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

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Local Jobs, Health Care Top Legislative Issues

Local jobs and health care will be two top issues for the ACT Foundation during this years legislative session

The 2006 session started on Wednesday, January 11 and will end Saturday, March 11.

A top priority of the ACT Foundation and West Virginia State Building Trades is to renew the WV Jobs Act. The Jobs Act requires local workers get the construction jobs which state and local tax dollars create.

The law was passed in 2001 then again in 2003. Each time a "sunset" provision was placed in the law requiring it to be reviewed.

The law states that on

projects costing more than \$1 million at least 75 percent of the workforce must come from the local area. Local area is broadly defined to include anyone within West Virginia or who lives within

require local workers on our tax funded projects, we don't need to study it any further."

ACT will also be promoting passage of a bill to require that workers on public projects have

offer health care plans to their workers.

"We think the money earmarked for health care should actually go to health care," said Mark Estlack, head of the WV Carpenters Council.

Last year the bill passed two committees in the House of Delegates but died because of opposition from the Contractors Association of WV.

"We want the legislature to do something to help the average construction workers to keep their health care," said Estlack. "This is a simple and important step in the right direction."

Another issue hurting workers is known as the "Underground Economy." Illegal workers, cash payments, scam

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"WE KNOW IT MAKES SENSE TO REQUIRE LOCAL WORKERS ON OUR TAX FUNDED PROJECTS, WE DON'T NEED TO STUDY IT ANY FURTHER"
GARY TILLIS, BUSINESS MANAGER, WV LABORERS DISTRICT COUNCIL

75 miles of the borders.

"This time we need to pass it, and end the constant review," said Gary Tillis, Business Manager of the Laborers District Council of West Virginia.

"We know it makes sense to

health insurance.

Rising health care costs are fueled by huge costs for those who do not have insurance. All public construction contracts allow money to go towards workers health care costs. But some contractors do not

Contractors Respond to Comp Program

The new LEAD Workers Comp program is off to a strong start for 2006.

At least 68 union contractors from across the state have decided to give the program a chance.

With a combined payroll in 2005 of almost \$90 million the group represents more than \$6 million in annual premium payments.

That buying power, and the cooperation of the new BrickStreet Mutual Insurance Company is already paying off.

All companies in the LEAD Workers Comp program will be eligible to qualify for BrickStreet's drug-free workforce discount program. The discount is worth five percent of premium costs.

Further savings, as much as an additional five percent, will be had once these companies adopt a "Return-to-Work" policy.

Participation in the program

is open to any union contractor affiliated with the building trades.

The cost savings are good news for union workers as well.

Not only will these union employers be more competitive, cre-

ating more job opportunities for union members, the program will also focus on job site safety and improving the way injured workers are treated after an accident.

BrickStreet Mutual has put to-

gether a team of claims staff to focus on injured workers who opt into the voluntary program.

Injured workers will have access to a nurse consultant 24

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ACT DIRECTOR Steve White leads a discussion about the new workers compensation program with contractor and labor representatives during a meeting sponsored by the North Central WV Building Trades on December 19 in Clarksburg.

CONGRESSMAN MOLLOHAN QUESTIONS BILLION DOLLAR PROJECTS

National Windmill Forum Held in Charleston

The federally funded National Academy of Sciences held a public meeting about windmills in Charleston on December 14.

The groups "Committee on Environmental Impacts of Wind Energy Projects" held the meeting at the Charleston Civic Center.

The stated purpose of the meeting was to gather opinions from and give information to West Virginians about the possibility of constructing more wind farms in West Virginia.

According to David Policansky, project director of the committee, 60 to 70 people attended the meeting.

But the real reason may have been Congressman Alan Mollohan's outspoken opposition to these major construction projects.

The North Central West Virginia Building and Construction Trades Council had 38 union members in attendance to show their support for the construction of more wind farms in the state.

According to Natalie Stone, Executive Secretary for

North Central, Congressman Alan Mollohan was expected to attend the forum but didn't, nor did he provide any representation. However testimony from the Congressman was read in which he denounced the windmills.

Mollohan was responsible for securing tax payer funding for the committee to host the meeting in Charleston.

Currently, Tucker county, near Thomas, is home to a the only wind-power producer in West Virginia, a 44-turbine Mountaineer Energy Wind Center owned by Florida Power and Light. According to Darwin L. Snyder, Business Manager for IBEW Local 596, the Backbone Mountain project created about 300 construction jobs when it was built between May and December 2003.

At least four new wind projects are proposed for West Virginia.

U.S. WindForce wants to build a 50-turbine project called Liberty Gap LLC on Jack Mountain in Pendleton County. They also received permission for an 89-turbine project on 12,000 acres in the Mount Storm area of Grant County from the state Public Service Commission (PSC) but are waiting for investors before con-



INFORMING THE NATIONAL Science Academy of the good construction jobs created by windmill projects is a member of the North Central WV Building Trades who worked on the Backbone Mountain project

originally proposed a 200-turbine project, in Grant County.

Shell WindEnergy agreed to honor the agreement originally made between NedPower and North Central in 2002 committing the project contractors to hire local union workers.

Invenergy LLC has asked the PSC to approve a 124-turbine project in Greenbrier County in November, 2005. Ongoing discussions with the Charleston

Building Trades will hopefully result in an agreement similar to those reached by the North Central Building Trades.

Together these windmills represent more than \$1 billion in new construction projects and will create hundreds of good paying union construction jobs.

"Now that the permitting process has begun on these projects,

support becomes a priority," Stone said. "That's why our members came to Charleston to attend the meeting."

Opponents of the wind farms cite the harming of birds and their migratory patterns.

According to a report released by the Government Accountability Office (GAO) about the environmental impacts of wind energy, "it does not appear that wind power is responsible for a significant number of bird deaths," while it acknowledged

that more reports need to be done on wildlife impacts of wind power.

An American Wind Energy Association analysis, predicted wind energy could grow nationally from generating enough power to serve 1.6 million homes today to 25 million homes by 2020.

The industry analysis predicted wind power would generate at least six percent of the nation's electricity. It generates less than one percent now.

Upcoming Public Hearings Please Attend

Shell WindEnergy's Grant County Project

Thursday, January 26, 6:30 - 8:30 p.m.
Mount Storm Volunteer Fire Dept.

U.S. WindForce's Liberty Gap Project

Wednesday, February 1, 7:00 p.m.
Pendleton County High School auditorium

structing the project.

The company has an agreement with North Central to hire local union workers on both projects.

Shell WindEnergy has plans to build a 150-turbine project on 8,000 acres of mountain ridges in the same area. The company bought the project being developed by NedPower, which

To the families of the miners who fell victim to the Sago Mine disaster goes our most sincere sympathy. We must use this terrible tragedy as a reminder to focus on job site safety for all workers.

SBA Funds to Bring \$150 Million in New Construction

The state School Building Authority (SBA) approved funding for \$66 million in school construction projects for 2006 at its December meeting.

Together with local county funds this money will bring as much as \$125 to \$150 million in total construction, spread over 25 counties.

Most projects require the county come up with part of the project financing. Some counties will be putting bond issues to the voters to get their share of construction funds to match with SBA grants.

"The SBA tries to make the

taxpayers' money go as far as we can," explained Steve Burton, a member of the SBA and Business Manager for the Tri-State Building and Construction Trades. "Those who try to take care of themselves and step up to the plate to try to resolve their own problems, we recognize and we try to help."

Before a local school board collects the money from the SBA, the local share must be secured.

Jackson County will receive its funding only if voters pass a proposed \$26.6 million dollar bond that will be used to build two new middle schools and one new elementary school. The bond election will be held later this year.

Cabell County Board of Education will complement its approximately \$3.3 million in SBA funds with \$2 million already in hand that will be used to build a new Martha Elementary School.

According to Burton, there are cases in which there is very little chance of local funding and the SBA recognizes that, too. They don't want to leave anyone out and want the counties and their children to be able to take pride in their schools, regardless of size, and feel as important as the rest of the state.

These construction projects will go out for bids and will be awarded to the lowest responsible contractor under the laws of public contracts. Therefore,

all of the construction projects will pay prevailing wage.

"The prevailing wage supports communities, and the community benefits because they have a finished product that was built by a skilled taxpayer, and these buildings last," explained Burton.

The following counties were

awarded funding by the SBA: Berkeley, Cabell, Fayette, Grant, Hardy, Jackson, Jefferson, Lewis, Lincoln, Marion, Marshall, Mason, Mercer, Mineral, Monroe, Ohio, Pendleton, Pleasants, Preston, Putnam, Raleigh, Summers, Upsher, Webster, and Wyoming.

Local Jobs

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independent contractors are all aspects of the underground economy.

ACT is pushing the legislature to study the issue to find out what this illegal activity is costing tax payers.

"When illegal workers build West Virginia projects its not just construction workers who lose," said Leroy Hunter, Jr., Business Manager for the Bricklayers District Council of WV.

"Tax payers lose payroll taxes, local business lose sales, workers compensation loses premiums, and we really don't know how many millions of dollars are at stake."

Reforming election campaign financing is another issue supported by ACT.

Elections are dominated by money, and reformers are looking at ways to promote "Clean Election."

Other states have developed publicly financed systems that allow candidates to run campaigns without taking contributions from big donors.

The legislative session will also bring renewed attacks on workers.

Two issues are already being pushed by some business interests that cause concern.

The first is a renewed attack on those who suffer from exposure to asbestosis and silica dust.

Led by a major international insurance company an effort is

underway to cut off benefits to workers who are shown to be effected by these disease causing substances.

"Asbestosis is a terrible disease," said Steve Pigg, Business Manager of Asbestos and Insulators Local 80.

"This bill will make it harder, and more complicated for those who have been victims of industrial poisoning to get the care and compensation they deserve."

Another concern is an attempt by the state Chamber of Commerce to cut construction workers pay and benefits and make it easier for out-of-state construction companies to get local construction contracts.

The Chamber has gone on record opposing the state prevailing wage laws, posting an inaccurate and misleading issue statement on their web site.

Prevailing wage laws have a documented track record of protecting local business and workers from unfair, low wage and shoddy construction. The Chamber uses old studies that have been proven false as the basis for their attack.

"The bottom line is we have to protect our industry and communities from misleading stories and false promises," said Bill Dean, President of the Upper Ohio Valley Building Trades.

"With the stroke of a pen the legislature can take away much of the gains we have earned over the years."

Trades Protest Bob Evans Project in Wheeling



MEMBERS OF THE LABORERS, Bricklayers, Ironworkers, Painters, and Sheet Metal Workers protest the use of out-of-state contractors and workers at a new Bob Evans project in Wheeling.

The restaurant is being build by Leffler Construction of Aurora, Indiana. Out-of-area subcontractors include Burton Masonry from Indiana; United Plumbing, Proctorville, OH; and Pro-Tech Heating, North Carolina.

"Local jobs are for local workers," said Joe Bowen, Organizer for the Laborers. "We want Bob Evans to know we don't appreciate their policy to let contracts out by invitation only to out-of-state contractors who bring their work force with them paying sub-standard wages, and little or no health care."

The protest took place in early January.

Cabell Bond Vote Get's Trades Full Support

On **Saturday, January 28 Cabell County voters will vote on a \$60 million bond for a variety of school construction projects.**

The Tri-State Building and Construction Trades Council is in full support of the measure and urges all members from Cabell county, and their family to vote for the bond.

"We support the bond 100

percent because the school board supports local workers," said Steve Burton, Business Manager of Tri-State.

Burton is referring to the Cabell County Board of Education's resolution passed in December to adopt an 18 point resolution supporting responsible contracting measures for the five school projects to be built.

The resolution makes sure contractors on the projects will use local labor, provide pension

and health benefits, participate in apprenticeship programs and have sound track records on past projects.

"We won't have to worry about fly-by-night contractors on these projects," said Burton.

If the bond passes, a new elementary school will be built combining the populations of the current Cammack and Miller Elementary Schools.

Construction of new schools are also planned for Milton Middle School and

Barboursville Middle School.

A renovated middle school is planned for the populations of the current Cammack and West Middle Schools.

Cabell County recently received approximately \$3.3 million in State School Building Authority funds, which was added to the county's \$2 million, for construction of a new Martha

Elementary School.

In 1991 Cabell County passed the largest bond in the county's history to generate funding that went toward the building of new facilities.

Since this bond is about to be paid off, the new bond, if passed, will not increase property taxes but will only continue existing rates already in place.



STEVE BURTON leads a discussion of labor, contractor and Cabell County School Administration representatives about the proposed bond issue and projects.

Contractor Classes Comp Program

The Parkersburg-Marietta Building Trades has scheduled a free class for members interested in finding out what it takes to set up a business.

The class will be held on Wednesday, February 15, at 9:00 a.m., in the Plumbers & Pipefitters Hall, Cedar Grove Road, Parkersburg.

On hand will be representatives from both the WV and OH

Department's of Labor, along with the Small Business Administration from both states and the IRS.

The goal is to assist those thinking about starting a contracting business, or those who have recently started one, with business registration rules and any opportunities available through state programs.

The Parkersburg Building Trades would like interested members to notify them by February 1 if they plan to attend.

Please call 304-424-6443 for more information.

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hours a day, seven days a week.

And if there are problems a "trouble shooter" will be there to cut through any red tape.

"We don't make decisions on claims," said Steve White, ACT Director and a member of the LEAD Workers Compensation Program's advisory board.

"Our job is to assist injured workers to get the best care possible quickly and get them back to work as soon as possible."

White points out the program is voluntary for workers and there is no cost.

The West Virginia State Building Trades Executive Board unanimously approved the program and is asking local unions and councils to support it as well.

Legislation passed last year privatizes workers compensation so that insurance companies will be able to sell this coverage just like any other insurance program.

Besides improving claims the LEAD group is looking for ways to buy workers compensation as a group.

"Our combined purchasing power will get us the best rates possible," said Jim Cerra, Executive Director of the Kanawha Valley Builders Association and a member of the LEAD board.

"This program just makes good business sense for the organized construction industry."

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