NEW YORK STATE LABORERS

Tri-Fund

SPRING 2015

Laborers’ Local 210 Leads Buffalo Renaissance
An Update from
THE LiUNA GENERAL PRESIDENT

TERRY O'SULLIVAN

As the debate over building the critical energy infrastructure of America continues, some are denigrating the hard work of proud, skilled LIUNA members in order to win political points.

Extremist environmentalists have attacked the jobs that are created by natural gas and oil pipelines as “just temporary jobs.” Even President Obama, chuckling at pipeline job creation claims, downgraded the importance of the work we do by labeling it just temporary.

It is true union construction projects don’t last forever because once they are complete; we don’t generally tear the project down and build it again. Either these critics are very poorly informed about the construction industry or they are cynically deceitful.

What is not being said is that while most construction projects only provide work until they are complete, the structures and economic development they leave behind are permanent. The Hoover Dam, the Empire State Building, the Golden Gate Bridge were all temporary jobs. And even more important for each of us, construction work creates permanent careers. The training that construction crafts workers receive and upgrade for each job allows us to move from project to project, supporting families, paying mortgages and building middle-class lives.

Each of us in this “temporary” sector of our economy adds 5 to 9 percent annually to our nation’s gross domestic product – that’s more than a half-trillion dollars a year. Those dollars are paychecks that quickly circulate through communities, stimulating more job creation. It’s one reason the President and others consistently tout infrastructure projects – almost certainly consisting of “temporary” jobs – as the best way to grow our economy.

The job of building America – our cities, energy systems, roads, bridges and transit systems – is not temporary work. It is what made us America the great and continues to create lasting assets and a legacy for generations to come.

Anyone who insults that work or the men and women who do it has insulted America. They should be ashamed of that kind of politics and keep in mind that political jobs from Congress to the White House can also be temporary.

In Solidarity,

Terry O'Sullivan
General President
Laborers’ International Union of North America

The job of building America – our cities, energy systems, roads, bridges and transit systems – is not temporary work.
The economy of upstate New York has lagged behind the rest of the state for too many years. Older industries have closed down, and new industries have been slow to develop. However, we are now starting to see an upsurge in the upstate economy, and we are proud that our members and contractors are in the center of that revival.

Buffalo is an excellent example, as we report in this issue (page 6). Our members are building new facilities for health care, clean energy and higher education. These important projects include a new medical school complex and a huge solar energy system manufacturing facility. These projects mean more jobs for people in the Buffalo area including members of Local 210. The availability of a skilled and well-trained construction work force is a critical factor in facilitating this construction boom. Local Union 210 was ready to answer this demand and now has hundreds of its members actively working on these new projects.

Buffalo is not the only upstate location seeing more economic activity and construction involving our members. New projects are beginning in Utica including such high tech enterprises as a computer chip fabrication facility. Meanwhile, a similar facility recently built in the Albany area is already expanding. In Syracuse, we are involved in efforts to revitalize the downtown area and fix the jumble of elevated highways hindering efficient traffic flow. In Schenectady, developers are preparing for a new casino, condos and marina project. All of these projects will need skilled construction labor; they will all need our members. For these and other projects, LIUNA members in those areas stand ready to work.

In addition to these many highway and bridge projects upstate (see page 5), several new pipeline projects are also in the works. Our union members in their orange shirts have been busy attending hearings and meetings. Early in their development, they have been vocally involved, advocating for the importance of these projects that will benefit citizens and businesses in communities across our state. Clearly, our support is critical to getting these projects approved. Our organizing fund also played a critical role in passing the casino referendum, and we now see the jobs resulting from that effort.

Rebuilding the upstate economy will take many years, and you can be sure that LIUNA will be making every effort to promote this development. We will be supporting responsible projects that employ our union members and that are vital for economic development and public safety. And we will construct them with unparalleled quality and efficiency.

Fraternally yours,

Armand E. Sabitoni
General Secretary-Treasurer
Laborers’ International Union of North America
Working mostly through the night to maintain traffic flow, Laborers’ Local 190 are repairing a vital infrastructure link for the state.

An important east-west link to the Capitol city of Albany, the Patroon Island Bridge carries about 80,000 motorists a day on Interstate 90 over the Hudson River between Albany and Rensselaer.

The 1,795-foot-long span was built in 1968 and partly repaired in 1992. The current $145.8 million project is expected to be completed in 2016. It began in 2013.

“This project is such an iconic structure for our area that our members are proud to be working on helping keep this bridge safe for many years to come,” said Business Manager Anthony Fresina of Local Union 190. “We understand the impact this bridge has on many local commuters each day, but it’s also important to those travelling between New England, New York state and across the country. Our members were trained and ready for this type of work, and we are happy to put our skills to use on such a vital segment of east-west infrastructure.”

Laborers from Local Union 190 are replacing the bridge decks as well as replacing or repairing the substructures of the busy I-90/I-787 interchange ramps and replacing the concrete bridge piers. This job was different from the traditional road work being done around the state in that it used prefabricated concrete deck slabs to replace what had been there. This process was used mostly to decrease any traffic disruptions along this busy roadway. Members for our other Local unions 17, 157 and 785 were also on site to help with this impressive project.

Laborers have done most of the work during the 2014 construction season at night with all traffic crossing over from one side of the bridge to the other using a moveable zipper barrier. The six-lane bridge has maintained at least two lanes in one direction and one in the other during construction. The construction contractors for the project are Halmar International, Nanuet, NY, which formed a joint venture general contracting team for the job with A. Servidone-B. Anthony Construction Corp., Castleton, NY.

“We started this project knowing that the main goal was to improve the structural rating of the bridge, while minimizing impact to the traveling public,” says Donal Curley, project manager at Halmar International. “The New York Department of Transportation wants to increase the service life of the bridge and provide for the safe transit of traffic through a very busy corridor for the anticipated 50-year service life of the bridge.”

“Working with Local Union 190 members has been a coordinated effort to utilize multiple crews operating at the same time,” Curley says. “This approach has allowed the team to complete 50% of the deck replacement in one construction season. The remainder of the project will be completed in 2015.”
Laborers’ Local Union 210 is leading a surge in downtown Buffalo building projects that are transforming this crucial section of the city and laying a foundation for future projects.

Buffalo leaders, business people and residents welcome this burst of activity, reportedly the most dynamic and impressive in 20 to 30 years.

THE STEEL TOWN BECOMES A DIVERSE TOWN

Bracketing the once-deteriorated neighborhoods from the waterfront to the medical campus, at least 11 projects totaling more than $1 billion are in the works or have just been completed.

“This recent boom is such a welcome change to the work we’ve historically seen as a local in the area. We are happy and proud to be involved in this influx of great news for our Buffalo community,” notes Local Union 210 Business Manager Sam Capitano.

Manufacturing and transportation-related industries that have dominated the region since the 1800s have diminished over time. However, new projects demonstrate the city’s resurgent vitality, with the rise of new facilities for health care, clean energy, medical technology, higher education and tourism.

Our Local Union 210 members are leading in this exciting transformation, bringing skills and professionalism to project after project.

The Buffalo Sabres are building a $175 million complex on the Webster Block, in front of the First Niagara Center. Comprising a hotel, two indoor skating rinks and indoor parking, the project is mostly financed privately by Terry Pegula, longtime owner of the NHL’s Buffalo Sabres and new owner of the NFL’s Buffalo Bills. In meetings with Mortenson Construction (Pegula’s construction management team), Local Union 210 Business Manager Sam Capitano successfully negotiated a Project Labor Agreement (PLA) for all trades on the project including laborers, carpenters, cement workers and operating engineers. The ice rinks are completed and the hotel is under construction; with overall completion slated for next year. More than 60 Local Union 210 members have worked on the project, notably a huge volume of cast-in-place concrete work.

At the huge SUNY Buffalo Niagara Medical Campus, bordered by East North Street, Goodell Street, Main Street and Michigan Avenue, four projects are underway through the UB2020 plan, including a new University at Buffalo medical school and a new children’s hospital. This ambitious plan is intended to “enhance educational opportunities for our students, advance research discoveries that improve..."
life for people throughout the world and increase the University of Buffalo’s economic impact on our region and New York State.”

The $375 million medical school is rising above the metro station on Main Street at Allen Street. Undertaken under a PLA, this project is projected for completion in fall 2016. There will be approximately 100 members of Local Union 210 working on the project at its peak.

Roswell Park Cancer Institute is building a $50 million, 11-story clinical sciences center at the northwest corner of Michigan Avenue and Carlton Street, abutting the cancer center’s main hospital building. Local Union 210 leaders provided lobbying support for the Center’s opposition to privatizing the institution. A PLA is in place, and approximately 20 Local Union 210 Laborers work on this project.

THE SOLARCITY PROJECT

The Solarcity project is the most recent project to break ground in Buffalo, and potentially the largest and most exciting. It began when Elon Musk (billionaire co-founder of PayPal and CEO of Tesla Motors and Space X) bought solar panel manufacturer Silevo on the Riverbend site in South Buffalo.

Local Union 210 members had remediated the site before Silevo began operations, transforming a hazardous waste site into a state of the art solar energy system manufacturing site. General contractor LPCiminelli is a signatory with Local 210 and one of the largest regional builders. Due to its history as a hazardous waste site, all workers on the site, including Laborers, must be certified in hazardous waste skills and issues. When completed in 2016, this $5.5 billion project will employ 3,000 permanent employees.

Some of these Local Union 210 projects are powered by government investment, notably the $375 million University at Buffalo medical school and $500 million of the total $5.5 billion budget for SolarCity. But private investment dominates in these projects.

The Buffalo market is recovering, the city-scape is evolving rapidly, and Local Union 210 is bringing skills and professionalism, experience and efficiency to this transformation.
Laborers built New York City from its tunnels to its towers, and are transforming its skyline by helping build a new wave of city-within-a-city structures.

Laborers of Local 79 and the Concrete Workers District Council have been crucial in erecting a pioneering building on New York’s West Side.

**LEAVING OUR FINGERPRINT ON NYC**

On West 57th between 11th and 12th Avenues, a hybrid of the European perimeter block and a traditional Manhattan high-rise, offers extraordinary amenities on its 38 floors. The pyramidal structure boasts 709 residential units and 45,000 square feet of commercial retail space.

Its courtyard faces the Hudson River, inviting in low western sunlight, and the building includes an indoor swimming pool overlooking the Hudson, a half-size basketball court, a gym, a golf simulator, a screening room, a nautically themed residents’ lounge, a nearly 300-car garage and a 25,000-square-foot interior park.

The foundation of the building began in June of 2013 and the exterior building was completed in November of 2014; the interior is still being worked on.

“This building is changing the look of New York City, and this is the type of project that our members get excited about working on,” said Mike Prohaska, Business Manager of Laborers’ Local 79. “We are leaving our fingerprints on buildings that are changing the look of the whole city.”

“This building involved so much concrete work, and our concrete Laborers are ready for this type of work when the call comes for a project like this,” said Maurice Foley, Business Manager, Concrete Workers District Council.

“The building is a cast in place reinforced concrete, which makes this different from other projects similar in design. There are no typical floors making it more of a challenge.”

Approximately 20 Laborers’ Local 79 members have worked on the pyramid on 57th
“This building involved so much concrete work, and our concrete laborers are ready for this type of work when the call comes for a project like this.”

- Business Manager
Concrete Workers District Council
MAURICE FOLEY

Street, doing general conditions and mason tending for brick and block work; and approximately 90 members of the Concrete Workers District Council, including Laborers’ Locals 6A, 18 and 20, were involved in earlier phases of building this unique structure.

The Danish Architecture firm BIG-Bjarke Ingels Group developed the building, and Durst Fetner created its design. It is one of several large and pricey rental towers rising on formerly fringe areas of Manhattan.

These imaginatively designed buildings are reshaping the Manhattan skyline, though that shape itself may be open to discussion. “My father doesn’t like people calling it a ‘pyramid;’” developer Alexander Durst told the New York Daily News. “It’s a tetrahedron,” said Durst, the son of 1 World Trade Center developer Douglas Durst.
BUSINESS MANAGER PROFILE:
SAM CAPITANO - LOCAL UNION 210, CHEEKTOWAGA

Sam Capitano is the right man at the right time; the steady, solid leader his Local Union needed in turbulent times.

A lifelong Buffalo resident, Sam joined Local 210 in 1984 and has worked on every major project in greater Western New York.

FILL IN FIVE

Tri-Fund Magazine asked Sam Capitano to answer five questions about himself:

What was your first job?
I worked at Grant Candy Land, my family’s candy store (located at Hampshire and 15th streets on Buffalo’s west side).

What would your union brothers and sisters be surprised to learn about you?
I used dress up as the Easter Bunny in front of our family candy store and hand out lollipops.

What was the last movie you saw?
American Hustle (released 2013, starring Christian Bale, Bradley Cooper and Amy Adams; written and directed by David O. Russell)

What’s your favorite song on the radio?
“Counting Stars” by OneRepublic

What is your favorite saying or quote?
“I don’t have a monopoly on anxiety – I like to share it.”

The I-90 expansion and the Buffalo Sewage Treatment Plant upgrade are just a few examples of the work he has been involved in. He was also General Foreman on the Verizon fiber optic network installation.

Through extensive and varied work in the field, Sam developed a deep understanding of the needs of the men and women working alongside him. Even while working every type of construction job, he also pursued his education at the State University of New York at Buffalo, majoring in political science and learning to understand, analyze and resolve issues and challenges.

In 2006, after a decade of turmoil within Local 210 that included investigations, court-ordered supervision and a federal trusteeship, Sam saw time had come for new leadership and decided to run for Business Manager. In a contentious election, Sam was narrowly elected by 22 votes.

Taking office, he faced daunting challenges on multiple fronts. After five years of federal supervision, Local Union 210 had declining membership and morale. Relationships with community stakeholders were shaken, including those with local governments, the business community and the public at large.

Sam set out aggressively to reform the culture of Local Union 210 and to restore its tattered reputation.

In one of his first public actions, a signature statement to the entire community, Sam ordered the public shredding of the inflatable rat. The public demise of the rat, an outmoded symbol of the Local Union’s previous confrontational tactics, signaled a new direction for Local Union 210.

Next, Sam strengthened Local Union 210’s market position by filing multiple jurisdictional claims against the plumbers and the carpenters for raiding the Laborers’ work. Local Union 210 won every claim. These victories helped restore lost man hours and reinforced the Laborers’ trade jurisdiction for its rightful owners.

Within two years, Sam restored Local Union 210’s relationships with all key stakeholders and rebuilt membership, morale and market share.
The New York State Laborers’ Political Action Committee (PAC) fund, aided by the New York State Laborers’ Organizing Fund, united the voices of all members at the State Capitol in Albany during our annual Lobby Day.

Organized as a statewide opportunity for our union leaders to unite in a show of collective strength and send a clear message to our elected officials, our Lobby Day brought a tremendous turnout of business managers, organizers and other officials at the event. LIUNA General Secretary-Treasurer and New England Regional Manager Armand E. Sabitoni, Vincent R. Masino, LIUNA Vice President and New England Assistant Regional Manager; Donato A. Bianco, Jr., International Representative; and Christopher A. Sabitoni, International Representative also attended.

Our participation actually began the day before our Lobby Day, as our leaders met with NYS Senate Republican Temporary President and Majority Leader Dean Skelos and Speaker of the NYS Assembly Sheldon Silver. Later that evening the group met with NYS Senate Independent Democratic Conference leader Jeff Klein and NYS Democratic Senator Diane Savino.

Lobby Day began with an encouraging speech from Laborers General Secretary-Treasurer and New England Regional Manager Armand E. Sabitoni. Offering an overview of the current condition of state politics, he provided an insightful perspective on the origins and importance to all members of Lobby Day and meetings with legislators. In this opening meeting, business managers and local union leaders received informational packets on issues, to guide discussions with their individual legislative representatives on such key topics as infrastructure funding, mold remediation and design build.

“Lobby Days are a critical element in our organizing process,” said Sam Fresina, New York State Laborers Organizing Fund Chairman. “We need to show our legislative representatives what is important to us and that we are here to make a difference and we will not back down.”

“These meetings help present a public face to state legislators of the 40,000 men and women that we represent,” said George Truicco chairman of the New York State Laborers PAC. “We are giving our representatives a first-hand account of why our issues matter to all New Yorkers, and engaging them in those issues as elected officials representing us and our neighbors.”

More than 55 LiUNA leaders attending Lobby Day met with more than 35 state legislators or key staffers.

Following those meetings with individual legislators, the entire Laborers Lobby Day contingent reconvened for lunch, where legislative leaders addressed the gathering on issues crucial to our union overall and to Local Unions. The legislators who addressed our Lobby Day lunch included Senator George Maziarz, Senator Mark Grisanti and Senator Tim Kennedy.

In less than 24 hours of intensive speaking, listening and advocating, the Laborers brought our messages to Albany, loud and clear.
The Laborers took our concerns about reducing breathable crystalline silica on construction sites to Washington.

Laborers health and safety experts also took their deep knowledge of the health implications of this hazardous material, presenting testimony in public hearings on rule-making at the U.S. Department of Labor to the Occupational Safety and Health Administration (OSHA).

In the first two of three weeks of hearings, OSHA heard testimony opposing proposed rules on grounds of feasibility and costs from many contractors and business organizations. Some industry representatives disagree with that position, notably the National Asphalt Pavement Association. The Association had partnered with union and government officials to reduce silica exposures successfully to levels below the proposed Permissible Exposure Limits (PEL) during asphalt milling operations. Several of those suffering both physically and financially from the inhalation of silica dust also testified during the first two weeks of hearings.

Then, in the third week of hearings, Laborers health and safety experts participated in a seven-member panel of Laborers Health and Safety Fund of North America (LHSFNA) and New York State Laborers’ Health and Safety Trust Fund experts. They strongly supported a strong rulemaking on crystalline silica, and they called for strengthening several provisions of the standard. It will take some time for regulations to be finalized, but we believe that our testimony provides the basis for a strong and fair standard. Sample testimony from our Laborers’ experts follows:

**JAMES MELIUS**  
MD, DRPH  
Administrator of New York State’s Laborers Health & Safety Trust Fund

“Our Union members are exposed to silica in a variety of types of construction work, and as a result, they have an increased risk of developing silicosis and other illnesses.”

A renowned occupational health authority, Dr. Melius discussed the importance of medical surveillance due to the risk of serious lung disease and cancer among silica-exposed workers. He then identified areas in the proposed rule’s surveillance requirements that need improvement. Melius called for putting a priority on maintaining the confidentiality of workers’ health conditions, and he recommended protocols outlining how medical surveillance would function in an industry where workers are constantly moving from site to site.

**EDDIE MALLON**  
Member of Laborers’ Local #147

“People say silicosis isn’t a lost-time issue because it’s internal and takes years to develop, but they’re wrong. There is lost time – the years lost at the end of your life.”

A front-line “tunnel rat” for 44 years with Laborers’ Local Union 147 in New York City before becoming a business agent seven years ago, Mallon was diagnosed last year with silicosis and was forced to retire. In his testimony, Mallon described years of dusty conditions on the job and how silicosis has compromised his health. He noted that today’s drilling equipment creates more dust for longer periods of time than the machines used when he was younger, and he urged OSHA to act quickly to protect young workers now coming into the industry.
Laborers’ Local 79 is proud to have played a part, alongside others, in helping to raise funds for this world-class institution.

IUNA General President Terry O’Sullivan, LIUNA Vice President and Eastern Regional Manager Ray Pocino, Mason Tenders’ District Council Business Manager Bobby Bonanza, Laborers’ Local 79 Business Manager Mike Prohaska and numerous other union officials and staff proudly attended the recent dedication of the Laborers Care Great Room at St. Mary’s Hospital for Children in Queens.

In 2012, Laborers’ Local 79 made a commitment to raise $500,000 for the children of St. Mary’s Hospital, the largest donation in its history. Laborers’ Local 79 did so because its leaders and members recognized the indispensable role that St. Mary’s plays in the lives of the children and families it serves.

The dedication of the Laborers Care Great Room had great meaning for all members, advancing the comfortable surroundings and convenient care it provides to some of our most precious and vulnerable young people. Laborers’ Local 79 is proud to have played a part, alongside others, in helping to raise funds for this world-class institution.
Our members are the keepers of tradition in the Laborers Union. The fact that many members have maintained loyal affiliation in this organization for more than 50 years attests to the satisfaction of the life and work we share. The LIUNA constitution offers a two-fold award to honor these members: a gold membership card and exemption from further payment of dues.

HONORING 50-YEAR MEMBERS

LOCAL UNION 6A

Standing Left to Right:
Anthony Amella
Secretary Treasurer
Patsy Servido
Vincent Panetta
Peter Manetti

Giovanni Simone
Salvatore Leone
Mario Mazara
Nicholo Scandariato
Salvatore Palazzola
Salvatore Cascio
Frank Accardo
John Fama

Simone Saracino
libero DiRe
Vittorio Evola
Anthony Barraco
Angelo Angelone
Business Manager

Sitting Left to Right
Anthony Gandolfo
Joseph Ruisi
Rocco Fama
Giuseppe Fama
Vincent Benenati

LOCAL UNION 621

Former Business Manager &
Secretary Treasurer Donald
Giardini (left) with 50 year
honoree and retired member
Richard D’Angelo (right)

MEMBER MOBILIZATION - PIPELINES ARE OUR LIFELINES

There are many major energy construction projects being discussed in New York State. LECET and the New York State Laborers’ Organizing Fund are putting their efforts into making sure these projects happen despite the continued opposition of various activist groups. There were approximately 12 hearings across the state in 2014 with both the State Department of Energy and the Federal Energy Regulatory Commission (FERC).
A Message from

VICE PRESIDENT & NEW ENGLAND ASSISTANT REGIONAL MANAGER

VINCENT R. MASINO

We usually think of union representation as collective bargaining or handling grievances at a job site. While those responsibilities are still very important, our unions provide representation in many other aspects that go far beyond these traditional duties.

The political arena has become much more important to us over time, from attendance at public hearings on construction projects to engaging with our elected representatives to advocate for work for our members or for better health and safety and jobsite rules protections. As General President Terry O’Sullivan points out in his message (page 3), we often have to refute misconceptions about the importance of our work and affirm it strongly in public forums. What some may under-value as “temporary” construction work is actually both a major part of our nation’s economy and a vital career path to our members and communities. In public hearings on pipeline projects, for example, we constantly must advocate for the importance of these jobs to local and regional economies. In the many public hearings on a proposed pipeline through New York and New England, our New England and New York Organizing Funds have worked with our local unions and district councils to make sure that those holding and attending the hearings get solid, factual input from our members on the importance of these projects. Hundreds of our members have responded, investing long evening hours to advocate for these projects.

Representing LIUNA also involves supporting the communities where we live. This includes contributing to local charities and community groups. Our contributions can range from sponsoring local Little League teams to larger efforts such as helping to fund a children’s hospital (see page 13). Both are important, but they may often go unrecognized outside of those directly involved.

Representing our members also involves protecting their health. Union representatives oversee our health and welfare funds and make sure that our members and their families receive first-class health and wellness coverage. Our union also works in the public arena to protect our members from workplace illnesses and injuries. For example, our national and state health and safety trust funds teamed up to provide input on the proposed OSHA standard to protect construction workers from cancer and lung disease caused by exposure to silica (page 12). Anchoring that testimony was Eddie Mallon, a long-time member of LIUNA Local 147, who brought his many years of experience as a tunnel worker to support the need to strengthen the current silica safety standard by reducing exposures.

These are just a few of the many ways that we proudly represent our members. We face many challenges in doing this work, but our union will make every effort to overcome these challenges in order to benefit our members.

Sincerely and Fraternally,

VINCENT R. MASINO

Vice President and New England Assistant Regional Manager
Laborers’ International Union of North America
Laborers’ Local Union 731 members, responsible for some of the most celebrated construction projects in New York City, participate in the Labor Day Parade in 1939. They also worked on the Hutchinson River Parkway extension in 1940.