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

Developer of Power Plants Frustrated by Delays

The Developer of three natural gas power generation projects in West Virginia claims a group funded by Murray Energy is putting thousands of local jobs at risk.

According to a July 10 press release the developer claims “Murray Energy, the nation’s largest underground coal company, is funding frivolous lawsuits that now jeopardize thousands of jobs in West Vir-

ginia and will result in continuing the already record pace of electrical energy price increases in the state.

The company has provided what is estimated to be hundreds of thousands of dollars in legal fees to a front group named the Ohio Valley Jobs Alliance (OVJA) to fight natural gas power plants in West Virginia.”

Energy Solutions has projects in Marshall, Harrison and Brooke

Counties that total more than \$2.1 billion in potential investment. Estimated wages to be paid to local union construction workers are \$215 million.

When wages from other related workers is factored in the economic impact from the projects is huge.

“There is no way to sugar-coat this,” said Drew Dorn, Director of ESC Harrison County Power, LLC

and President of Energy Solutions Consortium, LLC. “Murray Energy is trying to kill thousands of jobs on these projects. Murray Energy ... is trying to achieve through the courts what it could not through the marketplace.”

The ACT Report has reported extensively on the \$615 million Moundsville Power project that was

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Apprentice from Iron Workers Local 549 in Wheeling to Compete at Nationals

Justin Dailey, a third year Ironworker apprentice from Local 549 Wheeling, won first place at the Great Lakes District Council competition held on June 1-2 at Iron Workers Local 25’s training center in Detroit, Michigan.

The competition includes hands on projects with welding, burning, rebar, curtain wall, instruments and column climbing as well as a written test.

Dailey will be going to Minneapolis, Minnesota to compete in the Nationals in September.

The Great Lakes District Council consists of locals from Detroit, Cleveland, Pittsburgh, Canton, Toledo, Youngstown and Wheeling.

“We are very proud to have Justin represent us in Minnesota,” said Bengy Swanson, Business Manager of Wheeling Local 549. “He did a great job competing against some

highly skilled Ironworkers from big local unions at the District Council

event.”

Swanson also pointed out Local

549 apprentice N’tasha Hunt placed sixth out of 14 competitors. ■



14 Ironworker apprentices competed for top honors at the Great Lakes District Council competition held in Detroit on June 1-2. Wheeling Local 549’s Justin Dailey (center with sunglasses) won the event. Local 549 member N’Tasha Hunt (right of Dailey) placed sixth.

Right-to-Work Court Ruling Still Pending

More than two years ago on June 27, 2016, a number of labor organizations including the WV State Building Trades filed a lawsuit claiming the new so-called Right-to-Work legislation was unconstitutional.

RTW was passed by the Republican-led legislature in March of 2016.

The unions also asked Kanawha County Circuit Court Judge Jennifer Bailey to stop the law from going into effect until she had ruled on the case.

Judge Bailey approved of the injunction request on August 11 of 2016.

However one year later with no ruling issued by Judge Bailey, West Virginia Attorney General Patrick Morrisey asked the WV Supreme Court to overturn the injunction.

In September of 2017 the WV Supreme Court, in a 3-2 ruling, agreed with Morrisey and ruled that the injunction was no longer in place.

West Virginia then became an RTW state. But the initial case still awaits a ruling.

And once Judge Bailey rules it is inevitable the case will go to the WV Supreme Court on appeal.

“The first ruling of the WV Supreme Court was only on the injunction,” said WV State Building Trades attorney Vince Trivelli.

“However Judge Bailey ultimately rules, and we hope she rules in our favor, the losing side will undoubtedly appeal the result to the WV Supreme Court.”

Recent news reports, legal actions and legislative actions make it un-

clear which of the current justices at the WV Supreme Court would hear such an appeal.

Justice Allen Loughry who ruled against the unions in September was recently suspended on an unrelated judicial ethics charge.

Loughry has also been indicted on federal charges and faces impeachment by the WV Legislature.

Justice Menis Ketchum, who also ruled against labor on RTW, resigned on July 11 meaning there will be an election in November to replace him.

According to state law if there is a vacancy at the Court before August 14 then the vacancy will be filled by an election in November. If there is a vacancy after August 15 then the Governor can appoint a new Supreme Court Justice to serve until the next election in 2020.

“The make-up of the WV Supreme Court could be changing and that may affect a ruling on the RTW case,” said Dave Efav, Secretary-Treasurer of the WV State Building and Construction Trades Council. ■

“However Judge Bailey ultimately rules, and we hope she rules in our favor, the losing side will undoubtedly appeal the result to the WV Supreme Court.”

Vince Trivelli,

Attorney
WV State Building Trades

Power Plant

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held up in Kanawha Circuit Court for 15 months waiting for an air permit appeal filed by OVJA to be resolved.

A similar \$615 million project in Harrison County is now facing an air permit appeal by OVJA.

In addition an \$884 million project in Brooke County faces an appeal of the siting certificate issued by the WV Public Service Commission and still awaits its air permit.

During a 2017 hearing on the sit-

ing certificate for the Brooke County natural gas power plant before the West Virginia PSC, OVJA's President James Thomas stated that Murray Energy was paying for OVJA's legal work.

“We support coal fired power generation,” said ACT's Steve White. “But stopping these gas projects will not help coal, it will only hurt West Virginia because the projects will just be built in other states.” ■

North Central WV Building & Construction Trades Council Elects New Officers

New officers were elected at the North Central WV Building and Construction Trades Council. President, Dave Morris; Vice-President Eastern Panhandle, Rob Reckart; Vice-President North Central, JD Lechlitter; Recording Secretary, Rita McCrobie; Treasurer, Joe Elliott; Sargent at Arms, Randy Triplett; North Central Trustees, Mike Jenkins, Shane Ferguson, Bryan Raber, Dana Scott; Eastern Panhandle Trustees, Jason Hershman, Cliff Wendrick.

According to North Central's Executive Director Natalie Stone the election was held on July 9 and is for a term of four years.

The North Central WV Building Trades Council covers 19 counties in WV. ■



WEST VIRGINIA STATE BUILDING AND CONSTRUCTION TRADES COUNCIL AFL-CIO



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Building Trades Endorsements for 2018 General Election

Senate	Joe Manchin	12th	Missy Morris	38th	Tom Tull
House of Representatives		13th	Scott Brewer	39th	David "Woody" Holmes
1st Dist.	David McKinley (R)	14th	Brianne Solomon	40th	Melissa Huffman
2nd Dist.	Talley Sergent	16th	Sean Hornbuckle	41st	Paul O'Dell Jr.
3rd Dist.	Richard Ojeda		Vera Miller (R)	42nd	Jeff Campbell
State Senate			Matt Spurlock		Cindy Lavender-Bowe
1st	William Ihlenfeld	17th	Chad Lovejoy	43rd	Bill Hartman
2nd	Denny Longwell		Matthew Rohrbach (R)		Cody Thompson
3rd	James Leach	18th	Karen Nance	44th	Dana Lynch
4th	Brian Prim	19th	Ken Hicks	45th	Matthew Kerner
5th	Mike Woelfel		Robert Thompson	46th	Robert "Bob" Stultz
6th	Charles Sammons	21st	Phyllis White	47th	Ed Larry
7th	Ron Stollings	22nd	Gary McCallister	48th	Robert Garcia
8th	Richard Lindsay		Zack Maynard (R)		Richard Iaquinta
9th	William 'Bill' Wooton	23rd	Rodney Miller		Derek McIntyre
10th	Stephen Baldwin	24th	Ralph Rodighiero		Tim Miley
11th	Bill Hamilton (R)		Timothy Tomblin	49th	George Abel
12th	Mike Romano	25th	Tony Paynter (R)	50th	Michael Angelucci
13th	Bob Beach	26th	Ed Evans		Mike Caputo
14th	Stephanie Zucker	27th	Carol Bailey		Linda Longstreth
15th	Jason Armentrout (I)		Phoebe Meadows		Guy Ward (R)
16th	John Unger		Lacy Watson	51st	Barbara Fleischauer
17th	Terrell Ellis	28th	Andrew Evans		Evan Hansen
House of Delegates			Sandy Shaw		Rodney Pyles
1st	Diana Magnone	29th	Ricky Moye		Danielle Walker
	Randy Swartzmiller	30th	Mick Bates		John Williams
2nd	Phillip Diserio	31st	Richard Snuffer	52nd	Gary Knotts
3rd	Shawn Fluharty	32nd	Mel Kessler	53rd	Cory Chase
	Erikka Storch (R)		Luke Lively	54th	John Hott (R)
4th	Joe Canestraro		Margaret Staggers	55th	Isaac Sponaugle
	Lisa Zukoff	33rd	David Walker	56th	Timothy Ryan
5th	Dave Pethtel	34th	Brent Boggs	58th	Bibi Hahn
6th	T. Chris Combs	35th	Andrew Byrd	59th	John Isner
7th	Lissa Lucas		Renate Pore	61st	Jason Barrett
8th	David Bland		James Robinette	63rd	Sam Brown
9th	Jim Marion		Doug Skaff Jr.	64th	Barby Frankenberry
10th	Andy Daniel	36th	Amanda Estep-Burton	65th	Sammi Brown
	Harry Deitzler		Andrew Robinson	66th	David Dinges
	J. Morgan Leach		Larry Rowe	67th	John Doyle
11th	Sarah Duncan	37th	Mike Pushkin		

Bold = Building Trades Member

Tri-State DAD's Day Event Nets \$10,200

The Tri-State Building and Construction Trades Council raised \$10,200 during their annual DAD's

Day event.

DAD's is short for 'Dollars Against Diabetes' and is a long running effort

by North America's Building Trades in the U.S. and Canada to support diabetes research.

More than \$40 million has been donated to the Diabetes Research Institute, located at the University of Miami.

This year the Council held a mid-June golf outing at the Sugarwood

Golf Club south of Huntington.

According to Tri-State Business Manager Mark Johnson it was the 24th year of fund raising.

"We thank all those who participated and I want to especially thank members of Operating Engineers Local 132 who have cooked at our tournament every year." ■



Allen Nelson, Neil Huffman and Justin Williams of Operating Engineers Local 132 prepare food for participants in the Tri-State Building and Construction Trades annual DAD's Day fund raising event held in mid-June.

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Local 83 Wheeling Apprenticeship Wins Regional



State Senator and Labor Endorsed candidate for the 3rd Congressional District Richard Ojeda was the keynote speaker at the Pipe Trades Apprenticeship Contest banquet. (From left) Eric O'Donnell Apprenticeship Director, Calvin Palian Business Agent, Aaron Steele, Phillip Colvin (Welding Winner) from Local 83; Jacob Dierks, Chad Oleksa Apprenticeship Director, WV Senator Richard Ojeda, Makenzie Kimbal, and Bryan Raber Business Manager, Local 152; and Mike Rhodes, Business Manager Local 625.

Phillip Colvin from Wheeling Local 83 will go to Ann Arbor, Michigan to compete in the welding portion of the international competition in mid-August.


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