

THE ACT REPORT

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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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SUPREME COURT TAKES APPEAL

\$300 Million Wind Farm Breaks Ground

Work is under way on a \$300 million wind farm in Grant County.

The 164 turbine project started in August and is now well underway with approximately 45 local union craftsmen on the job.

When complete, it will be the second and largest wind project in the state.

Project developers Ned-Power joined forces with Shell WindEnergy about one year ago to build the 300 megawatt wind farm.

The project continues to face opposition from some local residents and second home buyers in the area. The state Supreme Court of Appeals has agreed to hear an appeal of a Grant County Court ruling earlier this year.

Grant County Circuit Judge Phil Jordan ruled he did not have jurisdiction in the case brought by opponents to the project because the state Public Service Commission had already ap-

proved the project.

According to reports the justices won't hear the case until next spring.

However, the case is seen as a technical point about court jurisdiction and not likely to have a significant impact on the project.

The job certainly is moving forward at a rapid pace.

They've begun clearing and cleaning the site and building roads to it, according to Natalie Stone, Executive Director of the North Central WV Building and Construction Trades Council.

The project will be broken into two construction phases with 82 turbines completed in each phase.

Shell selected M.A. Mortenson, of Minneapolis, to be the general contractor on the

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SITE PREP WORK on the Mount Storm wind farm in Grant County is underway using local subcontractor ALL Construction, based in Grant County, and members of the Operating Engineers and Laborers.

Underground Economy - Round Two

ACT will rebroadcast a 30 minute TV show on West Virginia's Underground Economy in late-October.

The report is a half-hour documentary exposing the out-of-control use of illegal and imported labor on construction sites and workplaces across the state.

The show also highlighted the lack of enforcement from government agencies responsible for overseeing tax, immigration and contracting laws in the state.

First aired around Labor Day the show uncovered the use of local labor brokers who import Mexican workers for West Virginia jobs.

"Our focus is on the employers of West Virginia who have turned their backs on our communities by importing cheap labor," said Steve White, ACT Director.

"We are losing thousands of jobs and million of dollars in unpaid tax revenue but state and federal government, with a few exceptions, does little about it."

Legislation aimed at increasing penalties for contractors who use illegal labor was blocked in this years legislative session by the Home Builders Association of West Virginia and the Contractors Association of West Virginia.

Both groups argued the proposed law was not needed.

ACT has also uncovered state tax credits aimed at job

creation may be going to companies who import workers.

"Not only are local jobs being taken, and not only do agencies like our Federal Immigration and Customs Enforcement do nothing to enforce our laws, we now believe companies are given our tax dollars as a reward for importing cheap labor," said White.

White says the ACT Foundation is preparing legislation to stop tax credits from going to companies who use imported labor.

According to White work is also underway to propose more enforcement tools for state agencies to make up for the lack of federal action.

"West Virginia's Underground Economy" can also be watched on the ACT web site www.actwv.org.

Station	Day, Date, Time
WTRF - 7 Wheeling, Weirton	Sat, Oct 21 - 7:30pm & Sat, Oct 28 - 7:30pm
WDTV - 5 Clarksburg, Morgantown, Elkins	Sat, Oct 21 - 7:30pm & Sat, Oct 28 - 7:30pm
WJAL - Comcast Martinsburg, Cumberland	Sun, Oct 22 - 7:00pm & Sun, Oct 29 - 7:00pm
WCHS - 8 Parkersburg, Charleston, Huntington	Sat, Oct 21 - 7:00pm & Sat, Oct 28 - 7:00pm
WVNS - 11 & 13 Beckley, Lewisburg, Bluefield	Sat, Oct 28 - 7:30pm & Sat, Nov 4 - 7:30pm

Tillis and Klempa Run For Elected Offices

Two building trades members will be on the ballot for this year's general election.

Gary Tillis, head of the Laborers Union in West Virginia, is running for a seat on the Putnam County Commission.

Orphy Klempa, Service Representative for the Mid-Atlantic Regional Council of Carpenters, is running for a House of Delegate seat in Ohio County.

Both have been active as representatives for workers in a variety of ways for many years.

Gary Tillis

In addition to heading up the Laborers District Council of West Virginia Tillis is President of Laborers Local 1353 and serves as a Vice-President of the WV State Building Trades and ACT.

He also serves as a Vice-President of the WV AFL-CIO.



Gary Tillis

From 1995 to 1999 Tillis served in the state legislature as a member of the House of Delegates from the 13th District which covers parts of Putnam, Jackson and Mason Counties.

"I'm interested in serving on the County Commission because I see some real opportunities for Putnam County," said Tillis.

"We need a change in lead-

ership on the local level and instead of just complaining about it I decided to do something."

Tillis wants to improve water and sewer service in the county, deal with crime - especially problems with meth amphetamines, and adequately fund the sheriff's department to focus on child abuse and neglect.

However his opponent is waging an anti-union attack and claiming prevailing wages and organized labor hurt the economy.

"It's time for a change," said Tillis. "My opponent wants to use fear, but I know when labor and management work together we do good things for our communities."

Orphy Klempa

Klempa has been a member of Carpenters Local 3 in Wheeling since 1973.

"Jobs and health care are the two issues I am most focused



Orphy Klempa

on," said Klempa.

"And I've learned that bringing people together is the best way to get things done."

Klempa has a long track record of successes working with a variety of groups.

As co-chairman of Project BEST, a successful labor-man-

agement program, Klempa can point to numerous projects in the area that provided good work opportunities to members and benefit the entire community.

The new Cabala's is one example.

"Working with the Ohio County Development Authority was key to bringing Cabela's to the area," said Klempa.

"Since then our members have built a lot of projects attracted to Cabela's, like Wal-Mart and Target.

A new \$300 million indoor water and theme park is under development that would be another real boost to the area."

Klempa is a member of a number of civic groups such as the Ohio Valley Medical Center, the Ohio County Development Authority, the Wheeling Area Chamber of Commerce and the United Way.

Early Voting Already Started

Election day is Tuesday, November 7, but voters can already head to the polls. Wednesday, October 18 was the start of no excuse early voting.

A few years ago the legislature changed the law to allow early voting before the traditional election day.

Each county designates a place for early voting, usually in the County Court House or the County Clerks office.

"Early voting is a great opportunity for construction workers to make sure their vote is cast,"

said Roy Smith, Secretary Treasurer of the State Building Trades. "We should all vote early so we don't get caught working out of town or on a late shift on election day."

The last day to cast an early vote is Saturday, November 4.

Early voting is different than an absentee ballot, which is still available to voters.

An absentee ballot must be requested from the County Clerk by November 1. The ballot will then be mailed to a voter. Completed absentee ballots then must be mailed to the clerk with a postmark no later than election day, a few more days are allowed for military or overseas voters.

Local 80 Celebrates Their 80th Anniversary



GENERAL SECRETARY TREASURER James 'Bud' McCourt of the International Association of the Heat & Frost Insulators and Asbestos Workers addresses the members of Local 80 and delegates of the Central State's Conference at their 80th Anniversary celebration held at Stonewall Jackson conference center in September.

West Virginia AFL-CIO State COPE Endorsed Candidates for the November 7, 2006 General Election

U.S. SENATE Robert C. Byrd

U.S. HOUSE OF REPRESENTATIVES

1st - Alan B. Mollohan
2nd - Michael O. Callaghan
3rd - Nick Joe Rahall, II

STATE SENATE

1st - Edwin J. Bowman
2nd - Larry J. Edgell
4th - Jim Lees
6th - H. Truman Chafin

8th - Erik Wells
9th - Mike Green
10th - Frederick L. Parker
11th - C. Randy White
12th - Joseph Minard
16th - John Unger
17th - Brooks McCabe, Jr.

HOUSE OF DELEGATES

1st - Joe DeLong
2nd - Jack Yost
3rd - **Orphy Klempa**,
Tal Hutchins
4th - Kenneth Tucker
9th - Jim Marion

10th - John Ellem, Steven
Whitehair
13th - Dale F. Martin, Brady R.
Paxton
14th - Gene Estel
15th - Pam Carden, Jim Morgan
16th - Eric Anderson, Doug
Reynolds, Dale Stephens
17th - Don Perdue, Richard
Thompson
18th - Larry W. Barker
19th - Jeff Eldridge, Ted Ellis,
Lidella Wilson Hrutkay, Ralph
Rodighiero
21st - Harry Keith White

22nd - Mike Burdiss
23rd - Clifton Moore
25th - Paige Flanigan
27th - Melvin R. "Mel" Kessler,
Kevin L. Maynus
28th - Ray Canterbury
29th - Margaret Staggers, David
Perry
30th - Bonnie Brown, Nancy
Guthrie, Barbara Hatfield,
Sharon Spencer, Danny Wells
31st - Carrie Webster
34th - Brent Boggs
35th - Sam Argento
36th - Joe Talbott

37th - Joan Hinzman-Sharp
39th - Bill Hamilton
40th - Mary M. Poling
41st - Ron Fragale, Richard J.
Iaquinto, Tim Miley
43rd - Mike Caputo, Linda
Longstreth, Tim Manchin
44th - Barbara Fleischauer,
Charlene Marshall, Alex Shook
46th - Stan Shaver
50th - Ruth Rowan
51st - Gary Nelson
53rd - Jerry Burton
54th - Walter Duke
58th - Locke Wysong

Special Tax Session Likely

Right after the November election a special session of the legislature may be called to revamp the state tax code.

Business leaders are calling for major corporate tax cuts but the ACT Foundation has launched a new TV commercial questioning the cuts and asking who will be left with the bill.

The commercial calls on the public to pay attention to the tax cut proposals before the election, and to find out how the tax breaks will be paid for.

Earlier this year Governor Manchin initiated a "tax modernization" effort aimed at reviewing the tax code and proposing changes.

The business community, led by the State Chamber of Commerce, has been vocal in calling for the elimination of business taxes, specifically the corporate net income tax and the business franchise tax.

These taxes bring in more than \$280 million each year.

Most proposals look to lower these two taxes rather than eliminate them.

Another proposal to increase the amount a person can earn before paying state tax, from the current \$10,000 per year to \$15,000 or more is also reported to be under consideration.

"It's clear who is set to get a break but we have not been told who will pay," said Steve Burton, President of the State Building Trades.

"We fear working families will get caught in the squeeze, between corporate tax cuts and increased social programs."

To make matters more confusing the elimination or reduction of the state food tax has become an issue dividing the business community.

Coal Baron Don Blankenship has tried to use the food tax as a way to elect candidates more favorable to his interests. He has invested heavily in promoting an end to the tax but has been silent on how to make up the lost revenue.

The state Chamber of Commerce declined to back Blankenship's effort because they would be unable to focus on lowering the business taxes.

"Everybody wants to cut taxes, but we need roads, schools and

police," said Burton.

"We want a balanced approach, if business gets a cut working families should too, but we can't just cut taxes without understanding who pays or what services are cut."

In recent news reports the West Virginia Society of Certified Public Accountants has asked that corporate tax shelters be examined as a possible way to make the tax system more fair.

They point to a report that shows West Virginia having the biggest share of tax revenue lost to corporate tax shelters.

The report, produced by the Multi-State Tax Commission in 2003, figures West Virginia lost as much \$65 million in 2001.

In addition, ACT's review of tax credit data shows companies which currently use imported labor at timber related facilities, including Allegheny Wood Products and Columbia Forest Products, are receiving job creation credits.

Approximately \$92 million in state tax credits were awarded in 2001, but no data on job creation or other factors relating to the credits are released.

ACT commercials can be watched at www.actwv.org.

Millwrights #1755 Want Apprentices

Millwright Local #1755 Joint Apprenticeship and Training Committee will be recruiting a new class of Apprentices.

Earn while you learn during this five year program. On the job and classroom training will teach precision placement and repair of machinery, welding, and other in-demand skills. Starting pay is 60% of Journeyman scale with 5% increases based on successful completion of program objectives.

Applications will be available on the following dates, times and locations.

In Charleston at 205A Tennessee Ave.; Wednesday Nov. 1, noon - 7:00pm and Wednesday Nov. 8, 9:00am - 1:00pm.

In Parkersburg at 4600 Camden Ave.; Thursday Nov. 2, noon - 7:00pm and Thursday, Nov. 9, 9:00am - 1:00pm.

In Bridgeport at 609 Broadway; Friday Nov. 3, noon - 7:00pm and Friday Nov. 10, 9:00am - 1:00pm.

Applications may be picked up on the above dates, times and

locations **ONLY** and in person. An application fee of \$10.00 is charged to cover the test expenses.

Applicants must be at least eighteen years of age, have a high school diploma or GED, and be physically able to perform the work of the trade.

Also, applicants must live in one of the following counties: In WV: Barbour, Boone, Braxton, Calhoun, Clay, Doddridge, Fayette, Gilmer, Greenbrier, Harrison, Jackson, Kanawha, Lewis, Logan, Marion, Mason, McDowell, Mercer, Mingo, Monongalia, Monroe, Nicholas, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers Taylor, Tucker, Tyler, Upshur, Wetzel, Webster, Wirt, Wood or Wyoming. Or in Ohio: Washington or Athens.

No applicant will be rejected because of race, color, creed, religion, sex or national origin.

For more information call Training Director Bill Boso at 304/422-7637 or go online at <http://www.millwright1755.com/> for a complete program description.

Marshall, Jackson Bond Votes on November Ballot

Passage of two school construction bonds in the upcoming November 7 election will mean plenty of work for building trades workers in the northern part of the state.

Both the Upper Ohio Valley and the Parkersburg-Marietta Building Trades are supporting bond votes in Marshall and Jackson Counties.

In Marshall County voters will be asked to approve a bond for \$28 million towards \$36 million in projects. Included are renovations of nine elementary schools, renovations of the Moundsville Field House and Monarch Stadium,

one new elementary school, and land reclamation.

If the bond passes, the state School Building Authority (SBA) has pledged an additional \$8 million for the projects, bringing the total improvement package to \$36 million.

"The Marshall County schools want this project to be built using 100 percent local building trades members," said Tom Cerra, co-chair of Project Best.

Project Best's primary purpose is to promote jobs for its participants by providing quality and safety conscious craftsmen and on-time completion of projects within budget to its commercial and industrial customers and encouraging economic development throughout the region it serves.

For a number of years the Marshall County School Board has adopted the SBA's guidelines on responsible contracting, making sure companies have a good track performance track record, have safety, training, and benefit programs and comply with state and federal laws and regulations.

"We are so honored because we have always believed that education is the very cornerstone of economic development," Cerra said. "Passage of this bond will have a very minimal effect on taxpayers of Marshall County and yet it will do so much to brighten the future of all residents of Marshall County, not just the young people."

This is a bond, not an operating levy. The difference is,

bond money is used for construction only. Levy money is used for operating expenses.

If the bond does not pass, Marshall County loses the \$8 million grant from the SBA.

Last month in *The ACT Report* details of a \$29 million bond towards a \$54.5 million building program in Jackson County were outlined.

Parkersburg-Marietta Build-

ing Trades members met with County School Board officials and asked they adopt a policy similar to the SBA's responsible contracting guidelines. The Board agreed and unanimously passed a resolution supporting quality contracting with local workers and contractors.

Both bond approvals will be on the ballot as part of the November 7 election.

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SAM DAVIS, BUSINESS MANAGER of the Parkersburg-Marietta Building Trades, met with Jackson County School Board members to talk about quality local contractors and local workers as part of the \$39 million bond measure going to voters this November. The Board voted unanimously to adopt a resolution defining responsible contracting.

Wind Farm

CONTINUED FROM P. 1

project, which should last from 1-1/2 to 2 years. Mortenson built the only current wind farm project, Backbone Mountain, a

few years ago.

Black & Veatch is acting as construction manager and they are very upbeat about the work force they see on the job.

"Never have I seen a group of men come to a project with such positive attitudes, skill

and desire to get a project started off on the right foot as I have seen on this one," said Dane Heneger, Senior Construction Manager for Black & Veatch.

NedPower started their development work in 2002 and

signed an agreement with the North Central Trades committing the project contractors to hire local union workers. When Shell came into the picture they didn't hesitate to acknowledge the agreement.

"The Council was excited to

build the first windmills in the state and now this larger project," said Stone.

"It's nice to be a part of building state-of-the-art technology that is good for the environment and such a boost to our local economy."

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North Central WV Building Trades
Labor 2006 Tailgate Rally

8:00am, Saturday, Nov. 11, Morgantown
WVU vs. Cincinnati, Pre-Game Event

"At the Blue Lot" Look for the Building Trades Flag!

For more info contact Natalie Stone 626-3882