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

# Please Make Sure to VOTE

“Please make sure you and your family vote. And please consider the endorsed candidates of the Building Trades.”

That’s the message the entire Executive Board of the WV State Building Trades wants each member to consider.

When you see an endorsement list (Page 3) you should know a lot of work goes into making it.

All candidates are sent a questionnaire about key labor issues such as their position on prevailing wage, right-to-work, workplace safety, and many other work related topics.

Non-work related issues are not part of the process.

Candidates who reply to the questionnaire are then interviewed by local committees established by local Labor Councils.

The local Labor Councils then vote on their recommendations to the state COPE Committee (Com-

mittee on Political Education).

That committee is comprised of representatives from each international union and local councils.

The recommendations for endorsement of the local councils are taken up for consideration and either adopted or changed.

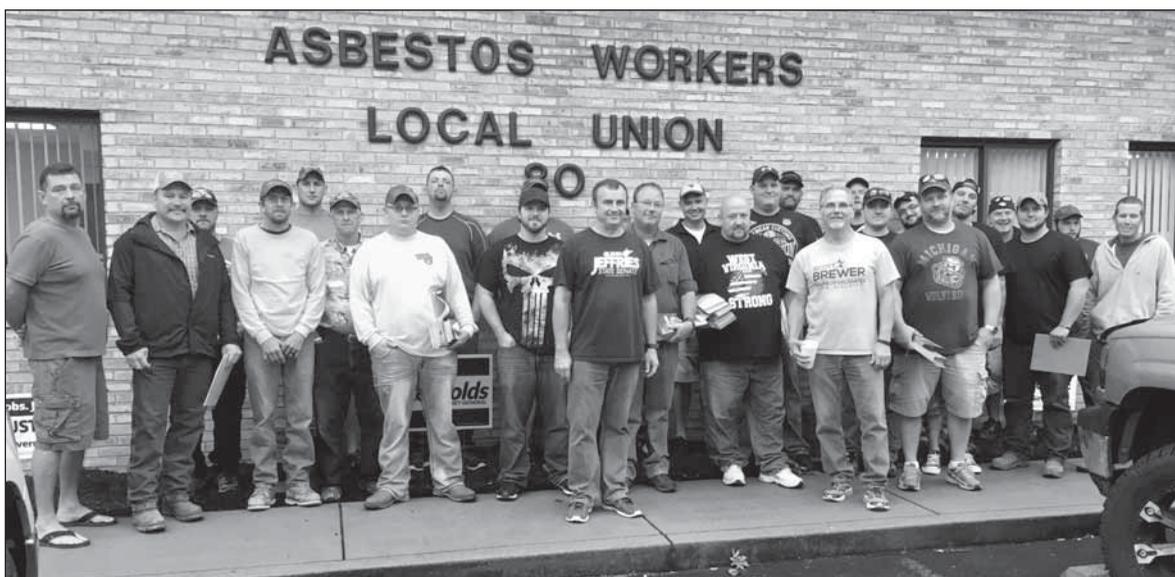
Not only are the candidates’ positions on key issues and past voting record, if they have held office, considered.

A candidates ability to fund and organize a campaign, communicate, get

volunteers are also considered.

When COPE chooses not to make an endorsement, each union decides on their own what to do on a race. At times no endorsement is offered.

“We participate in the COPE process and then add to it when the need arises,” said Dave Efaw, Secretary-Treasurer of the WV State Building Trades. ■



Members of Insulators Local 80, joined by a few carpenters and State Senate Candidate Glenn Jeffries and House of Delegates Candidate Scott Brewer prepare to go door-to-door on a drizzly Saturday in early October. “A little rain won’t stop us from protecting our jobs and our families,” said Ron Piersol Jr., Business Manager for Local 80.

## Moundsville Power Project Hits Roadblock

The group called the Ohio Valley Jobs Alliance (OVJA) has filed a permit appeal against the Moundsville Power project delaying construction.

The appeal to the Circuit Court of Kanawha County is the second time the group has challenged Moundsville’s air permit.

Moundsville received an air permit from the Division of Environmental Protection (DEP) for their \$615 million gas-fired electric plant in November of 2014.

In April of 2015 Moundsville applied for an administrative update to their permit, to make some improvements to the project including larger duct burners, higher turbine firing rate, increased power output and cooling tower revisions.

The company was required to re-evaluate Best Available Technology use and remodel air emissions to demonstrate no adverse effect on air quality would result from the proposed changes.

The administrative update was approved by the DEP in August of 2015. Three months later OVJA filed a Notice of Appeal on November 18, 2015 to the Air Quality Board (AQB).

OVJA lawyers argued the permit should have undergone a more rigorous Major Modification process, in part because changes were made to CO2 emissions. However the DEP and Moundsville argued the standards OVJA sought to impose were new and not in place at the time the permit and administrative update

were issued.

In the July 2016 final order the Air Quality Board (AQB) wrote “determining if CO2 was a regulated pollutant at the time when the DEP used an Administrative Update is important. If CO2 was a regulated pollutant at the time, then the DEP could not use an Administrative Update to modify the permit. The DEP would have to undertake a modification of the permit, which would require public notice and a comment period, at the least. Because the Board finds that CO2 was not a regulated pollutant at the time, the change in CO2 limits did not trigger a modification.”

The AQB also questioned the real intent of the OVJA writing “It should be noted that the Board was some-

what concerned by the OVJA’s apparent lack of knowledge about the contents of its appeal, lack of a cognizable purpose related to the environment, and overall express intent to stop the construction of the plant solely to benefit another industry.”

Documents from a February 2016 evidentiary hearing reveal that OVJA was not sure who hired or paid for the attorneys who represented them at the hearings.

James Thomas, testifying on behalf of OVJA, admitted at the hearing he had met with individuals at Murray Energy’s Murray Mine asking for help forming the group. Thomas maintains Murray Energy has not advised the OVJA on the appeal.

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# Trades Donate to Flood Rebuilding Effort

The West Virginia State Building Trades Council completed a \$20,000 donation commitment made at an Executive Board meeting earlier this year with a \$10,000 contribution to Project HOPE.

Prior contributions include \$10,000 to emergency relief funds set up by the WV AFL-CIO and the South Central WV Labor Council.

After devastating floods hit the state earlier this year many members of the trades pitched in to help.

The initial response came from all across the state and the country.

Glenn Jeffries, owner of Cornerstone Interiors was among the many who dropped everything to join in the clean-up effort.

For Jeffries that meant temporarily suspending his efforts to win election to the State Senate as well as taking away time from his family and business.

“When I saw the devastation up close I had to get involved,” said Jeffries.

After the initial clean up Jeffries recognized there was a huge need for better planning and preparation for the rebuilding phase. Jeffries partnered with Mountain Mission, a faith based group, along with other organizations looking to make a difference and created Project HOPE.

From the Mountain Mission web site [mountainmission.com/flood-relief/](http://mountainmission.com/flood-relief/)

“At the present time, Mountain Mission is moving into its rebuilding phase of its flood recovery operation, named *The HOPE Project*. HOPE stands for *Helping Our People along the Elk (River)*. The program helps residents in Kanawha County rebuild homes damaged by the flood. HOPE partners include *Cornerstone Interiors, Hands on West Virginia and*

*Lowes of Kanawha City*. For those that qualify, HOPE partners will provide homeowners with free drywall, subflooring, electrical and insulation materials. Homeowners will have to

secure their own workers to install the materials. Mountain Mission can provide a list of community organizations that have volunteers that are available to help with the installation.” ■



John Epperly of IBEW 466 (right) hands a \$10,000 check from the WV State Building Trades to John Roberts of Mountain Mission and Glenn Jeffries of Cornerstone Interiors. Roberts and Jeffries teamed up to create Project HOPE to get construction materials to flood victims who are trying to rebuild. So far they have raised \$325,000 and helped nearly 100 families.

## Motions Filed in Case Aimed at Blocking Right-to-Work Law

In early October those both opposed and in support of the so-called Right-to-Work law filed motions asking Judge Jennifer Walker to decide the case in their favor.

At issue is whether or not the new law conflicts with the state constitution and if it will hurt unions and their members. In addition unions are asking for assurances language exempting the construction industry from the new law will be abided by.

The state constitution protects citizens on many levels including the right not to have property taken without compensation and the right to association.

Lawyers for the unions and members show how costs currently paid for by all workers covered by a collective bargaining agreement for services such as contract enforcement, contract negotiations, grievance handling, arbitrations, etc., will in effect increase when some workers decline to pay their share.

Federal and state law requires unions to represent all workers in a

bargaining unit regardless if they are members of the union or not. Without a Right-to-Work law the nonmembers can be required to pay for their portion of the costs relating to the contract. Cost for things like organizing and politics cannot be recovered from nonmembers. Under the RTW law nonmembers will no longer be required to pay their portion of the contract costs.

The unions look to the expected 20 percent decline in union membership in West Virginia with the passage of the law as detailed by a WVU professor brought in by Republican leaders to support the measure.

“There will be less people trying to fund the same services – to members and nonmembers alike – services that unions must provide by federal and state law,” said Dave Efaw, Secretary-Treasurer of the WV State Building Trades Council.

“The republican response basically says if you don’t like it, don’t have a union, nobody is forcing you to be organized.”

The AFL-CIO in DC filed a brief in support of the eleven West Virginia based labor organizations named in the case.

“The Workplace Freedom Act unfairly requires unions to provide services without compensation and thereby unfairly burdens union members’ exercise of their right to associate.”

Those who support the new law argue differently.

In a brief filed by an arm of the anti-union National Right-to-Work group the argument is quite different. “The Act does not take property from the unions it merely precludes the unions from collecting fees designed to cover the cost of performing the duty of fair representation.”

The group also calls for a summary judgement – against the unions – claiming the loss of membership and increased cost for those who remain has yet to be established.

A hearing on the competing motions will be held on December 2nd before Judge Walker. ■

## Power

**Continued from Page 1**

Thomas stated the OVJA’s main concern was coal industry jobs.

OVJA is now asking the Kanawha County Circuit Court to overturn the AQB decision.

The appeal has put hundreds of local construction jobs at risk.

Moundsville Power selected Black & Veatch as general contractor who, in turn, entered into a project labor agreement with the Upper Ohio Valley Building and Construction Trades Council to use members of the Trades to construct the project.

“We are disappointed the project has been delayed, we have many local construction workers who really need these jobs,” said Kyle Brown, President of the Council. “We fully support coal and would welcome a new coal-fired construction project, but the facts are gas is cheap and if we don’t build this plant here, someone will build one elsewhere.”

Ohio Valley Jobs Alliance v. William F. Durham, civil action number 16-AA-67, is assigned to Kanawha County Circuit Judge Joanna Tabit. A trial date has not been set. ■

# 2016 General Election COPE Endorsements

## U.S. House of Representatives

David McKinley\* (R) - 1st District  
 Mark Hunt (D) - 2nd District

## Governor

Jim Justice (D)

## Attorney General

Doug Reynolds (D)

## State Auditor

Mary Ann Claytor (D)

## Secretary of State

Natalie Tennant (D)

## State Treasurer

John Perdue (D)

## Agriculture Commissioner

Walt Hemlick (D)

## State Senate

1st Jack Yost (D)  
 2nd Lisa Zukoff (D)  
 3rd **Bradley Vanzile** (D)  
 3rd Greg Smith (D) Unexpired Term  
 4th Brian Prim (D)  
 5th Bob Plymale (D)  
 6th Rocky Seay (D)  
 7th Richard Ojeda II (D)  
 8th **Glenn Jeffries** (D)  
 9th Mike Goode (D)  
 10th Dave Perry (D)  
 11th Denise Campbell (D)  
 12th Doug Facemire (D)  
 13th Roman Prezioso (D)  
 14th Bob Williams (D)  
 15th Brad Noll (D)  
 16th Stephen Skinner (D)  
 17th Corey Palumbo (D)

## House of Delegates

1st Ronnie Jones (D)  
 2nd **Phil Diserio** (D)  
 3rd Shawn Fluharty (D)  
 Erikka Storch (R)  
 4th Mike Ferro (D)  
 Joe Canestraro (D)  
 5th Dave Pethtel (D)  
 7th **Mark Harper** (D)  
 8th **David Bland** (D)  
 9th Jim Marion (D)  
 10th **Andy Daniel** (D)  
 J. Morgan Leach (D)  
 Bill Merriman (D)  
 11th Jim Crowder (D)  
 12th Missy Morris (D)  
 13th **Scott Brewer** (D)  
 Rosalee Juba-Plumley (D)  
 14th Samantha Fooce (D)  
 15th Jeffrey Smith (D)  
 16th Joe Akers (D)  
 Sean Hornbuckle (D)  
 Matt Spurlock (D)

17th Chad Lovejoy (D)  
 Matthew Rohrbach (R)  
 18th Billy J. Chaffin II (D)  
 19th Ken Hicks (D)  
 Robert Thompson (D)  
 20th Justin Marcum (D)  
 21st Phyllis White (D)  
 22nd Jeff Eldridge (D)  
**Gary McCallister** (D)  
 23rd Rodney Miller (D)  
 24th Ralph Rodighiero (D)  
 25th "Bucky" Blackwell (D)  
 26th Ed Evans (D)  
 27th Carol Bailey (D)  
 Sabrina Shrader (D)  
 Lacy Watson (D)  
 28th Bill O'Brien (D)  
 Wayne Williams (D)  
 29th Ricky Moye (D)  
 30th Mick Bates (D)  
 31st Kristen Ross (D)  
 32nd Shirley Love (D)  
 John Pino (D)  
 Margaret Staggers (D)  
 33rd **David Walker** (D)  
 34th Brent Boggs (D)  
 35th Ben Adams (D)  
 Andrew Byrd (D)  
 Ben Sheridan (D)  
 36th Nancy Guthrie (D)  
 Andrew Robinson (D)  
 Larry Rowe (D)  
 37th Mike Pushkin (D)  
 38th Tom Tull (D)  
 39th Wesley Holden (D)  
 40th Melissa Riggs Huffman (D)  
 41st Adam Young (D)  
 42nd Stephen Baldwin Jr. (D)  
 Ray Canterbury (R)  
 43rd Bill Hartman (D)  
 Phil Isner (D)  
 44th Dana Lynch (D)  
 45th Bill Hamilton (R)  
 46th Peggy D. Smith (D)  
 47th Ken Auvil (D)  
 48th Richard Iaquina (D)  
 Derek McIntyre (D)  
 Tim Miley (D)  
 Wayne Worth (D)  
 49th Dave Gobel (D)  
 50th Mike Caputo (D)  
 Linda Longstreth (D)  
 Tim Manchin (D)  
 51st Barbara Fleischauer (D)  
 Evan Hansen (D)  
 Nancy Jamison (D)  
 Rodney Pyles (D)

John Williams (D)  
 52nd Steven Shaffer (D)  
 53rd Al Tomson (D)  
 55th Isaac Sponaugle (D)  
 57th Beverly C. Keadle (D)  
 59th Cat Webster (D)  
 60th Gary "Peanut" Collis (D)  
 61st Jason Barrett (D)

62nd Christy Santana (D)  
 63rd Kenny LeMaster Jr. (D)  
 64th Barby Frankenberry (D)  
 65th Sammi Brown (D)  
 66th David Dingess (D)  
 67th Rod Snyder (D) ■  
 \* Building Trades Endorsement  
**Bold** = Trades Member



Plumbers & Pipefitters Local 625 members prepare to hit the streets to inform voters why they have endorsed Glenn Jeffries for Senate. "After attacks by our current Senator Chris Walters to take away our unions and our jobs we have to do something," said Mike Rhodes, Business Manager of Local 625.



Painters and Electricians prepare to go door-to-door for Dave Bland, a member of the painters, who is running for the House of Delegates in the Wood County 8th District area.



Operating Engineers 132, Carpenters and Iron Worker members meet at a Ravenswood parking lot to help Brian Prim and Scott Brewer in their bid to win election.



Members of IBEW Local 466 along with Roofers go door-to-door in Kanawha County for Glenn Jeffries and Mike Pushkin.

# False Claim of PW Repeal Savings Exposed

With the repeal of the prevailing wage law now in place many are looking to see if the promised 25 percent savings on construction projects will materialize.

Of course it won't.

But that hasn't stopped some political operatives from making unsubstantiated claims of great savings which in turn gets picked up by a few media outlets.

One such story is a report claiming a \$22 million savings in the first few months of repeal made by the anti-union Associated Builders and Contractors.

According to ACT's Steve White the number comes from some creative accounting based on hypothetical wages and costs.

"If you want to show some sort of savings then you must show actual bid results," said White. "The low wage crowd can't do it so they resort

to smoke and mirrors."

White explains how ACT is tracking project bids and posting a number of them online at a new website called WVBrokenPromise.com.

The effort is aimed at providing real data to show no savings have resulted from prevailing wage repeal.

Governor candidate Bill Cole has used the ABC claim of great savings in his campaign.

"Instead of savings as promised by Republican leaders we are seeing more imported workers and contractors, low wages, no benefits, and poor quality," said White.

Another news report has the same ABC group claiming construction employment has grown at the most rapid rate in the nation.

Anyone in West Virginia's construction industry knows that is not true, even if we wish it were.

"We have decent employment

right now but we certainly don't lead the nation. In fact, we are behind other states coming out of the recession" said White.

White asked a few economists to check the numbers and they agreed the data did not support the claims.

Still another story came from a contractor ABC member and proponent of prevailing wage repeal. The

contractor claimed repeal helped them employ five new workers.

The problem according to White is, the contractor Jarrett Construction, has won no public projects since repeal.

"It's frustrating that many in the media do not check the facts and are quick to report these unsubstantiated claims," said White. ■



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## Early Voting October 26 thru November 5

## State Building Trades Officers Re-Elected



Bill Hutchinson (right) and Dave Efav are sworn into a new three year term by WV AFL-CIO President Kenny Perdue. Hutchinson and Efav were re-elected at the WV State Building Trades Constitutional Convention held on September 14.

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