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A Division of the WV State Building Trades, AFL-CIO | Bill Hutchinson, President | Dave Efav, Secretary-Treasurer | Steve White, Director

Joined by PPT in Belmont and Braskem in Wood

Shell Says Cracker is a Go!

Shell Chemical released an announcement on June 7 stating they will go ahead with their ethylene cracker project near Pittsburgh.

The project has been in the proposal stage for a number of years. Shell has not announced what the dollar amount of the investment will be but experts say it will be in the billions.

"This is great news for the region," said Kyle Brown, President of the Upper Ohio Valley Building Trades Council.

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Upper Ohio Valley Building Trades Council

The Council recently signed a PLA (project labor agreement) for a similar project in Ohio.

The press release said "main con-

struction will start in approximately 18 months" which would mean around December of 2017.

The release stated the complex will use low-cost ethane from shale gas producers in the Marcellus and Utica basins to produce 1.6 million tons of polyethylene per year.

Polyethylene is used in many products, from food packaging and containers to automotive components.

The facility will be built on the banks of the Ohio

River in Potter Township, Beaver County, about 30 miles north-west of Pittsburgh.

In addition to the thousands of

union construction jobs the project will create there will also be 600 jobs operating the facility which is expected to be in operation "early in the next decade."

The announcement puts the Shell cracker about one year behind the proposed PPT cracker planned for Belmont County, Ohio.

PPT Global Chemical is a refinery corporation owned by Thailand.

The two locations which are about 60 miles apart straddle the northern panhandle of West Virginia.

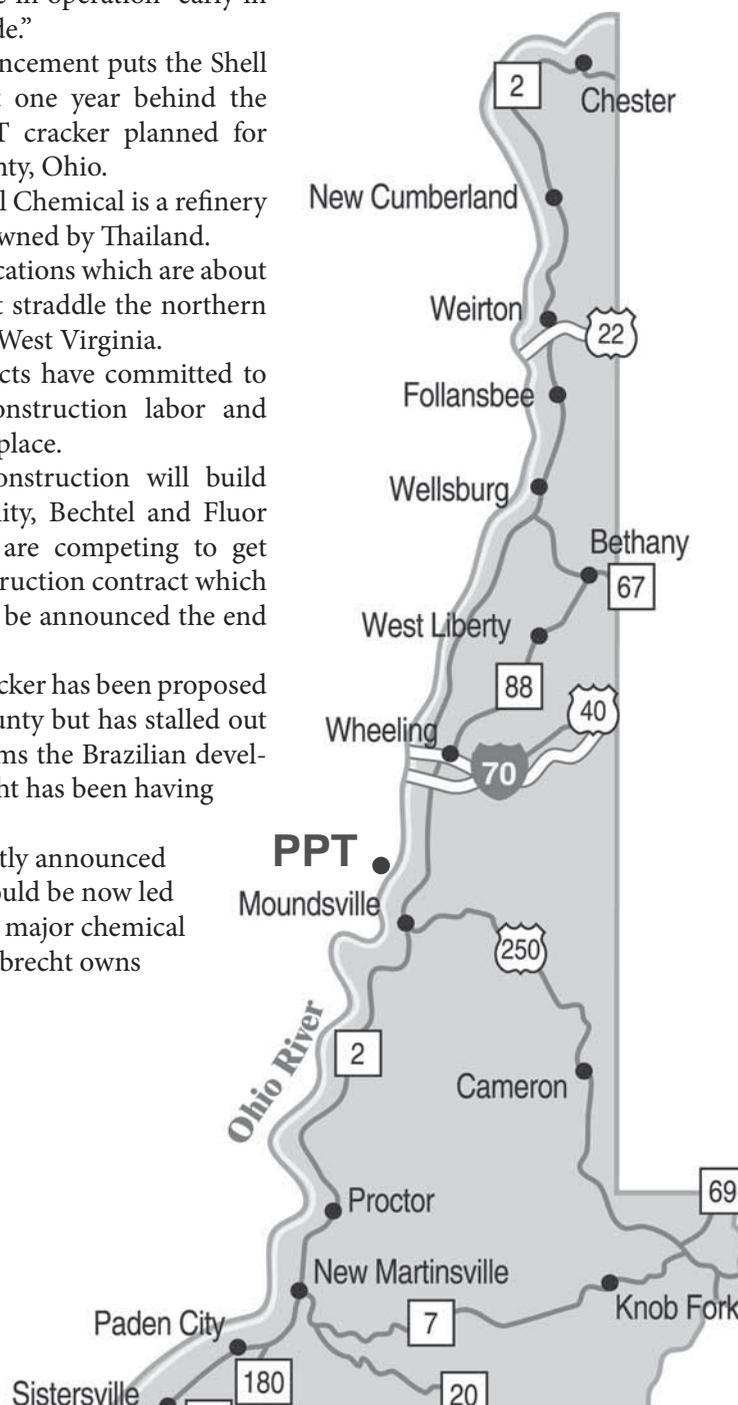
Both projects have committed to use union construction labor and have PLA's in place.

Bechtel Construction will build the Shell facility, Bechtel and Fluor Constructors are competing to get the PPT construction contract which is expected to be announced the end of 2016.

A third cracker has been proposed for Wood County but has stalled out due to problems the Brazilian developer Odebrecht has been having at home.

They recently announced the project would be now led by Braskem, a major chemical company Odebrecht owns 51% of. ■

Shell •



RTW Challenge is a Constitutional Issue

A challenge to the recent passage of a so-called Right-to-Work law is expected to be filed later this month.

The 30 day notice required by state law before a suit against the state can be filed was delivered May 11. The first step in the legal process must take place at the Kanawha County Circuit Court but will likely end up at the West Virginia Supreme Court.

At least part of the suit is likely to be similar to recent challenges made in Indiana and Wisconsin claiming the law is unconstitutional.

These suits were both fashioned around their respective state con-

stitutions. But the general idea is to show unions, and their member's, property is being taken, or unconstitutionally seized, when they are required to serve nonunion members and cannot require payment.

Defenders of the law claim unions are not required to provide services to all workers. They argue unions could opt for a member's only contract. However unions argue member's only contracts are a fiction.

In Indiana, where the law was enacted in 2012, labor groups at first won the argument before a County

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Quality Suffers, No Savings to Taxpayers

Wages and Benefits Drop with PW Repeal

Payroll data from projects without the prevailing wage requirement show a dramatic fall in wages and benefits for construction workers.

At the same time there have been no savings realized by taxpayers.

The first round of data comes from the period where prevailing wage was suspended, from July 1 to September 30, 2015.

Contracts awarded during that time period had no prevailing wage requirement because Republican leaders were unhappy with a new wage survey method developed by the state agency WorkForce.

Republican leaders could have extended the 2015 wage rates until the survey was complete but refused to do so, thereby creating a three month time frame where projects had no prevailing wage protections.

One of the first projects awarded was an addition to the Potomack Intermediate School in Berkeley County.

News reports at the time claimed great savings without the prevailing wage requirement. However an investigation by ACT proved the claim was untrue. The original cost estimates had planned for prevailing wage, and when the bids came in they

were slightly above the estimates.

“We have said over and over the per square foot cost doesn’t change – there are no savings and this school was another example of that fact,” said Steve White, ACT Director.

The project is now complete so ACT is studying the payroll data to see what happened to wages and benefits.

All of the payroll data has not yet been collected but partial reports show some disturbing trends.

Sprinkler Fitters paid as low as \$10 per hour with no benefits. Iron Workers paid at \$10, \$12 and \$13 per hour, no benefits. Roofers at \$12.70 per hour, no benefits, Carpenters at \$16 per hour, no benefits. Concrete finishers \$15 per hour, no benefits.

“Where did the money go?” asks White. “The project was funded for prevailing wages, the bid came in at the estimate but the workers got huge cuts and you have to wonder what kind of quality resulted.”

Another project awarded during the period was the Suncrest Elementary School in Morgantown.

Quality and production problems, especially around the use of insulated concrete forms (ICF), have plagued the project.

The subcontractor for the ICF work HVB ICF came from Wisconsin but when they fell behind schedule another subcontractor GreyStar Construction from Virginia was brought in to help.

It was discovered the walls were installed out of plumb, as much as five inches.

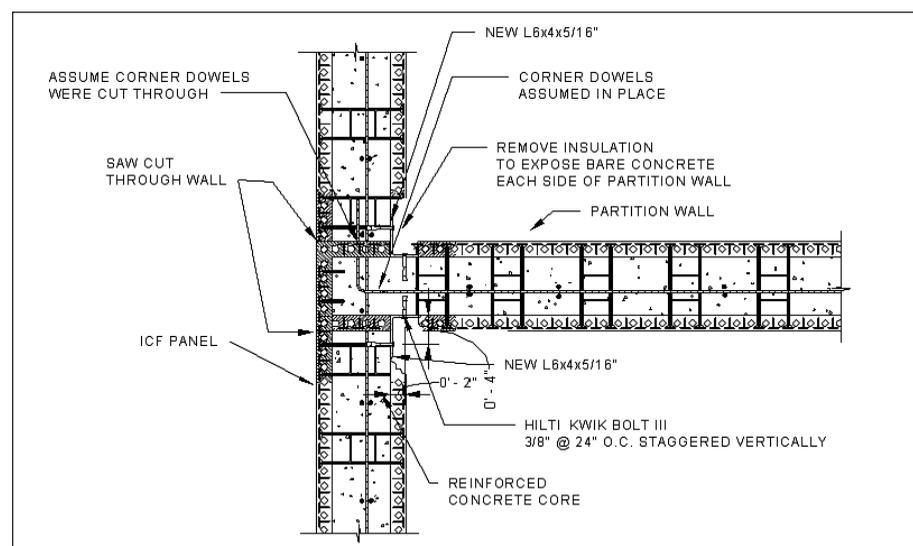
According to an engineer’s report to correct the problem the concrete walls were cut, straightened and pinned in place with bar joists.

While approved by a structural

engineer many question if this is quality construction.

Payroll records collected by legislative staff showed similar wage and benefit cuts for some of the workers at the Suncrest School.

Not all of the projects and subcontracts awarded during the time period went to nonunion companies. Parts of both projects mentioned above went to union subcontractors where fair wages and benefits were paid and no problems have been reported. ■



This graphic from the Engineering Investigated Report at the new Suncrest school shows how the saw cuts were made through the ICF walls when it was repositioned. The report was dated May 23 and concluded there were no detrimental effects on the structure.

Nine County Focus

Laborers Seek Apprentices Applications

The West Virginia Construction Craft Laborers’ Joint Apprenticeship and Training Committee is seeking apprenticeship applications with a focus on residents of Fayette, Greenbrier, McDowell, Mercer, Monroe, Pocahontas, Raleigh, Summers, and Wyoming Counties.

Those interested can apply at any WorkForce WV Employment Services Office during regular business hours.

Applicants must be at least 18 years old; have a high school diploma, GED or pass a test administered by WorkForce (if you are to test check

times with WorkForce); have a valid driver’s license; and be physically able to perform the work of the trade.

A substance abuse test will be required at some point in the process.

Documents such as a copy of a birth certificate, a valid driver’s license, transcripts of grades and proof of a high school degree or equivalent will be requested at a later date.

The apprenticeship program consists of a combination of on-the-job training and hands-on classroom training.

The WV Laborers’ Training Center in Mineral Wells provides 400

hours of classroom and hands-on training free of charge including meals and lodging.

Apprentices will also learn on the job in their home areas while earning a paycheck, for a total of 4000 hours, approximately two years.

Upon completion of the program apprentices will have earned Journeyman status and receive a certificate from the U.S. Department of Labor.

The areas of training provide a wide variety of skills to ensure highly productive workers will have successful careers.

Topics include pipelaying, mason tending, instrument reading, environmental remediation and much more.

The recruitment, selection, employment and training of apprentices shall be without discrimination because of race, color, religion, national origin or sex.

For more information visit the Laborers’ web site www.wvcl.org or to receive a free brochure send a self-addressed stamped envelope to: West Virginia Laborers’ Training Center, P.O. Box 6, Mineral Wells, WV 26150. ■

Morgantown Paving Job Turns Political

An erroneous claim that the repeal of prevailing wage has saved money on a Morgantown paving project is being challenged by local workers.

A local newspaper reported in late May on bids for a paving project and quoted the city engineer who claimed \$1 million was saved due to the repeal of prevailing wage.

However when the bid documents were examined by ACT no evidence of such saving was found.

A local paving company Parrotta Paving had the low bid of \$675,743. The second place bidder, Dodd General Contractors from Bridgeport, came in at \$1,117,530 and third was Mountaineer Contractors from Kingwood at \$1,376,960.

"The pricing for Dodd and Mountaineer were very close," noted Iron Workers Local 549 Business Manager Bengy Swanson. "But Parrotta was almost half the price, and all the wages in the job isn't enough to make that difference."

Swanson points to the 25 to 30 percent labor cost in similar projects which means workers would actually have to give money to the company

rather than get paid to make up the \$442,000 difference in price.

Swanson also asks how the engineer would explain Dodd's bid since they are a nonunion contractor. "How could prevailing wage repeal explain Dodd's bid of almost twice Parrotta?" asked Swanson.

Instead Swanson and others think politics are at work rather than facts.

Republican Party bosses were quick to put out a press release claiming a great victory based on the faulty information.

A newspaper in Martinsburg followed with an editorial praising the wage cutting legislature.

Natalie Stone, Business Manager for the North Central West Virginia Building Trades, wonders how low wages and no savings can be a victory for anyone.

"It's true wages will be lowered but the fact is there will be no savings to tax payers," said Stone.

"There never has been in any other state.

We will just get imported workers and poor quality and that's what we expect with this paving job." ■

Constitutional Issue

Continued from Page 1

Court Judge who agreed the law was illegal. However a federal judge dismissed the case. When appealed to the 7th Circuit Court of Appeals there was a split decision upholding the dismissal. However a lengthy dissent from Chief Judge Diane Wood, detailed a view many believe can ultimately prevail.

"... the majority has simply misunderstood the federal statutory scheme, taken as a whole.

The plain language of section 14(b) of the National Labor Relations Act (NLRA) does not support such sweeping force for Indiana's Right to Work law," wrote Judge Wood. "No ruling of the Supreme Court has gone this far..."

In Wisconsin the law was passed

in 2015 but then found to be unconstitutional, again by a Circuit Court Judge. The matter will go before a very conservative Wisconsin State Supreme Court at some future date.

It is likely that the core constitutional argument in West Virginia will focus on Article III Section Nine of the West Virginia Constitution which states, "Private property shall not be taken or damaged for public use, without just compensation."

Other parts of the constitution will likely be discussed. In addition there have been a number of phrases used in the new law that appear to exempt construction and focus the law solely on public employees.

These issues may also be part of the suit. ■

Some Hard Truths About America's Infrastructure

By Mark Johnson

When it comes to the state of America's infrastructure, there are many troubling facts. Such as:

- Infrastructure Investment has fallen by 40% in the last 20 years
- 25% of America's bridges are deficient or obsolete
- 30% of our bridges have exceeded their 50-year design life
- Poor roads contribute to 33% of all traffic fatalities in the United States
- Truck delays add \$7.6 billion a year to the cost of American-made products
- Lack of adequate pipelines cost many utilities to pay billions more to produce power in 2013

Many in our region are more than aware of the Flint, Michigan water crisis. According to the U.S. Environmental Protection Agency, the United States currently needs approximately \$384 billion in capital improvements for drinking water systems. Given that many cities rely on pipes that are nearly a century old, this estimate could be considered very conservative.

Here are some hard truths when it comes to the economic benefits associated with infrastructure investments: every \$1 billion in highway spending supports 27,800 jobs; while every \$1 spent on transportation infrastructure adds up to \$2.00 to our overall American GDP.

All of which begs the question: What are we waiting for?

Throughout American history, the construction and maintenance of our national infrastructure has always been a core function and responsibility of our federal government. In fact, America's Founding Fathers believed this responsibility to be so crucial to the health of our de-

mocracy that they included it in the Constitution (Article I, Sec. 8) as one of the very few enumerated powers -- along with national defense -- for which Congress is to be responsible.

Unfortunately, for over a generation, Congress has failed to adequately fund our nation's infrastructure, now almost everyone living and working in America is paying the price with a lower standard of living.

Americans must demand that Congress take responsible, immediate action that addresses this critical issue. Anything less can only be viewed as our elected leaders in Congress ceding America's global economic superpower status to competing countries such as China.

Investing in roads and bridges, water systems, oil and natural gas pipelines, strengthening our power grid, along with rebuilding our schools, not only creates jobs in the short-term, but lays a very strong foundation for sustained economic growth for future generations.

It's imperative that we modernize and re-build our infrastructure in order to keep America a thriving prosperous nation.

Mark Johnson is the Business Manager of the Tri-State Building & Construction



tion Trades Council based in Ashland, Kentucky. It is an umbrella group

of local construction craft unions representing more than 20,000 skilled construction workers in our three state region. ■

June 20 - 24

UA Local 565 Taking Applications in June

The Parkersburg Plumbers Joint Apprenticeship will be issuing application from Monday, June 20 through Friday, June 24.

Applications will be available from 9:00am till noon each day.

Those interested should go to 593 Cedar Grove Road, Parkersburg (two blocks from WVU-P).

The five year program teaches all aspects of the plumbing and pipefitting trade including, pipe fitting and welding, medical gas, CAD, instrument technician, blue print reading, plumbing, heating and cooling.

Apprentices are paid while on-the-job and also go to school for a minimum of 216 hours per year.

To qualify an applicant must be at least 18 years old, have a high school diploma or equivalent, a valid driver's license and be physically able to perform the work of the trade.

A copy of the applicant's birth certificate, driver's license, high school diploma or GED and, if recently in the military, a DD214 form will be requested at the time of application.

Completed applications together

with all supporting documents must be submitted within the same time period of June 20 to June 24.

Applicants must reside in the area of Local 565 which includes Calhoun, Jackson, Pleasants, Tyler, Wirt and Wood County in WV; and in Ohio, Morgan County south of Route 78, Meigs, Monroe, and Washington County.

Applicants must pass an aptitude test administered by WV Workforce as well as an alcohol and drug test.

The recruitment, selection, employment and training of apprentices shall be without discrimination because of race, color, religion, national origin or sex.

For more information call 304-485-1565. ■



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Trades Meet with New Marshall President



New Marshall University President Jerry Gilbert (standing at right) talks to members of the Tri-State Building Trades and area contractors at a lunch event held on May 20.

"We had a good meeting with President Gilbert to discuss the positive relationship we have had with the University and to share ideas on how we can work together in the future," said Mark Johnson, Business Manager for the Tri-State Building and Construction Trades Council.


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