

Right-to-work, prevailing wage repeal become law

By LACIE PIERSON Updated Feb 14, 2016 (2)

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CHARLESTON - Two bills vetoed by Gov. Earl Ray Tomblin were brought back to life and made into state law following quick reactions and votes by members of both chambers of the West Virginia Legislature Friday morning.

Members of the Senate and House of Delegates voted to override the governor's vetoes of SB 1, the WV Workplace Freedom Act, more commonly referred to as the right-to-work bill, and HB 4005, which repeals the use of prevailing wage on the state's public projects.

Tomblin vetoed the bills Thursday afternoon, less than 24 hours before legislators voted to overturn them.

With the veto overrides, both bills now become state law.

Supporters of the bills said their passage was an effort to try something new in an attempt to attract businesses and new jobs to the state, while their detractors have said the bills were an attempt to undermine the state's unions and would lower wages of those already working in the state.

For the bills to become law, both chambers had to sustain a majority vote in favor of overriding the vetoes.

The Senate approved the overrides of both bills along party lines, 18-16.

When it came to overriding the veto for right-to-work, the House of Delegates approved the override by a vote of 56-42. The Cabell and Wayne House members voted 2-5.

Dels. Carol Miller, R-Cabell, and Kelli Sobonya, R-Cabell, voted in favor of overriding the veto.

Dels. Ken Hicks, D-Wayne, Sean Hornbuckle, D-Cabell, Jim Morgan, D-Cabell, Don Perdue, D-Wayne, and Doug Reynolds, D-Cabell, and Matt Rohrbach, R-Cabell, voted against overriding the veto.

In the Senate, the Cabell and Wayne senators voted 1-2, also along party lines, to override the right to work veto.

Sens. Bob Plymale, D-Wayne, and Mike Woelfel, D-Cabell, voted against overriding the veto, and Del. Mark Maynard, R-Wayne, voted in favor of overriding it.

For the repeal of the prevailing wage act, the House voted 54-44 in the override of the veto, with Cabell and Wayne House members voting 2-6.

Miller and Sobonya were in favor of overriding the veto, and Hicks, Hornbuckle, Morgan, Perdue, Reynolds and Rohrbach voted against overriding it.

In the Senate, Plymale and Woelfel voted against the veto override, and Maynard voted in favor of it.

The right-to-work law eliminates agreements to require membership in a labor organization as a condition of employment, and it would mean no person can be compelled, as a condition of employment, to join, not join or to pay dues or fees to a labor union.

The West Virginia Prevailing Wage Act had been in place for 81 years. It previously required contractors who do construction projects funded by public bodies to pay employees at pre-determined rates set by state agencies. Prevailing wage was only applicable to state-funded projects above \$500,000.

With the bill's repeal, contractors are not required to pay their workers that rate when bidding on state construction jobs.

In a news release following the votes, Americans for Prosperity, a conservative political advocacy group based in Arlington, Virginia, released a statement in support of the new laws.

"Today members of both chambers of the West Virginia legislature set the state on the course for job growth by finalizing passage of right-to-work," Jason Huffman, state director of Americans for Prosperity West Virginia, said in the release. "[Sixty percent] of West Virginians believe that union membership should be a choice and through today's override the legislature has ensured we have that freedom. We applaud their swift response to the governor's veto and we are excited for the opportunities that have been created for the Mountain State."

The West Virginia AFL-CIO also issued a statement following the overrides.

"The legislative leadership relentlessly pursued 'right to work' and repeal of prevailing wage despite appeals from thousands of hard-working West Virginians and hundreds of employers and contractors to stop and consider the damage caused to workers in other states through lower wages and less safe workplaces, and despite proof that these measures do nothing to create jobs," West Virginia AFL-CIO President Kenny Perdue said. "On behalf of 140,000 hard-working men and women represented by the West Virginia AFL-CIO, I would again like to thank Governor Tomblin for seeing through the false promises offered by supporters of both bills and standing up for West Virginia's middle class. In the coming months, we will direct our energy and resources toward reminding West Virginia working families which legislators failed them, and urging them to vote accordingly - to remember in November."

The International Brotherhood of Teamsters said West Virginia lawmakers had "chosen to side with out-of-state billionaires over hardworking West Virginians."

"Their approval is a continuation of the corporate takeover of the political process," Teamsters

General Secretary-Treasurer and Local 175 President Ken Hall said in a press release. "We thank those lawmakers who stood up for working families in West Virginia. But pro-worker allies will not forgive nor will we forget those lawmakers who have turned against their constituents. The Teamsters look forward to Election Day 2016 when we will stand together and repay elected officials who sided with billionaire industrialists like the Koch brothers over workers. We will remember in November!"

Update: Del. Matt Rohrbach, R-Cabell, voted against overriding the governor's veto of SB 1, the right-to-work law. A previous version of this story incorrectly listed his vote.