

ABC TODAY



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2000 Elections:

ABC Targets 36 Candidates To Support in 2000 Elections

ABC has developed a target list of 36 candidates to champion in the 2000 elections. These targeted candidates will receive donations from ABC PAC, assistance from chapters and grassroots volunteer help from local members.

Recent polls show that many races could be decided by just a few thousand votes. ABC has stepped up its efforts in the campaigns of candidates who support open competition and the free enterprise system.

Coordinating this help is ABC Victory 2000 (ABC V2K) a structured program that will prioritize assistance and help campaigns match their needs with resources of ABC's membership.

Former Gov. George Allen (R-Va.) is one of eight U.S. Senate candidates that ABC is assisting. At a recent ABC-sponsored fundraising event, Allen said, "As governor, I could count on ABC as good working partners. With ABC's support in this campaign, we will continue to advance our mutual goal of building a better Virginia and America by promoting positive tax and



ABC will go "all out" to support former Va. Gov. Allen (R) and others.

"I have many friends who are ABC members, and your statewide network could be one of the key differences in my race." —Sen. Bill McCollum (R-Fla.)

reasonable, common-sense regulatory policies."

ABC also is working hard to support Rep. Bill McCollum (R-Fla.), who notes that "ABC is one of my strongest and earliest supporters. I have many friends who are ABC members, and your statewide network could be one of the key differences in my race."

ABC has targeted races in which the association's help can make a difference. State Sen. Mike Rogers (Mich.) who is running in an open congressional district, and is a long-time friend of ABC, noted that volunteer help could be the margin of victory.

Another candidate ABC will be working hard to get re-elected is Rep. Jim Rogan (Calif.) who is a strong champion of ABC but who has been targeted for defeat by liberal special interest groups. "ABC and I share deep respect for the free enterprise system and the rights of taxpayers. With the help of many friends, I will be re-elected and can continue to fight for small businesses and their employees," Rogan said.

If you would like to help a local campaign, contact your local chapter or contact Ned Monroe at ABC, (703) 812-2022, or gainfo.abc.org.

See in-depth report inside the News section.

Union Protestors Fail to Derail ABC Regional Meeting in Toledo

One thousand union protestors did not deter ABC members from Region 6 from holding a planning meeting last month in Toledo, Ohio.

"The protest did not prevent us in any way from holding the meeting as planned," said ABC President W. Thomas Musser.

The demonstration was organized by the Northwest Ohio Building and Construction Trades Council and the Toledo-area AFL-CIO Council to protest the ABC meeting.

The protestors disrupted traffic as they marched from a local park across the Martin Luther King Jr. Bridge to the hotel where the meeting was being held.

Musser and Region 6 Vice President Mark Small spoke to local reporters from ABC, CBS, NBC, Fox television and the *Toledo Blade*. "These folks have the freedom to demonstrate anywhere they want, but ABC contractors should also



ABC President W. Thomas Musser discusses the merit shop philosophy with reporters in Toledo.

have the right to work anywhere in the country where they are qualified to do so," Musser told local reporters.

Musser and Small also discussed the merit shop

philosophy and how it has resulted in more than four out of five construction workers across America choosing to work merit shop.

Bureau of Labor Statistics Says It Will Soon Make Decision on Wage Data Collection

The Labor Department's Bureau of Labor Statistics said it may decide whether it will implement a new method for determining prevailing wage rates by the end of the year.

ABC believes BLS's survey methods could be more accurate than the methods used by the Wage and Hour Division, which traditionally determines prevailing wage rates through contractor surveys.

Four Pilot Studies Completed

BLS said it has completed the last of four pilot studies that examined the agency's ability to collect wage and benefits data in four cities: Salt Lake City-Ogden, Utah; Toledo, Ohio; Jacksonville, Fla.; and Tucson, Ariz.—and

is now evaluating the success of those projects.

BLS said it hoped to be able to publish prevailing wage rates for all types of construction every three years if it took over the responsibility of determining wage rates by modernizing its collection methods, a marked contrast to the standard six to seven years required by the Wage and Hour Division.

BLS Found Helpers

BLS results showed that contractors are in fact using helpers, a fact Wage and Hour frequently disputes.

"It is particularly interesting that different divisions of the Labor Department are saying completely different things in terms of help-

ers," said ABC President W. Thomas Musser.

"The Wage and Hour Division does not want to acknowledge their existence, while BLS clearly found numerous contractors that used helpers."

As expected, there was a wide range of wages paid, as opposed to one apparent "prevailing" wage.

BLS also found a higher percentage of workers in the merit shop sector. In Salt Lake City-Ogden, BLS found that 86 percent of workers worked for open shop contractors. Similar results occurred in the other pilot cities.

For more information, contact Charley Maresca at ABC, (703) 812-2039; maresca@abc.org.

ABC Says Ergonomics Regulation Takes Wrong Approach To Ensuring Safe Sites

ABC has told OSHA that an ergonomics regulation for the construction industry is not needed and that the agency should focus instead on further developing voluntary partnerships and methods for reducing injuries and illnesses.

During a public hearing on the ergonomics regulation at the Labor Department, ABC Director or Legal and Regulatory Affairs Charley Maresca said the proposed regulation "goes in the wrong direction" of enforcement. "Our Platinum partnership is one of many partnerships the agency has established, and it is our belief that these cooperative measures are the best means to help OSHA achieve its stated goal of a 15 percent reduction in injuries and illnesses in construction over five years."

He said ABC members have seen their rates of injuries, including ergonomic injuries, fall far below the national average. "This has been achieved without the need for an ergonomic program such as the one called for in the proposed regulation," Maresca said.



Charley Maresca, left, testifies at public hearing at U.S. DOL.

Moreover, he said, the regulation, if applied to construction, would divert safety resources from more serious industry hazards, such as falls, electrocutions, "struck-by" accidents and falling objects.

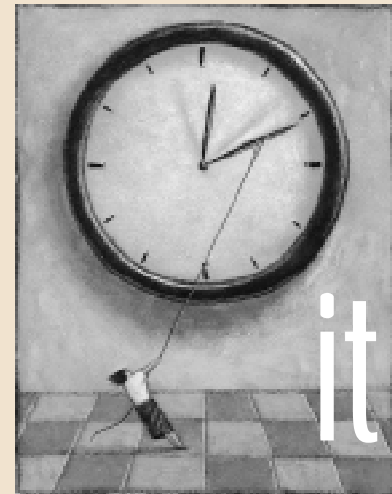
Maresca said the agency's plans to move forward with a regulation for the construction industry run counter to OSHA Administrator Charles Jeffress' own repeated acknowledgment that there is insufficient data on musculoskeletal disorders in construction to formulate a regulation. However, that has not prevented OSHA from posting a brochure designed to offer guidance for contractors that relies more on anecdotal information than sound science.

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"ABC takes Mr. Jeffress at his word and agrees that there is a lack of data upon which a regulation on musculoskeletal disorders in the construction industry could be based. We fear that the appearance on OSHA's website of an unhelpful brochure which could lead to increased risk of injury is representative of the agency's unscientific approach to rulemaking in the ergonomics arena," Maresca said.

ABC Today Wins SNAP Awards

ABC Today is proud to announce that the publication won a silver award for general excellence in the newspaper category. Associate editor Amy Ingram also won a silver award from the Society of National Association Publications for her article, Diversity: The Answer to Labor Force Shortages.



Putting it Briefly

Ways and Means to Vote On Estate Tax Repeal

The House Ways and Means Committee is expected to vote this week on legislation that would repeal death taxes over 10 years. A vote in the full House could occur as early as the first week of June.

ABC supports estate tax relief, which disproportionately affects small businesses. The Center for the Study of Taxation says the majority of federal death tax returns are filed by estates with a gross value of \$650,000 to \$1 million.

The bill was introduced by Rep. Jennifer Dunn (R-Wash.)

OSHA Guides Employers On Lyme Disease

OSHA has issued a bulletin that advises employers how to protect employees from Lyme disease.

Lyme disease is a tick-borne illness that affects thousands of people each year and which, if untreated may cause chronic arthritis, heart disease, and neurologic disorders.

The bulletin explains the steps workers need to take to reduce the risk of Lyme disease, such as using insect repellent and considering getting a protective vaccine.

The bulletin is simply advisory in nature and creates no legal obligations.

OSHA issued the bulletin as a result of a request from the Senate Appropriations Committee, which in its 2000 budget report called Lyme disease an "occupational health risk."

The bulletin and a fact sheet may be found at the OSHA website, www.osha.gov. More detailed information about Lyme disease and its prevention can be found at the Centers for Disease Control website, www.cdc.gov.

EEOC Says More Women In Construction in 1998

The percentage of women working in the construction industry continues to climb, although most of the women employed are in office or clerical positions.

Women represented 14 percent of the construction workforce in 1998, according to new statistics released by the Equal Employment Opportunity Commission. The National Association of Women in Construction estimates the number of women in construction increased 3 percent between 1995 and 1998.

However, women comprise only small percentages of craft workers (2 percent); equipment operators (5 percent); and laborers (7 percent).

Industry News:

Owners Form Roundtable Group

The Business Roundtable's former Construction Committee has re-established itself as the Construction Users Roundtable and operates independently of any other organization.

Members of the now defunct committee, feeling strongly that there was a need for an organization for construction owners, began searching for a new identity shortly after the BRT sunsetted the group last fall.

"The goal is not to recreate the construction committee but to create an enhanced and improved organization, one that comprehensively represents the voice of the owner," the organization plan says, as reported by *Engineering News-Record*.

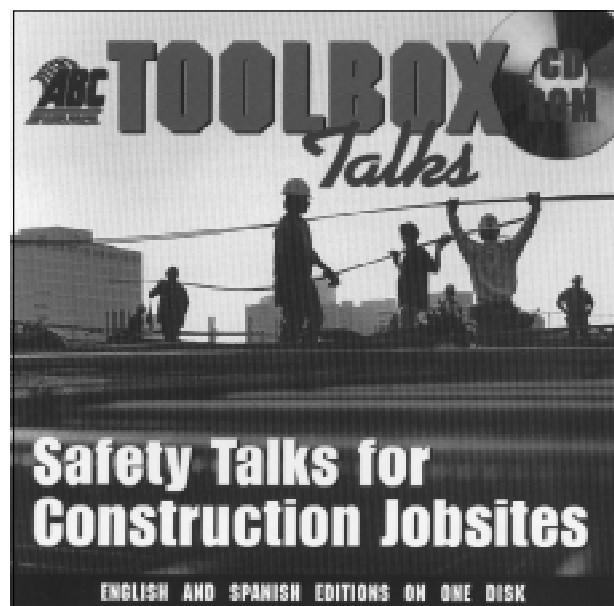
The group hopes to have 50 members by next year. Members must support \$75 million worth of U.S. construction and major maintenance each year and pay annual dues of \$10,000.

The charter members are: Air Products and Chemicals; Johnson & Johnson; Eastman Kodak; Champion International;

Texaco; FMC Corp.; Toyota; Praxair; American Electric Power; Proctor & Gamble;

General Electric; DuPont Corp.; General Motors; Pfizer; Dow Chemical.

A Valuable 'Tool' For Your Jobsite



ABC has developed a series of safety "toolbox talks" for its members to use on their jobsites. The 69 individual "talks," available in both English and Spanish, focus on a variety of topics, such as accident investigations, demolition, horseplay on the jobsite, working with lead, working on scaffolds and working under severe weather conditions. The talks are provided in CD-ROM and in printed form. Cost: \$150 for members; \$225 for non-members. Contact your chapter for more information.

PLAWATCH

The Operating Engineers on the PLA-governed "Vision 2000" project of the Port of Oakland furnished more evidence of the emptiness of PLA no-strike promises in April when they went on strike for 15 shifts, and the entire workforce picketed in support.

Both the international union and the arbitrator agreed it was an illegal work stoppage, but finally the contractor gave in to the strikers' demands for more workers on each shift. Of course this makes us remember a similar incident on the San Francisco Airport expansion project, where one motivation for the PLA-violating strike was a demand for more coffee breaks. We hope these incidents help policymakers who are considering PLAs to wake up and smell the coffee.

More trouble on the PLA-plagued San Francisco airport expansion project: A federal audit has charged that San Francisco's PLA-driven Housing Authority wasted hundreds of thousands of dollars by handing out contracts without proper bidding and paying excessive salaries to managers.

In another story of Bay Area PLA blues, *The San Francisco Chronicle* reports that a federal grand jury has indicted five—a plumbing contractor, three executives of a mechanical contractor, and an official in Mayor Willie Brown's administration—for defrauding a government affirmative action program of millions of dollars.

The Los Angeles Airport Commission voted for a 10-year PLA May 1. This PLA requires merit shop workers to pay extra fees to help administer the agreement. *The Los Angeles Times* story on the vote quoted ABC's Tom Musser and Jim Ryan, and ABC's Los Angeles / Ventura Chapter is set to lobby the city council in hopes of stopping the deal, or at least removing the anti-merit provisions. Members of the Los Angeles Chapter also are working to show policymakers the mistake they made last year in approving a PLA for the L.A. Unified School District. That PLA comes up for review later this year.

Veteran construction labor writer Peter Cockshaw did a feature story on ABC's anti-PLA communications campaign in the April issue of *Cockshaw's Construction Labor News & Opinion*, writing that "PLA opponents are now poised to wage a more crucial battle in the court of public opinion." Cockshaw praised ABC's "impressive array of communications tools" including the \$1 million CFE fund for anti-PLA campaigns, the PLAWatch newsletter, our information packets for journalists and policymakers and new white papers from ABC General Counsel Maury Baskin and Wharton School of Business Professor Emeritus Dr. Herbert Northrup.

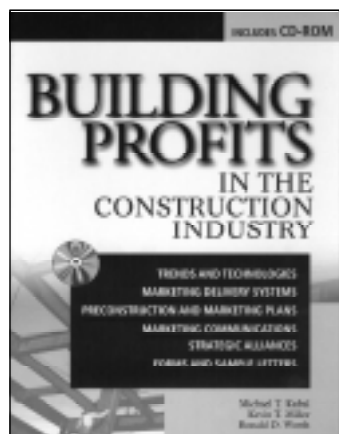
Let's all keep trying to get the word out about the harmful effects of PLAs. —*Jim Ryan,*

communications specialist

ABC Offers with McGraw-Hill Construction Marketing Book

ABC worked with McGraw-Hill to develop *Building Profits in the Construction Industry* and is now offering the marketing book targeted to the construction industry at a 25 percent discount to ABC members.

The 416-page book covers a range of topics, including developing marketing plans, writing news releases and marketing on the World Wide Web. The book comes with a CD-ROM that offers web links to more than 250 resources. To or-



der, call ABC's Ordering Department, (703) 812-2000. Cost: \$60.

ABC Works with 'Learning for Life' To Educate Youths about Construction

ABC is working with an organization called Learning for Life to tell young people about the many opportunities for careers in the construction industry and to give them a grounding in the free enterprise philosophy that is so integral to ABC's mission.

"ABC and Learning for Life share a basic outlook that is based on a positive, entrepreneurial and values-driven approach to life," said ABC Vice President of Education and Workforce Development Dan Mosser. By working together, the two organizations hope to capitalize on each other's strengths, Mosser said.

Learning for Life is a K-12 educational program that works with schools to

help young people meet the challenge of growing up "by teaching character and good decision-making skills and then linking those skills

which is open to both girls and boys who are at least 14.

"The Learning for Life program is yet another way ABC will be able to strengthen its school-to-careers program and attract more young people to the industry," Mosser said.



to the real world," according to Learning for Life.

The Learning for Life program has three basic components: school-based learning, connecting activities, and work-based learning. For the work-based component, Learning for Life works with the Boy Scouts Explorer program,

There will be a Learning for Life booth at the ABC convention May 31-June 3. ABC members and chapters are encouraged to find out how they can work with their local Learning for Life office. Call Fred Day at ABC to find out more, (703) 812-2003, or day@abc.org.

Regulatory Report



- The Labor Department's Employment Standards Administration plans to move forward on two proposals affecting employers working on federal Davis-Bacon projects. ESA said it will issue a proposal clarifying that the "site of work" covered by the Davis-Bacon Act typically does not include offsite plants or sites. ESA will issue the proposal to comply with two court rulings in the mid 1990s, which said the Labor Department's interpretation of the law did not conform to the statutory language. ESA also plans to publish its rule governing the use of Davis-Bacon helpers on federal construction projects in August. ABC opposes the rule, which it believes reverts to an outdated and unrealistic definition of helpers, and has submitted comments to the Labor Department stating its opposition.

- OSHA plans to complete action on several regulations this year, including the ergonomics standard (December), steel erection (July), injury and illness recordkeeping (June), occupational exposure to tuberculosis (July) and personal protective equipment (July).

For more information, contact Charley Maresca at ABC, (703) 812-2039, or maresca@abc.org.

Send Chapters Your Email Address

Please send your email address to your chapter so that ABC can respond to your requests in a more timely way. Also, beginning June 1, ABC will send out *Newsline* via email only.

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