



SPRING 2017

BLUEPRINT FOR LABOR MANAGEMENT COOPERATION

PREVAILING WAGE ENFORCEMENT

PROTECTING WORKERS, LEGITIMATE CONTRACTORS AND YOUR TAX DOLLARS

Right to Work – You may have heard this term, and it sounds good. But, it is really code for allowing rat contractors an avenue to sidestep Prevailing Wage Laws. Right to work laws have devastating effects on workers and legitimate contractors. It drives down wages, especially for women and people of color, there is documented lack of health insurance and increased dangerous work conditions – death incidents rise in right to work states. Right to work also opens the door for cheating the worker and the public while lining the pockets of unfair, often criminal, contractors with tax payer dollars.

By using qualified contractors with workers paid the posted, correctly classified *prevailing wage*, not only is it better for the economy and the workers, it is BETTER FOR THE TAX PAYER, who does not have to subsidize underpaid workers for food, shelter and health care. The Bureau of Labor Statistics also reports that states with right to work laws have the



Mauricio Velarde

highest unemployment – and with unemployment, crime statistics also rise.

California has active prevailing wage laws, guaranteeing all workers employed on public works projects (tax payer dollars used) must be paid the prevailing wage as determined by the Director of the Department of Industrial Relations, according to the type of work and location of project. The prevailing wage rates are usually based on rates specified in collective bargaining agreements.

It is up to the awarding body/project owner, the person that gives out the contracts, to ensure

that **Prevailing Wage Laws are enforced and followed.** But as many are acutely aware, laws are often on the books, but enforcement is more difficult especially given the current boom in local construction and the anticipated infrastructure dollars the federal government has promised. Awarding bodies include schools, water districts, cities and counties, airports and federal R&D facilities, to name a few. Bids often submitted are wildly apart in dollars even though the job described is unilateral. Looking only at the bottom line, awarding bodies sometimes turn a blind eye which results in worker fraud, misappropriation, deception, and we have even seen cases of ongoing sexual harassment. Large complexes of affordable housing being done paying workers substandard wages with no benefits, asking them to sleep in their trucks on the jobsite – this is not uncommon in Santa Clara County. Work completed by unskilled labor and unethical contractors is sometimes not

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PROFILE

KARL BAUMHECKEL

MAKING HISTORY AT THE “APPLE PARK” CAMPUS



pond within the ring of the main spaceship styled building.

Who better to have a bird's eye view of its building history than our own Local 393 Steamfitter/Welder, **Karl A. Baumheckel**. Karl also serves on the South Bay Piping Industry's Steering Committee working with signatory contractors to keep the relationship between union and contractor here in our valley amiable and profitable for both.

the building – similar to spokes on a bike. A large portion of the heating and cooling is radiant floor/ceiling piping reducing the need for as many VAVs as a traditional building.

Karl is currently working with Harris Mechanical, but the expanse of this huge undertaking includes many of our talented technicians and contractors. Others working at Apple Park (partial list) include Pan Pacific, Critchfield Mechanical, Kinetics, Southland Industries, Silicon Valley Mechanical, Sunbelt Controls and beautiful exposed pipe supports and sheet metal ducts being done by our own Therma Inc.

Apple Park construction began in 2013. Expected to open April 2017 housing 12,000 employees on 176 acres, it will include a visitor's center with an Apple Store, a cafe open to the public, a 100,000-square-foot fitness center for Apple employees, secure research and development facilities, two miles of walking and running paths for employees, plus an orchard (3,000+ trees), meadow and

“I have worked at the Apple Campus over the past two years, about 10% of my career in this industry,” Karl states. He goes on to explain the main “spaceship” building has a circumference of one mile and is served by its own central utility plant. HVAC piping is underground and feeds nine separate sections of

Karl continues to explain the real highlight of this project, being able to work with his son, Karl Jr., who is now in his second period apprenticeship with Pan Pacific. “I am very grateful to Local 393 and that my son has an excellent opportunity, benefits and a solid future with the South Bay Piping Industry.”

continued from cover – Prevailing Wage Enforcement

to local and state building codes and can go un-noticed as our local building officials are stretched thin.

*The South Bay Piping Industry's Prevailing Wage Officer, **Mauricio Velarde***, is single-handedly making a dent in worker and contractor deception. Tax dollars being spent on Homestead High School (supposedly one of the best in the nation) have brought about lawsuits against Legacy Mechanical for cheating workers. Iron Mechanical who did major work at San Jose State has also been targeted and fined. Mauricio has filed complaints with the Department of Industrial

Relations on Burr Plumbing for service contracts awarded by the City of San Jose. Santa Cruz Plumbing has had to file bankruptcy with fines in the millions of dollars levied due to cheating workers while working at UC Monterey Bay and other area schools. Mauricio is currently reviewing a \$100,000,000 (a hundred million) water project where workers are not being paid properly and the awarding body is a water district.

Skilled, trained workers employed by trustworthy, reliable contractors is both smart and dollar wise. Keeping the work force and

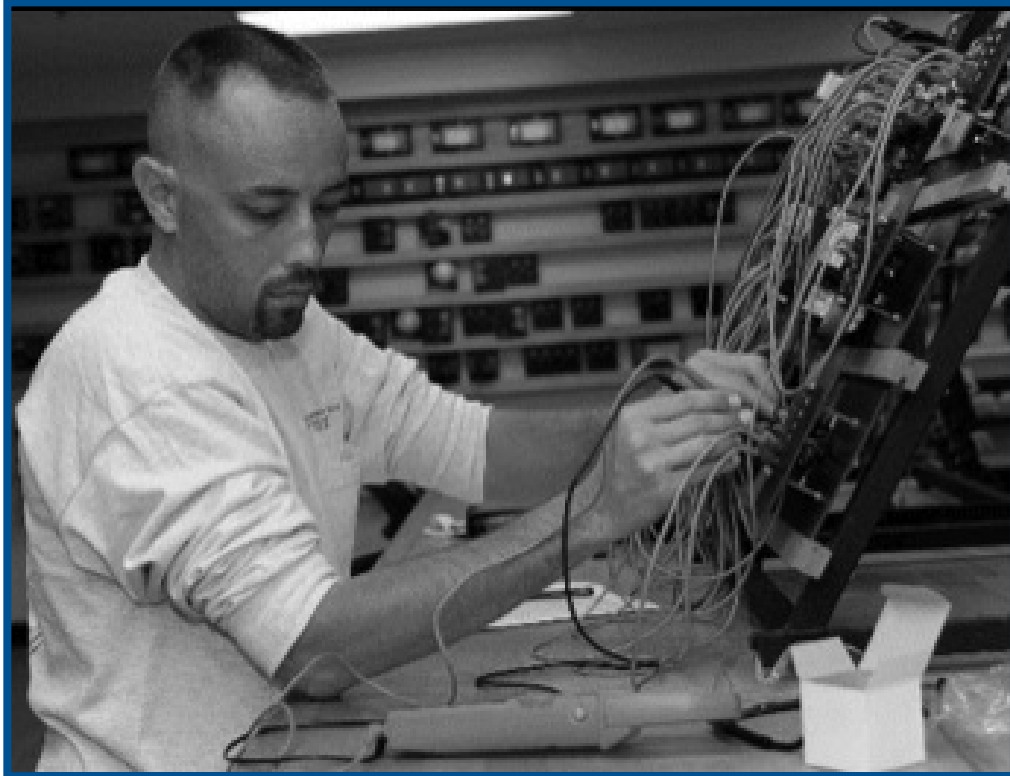
contractors LOCAL and paying a fair wage makes economic cents. **Holding the awarding bodies/project owners accountable is critical and the law.**

What can you do? If you suspect you or anyone you know is not being paid fairly, especially on PREVAILING WAGE – PUBLIC WORKS projects, report it! Email publicworks@dir.ca.gov or call the Labor Commissioner's office 844-LABOR-DIR (844-522-6734). You can also email the South Bay Piping office at admin@sbaypipe.org for more information.

TRAINING CENTER UPDATE

APPRENTICESHIP CONTEST

CREATING A SKILLED WORKFORCE



Annually for last ten years, the United Association of Union Plumbers, Fitters, Welders and Service Techs (U.A.) has held an apprenticeship competition to highlight the tremendous skills and training that our apprentices and training centers embody. Apprentices receive an opportunity to showcase and compete using their hard won talents. National training centers can compare and evaluate their own program's progress.

Competitions begin at a local level. Here at the Loyd E. Williams Pipe Trades Training Center (funded both by Local 393 and our Union contractors), Coordinators Mark Likeness and Scott Stroh worked with instructors on site to create written and hands-on exercises that tested the skill sets of local apprentices that are willing to go the extra mile by signing up to compete. Local

apprentice competition is passionate and intense, but one representative from each trade emerges for the second phase, state contest competition. Nick Cruz (HVACR), Adam Rule (Welder), Elias Rosales (Fitter), and Jared Robins (Plumber) will compete with some 70 other apprentices in the largest U.A. apprenticeship contest in the country, the California State Annual Apprenticeship Competition. *This year the State contest will be held here at our own Pipe Trades Training Center in San Jose on May 24th & 25th.*

The **South Bay Piping Industry Labor Management Trust** and the **U.A. California State Pipe Trades** sponsor the lion's share of the cost for running the state contest. Dewalt and Milwaukee Tools as well as NITC – National Inspection Testing Certification, IAPMO – International Association of Plumbing and

Mechanical Officials, and several California local unions donate tools and funding as well to assist in this first-class endeavor.

Both at the state level and locally, contestants compete in a wide variety of written and hands-on processes that will test their knowledge and skills to the limit. ***Tube bending, brazing, cast iron, threaded pipe, Victaulic, isometric drawing, welding, digital controls, compressors, pump alignment, and rigging are just a few of the hurdles they will have to navigate to earn the right to compete in the Regional Contest,*** which will be held at Local 342 Training Center in Concord.

The Regional Contest includes about 50 contestants representing eleven western states, Hawaii, Alaska, Washington, Idaho, Oregon, California, Arizona, Nevada, New Mexico, Colorado and Utah. The level of competition and skills needed increases significantly. Regional winners head to the International Contest held in Ann Arbor, Michigan in conjunction with the U.A. Instructor Training Program. Contestants from the U.S.A., Canada, Australia and even Ireland will be competing for top honors in five trade classifications, Plumbing, HVACR, Pipefitting, Sprinkler-Fitting and Welding.

A skilled, trained, qualified apprentice translates into a solid workforce which is critical to a vibrant community. ***Come by the Loyd E. Williams Pipe Trades Training Center on May 24th and 25th and witness the action in person and you will be amazed at the skill level and sheer size of this important undertaking.***

COMMUNITY

CHILDREN'S DISCOVERY MUSEUM BILL'S BACKYARD

The Children's Discovery Museum (CDM) in downtown San Jose hopes to inspire the nature lover in community "little ones" by building a 27,000-square foot outdoor play area. Inspired by Bill Sullivan, Agilent Technologies retired CEO, children will be able to dig, plant, climb, build and explore nature, plus flora and fauna domiciled to our region.

Bill's Backyard invests in our

next generation, inspiring environmental stewardship, sparking interest in STEM and the arts, and increasing understanding of sustainability solutions for our region. The impact on children will be unique by sparking young imaginations to identify climate change solutions, create energy efficient housing and job centers, combine new technologies for sustainable agriculture and solve

challenges in a host of new kid-friendly ways.

Local contractors **O.C. McDonald Company**, and the Air Systems Foundation (founded by contracting firm **Air Systems**) are contributing to this worthwhile project. Trees and irrigation piping has been donated by the two as part of the South Bay Piping's ongoing programs to enrich our community partners.

Bill's Backyard will introduce children and families to the wonders of nature and propel them on an inquiry-based adventure of discovery and exploration.

SOUTH BAY PIPING INDUSTRY DONATES TO FLOOD VICTIMS

The South Bay Piping Industry Labor Management Trust which represents Plumbers and Pipefitters Local 393 and signatory contractors, stepped in just days after the severe flooding in San Jose to donate \$20,000 to the relief fund. The donation was made along with several other local unions and contractor associations which donated over \$65,000 total.

"Victims impacted are part of our home, our community," noted **Bill Guthrie, Business Manager for Local 393**. Many families to this day continue to look for homes. With affordable housing still at a premium in Silicon Valley, the task is daunting as many of the areas flooded were in low income neighborhoods. It is estimated that some 500 families have yet to return to their homes. The Flood Victim Relief Fund is assisting by paying deposits and rental subsidies. Low interest federal disaster loans have also been made available to property owners to assist in rebuilding.

Jacky Morales-Ferrand, the City of San Jose's Housing Director states, "finding immediate housing opportunities for our displaced neighbors is a critical part of helping our community continue to recover from this disaster."



RESOURCES

Giants Baseball!



Yes! It's time to go to the ballpark! The South Bay Piping Industry and Local 393 will again be sponsoring a game for the 2017 season, and we have FREE TICKETS!! Bring your little league or girls fastpitch team! Simply email us at admin@sbaypipe.org with the number of tickets you want and where you want them sent, or call us at 408-970-8578. FYI – as a major sponsor, we can usually get tickets to any home game for the San Jose Giants .. just let us know days you are interested in. Visit www.sjgiants.com for 2017 schedule.



South Bay Piping Industry - Game Day: Saturday, July 22, 2017

Time: 6 p.m.

Location: San Jose Municipal Stadium
588 E. Alma Ave. San Jose

San Jose Giants vs Rancho Cucamonga
Fireworks Night!!

Intern Program

Promoting Our Industry and Preparing Young Adults for the Future

In 2000, the South Bay Piping Industry began an Intern Program offering young adults enrolled in college the opportunity to intern for us. Since inception, we have assisted 12 students as they continue their educational and career journey. Not only does this help them with their college expenses, they now have an opportunity to learn about our union contractors and members and their extremely important value to the local construction industry and, how that is connected to the health of our community.

Intern responsibilities include attending industry events and representing the South Bay Piping Industry, monitoring prevailing wage jobs that are bidding and supplying that information to our signatory contractors, maintaining databases and our website, as well as social media posts. Community involvement with local non-profits is also essential.

Our graduates have gone on to some very interesting and diversified careers! We have radio and media managers, park rangers, homeless and youth advocates, veterinarians, teachers, oncology M.D.'s, and police officers that at one time were part of our intern line up.

If you know of a college student that might be interested in being a part of our intern program, let us know. Next time we have availability, they might become part of the South Bay Piping Industry's Intern Program.



BLUEPRINT

FOR LABOR MANAGEMENT COOPERATION

THE SOUTH BAY PIPING INDUSTRY NEWSLETTER

Visit our UPDATED webpage at www.sbaypipe.org

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