

# THE ACT REPORT

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TRADES FOUNDATION

The ACT Foundation is a division of The West Virginia State Building and Construction Trades Council, with offices in Charleston and Clarksburg. Steve Burton, President; Roy Smith, Secretary-Treasurer; Steve White, Director.

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## INSIDE

Labor Day	Pg. 2
Wood Co.	Pg. 3
BT Conf.	Pg. 3
PBS	Pg. 4
TV Show	Pg. 4

## ON WVU'S WISE LIBRARY PROJECT

# Members Protest Suspicious Bidding Process & Outcome

The North Central West Virginia Building and Construction Trades Council organized a set of informational rallies outside the Wise Library on the WVU downtown campus in Morgantown, WV.

According to North Central's Executive Director Rick Williams, the first rally was held on Friday, September 3 and the second on Tuesday, September 7.

As part of WVU's Master Plan, a series of construction and

renovation projects to improve both campuses, the Wise Library will receive a 5 story addition as well as renovations to the

existing structure.

The entire Wise project will cost around \$30 million and should be completed by 2001.

Turner Construction, the project's construction manager awarded the excavation portion of the project to Laurita Exca-

vating of Morgantown, a nonunion contractor.

Originally, WVU had planned to require all contractors working on construction projects which were part of the Master Plan to work under a project labor agreement drawn up by the university and the North Central Building and Construction Trades.

CONTINUED ON  
PAGE 3



PICTURED OUTSIDE WISE LIBRARY ON WVU'S Downtown Campus are members of Bricklayers Locals 5, 6, 9 & 15, Operating Engineers Local 132, Cement Masons Local 711 and Teamsters Local 175 Iron Workers Local 549.

## Laborers' Charter New Local In W.Va. Eastern Panhandle

The formation of a new Laborers Local in the Eastern Panhandle is in its final stages.

Local 679 will be based in Martinsburg, W.Va. and will serve five counties.

Berkeley, Morgan, Jefferson, Hampshire and Mineral counties are included in Local 679's jurisdiction.

Organizer for the Laborers District Council, Gary Long, will be heading the Local until

officers are elected.

According to Gary Tillis, busi-

ness manager for the council, are responsible for getting things up and running and for making

**"THANKS TO THE RECRUITING EFFORTS OF TIM[MILLNE] AND GARY[LONG] WE HAVE SKILLED WORKERS TO OFFER CONTRACTORS WHO BID ON JOBS IN THIS AREA."**

GARY TILLIS, BUSINESS MANAGER  
WV LABORERS DISTRICT COUNCIL

ness manager for the council, organizer Tim Millne and Long

this happen.

"These guys really came

through for us," said Tillis.

"They got out there and did the grunt work and recruiting."

The next step will be attracting union contractors to the area, specifically Berkeley, Jefferson and Morgan counties.

"Thanks to the recruiting efforts of Tim[Millne] and Gary[Long] we have skilled workers to offer contractors who bid on jobs in this area,"

CONTINUED ON PAGE 4

# W.Va. Celebrates Labor Day

## *Paden City Activities Monday, Sept. 6*



UNION WORKERS FROM ALL OVER NORTHERN WEST VIRGINIA GATHERED in Paden City on September 6th for one of the largest union delegations, and one of the largest Labor Day Events, in the town's history.



WV AFL-CIO PRESIDENT, JIM BOWEN and others participated in the Labor Day Parade in Paden City.

**T**he festivities began with the Labor Rally at 11:00am at Pineapple Park.

Several different crafts and locals were present for the rally.

Next up was the parade at 1:00.

Several hundred union members, including many from Boilermakers Local 667, Carpenters Local 899 and Plumbers and Pipefitters Local 83, decorated trucks for the parade.

Jim Bowen, WV AFL-CIO President also had a float in the parade.

After the parade, a cookout was held at Old Middle School.

The evening entertainment began at 7:00pm at Riverside Park with the Sh-Boom concert.

The concert was sponsored by the ACT Foundation.

Door prize drawings followed the concert.

## Other Activities Around The State

### Sunday, September 5

**Beckley - Union Square Pig Roast**

Speakers included UMWA International President, Cecil Roberts, UMWA Dist. 17 President, Bob Phalen, WV AFL-CIO President, Jim Bowen and WV-AFL-CIO Secretary-Treasurer, Kenny Perdue

### Monday September 6

**White Sulphur Springs - Picnic/Concert**  
Performers included the WV Blue Grass Connection

**Mannington - Picnic**

Special appearance by Mother Jones

**Racine - Celebration/Concert**

Performers included the Spencer Family and the Kirk Family

# Wood Co. Commissioners Discussed \$1 Million Grant In Apparent Illegal Lunch Meeting

**W**ood County commissioners may have met illegally when they discussed a \$1 million grant for a new food processing facility.

The general contractor selected for the project is Stockmeister Enterprises, a non-union company based in Jackson, Ohio.

An estimated \$20 million of public loans and other assistance

of public notice because the luncheon was not considered a meeting.

Kinnett, Shaver and two other Commissioners have admitted they met for lunch on June 21, 1999, and they discussed the Luigino's project.

Kinnett says the purpose was to update the Commissioners on the status of the project.

Kinnett announced to the public, two days later on June 23rd, the commission would be giving \$1 million to fund the site preparation.

Yet, it wasn't until June 28 that the Commissioners approved the grant.

"We believe the decision to give the money was made at this luncheon," said Lewis.

"That makes the meeting illegal under the open meetings law."

Lewis was invited to meet with the Commissioners in late July to discuss his concerns.

"The meeting was intense at

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**"WE BELIEVE THE DECISION TO GIVE THE MONEY WAS MADE AT THIS LUNCHEON. THAT MAKES THE MEETING ILLEGAL UNDER THE OPEN MEETINGS LAW."**

**JIM LEWIS  
ACT REPRESENTATIVE**

On June 21st Wood County commissioners met at a Parkersburg restaurant with the President of the Wood County Economic Development Corp., Jim Kinnett, to discuss a grant for Luigino's food processing plant.

The \$54 million food processing plant is to be constructed at the Parkersburg Business Park near Pettyville.

are being used for the project.

ACT's Jim Lewis happened to discover the meeting while he was at the restaurant and filed a request for the minutes and a copy of the public notice of the meeting under the Freedom of Information Act.

Lewis found out, through commission president Holmes 'Butch' Shaver, that no minutes were kept and there is no record

## PROTEST

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This agreement would set up certain rules for the contractors to follow, whether in-state or out, union or nonunion, which included using only local workers from the local union halls.

Williams worked closely with WVU officials to set up the agreement in such a way that both parties would benefit.

Unfortunately, WVU has refused to honor the agreement.

The purpose of the project agreement was to provide a stable, quality workforce and maintain high standards in WVU's massive expansion.

Now Williams wonders if the University will be plagued by shoddy construction, controversy and delays.

The site contract at the Wise library project is a good example.

When Turner Construction had a meeting to inform area contractors about the specifications of the excavation work,

almost half the cost of the bid submitted by Huffman Construction.

After investigating the issue further, Williams and ACT's Steve Montoney found out Turner was negotiating with two contractors, other than Laurita, to do the tie back walls.

"It appears that Laurita bid on only the excavation portion of the contract," said Montoney.

"We could have had contractors bid on only that part if we had known it was an option."

Both Williams and Montoney have tried several times to talk with officials at Turner Construction to ask why this was allowed.

One phone call was finally returned, but Williams was not in to take it.

"Something is definitely not right here," said Williams.

"We want to know why there was such a difference in the two bids.

"It seems either something was

**"I KNOW IF THE PROJECT AGREEMENT WAS IN PLACE, WE WOULDN'T BE WONDERING ABOUT THIS ISSUE."**

**RICK WILLIAMS, EXECUTIVE DIRECTOR  
NORTH CENTRAL BUILDING & CONSTRUCTION TRADES  
COUNCIL**

## Annual Building Trades Planning Conference

**Where: McLure Hotel, Wheeling, WV**

**When: Sunday, September 19, 1999**

**Time: 10:00am**

*For more information, contact your business agent.*

included was the responsibility of reinforcing the footing of the existing walls in the building, or constructing tie back walls.

With this task came tremendous liability.

If something were to happen with the building's structure the contractor had to agree to be fully responsible.

Because of the liability issue, only two contractors bid on the project.

The bid Laurita submitted was

left out of Laurita's bid or the specs were changed after the pre-bid.

"I know if the project agreement were in place we wouldn't be wondering about this issue.

"It's a shame."

Participating in the rally were members of Bricklayers Locals 5, 6, 9 & 15, Operating Engineers Local 132, Cement Masons Local 711, Teamsters Local 175 and Iron Workers Local 549.

# ACT Underwrites New Show For PBS

The ACT Foundation is underwriting a new television show for the West Virginia Public Broadcasting System (PBS) which is scheduled to begin in October.

The show, called 'Under Fire,' will

who will present the topic and then guide the discussion. Special guests will be called in to discuss issues of interest.

'Under Fire' will air beginning October 29 and run each Friday night at 9:00 until May 26, 2000.

"The purpose of this show is to get the

"We want our participants to tackle the hearts of these issues and get the public involved."

Other potential topics for the show include, long term effects of the drought and proposed regional airports.

Other newsworthy events that

happen between now and the last episode will also be potential topics.

"We are always looking for ways to help educate the public on issues facing our state," said Steve White, ACT Director.

"This show is an excellent opportunity to do just that."

**"THE PURPOSE OF THIS SHOW IS TO GET THE COMMUNITIES OF WEST VIRGINIA THINKING ABOUT THE ISSUES FACING THEIR STATE. WE ASK HARD, THOUGHT PROVOKING AND SOMETIMES CONTROVERSIAL QUESTIONS."**

**BILL ACKER  
PBS STATION MANAGER**

address public affairs topics, such as mountain top removal and school violence, and provide a forum for opposing sides to discuss their views.

The format will include a moderator

communities of West Virginia thinking about the issues facing their state," said PBS station manager, Bill Acker.

"We ask hard, thought provoking and, sometimes, controversial questions."

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times," said Lewis, "and we still did not get the information we asked for."

"This is just typical of the economic development dealings in West Virginia.

"The big focus is always bringing in these industries to create jobs for the skilled, hard working people of the state.

"But the construction portions of these projects are given to workers from other states or even other countries.

"What about the skilled construction workers from WV paying taxes to build these projects who are unemployed because out-of-staters are taking their jobs."

## WOOD COUNTY

This is not the first time the Wood County Commission has been accused of violating the open meetings law.

In 1997 a law suit was filed involved two Mineral Wells residents who say the commission held a secret meeting to discuss the annexation request in the Mineral Wells and Pettyville areas, an action these residents were against.

Lewis said in an editorial in the Parkersburg News, "The abuse of our open governmental proceedings has to become a concern to the citizens of Wood County.

"Our elected officials have a duty to conduct business in an open and public forum.

"The voting public must demand that this arrogance and disregard for the law to be stopped."

## West Virginia Works!

*'The new 30 minute show produced by workers, about workers.'*

**On FOX TV: Saturdays @ 6:30am  
FOX 46 - Clarksburg  
FOX 59 - Beckley & Bluefield**

**On Cable: Saturdays @ noon  
FOX 11 - Charleston & Huntington  
Cable Ch. 10 - Wheeling, St. Clairsville & Moundsville  
Cable Ch. 16 - Steubenville, Follansbee & Wellsburg**

*If you have an idea for a show, call 1-800-930-WORK and let us know.*

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## NEW LOCAL

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said Tillis.

"We have sent letters to many contractors and have had a number bid on various jobs around the Martinsburg area," said Long.

"We have been working with a number of contractor associations as well to bring union contractors to the area."

ACT representatives have also gone

to the Eastern Panhandle to evaluate the contractors already in the area.

"We have found several contractors in the area who don't have licenses and/or wage bonds and who aren't paying the prevailing wage," said ACT's Larry Young.

"These findings have been turned into the Department of Labor.

"We want to be sure the contractors in this area are fair and pay a decent wage."