

Charleston Daily Mail

Labor groups say Jobs Act is effective

Kris Wise

Daily Mail Capitol reporter

Monday September 4, 2006

Five years after the West Virginia Jobs Act kicked in, construction and trades officials say the law is working and is making it easier for the state to crack down on contractors who don't hire enough West Virginians to do work on government jobs and public building sites.

Laborers won their fight earlier this year to keep hold of the Jobs Act, a provision that now permanently requires a majority of workers on state-funded construction sites to be from local areas.

The act had an expiration date later this year that would have required it to be reconsidered again in January by state lawmakers, but after several years of lobbying, labor leaders finally got the act extended indefinitely.

"It's hard to measure the success we had because it's kind of like, you just don't know what would happen if the law wasn't in place," said Steve White, director of West Virginia Affiliated Construction Trades.

"It brings attention to the fact that these contractors have to have local folks and local workers participating. The intent was never to put walls up at our borders but to insure that local workers get a chance at these jobs."

White said that despite the law having been in effect for more than five years, enforcement still is an issue.

The Jobs Act requires 75 percent of the workers hired by a state-employed contractor to be from West Virginia or from a 75-mile radius of the job site.

"We have had to push people on the 75 percent figure," White said. "A job just last year at WVU building the dormitories, we had problems. The university, give them credit, told the contractor they had to comply with the law. That's what it's going to take."

The upcoming legislative session that starts in January will be the first time in more than a decade that either passing or extending the Jobs Act will not be the groups' top legislative priority.

"There are a couple of other things we've worked on and have just been unsuccessful," White said.

Illegal immigration issues in the construction industry are becoming a new focus of the trades' legislative agenda.

"We don't feel the job is being done by government agencies to adequately police whether workers are legal," White said. "It is on the rise, and in fact we think it's worth millions of dollars of lost tax revenue and we think more needs to be done about it."

Affiliated Construction Trades and other such lobbying groups have worked for the past year pushing a bill that would allow the state to increase the fines for companies found to have hired illegal workers, and to suspend or revoke those contractors' licenses to do business in West Virginia.

Labor leaders plan to keep pushing that measure, along with a new bill that tackles government-issued financial incentives to companies that do business with the state.

"That's what's going on right now," White said. "We're giving them tax credits and they're using them to import workers from out of the area and from out of the country, we think."

Gary Tillis, business manager of the West Virginia Laborers' District Council and a candidate for Putnam County commission, said more legislation is necessary to make government regulators crack down on the number of migrant workers seeking jobs in the state and the number of contractors, primarily those hired from out of state, who exploit and hire illegal workers.

"You've got the prosecutors' offices to prosecute those cases, but they've already got their plates full with meth cases and drug busts," Tillis said. "It's hard for them to put (illegal hiring) as a top priority, but that's what needs to happen."

