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

Florida Bridge Painter has Fine, Late Fee & Tax Lien

A Florida bridge painting company has racked up more than \$203,000 in fines, penalties and tax liens.

Seminole Equipment, Inc. of Tarpon Springs, Florida was low bidder on a \$1.25 million bridge painting project in Kanawha County in October of 2016.

Painters District Council 53 reviewed payroll documents to see if the company was complying with the WV Jobs Act and found there were no local workers on the job.

In addition, there did not appear to be any state income taxes withheld and paid for the out-of-state crew working on the bridge.

Now the State of West Virginia Tax Department has filed tax liens against Seminole Equipment for more than \$167,000.

The filing, dated March 14, 2018 at the Kanawha County Clerk's office, shows one lien "for accrued Withholding, interest, additions to tax and penalties" in the amount of \$163,915.07.

Another filing lists \$3,382 owed for "accrued Pass Through, Interest,

additions to tax and penalties" for periods 12/31/2014 and 12/31/2013.

It is not clear if the liens are for the recent project awarded to the company to repaint the I-64 bridge over the Kanawha Turnpike in Kanawha County or for a number of similar

projects the company was awarded over the last ten years.

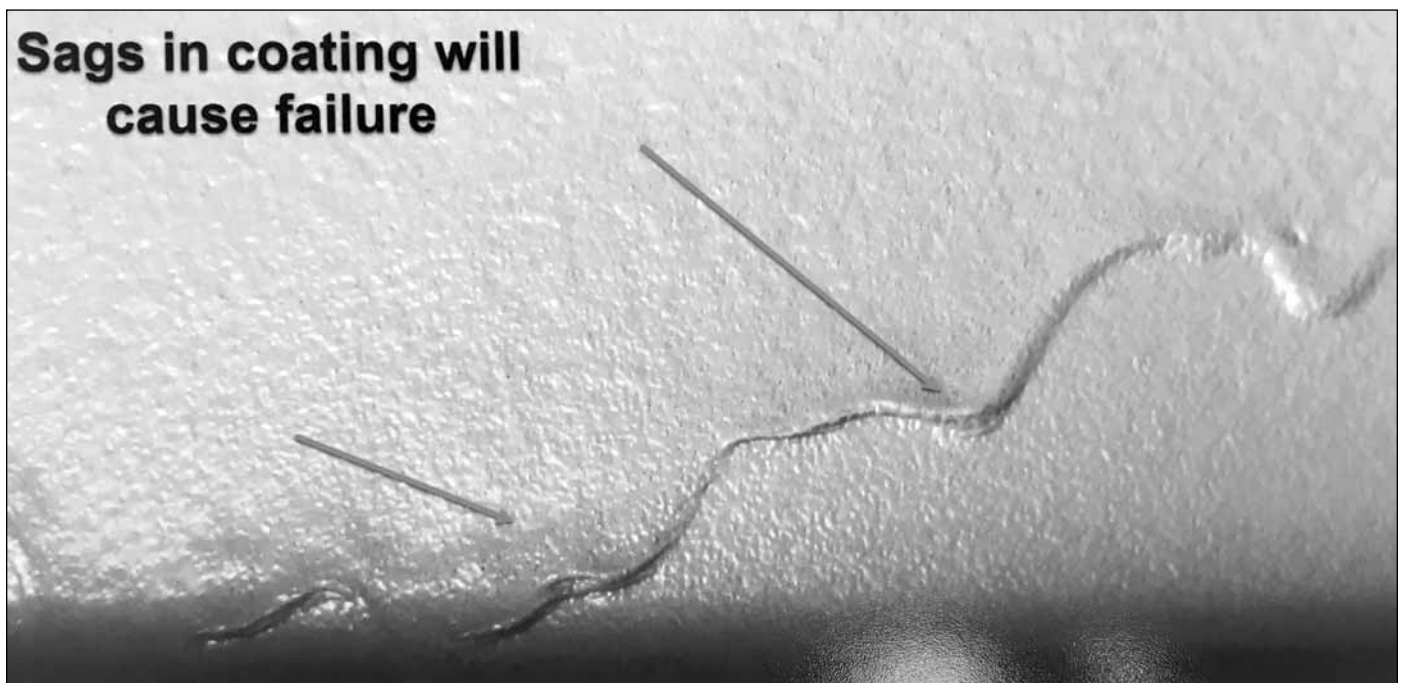
In addition the WV Division of Labor fined the company \$15,400 for violations of the WV Jobs Act at the Kanawha County project.

Penalties for violations of the Jobs

Act were increased last year at the request of Governor Jim Justice during a Special Legislative Session.

Furthermore the WV Division of Highways, in a January 8 letter to Painters District Council 53

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One of many pictures taken of the newly repainted bridge in Kanawha County that raises questions of whether or not specifications were followed.

Group Backed by Murray Energy Attacks Brooke County Power Plant PSC Permit

The Murray Energy supported group, Ohio Valley Jobs Alliance, or perhaps more properly named an anti-jobs alliance, has struck again.

They are challenging a siting permit issued by the state Public Service Commission for the \$884 million

Brooke County Power project.

The State PSC issued the siting certificate on February 20 after public hearings and a formal evidentiary hearing in Charleston on October 17-18, 2017.

Project developer ESC Brooke

County Power has committed to use local union construction workers to build the project.

Evidence of the commitment, a memorandum agreement with the Upper Ohio Valley Building Trades and the WV State Building Trades,

was part of the record before the PSC.

The memorandum states any contractors hired to build the project must enter into a project labor agreement similar to industry standard agreements in the region.

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State Pipe Trades Apprenticeship Contest Held

The West Virginia State Pipe Trades held their annual Apprenticeship Contest in Huntington April 2 - 5.

The event took place at the training center of UA Local 521 with apprentices from the five local unions based in West Virginia.

Contestants competed in four categories: Plumber; Pipefitter; Welder; and HVAC Technician.

In addition an award is given to the overall best performing local. This year Wheeling Local 83 won the overall award.

Apprentices are given hands-on tests in a variety of skill areas including solder, braze, isometric drawing, welding, rigging, tube bending, plumbing, pipe layout, screwed pipe, builders level and underground layout.

They also were given a written test.

"All of the contestants did an excellent job and represented their locals well," said James Chinn Jr., Training Coordinator for Local 521.

"I want to thank our judges along with many volunteers who made this a successful event."

An awards banquet was held Thursday, April 5th where the winners in each category were announced.

Winning in the Plumbing category was Jacob Dierkes of Local 152, Morgantown.

For Pipefitter, Trevor Dunn from Local 83 Wheeling got top honors.

Winning Welder was Philip Covin, also from LU 83. Aaron Steele from LU 83 won for HVAC Technician.

Prizes were awarded for each category.

The winners will take part in the Region 2 competition which will be

held in Charleston the second week of June.

Contestants from WV, Michigan,

Indiana, Kentucky, Ohio, Pennsylvania, Maryland, Virginia and the District of Columbia will compete. ■



Plumber contestants set commercial toilet carriers during the WV State Pipe Trades Apprenticeship Contest held in Huntington. Pictured front to back: Jacob Dierkes, LU 152 Morgantown; Kyle Phillips, LU 565 Parkersburg; and Joe Battistelli, LU 83 Wheeling.

Kentucky Republicans Hate Teachers & Workers Just Like in WV



Teachers and other workers pack the Kentucky Capitol in early April to protest the many attacks from Republican Legislative Leaders. According to KY State Building Trades State Director Bill Finn the Republican majorities in both House and Senate passed a 291 page bill harming public employee pensions by sneaking it into a sewer bill and passing it within just a few hours. The state repealed prevailing wage and passed so-called right-to-work last year.

PW Repeal Leads to 15% Drop in Benefits

A new study published in the Journal of Public Works Management & Policy analyzed wage and benefits data from 1972 to 2012 (1977 to 2012 for benefits) to determine if prevailing wage repeal has an effect on worker pay and benefits.

The bulk of this study examined the effect on "voluntary" worker benefits (primarily health insurance, pension contributions and apprenticeship training) after prevailing wage is repealed at the state level. With the data collected, researchers from the University of Utah tested the effects on state-level construction wages and benefits from 10 state repeals of PW laws.

The research revealed that after state-level PW repeals, annual average voluntary benefit contributions paid by contractors on behalf of blue and white collar construction employees combined fell substantially between 11% to 15%.

The researchers indicated that

since the data combined white and blue collar workers, it is possible that the percentage of decline in benefit contributions of blue collar workers could be even higher.

The research revealed that in addition to reducing wages, repealing PW laws has a serious impact on benefits to workers as well. The authors note that since voluntary benefits can be a substantial part of compensation they incentivize construction workers to stay in the industry through the cyclical downturns and volatility of the industry.

Providing family friendly health, pension and training benefits helps to retain skilled workers and helps to reduce the impact of worker shortages.

The authors suggest further study is needed into how wage and benefit decreases create worker shortages and a decline in skill level which in turn will cause a serious problem for contractors and the industry. ■

2018 Primary Building Trades Endorsement

U.S. Senate - Joe Manchin	6th	T. Chris Combs	27th	Carol Bailey, Lacy Watson,	46th	Robert "Bob" Stultz
U. S. House of Representatives	7th	Lissa Lucas		Phoebe Meadows	47th	Ed Larry
1st District David McKinley	8th	David Bland	28th	Andrew Evans, Sandy Shaw	48th	Tim Miley,
3rd District Richard Ojeda	9th	Jim Marion	29th	Ricky Moye		Richard Iaquina,
State Senate	10th	Andy Daniel,	30th	Mick Bates		Robert Garcia,
1st William Ihlenfeld		Harry Deitzler,	31st	Richard Snuffer		Derek McIntyre
2nd Denny Longwell		J. Morgan Leach	32nd	Luke Lively,	50th	Mike Caputo,
4th Brian Prim	11th	James Pickens		Margaret Staggers,		Linda Longstreth,
5th Mike Woelfel	12th	Missy Morris		Selina Vickers		Michael Angelucci,
6th Charles Sammons	13th	Scott Brewer	33rd	David Walker		Guy Ward (R)
7th Ron Stollings	14th	Brianne Solomon	34th	Brent Boggs	51st	Barbara Fleischauer,
8th Mark Hunt	16th	Sean Hornbuckle,	35th	Andrew Byrd, Renate Pore,		Evan Hansen, Rodney Pyles,
10th Stephen Baldwin		Matt Spurlock,		James Robinette,		Danielle Walker,
11th Bill Hamilton (R)		Vera Miller (R)		Doug Skaff Jr.		John Williams
12th Mike Romano	17th	Chad Lovejoy,	36th	Andrew Robinson,	52nd	Justin Hough (R)
13th Bob Beach		Matthew Rohrbach (R)		Larry Rowe,	53rd	Cory Chase
14th Stephanie Zucker	19th	Ken Hicks,		Amanda Estep-Burton	54th	John Hott (R)
16th John Unger		Robert Thompson	37th	Mike Pushkin	55th	Isaac Sponaugle
17th Terrell Ellis	20th	Barry Marcum	38th	Tom Tull	56th	Will Skehan
House of Delegates	21st	Phyllis White	39th	David "Woody" Holmes	58th	Bibi Hahn
1st Diana Magnone,	22nd	Gary McCallister,	40th	Melissa Huffman,	59th	John Isner
Randy Swartzmiller		Zack Maynard (R)		Ronald Shamblin (R)	61st	Jason Barrett
2nd Phillip Diserio	23rd	Rodney Miller	41st	Paul O'Dell Jr.	63rd	Sam Brown
3rd Shawn Fluharty,	24th	Ralph Rodighiero,	42nd	Jeff Campbell,	64th	Barby Frankenberry
Erikka Storch (R)		Susan Perry		Cindy Lavender-Bowe	65th	Sammi Brown
4th Joe Canestraro, Lisa Zukoff	25th	Tony Paynter (R)	43rd	Bill Hartman, Phil Isner	66th	David Dinges
5th Dave Pethtel	26th	Ed Evans	44th	Dana Lynch	67th	John Doyle

Bold = Candidates affiliated with WV State Building Trades/ACT ■

The Endorsement Process Steps

All candidates for State Delegate and State Senate get a questionnaire from the WV AFL-CIO.

Those who fill out the questionnaire get an interview before a committee of union members usually put together by local labor councils.

The questions and interviews focus on work related issues such as restoring prevailing wage or opposing so-called right-to-work.

If a candidate has a voting record that is also considered. Questions about a candidate's capacity to run an effective race are also raised.

The committees then make recommendations to the State Committee on Political Education (COPE) made up of representatives from all unions and councils who are affiliated with the WV AFL-CIO.

This year COPE met on March 24 where the recommendations of local

labor councils were voted on.

COPE actions include an endorsement, which takes a vote of at least two-thirds of those present, or "no action" meaning individual unions can take an action if they chose but no position is taken by the state.

The WV State Building and Construction Trades, and individual affiliates, then consider whether or not to take a position where COPE has not.

This year in three races, US Congress and two State Senate races the Building Trades added candidates to the endorsement list.

For the most part the Trades follow the COPE recommendations but reserve the right to make changes as they see fit.

We hope you will consider the endorsed candidates and know they have undergone a thorough review.

Most important please vote. ■

Brooke County Power

Continued from Page 1

This means local union construction workers will build the project under the same terms and conditions established at other major projects.

OVJA lawyers argue that agreement, which would allow some workers from nearby Ohio and Pennsylvania to work on the project, is not good enough.

OVJA asserts Brooke Power did not demonstrate there will be "a substantial positive impact on both the State and local economies and local employment during construction and operation" of the proposed plant.

"It is very upsetting to learn about this legal challenge that will put hundreds of local workers jobs in jeopardy," said Eran Molz, President of the Upper Ohio Valley Building Trades.

"Frankly it's insulting they are trying to twist our agreement that will put paychecks totaling many millions of dollars into local construc-

tion workers hands, as a way to hurt this project."

While ACT's attorney believes the legal challenge will ultimately be denied, for the time being it does not mean the project is stopped.

"The fact of the matter is the only evidence in the record is that there will be a substantial positive impact on the economy and employment," said ACT Attorney Vince Trivelli. "The PSC Decision was correct and we will urge the Supreme Court to uphold that Decision."

A hearing at the WV Supreme Court of Appeals has been set for September 5. It is expected OVJA will continue to challenge permits.

"OVJA's opposition, funded by Murray Energy, has accomplished nothing other than to jeopardize economic development in Brooke County and West Virginia and to threaten the livelihood of the Council's members," said Trivelli. ■

Crum Contractor Gets Wood County Project

The Wood County Board of Education voted to award a \$13 million construction contract for the new Williamstown Elementary school to the same company that built the much troubled Crum Elementary School in Wayne County.

The decision was made at a meeting held Tuesday, April 10.

Swope Construction was the apparent low bidder on March 13 but a review of their past projects brought many questions from local taxpayers about the Crum project and others.

West Virginia bidding law requires public entities to award public

construction contracts to the lowest responsible bidder.

The Wood County Board of Education previously adopted a resolution to make sure the companies awarded its construction projects were not only the lowest bidders but responsible bidders.

The resolution called for a review of any low bidder's track record on prior projects of a similar nature. The low bidder, Swope Construction, listed a recent school project in Crum as a similar project for the Board of Education.

"We wanted to know if the quality

problems, significant change orders, delays and other issues we had heard about at the Crum project would be problems for the Williamstown project," said Bill Hutchinson, Business Manager for the Parkersburg-Marietta Building Trades Council.

Hutchinson also expressed concern about imported labor at the Crum project. "We want a quality school, built on time and with local

labor," said Hutchinson.

Hutchinson and others made their concerns known to School Board members at a March 27 meeting.

Swope Construction Company bid \$12,907,000; Grae-Con Construction was next at \$13,324,000.

Wood voters approved a \$41 million bond measure in November of 2016 to fund new schools and numerous repairs. ■

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Bill Hutchinson, Business Manager for the Parkersburg-Marietta Building Trades Council, addresses the Wood County Board of Education at their March 27 meeting.

Florida Bridge

Continued from Page 1

representative Brian Stanley, stated \$20,520 has been deducted from the contract amount because the Kanawha County painting project completion was 36 days late.

Added together the liens, fines and penalties are more than \$203,000.

A question remains whether or not the state got the \$1.25 million paint job it paid for.

According to Stanley, questions about the quality of work done by the company persist.

"We have taken pictures of numerous quality problems, including rust spots and bare metal which lead us to believe they did not comply with specifications," said Stanley.

"Did the state just pay a million dollars of our hard earned tax money for a repainting job that will have to be redone years sooner than planned?"

While Stanley is happy to see the various state agencies enforcing the law he pointed out it took some prodding for them to act.

Painters, joined by other trades members, protested at the Kanawha County bridge site back in September. It was the second protest held.

The law of West Virginia prohibits the awarding of public construction contracts to any bidder that is known to be in default of any monetary obligation to the State or its political subdivisions – including payroll taxes. ■

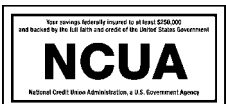
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