

SUB-CONTRACTOR CITED FOR LACK OF DOCUMENTS

Home Depot Hires Out-of-State Workers

More than 75 workers took to the streets in Vienna, Wood County, to protest Home Depot and their use of out-of-state workers and contractors.

On June 27th union construction workers also passed out flyers at Home Depot stores in Charleston and Wash-

ington, PA. Their message was simple. Home Depot should use local construction workers when they build their stores.

After all, Home Depot wants local residents as their customers.

"They want us to spend our money in their new store but won't give us a chance to work there," said Sam Davis, Business Manager for the Parkersburg-Marietta Building Trades.

Home Depot has hired a contractor from Alabama, White-Spinner Construction Inc., to build their 122,000 square foot store. It appears that local contractors have not gotten a fair chance to do the work.

According to John "Moose" Miller, Business Manager for Plumbers and Pipefitters Local 565, a local union plumbing contractor was passed over for work even though they were in line for the job.

"Our contractor was second but the low bidder dropped out," said Miller. "He was just waiting to get the call to go ahead but instead he got a call asking if he was union." The contractor never got the job.

On June 23rd the West Virginia Department of Labor issued 12 citations to Jay Ton Construction Company Inc., a Tennessee based subcontractor on the job, for not having proper identification for their workers.

ACT is investigating whether or not these are legal workers and whether proper payroll taxes, workers compensation and other required payments have been made.

Pickets went up in Barboursville, Cabell County, earlier this year when Home Depot built a store using White-Spinner.

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LETTING THE PUBLIC KNOW about Home Depot's use of out-of-state contractors and workers are members of the Parkersburg-Marietta Building Trades Council. Flyers were passed out in Vienna, Charleston and Washington, PA.

Camden Hospital Gets OK For \$55 Million Expansion

With the support of local trade unions Camden-Clark Memorial Hospital announced the approval of a \$55 million expansion project.

"The Hospital has committed to continue their long tradition of using local union workers to build this 120,000 square foot facility," said Jim Ross, Business Manager for IBEW Local 968.

Ross also sits on the Board of Directors for the hospital and is President of the Parkers-

burg-Marietta Building Trades Council.

Based in Parkersburg the 105-year-old hospital will be adding some much needed surgical, critical care and food service areas. Major renovations are also in store to replace some sections that are 70 years old.

"We desperately need to modernize this hospital," said Ross. "And I know local construction workers can use the work, this has been a terrible year for construction."

The project had been on hold for months pending final

approval from the state Health Care Authority.

Last year the Health Care Authority considered a moratorium on new construction projects.

That led the ACT Foundation to take a greater role in monitoring and participating in issues before the Health Care Authority.

Last month ACT director Steve White testified on behalf of United Hospital Centers' \$265 million new hospital application.

The application included a project labor agreement with the North Central WV Building Trades Council.

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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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NEW PAINTERS, LABORERS, IRON WORKERS, PIPEFITTERS JOIN

ACT/SBT Membership Grows by Thousands

The ranks of the West Virginia State Building Trades and ACT are growing rapidly.

New locals with the Laborers, Painters, Iron Workers and Pipefitters have recently affiliated. In addition, locals with the Electricians and Sheet Metal Workers should be members by next month.

In May changes were made to the State Building Trades constitution to lower dues from 25 cents to 15 cents per hour. The change went into effect starting June 1.

The decision was made to reduce the contribution because members were paying for organizing through their locals.

Many locals have added organizers since ACT was started, and others are now being called upon by their International Unions to fund new organizers.

ACT's role will be changing to provide more services to organizers rather than direct organizing.

Another reason for the reduction was to get more locals participating.

"It has caused a lot of friction on the job when some workers pay into ACT and others don't," said George Pinkerman, Business Manager of Boilermakers Local 667.

Rejoining ACT is the West Virginia Laborers District Council which includes locals 379 Morgantown, 453 Beckley, 543 Huntington, 984 Clarksburg, 1085 Parkersburg, 1149 Wheeling and 1353 Charleston.

"We're glad to be members of ACT and the State Building Trades," said Gary Tillis, Business Manager for the Council. "We've worked out our differences and feel

that our members can benefit from joining."

Painters Local 91 in Wheeling, 438 Steubenville, OH, and 970 Charleston are all new members.

"We asked the membership and they voted to join," said Ted Hart, Jr. Business Agent for the Steubenville local which has jurisdiction for the tip of the northern panhandle.

"We like what ACT has been doing."

Iron Workers from the Wheeling area are also back in. "I think the changes in ACT are positive and I feel we're now moving in the right direction," said Bill Dean, Business Manager for Local 549.

There are a number of locals that are working to re-join and are planning to soon be members. Sheet Metal Workers Local 33 which covers Wheeling, Parkersburg, Clarksburg and Charleston is in the process of affiliating. Electricians Local 466 Charleston, Local 141 Wheeling and Local 317 Huntington are also working through the affiliation process.

Monongalia Senior Center Kitchen Built by Plumbers/Pipefitters 152

The Monongalia County Seniors Center needed help setting up kitchen facilities for a senior lunch program.



INSTALLING KITCHEN EQUIPMENT for the Monongalia County Senior Center are (from left) Lorne Murray, Ronnie Eye, and Mitch Markovich, members of Plumbers and Pipefitters Local 152, Morgantown.

Members of Plumbers and Pipefitters Local 152 in Morgantown rose to the occasion.

It's a simple story about members being involved in their communities.

For two days retired members Ronnie Eye, Lorne Murray, and active member Mitch Markovich gave their time to install water and drain lines for sinks, ice makers, steam tables and other kitchen equipment needed to outfit the center.

The facilities are located at the old Mountaineer Mall in Morgantown.

Seniors can take advantage of a low cost or free meal and also can get access to the mall for early morning walks.

There is an on site computer lab and exercise room as well.

"Volunteer efforts are part of what local union workers are all about," said Ed Boone, Business Manager for Local 152.

"Out-of-state workers don't make this effort in our communities.

"These guys didn't ask for any thanks but they sure deserve it."

The center began serving their first meals on July 7th.

"WE LIKE WHAT ACT HAS BEEN DOING,"

**TED HART, JR.,
BUSINESS AGENT,
PAINTERS LOCAL 438**

With one or two exceptions it appears that almost every building trades local based in West Virginia will be affiliated and more than half of those from surrounding states with West Virginia jurisdiction are on board as well.

Plumbers and Pipefitters Local 521 also rejoined and Business Manager Jim Arnett summed up the feelings of many new affiliates. "With all the charges our members were paying we couldn't afford the 25 cents but at 15 cents, and everyone getting in, we think the job can be done with the unity we need."

Ten Win Fiestaware In WV Works TV Contest

Ten viewers of "West Virginia Works", the labor-sponsored TV news magazine, won union-made Fiestaware from the Homer Laughlin China Company during the program's recent call-in contest.

Over 200 people from West Virginia and surrounding states called, with over 100 calls coming in the first 12 minutes the show was on the air.

Every tenth caller was a winner until all ten prizes were awarded. The first five winners will receive a 20-piece set of Fiestaware tableware; the second five winners will receive a consolation prize of collectible

salt and pepper shakers. Winners called from Charleston (2), Nitro, St. Albans, Wheeling, Clarksburg, Sandyville, Spencer, Lyburn and Morgantown.

"We're really happy with the response," said program host, Eric Spelsberg. "The number of calls show we have a strong audience out there. And the winners reflected the geographic diversity of our audience, something we're trying to build on."

"West Virginia Works" airs each Sunday at 11:00 a.m. on WCHS in Charleston, WDTV in Clarksburg/Bridgeport and WOAY in Oak Hill, with additional daily broadcast on Comcast cable systems in the northern panhandle.

HIT A GRAND SLAM WITH THE ALLEY CATS!!

LABOR NIGHT

FEATURING POWER SOFTBALL HOMERUN DERBY!

Join the Charleston Alley Cats for the Annual Labor Night at Watt Powell Park!!

Saturday, August 9th at 7:05 p.m.

- Opportunity for all Labor Unions to be recognized
- Gather with family and friends for baseball and fun!
- Participate in the Homerun Derby prior to the game
- Reserved tickets starting at just \$4.00!!



Labor Night is sponsored by the Charleston Building & Construction Trades Council, AFL-CIO



To reserve your spot or for more info, call Patrick Day with the Alley Cats at 304-344-CATS.

Congress Considers Anti-Worker Asbestos Law

Approximately 35,000 West Virginia workers have some type of asbestos related lung disease or have been exposed to asbestos.

For these individuals, legislation currently pending in Congress would have a devastating impact on their ability to be compensated for the destruction of their health, and in the cases of incurable mesothelioma, imminent death.

The national AFL-CIO had been involved in a more positive version of this bill until it hit the Senate Judiciary Committee controlled by Sen. Orin Hatch, R-Utah, the sponsor of the bill.

In committee 76 amendments changed the bill dramatically. Currently no copy of the bill is available to the public.

It is widely speculated that

Vice President Dick Cheney, former CEO of Halliburton, Inc., is pushing the legislation aggressively because Halliburton stands to save \$2.5 billion dollars with its passage.

For West Virginia workers, an estimated \$300 million dollars due under current law will be lost.

What we do know about the bill thus far shows it will establish sweeping changes that will limit or erase benefits injured workers and their families are currently receiving.

All current and future claimants will be forced to seek remedy from a new proposed agency and will no longer have the right to go to court. Claimants could face a delay of several years before any compensation is received.

The proposal will impose stricter requirements for making

a claim. For example five years of significant occupational exposure must be proved versus five years cumulative exposure. And what makes an exposure significant is unclear.

"FOR WEST VIRGINIA WORKERS, AN ESTIMATED \$300 MILLION DOLLARS DUE UNDER CURRENT LAW WILL BE LOST."

The new system started as a no fault system but now it would require claimants to submit detailed descriptions of their asbestos exposure, including product identification information. Claimants will also be required to submit original x-rays and lung capacity tests with every claim.

Recent settlement amounts for claimants who were able to use the court system average in excess of \$400,000 and of over \$1 million for victims of mesothelioma victims. The Hatch bill would set a flat rate of \$100,000 for most lung cancer cases, and \$750,000 for mesothelioma cases.

The bill will cap payments made by corporations and their insurance companies at a level that will be inadequate to pay claims in many instances.

In a huge bailout for insurance companies U.S. insurers' liability under this bill will be capped at \$45 million. According to insurance rating agencies, industry liability for asbestos claims is between 50% and 100% greater than that amount.

Under current law, claimants who collect asbestos payments

repay health plans or Medicare. The proposed bill makes it harder if not impossible for health plans and Medicare to recover payments insurance companies should have made. In effect costs are shifted away from companies to health care plans.

Any individuals whose asbestos exposure occurred outside of the workplace will have absolutely no remedy under this bill.

This legislation will zero out the vested claims of thousands of claimants who have already received partial payments from existing trusts. It will force tens of thousands of pending claims into a category that will receive no compensation. By removing the arena of remedy out of the court system, victims lose their right to sue when the fund goes broke.

CHARLESTON HOTEL DEMOLITION PROJECT

Contractor Cheats Comp, Dumps Toxic Waste

New legislation may have slashed workers compensation benefits but not much has changed when it comes to companies that don't pay their premiums.

In downtown Charleston a landmark is being demolished but no company doing the job is paying workers compensation for demolition work.

Astech Inc. has the demolition permit from the city of Charleston and they in fact are registered as a demolition and abatement company.

The problem is they list no employees. At least that is what they report to workers compensation.

Instead they use employees from a company called The Tenth Diamond which has a

widows," said Ronnie Burdette, Business Manager for Operating Engineers Local 132. "But the real problem is companies that don't pay their premiums and I guess if ACT didn't do anything they would get off free and clear."

Workers compensation was not the only problem on the project.

Workers followed the trucks hauling debris from the

about the lead getting airborne."

Asbestos was found in tile and the adhesive.

On June 26th local workers took to the street to protest both the workers compensation situation and the uncertainty of the lead and asbestos dump.

State officials say they are investigating the workers compensation allegations and closed the dump down.

ACT continues to push the workers compensation division to track down companies and their owners who owe the fund more than \$800 million in unpaid premiums.



'TRY LOOKING HERE FOR CHEATERS' was the message sent by union construction workers in front of the old Kanawha Hotel in downtown Charleston. The demolition work is being done under the classifications of general contractor, excavation and trucking.

Demolition is dangerous and carries one of the highest rates, \$48 per hundred of payroll. So it's no mystery why a company would not want to pay.

But with the workers compensation fund awash in debt it is still a mystery why three companies on the project all were allowed to pay comp rates much lower than demolition rates.

much lower base rate of around \$8 per hundred.

Interesting enough both companies are owned by the same people.

Henson Brothers and Goldizen Trucking are also on the job, neither is listed as a demolition company.

"It's easy to take away benefits from injured workers or

site to an unregistered dump site. Samples were taken for testing and dangerous levels of lead paint as well as asbestos were found.

"We knew the building was full of lead," said Jerry Huffman, Business Agent for Painters Local 970. "With all the dust created by the demolition we have some real concerns

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Home Depot Camden Clark

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The issue was the same, imported workers and contractors.

"We hear that Home Depot is planning more stores in West Virginia and we plan more demonstrations," said Davis.

CONTINUED FROM P. 1

"The new UHC hospital project is needed in our area more than ever," said North Central's President Darwin Snyder. "We need a modern health care network to keep our local economy competitive and attractive."

WOAY 4
Oak Hill
Sundays @
11:00am

WCBS 8
Charleston,
Huntington, Parkersburg,
Beckley, Bluefield
Sundays @ 11:00am

WDTV 5
Clarksburg &
Morgantown
Sundays @ 11:00 am

WEST VIRGINIA WORKS SHOW TIMES SUNDAYS AT 11 AM

CABLE CHANNEL 9
Stuebenville, Follansbee &
Wellsburg
daily @ 11:00am &
11:00pm

CABLE CHANNEL 10
Wheeling, St.Clairsville &
Moundsville
daily @ 11:00am &
11:00pm