

# Tri-Fund

An aerial photograph of a pipeline construction site. A long, straight trench has been dug into the earth. Several large yellow excavators and other heavy machinery are positioned along the trench, working on the installation of large-diameter pipes. A white van is parked near the bottom of the trench. The surrounding area is a mix of dirt and green trees. The title 'Tri-Fund' is overlaid in large white letters with a black outline. A small vertical text 'WINTER 2009' is located on the right side of the title.

WINTER 2009

**Laborers Bring Energy to  
New York Through Pipeline**

Winter 2009

# CONTENTS

## 3 MESSAGE FROM THE LIUNA GENERAL PRESIDENT

After a Great Election the Hardest Work Still Lies Ahead

## 4 MESSAGE FROM THE GENERAL SECRETARY-TREASURER

Preparing for Challenging Times

## 5-10 ACTION AROUND THE STATE

- Local 210 Rehabs Buffalo Waterfront – Ambitious Outer Harbor Parkway Project Eases Traffic, Improves Access
- Laborers Learn and Lead in “Green Highway” Innovations – Environmental Improvements through New Techniques, Technologies
- Profile of a Business Manager: David Marsh
- Big Win-Win – Park Paving Project Unites Laborers from Local 1010 and 1018 in Donating, Building Skills
- Laborers Lead in School Construction Seminars

## 11 NEWS FROM NYS LABORERS’ HEALTH & SAFETY FUND

- Noise Rules in New York City – Protecting Our Members

## 12-13 MILLENNIUM PIPELINE TO BRING AFFORDABLE NATURAL GAS TO MILLIONS – MANY LABORERS LOCAL UNIONS INVOLVED IN LANDMARK ENERGY PROJECT

## 14 NEWS FROM NYS LABORERS’ PAC

- Tri-Funds Legislative Conference – Leaders Discuss Key Policy Issues

## 15 MESSAGE FROM A LIUNA VICE PRESIDENT

Adapting to “Green” Jobs

## 16 Time Capsule – Local 29

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# MESSAGE FROM

## THE LIUNA GENERAL PRESIDENT

### After a Great Election the Hardest Work Still Lies Ahead



It is a new day in America.

After a long election and eight years under the Bush administration, we finally have a "Build America President" in Barack Obama.

Laborers in New York and across America helped to elect him along with stronger Democratic majorities in Congress and the Senate and many progressive local candidates – all dedicated to working people. We made more than 100,000 phone calls, urging fellow members to register to vote, support the Obama-Biden ticket, volunteer and get out the vote. Thousands of LIUNA volunteers went door-to-door in this grassroots effort to ensure we were heard, and then voted their paycheck to put candidates in office who care about working people.

I proudly thank and congratulate all who contributed to this historic election, and I must challenge all members with the hard work still ahead.

In President Obama, we have a new President who does not think "union" is a bad word. He will sign the Employee Free Choice Act to eliminate the obstacles to joining a union. He will protect and expand Davis-Bacon prevailing wage laws. And he will ensure that working people are safe on the job, have affordable healthcare for their families and a secure retirement.

Most importantly, President Obama will create jobs by building America. We build the roads, bridges, schools, mass transit, water and energy systems Americans rely on. Underfunding has sidelined many projects, however, while home and commercial construction declined. Nearly a million construction workers are out of work. A renewed commitment to building America will change that.

Last August, Barack Obama announced to LIUNA members that he will be the "Build America President" and promised to invest needed resources to rebuild our country. Now, we have elected our "Build America President" and will work with him and the new Congress to put people back to work. LIUNA's Build America, so America Works program will lead the way toward building what we desperately need.

This once-in-a-generation opportunity to move America forward will not be easy. We need your help more than ever. Those who oppose working people and their issues will work harder after losing this election; trying to use continuing economic turmoil to excuse more bailouts and tax cuts to corporations and the rich while cutting spending on the programs that give regular Americans a break and projects that give Laborers' a job. This turmoil has hurt working people the most, so now we cannot be silent.

We must fight for our way of life, as we did during the election. We must fight those who ignore working people.

You voted your paycheck and elected a "Build America President." Now is the time to exercise the power of LIUNA and build America, so America works again.

In Solidarity,

A handwritten signature in blue ink that reads "Terence M. O'Sullivan". The signature is written in a cursive, slightly slanted style.

Terence M. O'Sullivan  
General President  
Laborers' International Union of North America

*Now, we have elected our "Build America President" and will work with him and the new Congress to put people back to work.*

# MESSAGE FROM

## THE LIUNA GENERAL SECRETARY-TREASURER

### Preparing for Challenging Times



As General President O'Sullivan outlines in his column in this magazine, these are exciting times for our union and for our country. Through the hard work of thousands of LIUNA members across the country, we have elected a President that will stand up for working people and understands the need for strong labor protections in the new global economy. However, we also face very difficult economic times. Thousands of Americans are losing their jobs and many have already lost their homes and their life savings in the financial collapse.

One common outcome of these economic difficulties would be a sharp cutback in new construction in both the public and private sectors. In many parts of the country, we are already seeing this with new building projects cancelled and even highway and bridge projects halted before

completion. Rather than trying to ride out this downturn and accepting that many of our members may be unemployed, now is the time that our union must rise to these challenges and use all of our resources to ensure that our members stay working and our contractors stay in business.

President Obama has promised a large economic stimulus package that will include many construction projects. For New York, these should include highway and bridge projects, mass transit construction, new water treatment and sewage treatment plants, energy saving retrofits for public buildings and many other crucial projects. The short term stimulus package for New York could include up to \$4 billion in new projects that could be started in the next two years. These would not only provide thousands of jobs for our members but also help to stimulate the New York economy to help many other New Yorkers.

Our union's political efforts are important in these times (legislative reception story pg 14). We need to make sure that our state political leaders provide the administrative infrastructure to make sure that the federal funding gets turned into jobs for our members as quickly as possible. We also need to make sure that labor protections are enforced to ensure that unscrupulous contractors do not take advantage of the stimulus package to make quick profits by underpaying wages and benefits. Our LECET funds need to actively monitor these projects and make sure that public agencies know their responsibilities (school construction story pg 10).

In these difficult times, our union's long term investment in developing strong labor management ties and strong political activity results in more jobs for our members. While the next few years may be challenging, our long term commitment and strong leadership will help our union and its members to weather these difficulties.

Fraternally yours,

A handwritten signature in blue ink that reads "Armand E. Sabitoni". The signature is written in a cursive, flowing style.

Armand E. Sabitoni  
General Secretary-Treasurer  
Laborers' International Union of North America

*Through the hard work of thousands of LIUNA members across the country, we have elected a President that will stand up for working people and understands the need for strong labor protections in the new global economy.*

# Buffalo Outer Harbor Parkway Project



As city after city works to improve access to their harbors and waterways, it's not surprising that Local Union 210 has been involved in the city of Buffalo's latest project to take advantage of Lake Erie through the Outer Harbor Parkway project. This ambitious \$57 million project will improve road access between the "Southtowns" including the City of Lackawanna, the Town of Hamburg, the Village of Blasdell, and downtown Buffalo. It will also improve access to existing and developing public recreational lakeside beaches, including Gallagher and Times, and it will open access to the waterfront for mass transit, bicyclists and pedestrians

"This is one of the biggest projects our members are involved with now," said Sam Capitano, business manager Local 210. "We want to be involved with large scale projects like this for the city of Buffalo, and track these projects from the inception to the actual bidding process. By creating a reputation for quality and efficiency, we will bring additional work our way in the future."

The project started in January 2008 with 18 members of Local 210 on the site, and completion is projected for late 2010.

Currently members of Local Union 210 are reconfiguring the Route 5/Fuhrmann Boulevard/Ohio Street complex into a waterfront arterial system. It will be either a wide, at-grade boulevard or a combination arterial road/parallel waterfront access road system.

Reconfiguring the roadway will resolve traffic problems due to the current system: a limited-access, elevated expressway, with complicated on/off ramps to one-way local streets. The revised NY Route 5 will provide direct access to a reconstructed two-way Fuhrmann Boulevard with a new interchange just south of the Buffalo Skyway Bridge. The project will also involve reconfiguring the existing on/off ramps south of Ohio Street.

Near the Outer Harbor Project, Local 210 members are also busy at the War Memorial Auditorium. In March 2008, members began this project with hazardous asbestos remediation work with 45 members on the job during the day and 20 members on at night – a double shift schedule. Next steps included demolishing the building after the asbestos remediation. The demolition will continue throughout the first half of 2009 with up to 15 Local 210 members.

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**"This is one of the biggest projects our members are involved with now," said Sam Capitano, business manager Local 210.**

# Laborers Learn and Lead in “Green Highway” Innovations

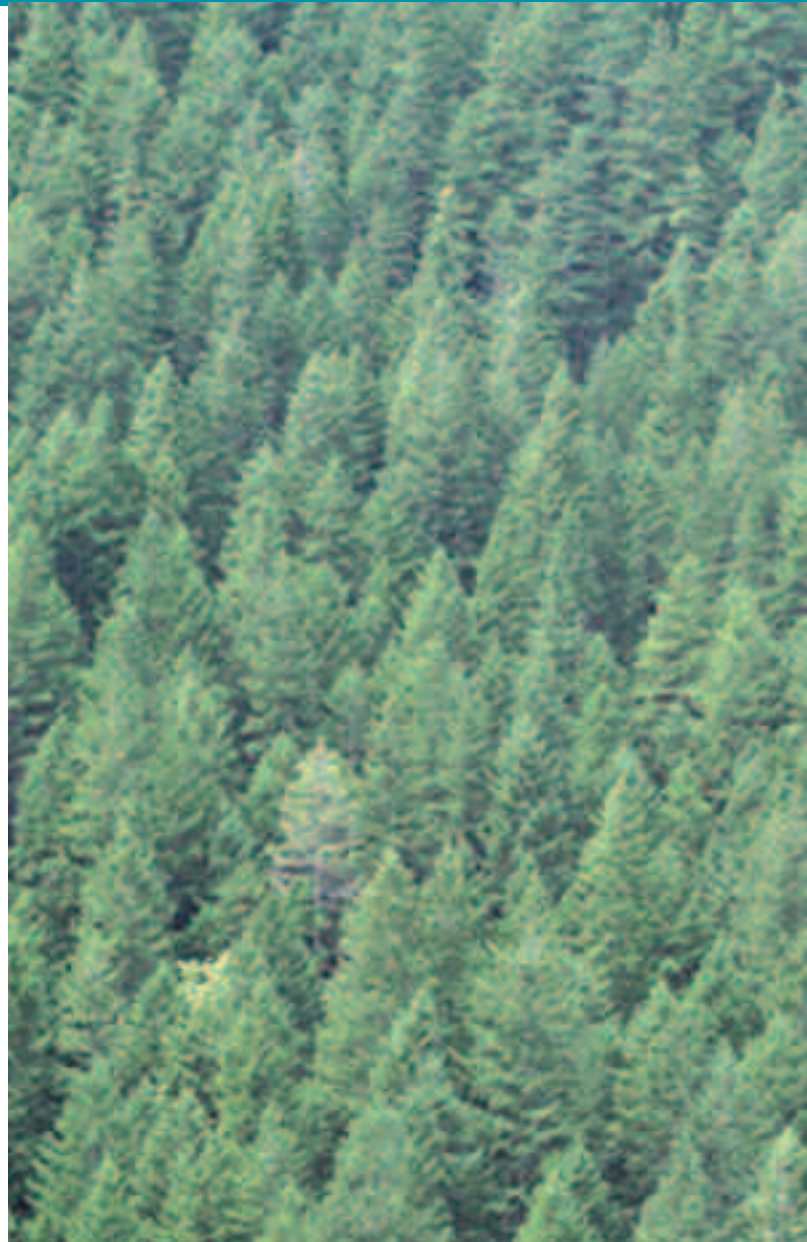
As we discussed in our last *Tri-Fund* issue, it seems that everywhere you look, something is “going green.” The trend continues and these initiatives are all steps in the right direction. But in the roadway construction industry, green highway, or efforts to make the construction, maintenance, and structure of highways more environmentally conscious, is taking greenness to a higher level.

Though modern methods make green highway construction sound like a difficult task, there are actually several simple ways to achieve green goals. **The most obvious is to incorporate recycled materials and by-products such as recycled asphalt.** According to the National Asphalt Pavement Association (NAPA) approximately 73 million tons of reclaimed asphalt pavement (RAP) are reused, or nearly twice as much as the combined total of 40 million tons of recycled paper, glass, aluminum and plastic. The use of recycled materials and by-products is environmentally helpful because it:

- ✓ saves virgin resources,
- ✓ reduces energy consumption and greenhouse gas emissions,
- ✓ reduces the need for landfill space, and
- ✓ costs less than substitute materials.

Using recycled materials should not change or be any more challenging than using standard procedures.

Another key component of green highway systems is *watershed-driven stormwater management*. Development in a watershed, or any area that flows into a stream or river, can result in runoff that pollutes natural water



resources. Using more permeable pavement can help capture rainwater and store runoff before it absorbs into the soil, reducing the level of pollutants and the overall volume of runoff. Permeable pavement can be used safely in these applications:

- ✓ On highway shoulders or medians
- ✓ Around buildings and in parking areas
- ✓ To alleviate driving noise, prevent hydroplaning, and reduce car splash

Often times to help with the storm water runoff there are fences put up surrounding the construction. These fences help control erosion of the soil and protect the wetlands from pollution.

**The last significant component of green highway is the *conservation and protection of the ecosystem*.** This means special attention toward ensuring a mutually beneficial relationship between roadways and ecosystems, such as incorporating wildlife crossings into conventional roadways. These have already been used in Pennsylvania and New Jersey. For example, in Sussex County, New Jersey, a highway culvert linking two wetlands was altered to create a tunnel for bog turtles.

Conservation and protection of the ecosystem involves a different way of thinking about how highway projects are designed and constructed.

- ✓ Consideration of net increase in environmental functions
- ✓ Promotion of watershed-driven storm management
- ✓ Use of recycled materials and by-products

- ✓ Identification and protection of historical and cultural landmarks
- ✓ Maximization of use of existing transportation infrastructure
- ✓ Minimization of disruption to ecological processes by building wildlife crossings into mainstream transportation infrastructure

The ultimate goal of green highway initiatives is to create a road construction system with an overall positive impact – environmentally, socially and economically.

Efforts to go green obviously focus on the environment first and foremost, but are meant to have an overall positive effect. Fortunately, the switch to green highway construction from conventional highway construction will not demand drastically new methods or equipment for our members to master. As with most improvement in construction, we are on the cutting edge and offer contractors the very best in training as they adapt to this new trend.

**The ultimate goal of green highway initiatives is to create a road construction system with an overall positive impact – environmentally, socially and economically.**

# Profile of a Business Manager: David Marsh

## LOCAL UNION 785 BUSINESS MANAGER

David Marsh just received his 20-year pin last September. He came in as a journeyman laborer and was a labor foreman before coming into the Local 589 office in December 2001 as the Field Representative and Training Director. He worked mostly in building construction including mason tending and rough terrain forklift operation. He also worked for about three years for Paolangeli Contractors (POGO), an excavation, pipe, mason company, and on a pipeline “back in the day.” He became Business Manager in September 2002 when John Maxson retired from the position.

He is a graduate of the NYS AFL-CIO/Cornell Union Leadership Institute and a graduate of LIUNA’s Leadership I, II, & III training programs.

Earlier this year, Local Unions 7, 1358 and 589 combined in a new local union named Local 785, with headquarters in Ithaca, and led by Business Manager David Marsh. Two satellite offices of 785, in Elmira and Binghamton, are linked together with a computer network system that allows the 785 union’s officers and staff to work together. Local 785 covers seven counties of the Southern Tier of New York – Broome, Chemung, Cortland, Schuyler, Steuben, Tompkins and Tioga – plus townships in two other counties – Chenango and Delaware.

David’s leadership has been instrumental in getting what he proudly describes as “good, solid” apprentice language passed in the City of Ithaca and Tompkins County. A successful preconstruction program two years in a row has resulted in an increase in women and minorities in the skilled trades. He was instrumental in developing a Construction Technology Certificate Program through TC3.biz. Offered evenings at Tompkins Cortland Community College (TC3), this adult education program was developed to help construction workers advance into foreman and management positions within their companies. As the president of the Building Trades Council, David is also responsible for negotiating a multi-trade collective bargaining agreement that covers 140 permanent Cornell University construction workers and provides employment for more than 300 temporary Cornell University union construction workers. This agreement also benefits more than 1,000 union construction workers performing work for union contractors on Cornell University’s Ithaca campus. Through his labor management efforts, David has significantly reduced the number of grievances filed and increased the number of grievances settled successfully on Cornell University’s main campus.

David is truly concerned about his membership and always works hard to do what is best for the members – not just what is best for them today, but what will benefit them for the rest of their lives. He is very well respected by the membership, the contractors, the other trade representatives and the staff of both the union and funds offices.



# 5

### “FILL IN FIVE”

Tri-Fund magazine asked Marsh to fill in the blanks on five questions about himself:

1. People I’ve worked with all these years would be surprised to learn that:  
*I worked under permit for the Iron Workers Union as a welder before I joined the Laborers Union in 1986.*
2. My first job was:  
*Working after school, weekends, and summers for a local dairy farmer.*
3. The last movie I saw was:  
*“The Water Horse: Legend of the Deep,” with my wife and kids.*
4. My favorite song on the radio is:  
*Any ZZ Top song*
5. My favorite saying or quote is:  
*“All men are created equal.”  
Thomas Jefferson, 1776, Declaration of Independence*

## Big Win-Win

### PARK PROJECT UNITES LABORERS FROM LOCAL 1010 AND 1018 IN DONATING, PAVING SKILLS

**G**ateway Recreational Area was nowhere, situated in some bureaucratic “Twilight Zone.” No one would take responsibility for paving a roadway there. This park area had a public road that desperately needed to be fixed in order for people to continue to drive on it and to access the park. The U.S. Department of the Interior considered the park a gateway area to wetlands near Kennedy Airport, which is state property. But neither New York state nor Queens (Howard Beach area) accepted responsibility for its upkeep.

When Howard Beach Councilman Joseph P. Addabbo, Jr. consulted the field staff of Local Unions 1010 and 1018, the leadership devised an ingenious and generous solution. Local 1010 Business Manager Keith Loscalzo worked in conjunction with training fund director Joseph Montelle to pave the roadway as a training project. The Laborers from Local 1010 and 1018 donated their time and CAC Industries donated equipment and manpower to the project. In addition, Williets Point Asphalt provided the materials at cost. The relationship with the contractor, from previous projects, helped to make this project a reality. Talk about a major win-win. Talk about a roadway to success. West Hamilton Beach would get its Gateway Recreational Area roadway paved, and the members would get hands-on training on a project benefiting their community.

The project was ambitious – 450 feet of roadway, 25 feet wide – so the value of the donated labor

was substantial, as was the learning opportunity for members of the two locals. With the help of the training fund, business agents, journeymen and trainers guiding and teaching, the members, some of whom were apprentices, participated in preparation and leveling of the course and the final paving.

Although regulatory approvals took nearly a year, the Laborers needed only six hours to complete the actual work. “The taxpayers of West Hamilton Beach could not have asked for a better result,” said councilman Addabbo. “Fortunately, these Laborers are as generous as they are skillful, and every citizen should be grateful for their work.”

**“We are immensely proud of the journeymen, trainers and apprentices who participated in this project, which fills an important community need in an area where our members live and work,”** said Keith Loscalzo. **“Our members continue to hone their skills and educate the apprentices who volunteered their time under the guidance of top journeymen and trainers along with the cooperation of signatory contractors.”**



## Laborers Lead in School Construction Seminars



As the condition and capacities of New York’s aging public schools raise wide public concern, New York State LECET and Greater New York LECET took an important leadership position, organizing an open seminar on school construction in Nassau County. The seminar brought together key experts on public policy from government and labor, uniting them in a dynamic open forum. This forum was developed because of the problems Nassau and Suffolk counties have had in the past with school construction. In order to level the playing field for our signatory contractors, benefitting taxpayers and the communities who support these projects, the day-long program educated public officials on prevailing wage requirements, worker misclassification, and other labor protection issues.

Speakers at the event included Tom Suozzi, Nassau County Executive; Christopher Alund, Director of the Bureau of Public Work for the New York State Department of Labor; Nassau County District Attorney Kathleen Rice, and Patricia Smith, Commissioner, New York State Department of Labor.

In addition to these invited speakers, members of our LECET funds – including Oona Adams and Chris Columbia (both of Greater New York LECET), Frank Marchese Sr. (New York State LECET), Paul O’Rourke (Executive Vice President, E. W. Howell Co.) and Pete Zarcone (Mason Tender District Council Political Action Committee) – comprised a panel of experts who discussed a typical school construction project from start to finish.

“These seminars are important because they are educational not only for the school boards but also for the elected officials who are involved with making the final decision on these multi-million dollar projects that are the bread and butter of many of our locals,” said Frank Marchese Sr., Executive Director, NYS LECET. “Our future plans are to expand the seminars to other areas in the state because it is critical that our union continue to be innovative in our efforts to explain our mission to key decision makers – to build New York and build communities.”

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## Noise Rules in New York City – Protecting Our Members

The NYS Laborers maintain our leadership position in worker safety by adapting to new trends, technologies and regulations. New York City's noise code brought new challenges when it went into effect on July 1, 2007. Developed by the New York City Department of Environmental Protection (DEP) to improve the quality of life in the city, the code affects many activities, including construction, both on jobsites and in areas surrounding them. Our contractors and our members are on the front lines of dealing with this issue. Our members are the workers inside of newly-mandated sound barriers and sound tents which may cut the amount of noise for the community but increase the noise exposure for our members.

"This change is the first revision to the city's noise codes in 30 years," said Mickey Kelly, Executive Director of the NYS Laborers' Health and Safety Trust Fund. "We are continuing to look out for our member's best interests by monitoring closely the job sites affected by the new regulations. We pay close attention to both the compliance issues for our contractors and any health effects that may impact our members, particularly their hearing."

The new noise code includes provisions designed specifically to limit noise impacts from construction activities. It offers contractors incentives to reduce the noise impact on their surrounding environment, and it mandates individual noise mitigation plans for all construction projects. In fact, it requires that

noise mitigation plans be approved before work begins. Noise mitigation plans must be posted on job sites, and inspectors will investigate complaints to see if noise mitigation plans need revision. The code also requires that special plans be developed near sensitive areas such as schools or churches. And it limits construction activity to the hours between 7 AM and 6 PM on weekdays. Some exceptions may be granted, where previous permits were already in place for emergency work and for work necessary for public safety.

To help contractors comply with the new code and to make sure the workers' health and safety is not compromised, the NYS Laborers' Health and Safety Trust Fund has participated in seminars that bring together contractors, representatives of the DEP, who enforce the regulations, and representatives from the LIUNA Health and Safety Fund of North America (LHSFNA) to find better ways of meeting the new requirements without causing more noise-induced hearing loss among our members.

Working with the General Contractors Association in New York City, we asked for technical help from the federal National Institute for Occupational Safety and Health (NIOSH). NIOSH sent several staff members experienced in noise control methods to New York City to meet with NYS Health and Safety Trust Fund representatives, DEP, and GCA contractors on the job sites to assist with possible noise control measures for equipment where noise control has been difficult. NIOSH will continue to work with the contractors, the health and safety funds, and the City to identify the best ways to control noise on these job sites.

With the assistance of the LHSFNA, the NYS Health and Safety Trust Fund is currently field testing a brand of noise reducing jackhammers that are significantly quieter and more efficient. We are in the process of soliciting comments from workers about their experiences in using these new tools. Efforts are also underway to update the DEP vendor list to identify more efficient and quieter equipment.





## Millennium Pipeline Project Transporting Natural Gas

Helping to meet the growing need for adequate supplies of affordable energy in New York and New England, the NYS Laborers have supported and facilitated the construction of the Millennium Pipeline since its inception in 1997. We made sure that our politicians understood the economic benefits of constructing the pipeline both for local workers and contractors and for longer term economic development.

Our members have been front and center as the Millennium Pipeline Company began building its 182-mile-long, 30-inch-diameter natural gas pipeline across New York's Southern Tier and lower Hudson Valley in 2007.

Completed in December 2008, the Millennium Pipeline will deliver 525,400 dekatherms per day of natural gas to utilities in metro New York City as well as the Southern Tier and lower Hudson Valley. A 15,000-horsepower compressor station will move the natural gas efficiently through the pipeline.

Using the new pipeline Columbia Gas Transmission will deliver gas to its customers, area utilities like NYSEG, Corning Natural Gas, and Orange & Rockland Utilities, who will distribute the gas to individual businesses and households.



“We can all be proud of the hard work it required to get off the ground,” said James Melius, Tri-Fund Administrator.

“We can all be proud of the hard work it required to get off the ground,” said James Melius, Tri-Fund Administrator. “We have advocated for this project through protracted approvals, and we are glad to have moved into the construction phase. We are here for the duration of this challenging and crucial project, and we’ll be there when it is completed.” In fact, Laborers will continue work on the project even after it begins service.

Approximately 400 members from local unions 785, 17 and surrounding sister locals have been busy on the Millennium Pipeline Project to date. As they complete the construction of the project and begin restoration work our members are demonstrating trademark Laborers efficiency and skill, moving this important project forward.



## Tri-Funds Legislative Conference

The Annual Legislative Conference fulfilled its longstanding mission of building relationships among labor, state and legislative leaders when it was held recently at the Crowne Plaza Hotel in Albany.

"Meeting one-on-one is the most valuable face time you can get with the lawmakers that are making the decisions that are changing the lives of your members," stated George Truicko, Chairman of the New York State Laborers PAC Board of Trustees. "You get up-to-date information in a casual setting concerning pending legislation and it gives us all the opportunity to address hot topics."

New York State Governor David Paterson addressed the audience and emphasized that despite the state's economic shortfalls he is firmly committed to major construction projects, both upstate and downstate.

Additional speakers at this year's event included Assemblywoman Susan John and Senator Marty

Golden who both expressed their firm support for labor issues. Deputy Commissioner of Labor for Worker Protection Pico Ben-Amotz explained OSHA 10 requirements that went into effect this year for all public works projects in excess of \$250,000. General Secretary-Treasurer and New England Regional Manager Armand E. Sabitoni discussed the state of the union and urged support for the then-democratic nominee, now President Obama.

As an inspiring part of this year's agenda, retired New York Giants Punter Sean Landeta spoke about how hard work and perseverance powered his career.

The evening legislative reception held at The State Room in downtown Albany was well-attended, drawing now retired Senate Majority Leader Joseph Bruno and many currently serving State Senators and Assembly members.



# MESSAGE FROM

## THE LIUNA VICE PRESIDENT

### Adapting to "Green" Jobs



Amidst all of the exciting political changes in our country and the challenging economic circumstances, many other changes are taking place. Our country is becoming much more conscious of the need to protect our environment. The environmental requirements that result from these new "green" laws and regulations may make construction work more difficult. We may even like to complain about the requirements. However, adapting to these changes can work to our advantage.

LIUNA was the first union to use new environmental laws to help create jobs for our members. The thousands of LIUNA members working in asbestos and lead abatement and hazardous waste clean-up illustrate the benefits of utilizing new environmental regulations in a positive way for our union. We developed new training programs and encouraged the government regulators to include

these requirements in their regulations. These training programs and regulations not only ensured that our members' health was protected in these dangerous environments, but our union was also able to provide the best trained workers for these jobs.

We now face a new situation with the call for thousands of new green jobs. These jobs may range from retrofitting buildings to make them more energy efficient to constructing wind farms and other alternative energy projects. Already our members are working on these projects throughout the state.

Green requirements are also increasing for highway projects (Green Highway story pg 6). These requirements may mean more work for our members making sure that wetlands are protected and runoff from construction activity is properly contained. Asphalt paving is becoming greener with the gradual introduction of lower temperature asphalt. This material not only reduces energy costs and fume production but also extends the paving season meaning that our paving crews can work longer into the Fall months and start earlier in the Spring.

New noise regulations in New York City could have had the perverse effect of causing more noise exposure for our members forced to work inside noise barriers around noisy equipment in order to reduce the public's noise exposure. Our national health and safety fund is currently working with our contractors and noise experts from the federal government to develop better ways to protect our members while meeting the new noise requirements (Noise Rules story pg 11).

The next few years may see more "greening" of America as we try to reduce our dependence on foreign oil and reverse global warming. As these new green jobs emerge, our union and our members need to be ready to take advantage of these changes to create more work for our members and contractors.

Sincerely and Fraternaly,



Vincent R. Masino

Vice President and New England Assistant Regional Manager  
Laborers' International Union of North America

*We now face a  
new situation  
with the call for  
thousands of  
new green jobs.*

# Time Capsule



Local 29 was established in 1939 and has helped build the foundations of nearly all of the high-rise buildings in and around New York City. From the initial blasting of hard rock to constructing and installing the tiebacks supporting these skyscrapers, members of Local 29 have made their mark on the city skyline.

These photos from the Battery Park project in 1984 exemplify the abilities, ambitions and accomplishments of this great local union.



## Tri-Fund

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