

THE ACT REPORT

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The ACT Foundation is an association of West Virginia building and construction trades unions, with offices in Charleston and Clarksburg. Bruce Tarpley, President; Steve Burton, Vice President; T.L. Ranson, Secretary Treasurer; Roy Smith, Executive Director; Steve White, Director.

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For \$30 Million Warehouse Coldwater Mail Order Hiring Out-Of-State

It's happening again. A new company is lured to West Virginia with promises of tax breaks, loans and outright grants, but no return promise is made to hire local workers to build their new facility.

This time the victims are workers in the Parkersburg area. The culprit is Coldwater Creek, a new mail order catalog company that is building a \$30 million warehouse in the new Pettyville Industrial Park near Parkersburg.

Coldwater Creek, an Idaho based company, has hired Haskell Company of Jacksonville, Florida to design and build their new facility according to news reports.

Coldwater Creek is the first tenant in the Pettyville Indus-

"This project is the start of potentially one of the biggest industrial parks in the state."

**Jim Lewis
ACT Representative**

trial Park and ACT has been waging a campaign to encourage them to hire local contractors and construction workers.

ACT's complaint stems from the fact that Coldwater

Creek will benefit from West Virginia taxpayers through millions of dollars in incentives including \$10 million in loans; a \$1.2 million community development block grant; super tax credits; B&O tax credits; and workforce training credits.

"That doesn't include the \$15 million committed to creating the Pettyville Park itself," said ACT Representative Jim Lewis.

"And to top it off, we had to learn from newspaper reports about Haskell coming in to build the project."

Coldwater Creek President Dennis Pence denied that
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Against Commercial Builders

Morgantown Workers Strike Unfair Practices

Construction workers from Commercial Builders in Morgantown went on an unfair labor practice strike in early November.

An organizing drive has been secretly in place for weeks and recently the workers went public.

"We let our boss know we were working to get a union," said Steve Montoney one of the workers on strike. "That's when everything changed."

"Before he knew we wanted a union we were valued em-

ployees. Now it appears we're no longer needed."

When Montoney and two other employees of Commer-

cial Builders hit the streets they were joined by members of the North Central Regional Council
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PICKETING unfair labor practices are members of the North Central Building Trades Council

Ohioans Vote 'No' On Comp Changes

Ohio voters soundly rejected Workers Compensation 'reform' similar to West Virginia's 1995 devastating legislation.

"Despite the fact that big business spent a record-breaking \$10 million on the campaign, the working men and women of Ohio said "No" to cuts in workers comp ben-

The (Ohio) workers comp system will remain at its current level and injured workers will continue to receive benefits and medi-

efits," said Steve White, ACT director.

Thanks to the voters of Ohio, the workers comp system will remain at its current level and injured workers will continue to receive benefits and medical payments.

The issue was put on the ballot after Senate Bill 45 passed and the Ohio AFL-CIO circulated petitions and got 414,000 signatures to challenge the implementation of the state law affecting workers comp benefits.

If it had passed, a variety of changes would have occurred in comp law -- such as a reduction of wage loss benefits from 200 to 26 weeks -- and employer costs would have been
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Parkersburg Area Workers Are Victims

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Haskell was going to build the facility claiming they only would do the design work.

"This is just another typical economic development deal where we pay taxes to build a project for a giant corporation," Lewis said, "and then

we turn around to watch cheap labor come in and build it.

"Then when it's all built we're left paying the taxes but we didn't gain any jobs out of it," he said.

When Coldwater Creek first came to the area, Lewis said, they made a big announcement.

Governor Underwood was there and the president of the company went out of his way to thank the legislators for the amount of money they received.

"He said it really helped them to make the decision to come to West Virginia, but the real

reason was the quality of workers in our state," Lewis said.

Lewis wants to ask Coldwater Creek executives "If West Virginia people were the reason you came here, why do you want to bring people in to build it?"

Lewis said that when officials talk about new jobs for an area they often overlook the construction jobs.

"We're trying to create a campaign to let the public know we're part of the community and if our money is spent we expect to be part of the jobs. We feel that construction workers' jobs are just as important as other jobs in the community.

"We've always been left out and we're tired of it."

ACT is fighting back with newspaper ads and a state-wide call-in effort to ask Coldwater Creek why they won't commit to local hiring, especially since local taxpayers have already committed to millions of dollars towards incentives.

According to Lewis, the plans he has seen for the park span more than a thousand acres.

"This project is the start of potentially one of the biggest industrial parks in the state," said Jim Lewis ACT representative.

"We wanted to be in front on this one because we want to be an influence on all of the tenants," Lewis said. "We want them to know if they're going to be a part of this community we're going to hold them to be responsible."

ACT began working with residents from the area earlier

this year to insist on more local involvement with development. The city of Parkersburg was challenged when they annexed property to create the industrial park because members of the community were told they had absolutely no say in what went on in their own back yards.

ACT joined a suit to stop the annexation but was rebuffed in court.

"We started this campaign

"If West Virginia people were the reason you came here, why do you want to bring people in to build it?"

**Jim Lewis,
ACT Representative**

to get the public involved -- to let them know what was going on," Lewis said. "And we wanted the public to know about it from the beginning."

He said that the amount of community support has been very encouraging.

"I think the people in Parkersburg know we are for economic development and jobs,

"We've gotten across the message -- don't give special environmental waivers or tax breaks or loans to these people just to bring them in without being responsible members of the community.

"They want special treatment without giving us anything in return."

Why is Coldwater Creek giving us the cold shoulder?

It's happening again.

Will West Virginia taxpayers invest millions in a company which then brings out-of-state contractors and workers to design and build its new facility?

Coldwater Creek, a mail order catalog company, is building a \$30 million warehouse at the Pettyville Industrial Park.

West Virginia taxpayers have invested millions through economic development programs including \$10 million in loans; a \$1.2 million community development block grant; super tax credits; B&O tax credits; and workforce training credits.

And \$15 million has already been committed to creating the Pettyville Park.

In return for our investment, Coldwater Creek has picked Haskell Co., a Jacksonville, FL, contractor to design the warehouse.

We want to know why Coldwater Creek won't commit to hiring local workers.

**Call Coldwater Creek:
1-800-968-0980
Ask why they won't use
local contractors and workers
to build their new
West Virginia warehouse.**

**Affiliated Construction
Trades Foundation**

Bruce Tarpley, President

Bricklayers' Charges Bring X-Cel Hearing

The National Labor Relations Board has issued a formal complaint against X-Cel Masonry based on charges made by the Bricklayers District Council of West Virginia.

X-Cel is working on the new Holiday Inn in downtown Huntington. Workers there attempted to organize and were punished because of their union

"We believe we have strong evidence to show X-Cel broke the law, and this complaint shows the NLRB agrees with us."

**Leroy Hunter Jr.
Organizer,
Bricklayers DC**

activity. The Huntington based X-Cel is owned by Belinda Hager, wife of Glenn Hager, Sr. a member of the bricklayers.

Steve Montoney, one of the workers who was discriminated against commented that the employer was looking for workers from out of the area. "They didn't want local workers. They were really clear about that," he said.

"This project is part of Huntington's Super Block and has been touted as a big boost for jobs and economic development," Montoney said. "It's a shame that local workers were rejected and only out-of-area workers were hired for the masonry work."

Earlier this year members of the Tri-State Building Trades

protested the hiring of an Atlanta based general contractor for the project.

Montoney's salting and organizing efforts, together with the Bricklayers District Council, led to picketing at the site a few months ago.

According to Leroy Hunter Jr., organizer for the Bricklayers, there will be an NLRB hearing in Huntington in March of 1998. "We believe we have strong evidence to show X-Cel broke the law, and this complaint shows the NLRB agrees with us," Hunter said.

Hunter also noted charges have been brought against some union members who were working on the job and crossed picket lines.

Morgantown Workers

(Continued From Page 1)
cil of Carpenters and other supporters from the North Central Building Trades, including Bricklayers, Operating Engineers, and Electricians.

"We have strong support with Commercial's employees and the public," said Carpenter organizer Leroy Stanley. "We've been working on organizing Commercial for quite a while."

The first picket was in front of a new Texas Roadhouse restaurant being built in Star

ACT Wins \$30,000 in Hospital Settlements

ACT's continuing investigation into the Grant County Hospital construction has resulted in a second settlement of back wages for workers.

Almost \$30,000 was paid to three workers by Riddleberger Brothers, Inc., of Mt. Crawford, Va. which was hired to install the HVAC system at the hospital.

Steve Montoney, ACT's northern representative has been involved in the case since day one and is glad to see a resolution.

"Even though it's been over two years, it's still a good feeling to reach a settlement," Montoney said.

Riddleberger Brothers was investigated by the WV Division of Labor (DOL) Wage and Hour Section and found to be in violation of the ratio of journeymen to apprentices.

The DOL interviewed employees and audited their books from 1995 to the present and demanded the additional compensation.

Casey Raines received \$9,431.48; Travis Kelley received \$10,672.61; and Timothy Compton received \$9,802.97.

"One of these men called me at home to ask some questions about ACT's investigation," Montoney said. "It turned out that Riddleberger had him classified as an apprentice and were paying him apprentice wages when he wasn't even in an apprenticeship program."

Montoney said ACT's investigation began when the Grant County Commission challenged the local wage rates in order to construct the \$8 million Grant County Memorial Hospital expansion project with sub-standard wages and no benefits.

"The commission had conducted its own 'survey' of the area in an attempt to lower wages on the project," he said.

When the matter reached a courtroom, the judge decided the prevailing wage would remain at its current rate.

The first instance of back pay over the hospital was when the DOL required the hospital to pay six employees of Gerald Sites Construction who were working on the hospital parking lot \$18,905 in additional compensation which included benefits.

"They were paid the difference between the prevailing wage and what they actually received," Montoney said.

Montoney said even though it has been two years and two settlements, the case isn't over.

"We were constantly hammering on this job because we knew they were going to cheat on this project and they did.

"Persistence has paid off for these workers," he said, "but there are other subcontractors there we feel should continue to be scrutinized.

"As far as I'm concerned there are things not yet resolved there."

Montoney said the investigation into the general contractor, Howard Shawkey & Sons, is continuing.

Ohioans

(Continued From Page 1)
cut by roughly \$200 million per year. Also disability awards would have been slashed in the same way they were in West Virginia.

In West Virginia only 5 percent of workers applying for permanent disability awards are successful compared to before the changes. And companies, particularly coal, have put millions into their pockets, instead of the pockets of the workers they have maimed and crippled.

The fight in Ohio pitted Democrats against Republicans, an irony noted by White. "In West Virginia it was our 'friends', Democrats, who forced these terrible changes on injured workers.

"It's time for West Virginia's leaders to stand behind working families like the people of Ohio did with this vote."

Trades Back New AFL-CIO Leadership

The entire slate backed by the West Virginia State Building and Construction Trades Council is the new leadership of the West Virginia AFL-CIO elected at its annual statewide convention last month.

Jim Bowen, an international representative with the Steelworkers accepted the post of president, and Kenny Perdue, Sheet Metal Workers Local 33 business agent, remained in the slot of secretary-treasurer.

Roy Smith, Secretary-Treasurer of the West Virginia Building and Construction Trades Council, said not only was he happy with the election results, but he also with the turnout of building trades delegates.

"Our slate of candidates was elected without any problems because Building Trades delegates showed up in mass numbers and we were united," Smith said.

Out of the 344 registered delegates, 127 of the were from the Building Trades.

Smith said this election represents the biggest change in labor leadership in West Virginia that he can remember.

"Of the 15 officers elected to the post of Vice President, 12 are new to their positions," he said.

The council supported a diverse slate this term made up of more unions than ever before.

This new team, Smith said, will have the responsibility of guiding organized labor into the next century.

"A formidable task, to say the least," Smith said.

"But I think it's most important to thank all the locals and their delegates for coming out and staying united.

"It's important to thank all the locals and their delegates for coming out and staying united...this was our best shot at sharing and participating in the leadership of organized labor."

**Roy Smith
State Building Trades**

"I believe this was our best shot at sharing and participating in the leadership of organized labor."

Other activities during the convention included a surprise visit from U.S. Sen. Jay Rockefeller and a tribute to outgoing President Joe Powell.



BEING SWORN IN to new AFL-CIO positions are President Jim Bowen, Sec. Treas. Kenny Perdue, First District VP's Sterling Ball, United Food & Commercial Workers, Dave Bielski, State Employees, Bob Brown, American Federation of Teachers, Larry Linch, Carpenters, Bruce Tarpley, Operating Engineers; Second District VP's Sheila Hamilton, United Auto Workers, Elaine Harris, Communication Workers of America, Larry Mathaney, Steelworkers, Gary Tillis, Laborers; Third District VP's Teresa Ball, Service Employees International, Steve Burton, Carpenters, Joe Chapman, Steelworkers and Bob Phalen, United Mine Workers of America.

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*ACT wishes you
Happy
Thanksgiving*

