Full Repeal Stopped, but Partial PW Repeal Passes

A bill that started out as full repeal of the state’s prevailing wage law ended up only going part way.

SB 361 passed the legislature and was signed into law on the final week of the legislative session.

It limits prevailing wage requirements to public projects valued at more than $500,000.

Private projects that get public grants will require prevailing wages only if the amount of the grant is more than $500,000 regardless of the size of the project.

In addition, the bill moves the authority for determining wages rates from the Division of Labor to WorkForce.

WorkForce is charged with creating a new methodology by June 1, 2015 for determining what wage rates prevail and, in doing so, they are to coordinate with both WVU and Marshall University.

New rates must be out by September 30 of this year.

“While we took a hit we still have a prevailing wage law for many projects,” said Steve White, ACT Director.

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2015 a Bad Session for Working Families

Construction workers, public employees, mine workers, and just about every other worker took a hit during this year’s legislative session.

Mine workers faced a roll back of safety regulations that had been in place for years.

Public employees now have a two-tier benefit system with new employees benefits cut significantly.

Teachers narrowly averted passage of Charter School legislation they predicted would drain school resources.

Building Trades members suffered not only with partial loss of prevailing wage but a ban on Project Labor Agreements.

Under the heading of ‘tort reform’ workers who have asbestosis will find it more difficult to win a claim as well.

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Members of the Trades filled the galleries of the House Chamber on February 28 while debate takes place on the floor over passage of SB 361, just like they did for meetings and hearings throughout the legislative session.

Glenn Jeffries of Cornerstone Interiors testifies at a February 19 public hearing in the House of Delegates chamber in support of the prevailing wage law. Jeffries was among dozens of contractors that showed up in support of the law.
Full Repeal Stopped

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“...And we avoided full repeal only because of the involvement of members and contractors.”

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Affiliated Construction Trades

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White pointed out that thousands of contacts with legislators were made through direct visits, emails, phone calls and letters.

During critical meetings the committee rooms were always full of members with crowds forming in the hallways as well.

Those attending a rally called by Senate Minority Leader Jeff Kessler (D-Marshall) on Presidents Day were mostly from the Trades and numbered in the thousands.

That stunned many political observers because the weather was one of the worst days of the winter.

Hundreds showed up during the public hearing held in the House Chamber where more than a dozen contractors testified against the repeal bill and in support of prevailing wage.

Again, during a House Government Organization Committee meeting and during the floor debate on a Saturday in the House, members packed the chamber.

ACT also ran TV and newspaper ads to support the prevailing wage law.

In addition, a study was commissioned that showed how schools built in West Virginia under the prevailing wage law were more cost effective than those built in states without prevailing wage like North Carolina and Virginia.

The report estimated the state would lose between $55 million and $84 million per year from lost wages and taxes if the prevailing wage law was repealed.

“We won’t know the full extent of the damage until we see the new methodology.

But it is clear there will be cuts in many parts of the state because of the high threshold,” said White.
Brooke and Harrison Counties
New Gas Fired Power Plants Proposed

The developers of the Moundsville Power project are looking at additional sites in West Virginia for more gas-fired power plants.

Both Brooke and Harrison County Commissions have entered into preliminary agreements for projects in their counties.

However the projects are still in a very early stage of development, the decision to go forward or not is still months away.

“Both sites have strong fundamentals,” said Jon Williams, one of the partners in Energy Solutions Consortium. “If there are one hundred steps to take, we have taken the first.”

Energy Solutions Consortium is made up of Williams, John Black and members of the Dorn family, the same principals behind Moundsville Power LLC.

The Brooke County site could hold two separate power plants side-by-side. Located at the former Wheeling Corrugating Plant in Beech Bottom the site is adjacent to two interconnects with the grid – at 345 KV and 138 KV.

So the project – if built – could be much bigger than the Moundsville plant which is slated to have a 549 megawatt capacity.

“At this stage we don’t know the capacity that would work because we have to communicate with those who regulate the grid and see what kind of power is needed,” said Williams.

The grid operators, known as PJM, look at power needs every six months and will next go through proposals received through the end of April.

PJM Interconnection is a regional transmission organization that coordinates the movement of wholesale electricity in all or parts of Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and the District of Columbia.

PJM is careful to emphasize both projects are in a very early stage of development and there are many reasons that they may never be built.

Working with PJM is just one of many steps needed to get a project developed.

Getting environmental permits, approval from the state Public Service Commission, doing wildlife and archeological studies, getting interconnect arrangements with transmission companies, and finding financiers are among a long list of tasks.

Ultimately the project will need to find buyers of the power since it will be a wholesale seller rather than a commercial seller.

In Harrison County the proposed location would be near Clarksburg where abundant dry-gas from Marcellus Shale wells can be found.

According to Williams the Harrison project would be very similar to the Moundsville project in size.

Williams is careful to emphasize both projects are in a very early stage of development and there are many reasons that they may never be built.

Bad Session
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Apprentice Painters Learn Labor History

Apprentice painter and glazier members of Painters District Council 53 attend a Labor History class taught by WVU Institute for Labor Studies and Research Professor Sam White.

The class took place at the Painters training center in Weston in early March.

as workers who are hurt on the job through ‘deliberate intent.’

Fortunately a bill to impose the so-called Right-to-Work law which forbids unions and companies to include dues requirements in contracts failed to advance.

However leaders of the House and Senate have asked for an economic impact study from WVU in an apparent attempt to promote Right-to-Work for next year’s legislative session.

A bill to increase campaign contribution limits to $50,000 per candidate, per election also failed to pass.

“This was not a good session for working families,” said Kenny Perdue, President of the WV AFL-CIO.

“During the election we heard a lot about jobs but during the session all we got was wage cuts, safety cuts, benefit cuts and legal protection cuts.”

Trades members crowd the hall and meeting room of the House Government Organizations Committee while the prevailing wage repeal bill SB 361 was being discussed on February 25.
Trumka, Roberts, Hall Among Speakers
Rally Brings Thousands to Charleston

Between 6,000 and 7,000 people attended the “Mountaineer Workers Rising” labor rally on Saturday, March 7 at the state capitol.
The rally was called by the West Virginia AFL-CIO to protest legislative measures harmful to working families that had passed, were pending or were being promoted during the 2015 legislative session.

Speakers included AFL-CIO President Rich Trumka, United Mine Workers of America President Cecil Roberts and Ken Hall, Secretary-Treasurer of the Teamsters and President of Local 175 Charleston.

Speakers protested a long list of damaging legislation including the attack on prevailing wages, attempts to pass the so-called Right-to-Work law, Charter School legislation, rollback of mine safety laws, passage of legal restrictions to lawsuits over work related injuries, and more.

Legislators supporting labor were lined up behind the speakers to show support.

“The crowd was bigger than expected and legislators know if thousands show up even more are back home with the same concerns,” said Dave Efaw, Secretary-Treasurer of the WV State Building Trades.

According to WV State Police an estimated 7,000 people attended a labor rally in Charleston on March 7 to protest the direction taken during the legislative session under the new Republican majority.

Photo by: David T. Stephenson