

Right to Work will get quick attention after governor veto; SB1 passes senate by 18-16 party-line vote

By Pamela Pritt Register-Herald Reporter

CHARLESTON — Senate president Bill Cole said Monday the upper chamber of the legislature will “quickly” take up SB1 again after a promised gubernatorial veto.

Gov. Earl Ray Tomblin issued his veto threat Thursday shortly after the House of Delegates passed the measure which will make West Virginia a right-to-work state. Right to work means that employers are prohibited from requiring their workers to belong to unions, but those non-union employees would receive union benefits like collective bargaining and representation in grievance proceedings. The law comes with penalties for employers who do not comply and allows an employee the recourse of a civil proceeding.

SB1 passed the Senate 18-16, a party line vote, but House Speaker Tim Armstead, R-Kanawha, lost 10 Republicans in the lower chamber after a five-hour debate.

“We want to get it done,” Cole, R-Mercer, said. “We want to put all of this in the rearview mirror and go to work on the budget and some other things that are pressing. We’ll take it up quickly.”

Also Monday, Jim Justice, owner of coal mines, resorts and farms and also a candidate for governor, called on the legislature to put both right to work and the repeal of prevailing wage on the ballot as a referendum for state voters.

“Eliminating the prevailing wage and right to work are issues that are too important to leave in the hands of career politicians in Charleston. So, I want the people to decide,” Justice said in a media release. “Washington-style politics have crept into Charleston and created a mess. Instead of the politicians and special interests dividing the state, we should let West Virginians vote on this.”

The Republican-led legislature also voted last week to repeal the state’s prevailing wage rates. Those rates, which were set by the Division of Labor, were an issue in last year’s legislative session, as well. After a compromise, last year’s bill was amended to be a study, and purview of the rates was given to WorkForce West Virginia, which was to analyze the calculations with West Virginia University and Marshall University.

When WorkForce used surveys of state businesses instead of BLS data exclusively, the GOP leadership was livid during early summer interim sessions and refused to grant an extension of the wage through the summer. Prevailing wages, which are used only on public projects, were reinstated at the end of September.

Tomblin is likely to also veto the prevailing wage repeal bill.

Cole, who was on the floor of the Senate when Justice's announcement was released, was brief.

"It's a little bit late," he said.

Cole is also a candidate for the executive seat, and the passage of right to work and the repeal of prevailing wage has brought union members en force to the capitol to stand in lines to pass through security and attend committee meetings and floor sessions in both chambers. They have coined the phrase "Remember in November," a union call for members to vote.

But Cole said neither issue is intended to hurt unions.

"I really personally refuse to allow this to fall into a war on the unions, because it's not that," he said. "It's about a worker's freedom to choose whether he wants to be associated or not."

He said given West Virginia's "dire straits" in unemployment, low average wages and lower workforce participation, "it's time to change some things."

"I feel confident we're doing the right things," Cole said.

"We'll learn a lot on Nov. 8, whether the voters of West Virginia think we're on a good track or not," he said.

According to a spokesperson for Tomblin's office, neither bill has made it to the governor's desk.

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