

THE ACT REPORT

VOLUME 19 NUMBER 8
AUGUST 2010



A PUBLICATION OF
THE AFFILIATED
CONSTRUCTION
TRADES FOUNDATION

The ACT Foundation is a division of The West Virginia State Building and Construction Trades Council. Steve Burton, President; Dave Efaw, Secretary-Treasurer; Steve White, Director.

Charleston - (304) 345-7570
Toll Free - (800) 930-9675
www.actwv.org



Inside

IBEW Local 466	Pg. 2
Pension Relief	Pg. 2
North Central	Pg. 2
Special Election	Pg. 3
Tailgate	Pg. 3
Marcellus Shale	Pg. 4

RALLY FOR LOCAL JOBS HELD AT RANDOLPH ROOFING PROJECT

Union trades held a rally, in front of Midland Elementary school in Elkins, to promote employing local workers on construction projects funded by state tax dollars.

The event took place on Wednesday, July 21 and was in response to a roofing project being awarded to Frye Roofing, a company notorious for importing their worker, not paying the required wage rates, significantly late project completions, and more.

The roofing project is funded by the State School Building Authority which has been a leader in creating high standards for contractors to maintain if they want to bid public projects.

However, for some unexplained reason, the SBA staff has decided to ignore their own 18 point checklist when it comes to Frye. According

to Randolph County School Superintendent Dr. James Phares the West Virginia School Building Authority was in charge of the bid process.

ACT has communicated with the SBA numerous times detailing the many areas where Frye Roofing does

not comply with the SBA's own Contractor Qualification policy.

When confronted about their use of imported workers at a Raleigh County project earlier this year Frye owner J.C. Robinson was quoted in the local paper stating, "We work Mexican workers and

it's very simple - we do that because we get the highest quality roofing available from these folks. We get the best Roofers that money can buy."

Robinson's statement and the fact there is high unemployment in West Virginia

Continued on p. 3



MEMBERS OF THE Roofers and Sheet Metal Workers protest the use of imported workers on a tax funded roof project in Randolph County.

TRADES GET \$200,000 GREEN TRAINING WORKFORCE GRANT

Construction Works, an arm of the WV State Building Trades, has received a \$200,000 grant for "Green" construction training.

The funds are part of a \$6 million, three year grant West Virginia received from the U.S. Department of Labor in January this year. WorkForce West Virginia is the state agency that will oversee the grant.

Construction Works was one of only two successful lo-

cal applicants to get a portion of money aimed specifically at hands-on training efforts. The "Ready-Set-Go" grants were aimed at organizations that could quickly move into training classes.

Additional grant proposals are currently under review for training equipment and training efforts.

"If all goes well we hope to see more funding for Trades programs," said Sheryl Johnson, Director of Construction Works.

The Construction Works

grant will be made available for training Building Trades workers in a variety of potential areas such as Energy Auditing, Green Pervious Concrete, Green Mechanical Systems, Photovoltaic Systems, Green Materials Handling, and trade specific Green Awareness training.

In order to coordinate efforts within the state WorkForce WV has created the West Virginia Green Up Council, a partnership including business, education, labor and government to support

energy sector education and training.

Most craft training programs have already developed new classes for the "Green" construction industry and the grant will allow them to offer more classes for members who want to improve their skills. Working with local training programs Construction Works plans to train 200 workers with the funds provided.

For more information contact your local unions training program.

CHARLESTON JOINT APPRENTICESHIP AND TRAINING COMMITTEE**NOTICE OF APPRENTICESHIP OPPORTUNITY
FOR THE POSITION OF INSIDE WIREMAN**

The Charleston Joint Apprenticeship and Training Committee will accept apprenticeship applications from 10:00 AM until 6:00 PM on the THIRD Thursday of each month.

Applications will be accepted at the Charleston JATC Building, 810 Indiana Ave., Charleston, WV.

To meet minimum qualifications for apprenticeship,

applicants must:

- be a minimum of 17 years of age.
- be a least a high school graduate, or have a GED, or have a two-year Associate Degree or higher.
- show evidence of successful completion of: one full year of high school algebra with a passing grade, or one post high school algebra course with a passing grade.

- provide an official transcript of high school and post high school education and training. All GED records must be submitted if applicable.
- submit a DD-214 to verify military training and/or experience if they are a veteran and wish to receive consideration for such training/experience.
- qualify for interview using the electrical trade's aptitude test developed and vali-

dated by the American Institutes for Research.

- present evidence that they possess a valid driver's license.
- Prior to being indentured, applicants selected from the pool of interviewed applicants will be at least 18 years of age.
- Individuals who can verify (proper documentation required) that they have worked a minimum of four thousand (4000) hours specifically in

the electrical construction trade, do not need to meet the requirements of items (b) and (c).

Application Fee of \$20.00 (Cash or Money Order required).

Each applicant must provide the materials listed from A thru I at the time they come in to fill out an application. No applicant will be rejected because of race, color, religion, national origin or sex.

For more information contact Becky Combs at (304) 345-5166 or go to www.ibew466.org.

**PENSION RELIEF
ACT PASSED**

On June 25, 2010, President Obama signed the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010 into law.

The law allows multi-employer pension plans to use a longer time frame to recover from losses suffered in 2008 and 2009.

In 2006 Congress passed the Pension Protection Act that tightened pension funding rules and required strict time frames for funds to have enough money to cover all obligations.

Many pension funds were underfunded and simply did not have enough money to cover their expected payments.

However when the economy went into recession in 2008 many pension funds

could not meet these strict time tables.

The Pension Relief Act basically gives funds more time to meet their funding requirements. Multi-employer plans are now allowed 29 years, rather than 15, to work their way back to full funding.

The change also allows multi-employer plans more flexibility to deal with highs and lows of investment cycles – called smoothing.

Single employer plans also got relief in meeting their funding schedules.

If a plan chooses an alternative it does not eliminate any funding obligation, but rather it shifts a portion of the current year's obligation to future years.

An electing plan sponsor must provide notice to both plan participants and the Pension Benefit Guarantee Corporation.

**NORTH CENTRAL WV BUILDING
TRADES COUNCIL OFFICERS**

NEWLY ELECTED OFFICERS of the North Central WV Building and Construction Trades Council, front row (from left): Trustees Anthony Farber, Cement Mason; Roger Richards, Millwrights; William DuVall, Carpenters; Sergeant of Arms Cliff Wendricks, Iron Workers and Recording Secretary Rita McCrobie, Laborers. Back row: Keith Hughes, Iron Workers – Trustee; Steve Perdue, Sheet Metal – Treasurer; Darwin L Snyder, Electricians – President; Larry Young, Operating Engineers – Trustee and Ed Boone, Plumbers and Pipefitters – Trustee. Not Present: George Pinkerman, Boilermakers - North Central Area Vice President, Jason Hershman, Laborers - Eastern Panhandle Area Vice President.

MANCHIN GETS WV AFL-CIO ENDORSEMENT**SPECIAL SENATE ELECTION UNDERWAY**

A special election to replace Senator Robert C. Byrd in the U.S. Senate is underway.

The West Virginia AFL-CIO has endorsed Governor Joe Manchin (D) for the position.

Manchin is serving his second and last term as Governor.

He will face two primary challengers in a Special Primary election this month.

The winner of the Special Primary will go on the regular General Election ballot in November.

The winner of the November election will get sworn in to office as soon as the vote is certified, which should be within days of the November 2 election day.

Typically those elected in November don't start serving until January. However, since the vote will be to fill the remaining two years left on Senator Byrd's six year term the newly elected Senator will be sworn in as soon as possible.

If Manchin wins the U.S. Senate seat as most expect him to, then there will be a vacancy for the Governors position.

Earl Ray Tomblin (D-Logan) is the Senate President and would become acting-Governor.

According to the state constitution the Senate President serves as acting Governor until an election can be held. However there is no specific time frame for when the election would be.

Some argue it should be soon while others want to wait until the regular elections in 2012.

If there is a special election to replace the Governor there must first be special party conventions to pick candidates. Each County Democratic and Republican Party would be called upon to select delegates to the state conventions.

Even prior to the prospect of having a replacement election for the Governor's office many were already talking about the race that would

have been held in 2012.

The number of potential candidates for Governor, including Speaker of the House Rick Thompson, Senate Judiciary Chairman Jeff Kessler and State Treasurer John Perdue, show how changes in state government could be far reaching.

"It gets very confusing

very quickly," said Dave Efaw, Secretary-Treasurer of the WV State Building Trades.

"A new Governor could mean new people running state agencies and departments as well as new people serving on Boards, and it could mean a very different Senate and House."

Special Primary Election Information

- August 20th – Early Voting begins (9:00 a.m. – 5:00 p.m.)
- August 25th – Last day of early Voting
- August 28th – Special Primary Election (6:30 a.m. – 7:30 p.m.)



HONORING SENATOR ROBERT C. BYRD at a memorial service held in Charleston last month are (from left) First Lady Gayle Manchin, Governor Joe Manchin, President Barack Obama, Vice President Joe Biden and former President Bill Clinton.

RALLY

CONTINUED FROM P. 1

struck a nerve with local workers.

"We believe if West Virginia tax dollars are being spent to build something, they should be using West Virginia workers to build it," said ACT Representative Wayne Rebich. "When you employ local workers it means the money stays here and helps the community."

Participants stood in front of the jobsite on Kennedy Drive in Elkins holding signs

that read "Local Jobs for Local Workers" and handed out fliers advocating employment of West Virginians on projects funded by state tax dollars.

"We have local workers who are trained to do this work and are good at it," said Joe Strain, Business Agent for Roofers Local 242 Parkersburg.

"In Randolph County, where the unemployment rate is 10.6 percent, it's wrong to import workers from out-of-state to do jobs local workers need."

Trades Invited to Tailgate Party

WVU Mountaineers vs. Coastal Carolina

Saturday, September 4

Starting at 10:00 am, Lunch at Noon.

The North Central WV Building Trades Council invites all trades members and their families to a Tailgate Party on Saturday, September 4 at Mountaineer Field - Milan Puskar Stadium in Tent City-lower level.

For more information contact Natalie Stone 304-626-3882.

MORE THAN \$2 BILLION SPENT YEARLY ON CONSTRUCTION

LABOR AND MANAGEMENT MEET ABOUT MARCELLUS SHALE CONSTRUCTION ISSUES

More than 60 contractor and labor representatives met to discuss construction issues related to the growing Marcellus Shale gas boom.

The group met in Charleston on Tuesday, July 27 at a meeting sponsored by the West Virginia State Building and Construction Trades Council.

The potential work opportunities are huge, with billion of construction dollars being spent each year. However many of the companies involved are not from the local area and are using contractors from as far away as Texas and Canada.

The group agreed the extent of the new work is hard to measure.

Steve White of ACT gave an estimate of more than \$2

billion in projects in 2009 broken down into drilling, pipelines and processing facilities.

White said the ACT estimate for 2009 projects was very rough but there was no good source of numbers available.

He used \$1.2 billion for drilling costs based on 400 wells at \$3 million per well. \$500 million for pipelines and \$500 million for processing facilities based on news reports of projects.

The gas reserves in the Marcellus Shale are huge, and the companies coming to drill for it and get it to market include some of the biggest corporations in the world such as Exxon and Royal Dutch Shell.

The group discussed a number of ways they might work together to improve the

opportunities for local workers and contractors.

Because many of the companies who are making contracting decisions are not from the local area it was felt more marketing of what the unionized sector has to offer would be helpful. "Folks don't know about our industry training, safety and drug-free programs if we don't tell them," said White.

Many contractors expressed frustration trying to find contacts within various companies to learn about bidding opportunities. So the group decided to follow-up with an attempt to set up a meeting with Gas Industry representatives to discuss construction needs and qualification requirements.

The group also discussed related issues like water usage, road damage, taxation

and activities in Pennsylvania, New York and Ohio, states where the Marcellus Shale is also found.

Overall the meeting ended on a positive note with recognition of the job prospects this new source of natural re-

sources could bring.

But there was also a cautionary note, "If we let companies from Texas and Canada bring in their workers then there really won't be much of a benefit to West Virginia, just the problems," said White.

ACT Foundation
600 Leon Sullivan Way
Charleston, WV 25301
(304) 345-7570

Non-Profit Org.
U.S. Postage
PAID
Permit # 1374
Charleston, WV 25301



DAVE EFAW (standing) leads the discussion among more than 60 contractor and labor representatives at a meeting in late July. The group focused on finding ways to get more construction jobs associated with the huge Marcellus Shale gas discovery for local workers

70 YEAR MEMBER



IBEW LOCAL 466 member Harry "Jack" Craze received his seventy year membership pin with his son Bobby Craze, a thirty year member, by his side. The event took place at the Charleston Local's August meeting, months prior to Craze's 90th birthday. Craze joined the local on November 20, 1940.