't win the bid.

"A union electrical contractor bid on the project and got beat by thousands of dollars even though they were permitted to bid at light commercial rates," said Hunter.

Light commercial rate allows the union pay rate to be less than normal because of the small size of the job.

"Big retailers like Lowe's come into West Virginia all the time using imported workers to build their facilities, while expecting local people to spend their money there," said Kerry Davis, Central WV ACT Representative.

"Local people shouldn't support companies who don't hire local workers."

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Paden City Labor Day Celebration Schedule

- | | |
|---------|--|
| 11 a.m. | Labor Rally at the old middle school |
| 12 a.m. | Parade Line-up at American Legion Hall |
| 4 p.m. | Concert -- Shhabang
Sponsored by Marshall, Tyler, Wetzel Labor Council |
| 8 p.m. | Concert -- Rick K & the All Nighters
Sponsored By ACT |

CABLE CHANNEL 9
Steubenville, Follansbee &
Wellsburg
daily @ noon

CABLE CHANNEL 10
Wheeling, St. Clairsville &
Moundsville
daily @ noon

WEST VIRGINIA WORKS SHOWTIMES

WOAY 4
Oak Hill
Sundays @ 11:00am

★ New Station & Time
WCHS 8
Charleston,
Huntington, Parkersburg,
Beckley, Bluefield
Sundays @ 11:00am

WDTV 5
Clarksburg &
Morgantown
Sundays @ 11:00am