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

Unions Take on So-Called Right-to-Work in Court

On May 5 a group of labor organizations, including the WV State Building Trades, sent state officials a notice about a legal challenge to the new so-called Right-to-Work law.

State law requires the 30 day notice before any legal action against the state can be filed.

The notice lays out the legal areas the group plans to challenge.

The organization expected to file the action includes the WV State Building Trades, six locals of the International Brotherhood of Electrical Workers, the WV AFL-CIO, Teamsters Local 175 and the United Mine

Workers of America.

According to the notice the group "will file a civil action which, among other things, will challenge the constitutionality of Senate Bill 1 recently passed by the Legislature of the State of West Virginia."

A recent suit in Wisconsin, based on a similar constitutional issue, was won on the Circuit Court level but must withstand a challenge at their right-leaning state supreme court.

Another key part of the suit may be to ask the court to review language in the new law about the construction industry and other issues.

While language in the bill spells out an exemption for the construc-

tion industry, those who are bargaining and administering contracts want the court's decision on the exemption.

The law was passed during the legislative session earlier this year and will affect all collective bargaining agreements entered into, or modified after July 1 of this year.

A suit can be filed 30 days after the notice is given. The notice mentions an injunction to block the new law may be requested.

"The Petitioner's action may seek a declaration pursuant to the Uniform Declaratory Judgment Act as well as preliminary and permanent injunctive relief." ■

Day of Action Event for Painters DC 53

16 volunteers from Painters DC 53 took part in an international (US and Canada) Community Day of Action.

The group repainted the headquarters of the West Virginia Council of Churches in Charleston as their part in the annual International Union of Painters and Allied Trades

Community Day of Action on Saturday, April 16.

"Union members are more than advocates for fair wages, rights and safety on the job," said Dan Poling, Business Manager for Painters DC 53. "We're good neighbors who have a long tradition of building up our communities." ■



Jerry Scarbro, (from upper left clockwise) Mike Lively, Angel Rodriguez and Glen Jackson were among 16 volunteers from Painters DC 53.

Trades Go Door-to-Door



Dozens of trades members prepare to go door-to-door for labor endorsed candidates Glenn Jeffries, running for the 8th Senate District and Mike Pushkin, running for re-election to the 37th House District. They met on a Saturday at the Operating Engineers 132 hall in Charleston.

\$5.5 Billion Ohio Cracker One Step Closer

A project labor agreement between the Upper Ohio Valley Building Trades, North America's Building Trades Unions and two bidders for a \$5.5 billion ethane cracker facility proposed for Belmont County Ohio has been finalized and delivered.

PTT Global Chemical is developing the project and has given two competing construction firms, Fluor Constructors and Bechtel, the job of putting together designs and pricing by the end of the year.

Key to the project is securing skilled manpower to build what amounts to a huge chemical refinery.

Matt Szollosi, Executive Director, ACT Ohio, presented the completed labor agreement to the PTT Global Chemical Board of Directors on May 1 when they met in Ohio.

"The company was impressed we had the agreement in place ahead of schedule," said Szollosi. "I appreciate the combined efforts of our North America's Building Trades and the

Upper Ohio Valley Building Trades that made it happen."

According to Szollosi design submissions from Fluor and Bechtel are due June 8, 2016. Design review and permit applications will occur through the end of 2016, when the two companies are to give their bids. A final decision is expected by late 2016/early 2017.

PTTGC has already committed \$100 million towards the facility's preliminary design work.

The 500-acre site being considered is made up of 150-acres from FirstEnergy Corp.'s former coal-fired Burger Power Plant and an adjacent 350-acre plot.

"We are excited about this project not only for the jobs it will create right away but also because it

will open the door to many more job opportunities down the road in our region," said Kyle Brown, President of the Upper Ohio Valley Building Trades Council.

Royal Dutch Shell announced a similar project in Western Pennsylvania in 2011 and Odebrecht followed with an announcement in Parkersburg, WV. The Odebrecht project has been put on hold while the Shell project has seen site work advance but no final build decision.

PTTGC is the petrochemical and refining subsidiary of Thailand's state-owned oil and gas company PTT. They have partnered with Marubeni Corp., a Japanese global services company, to develop the facility. The cracker has a tentative in-service date of 2020. ■

Fire Damper, HVAC Tech Law in Effect

A new requirement for those performing HVAC work to have a license has been in effect since the first of the year.

For persons who also want to install fire dampers an additional license is required.

Those who want to get the HVAC Technician license based on work experience, rather than take the test, have until June 30 to take advantage of the grandfather period.

As of mid-April more than 4000 licenses have been granted, of those 3672 have been for HVAC Technician and 333 for Technician-in-Training.

A Technician license costs \$75 per year. In order to qualify for a license without a test you must show you have at least two thousand hours of experience and/or training working on HVAC systems and at least six thousand hours of experience and/or training in HVAC systems and relating work which includes other sheet metal industry tasks.

A few have opted to take the test rather than simply show experience. After June 30 everyone seeking a license will have to take the test.

A Technician-in-Training must work under the direction and control of an HVAC Technician.

No experience required. License cost is \$50 per year.

The WV Division of Labor is responsible for licensing and enforcement.

Starting in April of 2015 the DOL has been sending out notices with every routine communication to contractor license holders or other licensed trades about the HVAC Technician license.

Since January 1 of this year there have been 39 cease and desist orders issued to those found working without a license.

For more information visit the DOL web site www.wvlabor.org.

Persons who install Fire Protection Dampers must first have an HVAC license and then get a Fire Protection Damper Technician license through the West Virginia State Fire Marshal's office.

Similar to the HVAC license, people can currently get the Fire Protection Damper Technician license without taking a test if they can show prior work experience performing the task. However after June 30 a test will be required.

The Fire Protection Damper Technician license costs \$50 per year or \$100 for a three year license. The Technician in Training is \$25 a year or \$50 for a three year license.

The Technician-in-Training does not take a test but must work under the direct supervision of a fully licensed Fire Protection Damper Technician.

For more information visit the WV State Fire Marshal's web site www.firemarshal.wv.gov. ■

Iron Workers Recognize Triton Construction



Bruce Dunlop, (from left) of Triton Construction, receives an award from Bobby Thornton, Business Manager of Iron Workers Local 301 Charleston while Iron Workers District Council of Southern Ohio President William Woodward looks on. The award, recognizing Triton for being a valued employer of Iron Workers, was given at an April 13 meeting held near Charleston.

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2016 Primary Election Results

State Building Trades Endorsed Candidates

U. S. House of Representatives	14th	Bob Williams (D) ✓		Gary McCallister (D) ✓	42nd	Stephen Baldwin Jr. (D) ✓	
David McKinley (R) - 1st District ✓	15th	Brad Noll (D) ✓		23rd	Rodney Miller (D) ✓	Ray Canterbury (R) ✓	
Mark Hunt (D) - 2nd District ✓	16th	Stephen Skinner (D) ✓		24th	Ralph Rodighiero (D) ✓	43rd	Bill Hartman (D) ✓
Supreme Court of Appeals	17th	Corey Palumbo (D) ✓		25th	"Bucky" Blackwell (D) ✓	44th	Dana Lynch (D) ✓
Darrell McGraw			House of Delegates	26th	Ed Evans (D) ✓	45th	Bill Hamilton (R) ✓
Attorney General	1st	Ronnie Jones (D) ✓		27th	Carol Bailey (D) ✓	46th	Peggy D. Smith (D) ✓
Doug Reynolds (D) ✓	2nd	Phil Diserio (D) ✓			Sabrina Shrader (D) ✓	48th	Richard Iaquina (D) ✓
Secretary of State	3rd	Shawn Fluharty (D) ✓			Lacy Watson (D) ✓		Derek McIntyre (D) ✓
Natalie Tennant (D) ✓		Erikka Storch (R) ✓		28th	Bill O'Brien (D) ✓		Tim Miley (D) ✓
Agriculture Commissioner	4th	Joe Canestraro (D) ✓			Wayne Williams (D) ✓		Wayne Worth (D) ✓
Walt Helmick (D) ✓		Mike Ferro (D) ✓		29th	Ricky Moye (D) ✓	49th	Dave Gobel (D) ✓
State Auditor	5th	Dave Pethtel (D) ✓		30th	Mick Bates (D) ✓	50th	Mike Caputo (D) ✓
Jason Pizatella	8th	David Bland (D) ✓		31st	Kristen Ross (D) ✓		Linda Longstreth (D) ✓
State Treasurer	9th	Jim Marion (D) ✓		32nd	Greg Crist		Tim Manchin (D) ✓
John Perdue (D) ✓	10th	Andy Daniel (D) ✓			John Pino (D) ✓	51st	Barbara Fleischauer (D) ✓
State Senate		Bill Merriman (D) ✓			Margaret Staggers (D) ✓		Evan Hansen (D) ✓
1st	Jack Yost (D) ✓	Stephen Ruble		33rd	David Walker (D) ✓		Nancy Jamison (D) ✓
2nd	Lisa Zukoff (D) ✓	12th	Missy Morris (D) ✓	34th	Brent Boggs (D) ✓		Billy Smerka Jr.
3rd	Bradley Vanzile (D) ✓	13th	Scott Brewer (D) ✓	35th	Ben Adams (D) ✓		John Williams (D) ✓
3rd	Greg Smith (D) - 2 Yr. ✓	14th	Samantha Fooce (D) ✓		Andrew Byrd (D) ✓	52nd	Steven Shaffer (D) ✓
4th	Brian Prim (D) ✓	15th	Terrence Turley		Shawn Little	53rd	Al Tomson (D) ✓
4th	Dustin Lewis (R)	16th	Sean Hornbuckle (D) ✓		Ben Sheridan (D) ✓	55th	Isaac Sponaugle (D) ✓
5th	Bob Plymale (D) ✓		James Stacy	36th	Nancy Guthrie (D) ✓	57th	Beverly C. Keadle (D) ✓
6th	Rocky Seay (D) ✓	17th	Chad Lovejoy (D) ✓		Andrew Robinson (D) ✓	59th	Cat Webster (D) ✓
7th	Art Kirkendoll		Matthew Rohrback (R) ✓		Larry Rowe (D) ✓	60th	Gary "Peanut" Collis (D) ✓
8th	Glenn Jeffries (D) ✓	18th	Paul David Ross	37th	Mike Pushkin (D) ✓	61st	Jason Barrett (D) ✓
9th	Mike Goode (D) ✓	19th	Ken Hicks (D) ✓	38th	Tom Tull (D) ✓	62nd	Christy Santana (D) ✓
10th	Dave Perry (D) ✓		Matthew McComas	39th	Shannon Hagerman	64th	Barby Frankenberry (D) ✓
11th	Denise Campbell (D) ✓	20th	Justin Marcum (D) ✓	40th	Melissa Riggs Huffman (D) ✓	65th	Sammi Brown (D) ✓
12th	Doug Facemire (D) ✓	21st	Phyllis White (D) ✓		Ronald Shamblin (R)	66th	David Dingess (D) ✓
13th	Roman Prezioso (D) ✓	22nd	Jeff Eldridge (D) ✓	41st	Adam Young (D) ✓	67th	Rod Snyder (D) ✓

Bold = Candidates affiliated with WV State Building Trades/ACT ■

Plumbers & Pipefitters 152 Apprenticeship

Morgantown Plumbers Joint Apprenticeship Committee (JAC) Inc. will accept applications for apprenticeship at Plumbers & Pipefitters Local 152, 100 Richard Avenue, Morgantown during the following dates and times:

Tuesday, May 31 – Saturday, June 4, from 9:00 a.m. – 12:00 p.m.

Monday, June 6 – Saturday, June 11, from 1:00 p.m. – 4:00 p.m.

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

Apprentices learn on the job under the supervision of journeymen

and attend classes two nights a week.

Applicants must be 18 years of age or older. An applicant who is 17 at the time of application can apply as long as their 18th birthday is prior to being registered by the JAC.

Applicants must take the TABE test, given by Workforce West Virginia specifically for the Morgantown Plumbers JAC. No other test will be accepted. Individuals passing the 10th grade level test or higher will be granted an interview. Testing information will be provided at the time of application.

Applicants must be high school graduates or have a high school equivalency diploma and must also provide copies of the following docu-

ments when applying: a high school diploma issued by a county or state education entity; a high school transcript or official transcript for the GED, TASC or HISET; and proof of birth (birth certificate).

U.S. military veterans with an honorable discharge (active duty or reservist) must submit a DD-214 for consideration of credit for training and experience.

Applicants will be subject to a substance abuse test before entering the program.

Applicants shall be bona fide residents of the following counties (proof of residency required): Barbour, Braxton, Doddridge, Gilmer, Grant, Hampshire, Hardy, Harrison,

Lewis, Marion, Mineral, Monongalia, Pendleton, Preston, Randolph, Taylor, Tucker and Upshur.

A current valid driver's license must be supplied at the time of application.

A \$20.00 application fee, cash or check only, will be charged.

The JAC will establish an eligibility list consisting of applications received. If you have previously applied for the apprenticeship program and were not accepted, you may re-apply.

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

For more information call 304-296-7562. ■

Prevailing Wage Repeal in Effect May 12

The repeal of prevailing wage forced through at the last legislative session by republican leaders went into effect on May 12.

That means construction contracts entered into after May 12 will no longer have the prevailing wage protections that create a level playing field for local workers and contractors when bidding on tax funded construction projects.

The May 12 date comes from the wording of the legislation which states the repeal becomes effective 90 days from passage.

The bill first passed on February 5 and was sent to Governor Earl Ray Tomblin who vetoed it.

The legislature then voted to override the veto on February 12.

Is the date of passage the date the legislature voted to override Governor Tomblin's veto? Or, is the date of passage the day the legislature first completed action, before it was sent to the Governor?

According to ACT attorney Vince Trivelli the repeal date is May 12 because of prior case law about the veto override being the date of passage.

If no contracts are awarded in between those dates it won't matter.

Another question that has come up is what happens to contracts that were awarded before the repeal; does the prevailing wage requirement re-

main?

According to Trivelli the answer is yes. "If a contract was awarded with prevailing wage, the requirement remains in place for the life of the contract," said Trivelli.

A study commissioned by ACT comparing school construction costs in West Virginia with surrounding states including North Carolina showed on a per square foot basis WV builds schools per square foot

at a lower rate than non-prevailing wage states.

Therefore the repeal will bring no construction cost savings to taxpayers as promised by republican leaders.

Instead the study showed the repeal of prevailing wage will cost the state up to \$84 million per year in lost wages and taxes, hurt local contractors and result in job losses for local workers. ■

Affiliated Construction Trades

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Workers Memorial Day



Dave Bland, a representative for Painters District Council 53, reads the names of 15 workers who died on the job during 2015 as part of a Workers Memorial Day event on April 28.

Around 75 people attended the annual gathering, held this year in Morgantown, to remember those who have died on the job or because of workplace injuries.

Bland lost his brother Randy who was killed in Wood County while at work for the DOH in 2015.

That is one reason Bland is a candidate for the House of Delegates in Wood County.

LIUNA GP also Local Union 1353 Delegate



Terry O'Sullivan, (left) General President of the Laborers International Union of North America (LIUNA) and Craig Harvey, Business Manager of Laborers Local 1353 Charleston were among those elected in early May to represent Local 1353 at LIUNA's upcoming convention in September. O'Sullivan is a member of 1353 and will be seeking re-election as General President of LIUNA, a position he has held since 2000.