

06/18/96 TUE 17:35 FAX

Subcommittee on Crime

6/20 COPY TO
Guelyn, O'Connor 001

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GENERAL COUNSEL
ALAN F. COFFEY, JR.

ONE HUNDRED FOURTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6218

(202) 225-3951

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SUBCOMMITTEE ON CRIME

FACSIMILE TRANSMITTAL COVER SHEET

PLEASE DELIVER THE FOLLOWING TRANSMITTAL

TO: The Honorable Leon Panetta DATE:

FROM: Rep. Bill McCollum

FAX NO: 456-1121

TOTAL NO. OF PAGES, INCLUDING COVER SHEET: _____

COMMENTS: _____

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THE SUBCOMMITTEE ON CRIME

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BES -
send copy to
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June 18, 1996

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MINORITY STAFF DIRECTOR
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The Honorable Leon Panetta
 Chief of Staff
 The White House
 1600 Pennsylvania Avenue
 Washington, DC 20500

RE: Documents Relating to the Laborers' International Union of North
 America, Arthur Coia and other Related Matters

Dear Mr. Panetta:

The House Committee on the Judiciary and its Subcommittee on Crime is conducting an investigation into the Laborers' International Union of North America (LIUNA) and the settlement of an anti-racketeering complaint drafted and not filed by the Department of Justice (DOJ), subsequent reviews of this matter and related events. This investigation is being conducted pursuant to the Committee's authority under Rules X and XI of the U.S. House of Representatives.

We request two complete sets of the following documents (one for the Subcommittee's Minority Members) and request receipt of the following documents no later than Friday, June 28, 1996, at 3:00 p.m.

Definitions and Instructions

(1) For the purpose of this request, the word "record" or "records" shall include but shall not be limited to any and all originals and identical copies of any item whether written, typed, hand-written, printed, recorded, transcribed, punched, taped, film, graphically portrayed, video or audio taped, however produced or reproduced, and includes but is not limited to any writing, reproduction, transcription, photograph, or video or audio recording, produced or stored in any fashion, including any and all computer entries, memoranda, diaries, telephone logs, tapes, notes, talking points, letters, journal entries, reports, studies, drawings, calendars, manuals, press releases, opinions, documents, analyses, messages, summaries, bulletins, e-mail, disks, briefing materials and notes, executive cover sheets or routing cover sheets or any other machine readable materials of any sort whether prepared by

The Honorable Leon Panetta

June 18, 1996

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current or former employees in a full or part-time capacity, agents, consultants, or by any non-employee without limitation. "Record" shall also include redacted and unredacted versions of the same record.

(2) For purposes of this request, "The LIUNA matter" refers to all events leading to the investigation, drafting and related settlement of the 200-plus page complaint against LIUNA; all actions taken both prior to and after the settlement of the draft complaint, including the investigation and/or any other activities conducted by the Federal Bureau of Investigation (FBI) (including the actions taken by any field office personnel) and the Department of Justice (DOJ), interaction and correspondence with the White House, Department of Labor (DOL), the General Accounting Office (GAO), and any other executive agency, commission and/or agency of the United States Government; all events relating to or describing the investigation and subsequent acts and activities of any kind by the DOJ, FBI, DOL and the White House up to the date of this letter.

(3) For purposes of this request, the terms "refer" or "relate" and "concerning" as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.

(4) For the purpose of this request "White House" refers to any and all White House employees in a full-time and/or part-time capacity; the President, the First Lady and her office; Harold Ickes, consultants, whether paid or not paid; volunteers, detailees, assignees, Special Government Employees; and all employees in a full-time or part-time capacity in the executive branch assigned to, or working at the White House, regardless of designation.

(5) For purposes of this request the term employee/staff member means any individual working in a full-time or part-time capacity in an executive department, commission or agency, including consultants, whether paid or not paid, volunteers and detailees. Please be sure to include former employees having anything to do with the LIUNA matter.

DOCUMENTS REQUESTED

1. Any records relating to or mentioning the LIUNA matter, the LIUNA settlement agreement, Arthur A. Coia and any reviews of LIUNA and/or Arthur A. Coia; including all supporting exhibits, declarations, telephone notes and interview summary sheets.

2. A list identifying each DOJ, FBI, DOL, and/or White House employee having performed any role in the development, preparation, drafting, editing, and/or reviewing of any records relating to or mentioning the LIUNA matter and/or Arthur A. Coia, including their title and office telephone number. In the event any named individual is no longer

The Honorable Leon Panetta
June 18, 1996
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available, please provide a telephone number and address where the individual can be reached presently.

3. Any records relating to or mentioning the LIUNA matter in any manner and the involvement of or communications with any White House staff member or employees, detailees or assignees. In the event that there were any verbal communications between anyone at the White House and the DOJ, please so note. In this regard please be sure to identify the individuals involved and the nature and date of the verbal communication.
4. Any records relating to or mentioning Arthur A. Coia and the LIUNA matter, including copies of all correspondence exchanged between Arthur A. Coia, and the President and/or First Lady.
5. Any records relating to or mentioning Neil W. Eggleston and the LIUNA matter.
6. Any records relating to or mentioning Harold Ickes and the LIUNA matter.
7. Any records relating to or mentioning Robert Luskins and the LIUNA matter.
8. Any records relating to or mentioning Peter Varia and the LIUNA matter.
9. Any records relating to or mentioning Douglas Gow and the LIUNA matter.
10. All records relating to contacts, conversations or meetings with the following: The President, The First Lady, Harold Ickes or any member of the White House Counsel's office relating to the LIUNA matter and/or Arthur A. Coia.
11. Any records relating to or mentioning John Serpico.
12. Any records relating to or mentioning Samuel J. Caivano.
13. A copy of any and all press releases prepared and/or submitted to the public regarding LIUNA and/or Arthur A. Coia.
14. Any records relating to or mentioning Victor Kamber and/or the Kamber Group.

MANNER OF PRODUCTION

In preparing the information requested for production to the Subcommittee please:

The Honorable Leon Panetta
June 18, 1996
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1. repeat each question; and
2. clearly identify each document and the question(s) to which it is responsive.

Should you decide to withhold any documents, please identify the document and provide the legal basis for it being withheld. In the event any document is redacted in whole or in part, please identify the legal basis for the redaction. In addition, please indicate any documents which you know existed but cannot be located or have been destroyed.

Moreover, please be sure to provide to this Subcommittee the documents requested as they are compiled by the White House. Accordingly, if some portion of a response is available prior to the date of the document request, it should be provided immediately to the Subcommittee and not withheld in anticipation of the due date.

Receipt of two sets of these documents is requested by 3 p.m. on Friday, June 28, 1996, in Room 207 of the Cannon House Office Building. Should you have any questions regarding this request, please do not hesitate to contact Emilia DiSanto or William McDaniel at 202-225-1353.

Sincerely,



Bill McCollum
Chairman
Subcommittee on Crime

cc: The Honorable Charles Schumer, Ranking Minority Member
Subcommittee on Crime

Arthur Coia

Visits to the White House

May 1, 1996	Wolf Trap Reception
December 21, 1995	Meeting with Building and Construction Trades Union Presidents
December 6, 1995	Holiday Reception
September 11, 1995	DNC BLF Reception
November 8, 1994	Election Day Reception
November 10, 1994	Health Care Reception
October 20, 1994	DNC Dinner
September 30, 1994	Labor Council Breakfast
August 3, 1994	Health Care Bus Arrival
June 28, 1994	Breakfast
May 12, 1994	Coffee
May 10, 1994	AFL-CIO Meeting
May 4, 1994	School-to-Work Bill Signing
April 19, 1994	DNC Trustees Reception
March 9, 1994	Reemployment Act Signing
September 1, 1993	Labor Day Reception
June 16, 1993	Private Dinner in the residence (30-40 people)
May 4, 1993	Dinner with the Executive Council of the AFL-CIO.
December 1, 1993	DNC Managing Trustees Dinner

Gifts to the President

December 1993 Laborers baseball hat and a box of golf balls

June 1993 Basketball signed by Larry Bird

October 1994 Magazine and a golf shirt

October 1995 Laborers tie

No one can find a record of the golf club(s) in the Gift Unit or Nancy Hernreich's office.

June 23, 1995

Mr. Arthur Coia
General President
Laborers' International Union of North America
905 16th Street, N.W.
Washington, D.C. 20006

Dear Arthur:

I want to congratulate you and your union for the \$750,000 Job Development Broker demonstration grant award designed to retrain approximately 3,000 dislocated workers in 17 states which was announced this week by the Department of Labor. As the largest grant recipient, you and LIUNA must be proud of this recognition of your good work.

I also understand that a while back you had been put in touch with Regina Vargo, Director of the Mexico Office of the Commerce Department regarding the Interamerican Partnership for Environmental Education and Training (IPEET). Please let me know if any follow up is needed.

I look forward to speaking to you soon.

Sincerely,

Harold Ickes
Assistant to the President
and Deputy Chief of Staff

January 30, 1996

Mr. Arthur A. Coia
General President
Laborers' International Union
of North America
905 16th Street, N.W.
Washington, D.C. 20006-1765

Dear President Coia,

Attached is a copy of a more detailed scheduling office response to your suggestion the President join you, Mr. Player and Mr. Lee in a game of golf.

As you can see from the letter, the schedulers are unable to commit to a definite date yet, but I know Harold is discussing it with them. Please let me know if there is anything I can do to be of further assistance.

Sincerely,

Jennifer O'Connor
Special Assistant to the President

27 July 1995

MEMORANDUM FOR KITTY HIGGINS

From: Harold Ickes

Subject: Laborers' International Union funding requests

The Laborers' International Union has talked with several departments about job-training programs in Mexico. When the Laborers' have contacted one department, they have been directed to another, and ultimately no answer has been given to them.

Could you please find out whether any department would be willing to fund the types of projects the Laborers' are interested in providing, and let me know so I can direct them to the right person. Please get back to Jennifer O'Connor with what you find out.

Scheduling Request

Resubmit 5/30/96

	☐ Accept	☐ Regret	☐ Pending
--	---------------------------------	---------------------------------	----------------------------------

TO: Stephanie Streett and Anne Walley
Deputy Assistants to the President and
Directors of Scheduling

FROM: Harold Ickes
Jennifer O'Connor

REQUEST: For the President to tape a video
message for distribution throughout the
Laborers' International Union.

BACKGROUND: The Laborers' International Union is
planning to distribute 55,000 tapes, to
active and retired union members. These
tapes are designed to communicate the
Laborers' International Union's
endorsement of the President and Vice
President for re-election. The
President's message will be included as
part of the tape.

DATE AND TIME: Before the end of June

DURATION: 5 minutes

LOCATION: Anywhere outside of the White House

REMARKS REQUIRED: See attached

CONTACT: Jennifer O'Connor
6-6350

ORIGIN OF PROPOSAL: Laborers' International Union

December 8, 1995

MEMORANDUM FOR HAROLD ICKES

FROM: JENNIFER O'CONNOR
SUBJECT: LABORERS REQUEST
CC: KAREN HANCOX

Don Kaniewski (political and legislative director of the Laborers) asked me to help him to do what "we" have asked him to do by having you call Arthur Coia.

Background

The DNC (Jim Thompson) sat down with Kaniewski and asked the Laborers to help with 10 states by pouring resources into the coordinated campaigns. The 10 states the DNC gave were: CT, GA, ME, MI, MO, NY, PA, TN, WA, WI. Kaniewski is willing to do this. But, I gather it takes some effort to cajole Coia into writing checks, especially to coordinated campaigns, which sometimes in the past have not worked to the Laborers' liking.

Kaniewski would like you to call Arthur Coia (202-737-8320) and say:

"I really want to encourage you to participate in the coordinated campaigns in key states. We have a lot of time to work with you to make the coordinated campaigns work as they should. They are key to our success because they hook together the Presidential efforts with the congressional efforts. And we can't afford to waste any resources -- we have to be coordinated.

Your staff has been in touch with the DNC. I am told they have developed some targets based on those conversations. I just wanted to talk to you personally to let you know we are throwing our weight behind the coordinated campaigns and we really need you to as well."

I ran this by Karen and she agreed you should do the call. I also listened to Doug give the "we're behind the coordinated campaigns and we need you to be too" speech to McEntee -- and the above talking points parallel what he said.

Tuesday, 23 May Schedule for Harold Ickes

7:00 am	Breakfast with Arthur Coia, McAuliffe -Capital Hilton (Twigs) 16th K (393-1000)
7:30 am	Meeting in Chief of Staff's Office
8:15 am	Senior Staff -Roosevelt Room
9:30 am	Jen O'Connor
10:00 am	Alexis (weekly)
11:00 am	Paper/ Work Time
12:00 pm	DNC African/ American Lunch -Hay Adams Hotel
1:30 pm	Latham Affirmative Action meeting -Roosevelt Room
2:30 pm	Short term scheduling meeting
2:30 pm	Drop by Glickman/ National Farmers Union briefing -Eisenhower Room (Jackson Place)
3:30 pm	NEC Budget meeting (OPTIONAL) -Roosevelt Room
3:30 pm	Remarks at DSCC Briefing -Room 450
4:30 pm	Phone Time
5:30 pm	Michael Waldman
6:00 pm	COS
7:30 pm	DCCC Dinner -Washington Hilton

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THE WHITE HOUSE
WASHINGTON

October 20, 1994

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: HAROLD ICKES *HI*

SUBJECT: Concerns of the Laborers International Union

I. SUMMARY

Laborers International Union President Arthur Coia asked to meet with you today to discuss concerns he has with some of our agencies.

II. DISCUSSION

Few organizations, labor or otherwise, have been as supportive of this Administration and Democrats in general as the Laborers International Union of North America (LIUNA). They contribute heavily to the DNC and Democratic campaigns, and their President, Arthur Coia, stood out as the lone union leader who supported the NAFTA.

Coia and the Laborers have had difficulties with several Administration agencies -- particularly with regard to the awarding of grant monies. They believe they are not being awarded grants because they are a labor union. A brief description of their problems with each agency follows. Joe Velasquez is calling each agency to determine the appropriate remedial action.

A) DEPARTMENT OF EDUCATION

- PROBLEM: The 103rd Congress approved money for the Department earmarked for a LIUNA construction skills training program. After ten months of inquiry by the Laborers, they were told the money had been spent elsewhere, and that they would have to compete for a much smaller grant. They declined. Other grant proposals by the union have not been funded.

B) ENVIRONMENTAL PROTECTION AGENCY

- **PROBLEM:** EPA refused to involve the Laborers in discussions concerning prevailing wage and worker safety and health provisions of the Superfund reauthorization. Representatives from the union have also been denied posts on key EPA advisory committees.
- **ADMINISTRATION ACTION:** Legislative Affairs determined that Superfund could not pass with the Davis Bacon piece in the bill. White House staffers negotiated a deal with Bob Georgine, President of the Building and Construction Trades Department, to pursue the bill without Davis Bacon. This was not popular among other unions.

C) DEPARTMENT OF COMMERCE

- **PROBLEM:** No trade union application (including that of the Laborers) was approved for a telecommunications grant from the Department, though over 100 winners were selected.

D) DEPARTMENT OF ENERGY

- **PROBLEM:** DOE is retraining industrial production workers for environmental cleanup duties. These workers are replacing LIUNA's construction workers who are already trained in this type of activity and who also have long work histories with the Department.

E) DEPARTMENT OF LABOR

- **PROBLEM:** DOL has made no rule concerning the helper issue, and has not taken action to pre-determine labor-management cooperation funds under Davis-Bacon and the Service Contract Act.
- **ADMINISTRATION ACTION:** DOL supports this action and we are pursuing the rule.

F) DEPARTMENT OF TRANSPORTATION

- **PROBLEM:** Congress appropriated funds to DOT for grants for LIUNA's labor-management health and safety fund. The Federal Highway Administrator attempted to direct these funds into another program, but Congressional and White House pressure stopped him.

Attm Com - 9/28/95 -

① Int'l Partners - new meeting

→ ② Dam - Dam - help us -

- Para Esclavos
- ~~Harder~~ inter rule - based the implementation of regulations -
- Better way to have rule only to report the regulations -
N.E. willing to do so if WH is OK
- Could suspend the rule or ~~reg~~ implementation & then would then
- like army rule -
- 90 day cannot ~~last~~ period OK
N.E. could say
- 1981 - the rule went into effect
- legal action started to 9/

POP letter

→ Frank Hamley - Enquiries - Openly Enquiries -
Attm Com' also ~~no~~ to call

③ Immun Health Service case in S.D. is ^{required} ~~required~~ away

④ Low Suit -

⑤ Partners IHS fought so ~~Immun~~ ^{Immun} ~~case~~
now that our health facilities -

PHOTOCOPY
PRESERVATION



ARTHUR A. COIA
General President

JAMES J. NORWOOD
General
Secretary-Treasurer

MASON M. WARREN
1st Vice President

R.P. VINALL
2nd Vice President

JOHN SERPICO
3rd Vice President

VERE O. HAYNES
4th Vice President

SAMUEL J. CAIVANO
5th Vice President

ENRICO MANCINELLI
6th Vice President

CHUCK BARNES
7th Vice President

JACK WILKINSON
8th Vice President

GEORGE R. GUDGER
9th Vice President

MIKE QUEVEDO, JR.
10th Vice President

CARL E. BOOKER
Assistant to the
General President

ROBERT J. CONNERTON
General Counsel

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

December 22, 1994

Mr. Harold Ickes
Assistant to the President
Deputy Chief of Staff
The White House
Washington, D.C. 20500

Dear Mr. Ickes:

Enclosed is a grant proposal we submitted to the Department of Labor on December 15, 1994. This proposal is presented to you following our earlier conversation where it was agreed that you receive copies of all grants requested by this International Union.

Thank you for your attention to this matter.

Sincerely yours,

Arthur A. Coia

ARTHUR A. COIA
General President

AAC:md

Enclosures

*1/6 find out status
why are you
asking for these?
Should Steve
be checking for
you?*

J.



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

ARTHUR A. COIA
General President

JAMES J. NORWOOD
General
Secretary-Treasurer

MASON M. WARREN
1st Vice President

R.P. VINALL
2nd Vice President

JOHN SERPICO
3rd Vice President

VERE O. HAYNES
4th Vice President

SAMUEL J. CAIVANO
5th Vice President

ENRICO MANCINELLI
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JACK WILKINSON
8th Vice President

GEORGE R. GUDGER
9th Vice President

MIKE QUEVEDO, JR.
10th Vice President

CARL E. BOOKER
Assistant to the
General President

ROBERT J. CONNERTON
General Counsel

December 15, 1994

Ms. Brenda Banks
U.S. Department of Labor
Employment and Training Administration
Division of Acquisition and Assistance
200 Constitution Avenue, N.W.
Room S-4203
Washington, D.C. 20210

RE: SGA/DAA 94-23

Dear Ms. Banks:

On behalf of the Laborers' Institute for Training and Education, please find the enclosed application for funding under SGA/DAA 94-23 -- "Job Training Partnership Act: Title III - Job Development Broker Program -- as described in the November 3, 1994 Federal Register, Vol. 59, No. 212, pp 55133-55140.

Please do not hesitate to contact me should you need any additional information.

Sincerely,

Terence M. O'Sullivan
LITE Administrator

TOS:ds

Enclosures

LIUNA
INNOVATION
AT WORK

APPLICATION FOR FEDERAL ASSISTANCE		3. DATE SUBMITTED December 16, 1994		Applicant Identifier	
1. TYPE OF SUBMISSION: Application ☒ Construction ☐ Non-Construction		3. DATE RECEIVED BY STATE		State Application Identifier	
Preapplication ☐ Construction ☐ Non-Construction		4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name: Laborers' Institute for Training and Education			Organizational Unit:		
Address (give city, county, state, and zip code): 905 16th Street, NW Washington, DC 20006			Name and telephone number of the person to be contacted on matters involving this application (give area code): Terence O'Sullivan (202) 737-8320		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 5 2 - 1 9 0 6 5 3 8			7. TYPE OF APPLICANT: (enter appropriate letter in box) ☒ Y A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify) Non-profit Labor-Management Trust		
8. TYPE OF APPLICATION: ☒ New ☐ Continuation ☐ Revision If Revision, enter appropriate letter(s) in box(es): ☐ A. Increase Award ☐ B. Decrease Award ☐ C. Increase Duration ☐ D. Decrease Duration Other (specify):			9. NAME OF FEDERAL AGENCY: U.S. Department of Labor		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE: JTPA: Title III Job Development Broker Program			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Job Development Broker Program Development of a Recruitment and Training Program for Dislocated Workers		
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): Nationwide					
13. PROPOSED PROJECT: Start Date: 2/1/95 Ending Date: 1/31/96		14. CONGRESSIONAL DISTRICTS OF: a. Applicant: DC b. Project: Nationwide			
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?			
a. Federal	\$ 750,000 .00	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____			
b. Applicant	\$.00	b. NO ☐ PROGRAM IS NOT COVERED BY E.O. 12372			
c. State	\$.00	☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW			
d. Local	\$.00				
e. Other	\$.00				
f. Program Income	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? ☐ Yes ☒ No If "Yes," attach an explanation.			
g. TOTAL	\$ 750,000 .00				
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.					
a. Typed Name of Authorized Representative Arthur A. Coia		b. Title Co-Chairman		c. Telephone number (202) 737-8320	
d. Signature of Authorized Representative 				e. Date Signed 12/16/94	

PART II - BUDGET INFORMATION**SECTION A - Budget Summary by Categories**

	(A)	(B)	(C)
1. Personnel	367,000		367,000
2. Fringe Benefits (Rate %)	128,450		128,450
3. Travel	72,000		72,000
4. Equipment	19,375		19,375
5. Supplies	2,075		2,075
6. Contractual	69,550		69,550
7. Other	36,000		36,000
8. Total, Direct Cost (Lines 1 through 7)	694,450		694,450
9. Indirect Cost (Rate %)	55,556		55,556
10. Training Cost/Stipends	---		---
11. TOTAL Funds Requested (Lines 8 through 10)	750,006		750,006

SECTION B - Cost Sharing/ Match Summary (if appropriate)

	(A)	(B)	(C)
1. Cash Contribution			
2. In-Kind Contribution			
3. TOTAL Cost Sharing / Match (Rate %)			

NOTE: Use Column A to record funds requested for the initial period of performance (i.e. 12 months, 18 months, etc.); Column B to record changes to Column A (i.e. requests for additional funds or line item changes; and Column C to record the totals (A plus B).

(INSTRUCTIONS ON BACK OF FORM)

12/16/94

LABORERS' INSTITUTE FOR TRAINING AND EDUCATION

BUDGET INFORMATION DETAIL

BUDGET ITEM	NUMBER OF UNITS	UNIT COST	PERSONNEL COSTS	FRINGE COSTS (35%)	GENERAL COSTS	TOTAL FEDERAL COSTS
a. DOL LIAISON OFFICE						
LITE Program Director	0.50	90,000	45,000	15,750		60,750
b. PROGRAM MARKETING						
Field Representative	4.00	55,000	220,000	77,000		297,000
Secretarial Support	1.00	22,000	22,000	7,700		29,700
Office Space - Sq. Ft.	1200.00	12			14,400	14,400
Equipment and Furniture	4.00	3,000			12,000	12,000
c. SECRETARIAT						
Administrative Assistant	1.00	40,000	40,000	14,000		54,000
Secretarial Support	0.50	30,000	15,000	5,250		20,250
Office Space - Square Ft	800.00	27			21,600	21,600
Equipment, Furniture, Phones	1.00	7,375			7,375	7,375
Supplies and Postage	1.00	2,075			2,075	2,075
Accounting, Audit and Legal	1.00	19,550			19,550	19,550
d. RESEARCH & APPLICATIONS						
Research Coordinator	0.50	50,000	25,000	8,750		33,750
Consultants		50,000			50,000	50,000
e. TRAVEL						
National Office	32.00	1,000			32,000	32,000
Field Representatives	8.00	1,000			8,000	8,000
Field Representatives	160.00	200			32,000	32,000
TOTAL DIRECT COSTS			367,000	128,450	199,000	694,450
OVERHEAD (8%)			29,360	10,276	15,920	55,556
TOTAL COSTS			\$396,360	\$138,726	\$214,920	\$750,006

LITE JOB DEVELOPMENT BROKER PROGRAM

12/16/94

LABORERS' INSTITUTE FOR TRAINING AND EDUCATION (LITE)

PART I — FINANCIAL PROPOSAL

2. Detailed Explanation of Budget Items

a. DOL Liaison Office

The Program Director is responsible for overall management of the demonstration project. He or she will devote approximately 50% of their time to this project, including substantial time in coordinating the activities of the Field Representatives and in meeting with U.S. Department of Labor (DOL) personnel on accessing funds and initiating projects. The Program Director will be a senior experienced Laborers' International Union of North America (LIUNA) official with a budgeted salary of \$90,000/year plus a 35% fringe rate.

b. Program Marketing

The project calls for four Field Representatives, each at a salary of \$55,000/year plus a 35% fringe benefit rate. The fringe benefit rate is based on the comparable fringes paid to employees of other labor-management trust Funds associated with LIUNA. The Field Representatives will be based in field offices with responsibilities across the 11 LIUNA regions. Office space will be provided at four locations. The precise locations have not yet been identified. However, for purposes of this estimate, we assume that each office will be 300 square feet, at \$12 per square foot. The precise rental costs, of course, will vary by location. Also included in the budget estimate is a secretary at 25% time for each Field Representative. This secretary is budgeted at \$22,000/year plus a 35% fringe rate. \$3,000 for equipment and furniture is budgeted for each Field Representative.

c. Secretariat

The LITE Secretariat will include an Administrative Assistant at 100% time who will assist the Program Director in the operations of LITE and will be responsible for maintaining field support, records and related LITE activity. The Administrative Assistant is budgeted for \$40,000/year plus a 35% fringe rate.

The LITE Secretariat will also employ a secretary at 50% time with an estimated salary of \$30,000/year plus a 35% fringe rate. The secretary will support the Administrative Assistant in collecting and disseminating relevant information and documentation among the LITE field offices and will also provide support to the Program Director.

The Secretariat office is estimated to encompass 800 square feet, at a cost of \$27 per square foot. In addition, the Secretariat will require at least two computers and other office furniture (e.g., desks, file cabinets). Office equipment, furniture and telephones is budgeted at \$7,375 for the Secretariat. Supplies and postage for the project is budgeted at \$2,075. Accounting, audit and legal services, including preparation of contractual agreements with employers, is estimated at \$19,550.

d. Research and Application Unit

It is anticipated that the Research and Applications Unit will work in identifying national and regional employment/training opportunities, identifying the state or local funding source, developing the technical and budget proposals, and ensuring that resources will be available to implement the proposed program. The research and application functions will be directed by a Research Coordinator at 50% time

with a budgeted salary of \$50,000/year plus a 35% fringe rate. In addition, it is estimated that consultant services involved in research programming will be \$50,000.

e. Travel

It is anticipated that at least two trips will be made during the year by the Program Director and the Administrative Assistant to discuss program, administrative, and financial issues with each of the four Field Representatives. In particular, the LITE Program Director will be assisting Field Representatives in implementing training programs that have successfully been applied in other parts of the country, and in identifying local successes that may be applied elsewhere. In addition, members of the Applications Unit would be expected to travel to meet with the local union representatives and the LITE Field Representatives when attempting to identify funding sources and developing grant applications. A total of four people could be expected to visit each Field Representative, two times a year. Each trip is estimated to cost \$1,000 per person.

It is also anticipated that the Field Representatives will travel to Washington, DC at least twice a year to discuss LITE program and DOL issues. Each trip is estimated to cost \$1,000 per person.

The Field Representatives are also assumed to travel locally throughout their area, visiting employers and training institutions, overseeing training deliveries, and performing other marketing duties. For purposes of this estimate, we assume that each Field Representative will travel locally 40 weeks per year, at a cost of \$200 per week.

APPLICATION FOR DEMONSTRATION FUNDS

**U.S. DEPARTMENT OF LABOR
EMPLOYMENT AND TRAINING ADMINISTRATION
JOB DEVELOPMENT BROKER PROGRAM**

**THE LABORERS' INSTITUTE FOR TRAINING AND EDUCATION
TECHNICAL PROPOSAL**

**The Laborers' Institute for Education and Training
905 Sixteenth Street, NW
Washington, D.C. 20006**

TEL: (202) 737-8320

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LABORERS' INSTITUTE FOR TRAINING AND EDUCATION (LITE)

PART II — TECHNICAL PROPOSAL

EXECUTIVE SUMMARY

► Overview

The Laborers' Institute for Training and Education (LITE) is a joint labor-management trust fund created pursuant to Section 302(c)(9) of the Taft-Hartley Act and qualifies as a 501(c)(5) non-profit organization under the Internal Revenue Code. LITE was created by the Laborers' International Union of North America, AFL-CIO (LIUNA) and a number of contractor organizations and contractors, including the National Erectors Association (NEA), and the J.S. Alberici Construction Company. Working with LIUNA and its associated training organization, the Laborers-AGC Education and Training Fund (L-AGC), the programs of LITE are designed to address the educational and developmental needs of the new labor market entrant, as well as the needs of experienced journeyworkers seeking to enhance their job security by broadening their skills, or who seek to advance to supervisory positions in their field. In this regard, LITE is especially suited for undertaking the Job Development Broker Program contemplated by the DOL SGA of 11/3/94 as published in the Federal Register pp 55133 - 55140 to link specific job opportunities with the development of appropriate curricula and support mechanism for eligible dislocated workers.

The LITE program represents the culmination of more than 30 years of experience training workers in general construction skills, literacy, environmental/hazardous waste remediation, and general safety and health issues. Building on the successful existing training programs sponsored by the Laborers' International Union, LITE has the capacity to implement practical programs that deal with the immediate needs of the labor market, and which can be designed to meet the needs of workers at many different levels of personal and educational development.

This proposal is an extension of a planning grant received by LIUNA from the U.S. Department of Labor (DOL) in 1994. The planning grant permitted the analysis of employment opportunities and the development of a series of training proposal for dislocated workers.

► Organizational Partners

The Laborers' International Union of North America (LIUNA)

The Laborers' International Union of North America is a labor organization with an active membership in excess of 650,000. More than fifty percent of the LIUNA membership is minority and/or female. The members work in every state and territory, as well as on numerous Indian reservations.

More than 360,000 LIUNA members work in construction-related industries, including construction, demolition, and rehabilitation of residential and commercial buildings; construction of highways, bridges, tunnels, and dams; construction and maintenance of sewer and water treatment facilities, and nuclear and conventional power plants; abatement of asbestos and lead; and remediation of hazardous and nuclear waste. LIUNA members are employed by 75,000 construction contractors through multi-employer collective bargaining agreements.

Laborers-AGC Education and Training Fund (L-AGC)

In 1969, following the early successes of the MDTA projects, the Laborers' International Union joined forces with the Associated General Contractors (AGC) to form a joint labor-management trust fund - the Laborers-AGC Education and Training Fund (L-AGC). The Fund's mission is to promote and improve quality training for laborers. In pursuing that mission, the L-AGC provides education and training materials and programs, professional consultation, and assistance to its affiliated training Funds that were negotiated by labor and management across the United States. From a modest beginning of training laborers in 19 states, the union and contractors have negotiated training trust Funds to expand these pilot training programs throughout the country.

Today the L-AGC oversees training provided to members of LIUNA through 66 negotiated Taft-Hartley joint labor-management training Funds and sites located throughout the United States and Canada. These training Funds service the training needs of hundreds of LIUNA local unions and thousands of construction-related contractors. The program equips approximately 40,000 workers annually to work in basic construction, construction supervision, and environmental restoration projects by providing new or refurbished skills and, in some cases, new career paths.

► The LITE Program

LITE proposes to establish a series of training programs that will recruit prospective trainees into LIUNA-based organizations, and will train and identify employment for such persons. The training programs will be coordinated and managed through LITE, which will work within LIUNA and its Fund structure to identify training opportunities and career path needs, identify appropriate federal and state funding sources, design training proposals in conjunction with existing union organizations and contractor/employers, and otherwise provide technical assistance to the training and employment effort. LITE is designed to address LIUNA's training needs across a number of functional and national levels, and to integrate those training needs with the various DOL national and state-based initiatives for school-to-work and other skills training programs.

LITE has previously designed a number of training proposals that would form the primary basis for the recruitment, training and placement of dislocated and other eligible workers into the employment in crafts and occupations organized by LIUNA. It is anticipated that LITE will undertake to secure actual training funds from the various state agencies and subgrant agencies, which have DOL funding under the Job Training Partnership Act (JTPA), for these proposals and others that may be developed during the grant period.

LITE's basic design consists of four field offices that provide coverage to the 11 LIUNA regional offices throughout the country; and a headquarters unit or Secretariat, responsible for providing the necessary support services and coordinating with the national and field programs. The LITE administration budget is estimated to require about \$750,000 per year.

Construction Training Program

The proposed LITE training program for construction laborers offers courses in both traditional construction skills and specialty crafts. The general construction skills component of the program is designed for new labor market entrants who need training in fundamental construction skills, as well as for journeyworkers and more mature job candidates who need training in the more traditional craft techniques. The specialty skills component of the program is designed for journeyworkers who want to be eligible to work with emerging technologies and who need to broaden their skills to remain employed throughout the construction season.

The proposed LITE construction program is both comprehensive and ambitious. This program will be implemented through the L-AGC which already has the infrastructure and basic curriculum in place

and has previously demonstrated its ability to deliver these programs with a Department of Education Demonstration Grant under the Perkins Act. LIUNA is proposing a training curricula where construction craft laborers will matriculate into courses that will enable them to cope with the demands of the construction industry -- the quintessential "virtual workplace" -- a workplace that is heterogeneous, where job sites can change on a weekly basis and where different job skills may be needed with each new job.

Today's construction laborer must be flexible and possess a broad mix of skills to remain fully employed. The proposed curricula combines existing core construction craft courses with newly developed specialty and supervisory courses to offer a complete training program to construction laborers, whether they are new entrants, established journeymen, or rising supervisory personnel. The program particularly targets the unemployed and underemployed worker who recently left school and may historically have had limited opportunities to obtain marketable job skills. It also targets dislocated defense and military personnel who may have some technical training and experience, but are unfamiliar with the construction labor market and/or may lack specific skills needed in today's high performance construction workplace.

Maintenance Mechanic and Health Care Training Program

LITE is proposing to train workers in the service sector, including maintenance crafts and health care services, janitorial services, food services, public and private protective services, and in various branches of landscaping.

The crafts within the service sector were selected for four distinct reasons: (1) the rising demand for workers in these industries assure that jobs will be available at the apprenticeship and journey levels for our trainees; (2) the skills and experience needed to enter the job market in the targeted crafts are obtainable, within a reasonably short period of time, if the entrant enrolls in a well-structured training and/or apprenticeship program; (3) excellent opportunities exist for movement up a career ladder within these sectors; and (4) through our numerous collective bargaining agreements, including agreements with service contractors already in place, LIUNA is familiar with the work environment and skills needed to be successful in these particular service sectors.

Under the LITE program, LIUNA will establish an apprenticeship program for the maintenance mechanic, similar to the program envisioned at the California State University (CSU) campuses. The training program and curriculum for the maintenance mechanic craft would consist of modules derived from the curriculum for each of the individual crafts. The crafts that will be represented in the maintenance mechanic training program include:

- | | | |
|-----------------------------|----------------------|-----------------|
| • Plumber | • Electrician | • Laborer |
| • Building Service Engineer | • Carpenter | • Painter |
| • Sheet Metal Worker | • Operating Engineer | • Auto Mechanic |

Health care is a second large growth area in which LIUNA proposes to establish a training/job placement program. Employment in the health care industry rose from seven million in 1988 to approximately ten million in 1992, representing an average annual growth rate of 9.3 percent. During the past decade, this industry's employment growth surpassed that of the rest of the private economy -- a trend that is expected to continue through the remainder of this decade. Allied health personnel (i.e., workers who assist physicians and other specialists) is one of the fastest growing occupational sectors in the entire health care industry. Between 1980 and 1990, this sector experienced a 44 percent growth in employment.

California Apprenticeship Training Program

With funds from the State of California under Title III of JTPA, LITE will work with LIUNA and L-AGC to combine its experience in developing and implementing worker training programs with its ability to identify and work with both the public and private sectors to place approximately 250 dislocated

workers into apprenticeship programs in the State of California, ensuring the apprentice a reasonable wage with benefits while he or she is trained to the journey level.

LITE will begin its training program with the California State University (CSU) system, which has already established a Joint Apprenticeship Committee to oversee and manage apprenticeship programs on its campuses. Through the State Employees Trade Council and Local 1268, LIUNA has in place an agreement with CSU for an apprenticeship program in the following 10 crafts:

- Carpenter
- Painter
- Electrician
- Plumber
- Locksmith
- Building Service Engineer
- Operating Engineer
- Automobile Mechanic
- Sheet Metal Worker
- Refrigeration Mechanic

LIUNA is proposing to fully implement the 10 apprenticeship programs already developed for the CSU campuses, and to develop an eleventh apprenticeship category, the "maintenance mechanic." The maintenance mechanic is a worker who is trained to the journey-level in a combination of crafts (e.g., carpenter and electrician, as well as general maintenance worker). The job classification combines the skills and training requirements for different disciplines, and requires the worker to have well-honed skills in several different crafts. This combined job classification represents a step up on the career ladder for any journeyworker practicing an individual craft, and provides the employer with an employee who is more flexible and capable of performing a wider variety of tasks.

Veterans Training Program

LITE proposes a training and placement program designed to address both (a) the need for trained construction and environmental remediation workers, and (b) the employment and skills development needs of recently released military personnel. The program will facilitate the transition of veterans from military to civilian life, enabling veterans to upgrade their skills to satisfy the demands of the civilian job market.

LITE, through its relationship with LIUNA and the Laborers-AGC Education and Training Fund and their local affiliates, proposes to train veterans in basic and specialized construction skills and environmental remediation needed to prepare them for jobs in the expanding construction and hazardous waste remediation markets.

BACKGROUND

► Introduction

The twentieth has been referred to as "America's Century" because throughout most of the century, and especially during its second half, American markets, methods, and machines set the standard for all other countries in the world. American workers were considered the most productive in the world; American products were the envy of the world. As America enters the twenty-first century, however, we face serious challenges from both Europe and Asia. Industries such as steel and automobile manufacturing that were booming fifty years ago are now laying off workers and closing plants because they are unable to compete effectively with foreign manufacturers and because the nature of the consumer market basket has changed.

As some sectors in our economy decline, new sectors emerge, bringing with them changes in job structure and rising educational and training prerequisites for its workers. Service industries are replacing manufacturing as the industries of the future. Workers require more technical skills to survive and advance within today's companies. The personal computer has taken automation to levels not even imagined fifty years ago. Mass production has given way to individualized, customized products.

Generally, worker responsibilities in production and skill requirements are increasing, but the number of workers needed to produce the products is decreasing.

Although the American economy is expected to add 1.5 million new jobs each year through the year 2000, there will be workers who will lose their jobs as industries downsize. These dislocated workers will need specialized training to enable them to make the transition into the higher-technical growth industries.

Similarly, new high school graduates who elect not to continue their education will also need specialized training to prepare them fully to enter the job markets to the twenty-first century. The Training Program developed by the Laborers' International Union of North America (LIUNA) has been designed to address the needs of new, entry-level workers, as well as the needs of the older, dislocated work force. The Program relies on a series of training, retraining, and reemployment strategies that enable ordinary workers to accept the risks of change.

The Laborers' Training Program begins by identifying the growth industries of the twenty-first century; delineating a career path through those industries; and developing a training curriculum that guides the worker through the different rungs of the career ladder and assists the retrained workers in entering the targeted industries at the appropriate levels.

► **Organizational Partners**

The Laborers' Institute for Training and Education (LITE) is a joint labor-management trust fund created pursuant to Section 302(c)(9) of the Taft-Hartley Act and qualifies as a 501(c)(5) non-profit organization under the Internal Revenue Code. LITE was created by the Laborers' International Union of North America, AFL-CIO and a number of contractor organizations and contractors, including the National Erectors Association (NEA), and J.S. Alberici Construction Company. The Union trustees of LITE are Arthur A. Coia, General President, and Carl Booker, Assistant to the President. Contractor trustees are Noel Borck, Executive Director of the NEA, and Jack Bartnett of the J.S. Alberici Construction Company.

Working with LIUNA and its associated training organization, the Laborers-AGC Education and Training Fund (L-AGC), the programs of LITE are designed to address the educational and developmental needs of the new labor market entrant, as well as the needs of experienced journeymen seeking to enhance their job security by broadening their skills, or who seek to advance to supervisory positions in their field. In this regard, LITE is especially suited for undertaking the Job Development Broker Program contemplated by the DOL SGA of 11/3/94 as published in the Federal Register pp 55133 - 55140 to link specific job opportunities with the development of appropriate curricula and support mechanism for eligible dislocated workers.

The LITE program represents the culmination of more than 30 years of experience training workers in general construction skills, literacy, environmental/hazardous waste remediation, and general safety and health issues. Building on the successful existing training programs sponsored by the Laborers' International Union, LITE has the capacity to implement practical programs that deal with the immediate needs of the labor market, and which can be designed to meet the needs of workers at many different levels of personal and educational development.

Laborers' International Union of North America (LIUNA)

The Laborers' International Union of North America has approximately 650,000 members engaged in construction and environmental restoration activities, as well as in industrial work and public and private sector service activities. More than 360,000 LIUNA members work in construction-related industries, including construction, demolition, and rehabilitation of residential and commercial buildings; construction of highways, bridges, tunnels, and dams; construction and maintenance of sewer and water treatment facilities, and nuclear and conventional power plants; abatement of asbestos and lead; and

remediation of hazardous and nuclear waste. LIUNA members employed in the service sector include maintenance and janitorial workers in schools, hospitals, health care facilities, and military bases; nurses aids and medical technicians; food preparers and food service workers; security services personnel; and groundskeepers and landscapers. More than 50 percent of LIUNA membership is minority and/or female. The members work in every state and territory, as well as on numerous Indian reservations.

LIUNA has been in the training business for more than 30 years. Responding to its members' needs for enhanced job readiness, LIUNA began formally training laborers in 1962. With the assistance of federal funds under the Manpower Development and Training Act of 1962, LIUNA developed pilot programs that successfully demonstrated to contractors and union officials that standardized quality training was not only feasible, but essential to satisfy industry needs for skilled workers and to ensure that our members work in a safe and efficient manner. Training increased productivity and, as health and safety instruction was incorporated into all courses, work-related accidents and injuries began to decline.

LIUNA is currently working with a number of federal agencies implementing training programs serving the construction industry: lead and asbestos abatement training under the Department of Housing and Urban Development (HUD) and the Environmental Protection Agency (EPA); hazardous waste safety and health training under the National Institute for Environmental Health Sciences (NIEHS), the Department of Energy (DOE), and EPA; basic construction skills and literacy training under the Department of Education (DoE); and training of American Legion personnel under the Department of Defense (DoD).

LIUNA and the Department of Labor (DOL) have worked successfully through the MDTA for more than 30 years, developing a training network for LIUNA's segment of the construction industry. Today, LIUNA's training programs, utilizing the seed money provided through MDTA grants/contracts, have matured into a \$200 million training network administered jointly by LIUNA and the Associated General Contractors (AGC).

Laborers-AGC Education and Training Fund (L-AGC)

In 1969, following the early successes of the MDTA projects, the Laborers' International Union joined forces with the Associated General Contractors to form a joint labor-management trust fund, the Laborers-AGC Education and Training Fund. The Fund's mission is to promote and improve quality training for laborers. In pursuing that mission, the L-AGC provides education and training materials and programs, professional consultation, and assistance to its affiliated training funds that were negotiated by labor and management across the United States. From a modest beginning of training laborers in 19 states, the union and contractors have negotiated training trust Funds to expand these pilot training programs throughout the country.

The L-AGC today oversees training provided to members of LIUNA through 66 negotiated Taft-Hartley joint labor-management training Funds and sites located throughout the United States and Canada. These training Funds service the training needs of hundreds of LIUNA local unions and thousands of construction-related contractors. The program equips approximately 40,000 workers annually to work in basic construction, construction supervision, and environmental restoration projects by providing new or refurbished skills and, in some cases, new career paths.

L-AGC has developed considerable experience responding to the basic skills training needs of laborers. The role of the L-AGC as the National Fund is to develop the programs used by affiliated Funds, train instructors to present the courses, provide all training-related print and audio-visual materials, and monitor course presentations to maintain quality control.

The affiliate training Funds offer skill courses ranging from one day to several weeks in duration. The complexity of the subject matter generally determines the length of training. Basic skill courses like concrete, mason tending, or pipe laying may take two weeks to present, while more complex courses such as drilling and blasting could take five weeks to effectively train and certify the worker. Regardless of

length or complexity, each of the courses focuses on the workplace skills required for an ever changing work environment. Safety and health aspects are integral ingredients for all courses.

Although skills training remains its major focus, the L-AGC has developed a series of courses designed to encourage upward mobility within the construction industry. Training was developed for the laborer who wished to advance to the foreman or supervisor level. Today, the L-AGC is proud of its Construction Skills Training Program -- a model program that establishes a complete "career path" for construction laborers. The career path includes the establishment of a school-to-work connection, competency, certifications for each step of the path, and college accreditation for the construction skills curriculum.

Generally, classroom instruction under the L-AGC consists of lectures, group discussions, and introduction of tools, equipment, and work procedures. Outside the classroom, trainees learn skills in job-site simulated activities and hands-on training involving tools, equipment, and work procedures. Regardless of the length or complexity of a course, each area of study emphasizes hands-on training along with classroom instruction. This approach ensures proper use of tools and equipment, and a knowledge of safe work procedures. The guiding standard for the courses is to maximize the relevance of the materials to the work that each employee will perform as part of the job.

The expansion of craft training has remained a top priority to the Laborers' International Union and the L-AGC. In 1994, the U.S. Department of Labor's Bureau of Apprenticeship and Training recognized the "construction craft laborer" trade as an apprenticeable occupation, and approved nation-wide model standards for a two-year apprenticeship program developed by L-AGC. With federal-level approval of laborer apprenticeships, L-AGC and LIUNA anticipate immediate growth in these programs.

Laborers' Service Contract Training Trust (LSCTT)

In addition to the construction industry, LIUNA has substantial experience in the service contract industries dating from the MDTA days. The Service Contract Education and Training Trust was formed in January 1978 to implement programs to train service workers. Like the L-AGC, the LSCTT is a Taft-Hartley joint labor-management trust. The LSCTT allows the pooling of collectively bargained contributions to provide training resources to the service contractor community, particularly those smaller contractors who could not provide such training opportunities on their own. The LSCTT provides training and educational opportunities that enhance employability and productivity of persons in food service, custodial, mail distribution, hospital aseptic services, shelf stocking, warehousing, and general building maintenance.

► Training Partners

The American Legion

The American Legion is one of the oldest and most respected of America's veterans' organizations. One of its longstanding objectives has been to facilitate the transition of veterans from military to civilian life. The American Legion has been actively involved in recruiting and counselling veterans in preparation for this transition, and plays a major role in our nation's current defense conversion activities. LIUNA has already completed several successful pilot programs with the American Legion, where they were responsible for recruitment and job counselling, and LIUNA was responsible for training and placement of veterans in construction and environmental jobs.

Thomas Edison State College

LIUNA has developed a close working relationship with Thomas Edison State College. Founded in 1972, Thomas Edison State College exclusively serves the adult learner. Located in Trenton, New

Jersey, the College has developed a comprehensive set of programs, policies, and support services that recognize adult lifestyles and conform to the natural rhythms of the adult learning process.

LIUNA members can combine credits received from local labor Fund training courses, with courses taken at local community colleges, to receive a degree from Thomas Edison State College. Members are able to contact Thomas Edison and provide the College with records of work experience and course attendance. The College then describes for the member the number and types of additional courses that are needed to attain a degree.

LIUNA strongly believes in a model of education and job training that results in increased access to higher education for laborers. Together, LIUNA and Thomas Edison State College will:

- integrate education, training, and work experiences in new ways that relate to actual demands and requirements of a highly qualified workforce.
- increase opportunities for cross fertilization and upward mobility of workers in their career paths.
- establish standards and criteria that insure quality and consistency for educational and training outcomes.
- expand research and communications capabilities to collect, access, and disseminate information about career path options.

LIUNA is always searching for new ways to ensure career growth for its members, resulting in a more satisfied worker and a more satisfying work environment. The Laborers' Training Program has four major components: (1) identification of career paths within expanding industry sectors, (2) curriculum development and training that provides workers an opportunity to enter and advance along a well-defined career path in those expanding industry sectors, (3) tracking and placement in jobs that utilize and depend on the newly-developed skills, and (4) development of a life-long relationship that ensures that the worker progresses along a career path, receives proper training in a timely fashion so that work may be performed in a safe and effective manner, and relies on LIUNA for nurturing and encouragement throughout his or her working career.

Self-Sufficiency

The track record of LIUNA in conducting training is based on using government funds for seed money. That was the basis for the early MDTA funding and it is still the basis upon which additional funding is sought for training programs. As LIUNA moves into different areas with employers in particular industries, collective bargaining agreements are sought to provide funding for continued training and upgrading of new and current employees. It is the use of the collective bargaining agreement to fund training programs that led to the creation of the joint labor-management Taft-Hartley training trusts. These funds now provide nearly \$200 million/year to local Funds for the training and upgrading of the existing LIUNA workforce. The government funds act as a "jump-start," establishing the training program and demonstrating to employers that workers well trained will enhance their productivity and profitability. Thus, a demonstrated success will enable us to secure continued training through collective bargaining contributions by employers, expanding and institutionalizing the training activities started by the federal funds.

STATEMENT OF WORK

A. TARGET GROUP

The Target group for participation in this proposal for a job development broker demonstration project are dislocated workers defined as:

- recently laid-off workers.

- long-term unemployed workers.
- workers with substantial barriers to re-employment.

The program particularly targets the unemployed and underemployed worker who recently left school and may historically have had limited opportunities to obtain marketable job skills. It also targets dislocated defense and military personnel who may have some technical training and experience, but are unfamiliar with the construction labor market and/or may lack specific skills needed in today's high performance construction workplace.

The LITE Construction Training Program will recruit trainees from a variety of targeted populations, including our own members who are unemployed or underemployed, youths who have recently left or graduated from school, youths who live in economically depressed communities, and more mature workers who have been dislocated and are in need of a career change. In particular, the LITE Construction Training Program will target groups with large numbers of minorities, strengthening their opportunities and hopes for the future. LIUNA already has experience working with organizations servicing this target population.

LITE personnel will work closely with training partners including the American Legion to recruit veterans and youths from disadvantaged economic sectors, respectively. These populations will be targeted for enrollment in the core construction skills courses that are designed to introduce the novice construction laborer to the craft and provide the new worker with basic craft skills needed to find employment in the construction industry.

The Service Employees Training Program (SET) will recruit trainees from a variety of targeted populations, including our own members who are unemployed or underemployed, youths who have recently left or graduated from school, youths who live in economically depressed communities including Native American reservations, and more mature workers who have been dislocated and are in need of a career change. In addition, the SET program will target women and groups with large numbers of minorities, strengthening their opportunities and hopes for the future. LIUNA already has experience working with organizations servicing these target populations.

LITE personnel will work closely with the Job Corps to recruit youths and adults from disadvantaged economic sectors. These populations will be targeted for enrollment in the courses that are designed to introduce the novice job candidate to the craft and provide the new worker with basic craft skills needed to find employment in the service industries. Trainees who are already experienced and skilled, such as those recruited from the American Legion, would be expected to enter training programs that demand higher skill levels.

Indian reservations with large numbers of unemployed Native Americans will be targeted for jobs with hospitals and other health care facilities managed by the Indian Health Service.

The LITE staff will work directly with the Department of Employment Services - Dislocated Workers to identify and select participants to be served through this demonstration project in each state within the regions of the country selected for piloting the project.

The LITE staff in regional sites will work collaboratively with appropriate state and local Department of Employment Services (ES) and SDA's staffs to establish the procedures for direct access to ES applicants and for determining the entitlement eligibility of candidates by the Job Training Partnership Act -- Title III program. Specific eligibility criteria is to be used to qualify applicants for participation in this program which will be determined by ES staff in each of the states within the regional sites. Within these sites, LITE staff will develop cooperative efforts with employers to identify jobs with grown potential in the specific geographical area.

The Commitment from the Employer

A written agreement signed by the dislocated worker, the employer and LITE staff will be required prior to the start of training for each participant. The agreement, collaboratively developed with all

parties, will specify job requirements and responsibilities, skills to be learned on the job, wages, benefits and terms of employment.

Agreements with Dislocated Workers to Identify and Refer Them to the Broker of Service

In each of the regional sites, LITE staff will work with ES and local agencies and employers to widely disseminate the eligibility criteria and components of this job development program among dislocated workers. The dissemination will include notices in newspapers, posters, mailings, informational meetings for groups of dislocated workers, as well as interviews and counseling sessions for individual dislocated workers. The One-Stop-Shops located in the regions will be the settings for orientations, counseling and interviews for dislocated workers. LITE staff, working jointly with the Department of Employment staff, will conduct all the outreach activities and each step of the referral and selection process which will include:

- notification to dislocated workers.
- referrals to the One-Stop-Shops.
- invitational informational services.
- counseling services.
- application procedures for workers.
- finalizing eligibility criteria based on priorities in the local area.
- selection of applicants.
- orientation sessions detailing the components of the job development proposed and the responsibilities of all parties.
- signing agreement by employer, dislocated worker and LITE.

B. COMPONENTS OF THE JOB DEVELOPMENT BROKER DEMONSTRATION PROGRAM

LITE has previously designed a number of training proposals to deal with the needs of the target group described in Section A. Four of these programs will form the basis of the demonstration project as proposed in this SGA. A detailed description of these programs follows.

Access to Funding

Recognizing the complexity of interfacing with DOL and state JTPA funding sources, LITE staff will undertake a program training activity to determine the accessibility of funds for JTPA training. LITE will request technical assistance from DOL in providing this training.

1. CONSTRUCTION SKILLS TRAINING PROGRAM

► Overview

LIUNA proposes to establish a comprehensive training program for laborers who work in the U.S. construction industry. Construction laborers are employed at more than 200,000 construction sites throughout the U.S., providing the skills that are the foundation of the construction trades. The construction industry, however, is ever changing; construction skills that ensured steady employment a decade ago no longer are sufficient to guarantee work in today's dynamic and increasingly sophisticated workplace. Construction projects that used to take months to complete with scores of laborers, now rely on sophisticated technologies, enabling the job to be completed within a much shorter timeframe and with many fewer workers. In addition, with smaller work crews, today's laborer represents the epitome of a "high performance worker" -- a worker who has been given responsibility to respond to changing project conditions, making administrative and project decisions on the spot. Thus, construction laborers face a

labor market with fewer traditional jobs; a market that demands workers who are flexible, sophisticated, and knowledgeable about new technologies almost before they emerge. It is a construction industry that demands laborers who have a broad range of skills so that worker turnover and retraining can be minimized.

The proposed LITE training program for construction laborers offers courses in both traditional construction skills and specialty crafts. The general construction skills component of the program is designed for new labor market entrants who need training in fundamental construction skills, as well as for journeyworkers and more mature job candidates who need training in the more traditional craft techniques. The specialty skills component of the program is designed for journey workers who want to be eligible to work with emerging technologies and who need to broaden their skills to remain employed throughout the construction season.

The need for the LITE Construction Program is manifested in an industry-wide labor shortage. Although L-AGC currently trains a significant number of laborers annually, including both union members and non-members, the magnitude of the training needs in the construction industry far outstrips the resources of the L-AGC. The LITE Construction Program will bootstrap on the program already developed and implemented by the L-AGC; however, the order of magnitude of the proposed program and the variety of courses that would be available to the construction workforce could not be accomplished without outside assistance.

► The Proposed LITE Construction Curricula

The LITE Construction program will offer basic skills courses to provide "new entrants" with a comprehensive overview of the many tasks a construction worker may be called upon to perform on a typical job site. It is this type of training that is most needed by those workers who seek entry-level employment in construction. The courses presented in Table 1 represent a stepping stone into the construction industry; they represent a training curriculum that, in essence, lays the foundation for movement along a career path through the construction trades.

The specialty courses that will be part of the LITE Construction Program are designed to provide the construction worker with skills needed to attain employment in labor markets where there is an acknowledged shortage of skilled workers, such as tunneling, drilling and blasting, asphalt raking, and others. The list of specialty courses was developed based on information supplied by our local union halls. Our LIUNA local halls have received an increasing number of calls from employers looking for workers with these skills, and have been unable to satisfy the demand. The courses would prepare construction workers to enter a market where the demand for such trained labor far exceeds the current supply.

Furthermore, these specialty courses are simply unavailable elsewhere in the country. Laborers currently receive training in the listed specialty areas while on the job, which generally is inefficient and unsafe. Costly mistakes, in terms of injuries, lost lives, and slippage of project schedules, result from insufficient training. The LITE Construction Program would offer both classroom and hands-on experience in these specialty crafts so that workers and employers know prior to commencing work at the site that the worker has the basic skills and stamina needed to perform the job in a safe and efficient manner.

The two supervisory courses proposed for the LITE program are also extremely important in fostering upward mobility for construction laborers and assuring safety on the job. For example, the 40-hour Traffic Control Supervisor course is being proposed in response to recently enacted legislation in Washington and other states, requiring that certified traffic control supervisors be present at each job site. The certification process is designed to reduce traffic accidents around construction sites -- the number one killer of construction workers on the job.

The LITE Construction Training Program, therefore, offers the construction worker an opportunity for both vertical and horizontal movement within the construction industry. The program addresses the training needs of the new entrant, the journeyworker, and the supervisor and aspiring supervisor, and includes a broad spectrum of specialty courses that will provide construction workers with an opportunity to broaden their existing skill mix and to learn about the technologies used in the burgeoning sectors of the construction industry.

TABLE 1: LITE CONSTRUCTION SKILLS TRAINING COURSES

General Core Courses	Specialty Courses	Supervisory Courses
Craft Orientation	Above-Ground Drilling	Foreman Preparedness
General Construction	Asphalt Raking	Traffic Control Supervisor
Concrete Placement	Blasting	
Mason Tending	Concrete Cutting & Coring	
Pipe Laying	Pipeline Installation	
Line & Grade Control	Shot Crete	
Blue Print Reading	Tunneling	

► **Job Placement**

Some of the LITE courses will be incorporated into apprenticeship programs so that the trainee is hired at an apprenticeship wage, receives mentoring, and is assigned a personal, journey-level trainer who ensures that skills develop properly and both employer and employee are satisfied with the results. Other courses will not be part of an apprenticeship program and thus gainful employment generally would not begin until after the training is complete. In these situations, training would be offered only in areas where there is a high probability that job openings currently exist and where there is a growing demand for skilled labor.

2. GENERAL MAINTENANCE MECHANIC AND HEALTH CARE

► **Overview**

LITE is proposing to implement a training program to benefit the growing service industries, providing an opportunity to new high school graduates, disenfranchised youths, minorities, women, veterans, and other dislocated workers who want to enter and progress upward through a career path in industries that are guaranteed to grow well into the next century.

The industries in the U.S. economy that are growing fastest in terms of the number of new jobs are in the service sector. For example, the number of jobs in the health care industry, including both traditional and nontraditional forms of health care, is expanding by more than 12 percent annually. New institutions are emerging to face the challenge of caring for an aging population.

As the baby-boom generation approaches 50 years of age and over, the demand for hospital care, nursing homes, and other health care institutions will continue to rise, along with the demand for workers

to service these institutions. Nurses, nurses aids, orderlies, medical and dental technicians, aseptic janitorial services, and other trained health care personnel will be needed to staff both existing health care facilities, as well as newly-constructed institutions.

A second growth industry, unfortunately, is crime, and with it, crime prevention. The demand for both private and public sector security services to staff our courts and correctional institutions is growing exponentially with the increase in crime. Overcrowding of prisons leaves states with little choice but to build additional prisons and jails. These facilities will require trained employees, including correctional and security personnel as well as maintenance personnel and other support staff.

Further, the demand for private security guards by store owners and shopkeepers has significantly increased and will continue to do so well into the next century. Whether we like it or not, security, protective services, and prison construction and operation are burgeoning industries.

The food and beverage industry is a third area with growing demand for semi-skilled and skilled workers. Employment for chefs, cooks, salad-makers, and other kitchen workers is expected to grow rapidly irrespective of the health of the economy because these workers are needed to staff cafeterias and kitchens, such as those in the growing health care and crime prevention industries. Food service jobs in nursing homes, hospitals, schools, sports facilities, and other public and private institutions offer an opportunity for high school graduates, disenchanted youths, minorities, and women who may first be entering the labor market to begin a career in a growing industry sector.

Finally, landscaping is a significant growth industry. Gardeners and groundskeepers face excellent employment prospects. Expected growth in the construction of commercial and industrial buildings, shopping malls, health care facilities and correctional institutions, highways, parks, golf courses, and other recreation facilities should stimulate demand for these workers.

► The Proposed LITE SET Curricula

The LIUNA Service Employees Training Program (SET), which will be managed and overseen by LITE, is proposing to train workers in the service sector, including maintenance crafts, health care services, janitorial services, food services, public and private protective services, and in various branches of landscaping.

The crafts within the SET program were selected for four distinct reasons: (1) the rising demand for workers in these industries assure that jobs will be available at the apprenticeship and journey levels for our trainees; (2) the skills and experience needed to enter the job market in the targeted crafts are obtainable within a reasonably short period of time if the entrant enrolls in a well-structured training and/or apprenticeship program; (3) excellent opportunities exist for movement up a career ladder within these sectors; and (4) through our numerous collective bargaining agreements, including agreements with service contractors already in place, LIUNA is familiar with the work environment and skills needed to be successful in these particular service sectors.

The SET program will rely on a combination of community college courses, training Fund courses, and hands-on training through formal apprenticeship programs or comparable programs. Agreements will be established with employers and others to use their equipment during the training, if needed, and to provide employment for our apprentices and graduates.

The SET program relies on the same, successful structure that was employed in our historical training ventures: federal or state seed money to establish the kernel of a training program, relying later on employer contributions for sustained growth. The SET program is comprised of five discrete training curricula: (1) maintenance crafts; (2) health care services; (3) food services; (4) public and private protective services; and (5) various branches of landscaping. Examples of curricula are the maintenance crafts and health care services.

General Maintenance Mechanic

Under the SET program, LIUNA will establish an apprenticeship program for the maintenance mechanic, similar to the program envisioned at the California State University (CSU) campuses. A maintenance mechanic is a skilled craftsman trained to the journey level in more than one craft. For example, a maintenance mechanic could be a skilled electrician and carpenter, or a skilled plumber and painter.

The training program and curriculum for the maintenance mechanic craft would consist of modules derived from the curriculum for each of the individual crafts. The crafts that will be represented in the maintenance mechanic training program include:

- | | | |
|-----------------------------|----------------------|-----------------|
| • Plumber | • Electrician | • Laborer |
| • Building Service Engineer | • Carpenter | • Painter |
| • Sheet Metal Worker | • Operating Engineer | • Auto Mechanic |

The curriculum will consist of classroom training at a local community college, hands-on training at the job site and local training centers, and oversight by skilled journey-level instructors.

The maintenance mechanic apprenticeship program will be established at public and private institutions that have already expressed interest in the program. For example, the physical plant at West Virginia University in Morgantown, WV is interested in implementing a formal apprenticeship program for entry level employees in plant operations and maintenance, similar to the apprenticeship program proposed for the CSU system. In addition, several different school districts and housing authorities throughout the nation are extremely interested in hiring maintenance mechanic journey workers and apprentices.

Health Care

Employment in the health care industry rose from seven million in 1988 to approximately ten million in 1992, representing an average annual growth rate of 9.3 percent. During the past decade, this industry's employment growth surpassed that of the rest of the private economy -- a trend that is expected to continue through the remainder of this decade. Allied health personnel (i.e., workers who assist physicians and other specialists) is one of the fastest growing occupational sectors in the entire health care industry. Between 1980 and 1990, this sector experienced a 44 percent growth in employment.

Although the future of the health care industry may be influenced by the health care legislation likely to be enacted over the next year, there is no indication that employment in this sector will decrease or remain stagnant. With an aging population more dependent on health care services, all indications point to a health care industry that will continue to exhibit a strong, healthy demand for well-trained workers to staff new and existing health care institutions. The demand for paraprofessionals will especially increase as we look for new ways of reducing health care costs.

The SET health care training program will be modeled after the L-AGC Construction Skills Training Program, which consists of a series of courses designed to encourage upward mobility within the construction industry. Under the construction program, for example, the career path includes the establishment of a school-to-work connection, competency, certifications for each step of the path, and college accreditation for the curriculum. The SET health care career path will include similar stepping stones. For example, the career path may begin with the aseptic janitorial engineer, and progress upwards to nurses aid or orderly. Or if the new entrant prefers dentistry, he or she may begin as a dental assistant and progress to a dental technician or lab technician. Similarly, entry may begin at the nurses aid or orderly level, and progress to the dietary technician, X-ray technician, lab technician, and licensed practical nurse. LIUNA would again work with community colleges and accreditation programs to assure proper certification and accreditation wherever possible.

LIUNA currently has in place collective bargaining agreements with hundreds of health care facilities around the nation. The types of health care facilities with which we already have agreements

include hospitals, dental laboratories, health maintenance organizations, nursing homes, and convalescent hospitals. In addition, LIUNA has a unique and longstanding collective bargaining relationship with the Indian Health Service and currently has agreements with a significant number of the hospitals run by the Service in many western and mid-western states.

LIUNA is proposing to establish agreements with its current base of health care facilities to provide a health care training program that offers both career path and cross training opportunities. Table 2 below identifies some of the training courses that will be part of the SET health care training curricula.

TABLE 2
SET HEALTH CARE TRAINING

- | | |
|----------------------------|-------------------------------|
| • Licensed Practical Nurse | • X-Ray Technician |
| • Nursing Aid | • Dental Assistant |
| • Orderly | • Dental Technician |
| • Dietary Technician | • Aseptic Janitorial Engineer |

The SET health care training program will consist of courses that provide a career ladder for the health care worker. A SET Training Coordinator and LITE Field Representatives will meet with health care facility employers to identify specific training needs at their facilities. The LITE personnel will identify specific job openings, and will work with the local community colleges and local training Funds to establish a training program that will satisfy the needs of the health care institution. A career ladder will be defined for each facility that reflects the nuances of each particular institution, satisfying the employer's need for well-trained workers and the trainee's need for entry-level and career growth opportunities.

The SET program will compensate the trainee for the expenses incurred at the community college and will ensure the trainee a minimal stipend while enrolled in the program. Most important of all, the SET health care program is designed to offer a framework for career development, where health care workers who enter the program will receive mentoring on career choices and will be informed about job openings and training opportunities.

As an example of how the SET health care training program would work, let us focus for a moment on one possible scenario. The aseptic janitorial engineer could be an entry level position for the health care professional, and could represent the first rung in the career ladder. These janitorial workers are employed in hospitals, retirement homes, hospices, and other health care facilities. Because the aseptic janitorial engineer works around sick patients and people who may be relatively immobile and fragile, these workers need special training to ensure that germs do not spread among patients and staff, and that the facilities are kept exceptionally clean. The aseptic janitorial engineer will receive training in antiseptic use and universal precautions, chemical handling, bloodborne pathogens, cleaning the occupied patient unit and operating room, and safety for custodians.

Under the aseptic janitor training program, a SET Training Coordinator will identify employers who are interested in participating in the program. The Training Coordinator will identify the number of job openings available at each facility, and will arrange for the trainee to receive the appropriate training. The courses will be offered primarily through local Funds and will involve a combination of video and slide presentations, as well as personal instruction and hands-on training. The program will entail

approximately 40-hours of classroom and job-site stimulated training, prior to placement of the trainee on the job.

The aseptic janitor will be encouraged over time to seek additional training as a nurses aid, orderly, or technician, and will be encouraged to move up the career ladder, thereby providing new entry-level openings at that facility for custodial personnel.

3. TRAINING AND EMPLOYMENT OF VETERANS IN BASIC CONSTRUCTION AND ENVIRONMENTAL REMEDIATION SKILLS

► Overview

LITE proposes a training and placement program designed to address both (a) the need for trained construction and environmental remediation workers, and (b) the employment and skills development needs of recently released military personnel. The program will facilitate the transition of veterans from military to civilian life, enabling veterans to upgrade their skills to satisfy the demands of the civilian job market.

LITE, through its relationship with LIUNA and the Laborers-AGC Education and Training Fund and their local affiliates, proposes to train veterans in basic and specialized construction skills and environmental remediation needed to prepare them for jobs in the expanding construction and hazardous waste remediation markets.

► Dislocation of a Large Number of Military Personnel

Estimates from the U.S. Department of Defense (DoD) indicate that there will be more than one million veterans looking for work in the civilian sector by the end of 1995 as a result of the downsizing of our military with the end of the cold war. Military personnel - particularly those who have the least amount of recognized civilian job skills - face a hostile job market -- a market that is highly competitive and often unable to appreciate the skills gained during military service.

Although military training is most appropriate for some technical and specialized employment opportunities, veterans such as infantrymen, cannoneers, or battle tank crewmen may have to settle for civilian positions that offer little or no job security, personal or family benefits, or long-term career opportunities. Even military personnel who have attained more transferable labor skills such as those trained in facility or road construction or demolition, or as mechanics, will likely require additional training and certification prior to entering the civilian workforce.

Veterans as a group, however, have inherent qualifications that employers value highly: literacy; reliability; motivation; a track record of completing required tasks; ability to learn, follow and issue orders, and understand and operate within an organizational structure; and mission orientation. The men and women who serve in today's military are among the best trained and healthiest citizens our nation has to offer. They are disciplined and have a strong work ethic -- fundamental ingredients to success in the changing American labor market. When combined with focused, hands-on training in construction and environmental remediation, two areas with a growing labor demand, employment opportunities will be many and varied. Numerous construction and remediation contractors with whom LIUNA currently has collective bargaining agreements have already expressed a strong interest in hiring these men and women.

LIUNA is hereby proposing to help facilitate the employment of newly released veterans in lucrative and challenging construction and environmental remediation jobs by recruiting, training, and identifying interested employers in the civilian job market. The program will be introduced in locations where the demand for construction workers and environmental remediation workers far exceeds the supply of well-trained workers.

► **The Veterans Construction and Environmental Training Program**

The L-AGC and the American Legion propose to expand its current efforts to develop, implement, and operate a national joint training and job placement program to recruit discharged military personnel; train them in diverse construction and environmental remediation crafts as appropriate by worker interest and aptitude, and geographic labor requirements; accept them into LIUNA; and, upon completion of their training, place them in relevant and stable jobs.

The L-AGC will assume the principal role of providing the training and job placement under the proposed program; the American Legion will assume the principal role of trainee recruiter and employment counselor. To fulfill these roles, the following steps will be taken.

Craft Training

Successful applicants to this program will be trained in courses in general and basic construction skills such as concrete placement, mason tending, pipe laying, road line and grade control, trench protection, construction plan reading, and soil compaction. Emphasis in areas of instruction is on productive, efficient, healthy, and safe operation and maintenance of equipment. The training is hands-on oriented and experienced-based. A typical veteran trainee will receive at least 84 hours of craft orientation and general construction skills training, followed by approximately a year of on-the-job training. This combination of training and work experience serves to introduce the veteran to the industry and its work, while enabling the veteran to select suitable specialties and a career path, as well as to adjust fully to the civilian workforce.

Following the initial training and work experience, veterans may receive additional course instruction in specialized construction techniques or environmental remediation, specifically in the identification and safe removal of asbestos from existing buildings and hazardous waste operations needed for environmental remediation work. If the veteran has had military experience in areas such as drilling and blasting, tunneling, pipelaying, and equipment maintenance and repair, for example, specialized training leading to civilian certification may also be conducted, depending on worker interest and position availability.

Employment on Construction and Environmental Remediation Projects

The L-AGC has developed nationally-recognized training programs for construction laborers and environmental remediation workers. Veterans who have been recruited and trained under our proposed program will be hired to perform construction or environmental remediation work by employers who are committed to participating in the LITE initiative. The workforce on the projects will include experienced journeyman laborers teamed with newly-hired veterans.

It is expected that new entrants to the industry under this program will be paid by the contractor according to the existing locally-bargained wage rates for such new entrants to the industry. Wage rates and job classifications will vary depending upon local conditions. Wage rates will be consistent with applicable labor standards laws and regulations. Depending on the use of apprenticeship programs in specific geographic areas, some of the veterans may be incorporated into those programs. In such cases, the veteran would be hired at an apprenticeship wage, would receive mentoring, and would be assigned a personal journey-level trainer who would ensure that skills develop properly and both employer and employee are satisfied with the results. Otherwise, the veteran will be employed at prevailing or negotiated labor rates.

Job Placement; Access to Union Membership and Union Hiring Halls

A pivotal advantage of LIUNA's program to veterans is the program's relationship with the Laborers' International Union and its local affiliates, which will make union membership available to participants

who successfully complete the training program and go to work on a construction or environmental remediation project under the terms of a collective bargaining agreement.

A central premise of the LITE program is that, to the maximum extent possible, participants in the program should be treated the same as all other new workers who enter the industry -- with the same rights and responsibilities, and no specially-constructed classifications. Because they will become full members of the union, participants in the program will be expected to pay initiation fees and dues in the same manner as other new members. Recognizing that many dislocated veterans may not immediately have funds available to pay full initiation fees, the union will arrange for the payment of initiation fees over an extended period of time.

4. STATE OF CALIFORNIA MAINTENANCE APPRENTICESHIP PROGRAM

► Overview

With funds from the State of California under Title III of the Job Training Partnership Act (JTPA), LITE, working with LIUNA, will combine its experience in developing and implementing worker training programs with its ability to identify and work with both the public and private sectors to place dislocated workers into apprenticeship programs in the State of California, ensuring the apprentice a reasonable wage with benefits while he or she is trained to the journey level.

The proposed training program provides choices and opportunity for advancement along career paths in an area with an expanding demand for workers. By following our traditional approach of working closely with local and regional employers, job opportunities are identified before training begins so that the nuances of the job and the specific work environment are known prior to commencement of the training. Thus, LITE is better able to ensure that work habits and skills develop properly, that workers have an opportunity to apply the newly-gained skills, and that both the employer and worker are satisfied with the result.

► The California Apprenticeship Proposal

LITE will begin its training program with the California State University (CSU) system, which has already established a Joint Apprenticeship Committee to oversee and manage apprenticeship programs on its campuses. Through the State Employees Trade Council and Local 1268, LIUNA has in place an agreement with CSU for an apprenticeship program in the following 10 crafts:

- | | |
|---------------|-----------------------------|
| • Carpenter | • Building Service Engineer |
| • Painter | • Operating Engineer |
| • Electrician | • Automobile Mechanic |
| • Plumber | • Sheet Metal Worker |
| • Locksmith | • Refrigeration Mechanic |

Each of these apprenticeship programs combines classroom training with on-the-job training. For 36 to 48 months, apprentices work under the close supervision of a trained journey instructor and are taught the basic skills of the trade. LIUNA will take full responsibility for developing the apprenticeship program (i.e., course curriculum and skills identification), and for providing oversight of the apprentices on the job. The apprentices receive classroom training at local community colleges and at local labor training facilities, where courses are developed and presented to best reflect the needs of the worker and the training program.

Although 10 apprenticeship programs have been developed already within the CSU system and are about to receive approval from the State of California, implementation of the program has been frustrated by budgetary problems within the State. Crafts job vacancies have remained unfilled at most CSU

campuses because of a lack of funds for training and employment. Although the CSU apprenticeship program holds great promise and much ground work has already occurred in setting up the program, it is also an easy victim of budget cuts because the program is not well established and active. Thus, if Title III funds can be used to implement the program successfully at some of the CSU campuses, LIUNA is convinced it will take on a life of its own and will be better able to sustain itself over time.

The demand for skilled crafts workers, however, goes beyond the CSU campuses. Local school districts, housing authorities, and the private sector also need skilled crafts workers to maintain and upgrade their facilities. Currently, LIUNA has collective bargaining agreements in place with the Los Angeles Unified School District and the Los Angeles Housing Authority; therefore, they would be a natural next step when the apprenticeship program at the CSU system is ready for expansion. It would be relatively easy for LIUNA to identify job opportunities for trained crafts workers and apprentices/trainees within the LA Unified School District and Housing Authorities because the same skills are required to maintain those facilities as are needed in the CSU system. Such an expansion in the number of potential employers would facilitate placement of trainees, offering workers a variety of opportunities within a given local job market.

► **Apprenticeship Training**

LIUNA is proposing to fully implement the 10 apprenticeship programs already developed for the CSU campuses, and to develop an eleventh apprenticeship category, the "maintenance mechanic." The maintenance mechanic is a worker who is trained to the journey-level in a combination of crafts (e.g., carpenter and electrician, as well as general maintenance worker). The job classification combines the skills and training requirements for different disciplines, and requires the worker to have well-honed skills in several different crafts. This combined job classification represents a step up on the career ladder for any journeyworker practicing an individual craft, and provides the employer with an employee who is more flexible and capable of performing a wider variety of tasks.

The training program and curricula for the maintenance mechanic craft would be based on the training programs for the individual crafts, and would rely on classroom training at a local community college, job-site simulation training at a local labor training facility, and oversight by skilled journey instructors.

The maintenance mechanic classification represents a significant and innovative approach to traditional crafts training because the training curriculum would be customized for each worker. Modular units in the training program would be selected to produce an individualized training program that reflects the entry-level skills of the worker and the different combination of craft skills the worker wishes to attain. LIUNA will take the following steps in implementing the 11 apprenticeship programs within the State of California.

Solidify information about the number and location of job openings at the different CSU campuses, within local school districts, and other potential employers in California.

LIUNA will only train workers at sites that have real/budgeted job openings for workers in those crafts. These vacancies must represent new job openings, not vacancies left by laid-off workers.

LIUNA will work through the Joint Apprenticeship Committee (JAC) that is already established to oversee and manage the apprenticeship program within the CSU system. The JAC is comprised of four union representatives and four representatives from the CSU system. Letters will be sent and contacts made with each CSU campus, requesting commitments for hiring apprentices and trained workers. Based on conversations we have had with several of the campuses and other California school districts, we fully expect that 10 to 15 CSU campuses throughout the

State will hire journey and/or apprentice workers in several of the crafts, plus several public school districts will enthusiastically participate in the program.

Identify local community colleges or other training organizations that already have applicable training courses available.

Depending upon which crafts are needed at which CSU campuses or California job sites, LIUNA will identify courses that already exist or that can easily be put into place at local community colleges or technical schools. It is anticipated that the community college system will provide the basic skills training for the apprentice, and that one of three training facilities run by our local training funds will augment the classroom training by offering hands-on, job-specific training in concentrated 40-hour modules. These local labor training facilities are located in San Ramon, California (capable of servicing northern California); Anza, California (capable of servicing central California); and San Diego, California (capable of servicing southern California).

Identify job candidates.

Each of the campuses in the CSU system makes autonomous hiring decisions based on its individual needs and budget. The campus may take the initiative and advertise a job opening or in other ways identify a potential worker at either the journey or apprentice level, or may rely on the local labor hall to identify job candidates. LIUNA would work closely with the local California Title III Coordinator to place workers in the apprenticeship program. Because of the high unemployment rate currently in California, identification of job candidates is simply not a problem.

Match journey instructors with the apprentices to ensure proper training on the job.

The local labor hall will identify appropriate journey instructors for each apprentice and will work with the individual employer to implement the employment details. Under the tutelage of a skilled journey instructor, apprentices will receive proper training in the skills of their craft.

► **Hazardous Waste and Asbestos Abatement Training**

A second area where CSU maintenance personnel need training is in hazardous waste identification and asbestos abatement. Cal-OSHA has been on the CSU campuses on several different occasions and found CSU system-wide in violation of the Hazardous Waste Operations and Emergency Response (HAZWOPER) standard for improperly storing and caring for hazardous substances, and in violation of the asbestos abatement standard on several CSU campuses.

Many of the buildings on the older campuses were built 50 to 80 years ago. Asbestos was used during that period in doors, walls, floor tiles, and in numerous other facility components. Several surveys have been done on the older campuses and asbestos has been found to be ubiquitous. It is not uncommon, therefore, to encounter asbestos when doing minor repairs around an older facility. Given the nature of their jobs, maintenance personnel must receive training in asbestos abatement to understand the appropriate health and safety precautions that are required to do their jobs safely.

Similarly, hazardous medical and laboratory chemicals and wastes, as well as chemicals used in cleaning throughout the CSU campuses, must be handled with special care to protect the worker and the public. Hazardous materials must be stored and disposed of properly to prevent harm to human health and the environment. There is an acknowledged need for HAZWOPER and asbestos training for maintenance personnel and others working around these materials.

L-AGC already has a 45-hour HAZWOPER training course and an asbestos abatement course in place in Anza and San Ramon, California, and an asbestos abatement course at Rancho Dominguez, California. These training programs have been approved by EPA, OSHA, and NIEHS. The CSU

apprentices will be trained in hazardous waste and asbestos abatement, as well as in the skills of their particular crafts.

► **Summary**

The CSU/California maintenance and service craft training/apprenticeship program relies on Title III funds for seed money to start the apprenticeship program at some of the CSU campuses and other California job sites, and to fund some of the curricula development activities for the maintenance mechanic craft. The program will continue to rely on the infrastructure already in place: those well-established contacts with industry and, in this case, the CSU campuses; those links with displaced and underemployed workers; and those lessons learned since 1962 in training adult workers and ensuring that the trained worker is placed in a productive and satisfying job that utilizes the newly-gained skills. The California Maintenance Apprenticeship Program will use a combination of classroom training through established courses within the community college system in California and courses taught at our local labor facilities. The labor training facilities will provide craft-specific hands-on training, as well as hazardous waste and asbestos abatement training; the job site itself will provide on-the-job training under journey instructor supervision.

LIUNA fully anticipates that within a relatively short period of time, the California apprenticeship program will become self-sufficient. Efforts will be made to establish a fund between the apprenticeship groups that will sustain the program, and expand it eventually into other school districts and housing authorities throughout the State. The Title III funds will provide a jump-start to the program, enabling the employers to continue supporting an already successful program.

C. ADMINISTRATION

The training programs will be coordinated and managed through a non-profit institution called the Laborers' Institute for Training and Education (LITE), which has been organized as a joint labor-management trust fund under Section 302 (c)(9) of the Taft-Hartley Act. LITE will work within LIUNA and its Fund structure to identify training opportunities and career path needs, identify appropriate federal and state funding sources, design training proposals in conjunction with existing union organizations and contractor/employers, and otherwise provide technical assistance to the training and employment effort. LITE is designed to address LIUNA's training needs across a number of functional and national levels, and to integrate those training needs with the various DOL national and state-based initiatives for school-to-work and other skills training programs.

LITE will not, per se, engage in actual training activities or curriculum development. Instead, it will serve as an information exchange and coordinating organization with the Department of Labor, the Department of Education, and other interested agencies in providing a system that will enable a "single point of contact" for these agencies, a single coordinating body within LIUNA and its Funds for implementing this program, and a single stop shopping system for applicants and employers. LITE will function primarily as a facilitator: identifying national employment opportunities; ensuring that training programs successfully implemented in one location are expanded and introduced into other locations; overseeing curricula development as needed; and assisting LIUNA regional and local organizations in designing training programs and accessing state and local training funds.

LITE's basic design for this demonstration project consists of four field offices that provide coverage to the 11 LIUNA regional offices throughout the country, and a headquarters unit or Secretariat, responsible for providing the necessary support services and coordinating with the national and field programs. Each component of the LITE budget will be discussed briefly below.

a. DOL Liaison Office

The DOL Liaison Office will be managed by the LITE Program Director, who will be the principal point of contact with DOL in determining appropriate training initiatives and in arranging the necessary contact with states and other entities. The Program Director will be a senior union representative who will devote 50% time to directing the LITE initiative. The Director's primary responsibility will be to interact with LIUNA and L-AGC officers and staff, major national employers, and DOL to ensure that our annual employment and training goals are efficiently and effectively achieved. The Director will interact with the LITE Field Representatives and LIUNA local business agents throughout the country, helping to identify national employment leads that may be translated into local employment opportunities, ensuring that successful training programs are implemented in other locations, and facilitating an efficient and effective flow of information between all interested parties.

b. Program Marketing

A major LITE field activity will be to work with LIUNA regional and local organizations and the employer community to develop training packages and employment programs on a project-by-project basis. It is anticipated that LITE will employ four, full-time Field Representatives who will be responsible for working with union personnel and employers in LIUNA's 11 regional offices. Each LITE Representative will have an office in one LIUNA region, but will have responsibilities across several regions, depending on the size of the region and the likely employment opportunities within that region. Each Field Representative will also be supported by a part-time secretary.

Establishment of the field offices staffed by local personnel will help ensure that local and regional employment opportunities and training resources are identified in a timely manner, and that travel costs are minimized. The Field Representatives will work with LIUNA regional and local organizations and the employer community to develop training packages and employment programs designed for specific local, employment opportunities. They will be responsible for identifying employers willing and interested in participating in the LITE program, and in overseeing and coordinating the development and implementation of local training programs.

c. Secretariat

It is anticipated that the Secretariat will provide the necessary support and coordination services for the LITE program, including the collection and dissemination of relevant information and documentation among LIUNA, L-AGC, DOL, and the Field Representatives. It will also provide such administrative and financial management support that will be required for the LITE organization, as well as house administrative and technical support resources for those entities obtaining funding that may need assistance in setting up or administering a particular program. The LITE Secretariat will be located in Washington, DC, where an office will be established that will house the LITE Program Director, an Administrative Assistant, the Research Coordinator (discussed further below), and a Secretary.

The Program Director will manage the Secretariat and will have a full-time Administrative Assistant, who will be responsible for administrative and financial management support (e.g., timely and proper submittal of progress reports to DOL), and will assist the Program Director in every-day management responsibilities, including coordinating with the field offices and following-up on curricula development issues.

d. Research and Applications Unit

The Research and Applications Unit within LITE will operate under the direction of the LITE Research Coordinator, a senior person with experience developing grant proposals, identifying funding sources, and generally providing technical support to field personnel. It is anticipated that this unit will be staffed by a half-time Research Coordinator, consultants, the Program Director and the Administrative Assistant who are part of the Secretariat, and other Fund personnel, as needed. The Research and Applications Unit will be responsible for economic and demographic analyses that will identify national, regional, and local growth industries where dislocated and unemployed workers may be effectively trained and employed. It will also assist the LITE Field Representatives in identifying state funding sources that may be used for training development and implementation, and will provide technical resources necessary to develop different training and employment programs.

e. Key Personnel

The Administrator of LITE is Terence O'Sullivan who is also staff assistant to the General President of LIUNA. Mr. O'Sullivan has an extensive background in training, including many years as the Training Director of the West Virginia Training Fund, one of the local Funds affiliated with L-AGC. Mr. O'Sullivan also chairs LIUNA's Hazardous Waste Task Force and Housing and Urban Development Project Task Force. Mr. O'Sullivan will provide overall guidance to the project staff and will provide a direct link to LIUNA and the contractor trustees of the Fund. Mr. O'Sullivan's time will not be charged to the grant.

D. USE OF EXISTING SERVICES AND RESOURCES

LITE will call upon the services of LIUNA regional managers and business agents in developing the employer/union program. In addition, LITE will utilize the substantial resources of L-AGC and its 66 local funds in implementing this program. Additional services of the Laborers' Health and Safety Fund of North America (LHSFNA) and the Laborers-Employers Cooperation and Education Trust (LECET) may be integrated as well. These services will not be charged to the grant.

E. COORDINATION AND LINKAGES

LITE, as the broker for job development, will have access to potential eligible participants for the project, arrange for the training of all project staff, establish One-Stop-Shop sites within each region, arrange, with L-AGC, for the apprenticeship training for the dislocated workers and all other project activities and services.

- Identify existing sites and programs that can serve as model partnership programs.
- Identify new career path data apprenticeship training curricula to be developed.
- Identify employment opportunities by geographical areas, employment participation and other facts.
- Identify new Joint Labor-Management Training Trust Funds (JLMTTF).
- Examine methods to link Joint Labor-Management Training Trust Fund automated data systems with Employment and Training Administrations' related administrative functions.
- Identify and propose regulation and procedural changes for the delivery system that can interface with contractor and government programs and agencies of the Department of Labor, with JLMTTF resources.
- Identify existing Joint Labor-Management Training Trust Fund training with jobs.

- Bring together national, regional and local employer groups, LIUNA-AGC officials, Trust Fund administrators, training directors and educational/training experts.

LITE will also work with local employers to examine the job potential and to target slots for hiring project participants with unsubsidized wages and fringe benefits.

► **Steering and Advisory Committees**

The Program Director will serve as the communication agent among the regional representatives, DOL, ETA, and Dislocated Worker and other agencies, LITE staff, and employers.

A National Steering Committee will be appointed with four members from LITE appointed by the co-chairmen, including LIUNA and contractor members, and four members appointed by the Assistant Secretary of Labor for Employment and Training to represent each of the DOL agencies.

The responsibilities of the National Steering Committee will include coordinating DOL agencies participation, trouble shooting all problem solving, budget and fiscal controls, project schedules and selection of One-Stop-Shop locations, approval of proposals and recommendations for the selection of participants, required agreements for job placement, provision of apprenticeship training and administrative and management procedures.

The National Steering Committee will meet periodically to make decisions on the agenda developed by the Program Director, with input from Steering Committee members and those involved in implementing and evaluating the project.

Local Advisory Committees will be formed in a representative number of LIUNA regions which will be comprised of members from LIUNA and contractors and employers and each participating state agency. The responsibilities of the regional advisory committee are to implement the recommendations of the National Steering Committee on the local level. The Program Director will organize the formation of the advisory committees and the coordination of regularly scheduled meetings.

► **Evaluation Plan**

The Evaluation Plan for this Job Development Broker Demonstration Project will attend to the process toward the implementation of all project activities, the timeline and the budget and suggest adjustments to ongoing activities. The product assessment examines the quality of written documents, apprenticeship training materials, activities and delivery services and the partnerships and support services inherent in this proposal. Impact evaluation assesses the effectiveness and responsiveness of the services provided, primarily for dislocated workers.

The purpose of the Evaluation Plan, therefore, requires both formative and summative evaluation. Formative evaluation will focus on the issues associated with process and product evaluation to generate ongoing recommendations to improve products, procedures, services and to ensure the project is on time, within budget and well publicized. Summative evaluation will concentrate on determining the impact of project participation on the skills level, training success, job performance and perceived success of the dislocated workers and employers.

Project staff and "expert" consultants for apprenticeship training development will bear the responsibility for product evaluation. Using predetermined standards and criteria as quality control checklists, a panel of project staff will review products to assess their adherence to expectations and make recommendations for improvement.

Process evaluation will be conducted primarily by the project staff, the National Steering Committee and the regional advisory committees. Reviews of progress reports and budget updates on the agencies of the regularly scheduled meetings of these groups will lead to suggestions for the timely, efficient operation of the project.

The impact evaluation will be conducted primarily by an outside evaluator. This outside evaluator will also compile and present the findings from the process and product evaluation activities in the evaluation reports. Thus, the outside evaluator will participate as a member of the National Steering Committee, will visit/observe training and on-the-job sites and will analyze the quantitative data from the Program Director to devise both the final evaluation plan assessment instrument and sampling designs used where and if appropriate for selecting treatment and control groups.

The major questions that will be addressed through the impact evaluation are: How many workers have been served, and in what apprenticeship programs? How much have their workplace skills improved and what has been the impact of participation of the dislocated worker to succeed in employment? To ensure long range employment, accurate records of all trainees applying and participating in the project will be maintained. In addition, quantitative assessments of participant skills on specific work related skills in each apprenticeship training program will be collected before and after training. The outside evaluation will also collect, analyze and present data about the usefulness of the apprenticeship training and the effectiveness of the job broker components of the project drawn from interviews and surveys with dislocated workers, instructors, counselors, employers, DOL and LITE staff and administrators.

F. PARTICIPANT SERVICES

As training funds are acquired, dislocated workers who are recruited as participants in this Job Development Broker Demonstration Project will have the following services available to them from the time of enrollment until 90 days after placement in a job:

- an opportunity to obtain all marketable job skills to become and remain fully employed.
- an opportunity take part in an apprenticeship program with classroom instruction and on-site training.
- an opportunity for upward mobility in a career path through continued learning and college degree programs.
- individual counseling to set and attain career goals and to manage daily activities during the following the project period.
- support for the Department of Labor and appropriate agencies, LIUNA-AGC and employers in the form of caring concern and referrals to specific resources, when needed.

G. OUTCOMES

► The Number of Participants

Depending upon actual accessibility of funding for the programs described in this proposal, LITE anticipates recruiting and enrolling a significant number of participants during the duration of the program. The specific number of enrollers into each industry will depend upon the success-resistance encountered in the regions selected for this pilot. It will also depend upon the market conditions and the economy. Both the construction and environmental remediation industries have cyclical patterns and are subject to fluctuation depending upon when appropriated funds are spent and projects are actually begun.

This program will expect that there will be attrition based upon an average rate of one third per year. We will use this figure for a 18 month period despite a variation in some industries where weather and job termination in construction will have an adverse impact on this number. We are confident that we can place a very substantive number of all individuals who complete the services because we will have a collectively bargained agreement to retain all those who complete the services.

► **Measurable Effects**

The training offered varies between industries and to a limited extent between companies within similar occupations. This results from our ability to tailor services to specific needs of individual companies which will specify the required outcomes. Skills, to be developed both on-the-job and in informal courses, and competencies, which vary from individual to individual, will influence the success of the program.

Construction and environmental workers will be provided on the job training in a multitude of areas leading to the acquisition of skills and competencies associated with the industry segments in which they will work. The L-AGC provides more than ninety different skill training courses which grant certificates upon completion. Many of these courses have been assessed by ACE/PONSI as being the equivalent of college courses.

The skill training and specific competencies for the remaining industries will be developed in direct relation to the specifically negotiated agreements with individual firms. This allows for market driven training that enhances its values to both employer and the trainee.

During their careers, participants can be expected to matriculate these courses with college equivalencies and, together with additional work, they will have an opportunity to gain associate and bachelor degrees through Edison State College and other institutions.

All LIUNA trainees are given safety and health information and material. This occurs prior to work in the construction industry. This is competency based in the environmental industry and part of the on the job training in the other four industries.

► **Average Wages for Participants**

Because of the range of occupations and geographic differences between wage rates, we expect to achieve a gain in wages as a result of the program completion. This does not include a significant gain in fringe benefits including health care, sick leave, vacation and holiday pay and pension programs.

We estimate that the wages prior to the project to average \$5.00/hour across all industries. We expect that they will be \$7.50/hour after the project, but that they can range into the \$10.00 per hour level in construction and environmental restoration.

► **Customer Satisfaction with the Services**

LITE will monitor all phases of delivery of the services provided. It is standard practice for LIUNA to formally evaluate programs. It is customary to monitor expectations prior to inception, during the delivery and following the completion of every course and the program services. This method of before, during and post service evaluation will be included in this program. The review of the results of this evaluation will be used to gauge customer satisfaction and to refine and re-develop existing services to tailor them to changing needs and new delivery techniques as well as correcting areas which are required. Comparisons will also be made with other service strategies and with outcomes achieved by individuals not receiving such assistance.

H. REPLICABILITY

LITE has considerable abilities to duplicate these projects both internally within LIUNA and across other unions who are members of the AFL-CIO Departments of Building Trades, Industrial Union and Public sector, as well as within the contractor participant community.

L-AGC's training directors and training fund administrators meet regularly over the course of each year and this program will be given prominent visibility. The LIUNA region's also meet regularly and the development of this program will be included in the meeting agenda. This will provide exposure to elected decision makers at the District Council level.

LIUNA retains close and developed relationships with unions which represent many of the organized workers in similar industries through the Building Trades Apprenticeship Committee; the AFL-CIO's Education Department's regional and national level meetings and conferences; and with the industrial and public sector unions regular education and program meetings. In addition, LIUNA maintains many bilateral relations with other unions such as CWA, NEA and AFT, whose members represent workers in the education and technological industries.

As a labor-management organization, LITE, through its contractor trustees, has extensive access to trade associations and individual contractors across the industry and the international spectrum.

We believe that the replication possibilities are one of the strongest aspects of this proposal. The network provided both internationally and externally to LIUNA is vast. LIUNA has extensive relationships across Canada and within the expanding North American Free Trade Agreement signatories. The publicity associated with the program's achievements should be expected to be given maximum exposure in the LIUNA's marketing and communications programs, in that this type of approach makes the union attractive to both contractors and potential members.

See o/c

Labuan, Ind'l Un
- agreed

DRAFT

October 19, 1994

MEMORANDUM

Problems with Agencies despite the Administration's assurances of Cooperation

LIUNA and its funds are encountering serious problems with a number of Cabinet Departments and Agencies in trying to help them carry out their programs under this Administration. The basic problem is that we have received no cooperation, or at best foot dragging cooperation at many Departments and Agencies. Efforts to obtain help through political or administrative challenges have been unavailing. This atmosphere of non cooperation seems to be fairly pervasive throughout the agencies.

A few of the more glaring examples include:

Department of Education

This is perhaps the best example. The 103rd Congress appropriated monies in FY 94 specifically for the continuation of a LIUNA construction skills training program. For ten months the Department would not tell us what happened to these monies. Finally, with White House support we obtained a meeting with the Department representatives who advised us that our monies had been spent on another program and there was nothing they could do about it even though they acknowledged that we had been misled as to the availability of these funds. We were then offered an opportunity to compete for a much smaller grant in the program to which they had transferred the monies. However, we determined that this program did not fit our needs and that the amount of funding available to an individual grantee was simply not sufficient for our purposes.

In a second situation involving literacy training, despite submission of a very well developed proposal encouraged by the Department and the Department of Labor, we were not funded. In our judgement, our proposal was clearly subjected to a process of review that simply did not take into account the organizational structure and needs of construction workers and our type of construction training programs.

Environmental Protection Agency

Despite our best efforts, Labor has not been involved in their programs. We had far stronger ties and access with the previous Republican Administration at EPA. For example, the EPA Administrator refused our repeated requests to be involved in the development of the Administration's Superfund reauthorization proposals involving prevailing wages and worker safety and health, and then opposed our efforts to attach prevailing wage provisions to Superfund when the Administration's proposals were being considered by Congress. The previous Administration had been supportive.

In addition, despite requests to have our representatives included on various advisory committees, including the Environmental Justice initiatives, we have simply been ignored, or asked to serve on much lower level technical groups.

Indeed, in the two years of this Administration, we have yet to obtain a meeting with the Administrator despite repeated requests to the EPA political staff.

Department of Commerce

Recently, LIUNA through its joint labor-management training fund filed a telecommunications grant application with the Commerce Department. Over a hundred winners were selected. No trade union application was approved. On the merits, the application should have been approved. Once again, it appears, like the Department of Education, that we are not in the "club" and that the Department is simply undertaking business as usual.

Department of Energy

Our position with the Department of Energy is far worse under this Administration than under the previous Administrations. The Secretary of Energy has deliberately undertaken a program to ensure the continued employment of industrial production workers at the nuclear weapons complex. Regardless of the merits of this decision, the Secretary has chosen a process of implementation that is designed to retrain the production workers for environmental cleanup in a program that replaces our construction workers who also have strong work histories at these facilities. This mindless approach has caused terrible conflict within the work force at these facilities and has created very serious labor strife. Much of this controversy could have been avoided had the Department undertaken serious dialogue with us on the workforce problems.

This policy of excluding the construction workers from the Department's consideration in any meaningful sense also translates to very difficult working relationships other areas, including safety and health, training and prevailing wage enforcement.

Department of Labor

Despite our continued efforts, many of our concerns expressed to the Department of Labor at the outset of the Administration remain unresolved. Most notably, there is still no Rulemaking set by the Department on the helper issue even though there appeared to be a commitment by the Department to deal with this issue administratively rather than through Congressional action where we were prepared to submit the issue to a vote and were confident of the outcome on the Appropriations bill.

A request to the Employment Standards Administration at the Department to predetermine joint labor-management cooperation funds under the Davis-Bacon and Service Contracts Act sits unanswered after a year even though it is in the Administration's interests to promote labor-management cooperation through these activities.

At the Department's urging, we have developed a comprehensive series of worker training initiatives that would go far in implementing the Administration's job training and school to work programs. We have been working with the Department for over a year on these programs and have yet to see results in funding and implementation.

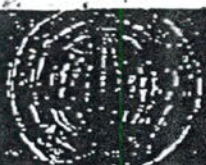
Department of Transportation

Congress appropriated funds for several grants at the DOT. These grants were appropriately for our labor-management health and safety fund. The DOT Federal Highway Administrator decided to compete grant funds for lead training in a way that was not consistent with the Congressional Directive and to give the other funds to another agency despite the Congressional directive to do otherwise. Only after the extensive intervention of the Congress and the White House was the lead grant funding properly directed to the health and safety fund. The other grant money, for a study of crumb rubber effects on asphalt is still not resolved despite continued Congressional urging.

Conclusion

These examples are illustrative of a seemingly pervasive situation in the Administration with the Departments and Agencies either not responsive, or responsive only after much prodding. Repeated requests to the White House for assistance result in limited responses. We have not asked for any intervention in the competitive process where that is applicable, but only that we compete on a "level" playing field. This is not happening in many instances.

Two recent memoranda relating to these activities are attached.



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JAMES J. NORWOOD
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Secretary-Treasurer

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Assistant to the
General President

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General Counsel

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

MEETING LIUNA - WHITE HOUSE OFFICE WITH ASSISTANT
TO THE PRESIDENT AND DIRECTOR FOR PUBLIC LIAISON

August 3, 1994

AGENDA ITEMS

- I. Department of Defense
 1. American Legion - LIUNA Veterans Training Project
 2. National Environmental Education and Training Center at Indiana University of Pennsylvania
- II. Department of Education
 1. Basic Skills Training Program
 2. Literacy Grant Proposal
- III. Department of Transportation
 1. Crumb rubber research
 2. Lead in bridges training
- IV. Environmental Protection Agency
 1. Superfund

INNOVATION

HEADQUARTERS 905-16th Street, NW • Washington, D.C. 20018-1763 • (202) 737-8320 • Fax (202) 737-2754

from the \$3.16 million that Congress had directed in its appropriation report

Ms. Alexis Herman
Mr. Michael Lux
August 17, 1994
Page 2

previously provided to you. Basically, the official DOE position is that they could not refund our program under their rules, notwithstanding the Congressional Directive. While apologetic for misleading us for almost a year on the possibility of refunding, they indicated that the funds in question are being utilized for a different program involving Vocational & Academic Learning.

We were provided with the pending RFA issued 8/1/94 for these funds and were invited to submit an application. We indicated that Laborers-AGC would consider applying for these funds if it could be assured of fair consideration by DOE and review by individuals with an understanding of the construction industry and the kinds of training programs operated by the Laborers-AGC. Since DOE has seen fit to utilize the funds earmarked for our program in this new initiative, we want to make sure that the program is responsive to our training needs and that the Laborers-AGC has a genuine opportunity to secure substantial funding from the grant program.

Department of Transportation

Since our meeting we can report that the Department of Transportation has informally indicated they will be reissuing the RFP for Lead on Bridges Training to conform to Congressional language that focuses the training on workers. We have also been informally advised that DOT is revisiting the decision to give the crumb rubber research money to NIOSH instead of a joint labor-management fund as specified in the legislative history of the appropriations bill. However, no action has been taken on either matter as of this writing.

Environmental Protection Agency

EPA has not changed its position opposing Davis-Bacon coverage in the Superfund Reauthorization legislation.

I will be happy to fill you in with additional details at your convenience. Thanks again for your consideration.

DEE/n

Attachment

cc: Robert Connerton, LIUNA
Jack Curran, LIUNA
Dave Mallino, Connerton, Ray & Simon

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA



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10th Vice President

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BERT J. CONNERTON
General Counsel

October 19, 1994

Maria Echaveste, Administrator
Wage and Hour Division
Employment Standards Administration
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

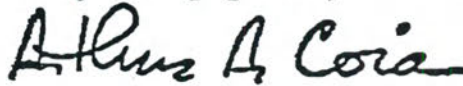
Re: Davis-Bacon Coverage of Demolition Projects

Dear Ms. Echaveste:

On January 3, 1994, on behalf of the Laborers' International Union of North America, AFL-CIO, I submitted a request to you for a final ruling that all demolition projects, regardless of whether they are followed by the construction of a public building or a public work, are covered by the Davis-Bacon Act. Attached for your convenience is a copy of our request. We have heard nothing to date.

We would appreciate receiving a report on the status of our request and when we can expect a final decision.

Very truly yours,



ARTHUR A. COIA
General President

dm
Enclosure

cc: Bernard Anderson
Assistant Secretary of Labor
Robert Reich
Secretary of Labor



LABORERS' INTERNATIONAL UNION *of* NORTH AMERICA

HEADQUARTERS: 905-16th Street, NW, Washington, D.C. 20006-1765 Phone: (202) 737-8320 Fax: (202) 737-2754

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ROBERT J. CONNORSON

General Counsel

Maria Echaveste, Administrator
Wage and Hour Division
Employment Standards Administration
U.S. Department of Labor
Washington, D.C. 20210

January 3, 1994

Dear Ms. Echaveste:

This is a request for a final ruling pursuant to 29 CFR § 5.13, that all federal demolition projects are covered by the Davis-Bacon Act. Under the existing Labor Department practice, federal demolition projects that are not followed by other construction are excluded from coverage under the Davis-Bacon Act. The merits of this practice have never been directly considered by the Department of Labor and, for the reasons set forth below, we believe this practice is inappropriate.

Summary

It does not appear that the Labor Department's practice of excluding "demolition-only" contracts from Davis-Bacon coverage has been examined on its merits since it was set out in a 1935 opinion of the then Attorney General. Because that opinion addressed only the much narrower 1931 version of the Act, it did not take into account the expansive language used by Congress when it amended the Act in 1935 to better accomplish the broad protective goals the Act was intended to secure. Therefore, reliance on this opinion as an interpretation of the present Act is misplaced.

The exclusion of demolition-only projects stands in marked contrast to the Department's own regulations that provide that virtually every construction industry activity is covered under the Act. This unique

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exclusion complicates the administration of the Act by introducing an arbitrary distinction not recognized in the industry, and not even applied by the Department in other contexts.

As the number of such "demolition-only" contracts have become more frequent, confusion and conflict over the application of this arbitrary exclusion has increased. The Department should interpret the Act in light of the 1935 amendments to include "demolition-only" contracts under the Act. This interpretation is at once simpler and more faithful to the intentions of Congress.

Introduction

The Davis-Bacon Act requires the payment of prevailing wages to laborers and mechanics employed on federal construction projects.^{1/} By establishing a minimum schedule of wages to be paid on federal projects, the Act protects the living standards of workers in the construction industry from the downward pressure on wages caused by the vast purchasing power of the federal government and its requirement that construction contracts be awarded to the lowest bidder. Consistent with the protective purposes of the Act, the Department of Labor has interpreted it broadly to cover nearly every type of activity in the construction industry, including the clearing of land, the excavation of foundations, the erection of all manner and types of buildings and public works, the installation of building systems, and final decoration and painting.

However, while the Department generally has given the Act an appropriately broad interpretation consistent with the intent of the Congress and the text of the statute, a curious and unique exception to the Act's

^{1/} [E]very contract ... for construction, alteration and/or repair, including painting and decorating, of public buildings or public works ... shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics which shall be based upon the wages that will be determined by the Secretary of Labor to be prevailing .. on projects of a character similar to the contract work[.]

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coverage has developed within a core construction activity -- demolition. Under current Department practice, most demolition of public buildings and public works is deemed covered by the Act. Yet, demolition not followed by other construction, is not. This dichotomy -- "demolition followed by other construction" versus "demolition not followed by other construction" -- is stated rigidly, even though both types of demolition projects are performed by the same construction industry contractors using the same construction work force and the same tools and methods.

The source of this distinction is the Department's reliance on a single sentence found in a 1935 Attorney General's opinion, an opinion interpreting the limited 1931 version of the Act. Despite the fact that the Act's scope was drastically expanded in 1935, the Department of Labor apparently has never undertaken a serious examination of its policy of excluding "demolition-only" contracts in light of these amendments. We believe the time has come for the Department to make this examination.

- I. The Department of Labor's curious practice of excluding demolition-only projects from Davis-Bacon coverage is based on an outdated Attorney General opinion.

While the coverage of demolition-only projects has not been directly presented to the Department for a ruling on its merits, the Department has recently acknowledged that it has "adhered to a longstanding opinion of the Attorney General that contracts for demolition without subsequent construction are not subject to the [Act]." (Letter of Deputy Assistant Administrator, Employment Standards Administration, U.S. Dept. of Labor, Nov. 27, 1991; Attachment A hereto.) The opinion referred to is the 1935 opinion of then-Attorney General Homer Cummings. 38 Op. Atty. Gen. 229.^{2/} However, the

^{2/} The Department's practice of excluding "demolition only" contracts from Davis-Bacon coverage is nowhere recognized in the Department of Labor's extensive regulations interpreting the Davis-Bacon Act. Instead, the only reference to this practice is found in the Department's Service Contract Act ("SCA") regulations, which provide this characterization of "demolition only" contracts as being excluded from Davis-Bacon coverage,

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Cummings opinion construes only the 1931 version of the Act, and takes no account of the comprehensive amendments to the Act made the very year the opinion was issued.

The 1931 version of the Act covered only the "construction, alteration, and/or repair of public buildings." Cummings concluded that this language did not encompass the demolition of public buildings, but reserved the question of whether the 1931 Act covered "a razing or clearing operation provided for in a building contract, to be performed by the contractor as an incident of the building project." *Id.* at 233. Given the limitation of the original Act to the construction or improvement of buildings, Cummings' interpretation that the demolition of buildings was not covered was not illogical. On the other hand, Cummings did not consider the relevant question under the 1935 Act: whether the improvement of public land through the demolition of unwanted structures was a "public work." As a result, Cummings' opinion is not a persuasive interpretation of the Davis-Bacon Act as it has existed since the 1935 amendments.

Soon after the passage of the Davis-Bacon Act in 1931, the Comptroller General issued a series of decisions limiting its scope. Numerous other problems with the

and therefore subject to the SCA:

[A] contract for clearing timber or brush from land or for the demolition or dismantling of buildings or other structures located thereon may be subject to the Davis-Bacon Act where it appears that the clearing of the site is to be followed by the construction of a public building or public work at the same location. If, however, no further construction activity at the site is contemplated the Davis-Bacon Act is considered inapplicable to such clearing, demolition, or dismantling work.

29 C.F.R. § 4.116(b). No explanation for the second sentence of this provision was given when the regulation was promulgated in 1983, and it appears that this regulation is merely an acknowledgement of the practice as it has developed under the Davis-Bacon Act, not an endorsement.

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Act's implementation also became clear. In response, Congress revisited the Davis-Bacon Act in 1935, adopting amendments significantly changing the operation of the law to make it broader and more effective.

A key element of the 1935 amendments was a substantial expansion of the Act's coverage. Whereas the original law had applied only to public building contracts, the 1935 amendments added all "public works" to the Act's coverage. The threshold for coverage under the Act was lowered from \$5,000 to a \$2,000. Specifically reversing Comptroller General decisions limiting the scope of the 1931 Act (11 Comp. Gen. 57 (1932)), the 1935 amendments explicitly added "painting and decorating" as construction activities covered subject to the Act. The clear intent of the 1935 amendments was to sweep broadly all facets of the construction industry within the Act's protections.

The addition of the phrase "public works" is especially significant because demolition projects that clear public land through the removal of structures, are "public works" within the meaning of the amended Act. While the phrase is not defined in the Davis-Bacon Act itself, the breadth that the term "public works" had acquired by 1935 has been recognized by the Supreme Court. In the course of interpreting the 1935 Miller Act, which also applies to "the construction, alteration, or repair of any public building or public work," the Court rejected a narrow interpretation of the phrase "public work" as inconsistent with Congress' understanding of the term. The Court noted that Congress had defined the phrase "public works" just two years earlier, in the 1933 National Industrial Recovery Act ("NIRA"), in the broadest possible terms, and that the NIRA definition was the best indication of Congress' understanding of the term:

Whatever may have been the validity of this narrow formula when applied to [the Miller Act's predecessor,] the Heard Act, we cannot approve its application to this suit under the Miller Act. In the first place, the whole concept of "public works" has been considerably altered since the enactment of the Heard Act in 1894 and particularly

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within the last dozen years . . .
But we are not left to such vague
guidance. . . . Congress, in the
National Industrial Recovery Act,
specifically defined "public works"
as including "any projects of the
character heretofore constructed or
carried on either directly by
public authority or with public aid
to serve the interests of the
general public."

U.S. to the Use of Noland Co. v. Irwin, 316 U.S. 23,
28-30 (1941).

The Wage Appeals Board has also noted that the term
"public work" is to be interpreted broadly:

"The term 'public work' as
used in the act is without
technical meaning and is to be
understood in its plain,
obvious and rational sense.
The Congress was not dealing
with mere technicalities in
the passage of the Act in
question. 'Public work' as
used in the act includes any
work in which the United
States is interested and which
is done for the public and for
which the United States is
authorized to expend funds."

In the Matter of Military Housing, Ft. Drum, New York,
WAB Case No. 85-16, p.12, quoting, Peterson v. U.S., 119
F.2d 145, 147 (6th Cir. 1941).

Federal demolition-only projects easily fall within
this definition. Such projects have been carried on by
public authorities whenever public lands free from
unwanted or unsafe structures were desired. Certainly,
the creation of more usable, safer and more beautiful
public lands through the demolition of existing
structures serves the interest of the general public.

Given the broad purposes the Act was expected to serve,
the broad sweep of the language chosen by Congress in
1935 was no accident. Congress faced a situation which

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threatened to force the entire construction work force to accept less than subsistence wages just to find employment. The Davis-Bacon Act was intended to protect workers on federal construction contracts from the cut-rate tactics of employers who could import desperate, low-wage, temporary workers to perform government contracts.

Thus, the Act as amended was not merely some technical procurement provision designed to achieve narrow ends. Rather, as stated by the Supreme Court in United States v. Binghamton Construction Co., 347 U.S. 171, 177 (1953), the Davis-Bacon Act has the broad purpose of "protecting [construction contractors'] employees from substandard earnings by fixing a floor under wages on Government projects." Federal courts recognized early on that, in light of the Act's broad policy "to insure the payment of adequate wages on public work, its provisions should be liberally construed to effectuate its purpose." Gillioz v. Webb, 99 F. 2d 585, 586 (5th Cir. 1938). Accord, Teamsters Local 695 v. NLRB, 361 F. 2d 547, 553 n. 23 (D.C. Cir. 1966).

Obviously, nothing in Congress' purpose of preserving local construction wage rates suggests (much less requires) an exception for demolition-only construction projects. Certainly, it cannot be said that construction workers who perform demolition-only contracts are less affected by these practices than those who work on demolition projects followed by other construction, or who work on construction work generally. In fact, the very same construction workers who perform demolition work perform other construction work. Like all federal construction work, federal demolition work is awarded to the lowest bidder without regard to whether it is followed by other construction. As a result, demolition workers are no less subject to the predatory tactics of unscrupulous contractors than workers on other projects.

Consistent with the Act's purpose of setting minimum labor standards on all substantial federal construction projects, the Department has identified virtually every activity associated with the construction industry as included within the Act's protections:

The terms building or work
generally include construction
activity as distinguished from

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manufacturing, furnishing of
materials, or servicing and
maintenance work.

29 C.F.R. § 5.2(i) (emphasis added). Moreover,

[t]he terms construction,
prosecution, completion, or repair
mean the following: (1) All types
of work done on a particular
building or work at the site
thereof[.]

29 C.F.R. §5.2(j) (emphasis added). Thus, the
Department has recognized that the terms used in the
Act are not limited, but include the full range of
industry activities. Not only is the erection of
buildings covered, but also other traditional
construction industry activities, such as "dredging,
shoring, rehabilitation and reactivation of plants,
scaffolding, drilling, blasting, excavating, clearing
and landscaping." The Act covers not only buildings,
but

structures and improvements of all
types, such as bridges, dams,
plants, highways, parkways,
streets, subways, tunnels, sewers,
mains, power lines, pumping
station, heavy generators,
railways, airports, terminals,
docks, piers, wharves, ways,
lighthouses, buoys, jetties,
breakwaters, levees, [and] canals.

. . . .

Id. at § 5.2(i).

The Department of Labor's coverage definitions readily
can be interpreted to include demolition-only work.
First, it is obvious that demolition of a public
building or work is a "type[] of work performed on a
particular building or work at the site thereof."
Second, the creation of cleared land through demolition
is itself properly considered a public work. Like
"dredging" and "clearing," the demolition of unwanted
structures -- even without further construction --
improves and restores public property to a safe and
usable condition.

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Thus, even if one accepts Cummings' interpretation of the 1931 law, the 1935 addition of "public works" and the broad scope those words were intended to convey, make the continued exclusion of demolition-only contracts from the current Act highly questionable. An interpretation of the Davis-Bacon Act which recognizes that the improvement of public land through demolition projects is a public work is fully consistent with both the Act's language and its purpose of protecting the construction industry's wage rates.^{3/} It appears that the exclusion of demolition-only contracts has continued only because it has not heretofore been subjected to a careful analysis, and there are substantial reasons to examine this interpretation now.

II. Treating all demolition contracts as construction activities covered by the Davis-Bacon Act would make the Act's administration simpler and fairer.

In light of the Department's interpretation of the Act to cover virtually every aspect of the construction industry, and the lack of justification in the language or purposes of the present Act for this unique exclusion of a core construction activity, only a compelling administrative concern could warrant continuing it. However, none exists. Instead, the distinction merely complicates the Act's administration and gives the appearance of arbitrariness.

^{3/} Subsequent legislative action leads to the same conclusion. If Congress had believed there was something different about demolition-only contracts that warranted their exclusion from Davis-Bacon, it would not have included such contracts under Davis-Bacon related statutes. Yet, Congress did precisely that when it appropriated money for loans and grants for slum clearance under the Housing Act of 1949. The labor standards provision of that act tersely provided for prevailing wage rates for laborers and mechanics employed on funded projects, as predetermined "pursuant to the Davis-Bacon Act." 42 U.S.C. § 1459. However, one of the principal activities to be funded under the program was the "demolition and removal of buildings and improvements," *id.* at § 1460(c)(2), largely without further "construction or improvement of any building." *Id.* at § 1460(c).

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There are no practical benefits to the Department's present treatment of demolition-only contracts as service contracts. The Department of Labor recognizes that job classifications for demolition workers are found only within the construction industry, not the service industry. Indeed, it is well accepted that demolition projects are a core construction industry activity, regardless of whether it is followed by other forms of construction. Virtually all demolition work is performed by workers in the construction industry, hired on a temporary, project-by-project basis, using many of the same tools, machines and techniques used in the industry generally. Demolition, like other forms of construction activity, is usually non-routine, heavy, dirty, and dangerous work performed by temporary crews experienced in the work.

The Department's own Dictionary of Occupational Titles, (4th ed. 1991), identifies workers whose duties include "demolishing buildings" and supervising "workers engaged in razing structures, salvaging materials, and removing debris" as "construction" workers. Id. at pp. 905, 908 (Attachment B). There are no comparable classifications in the service industry or elsewhere.

Just as the Department of Labor recognizes demolition workers as construction workers, "wrecking and demolition contractors" always have been regarded as a specialty construction industry, alongside such other construction specialties as electrical, roofing, excavation, wall and ceiling, and sheet metal contracting. See Standard Industrial Classification Manual, Executive Office of the President, Office of Management and Budget, p.65 (1987 ed.) (Attachment C); "Top 600 Specialty Contractors" Engineering News Record, v. 231 No. 14, October 4, 1993, pp. 32-71 (Attachment D).

Therefore, even when the Department classifies demolition work as a "service," it must nevertheless turn to the construction industry to obtain accurate prevailing wage data on workers who performing such tasks. See, e.g., In the Matter of United States Department of Energy, Case No. 86-SCA-WD -1 (Deputy Sec'y of Labor, Aug. 28, 1987). This result reflects the Department's own investigation of the demolition industry:

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"In this case, the subject wage determination was based upon a long-standing policy to issue the governing construction wage rates for demolition work, since available information over the years has indicated that major demolition work is usually carried out by the workers responsible for local construction, and at local construction rates."

Id. at 6 (quoting the Deputy Administrator).

For many years, the Department has maintained wage classification information for workers on demolition-only contracts as part of its responsibilities under Davis-Bacon related acts, such as the Housing Act of 1949. Thus, at least since All-Agency Memorandum No. 130, "Application of the Standard of Comparison 'Projects of a Character Similar' Under the Davis-Bacon and Related Acts," was issued in 1978, the Department has classified "Demolition (not incidental to construction)" as "Heavy Construction" Id. at 4. Applying these same wage rates to demolition-only projects under the Davis-Bacon Act itself would impose no additional burdens and would permit the Department to treat all such work consistently.

In contrast, because the Department's present treatment of demolition tracks neither the purposes of the Davis-Bacon Act nor the realities of the demolition/construction industry, it has produced confusion among all interested parties, and permits the manipulation of contracts by contracting agencies to omit Davis-Bacon protections. Therefore, eliminating the exclusion of "demolition only" projects from the Act's coverage would not only be more faithful to the Act's purposes, it would simplify its administration by the Department and contracting agencies, and reduce the appearance of arbitrariness in its application.

In the real world, it is often unclear whether further construction is contemplated when demolition work is ordered, especially when further construction can include simple regrading, repaving, or landscaping work. Under the Department's present treatment of demolition, construction workers performing the same construction activity for the same wrecking contractor

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at neighboring federal job sites may be treated entirely differently under the Act because of the mere fortuity of whether "further construction activity is contemplated" at one site. While some arbitrariness at the fringes of "construction activities" may be unavoidable, there is no justification for an artificial distinction within a core construction activity like demolition.

The unnatural distinction drawn between some demolition and other types of construction activity has led contracting agencies to mischaracterize work, either out of confusion, expediency, or simply to evade the requirements of the Davis-Bacon Act. For example, in many instances, contracting agencies have segregated demolition from other related construction and then treated the demolition work as non-covered. While this manipulation is improper, it is fostered by the Department's arbitrary distinction. In other instances, contracting agencies have attempted to squeeze a variety of other construction tasks under the "demolition" rubric. Because the distinction is counter-intuitive, the Department's line-drawing in connection with the distinction has become byzantine. The attached exchange of correspondence between the Department of Labor and the Department of Energy ("DOE") highlights the problem.

In August 1990, the Wage and Hour Division issued All-Agency Memorandum No. 155, finding that asbestos and paint removal projects alter a building or work and therefore are construction activities covered by the Act. In response, the Department of Energy argued that such work is not covered by the Act because "such removal work [is] similar to contracts for demolition where no further construction, alteration, or repair of a public building or public work is contemplated." (Attachment E.) The DOE pointed out the inconsistency in treating the removal of parts of buildings differently than total removal through demolition: "After all, is not the ultimate 'alteration' of a building its demolition?" The DOE proposed that the Department of Labor correct this inconsistency by excluding from the Act's coverage all alterations-by-removal not followed by other construction activity, similar to the way the Department now treats demolition: "the determining factor governing which statute applies in removal contracts is whether or not further improvements . . . are to be made."

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The DOE's proposal was clearly inappropriate because all alterations to public buildings and public works are expressly covered by the Act. However, in an apparent attempt to reconcile All-Agency Memorandum No. 155 and the illogical distinction between demolition and other construction work, the Department issued a reply to the DOE that created yet another layer of purely arbitrary distinctions -- this time between alteration work done as a prelude to demolition-only contracts and all other alterations. (Attachment A.) Thus, said the Department, contracts for asbestos or paint removal that (i) are not a prelude to demolition or (ii) are a prelude to demolition that is a prelude to further construction, are covered, while those contracts that are "a prelude to or in conjunction with a contract for the demolition of a public building or public work . . . if subsequent construction is not contemplated," are not covered.

These distinctions not only have nothing to do with the purposes of the Act, they are so convoluted and divorced from the realities of construction contracting that they are unworkable. The Act's coverage of asbestos and lead paint abatement is now made to rely upon the contracting agency's assessment at the time it lets an abatement contract whether it will be followed by demolition and, if so, whether the demolition will be followed by further construction.

Rather than multiply the arbitrariness in defining the Act's scope, merely to preserve an outdated interpretation of the Act which fails to reflect the intentions of Congress, the better course is to eliminate the anomaly by treating all federal demolition projects as public works covered by the Act.

III. The time has come for the department to reconsider its treatment of demolition under the Davis-Bacon Act.

In the past, this special exclusion of some demolition work has been of little practical importance since the vast majority of federal demolition work has been followed by other construction work, such as regrading, landscaping or rebuilding, and therefore has been deemed covered by the Act. However, as the federal government slows or even reverses its growth, and withdraws from some activities altogether, the

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instances of demolition of public buildings and works without further construction is becoming more common.

At the same time, the social and economic ills which prompted Congress to act in 1931 and 1935 still threaten the construction industry. Federal government spending on construction continues to be a dominant force in establishing a living wage for construction workers. Unemployment in the construction industry is extremely high and more and more construction workers are being forced to accept substandard wages and conditions merely to find work. As reported in the leading journal of the construction industry,

[a] growing number of travelers are on the road because they can't find work close to home. These workers take short-term jobs with few or no benefits and are willing to pick up and move on with little or no notice when they think they can find a better deal elsewhere. An alarming number appear to be desperate ...

Engineering News Record, "Cover Story: Chasing After '7-10s' Just to Pay the Rent," Vol. 231, No. 16, October 18, 1993, pp. 32-33 (Attachment F).

Although the Department's exclusion of demolition-only contracts has continued unexamined for many years, the time has come to consider whether it best serves the purposes for which the Act was created. We submit that demolition-only projects are public works within the meaning of the Act, and should be covered thereunder. This result would better reflect the scope of the Act after the 1935 amendments, better effectuate the purposes of the Act, and eliminate an arbitrary distinction that has caused confusion to all affected parties, permitted manipulation by some, and imposed unnecessary administrative burdens on the Department.

I look forward to your prompt consideration of, and ruling on, this issue.

Very truly yours,

Arthur A. Coia

ARTHUR A. COIA
General President

dm
Enclosure



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

ARTHUR A. COIA
General President

MESJ. NORWOOD
General
Secretary-Treasurer

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9th Vice President

MIKE QUEVEDO, JR.
10th Vice President

CARL E. BOOKER
Assistant to the
General President

BERT J. CONNERTON
General Counsel

October 19, 1994

Honorable Ronald H. Brown
Secretary of Commerce
U.S. Department of Commerce
14th Street and Constitution Avenue, NW
Room 5516
Washington, D.C. 20230

Dear Mr. Secretary:

I am writing to let you know of my disappointment with your recent announcement of the Department of Commerce's National Telecommunications and Information Administration (NTIA) grants. This is a very important program and the Department is to be commended for its leadership in bringing information infrastructure assistance to diverse communities and populations.

My concern relates to the singular lack of direct grant awards to labor organizations and those representing workers in the labor movement. While there may be some labor organizations among grant partners, it is very difficult to look at 100 grant awards and find none that are direct awards to a labor union or joint labor-management fund.

Our training organization, the Laborers-AGC Education and Training Fund (L-AGC), with the participation of the Laborers' International Union of North America (LIUNA), the Laborers' Safety and Health Fund of North America, and the Laborers-Employers Cooperation and Education Trust, and our partner Thomas Edison State College, proposed a program that would address the needs of LIUNA's more than 650,000 members including 360,000 in construction. I do not believe that any grant awarded addresses the needs of construction workers and the construction industry. Many of our members require serious education and literacy assistance, skills upgrading, and safety and health training. The TIIAP program we proposed would have addressed these needs in a serious commitment to

Hon. Ronald H. Brown

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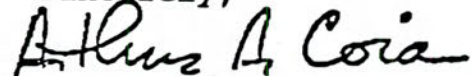
October 19, 1994

develop a satellite broadcast system and an extensive information network. This system would have been of immeasurable value to the training of more than 40,000 workers annually as well as the continued skills upgrading and educational training of working members.

Our organization is committed to ongoing support for your programs at the Commerce Department. It is in this spirit of support that I am writing to express my deep concern and disappointment in the outcome of this grant competition. While I am sure that those organizations receiving the grants had meritorious programs, I cannot help but observe the limited target populations to be served by some of these awards.

In contrast, the L-AGC proposal envisioned a nationwide activity with tremendous potential to reach large numbers of workers in need of the support and assistance such a program could provide.

Sincerely,



ARTHUR A. COIA
General President

AAC:dm



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

March 29, 1995

ARTHUR A. COIA
General President

R. P. VINAU
General
Secretary-Treasurer

MASON M. WARREN
1st Vice President

JOHN SFRICO
2nd Vice President

VERE O. HAYNES
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ARMAND E. SABITONI
10th Vice President

CARL E. BOOKER
Assistant to the
General President

ROBERT J. CONNERTON
General Counsel

Deliver By Hand

Mr. Harold Ickes
Assistant to the President
and Deputy Chief of Staff
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Harold:

I have just learned that the Agency for International Development has contacted our International Affairs Department and requested our assistance in implementing an infrastructure training program in Haiti.

We have immediately begun developing a project plan, the first element of which will be to recruit a mobile team from our Union which can travel to selected sites throughout Haiti and teach basic construction skills to the demobilized members of the Haitian Army. Representatives from A.I.D. have informed us that if we put this initial project together quickly, we stand an excellent chance of being the sole training institution in Haiti for the medium and long-term development of the country's infrastructure.

As you can imagine, we are very excited about this project, and see many benefits for all parties involved. I understand that President Clinton is scheduled to travel to Haiti this week to announce the withdrawal of our troops there. I would very much like to be considered for inclusion in that trip, and would be delighted to outline our training program to President Clinton and his delegation while there.

I will keep you abreast of our discussions with the A.I.D. representatives. In the meantime, I would appreciate your immediate attention and assistance in this matter, and look forward to talking further with you about it very soon.

With kind regards, I remain

Sincerely,



ARTHUR A. COIA
General President

AAC:cf

THE WHITE HOUSE
WASHINGTON

November 21, 1994

Arthur A. Coia
General President
Laborers' International Union of North America
905 16th Street, N.W.
Washington, D.C. 20006-1765

Dear Arthur:

Thank you for your recent letters regarding the Office of Federal Contract Compliance Programs at the Department of Labor and regarding the elections. I have alerted Secretary Reich to your observations at the District of Columbia Bar and asked him to look into the matter. I know you know how important it is for us to include you and other construction union leaders in discussions of the programs that affect your members.

I also appreciated your comments on the elections. Although we have made a good start in Washington, we clearly need to do more to restore American's faith in our political institutions. We need to continue to create jobs, and create more high paying ones; and we must hold fast against anyone who tries to take us back to the policies that failed before.

It is unclear yet exactly how our appointments will be affected by the new Chairs and votes in the Senate; but I am hopeful that our next NLRB member will have broad support and join the current members soon into the new term.

Please continue to let me know of your ideas and concerns. And please accept my warmest wishes for a Happy Thanksgiving.

Sincerely,

Harold Ickes
Assistant to the President and Deputy Chief of Staff

THE WHITE HOUSE
WASHINGTON

November 22, 1994

MEMORANDUM FOR SECRETARY REICH

FROM: HAROLD ICKES
ASSISTANT TO THE PRESIDENT AND DEPUTY CHIEF OF STAFF

SUBJECT: Attached Correspondence

Attached is a letter I received from Arthur Coia, President of the Laborers' International Union of North America. In the letter, Mr. Coia raises a concern about the Office of Federal Contract Compliance Programs in your Department. I informed Mr. Coia that I would pass his concern on to you. Please take whatever action you deem appropriate.

Thank you for your attention to this matter.



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

ARTHUR A. COIA
General President

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Assistant to the
General President

ROBERT J. CONNERTON
General Counsel

November 9, 1994

Harold L. Ickes
Deputy Chief of Staff
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Harold:

I am writing to bring to your attention some recent public comments by an Administration appointee that underscore the problems we often encounter in our dealings with various government officials.

Shirley J. Wilcher, Deputy Assistant Secretary for the Office of Federal Contract Compliance Programs, Department of Labor, spoke to a gathering of members of the District of Columbia Bar on October 19. In her remarks about her agency's affirmative action initiatives in the construction industry, she stated that "construction jobs pay well and involve relatively little skill. In New York, for example, I have heard laborers earn \$20.00 an hour." And, although she acknowledged that OFCCP should consult with unions as well as civil rights organizations and contractors, it is clear that the agency has not done so.

Ms. Wilcher's comments indicate that she is relatively clueless about construction workers and their unions. This is all too typical of some Administration appointees in the Labor Department (and elsewhere) -- they have strong professional backgrounds but little or no prior experience with organized labor or workplace issues and programs. Unfortunately, these officials are not only poorly informed about unions but also predisposed against them. Although this is commonly the case with professionals, academics and policymakers, we should not be encountering these attitudes in a Democratic administration.

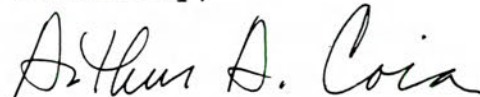
LIUNA
INNOVATION
AT WORK

Harold L. Ickes
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In the wake of the midterm election, the President will need enthusiastic support from the party's traditional base for his remaining legislative agenda and to prepare for the next election. That base is a critical element of the coalitions that must now be assembled. The Administration will be worst off if it occupies an equivocal center lacking firm support from both that base and the rest of the electorate.

As always, our International Union stands ready to assist, and we appreciate the Administration's understanding of our concerns.

Sincerely,

A handwritten signature in cursive script that reads "Arthur A. Coia". The signature is written in dark ink and is positioned above the printed name and title.

ARTHUR A. COIA
General President

dm



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

ARTHUR A. COIA
General President

JAMES J. NORWOOD
General
Secretary-Treasurer

November 10, 1994

MASON M. WARREN
1st Vice President

R.P. VINALL
2nd Vice President

JOHN SERPICO
3rd Vice President

VERE O. HAYNES
4th Vice President

SAMUEL J. CAIVANO
5th Vice President

ENRICO MANCINELLI
6th Vice President

CHUCK BARNES
7th Vice President

JACK WILKINSON
8th Vice President

GEORGE R. GUDGER
9th Vice President

MIKE QUEVEDO, JR.
10th Vice President

CARL E. BOOKER
Assistant to the
General President

ROBERT J. CONNERTON
General Counsel

Harold L. Ickes
Deputy Chief of Staff
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Harold:

I am writing with some early thoughts about the election and where the Democratic Party must go from here. Our situation requires blunt and realistic appraisals. I share mine with you, and I hope you will convey them to the President. We will remain supportive of the President, and I do not intend to air criticisms in public.

The Republican Congress will be led by politicians who are not only ideologically driven but also tactically disciplined and hardheaded -- Newt Gingrich, Phil Gramm and, to an only slightly lesser extent, Bob Dole. Whatever margin we had to operate with an unfocused message and strategy is now gone. We must regroup and rethink how we conduct ourselves as a government and a party if we are to convincingly lead in the next two years and build the electoral coalition necessary to prevail in 1996 and avoid a true dark age in American politics, namely, Republican control of both the Congress and the Executive Branch. I believe the President now faces the true test of his leadership ability and his commitment to social and policy goals.

With all respect, this will require the President to adopt positions and to take domestic action in a far more commanding manner than he has to date. He must stake out and enunciate specific goals -- those that can be accomplished with the new Congress and those that must be achieved through forthright and sharp opposition to its initiatives -- and he must stick with them. The American people admire and will respond to leadership even when they disagree with some, and even important, philosophical or policy elements of it. Ronald Reagan offers recent proof of this; his

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landslide victory in 1984 included a significant minority of voters who described themselves as "liberals" but who responded to his purposeful leadership and personal qualities. President Clinton must now fashion a similar leadership profile. Even though the ideological content of the President's policies is more eclectic than was Reagan's, a sharp, coherent and consistent presentation of them could succeed.

This leads me to some particular observations. I believe it was a mistake for the President to speak about the election yesterday when it was clear that he had still not thought through its meaning and consequences and decided on a positive initial message to convey about it. He seemed unsure of himself, in contrast with the assertive pronouncements by Gingrich and Gramm. Reagan would have expressed a much more confident and unequivocal reaction to such an election. One quality of the President that was so appealing during the campaign and during the early months of his Presidency, namely, his eagerness to engage in discussion and to display his interest in policy issues, works against him now when he conducts his internal debates in public. Again, both the strategy and the message must be sharply disciplined and focused.

The other point I wish to make is that it is now all the more important that the President utilize the power he has at his disposal. One of his most effective lines during his 1992 acceptance speech was that George Bush had not used the power of the Presidency, "and I will." But in critical ways, the President hasn't. The appointment power is an important example. So many appointments have been delayed and subject to endless consideration and diversity tests that government drift has resulted. Any vacuums now will be filled by aggressive Republican action.

A current example of especial concern to me is the National Labor Relations Board. As you probably know, Member Dennis Devaney's seat becomes vacant next month. This year, the President had a perfect opportunity to choose a strong successor and have him or her confirmed by a Democratic Senate. That cannot happen now unless a lame duck session is convened and an appointee can be named and confirmed during it. Otherwise, the President must make a recess appointment or await the

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new Congress. None of these choices is palatable and all could have been avoided. Again, I believe we need more planning and decisiveness at the White House -- and still a new NLRB Member who will vigorously and fairly uphold the labor laws.

I hope we can speak soon about concretely reshaping ourselves to deal with the new situation, and I appreciate your attentiveness to the concerns and suggestions we will be raising with you in the period ahead. In the meantime, let us maintain as much unity as possible as we consider our legislative and political strategy.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arthur Coia". The signature is stylized with a large, looped "A" and a cursive "Coia".

ARTHUR A. COIA
General President

to

Harold

file
labor-
labovers

Arthur Coia

Visits to the White House

May 1, 1996	Wolf Trap Reception
December 21, 1995	Meeting with Building and Construction Trades Union Presidents
December 6, 1995	Holiday Reception
September 11, 1995	DNC BLF Reception
November 8, 1994	Election Day Reception
November 10, 1994	Health Care Reception
October 20, 1994	DNC Dinner
September 30, 1994	Labor Council Breakfast
August 3, 1994	Health Care Bus Arrival
June 28, 1994	Breakfast
May 12, 1994	Coffee
May 10, 1994	AFL-CIO Meeting
May 4, 1994	School-to-Work Bill Signing
April 19, 1994	DNC Trustees Reception
March 9, 1994	Reemployment Act Signing
September 1, 1993	Labor Day Reception
June 16, 1993	Private Dinner in the residence (30-40 people)
May 4, 1993	Dinner with the Executive Council of the AFL-CIO.
December 1, 1993	DNC Managing Trustees Dinner

Gifts to the President

December 1993	Laborers baseball hat and a box of golf balls
June 1993	Basketball signed by Larry Bird
October 1994	Magazine and a golf shirt
October 1995	Laborers tie



No one can find a record of the golf club(s) in the Gift Unit or Nancy Hernreich's office.

October 6, 1995

To: Harold Ickes
From: Jen O'Connor
Subject: Arthur Coia

1. CAMDEN YARD

Orioles Owner Peter Angelos invited the President to sit in his box. The box has 36 seats. He invited the President to fill 15 seats. He provided to the White House a list of the people he invited to fill the remaining seats. Arthur Coia was not among the 15 seats filled by the White House, nor among the seats filled by Angelos. During the course of the evening, Angelos let lots of people come into his box. Coia could have been among them, but Paige Reeve, who was lead advance for the event, does not remember ever meeting Coia, seeing him in the box, or hearing his name.

2. HONORARY CO-CHAIRS OF FOOD AND FRIENDS BENEFIT

The White House approved the President and Mrs. Clinton serving as honorary co-chairs of Food and Friends' benefit. The back-up material is attached. The request came from Andrew Barrer, the director of Food and Friends. His letter did not mention Coia and he asked the first family to be honorary chairs of the entire capital campaign. The request went through Marsha Scott who said that this was a great group. Our correspondence unit placed the request into the regular process for evaluating these types of requests. It went to the Counsel's office and was approved by Kathy Whelan. She suggested that the President and First Lady chair a single event rather than the whole campaign. Rebecca Aarons, in the Gift Unit, then asked Barrer for a single event we could chair instead, and he sent a letter describing the Cirque Du Soleil event and mentioning that Coia, along with Gerry McEntee, Victor Kamber, and Doug Dority, were co-chairs. This material then went to John Podesta, Erskine Bowles and Maggie Williams, all of whom signed off. Jim Dorskind, head of correspondence, then sent a letter to Barrer confirming that he could use the President and First Lady as honorary chairs.

For your information, as of July, we had received 442 similar request and had approved approximately 30%. The approvals were based on knowledge of the group and its cause.

3. EVENT INVITATIONS

Since May 14, 1995, Arthur Coia has been invited to two events in the White House.

A. AFL-CIO meeting, May 26, 1995

Coia, along with other union presidents were invited to an AFL-CIO meeting with the President. Coia regretted the invitation. The list came to the Social Office from either Political Affairs or Public Liaison.

B. DNC Business Leadership Event, September 11, 1995

The President hosted the DNC Business Leaders Forum. The DNC provided the list to the Social Office. Coia was on the list and attended.

4. NOTES

Since May 14, 1995, there is only one Presidential note to Coia. There are a few notes from Billy Webster as well. Back-up is attached.

- A. Coia wrote to POTUS on 9/21/95 to recommend Gary Player for the re-election campaign. No response has gone out yet. The note is in Nancy Hernreich's office awaiting a response.
- B. Coia requested the President sign a copy of a Peter Max print. The print has not yet been signed but is in Nancy Hernreich's office awaiting signing.
- C. On May 23, 1995, the President signed a form letter to Coia, on DNC Bill Clinton stationary thanking him for attending the Labor Council Reception. The Social Office has no record of this event and so thinks it didn't happen at the White House. The same letter went out to approximately 75 labor leaders.
- D. On June 8, 1995, Coia invited the President to address his 21st General Convention in September, 1996. Bill Webster replied that the President would not be able to attend.
- E. On May 26, 1995, the White House sent a proclamation on Labor History Month to a list of labor leaders including Coia. There was no personal note with the proclamation.

next 65 years, you have a 1-in-20,000 chance of dying because an asteroid or comet has hit the earth. To put this in perspective, the chance of being dealt four aces in a hand of five-card stud is about 1:50,000.

The main thing to remember is that an American's life expectancy was 47.3 years at the turn of the century, and it has climbed to more than 75 years today. What's more, it continues to grow, thanks to bet-

ter medications, better diets and better risk management in our personal as well as our collective lives.

Does all this mean it's okay to have an extra pat of butter on your blueberry muffin tomorrow morning? Probably not. You still have to watch your cholesterol. Should you lose sleep about being bonked on the head by a meteorite? Don't worry. You have a better chance of winning the lottery.

Reprints of this article are available. See page 234.



Apply Yourself

HIGH-SCHOOL SENIORS, as well as taxpayers, might agree with T. S. Eliot that "April is the cruellest month." For around April 15, thousands of students receive letters informing them whether or not they have gained admission to the colleges of their choice. Caught up in the hurly-burly of college application, a student aspiring to enter Bates College in Lewiston, Maine, once wrote, "I am in the mist of choosing colleges." The following bloopers were culled from other college applications:

- "I was abducted into the National Honor Society."
- "Mathematics has hung like a stork around my neck."
- "I want a small liberal in the northeast part of the country."
- "I can read, speak and write Greek fluently. My other two sports are tennis and volleyball."
- "At night we stayed in a youth hostile."
- "I want to be fully bilingual in three or more languages."
- "I have never been to New England, but from what I've heard, it is a beautiful country."

—Richard Lederer, *More Anguished English* (Delacorte)

Kids of the '90s

AT THE FORT WORTH ZOO my husband and I were observing a pair of bald eagles when a group of school children approached. "Look!" one girl exclaimed. "It's the bird on Mommy's credit card!"

—Contributed by Cindy Gayle

APPARENTLY television was having more of an effect on our five-year-old daughter Kate than we had thought. One afternoon when my wife asked her what time she would like her snack, Kate replied, "Five o'clock Eastern time, four o'clock Central."

—Contributed by Gregory A. Hinkle

IN FEBRUARY 1995 Hillary Rodham Clinton journeyed to Miami Beach's posh Fontainebleau hotel to address nearly 1000 top officials of the 352,000-member Laborers' International Union of North America (LIUNA). The First Lady posed for photographs with union General President Arthur A. Coia, a slight, grinning figure among the hefty Laborers. In his introduction, Coia praised Mrs. Clinton as "one of the most compassionate Presidential advisers in modern times." For Coia it was the triumph of a

long, costly campaign to win, and now flaunt, his White House "access."

At that very moment Coia was locked in a bitter struggle with the U.S. Justice Department, whose racket-busting prosecutors were seeking to take over his union. They charged that Coia was "associated with and controlled and influenced by organized crime," a front man for labor racketeers who were looting pension and welfare funds.

Now 53, Coia joined the Laborers' Union in his hometown, Providence, R.I., at age 14. His father was the union's regional boss and a lifelong friend of New England Mafia godfather Ray-

Arthur Coia's ties to the Mafia have been documented, but the Clinton White House continues to coddle him. Why?

The Clintons and the Union Boss

BY EUGENE H. METHVIN

PHOTO: © JEFFERY A. SALTER/MIAMI HERALD

mond Patriarca, whose connections assured both Coias' success, federal investigators say.

By 1980 the elder Coia had become LIUNA's No. 2 official, secretary-treasurer. When he was disabled by a stroke in 1989, his son, by then LIUNA's New England regional manager, bid to succeed him.

In sealed testimony obtained by Reader's Digest, Coia says he was summoned to Chicago, where he was met by Vince Solano, boss of Laborers Local 1—and a Mafia capo, killer and enforcer. Solano pounded the table and warned him that the Chicago Mafia's front man "will be the next general president of this union." By his silent acceptance, the New Englander had secured the No. 2 job.

Coia contends from that moment on he knew federal charges of Mafia influence and dominance in his union were true. In fact Coia was an integral part of the Mafia-LIUNA combine much earlier, according to a sworn affidavit by Ron Fino, a former Mob-controlled LIUNA official who became an FBI informant and whose testimony has helped convict numerous union racketeers. Fino lives in hiding because the Mob has ordered him murdered. He swears he and "Coia Junior" met several times a year during the mid-1980s. Coia urged Fino to listen to the Mafia bosses "because we are the future of the Laborers' Union." (Coia admits meeting with Fino, but denies the allegations.)

Beating and Bombing. In 1988 the FBI announced a Racketeer Influenced and Criminal Organization

(RICO) investigation of LIUNA. From informers and wiretaps, Justice Department prosecutors slowly built a detailed picture of how the crime syndicate had ruled LIUNA for a generation.

For one, there is LIUNA's top-down organizational structure. Says Alex Corns, a union dissident and business manager of Local 36 in Daly City, Calif.: "The members have no say in the actual election process." The national president, secretary-treasurer, and the General Executive Board composed of nine regional vice presidents are elected every five years on a single slate. Any challenger must mount a costly national campaign. If reformers manage to win control of a local, Coia can submerge them under a district council dominated by racketeers and their collaborators.

Criminality in LIUNA ranges from penny-ante extortion of workers and employers to multimillion-dollar piracy of pension and welfare funds.

- In Hartford, Conn., a National Labor Relations Board judge found that job steward Gary Wall was persecuted and blacklisted because he was "posing a threat to" Local 230 boss Dominick Lopreato's control. The judge ordered the LIUNA local to pay Wall \$129,000 in damages. Lopreato was later convicted of taking \$345,000 in bribes to invest more than \$8 million in Laborers' pension funds in shady real-estate schemes that went broke.

- In Antioch, Calif., Doug Murray launched a newsletter to challenge Local 324 officers' high expenses

and salaries. He was cheated out of a job and during a union meeting was beaten up. A federal jury found the union and three officers had violated his rights—and awarded him \$78,600 in damages.

- In Valparaiso, Ind., Joseph Bova's slate defeated Local 81's boss. Early on the morning of September 13, 1989, Bova, the victorious slate's secretary-treasurer, left home. When he started his Ford pickup, a bomb exploded. Bova's wife ran out and found him crawling across the lawn toward the house. He died moments later. No one was ever convicted. Federal informants reported that a Mafia associate had approached Bova with a scheme to loot Local 81 pension and welfare funds, and Bova had refused.

Nowhere, prosecutors learned from testimony of mobsters-turned-witnesses, has the rape of LIUNA's rank and file been worse than in New York City. The Mafia controlled most of the New York metropolitan area's construction unions and parceled out jobs. A prime tool: LIUNA's Mason Tenders District Council (MTDC), composed of 12 locals representing some 7000 union members in New York's construction industry.

In 1989 Genovese capo James Massera, the MTDC's hidden boss, named Frank Lupo to succeed Lupo's father, a Genovese "soldier" who had run the council for years. Together, using fraudulent real-estate deals, the two drained \$20 million from the MTDC welfare fund, leaving only \$15 million for Laborers' medical benefits. In 1992 the union had to

THE CLINTONS AND THE UNION BOSS

discontinue medical payments for half its rank and file, dependents and widows, and eliminated dental, eye and other care for the rest.

FOR FOUR YEARS as LIUNA's No. 2, Coia played his role quietly. Then, in February 1993, the union president died, and the General Executive Board named Coia to the top job. Some federal investigators believe the Chicago Mob acquiesced to his elevation in the belief that he would best shield the Mafia from the RICO investigation. For the next two years, Coia, these sources say, did nothing to disrupt Mafia control despite numerous prosecutions and media exposés of corruption. For example, Coia abstained from imposing a trusteeship on the MTDC. He told Reader's Digest he didn't want to interfere with the Justice Department's investigation. But court documents indicate that Coia ignored repeated suggestions by Justice to clean up the corrupt council.

Consider Local 435 in Rochester. There, the FBI and state and local police had convicted 22 gangsters and so weakened the Mob's grip that reformers were able to seize control of upstate New York's largest Laborers' local. In 1986, by a two-to-one margin, the 2000 members elected as their business manager Bob Brown, a black who began as a union ditch-digger and had built his own construction business. He soon had over \$1 million in his union treasury and bargained 130 union contracts. He also built the pension fund to more

than \$150 million—a pot of gold that drove the Mafia pirates crazy.

In 1992 LIUNA imposed a new district council dominated by the Mob-owned Buffalo local and appointed its officers. Brown and other rebels in the region repeatedly demanded an election, but for two years none was held. So Brown ignored the council's orders and continued negotiating his own contracts.

On April 7, 1994, Coia sent some 15 LIUNA "reps" into the Local 435 office. They changed the locks and denied Brown access. Brown went to court. Federal Judge Michael A.

Has the Clintons' coziness with Coia dampened the Justice Department's drive to clean up this crooked union?

Telesca declared LIUNA's action a "clear violation" of its own constitution. He required Coia to hold an election in September 1994 for the new district council. Rather than face a vote, Coia disbanded the council.

White House Invitations. Meanwhile, Coia worked furiously to build a political alliance with the new Clinton Administration. Even before the President took office, LIUNA made a \$100,000 loan to his inauguration committee. Coia was the only major union president to defy the AFL-CIO and support Clinton in the bitter 1993 fight for ratification of the North American Free Trade Agreement. Coia spoke or

wrote on several occasions to Mrs. Clinton about her proposed health-care reforms. His union political-action committee, the Laborers' Political League, contributed \$1.2 million in the 1993-94 election cycle to federal candidates, overwhelmingly Democrats, and in June 1994 Coia co-hosted a \$1500-a-plate Democratic National Committee dinner that raised \$3.5 million. Contributors who gave \$10,000 or more were invited to a White House reception.

For Coia, White House invitations came regularly: to share breakfast with the First Lady; attend a reception for the Emperor of Japan; see the pope in Denver; fly with Clinton on Air Force One to Haiti. In October 1994 Coia and his wife were

guests at a glittering White House dinner at which the President entertained guests with his saxophone. Mrs. Coia was named to the committee to select the site for the 1996 Democratic National Convention.

The President even invited Coia along on a campaign trip to Rhode Island, and Coia had a local craftsman present Clinton a handmade golf club with the Presidential seal in the head. The President reciprocated by giving Coia an expensive Calloway Divine Nine club.

On November 4, 1994, Clinton penned a personal note: "Dear Arthur. I just heard you've become a grandfather—Congratulations! Thanks for

the gorgeous driver—it's a work of art. Best, Bill."

That same Friday afternoon, Justice Department racket-busters wrapped up the 212-page draft of their RICO civil suit. They delivered it to Coia's marble-arched LIUNA building two blocks from the White House.

The draft complaint charged that Coia and his co-conspirators "employed actual and threatened force, violence and fear of physical and economic injury to create a climate of intimidation and fear." They were accused of "systematic abuse" of Laborers' rights. Members were "intimidated into silence by violence, threats of violence, economic coercion, and by the known ties of local and international union officials with organized crime." (Coia denies the allegations.)

Within days after the draft was delivered, President Clinton sent two more personal letters to Coia. One "Dear Arthur" note signed "Bill" thanked Coia for his support of Democratic candidates, and another promised to share Coia's views on labor with Labor Secretary Robert Reich.

To counter the suit, Coia and the LIUNA General Executive Board hired high-priced Washington defense lawyers. On November 16 one of them met with the Justice Department's Organized Crime and Racketeering Section chief Paul Coffey, a 26-year veteran. He told the lawyer, "Coia has to go. Everything else is on the table."

Weeks of negotiation followed. Each time the two sides deadlocked,

THE CLINTONS AND THE UNION BOSS

LIUNA's lawyers appealed to Clinton appointee Jo Ann Harris, assistant attorney general for the Criminal Division. Taut debates within the Justice Department ensued. The demand for Coia's removal was dropped.

Delaying Tactics. Along the way, in the face of the devastating evidence spelled out in the Justice Department complaint, Coia and LIUNA's Executive Board began a public show of cleaning house. They temporarily suspended the Chicago and New York regional vice presidents, whose Mafia connections had been documented by the government. (Both men later left the union voluntarily and deny any Mob connection.) Coia announced that the union was creating the posts of "inspector general" and union prosecutor, and hired a retired FBI assistant director and a former member of the Justice Department's organized crime section.

LIUNA's defense team adopted a strategy of delay. The union yielded as little to the Justice Department as possible, appealing over the heads of career prosecutors to the President's political appointees—and protecting Coia vigorously.

In February 1995, as Hillary Rodham Clinton was scheduled to address the Miami Beach LIUNA conference, Justice Department and White House lawyers debated whether she should go. A compromise was reached: Deputy Chief of Staff Harold Ickes told the First Lady that Coia was under investigation and

that she should avoid any private conversation with him.

A week later the Justice Department announced an unprecedented agreement with LIUNA that preserved Coia's presidency. The union would be given an opportunity to clean its own house and install democratic election procedures, in return for signing a consent decree allowing Justice to do so if LIUNA failed.

For the next seven months, LIUNA presented skimpy evidence of housecleaning. Coia's lawyers rejected demands for direct election of all top officers. An angry union dissident, business manager Gene Johnson of the Central Illinois Laborers' District Council, wrote President Clinton on September 19: "We do not want you to succumb to the false words and enticements of Arthur Coia. We encourage you to avoid even the slightest appearance of intimacy. Coia cannot deliver the votes of Laborers because he does not have their respect or trust."

Ultimate Question. In late September Acting Assistant Attorney General John Keeney, a career government lawyer, called Coia's lawyers in and delivered an ultimatum: give members the right to elect their officers, or we'll take over. Coia lawyer Brendan V. Sullivan, Jr., responded, "The decision to implement the consent decree will be made by the Assistant Attorney General"—an appointee still to be named by the President.

Despite warnings from career racket-busters that giving in would

raise suspicions of White House influence, the Justice Department agreed to a compromise: a rank-and-file ballot at least for president and secretary-treasurer, the two top national officers, in December 1996. Close observers predict that no rank-and-filer will be able to mount a national campaign to defeat Coia, whose friendship with the Clintons is seen as having boosted LIUNA's political clout.

Meanwhile, the LIUNA General Executive Board's new attorney has moved to place the 1300-member Buffalo Local 210 under trusteeship, listing 34 Mafia members and associates who have for the past 25 years "run the local for the benefit of La Cosa Nostra, rather than for the benefit of the members." (The case has not been decided.)

The White House has refused to answer questions from Reader's Digest about the President's knowledge of LIUNA's Mafia connections or the Justice Department investigation and negotiations. Has the Clintons' coziness with Coia dampened the Justice Department's drive to clean up this crooked union? In a court hearing regarding the unusual Justice Department-LIUNA agreement, U.S. District Court Judge Emmet G. Sullivan asked, "Here's a man, the president of the union, who's accused of being associated with organized crime. Why wasn't Coia removed?"

It's a question thousands of honest Laborers are asking.

Reprints of this article are available. See page 234.

LIFE IN THESE UNITED STATES®



WHILE SHOPPING for a new washing machine, I mentioned to the salesman that I'd been buying the store's brand for 20 years. This time, however, I was considering another brand because it was widely advertised as needing few repairs. Assuring me that the store brand was very well made, the salesman went into some detail about its durability.

When I made the decision to buy the store brand after all, the salesman asked if I would like to purchase a two-year maintenance agreement for \$100. Surprised, I told him that I'd never before needed service on one of their appliances in its first two years.

"Well," he replied, "they're not making them like they used to."

—Sue Bobo (League City, Texas)

MY FRIEND KRISTA was getting married, so I bought and wrapped a slinky nightie to help create a romantic atmosphere on her wedding night. As she opened the package, I waited for her reaction, mentioning that I hoped she'd like it and, most of all, I hoped it would look good.

Krista lifted the sexy lingerie out of the tissue paper and, without a word,

threw it to the center of the room. We watched as it landed in graceful folds on the floor.

"Yup," Krista said, "it looks good!"

—Diane Zuidema (Blomkest, Minn.)

AT MY HOME GAMES during softball season, Mom was always the loudest fan. My two younger brothers came along to play with the smaller children in the sandbox behind the bleachers.

In the seventh inning of one game, as our pitcher was beginning her windup for what we hoped would be the last batter, Mom spotted several of the sandbox crew with arms raised and fists full of sand. In her most motherly tone, she shouted, "Don't throw that!"

The pitcher and all the other players immediately froze.

—Kimberley Reed (Ft. Lauderdale, Fla.)

FOR AIR TRAVEL I believe there are only two kinds of luggage: carry-on and lost. An airline ticket agent in Minneapolis confirmed this one day as I was checking a bag. I had removed my coat and was about to slip it into my suitcase before she put it on the conveyor belt. Just then she stopped me

Jan. 30 1996 - rcd

The Providence Journal-Bulletin
Washington Bureau

file
labor-
labors

Ms. Ginny Terzano
Office of the Press Secretary
The White House
Washington, D.C. 20500

Jan. 29, 1996

Dear Ms. Terzano:

Per our conversation of last Friday, I am writing to ask for your help with a story that Dean Starkman and I are preparing on the agreement between the Justice Department and the Laborers International Union of North America. The agreement will be one year old on Feb. 13.

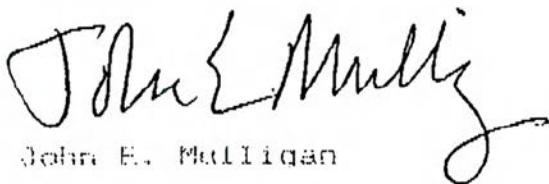
These are the questions we would like to have answered:

1. Is the White House satisfied with the union's progress under the agreement to rid itself of the influence of organized crime?
2. What contacts have the President and the First Lady had with the union's general president, Arthur A. Coia, since Nov. 4, 1994? Please detail them.
3. Mr. Coia has said that President Clinton designated Deputy Chief of Staff Harold Ickes as Mr. Coia's contact with the administration. What contacts has Mr. Ickes had with Mr. Coia since Nov. 4, 1994? Please detail them.

In addition, we would like to interview Mr. Ickes for this story. Please advise us how to proceed. I can be reached at (202) 783-0833. My fax number is 783-0832.

Thank you for your consideration.

Sincerely,


John E. Mulligan

400 North Capitol Street, Suite 890, Washington, D.C. 20001



United States Attorney
Northern District of Illinois

Dirksen Federal Building
219 South Dearborn Street, Room 12000
Chicago, Illinois 60604

FOR IMMEDIATE RELEASE
THURSDAY, FEBRUARY 1, 1996

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**GOVERNMENT PRODS 425,000 MEMBER LABORERS' INTERNATIONAL UNION
INTO HOLDING FIRST NATIONWIDE DIRECT RANK AND FILE ELECTION**

CHICAGO, IL. -- JAMES B. BURNS, United States Attorney for the Northern District of Illinois, together with PAUL E. COFFEY, Chief of the Organized Crime and Racketeering Section, United States Department of Justice, HERBERT L. COLLINS, JR., Special Agent-in-Charge of the Chicago Division of the Federal Bureau of Investigation (FBI), and CHARLES C. MASTEN, Inspector General, United States Department of Labor, today announced an agreement that will bring sweeping election reform to the Laborers' International Union of North America, a union with a long history of influence by organized crime. For the first time in the history of the union, members will be able to cast their ballots in a nationwide, direct rank and file election for the International's principal officers.

"The Laborers' Union has lacked meaningful democracy for decades," said Burns. "At the 1981 convention, the only occasion

JAN 31 '96 12:00PM US ATTORNEY

in which any member offered even token opposition, the candidate was physically beaten on the convention floor."

LIUNA, which has 425,000 voting members and 646 locals, is one of the nation's 10 largest labor unions. Federal law enforcement efforts have been centered in Chicago because of allegations that the Union was controlled by elements of the Chicago mob. In the past, all of LIUNA's national officers were chosen by delegates elected by locals to attend a convention at which officers were elected every five years.

The reforms agreed to by the union and the United States are designed to eliminate intimidation, promote participation, and provide for a free, fair, and democratic election. The measures include proportional voting, regionalization of vice-presidents, secret ballot voting at the convention, and direct rank and file election of the General President and General Secretary Treasurer.

In the past, 10 vice-presidents on the General Executive Board held their seats on an at-large basis and usually were elected by affirmation after having been appointed in mid-term by the General President. Under the reform agreement, the General Executive Board is expanded from 12 members to 15 members. Nine of 13 vice-presidents are to be elected by geographic region, making them accountable to a geographic constituency, rather than being beholden to the General President. All union members also will be eligible to vote on a referendum which, if passed, would result in the entire 15-member General Executive Board being elected by direct rank and file voting, instead of being elected by convention

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delegates, beginning with the next election in 2001.

Burns announced that the election reforms would be supervised by an independent Elections Officer, jointly selected by the Union and the United States. The Elections Officer will be Professor Stephen B. Goldberg from the Northwestern University School of Law. Professor Goldberg teaches labor law and is a well known mediator and arbitrator. He currently represents the Securities and Exchange Commission in proceedings to return the criminal gains of Michael Milken and Drexel, Burnham, Lambert to their victims. He also is President of the Mediation Research and Education Project (MREP), which promotes the mediation of labor grievances and the development of cooperative labor-management relationships.

Thomas Geoghegan and William P. Hobgood will serve as Deputy Elections Officers. Mr. Geoghegan is a labor lawyer in Chicago who has written extensively on the need to increase democracy within unions and has substantial experience in national elections involving the United Steelworkers of America, the United Mine Workers, and the International Brotherhood of Teamsters. He is author of "Which Side Are You On? Trying To Be For Labor When It's Flat On Its Back", a book about the state of the labor movement in the United States. Mr. Hobgood, a former Assistant Secretary of Labor, is a widely respected mediator and arbitrator who has extensive experience in overseeing union elections, including the Teamsters referendum election in 1991.

"The people who have agreed to administer these election reforms are dedicated to holding an election free from intimidation

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and corruption," said Burns.. "They are individuals of great integrity and we have worked with them to ensure that they are not subjected to improper influence."

The centerpiece of these election reforms will be a rank and file election for the top two Union offices that will be held late this year. In this election, every member will have the right to cast an individual secret ballot for the candidate of their choice.

"This union does not belong to organized crime, or to any individual union leader," said Coffey. "LIUNA belongs to the members who now will get the opportunity to control their own destiny."

The election reforms announced today are the latest product of a government supervised internal reform effort conducted by LIUNA. One year ago, the United States and LIUNA entered into an unprecedented three-year agreement which allowed the union to attempt to clean itself up while giving the United States a signed consent decree that may be implemented immediately if the United States believes that LIUNA is not doing the job. The agreement was reached in February 1995 after the United States had served the union with a draft civil racketeering complaint that alleged widespread corruption as the result of control of LIUNA by organized crime.

As part of its reform effort the union has passed an ethics code similar to that adopted by the United Auto Workers. This code makes a union member's association with organized crime a ground for being removed from the union. The union has established four

new positions charged with enforcing its disciplinary code. These positions are an Inspector General, who investigates charges; a General Executive Board Attorney, who prosecutes charges; an Independent Hearing Officer, who hears cases brought under the code, and an Appellate Officer, who adjudicates appeals from decisions made by the Independent Hearing Officer.

In the past year the Union has instituted reforms of its hiring hall procedures and has initiated numerous disciplinary cases based upon complaints filed by members. These complaints have been investigated by the Inspector General's office with a team of former law enforcement officers, and the union claims that 20 members have resigned or been removed as a result of disciplinary procedures.

"Progress has been made," said Burns, "but much work needs to be done. We will be closely monitoring everything that the Union does to make sure that its leaders carry out their stated commitment to eliminating corruption. If they fail to carry out that commitment, then the decree will be implemented. If they follow through, then the members will benefit from an honest union, achieved with minimal government interference. We will be watching."

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Date: 02/01/96 Time: 11:47

LGovernment Gets Laborers Union to Hold Rank-and-File Elections

WASHINGTON (AP) The Laborers' International Union of North America agreed today to allow its members to directly elect officers as part of a settlement with the Justice Department designed to purge organized crime influence.

"The 425,000 members of the Laborers' Union, one of the nation's 10 largest, will hold rank-and-file elections to choose its leadership for the first time since organized crime figures took over the union in 1926," Attorney General Janet Reno told her weekly news conference.

"Free and democratic elections are the best way to ensure that unions will truly serve their members," she said.

In fact, the secret-ballot vote by the full membership later this fall for the union's general president and secretary-treasurer will be the first such vote in the union's 92-year history, the government said.

Top leaders of the Laborers' union previously have been elected by delegates to a convention. Convention delegates were elected by local unions and regional councils.

With its major strength in the Midwest, the union represents employees in construction, service and public jobs such as digging tunnels, pouring cement and loading mail.

James Burns, U.S. attorney in Chicago who supervised the negotiations, said in the history of the union only one opposition candidate ever emerged at the 1981 convention. "That candidate was viciously beaten on the convention floor" and did not win, he said.

The union also agreed to hold a rank-and-file referendum this year on whether vice presidents on its executive board should be elected by direct, secret membership vote in the elections in year 2001. They now are appointed by the general president and confirmed by the convention.

The union agreed to expand this year from 10 at-large vice presidents to 13, with nine representing regions.

A three-member panel, headed by Northwestern University law professor Stephen B. Goldberg, will supervise the elections.

The direct elections are the next step in implementing a consent decree the union signed in Chicago in February 1995.

The decree resulted from a three-year investigation of organized crime influence over the union in Chicago and averted a trial of civil racketeering allegations the Justice Department had prepared.

The union agreed to investigate and discipline union members with links to organized crime, start internal reforms and democratize the international's elections.

Since the decree was signed, the union has expelled about 20 members on its own and adopted a new ethics code, Burns said today. The 1995 agreement gives the department until 1998 to step in and have a court name a panel to run the union if the internal reforms are inadequate.

Laborers General President Arthur A. Coia of Rhode Island has just been named head of the AFL-CIO's organizing committee. His union's organizing abilities have recently garnered him favorable national publicity.

In February, Burns said more than 80 union officials nationwide have been subject to federal prosecution in recent years.

The union is one of four described in 1986 by the President's Commission on Organized Crime as tied to mobsters. The others were

the Teamsters, the International Longshoremen's Association and the Hotel Employees and Restaurant Employees International Union.

''Organized crime has used its influence over the Laborers' union to obtain workers' benefit funds, provide no-show jobs for (La Cosa Nostra) members, pay the personal expenses of union officials, gain access to the political process and ... manipulate the construction market,'' the commission reported.

Seven years ago, in response to a civil racketeering suit against the Teamsters, a panel of monitors that is still in place was named to clean up the union. The panel has produced the removal or resignation of more than 150 officials from 1.3-million-member Teamsters union.

Last September, the Hotel Employees and Restaurant Employees International Union settled a civil racketeering suit by accepting a government-chosen panel that will work to rid that union of mob influence.

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Labours

Arthur Coia

12/20/95 BCT meeting (Building & Construction Trades labor ~~meeting~~)
12/6/95 Holiday reception
10/19/95 AFL-CIO reception (NYC)
9/11/95 DNC BLF reception
11/10/94 Health Care reception
11/8/94 Election Day reception
10/20/94 DNC dinner
9/30/94 DNC Labor Council Breakfast
8/3/94 Health Care Express
6/28/94 Breakfast
5/12/94 Founders of National Garden Coffee
5/10/94 AFL-CIO meeting
5/4/94 School to Work Bill Signing
4/19/94 DNC Trustees Reception
3/9/94 Remployment Act reception
12/8/93 Holiday reception
12/1/93 DNC Managing Trustee Dinner
9/1/93 Labor Day reception
6/16/93 Private dinner
5/4/93 AFL-CIO meeting

Have to Henry T on
2/8/96 @ 530 pm

Arthur Coia

- 1/29/96 DNC Finance Lunch - regretted
12/6/95 Holiday Reception - attended
9/11/95 DNC BLF Reception - accepted
5/26/95 Meeting - regretted
2/21/95 DNC Dinner - regretted
11/10/94 Health Care Reception - attended
11/8/94 Election Day Reception - attended
10/20/94 DNC Dinner - attended
9/30/94 DNC Labor Council Breakfast - attended
8/3/94 Health Care Express Bus Arrival - Attended
6/28/94 Breakfast - attended
5/12/94 Founders of the Natl. Garden Coffee - attended
5/10/94 AFL-CIO Meeting - Attended
5/4/94 School to Work Bill Signing Ceremony - attended
4/19/94 DNC Trustees Reception - attended
3/9/94 Reemployment Act Reception - attended
12/8/93 Holiday Reception - attended
12/1/93 DNC Managing Trustees Dinner -
10/14/93 DNC Reception - regretted
9/1/93 Labor Day Reception - attended
6/16/93 Private ~~Dinner~~ Dinner - attended
5/4/93 AFL-CIO Meeting - attended
12/20/95 Meeting w/ Potas + buildy + construction trades
union leaders - attended
10/19/95 AFL-CIO Reception in NYC - Coia attended

THE WHITE HOUSE
WASHINGTON

January 30, 1996

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File

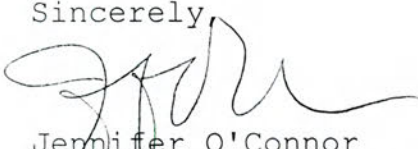
Mr. Arthur A. Coia
General President
Laborers' International Union
of North America
905 16th Street, N.W.
Washington, D.C. 20006-1765

Dear President Coia,

Attached is a copy of a more detailed scheduling office response to your suggestion the President join you, Mr. Player and Mr. Lee in a game of golf.

As you can see from the letter, the schedulers are unable to commit to a definite date yet, but I know Harold is discussing it with them. Please let me know if there is anything I can do to be of further assistance.

Sincerely,



Jennifer O'Connor
Special Assistant to the President

THE WHITE HOUSE
WASHINGTON

January 26, 1996

Mr. Arthur A. Coia
General President
Laborers' International Union
of North America
905 16th Street, N.W.
Washington, D.C. 20006-1765

Dear Mr. Coia:

Thank you for taking the time to suggest that President Clinton enjoy a game of golf with Mr. Player, Mr. Lee, and yourself.

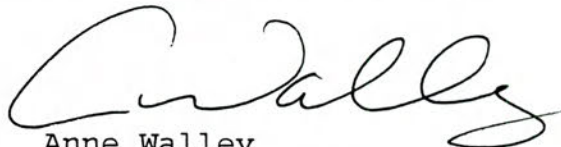
At this time, we are unable to commit to a definite date concerning your request. Please know that your invitation is receiving our full attention, and at the appropriate time we will notify you about the available dates.

On behalf of the President, thank you again for your thoughtful invitation.

Sincerely,



Stephanie S. Streett
Director of Scheduling



Anne Walley
Director of Scheduling

SSS/AW/exd



ARTHUR A. COIA
General President

LABORERS' INTERNATIONAL UNION of NORTH AMERICA

HEADQUARTERS: 905-16th Street, NW, Washington, D.C. 20006-1765 Phone: (202) 737-8320 Fax: (202) 737-2754

September 21, 1995

President Bill Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

As I mentioned to you in my letter this summer, I was with Gary Player at Congressional in June, and we spoke about you at length. Gary is a strong supporter of you and your programs, and he mentioned to me that he'd like to assist in your re-election campaign.

→ As you'll recall, one way he feels he could help would be to set up a golf game between he, Lee Elder, you and I. We both think such an effort would provide some positive and visible publicity that will aid in your goal of leading this country for years to come. Mondays are best for Gary, at the time and course of your choosing.

Once you've had a chance to review your schedule, please let me know when you'll be available.

Sincerely,

Arthur

January 25, 1996

Mr. Arthur A. Coia
General President
Laborer's International Union
of North America
905 16th Street, N.W.
Washington, D.C. 20006-1765

Dear Arthur:

It was a pleasure seeing you and your colleagues, and I appreciate your sending me summaries of key labor-related issues. I have asked Harold Ickes, Deputy Chief of Staff, to respond to you directly regarding your concerns with the Department of Energy.

Hillary joins me in sending best wishes.

Sincerely,

BC/JRS/ws-ckb (Corres. #2644787)
(1.coia.aa)

cc: Harold Ickes

BILL CLINTON

file-
~~BC/JRS/ws-ckb~~
Labor - Laborers
(1) Did Energy issues get to Baedertin?
(2) See if we can set up a meeting thru Baedertin on the energy issue this week
(3) Did we figure out Coia's most recent not? (on sched. rev?)

*Sent
Out*

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Labour's*

January 30, 1996

Mr. Arthur A. Coia
General President
Laborers' International Union
of North America
905 16th Street, N.W.
Washington, D.C. 20006-1765

Dear President Coia,

Attached is a copy of a more detailed scheduling office response to your suggestion the President join you, Mr. Player and Mr. Lee in a game of golf.

As you can see from the letter, the schedulers are unable to commit to a definite date yet, but I know Harold is discussing it with them. Please let me know if there is anything I can do to be of further assistance.

Sincerely,

Jennifer O'Connor
Special Assistant to the President



LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

ARTHUR A. COIA
General President

January 17, 1996

R. P. VINALL
General
Secretary-Treasurer

Jennifer O'Connor
Special Assistant to the President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Jennifer:

It was indeed a pleasure to have you join us at the December 21 meeting with President Clinton. The other General Presidents and I were quite impressed with your friendliness and cooperative spirit, and we each look forward to working with you in the days ahead.

There is a matter I would like to bring to your attention, not only because it has left me confused but, in great part, because it reflects so poorly on the Office of the President. Specifically, I refer to the December 19 letter (copy attached) which I received from the President's Directors of Scheduling Stephanie Streett and Anne Walley. The aimless inadequacy of this letter has confounded me and my staff, demands further clarification, and stands in sharp contrast to your own correspondence.

I am not certain from the December 19 letter exactly *which* invitation to the President is being referred to -- I have been in personal contact with him on several subjects, including the Laborers' 1996 Convention, the upcoming 25th Anniversary Celebration of Wolf Trap, and a friendly game of golf. I am assuming the reference is to his appearance at our Convention in Las Vegas the week of September 23, 1996, but as you can understand, I prefer not to assume anything where the President is concerned.

Thank you for your assistance. It is a great help having someone to contact who you know will respond to the problem.

Sincerely,

ARTHUR A. COIA
General President

AAC/jl

1996 LHMAT 101

THE WHITE HOUSE
WASHINGTON

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GP

December 19, 1995

Mr. Arthur A. Coia
General President
Laborers' International Union
of North America
905 16th Street, N.W.
Washington, D.C. 20006-1765

Dear Mr. Coia:

We have received your recent invitation to President Clinton. The President has asked us to convey his appreciation for your generous offer.

Your request is currently under consideration. We will contact you as soon as we have any further information regarding the status of your invitation.

Sincerely,



Stephanie S. Streett
Director of Scheduling



Anne Walley
Director of Scheduling

SSS/AW/gxa

cc Vee Kamber
S. Kamber
Public Affairs 12/27/95

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Reader's Digest Questions

1. Was LIUNA President Arthur A. Coia present in the box with the President at Camden Yard the night Ripken broke Lou Gehrig's record? If so did the President invite him, or who instigated the invitation? [We understand that the President was himself a guest of the Orioles owner.].

2. What other White House invitations have gone to Coia since the May 14 Providence Journal article? What other presidential letters & notes?

3. Who decides on & issues Coia's White House invitations?

4. The PJ quotes the WH press office that the Deputy Chief of Staff passed along the Justice Department warning to the First Lady to have no conversation with Coia in Miami; who was that? What prompted the Justice Department to notify the Counsel's Office that Mr. Coia was currently under investigation? The White House response to the PJ's questions indicates the Justice Department, not the Counsel's office, warned that Mrs. Clinton should have no private meetings or conversation with Coia; is that correct? *David Margolis*
phone call from me

5. After that warning, has the White House kept informed of the negotiations and conflicts between the Justice Department and LIUNA, before and after the Feb. 14 agreement?

6. Has the Prex. or Mr. Ickes or anyone else in the White House discussed with the Justice Department or with Coia the LIUNA progress, or lack of it, in cleaning up corruption & Mafia control? *Yes - we turn WH Counsel*

7. Today [Sept. 27] we received an invitation from LIUNA and Coia to an October 17 benefit performance of Cirque Du Soleil's "Algeria," to raise money for "Food & Friends," a non-profit service delivering meals to homebound people with AIDS. The President and Mrs. Clinton are listed as honorary co-chairs, and Coia and LIUNA are prime sponsors. Who at the White House makes a decision to lend the name of the President and First Lady to such an event?

END

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The Providence Journal-Bulletin

May 14, 1995, Sunday, ALL EDITIONS

SECTION: NEWS, Pg. 1A

LENGTH: 3680 words

HEADLINE: Bitter fight reveals allegations of corruption in Laborers' union; The White House says Hillary Clinton was advised of an investigation and told to avoid private conversation with the union president.

BYLINE: This story was reported by Journal Bulletin staff writers; Dan Barry, John Mulligan, Mike Stanton,; Dean Starkman and John Sullivan,; and was written by Barry and Stanton.

BODY:

There are problems at headquarters.

The boss has suspended two executives because of suspected ties to the Mafia. They've sued, alleging that the boss has also been linked to organized crime; in fact, they said, he was once indicted with a mob kingpin from New England.

The front office here is at the Laborers' International Union, one of the largest unions in the country. The boss is Arthur A. Coia. Formerly of Providence, he now moves within America's most powerful circles; even President Clinton enjoys his counsel.

But Coia and his union brothers are fighting for their careers.

Their front-office brawling has spilled into open court. It has brought to public light a swirl of allegations against Coia and other Laborers' executives - as well as behind-the-scenes negotiations with the Justice Department.

The most stunning document is a draft of a civil racketeering complaint that Justice officials delivered to the Laborers' Washington headquarters last November. The draft was unsigned, and never filed by the federal government in court; it surfaced as an exhibit in a lawsuit sparked by the internal union struggle.

The draft complaint synthesizes a three-year investigation into the Laborers'; it portrays the union as hopelessly corrupt, rife with organized crime, and led by men who illegally - sometimes violently - crushed dissent and skimmed union funds.

The document zeroed in on Coia. According to court records, the draft said that Coia has "associated with, and been controlled by and influenced by organized crime figures." The draft also said that he had conspired as recently as last year to funnel money from upstate New York locals to the Buffalo Mafia.

The Justice Department was threatening to seek a government takeover of the union. And it was demanding the ouster of Coia and other union executives.

Providence Journal-Bulletin, May 14, 1995

Three months of negotiations followed. The Justice Department dropped its demand for Coia's removal. Meanwhile, Coia suspended two vice presidents accused of having mob connections - including Samuel J. Caivano, a longtime ally of Coia's from New Jersey.

In February, the Laborers' and the Justice Department signed an agreement designed to reform the union; both sides trumpeted the pact as historic in union-government relations. Overseeing the union's cleanup was one of the draft complaint's original targets: Arthur Coia.

Senior Justice Department officials have declined to explain why they allowed Coia to remain in charge when their draft said he had connections to organized crime. But that is exactly what Caivano has been wondering; his lawyers argue that Coia betrayed union colleagues to curry favor with the government.

"The head man initially targeted by the government was able to 'trade down' and convince the government to take two vice-presidents in his stead," Caivano's lawyer argued in court papers. "Defendant Coia had just struck one of the most delicate and fragile arrangements of his life."

That Coia remains in charge of the Laborers' also perplexed a federal judge who recently held a hearing on Caivano's complaint. "Here's a man, the president of the union, who's accused of being associated with organized crime, the focus of a 212-page complaint . . .," U.S. District Court Judge Emmet G. Sullivan said last month. "Why wasn't Coia removed?"

Robert D. Luskin, the lawyer who is representing the Laborers' in the negotiations, says that the draft complaint was more of a bargaining tool for the government to initiate talks than an accurate depiction of the union and Coia. Still, he acknowledges that some of the Justice Department's concerns about the union have merit.

Coia, meanwhile, denies any ties to organized crime, and derides the government's draft complaint as "a history book," "a wish list" and "window dressing." He also praises the agreement that allows him to remain as general president, with new powers to foster reform.

"It's the best of times," he says.

'Letter-writing friendship'

Arthur Coia is paid \$ 191,000 a year to oversee a union with some 770,000 members in the United States and Canada - many of whom clean up hazardous waste, work on road crews, and toil at construction sites. The dues paid to the International exceeds \$ 25 million a year.

In representing their interests, the 52-year-old Coia has become a prominent social and political figure in Washington, and has emerged as one of President Clinton's strongest supporters.

Coia's union loaned \$ 100,000 to the Clinton inaugural committee, and ranks among the top 10 contributors to the national Democratic Party. He co-hosted a \$ 1,500-a-plate fund-raiser that netted \$ 3.5 million for the Democrats. He pledged \$ 100,000 in Laborers' funds to the U.S. Botanic Garden, which gave him and his wife entree to an exclusive dinner attended by the Clintons.

Providence Journal-Bulletin, May 14, 1995

Along the way, Coia has gone from a face in the White House crowd to someone the President calls by first name. The two men share a passion for golf, memorialized by the exchange of gifts of fancy golf clubs. They have also developed what Coia calls a "letter-writing friendship."

Coia's letters have pledged support for Mr. Clinton's economic and health care plans; expressed sympathy on the death of Mr. Clinton's mother; asked for help with a labor-training project in Mexico; and given thanks for a breakfast meeting with the President.

The President often responds, sometimes formally, sometimes personally. In addition, the White House has extended various invitations to Coia: to see the Pope in Denver; to a reception for the Emperor of Japan; to the signing of the Israeli-Palestinian peace agreement; to breakfast with the First Lady; to accompany Mr. Clinton on a campaign trip to Pawtucket.

In a single week last October, Coia sent Mr. Clinton four letters. In one note, he and his wife thanked the President for a "wonderful evening of dinner and entertainment at the White House."

"We must especially offer our compliments on your choice of music for the event, and thoroughly enjoyed seeing a talented saxophone player entertain the crowd."

The draft complaint

Last Nov. 4, Mr. Clinton sent Coia a handwritten note congratulating the union leader on becoming a grandfather, and thanking him for the gift of a "gorgeous" golf club crafted by Coia's clubmaker in East Providence.

That same day, Mr. Clinton's Justice Department dropped off the draft complaint at the Laborers' Washington headquarters that gave the devastating overview of Coia's union - a union it said had "an aura of criminality and pervasive lawlessness." Among its allegations:

In the last two decades, more than 80 Laborers' officials have been convicted of racketeering, bribery, extortion, usury, income tax evasion - even attempted murder;

The Mafia's dominant organized-crime families - Genovese, Lucchese, Colombo - have been running or influencing union locals in New York, Chicago, Cleveland, St. Louis, Buffalo, Florida and New England.

Union leaders have manipulated trusteeships, district councils and hiring practices to suppress dissent and to maintain a corrupt status quo.

Union leaders have failed to investigate corruption or to address organized-crime influence, and have "prevented and inhibited the rank-and-file members from democratic participation."

It said that Vice President Samuel Caivano, a prominent labor leader in New Jersey, was a Mafia associate who had appointed mob-connected men to oversee union affairs in New York and New Jersey.

Providence Journal-Bulletin, May 14, 1995

It said that Vice President John Serpico of Illinois was a Mafia associate whose connections to the Chicago mob had influenced his union activities.

Nor did the draft complaint spare Coia. It resurrected his 1981 indictment - along with his father and New England mob boss Raymond L.S. Patriarca, both now dead - on racketeering charges. The case was dismissed because the indictment was filed after the statute of limitations expired.

The draft said that the union president has been associating with New England crime figures for "a substantial period of time." But it provided no specifics beyond the 1981 indictment.

The document also said that Coia and others had recently used "actual and threatened force, violence and fear" to wrest control of training funds from union locals in upstate New York.

The money in those funds, the document said, would be used to establish mob-controlled training centers in Buffalo and Albany. Those centers would then be used to reward mob-connected contractors, provide jobs to Buffalo organized-crime figures, and pay for "unnecessary or extravagant" travel by union officials and others.

Further details of the upstate New York allegations were concealed; prosecutors blacked out more than four pages.

The document called for the removal of Coia, Caivano and other union executives and the immediate appointment of federal trustees. This step, it said, would ensure more open elections, correct "financial malpractice," and eliminate organized-crime influence.

The Justice Department gave Coia's union two weeks to respond.

Negotiations

The Laborers' scrambled to salvage its cherished autonomy.

It hired a former Justice Department lawyer, Robert Luskin, to negotiate with high-ranking Justice officials.

On Nov. 16, Luskin met with Paul E. Coffey, chief of the Justice Department's organized crime and racketeering section. Luskin says that Coffey asked whether Coia was prepared to "step aside" during settlement discussions, since the union president was personally named in the draft complaint.

But Caivano said in a court affidavit that he was told Coffey brought up the matter less delicately: "We won't talk to you as long as Arthur Coia is president."

Luskin says he told Coffey that the request was inappropriate, and that Coia would not step down. After that, he says, Justice Department officials never again raised the matter of Coia's resignation - and neither did the union.

"After the first meeting with the government, on Nov. 16, the terms of that draft complaint were never, never a subject of discussion between us," Luskin recalls. "The subjects of discussions were: 'How far can we trust you, why

should we trust you, and what are you prepared to do?' "

In fact, by early December, Coia had his personal lawyers participating in the negotiations, including Brendan V. Sullivan Jr., whose defense of Oliver North during the Irangate hearings had earned him national prominence.

On Dec. 14, Luskin says, the government proposed a settlement that called for the removal of Caivano, Serpico, and others - but not Coia. Said Luskin in a court affidavit: "At no point thereafter was Mr. Coia's status as General President a subject of discussion or an issue in whether or not the government would file the draft complaint."

War of words

Negotiations continued through December and into January.

On Jan. 4, president Coia informed his executive board of the Justice Department investigation that was threatening the union's future. Caivano charges in court records that Coia had not mentioned it earlier because "he was trying to strike a deal to keep his position."

Coia and Luskin encouraged the board members to endorse a "contract" with the Justice Department that was designed to prevent a government takeover; it called for various internal reforms.

Caivano says in his court affidavit that he and Serpico protested, saying that they had not read the document. In addition, they said that the full membership should have a voice in the decision.

The meeting ended testily, and without a vote.

Two weeks later, the executive board reconvened. It was asked to approve an ethics code that gave Coia unprecedented enforcement powers, and to adopt new disciplinary procedures. Both measures passed.

Moments later, Coia suspended the only two executives to vote against the proposals, Caivano and Serpico, apparently based on the government's allegations that both men had organized-crime connections.

The suspensions ignited a war of words, waged through the mail and over fax machines in local Laborers' offices around the country.

Members received copies of the agreement with an urgent message to read the document: "You will then know how your general president Arthur Coia and the executive board sold you down the river."

Coia countered with a "special notice": "The bottom line is clear: The General Executive Board and I are working with, not for, the Federal Government in our effort to make certain this union is operating in the best interests of our members."

Caivano and Serpico also filed separate lawsuits against the union. A common charge in their complaints: That Coia had ousted two former allies to appease the government and to save his own career.

Stephen M. Ryan, one of Caivano's lawyers, expressed disbelief at a U.S. District Court hearing in February. How could Caivano and Serpico be removed, he wondered, when the draft complaint portrays Coia as a "second-generation racketeer."

Ryan said the government's agreement with the union had allowed Coia to "save his own skin at the expense of other people."

That members of the union's executive board had known each other for decades made the dispute all the more painful.

For example, the Coia and Caivano families were once close. As recently as last summer, Coia was effusively praising Caivano at the dedication of the Samuel Caivano Training Center in Albany, N.Y.

A videotape, filed in court, captures Coia speaking at a testimonial for Caivano a few years earlier. He called Caivano a close family friend, and "more than a labor leader. He is truly a quality human being, a humanitarian, someone I am proud to know and be part of his family."

Caivano declined comment; Coia wouldn't discuss their relationship.

'Not . . . a sellout'

On Feb. 15, after three months of negotiations, the Justice Department announced that it had reached an agreement with the Laborers' that was designed to "rid the union of the influence of organized crime."

The agreement gave the union 90 days to demonstrate its commitment to internal reform. But the government reserved the right to take over the union at any time in the next three years if it believes that the union's actions are inadequate.

In addition to Coia, the document was signed by three top Justice lawyers: Assistant Attorney General Jo Ann Harris; James B. Burns, the U.S. Attorney for Chicago; and Paul Coffey, the chief of the organized crime and racketeering section.

Craig Oswald, an assistant federal prosecutor in Chicago who participated in the negotiations, emphatically denies any "sweetheart deal for Arthur Coia."

"Having participated in the heated negotiations myself - as one of the people who lost my temper more than others would have - this is not in any way a sellout," Oswald says. Coia "theoretically is subject to discipline."

Nevertheless, the agreement left Coia in charge. It makes no mention of the allegations contained in the draft complaint that had been delivered to the union just three months earlier.

"What happened was an extraordinary placing of trust," says Luskin. "It's unlike anything that's happened before. It is the first time that a union, in an organized, aggressive way, has decided to clean up its own house."

In a statement Friday, Assistant Attorney General Harris - the Justice Department's number-three official - disclosed that the government and the

Providence Journal-Bulletin, May 14, 1995

union had developed a new, "agreed upon RICO complaint and consent decree" that it reserves the right to file until February 1998.

Luskin declines to comment on the contents of a new draft complaint. Although the union had offered advice on its wording, he says, "we do not acknowledge the truth" of any of its allegations.

'An embarrassment'

Throughout the negotiations, Luskin says, he instructed Laborers' executives to avoid any appearance of seeking political favor.

There is no indication that the Clinton administration intervened in behalf of the Laborers' or that the union sought such intervention. However, the situation reflects the uneasy coexistence of business and politics in Washington, where, Luskin says, "there's always an assumption of political strings being pulled."

"I made it very clear that it was not going to happen here," Luskin says. "And so far as I know, absolutely nobody contacted anybody at a political level. . . . It would be offensive and it would be death."

Coia agrees. He says that in the weeks after receiving the draft complaint, he continued to meet with top Clinton administration officials - but only to discuss labor issues.

And he continued his cordial relationship with President Clinton.

Days after the Justice Department delivered its ultimatum to the Laborers', Mr. Clinton sent two notes to Coia. In one letter, which opened with "Dear Art" and closed with "Bill," the President promised to share Coia's views on labor with Labor Secretary Robert Reich. In the other, Mr. Clinton thanked Coia for his support of the Democratic Party.

Coia says he was too embarrassed to mention the Justice Department case to the top-level federal officials he was dealing with at the time. "Someone says that the government wants to take over the union that I lead?" says Coia. "That's an embarrassment to me."

Nor did the White House want to be embarrassed.

Word of the federal investigation of Coia and the Laborers' had reached the White House Counsel's Office by early February, when First Lady Hillary Rodham Clinton was preparing for a trip to Florida to speak at a Laborers' convention - at Coia's invitation.

A White House deputy chief of staff advised the First Lady to avoid "private meetings or conversations with Mr. Coia" because he was "currently under investigation," according to a White House statement issued Friday.

The statement also said:

President Clinton was not told of the Laborers' investigation because "there was no occasion for which he had a need to know this information."

Providence Journal-Bulletin, May 14, 1995

Neither the President nor the First Lady was told of the negotiations between the Justice Department and the Laborers, "including any decisions regarding Mr. Coia's status as president of the union."

Neither the President nor the First Lady discussed the investigation with the Justice Department. In addition, the President and the First Lady "did not discuss the matter with Mr. Coia at any time."

The First Lady kept her engagement with the Laborers' in Miami. During her visit, a White House spokeswoman says, Hillary Clinton had no specific discussions with Coia.

But Coia has a different recollection. He says that during an informal moment, he asked the First Lady if she had heard about his efforts to clean up a corrupt local in New York.

" 'I want you to know that we are, have taken over that problem in New York City,' " Coia recalls telling her.

The First Lady replied that she wasn't aware of it, and the conversation shifted to other topics, Coia says. "It was good that she didn't know anything about it."

Investigations

The Laborers' 90-day "probation" runs out tomorrow.

Atty. Gen. Janet Reno, who was in Rhode Island on Friday for an awards ceremony, deferred comment on the Laborers' investigation. "I'll be glad to check it for you," she said.

Coia and Luskin, meanwhile, believe that they will be allowed to continue cleaning up the union without government intervention. They point out that the union has hired former federal prosecutors and ex-FBI agents to investigate nearly 100 allegations of union corruption.

Luskin, who will oversee those investigations, says that he will doggedly pursue any lead he receives. He says, for example, that disciplinary proceedings are moving forward against Serpico and Caivano (Earlier this month U.S. District Court Judge Emmet Sullivan denied, for now, Caivano's bid to be reinstated on the ground that the Laborers' official had not exhausted his union appeal.)

But Luskin says he has not begun an investigation of Coia; nor has he immediate plans to investigate the Justice Department draft complaint's allegations concerning Coia.

Still, Luskin vows: "Before the end of the day, anything in which Arthur's name comes up will be looked at . . . to determine whether or not there is any substantiation."

Coia denies the characterization of him in the document - including the organized-crime allegations - and says he would welcome a background investigation. Such openness, he says, is in keeping with the "spirit of alliance and partnership" that now exists between the government and the union.

Providence Journal-Bulletin, May 14, 1995

"Our process is unfolding," he says. "A lot of the credit I'd like to take personal responsibility (for) and pat myself on the back."

Response from the White House

In response to questions from the Journal-Bulletin, the White House issued a statement on Friday about the Justice Department investigation of the Laborers' Union. That statement reads in part:

The First Lady accepted an invitation to speak at a Tri-Fund Conference in Florida on February 6, 1995. A few days prior to her departure, Ms. Clinton was informed by the Deputy Chief of Staff that the Justice Department had informed the Counsel's Office that Mr. Coia was currently under investigation; therefore, she should not have any private meetings or conversations with Mr. Coia. The President was not advised of the Justice Department's investigation of Mr. Coia as there was no occasion for which he had a need to know this information. Neither the President nor the First Lady was informed about the Department's negotiations in the investigation, including any decisions regarding Mr. Coia's status as president of the Union.

The Department informed the White House Counsel's office that Mr. Coia was under investigation. Neither the President nor the First Lady discussed this matter with the Justice Department.

The President and First Lady did not discuss this matter with Mr. Coia at any time.

GRAPHIC: Photo: HILLARY CLINTON @CAdvised of investigation

NEGOTIATOR: Robert D. Luskin, a former Justice Department lawyer hired by the Laborers', dismisses the allegations against Coia and hails the agreement hammered out with Justice: "It is the first time that a union, in an organized, aggressive way, has decided to clean up its own house."

PRESIDENTS: Bill Clinton and Arthur A. Coia, head of the Laborers' International Union, have developed a friendship in recent years.

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LOAD-DATE-MDC: May 16, 1995

Reader's Digest Questions

1. Was LIUNA President Arthur A. Coia present in the box with the President at Camden Yard the night Ripken broke Lou Gehrig's record? If so did the President invite him, or who instigated the invitation? [We understand that the President was himself a guest of the Orioles owner.].

2. What other White House invitations have gone to Coia since the May 14 Providence Journal article? What other presidential letters & notes?

3. Who decides on & issues Coia's White House invitations?

4. The PJ quotes the WH press office that the Deputy Chief of Staff passed along the Justice Department warning to the First Lady to have no conversation with Coia in Miami; who was that? What prompted the Justice Department to notify the Counsel's Office that Mr. Coia was currently under investigation? The White House response to the PJ's questions indicates the Justice Department, not the Counsel's office, warned that Mrs. Clinton should have no private meetings or conversation with Coia; is that correct?

5. After that warning, has the White House kept informed of the negotiations and conflicts between the Justice Department and LIUNA, before and after the Feb. 14 agreement?

6. Has the Pres. or Mr. Ickes or anyone else in the White House discussed with the Justice Department or with Coia the LIUNA progress, or lack of it, in cleaning up corruption & Mafia control?

7. Today [Sept. 27] we received an invitation from LIUNA and Coia to an October 17 benefit performance of Cirque Du Soleil's "Algeria," to raise money for "Food & Friends," a non-profit service delivering meals to homebound people with AIDS. The President and Mrs. Clinton are listed as honorary co-chairs, and Coia and LIUNA are prime sponsors. Who at the White House makes a decision to lend the name of the President and First Lady to such an event?

END

THE WHITE HOUSE
WASHINGTON

May 12, 1995

Sent 5/12
also faxed to
783-0832 5/12
phone 783-0833

Dean Starkman
John E. Mulligan
The Providence Journal-Bulletin
400 North Capitol Street, Suite 890
Washington, D.C. 20001

Dear Messrs. Starkman and Mulligan:

Michael McCurry asked me to respond to your letter in his absence. This letter responds to the questions posed to Mr. McCurry in your letter of April 25, 1995.

Response to Question 1:

The White House was not part of, nor does it have any information about the reasons for, decisions made by the Justice Department during the course of its investigation, including its decision to settle the civil suit against the Laborers International Union of North America. We therefore have no information about its decision regarding Arthur Coia's status as president of the Union.

Response to Question 2:

The First Lady accepted an invitation to speak at a Tri-Fund Conference in Florida on February 6, 1995. A few days prior to her departure, Ms. Clinton was informed by the Deputy Chief of Staff that the Justice Department had informed the Counsel's Office that Mr. Coia was currently under investigation; therefore, she should not have any private meetings or conversations with Mr. Coia. The President was not advised of the Justice Department's investigation of Mr. Coia as there was no occasion for which he had a need to know this information. Neither the President nor the First Lady was informed about the Department's negotiations in the investigation, including any decisions regarding Mr. Coia's status as president of the Union.

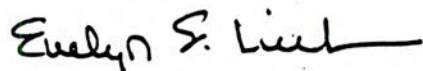
The Department informed the White House Counsel's Office that Mr. Coia was under investigation. Neither the President nor the First Lady discussed this matter with the Justice Department.

Messrs. Starkman and Mulligan
May 12, 1995
Page Two

The President and First Lady did not discuss this matter with Mr. Coia at any time.

Thank you for inquiring.. I trust this information will be useful as you write your article,

Sincerely,



Evelyn S. Lieberman
Deputy Assistant to the President and
Deputy Press Secretary for Operations

October 6, 1995

To: Harold Ickes
From: Jen O'Connor
Subject: Arthur Coia

1. CAMDEN YARD

Orioles Owner Peter Angelos invited the President to sit in his box. The box has 36 seats. He invited the President to fill 15 seats. He provided to the White House a list of the people he invited to fill the remaining seats. Arthur Coia was not among the 15 seats filled by the White House, nor among the seats filled by Angelos. During the course of the evening, Angelos let lots of people come into his box. Coia could have been among them, but Paige Reefe, who was lead advance for the event, does not remember ever meeting Coia, seeing him in the box, or hearing his name.

2. HONORARY CO-CHAIRS OF FOOD AND FRIENDS BENEFIT

The White House approved the President and Mrs. Clinton serving as honorary co-chairs of Food and Friends' benefit. The back-up material is attached. The request came from Andrew Barrer, the director of Food and Friends. His letter did not mention Coia and he asked the first family to be honorary chairs of the entire capital campaign. The request went through Marsha Scott who said that this was a great group. Our correspondence unit placed the request into the regular process for evaluating these types of requests. It went to the Counsel's office and was approved by Kathy Whelan. She suggested that the President and First Lady chair a single event rather than the whole campaign. Rebecca Aarons, in the Gift Unit, then asked Barrer for a single event we could chair instead, and he sent a letter describing the Cirque Du Soleil event and mentioning that Coia, along with Gerry McEntee, Victor Kamber, and Doug Dority, were co-chairs. This material then went to John Podesta, Erskine Bowles and Maggie Williams, all of whom signed off. Jim Dorskind, head of correspondence, then sent a letter to Barrer confirming that he could use the President and First Lady as honorary chairs.

For your information, as of July, we had received 442 similar request and had approved approximately 30%. The approvals were based on knowledge of the group and its cause.

3. EVENT INVITATIONS

Since May 14, 1995, Arthur Coia has been invited to two events in the White House.

A. AFL-CIO meeting, May 26, 1995

Coia, along with other union presidents were invited to an AFL-CIO meeting with the President. Coia regretted the invitation. The list came to the Social Office from either Political Affairs or Public Liaison.

B. DNC Business Leadership Event, September 11, 1995

The President hosted the DNC Business Leaders Forum. The DNC provided the list to the Social Office. Coia was on the list and attended.

4. NOTES

Since May 14, 1995, there is only one Presidential note to Coia. There are a few notes from Billy Webster as well. Back-up is attached.

- A. Coia wrote to POTUS on 9/21/95 to recommend Gary Player for the re-election campaign. No response has gone out yet. The note is in Nancy Hernreich's office awaiting a response.
- B. Coia requested the President sign a copy of a Peter Max print. The print has not yet been signed but is in Nancy Hernreich's office awaiting signing.
- C. On May 23, 1995, the President signed a form letter to Coia, on DNC Bill Clinton stationary thanking him for attending the Labor Council Reception. The Social Office has no record of this event and so thinks it didn't happen at the White House. The same letter went out to approximately 75 labor leaders.
- D. On June 8, 1995, Coia invited the President to address his 21st General Convention in September, 1996. Bill Webster replied that the President would not be able to attend.
- E. On May 26, 1995, the White House sent a proclamation on Labor History Month to a list of labor leaders including Coia. There was no personal note with the proclamation.

Accept
ST
m

Food and Friends

THE WHITE HOUSE
WASHINGTON

June 19, 1995

Dr. Andrew E. Barrer
Capital Campaign Chairman
Food & Friends
1712 22nd Street, N.W..
Washington, D.C. 20008

Dear Dr. Barrer:

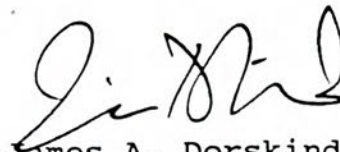
Thank you for your letter requesting that the President and First Lady serve as Honorary Chairs for Food & Friends' Capital Campaign event featuring the opening night performance of the Cirque du Soleil. I am pleased to inform you that President and Mrs. Clinton have accepted your invitation. It will be an honor for them to take part in your efforts, and I am hopeful their participation will contribute to your success.

Because the use of the President's and First Lady's names is governed by certain restrictions, I would appreciate the opportunity to review any printed materials in which you plan to mention the President's and First Lady's participation. My office can assure prompt review, but please allow two weeks prior to press time.

In addition, I want to let you know that the President's and First Lady's agreement to serve is extended for this purpose only and is not transferable to other functions or bodies.

Thank you again for asking the President and First Lady to participate.

Sincerely,



James A. Dorskind
Special Assistant to the President
Director of Correspondence and
Presidential Messages

THE WHITE HOUSE

WASHINGTON

May 31, 1995

MEMORANDUM TO JOHN PODESTA, ERSKINE BOWLES, MAGGIE WILLIAMS

FROM: JESSICA ARONS *JA*

THROUGH: DANIEL W. BURKHARDT *DWB*

RE: Food & Friends

Dr. Andrew Barrer originally requested that the President and First Lady serve as Honorary Chairs for the Food & Friends Capital Campaign. However, Counsel's Office recommended that the principals limit the use of their names to a single event. As a result, Dr. Barrer has now submitted a request that they act as honorary chairs for a kickoff event for the campaign. This event is the performance of the Cirque du Soleil on the night of October 17, 1995. The co-chairs of this event include Dr. Barrer, Arthur Coia, Doug Dority, Victor Kamber, and Gerald McEntee. I enclose copies of both requests.

If you have any questions, please call me at 6-5529. Thank you.

Jessica -

5/31/95

This sounds fine now.

Maggie

OK OK

THE WHITE HOUSE
WASHINGTON

95 MAY 31 P2:55

May 31, 1995

MEMORANDUM TO JOHN PODESTA, ERSKINE BOWLES, MAGGIE WILLIAMS

FROM: JESSICA ARONS *JA*

THROUGH: DANIEL W. BURKHARDT *DB*

RE: Food & Friends

Dr. Andrew Barrer originally requested that the President and First Lady serve as Honorary Chairs for the Food & Friends Capital Campaign. However, Counsel's Office recommended that the principals limit the use of their names to a single event. As a result, Dr. Barrer has now submitted a request that they act as honorary chairs for a kickoff event for the campaign. This event is the performance of the Cirque du Soleil on the night of October 17, 1995. The co-chairs of this event include Dr. Barrer, Arthur Coia, Doug Dority, Victor Kamber, and Gerald McEntee. I enclose copies of both requests.

If you have any questions, please call me at 6-5529. Thank you.

*OK
JL*

Andrew E. Barrer, Ph.D.

1712 22nd Street, NW
Washington, D.C. 20008

Telephone (202) 232-8929
Facsimile (202) 232-8909
Internet: ABarrer@AOL.COM

M E M O R A N D U M

TO: Jessica Arons VIA FAX 456-7485
DATE: May 19, 1995
RE: Food & Friends Capital Campaign
October 17, 1995 Event

This is to follow up our telephone conversations this past month regarding our request for President and Mrs. Clinton to act as our Honorary Chairs for an upcoming event for Food & Friends of Washington, DC. As you know, we are a non-profit organization that provides meals to people living with HIV and AIDS in the Washington Metropolitan Area. We provide more than 1,400 meals each day at no cost to our clients and their families.

On October 17, 1995 at Tysons II in suburban Virginia, we will be holding one of our major events for the Capital Campaign which will be the opening night of the world famous CIRQUE DU SOLEIL'S ALEGRIA. Event Co-chairs currently include:

Andrew E. Barrer, Chairman, Food & Friends Capital Campaign

Arthur Coia, President, Laborer's International Union of North
America

Doug Dority, President, United Food and Commercial Workers Union

Victor Kamber, President, The Kamber Group

Gerald McEntee, President, American Federation of State, County
and Municipal Employees

I have attached for your information a list of sponsors from our successful 1994 event at The Kennedy Center to give you an idea of the type of supporters we have for Food & Friends.

I sincerely hope that the President and Mrs. Clinton will be able to serve as our Honorary Chairs for the October 17 event. Your earliest consideration of this request is greatly appreciated. If you have any questions, please contact me at the above. Thank you.



SPECIAL SCHEDULING REQUESTS
HONORARY CHAIR, HONORARY PATRON, HONORARY MEMBERSHIP

Today's Date: April 4, 1995

Date of Request: 3/20/1995
Request for: POTUS/FLOTUS
Type of Request: Honorary Chairs
Requestor Name: Dr. Andrew E. Barrer
Title: Capital Campaign Chairman
Organization: Food & Friends
1712 22nd Street, N.W.
Washington, D.C. 20008
Contact Tel. #: 202/232-8929
Event Date: n/a
Event Description: Capital Campaign
Notes: Food & Friends prepares and delivers meals to people living with AIDS and HIV in the Washington, D.C. metropolitan area. The group is undertaking a campaign to raise funds to build a new kitchen facility. The request was sent through Marsha Scott, who says Food & Friends is "a wonderful group."

Recommendations:

MW _____

JP _____

EB _____

5/4/95

Per Kathy Aiken, P & FL sh/ not head up capital campaign. If opening as single fundraiser, OK
This will open floodgate of requests.

Andrew E. Barrer, Ph.D.

112 22nd Street, NW
Washington, D.C. 20008

Telephone (202) 232-8929
Facsimile (202) 232-8909
Internet: ABarrer@AOL.COM

March 20, 1995

Marsha Scott
Deputy Assistant to the President
The White House
Washington, DC 20500

VIA FAX and MAIL

Dear Marsha:

I am writing in regards to my most recent and important project, FOOD & FRIENDS here in Washington, DC. Food & Friends prepares and delivers 1245 meals to 415 homebound individuals and families living with HIV and AIDS in the Metropolitan Washington area at no cost to them. Since its inception six years ago, Food & Friends has operated out of the 300 square foot basement kitchen of the Westminster Presbyterian Church in Southwest Washington. All of this is accomplished with an army of volunteers and faithful supporters from around the community, including church groups, community and civic organizations and business leaders.

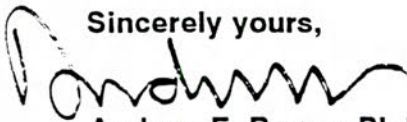
Right now, Food & Friends is beginning a serious Capital Campaign to build a 12,000 square foot kitchen facility which will be located in Southeast Washington. With the ever increasing number of seriously ill and undernourished people with AIDS, so many more referrals come in daily for food delivery. As you may know, Washington has one of the highest rates of new AIDS cases in the country, and the largest in the African-American community. Serving as the only food delivery service to homebound people with AIDS in the Washington Metropolitan area, Food & Friends anticipates the demand to quickly exceed 1000 clients per day.

I would like to suggest that President and Mrs. Clinton become the Honorary Chairs for the Capital Campaign. Lending their names to this important and positive effort, will not just help us reach our goal, but will send an important message of support around the country. Food & Friends has a national reputation that goes beyond our borders here in the Metropolitan Washington community. Our goal, which I know is achievable is \$1.85 Million. To show my support, I have committed the first \$100,000 of my own money.

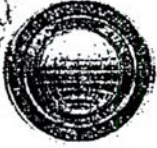
I hope that you will consider my request with the highest possible regard. I look forward to speaking with you upon your return to Washington next week. In the meantime, please contact me at the above if you have any questions.

With warm personal regards, I remain

Sincerely yours,



Andrew E. Barrer, Ph.D.
Capital Campaign Chairman
Food & Friends



ARTHUR A. COIA
General President

5132043

LABORERS' INTERNATIONAL UNION *of* NORTH AMERICA

HEADQUARTERS: 905 - 16th Street, NW, Washington, D.C. 20006-1765 Phone: (202) 737-8320 Fax: (202) 737-2754

September 21, 1995

President Bill Clinton
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

As I mentioned to you in my letter this summer, I was with Gary Player at Congressional in June, and we spoke about you at length. Gary is a strong supporter of you and your programs, and he mentioned to me that he'd like to assist in your re-election campaign.

As you'll recall, one way he feels he could help would be to set up a golf game between he, Lee Elder, you and I. We both think such an effort would provide some positive and visible publicity that will aid in your goal of leading this country for years to come. Mondays are best for Gary, at the time and course of your choosing.

Once you've had a chance to review your schedule, please let me know when you'll be available.

Sincerely,

ID# 132043

**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

INCOMING

DATE RECEIVED: SEPTEMBER 27, 1995

NAME OF CORRESPONDENT: MR. ARTHUR A. COIA

SUBJECT: RECOMMENDS GARY PLAYER TO ASSIST IN THE
PRESIDENT'S RE-ELECTION CAMPAIGN

ROUTE TO:		ACTION		DISPOSITION	
OFFICE/AGENCY	(STAFF NAME)	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
DOUGLAS SOSNIK		ORG	95/09/27		___/___/___
ANNE MCGUIRE		RSI	95/09/27		C 95/09/27
REFERRAL NOTE:					
REFERRAL NOTE:					
REFERRAL NOTE:					
REFERRAL NOTE:					
REFERRAL NOTE:					

COMMENTS:

ADDITIONAL CORRESPONDENTS: MEDIA: L INDIVIDUAL CODES: _____

MI MAIL USER CODES: (A) _____ (B) _____ (C) _____

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*ACTION CODES:          *DISPOSITION          *OUTGOING          *
*                      *                      *CORRESPONDENCE:  *
*A-APPROPRIATE ACTION  *A-ANSWERED          *TYPE RESP=INITIALS *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL *      OF SIGNER    *
*D-DRAFT RESPONSE      *C-COMPLETED          *      CODE = A      *
*F-FURNISH FACT SHEET  *S-SUSPENDED          *COMPLETED = DATE OF *
*I-INFO COPY/NO ACT NEC*                      *      OUTGOING     *
*R-DIRECT REPLY W/COPY *                      *                      *
*S-FOR-SIGNATURE       *                      *                      *
*X-INTERIM REPLY       *                      *                      *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

SCAN

Mr. Arthur Moore
President
Sheet Metal Workers International
1750 New York Avenue, N.W., 6th Floor
Washington, D.C. 20006

Mr. Frank Ferlin, Jr.
Secretary-Treasurer
Transportation Communications International Union
3 Research Place
Rockville, Maryland 20850

Mr. Bill Casstevens
Secretary-Treasurer
UAW
8000 East Jefferson Avenue
Detroit, Michigan 48214

Mr. Sigurd Lucassen
President
UBC
101 Constitution Avenue, N.W.
Washington, D.C. 20001

Mr. Douglas Dority
President
UFCW
1775 K Street, N.W.
Washington, D.C. 20006

Mr. Joseph Talarico
Secretary-Treasurer
UFCW
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Washington, D.C. 20006

Mr. Sam Dawson
United Steelworkers of America
815 16th Street, N.W., 7th Floor
Washington, D.C. 20006

Mr. Tony Padilla
Assistant to National Legislative Director
Transportation Communications International Union
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Washington, D.C. 20006

Mr. Joe Mangone
National Director
UAW-CAP
8000 East Jefferson Avenue
Detroit, Michigan 48214

Mr. Bob Powers
UBC
101 Constitution Avenue, N.W.
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Mr. Gary Sauter
Director, Public Affairs
UFCW
1775 K Street, N.W.
Washington, D.C. 20006

Mr. Dave Barry
Executive Vice President
UFCW
1775 K Street, N.W.
Washington, D.C. 20006

Mr. Bill Banig
Assistant to the President
United Mine Workers of America
900 15th Street, N.W.
Washington, D.C. 20005

Mr. James Brunkenhoefer
National Legislative Director
United Transportation Union
400 North Capitol Street, N.W., Suite 856
Washington, D.C. 20001

ME
BILL CLINTON

115532

PL 113

May 23, 1995

Mr. Arthur Coia
President
Laborers' International Union
905 16th Street, N.W.
Washington, D.C. 20006

Dear Arthur:

Thank you for attending the Labor Council reception last week. I hope you enjoyed the evening as much as I did.

It was great to see so many of my friends in the labor community who have supported this administration over the last two years. The Vice President and I were encouraged by your warm greeting and by your obvious understanding of the challenges ahead.

Chairman Fowler and Senator Dodd are providing strong leadership for the Democratic National Committee and they have a good plan for the next year and a half. But they need your help. Only with your support and wise counsel can the DNC's efforts on behalf of America's working people succeed.

We all look forward to working with you in the months ahead.

Sincerely,

[Handwritten signatures and notes]
for Arthur
APR 23
(addressing
Arthur P. Dodd)

430 S. Capitol St., S.E.
Washington, DC 20003

050524

[Paid for by the Democratic National Committee]

Mr. Thomas Scoville
Director of Policy and Planning
American Maritime Congress
1300 Eye Street, N.W.
Washington, D.C. 20005-3314

Mr. Vernon Watkins
AFSCME
1625 L Street, N.W.
Washington, D.C. 20036

Mr. Thomas Dwyer
Minnesota State Legislative Director
Transportation, Communications International Union
3948 Central Avenue, N.E.
Columbia Heights, Minnesota 55421

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Secretary-Treasurer
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Administrative Assistant to the President
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COPE Director
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Washington, D.C. 20036

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Washington, D.C. 20001

Mr. Al Shanker
President
AFT
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Washington, D.C. 20036

Mr. Randolph Babbitt
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Air Line Pilots Association
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Washington, D.C. 20036

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Washington, D.C. 20005

Mr. Moe Biller
President
American Postal Workers Union
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Washington, D.C. 20005

Mr. Douglas Holbrook
Secretary-Treasurer
American Postal Workers Union
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Washington, D.C. 20005

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Amalgamated Transit Union
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Mr. Oliver Green
Secretary-Treasurer
Amalgamated Transit Union
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Building and Construction Trades Department
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Washington, D.C. 20006

Mr. Robert Georgine
President
Building and Construction Trades Department
815 16th Street, N.W.
Washington, D.C. 20006

Ms. Joanna Reagan
International Union of Bricklayers
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Washington, D.C. 20005

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Bakery, Confectionary, and Tobacco Workers
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Kensington, Maryland 20895

Ms. Mary O'Donnell
Vice President
Bakery, Confectionary and Tobacco Workers
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Kensington, Maryland 20895

Ms. Barbara Easterling
Secretary-Treasurer
Communications Workers of America
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Mr. Alfred Whitehead
President
International Association of Fire Fighters
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Mr. Richard Michalski
Director of Legislative & Political Department
Machinists Non-Partisan Political League
9000 Machinists Place
Upper Marlboro, Maryland 20772

Mr. Rick Diegel
IBEW
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Washington, D.C. 20005

Mr. Jack Moore
Secretary
IBEW
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Washington, D.C. 20005

Mr. John Barry
President
IBEW
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Washington, D.C. 20005

Mr. William Hamilton, Jr.
Legislative & Political Director
IBT
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Washington, D.C. 20001

Ms. Evelyn Dubrow
Vice President
International Ladies' Garment Workers Union
815 16th Street, N.W., Room 103
Washington, D.C. 20006

Mr. Jake West
President
Iron Workers
1750 New York Avenue, N.W.
Washington, D.C. 20006

IDENTICAL
LETTERS
AUTOPENNED
AND SENT
TO ALL ON
ATTACHED LIST

Mr. Jacob Sheinkman
President
Amalgamated Clothing and Textile Workers Union
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New York, New York 10003

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Assistant Director
IUE
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Washington, D.C. 20036

Ms. Lauren Rothbarb
Legislative Director
IUE/UFWA
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Washington, D.C. 20036

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Secretary-Treasurer
IUE
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Washington, D.C. 20036

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Legislative Director
International Union of Operating Engineers
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Washington, D.C. 20036

Mr. Jack Curran
Legislative Director
Laborers' International Union
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Washington, D.C. 20006

Mr. Don Kaniewski
Legislative Director
Laborers' International Union
905 16th Street, N.W.
Washington, D.C. 20006

Mr. Arthur Coia
President
Laborers' International Union
905 16th Street, N.W.
Washington, D.C. 20006

Mr. Vincent Sombrotto
President
National Association of Letter Carriers
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Washington, D.C. 20001

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Legislative and Political Director
Service Employees International Union
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Washington, D.C. 20005

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Assistant to the President for Government Affairs
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Mr. John Sweeney
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Service Employees International Union
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Washington, D.C. 20005

Mr. Terry Turner
Political Action & Governmental Relations
Seafarers International Union
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Camp Springs, Maryland 20746

Mr. Vincent Panvini
Director of Governmental Affairs
Sheet Metal Workers International
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Washington, D.C. 20006

THE WHITE HOUSE
WASHINGTON

June 22, 1995

Mr. Arthur A. Coia
General President
Laborers' International Union of North America
105-16th Street, N.W.
Washington, D.C. 20006-1765

Dear Mr. Coia:

I am writing to follow up on your kind invitation for President Clinton to address the 21st General Convention of the Laborers' International Union of North America.

Unfortunately, the President's schedule does not give him the opportunity to accept as many invitations as he would like. He regrets that he will be unable to join you for this important event.

On behalf of the President, thank you again for your thoughtful offer and best wishes for a successful convention. Please do not hesitate to contact my office in the future if I can provide you with any assistance.

Sincerely,

A handwritten signature in cursive script that reads "Billy Webster" with a stylized flourish at the end.

William M. Webster, IV
Director of Scheduling and Advance

WMW/inb

THE WHITE HOUSE
WASHINGTON

June 16, 1995

Mr. Arthur A. Coia
General President
Laborer's International Union of North America
905-16th Street, N.W.
Washington, D.C. 20006-1765

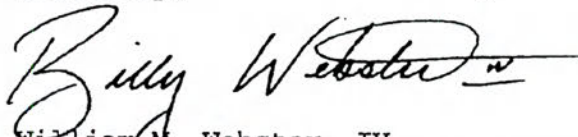
Dear Mr. Coia:

Thank you for inviting President Clinton to address the 21st General Convention of the Laborer's International Union of North America. The President has asked me to convey his appreciation for your kind offer.

At this time, I am unable to make a commitment to your request. However, I will keep your invitation on file for further consideration and will contact you as the date of the event approaches if it is possible for the President to attend.

On behalf of the President, thank you again for your thoughtful invitation. I encourage you to contact my office if we can be of further assistance.

Sincerely,

A handwritten signature in dark ink, reading "Billy Webster" with a stylized flourish at the end.

William M. Webster, IV
Director of Scheduling and Advance

WMW/inb

Scheduling Advice Memorandum

FROM: BILLY WEBSTER

DATE: 6/15
No Ack needed

TO:

DOUG SOSNIK
ERSKINE BOWLES
RAHM EMANUEL
JOHN EMERSON
MARK GEARAN
JACK GIBBONS
PAT GRIFFIN
MARCIA HALE
MICHAEL MCCURRY
ALEXIS HERMAN
NANCY HERNREICH
HAROLD ICKES
ANDREW SENS
ANTHONY LAKE
BRUCE LINDSEY
AL SULLIVAN
KATIE MCGINTY

MACK MCLARTY
ABNER MIKVA
LEON PANETTA
JOHN PODESTA
JACK QUINN
CAROL RASCO
LAURA TYSON
ELI SEGAL
PATTI SOLIS
GEORGE STEPHANOPOULOS
ANN STOCK
KITTY HIGGINS
MELANNE VERVEER
DANNY WEXLER
MAGGIE WILLIAMS
KIM TILLEY

RE: request for POTUS to address the laborer's
International Union of North America's 21st
General Convention Sept 23-25 1996 in Las Vegas
The Scheduling Office has received the attached invitation.
Please advise us:

☒ POTUS should/need not attend.
☐ POTUS should/need not attend but should send a representative

☐ If you think POTUS should attend please submit a scheduling proposal, WITH THE INVITATION ATTACHED, ASAP

Your Additional Comments:

PLEASE RETURN THIS MEMO TO ANNE MCGUIRE IN ROOM 185.5 BY 6/30

Scheduling Advice Memorandum

FROM: BILLY WEBSTER

DATE 6/15

No Ack needed

TO:

DOUG SOSNIK
ERSKINE BOWLES
RAHM EMANUEL
JOHN EMERSON
MARK GEARAN
JACK GIBBONS
PAT GRIFFIN
MARCIA HALE
MICHAEL MCCURRY
ALEXIS HERMAN
NANCY HERNREICH
HAROLD ICKES
ANDREW SENS
ANTHONY LAKE
BRUCE LINDSEY
AL SULLIVAN
KATIE MCGINTY

MACK MCLARTY
ABNER MIKVA
LEON PANETTA
JOHN PODESTA
JACK QUINN
CAROL RASCO
LAURA TYSON
ELI SEGAL
PATTI SOLIS
GEORGE STEPHANOPOULOS
ANN STOCK
KITTY HIGGINS
MELANNE VERVEER
DANNY WEXLER
MAGGIE WILLIAMS
KIM TILLEY

RE: request for POTUS to address the laborer's
International Union of North America's 21st
General Convention Sept 23-25 1996 in Las Vegas
The Scheduling Office has received the attached invitation.
Please advise us:

950616

- ☐ POTUS should/need not attend.
☐ POTUS should/need not attend but should send a representative

☐ If you think POTUS should attend please submit a scheduling proposal, WITH THE INVITATION ATTACHED, ASAP

Your Additional Comments:

PLEASE RETURN THIS MEMO TO ANNE MCGUIRE IN ROOM 185.5 BY 6/30



ARTHUR A. COLA
General President

R. P. VINALL
General
Secretary-Treasurer

MAISON M. WARREN
1st Vice President

JOHN SERPICO
2nd Vice President

VERL O. HAYNES
3rd Vice President

SAMUEL J. CAIVANO
4th Vice President

ENRICO MANCINI
5th Vice President

CHUCK BARNES
6th Vice President

JACK WILKINSON
7th Vice President

GEORGE R. GLDGER
8th Vice President

MIKE QUAYDO, JR.
9th Vice President

ARMAND E. SABHONI
10th Vice President

CARL E. BOOKER
Assistant to the
General President

ROBERT J. CONNERION
General Counsel

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

June 8, 1995

President William J. Clinton
The White House
Washington, D.C. 20500

Dear Mr. President:

On behalf of the 700,000 men and women of the Laborers' International Union of North America I am inviting you to address our 21st General Convention. It will be a great honor to have you participate in the proceedings.

We will convene September 23 through 25, 1996, shortly after you are renominated at the Democratic National Convention. You would address more than 3,000 delegates and family members, who reside in all 50 states. It offers you a great, early campaign opportunity to spread the Clinton political message to every corner of the country and inspire some of your most loyal supporters.

The delegates will include our political activists from each state, all of whom supported your election in 1992. They stood firmly with you and Mrs. Clinton as you fought for decent health care coverage for all Americans. They admire your willingness to address the important and tough issues that have meaning in their working and family life.

Our members are working men and women -- building highways, maintaining federal buildings, cleaning up hazardous waste dumps -- who appreciate your efforts for safe jobs and decent wages. Many of our members see those goals as well as their hard-earned retirement and desire for their children to get a decent education being eroded by this callous Republican Congress.

We recognize that 1996 will be a critical year for the future well-being of our country. You must be re-elected and every effort made to recapture the Congress. We pledge our all out support for these two critical objectives.

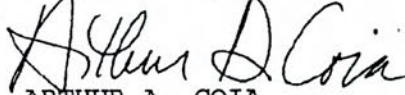
LIUNA
INNOVATION

President William J. Clinton
June 8, 1995
Page 2

Our convention will be held at the Las Vegas Hilton, in Las Vegas, Nevada, September 23-26, 1995. As I mentioned, the delegates at this convention are many of our grassroots activists and all your strong supporters. I guarantee an enthusiastic reception. They will take your message to their communities and work hard for your re-election.

We will gladly make whatever arrangements you require to accommodate your schedule. I extend good wishes to you and your family and our deep appreciation for all your efforts on our behalf.

Respectfully,


ARTHUR A. COIA
General President

AAC/jk

ID# 115300

**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

INCOMING

DATE RECEIVED: JUNE 14, 1995

NAME OF CORRESPONDENT: MR. ARTHUR A. COIS

SUBJECT: INVITES PRESIDENT TO ADDRESS THE LABORERS'
INTERNATIONAL UNION OF NORTH AMERICA'S
21ST GENERAL CONVENTION SEP (23-25) 96,
LAS VEGAS, NEVADA

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION		DISPOSITION	
		ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
ANNE MCGUIRE		ORG	95/06/14		
	REFERRAL NOTE:				
	REFERRAL NOTE:				
	REFERRAL NOTE:				
	REFERRAL NOTE:				
	REFERRAL NOTE:				

COMMENTS: IV 960923 960926 NV LAS VEGAS

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: _____
MI MAIL USER CODES: (A) _____ (B) _____ (C) _____

 *ACTION CODES: *DISPOSITION *OUTGOING *
 * * *CORRESPONDENCE: *
 *A-APPROPRIATE ACTION *A-ANSWERED *TYPE RESP=INITIALS *
 *C-COMMENT/RECOM *B-NON-SPEC-REFERRAL * OF SIGNER *
 *D-DRAFT RESPONSE *C-COMPLETED * CODE = A *
 *F-FURNISH FACT SHEET *S-SUSPENDED *COMPLETED = DATE OF *
 I-INFO COPY/NO ACT NEC * OUTGOING *
 *R-DIRECT REPLY W/COPY * * *
 *S-FOR-SIGNATURE * * *
 *X-INTERIM REPLY * * *

REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT-2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

SCANNED

SEARCH - QUERY
00112 ARTHUR AND COIA

112648 DOCUMENT= 34 OF 37

ACTDATE = 950526
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CREFATE = 950526
DOCDATE = 950526
DSPDATE =
NAME =
RCVDATE = 950526
RECID = 112648
STATE =
UPDATE =
ZIP =

OPID CN
DOCDATE 950526
RECTYP OBA
MEDIA P

ADDR XX 00000
SUBJECT 1. PROCLAMATION "LABOR HISTORY MONTH, 1995"
SENT TO THE FOLLOWING:

1. LANE KIRKLAND
2. THOMAS R. DONAHUE
3. ALFRED K. WHITEHEAD
4. ROBERT PLEASURE
5. ED CLEARY
6. PAUL COLE
7. MORTON BAHR
8. JOHN (JACK) BARRY
9. GEORGE BECKER
10. OWEN BIEBER
11. MOE BILLER
12. MARVIN J. BOEDE
13. WILLIAM H. BYWATER
14. RON CAREY
15. LINDA CHAVEZ - THOMPSON
16. ARTHUR A. COIA
17. DOUGLAS H. DORITY
18. ROBERT A. GEORGINE
19. WAYNE E. GLENN
20. EDWARD T. HANLEY
21. FRANK HANLEY
22. JAMES E. HATFIELD
23. FRANK HURT
24. GLORIA T. JOHNSON
25. JOHN T. JOYCE
26. GEORGE J. KOURPIAS
27. SIGURD LUCASSEN
28. JAY MAZUR
29. GERALD MCENTEE
30. LENORE MILLER
31. JAMES J. NORTON
32. ALBERT SHANKER
33. MICHAEL J. SACCO

34. JACK SHEINKMAN
35. VINCENT R. SOMBROTTO
36. JOHN N. STURDIVANT
37. JOHN J. SWEENEY
38. RICHARD L. TRUMKA
39. GENE UPSHAW

SUBCODE PR005-01
FE009

ACTION RM RET 950526 CP2 A

COMMENTS RETURNED TO AMANDA CRUMLEY (WW)

I0607 * END OF DOCUMENT.

Jeno

Labov -
Labovs

THE WHITE HOUSE
WASHINGTON

2 January 1996

Mr. Arthur A. Coia
General President
Laborers' International Union of North America
905- 16th Street, N.W.
Washington, D.C. 20006-1765

Dear Arthur:

The President asked me to respond to your 20 December 1995 letter to him regarding various legislative items as well as specific issues regarding the Department of Energy.

I've asked Jennifer O'Connor, of my staff, to look into each of the matters described in your letter. She will be in touch with the appropriate people at your organization in the very near future.

Please do not hesitate to call me if need be.

Sincerely,

Harold Ickes

Harold Ickes
Assistant to the President
and Deputy Chief of Staff

cc: Jennifer O'Connor

THE WHITE HOUSE
WASHINGTON

24 January 1996

MEMORANDUM TO KRIS BALDERSTON

FROM: Jennifer O'Connor *gmo*
REGARDING: Department of Energy Issues

Attached please find a list of concerns regarding the Department of Energy that Arthur Coia, General President of the Laborer's International Union of North America (LIUNA), sent to the President. These problems are summarized below:

1. DOE is failing to apply the Davis-Bacon Act, the War Powers Act, and the Service Contract Act as interpreted by the Department of Labor.
2. Jurisdictional conflicts exist between DOE and LIUNA. Mr. Coia emphasizes that many of the other difficulties may fall into place if this issue is solved.
3. LIUNA has difficulty in obtaining site-level re-approval of training programs.
4. Site managers are do not follow DOE headquarters' direction.
5. DOE inconsistently applies Section 3161 of the Defense Reauthorization Act of 1993.
6. LIUNA requires a clarification of DOE's privatization efforts.
7. DOE should consult in-house labor attorneys instead of retaining outside counsel.

The President promised Coia we would address these issue points. Could you and I meet with the Department of Energy Chief of Staff about LIUNA next week. Please let me know if this works. Thanks.

cc: Harold Ickes
Kitty Higgins

called again 2/23 @ 1030 am
COPY
will do - 2/13
need meeting w/ Balderston
Chief of Staff
EMailed 2/13

follow up w/ Balderston next Weds (Feb 14) to see if a

draft response has been done by Dept of Energy

THE WHITE HOUSE
WASHINGTON

27 March 1996

Mr. Arthur Coia
President
Laborers International Union
905 16th Street, NW
Washington, D.C. 20006-1765

The President asked me to respond to your letter dated 20 December 1995 regarding various Department of Energy issues.

With specific regard to the issues you raised concerning the application of labor standards, the Department acknowledges that many of the decisions made by its labor standards committees have not been uniformly accepted by all unions. The Department agrees that these decisions should be made based on consistent criteria, after consultation with affected parties. In addition, a clear appeals process should be available to those who disagree with the decisions. The Department is prepared to work with the Laborers and other affected unions to ensure that an appropriate appeals system are included in this process. Please contact Bob DeGrass, Director of the Office of Market and Community Development, 586-7550 if you would like to arrange a meeting.

As to jurisdictional considerations, the Department consistently has stressed its desire that these issues be resolved by the local unions at each site. The Department would appreciate any suggestions for reaching jurisdictional agreements, and it would like to discuss further and help facilitate your suggestion that the General Presidents of the various unions at the Department sites seek to reach site-specific agreements on jurisdiction of work. Bob DeGrass will help facilitate a meeting if you would like one.

Concerning training programs, the Department is prepared to meet with the Laborers to discuss specific problems with local implementation of headquarters direction. Please contact Mark Fuller, Special Assistant to the Secretary at 586-6210 if you would like to arrange a meeting.

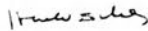
Regarding your concern about inconsistent implementation of section 3161 of the national Defense Authorization Act for FY '93, the Department recently has published its Interim Planning Guidance for Contractor Work Force Restructuring, which I have attached. The guidance was prepared after extensive public discussion to provide for greater consistency in the implementation of section 3161. The Department welcomes your comments on this guidance, and the Department is prepared to meet with you to discuss concerns about application of this statute. Please contact Bob DeGrasse if you would like discuss this

further.

Concerning initiatives to privatize the Department's activities, the Department is aware of union concerns and has no intention of allowing its initiatives to "bust" unions. The Department is currently developing policy for pursuing privatization initiatives and would like an opportunity to discuss the legal aspects with representatives of interested unions. Please contact Dan Reicher, Acting Assistant Secretary for Policy at 586-7701 if you would like to arrange a meeting on this.

Please continue working directly with the Department of Energy officials to resolve your differences, but let me know if I can be of further assistance.

Sincerely,



Harold Ickes
Assistant to the President
and Deputy Chief of Staff

cc: Bob DeGrass
Mark Fuller
Dan Reicher
Jennifer O'Connor



INTERIM PLANNING GUIDANCE FOR CONTRACTOR WORK FORCE RESTRUCTURING

Office of Worker and Community Transition

Department Of Energy

February 1996



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INTERIM PLANNING GUIDANCE FOR CONTRACTOR WORK FORCE RESTRUCTURING

I. INTRODUCTION

This planning guidance was prepared by the Department of Energy's Office of Worker and Community Transition (the Office) to plan for and mitigate the impacts of changes in the Department's contractor work force. The Office is directed to assure fair treatment of all concerned, while at the same time recognizing the unique conditions at each site and in each contract.

This guidance replaces guidelines issued by the Task Force on Worker and Community Transition on March 24, 1994. It is a product of the Department's experience over the past 2 years, and an extensive process of stakeholder and public involvement in shaping our worker and community transition policies. This process included national meetings on June 11, 1993, and on November 15 and 16, 1994. Comments were solicited from the public on a report, issued by Under Secretary Charles B. Curtis on August 24, 1994. Comments were also solicited on earlier versions of this guidance issued on April 22, 1993 and March 24, 1994. Additional stakeholder meetings were held on April 20 and 21, and September 13 through 15, 1995.

This guidance contains revisions and technical corrections to the document originally distributed on April 5, 1995. The Office intends to revise this interim guidance from time-to-time as warranted, based on comments received through notice and publication in the **Federal Register**, and other stakeholder comments and consultation.

Except where otherwise noted, this guidance is not prescriptive. Cognizant field organizations have responsibility for planning work force restructuring. The Department's field organizations are in the best position to conduct full consultation with affected stakeholders on these plans and to understand the unique needs of work force restructuring at field facilities. Points-of-contact at each field organization are listed in Appendix A.



III. GENERAL GUIDANCE

All work force changes, regardless of cause, should be managed by the cognizant field organization consistent with the objectives of section 3161 of the Act, and DOE Order 3309.1A covering Reductions in Contractor Employment.¹ Each plan should be developed by the field organization consistent with budget constraints, contractual provisions or other obligations. All aspects of a plan, including the mix and level of benefits offered, should be developed in consultation with the stakeholders at the affected facility, and other appropriate stakeholders to ensure, among other things, the judicious expenditure of public funds. The Office encourages field organizations to utilize the combination of work force restructuring mechanisms that will most effectively accomplish the restructuring objectives.

A. Threshold for Plans

Work force restructuring plans should be developed where changes in the nature or structure of the work force may affect 100 or more employees at a site within a 12-month period. Even when a full plan is not required, the objectives of section 3161 should be followed, to the extent practicable within available resources. While the objectives of section 3161 should be considered in cases of smaller reductions, the formal process required by the law is not necessary. Approval from the Office and the responsible program and funding office should be received before any work force change is implemented.

B. Timing of Plans

Upon determining that a change in the work force is necessary, the appropriate field organization should immediately begin planning for the restructuring, and develop a schedule for preparing a work force restructuring plan, if required. One of the objectives of the Act is to give at least 120 days notice to the employees before involuntary layoffs begin. Although a 120-day advance notification may not always be possible, every effort should be made to meet or exceed this important objective. Field organizations should work with the Office to develop a

¹ Order 3309.1A is being revised to incorporate the requirements of section 3161 of the Act and the organizational changes resulting from the creation of the Office of Worker and Community Transition.



E. Stakeholder Input to Plans

Consultation with local, state, and national stakeholders, as well as state and local government officials, is an essential element of the work force restructuring process. Input should be solicited and given consideration at appropriate points throughout the development of plans for work force restructuring. When possible, the Office recommends that field organizations make this **Interim Planning Guidance** available to their stakeholders in advance of the 120-day notification. This will give stakeholders a perspective on the parameters within which plans are prepared.

F. Role of Counsel

Work force restructuring raises many legal issues under a wide variety of statutes. Failure to comply with applicable laws can have significant consequences for both the Department and its contractors. It is therefore essential that counsel be involved in the formation and execution of the plans. Failure to present properly structured plans to the Office can result in delay and increased cost. Therefore, field organizations should include counsel as a member of the planning team.

G. The Role of DOE Contractors

While the Department may seek the assistance of its contractors in developing work force restructuring plans, the plans are Department of Energy products. In general, it is the Department's policy to make information available to the public that is available to the operating contractors and has bearing on the plans, unless such information is protected by law or regulation.

Department contractors are not identified by section 3161 of the Act as stakeholders who must be consulted in the preparation of work force restructuring plans. The exclusion of these contractors would be inappropriate, however, as they may be the principal resource of institutional knowledge on many restructuring issues, and may be the only source for certain information necessary for preparing a plan. They are the employers of the affected employees and are generally the administrators of the pension and other benefit plans involved. They are responsible for fulfilling their obligations to bargain with the collective-bargaining representatives



facilities should be sought from the program responsible for the activities subject to the work force restructuring. Likewise, benefits for workers at defense nuclear facilities affected by the changes due to business or efficiency decisions should be sought from the appropriation of the program making the change. These decisions include initiatives such as privatization, commercialization and reductions aimed at achieving improved efficiency.

The allocation of funds to mitigate the impact of restructuring on the workers decreases the funds available for continuing program responsibilities and economic development. No "standardized" allocation of funds is contemplated as it is highly unlikely that the needs of any two work forces and communities undergoing a restructuring would be the same.

IV. SPECIFIC BENEFITS FOR CONSIDERATION

After work force planning has identified the classifications of workers at risk, consideration of specific benefits to mitigate involuntary separations should take into account available funding and the status of affected employees. In implementing the objectives of section 3161 of the Act, the Department recognizes a special responsibility to minimize the impact of work force restructuring on employees who were employed before September 27, 1991, the day President Bush announced the first unilateral reduction of the Nation's nuclear weapons stockpile, and the date the Department has chosen as the end of the Cold War. Appendix D contains the job attachment test that has been developed for determining those employees who participated in efforts to maintain the Nation's nuclear deterrent during the Cold War.

In developing a work force restructuring plan, the following benefits may be considered for affected workers. If adopted, specific offers and conditions should be described in the plan.



B. Voluntary Separation Incentives

Voluntary separations may be encouraged by offering severance, or enhanced severance payments. Applications for voluntary separation may be refused in order to preserve critical knowledge or skills. Those volunteering for separation may be offered educational assistance, and relocation assistance, and they may receive Displaced Workers Medical Benefits.

The cognizant field organization should adopt as part of its plan mechanisms to ensure that individuals accepting a voluntary separation incentive are not inappropriately rehired. Such mechanisms could include post-employment restrictions and require repayment of the incentive upon rehire. Individuals with critical skills should not be offered voluntary separation incentives unless sufficient personnel are available to fulfill mission requirements.

C. Educational Assistance for Separated Employees

Educational assistance should be considered for employees being voluntarily or involuntarily separated, except for employees accepting early retirement incentives. It is recommended that tuition assistance, and other reasonable and necessary educational expenses, be limited to not more than a total of \$10,000 over a period of not more than 4 years.

D. Relocation Assistance

Relocation assistance should be considered for workers being terminated and for those voluntarily separating, except for employees accepting early retirement incentives. Such assistance should particularly be considered for employees involuntarily separated who are hired at other Department facilities, but who do not qualify for relocation assistance under the hiring contractor's policies. It is recommended that relocation assistance include actual and reasonable expenses for transportation, movement of household goods, and temporary living accommodations within a range of \$2,000 to \$5,000.



V. MANDATORY BENEFITS

The benefits described below **must be offered** to eligible employees:

A. Preference in Hiring

Section 3161 of the Act provides that, to the extent practicable, terminated employees at a defense nuclear facility should receive preference in filling vacancies in the work force of the Department of Energy and its contractors and subcontractors. The Department has determined that employees must be identified as having helped maintain the Nation's nuclear deterrent during the Cold War in order to qualify for this preference. The preference should be honored by all prime contractors, and by subcontractors whose contracts with the Department equal or exceed \$500,000 in value.

The Department has established the following criteria for determining eligibility for the hiring preference: the individual must be a former employee (1) who was involuntarily terminated (except if terminated for cause); (2) who meets the eligibility standards in Appendix D; and (3) who is qualified for the job at the time the work is to begin. Where qualifications are approximately equal, eligible individuals will be given preference in hiring. However, the preference will be administered consistent with applicable law, regulation, or executive order, and collective bargaining agreements. This preference is not immediately applicable in situations where positions become available through an outsourcing action or follow-on contract in which the current employees should first be offered their same or similar job with the replacement contractor in order to avoid a layoff.

An individual's hiring preference continues until termination by the action (or inaction) of that individual. Initially, and on an annual basis thereafter, eligible individuals must certify their desire to retain their hiring preference. The Office has developed a Preference in Hiring Eligibility Form for this purpose (Appendix E) which eligible individuals should submit to their DOE field organization. Actions that would terminate an individual's hiring preference include: voluntary termination or termination for cause from a position that was obtained through the exercise of the preference, or failure to comply with the annual certification requirement.

The Department developed the Job Opportunity Bulletin Board System (JOBBS) to simplify implementation of the hiring preference by eligible individuals, and by



B. Construction Worker Benefit

Construction wage rates and benefits are structured to take into account the intermittent nature of construction work. In recognition of this, early plans generally limited benefits for construction workers to tuition assistance, outplacement support, preference in hiring and relocation assistance. However, it has been noted that many construction workers have maintained long-term relationships with the Department and structured their lives around work at our facilities. Many of these relationships, which had been expected to continue, have been terminated as the general level of construction work declined following the end of the Cold War.

The Department has determined that construction workers who meet the job attachment test (Appendix D) may elect to receive a one-time benefit. In return for that benefit, these construction workers, like other employees, may be required to waive the hiring preference. The one-time benefit should be consistent with the employer's established separation pay benefit, if applied, but should not exceed 6 weeks at base pay rates. The specific amount of this benefit, as well as other benefits for construction workers should be defined during the plan development and stakeholder consultation process. The Office does not suggest that special payments should be made into either pension or health and welfare benefits funds for these workers. The Office does not view this special benefit as a precedent-setting action for the construction industry since this benefit carries out the intent of legislation that uniquely applies to the Department of Energy's Federal, contractor and subcontractor work force.

Construction workers who receive the special benefit should be restricted from employment at a Department facility for a period not less than the period equal to the salary value of the benefit without specific approval of the Department or pro rata repayment of this benefit.



responsible for carrying out the data collection and analysis. Once the baseline information is established, the Office intends to conduct an independent audit to ensure data reliability, as appropriate in particular circumstances.

C. Analyze Mission Requirements

Field organizations should analyze, and revise as necessary, future mission requirements and the work force skills required to carry out those missions. Appropriate program offices are responsible for defining the parameters of the future missions. New or modified work force restructuring plans should include a detailed description of the methodology and analysis used to define the work force necessary to execute the missions.

D. Identify Positions Excess to Future Requirements

Based on the current work force, and the work force necessary to carry out future missions, the plan should identify the classification of employees that should be:

1. retained because they possess critical skills;
2. retained with little or no retraining;
3. retained with appropriate retraining; and
4. considered for voluntary separation incentives.

The analysis should also identify those job skills that are unlikely to be satisfied by existing workers.



nizations should plan to provide at least 2 weeks for review by the Office and appropriate headquarters organizations.

Voluntary separation programs should not be offered to employees at the same time as early retirement programs, except in special circumstances and with prior approval. Voluntary incentive programs should be completed prior to any involuntary separations.

In exchange for the enhanced benefits employees receive in a voluntary separation program, it is the Department's policy to obtain from employees who separate under such a program a release of claims related to their employment and separation. The Department has adopted a model form of release, which is provided in Appendix F. Variations from the model may be required by state law or other special circumstances. However, departures from the model will require Department approval, including from the Office of General Counsel.

G. Plan Approval

The Office will coordinate the appropriate review by other Headquarters offices before concurring with plans or approving requests to implement voluntary incentive programs. In general, the Office will seek review from the affected program office, General Counsel, Field Management, and Human Resources and Administration. Field organizations should allow 1 month for Secretarial approval of final Work Force Restructuring Plans.

Thirty copies, plus 1 reproducible master, of the final plan should be submitted to the Office for subsequent submission by the Secretary to the appropriate Congressional committees and delegations from affected States. The responsible field organization should also make distribution to interested local stakeholders, and to the points-of-contact at each cognizant field organization. The Office will make additional copies, if necessary, from the master for distribution within Headquarters and to interested national stakeholders.



employees expected to need such assistance. Field organizations are encouraged to track the employment, education, and insurance status of displaced workers for at least 1 year after separation.

J. Budgeting for Plans

Plans must include a budget estimate for each initiative or benefit planned for mitigating impacts on workers. Budget estimates should be based on a realistic projection of the number of workers who will participate in each initiative and reflect the best cost estimates available. Estimated incremental costs to pension funds for early retirements should be based on actuarial estimates. It is not acceptable to request funds based simply on maximum possible participation in each initiative or benefit. For planning purposes, an average cost of \$15,000 to \$25,000 per position eliminated is a reasonable range for guiding decisions about the range of benefits offered. Where work force restructuring is justified by business efficiency decisions, the budget estimates should be accompanied by savings estimates and the proposed use of those savings. In general, funding authorizations will be made following final approval of a plan. Funding authorizations for certain initiatives, such as those encouraging voluntary separations, may be made earlier.



Appendix A

Office of Worker and Community Transition Contacts

Director:

Bob DeGrasse 202-586-7550, FAX 586-8403

Deputy Director:

Terry Freese 202-586-5907, FAX 586-8403

Work Force Restructuring:

Terry Freese 202-586-5907, FAX 586-8403

Lew Waters 202-586-4010, FAX 586-8403

Work Force Planning:

Debby Swichkow 202-586-0876, FAX 586-8403

Lew Waters 202-586-4010, FAX 586-8403

Labor Relations:

Lyle Brown 202-586-0431, FAX 586-8403

Deborah Sullivan 202-586-0452, FAX 586-1540

Community Transition:

Bob Baney 202-586-3751, FAX 586-1540

Mike Mescher 202-586-3924, FAX 586-1540

Debby Swichkow 202-586-0876, FAX 586-8403

Public Participation:

Laurel Smith 202-586-4091, FAX 586-8403



Appendix B

**Section 3161 of the National Defense
Authorization Act for Fiscal Year 1993
(Public Law 102-484, Oct. 23, 1992)**

Subtitle E—Defense Nuclear Workers

**SEC. 3161. DEPARTMENT OF ENERGY DEFENSE NUCLEAR FACILITIES WORK FORCE
RESTRUCTURING PLAN**

- (a) **IN GENERAL.**—Upon determination that a change in the work force at a defense nuclear facility is necessary, the Secretary of Energy (hereinafter in this subtitle referred to as the “Secretary”) shall develop a plan for restructuring the work force for the defense nuclear facility that takes into account—
- (1) the reconfiguration of the defense nuclear facility; and
 - (2) the plan for the nuclear weapons stockpile that is the most recently prepared plan at the time of the development of the plan referred to in this subsection.
- (b) **CONSULTATION.**—
- (1) In developing a plan referred to in subsection (a) and any updates of the plan under subsection (e), the Secretary shall consult with the Secretary of Labor, appropriate representatives of local and national collective-bargaining units of individuals employed at Department of Energy defense nuclear facilities, appropriate representatives of departments and agencies of State and local governments, appropriate representatives of State and local institutions of higher education, and appropriate representatives of community groups in communities affected by the restructuring plan.
 - (2) The Secretary shall determine appropriate representatives of the units, governments, institutions, and groups referred to in paragraph (1).



- (A) programs carried out by the Department of Labor pursuant to the Job Training Partnership Act (29 U.S.C. 1501 et seq.);
 - (B) programs carried out pursuant to the Defense Economic Adjustment, Diversification, Conversion, and Stabilization Act of 1990 (Part D of Public Law 101-510; 10 U.S.C. 2391 note); and
 - (C) programs carried out by the Department of Commerce pursuant to title IX of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3241 et seq.).
- (d) **IMPLEMENTATION.**—The Secretary shall, subject to the availability of appropriations for such purpose, work on an ongoing basis with representatives of the Department of Labor, work force bargaining units, and States and local communities in carrying out a plan required under subsection (a).
- (e) **PLAN UPDATES.**—Not later than one year after issuing a plan referred to in subsection (a) and on an annual basis thereafter, the Secretary shall issue an update of the plan. Each updated plan under this subsection shall—
- (1) be guided by the objectives referred to in subsection (c), taking into account any changes in the function or mission of the Department of Energy defense nuclear facilities and any other changes in circumstances that the Secretary determines to be relevant;
 - (2) contain an evaluation by the Secretary of the implementation of the plan during the year preceding the report; and
 - (3) contain such other information and provide for such other matters as the Secretary determines to be relevant.
- (f) **SUBMITTAL TO CONGRESS.**—(1) The Secretary shall submit to Congress a plan referred to in subsection (a) with respect to a defense nuclear facility within 90 days after the date on which a notice of changes described in subsection (c)(1)(B) is provided to employees of the facility, or 90 days after the date of the enactment of this Act, whichever is later.
- (2) The Secretary shall submit to Congress any updates of the plan under subsection (e) immediately upon completion of any such update.



- (2) The term "Department of Energy employee" means any employee of the Department of Energy defense nuclear facility, including any employee of a contractor or subcontractor of the Department of Energy employed at such a facility.



Appendix C

Listing of Defense Nuclear Facilities

The list below reflects facilities receiving funding for Atomic Energy Defense activities of the Department of Energy, with the exception of activities under Naval Reactor Propulsion. It is recognized that these facilities have varying degrees of defense activities, ranging from a total defense dedication to a very small portion of their overall activity. This may cause certain difficulties in implementing the intent of the section 3161 legislation. Regardless, this listing will be used by the Office for possible application of funding received for defense worker assistance and community transition purposes.

Kansas City Plant

Pinellas Plant

Mound Facility

Fernald Environmental Management Project Site

Pantex Plant

Rocky Flats Environmental Technology Site, including the Oxnard Facility

Savannah River Site

Los Alamos National Laboratory

Sandia National Laboratory

Argonne National Laboratory

Brookhaven National Laboratory

Lawrence Livermore National Laboratory

Oak Ridge National Laboratory



Appendix D

Job Attachment Test

In implementing the objectives of section 3161 of the Act, the Department recognizes a special responsibility to minimize the impact of work force restructuring on employees who participated in efforts to maintain the Nation's nuclear deterrent during the Cold War. September 27, 1991, the day President Bush announced the first unilateral reduction of the Nation's stockpile, has generally been recognized by this Department as the end of the Cold War.

In general, employees who meet the job attachment test discussed below should be eligible for most benefits offered in a work force restructuring plan. However, the benefits offered at a specific site should be tailored to specific conditions, to the demographics of the workers at that site, and must be practicable and reasonable with respect to budget constraints, contractual provisions, and other obligations. Thus, those who meet the job attachment test are not likely to be offered exactly the same benefits at all sites.

To identify employees who helped maintain our nuclear deterrent during the Cold War, the criteria listed below should be followed at all sites:

A. Regular Employees:

1. must have been working at a defense nuclear facility on September 27, 1991;
2. must have worked full-time (or regular part-time) at a facility from that date through the date of the 120-day notification; and
3. must accept a voluntary separation incentive or have been involuntarily separated.

B. Intermittent Workers, Including Construction Workers:

1. must have worked at a defense nuclear facility on or before September 27, 1991;
2. must have worked at a facility within 180 days preceding the work force restructuring notification;



Appendix E

Example of Form for Establishing Preference in Hiring

STATEMENT OF INTEREST IN MAINTAINING SECTION 3161 EMPLOYMENT ELIGIBILITY

Name: _____
First Middle Last

Social Security Number: _____

Address: _____
Street Apartment No.

City State Zip

Telephone No. () _____

Date of Lay-off resulting from Work Force Restructuring: _____
(Month/Day/Year)

Occupational Classifications held:

I hereby request that my name be placed, or retained, on the Section 3161 Preference in Hiring List for the (site name) and be considered for any job opportunities that may arise for which I am qualified at this or any other Department of Energy site. I also certify that I have not been terminated for cause from employment by a Department of Energy Contractor or Subcontractor while performing work at a Department of Energy site.

Signature

Date



Appendix F

Sample Release for Use in Work Force Restructuring Programs

VOLUNTARY SEPARATION PAYMENT PROGRAM GENERAL RELEASE AND WAIVER

This Voluntary Separation Payment Program, General Release and Waiver ("Agreement") is entered into by and between _____ ("Employee") and _____ ("Employer"), as part of Employee's voluntary election to terminate employment with the Employer.

IN EXCHANGE FOR THE PROMISES SET FORTH BELOW, THE PARTIES AGREE AS FOLLOWS:

1. Employee voluntarily terminates his/her employment with Employer effective _____, 1995. Employee agrees not to seek employment with or become employed at the _____ Site by the Employer or any other future or current contractor or subcontractor at the Site for a period of _____ year(s) from the date of Employee's resignation. This includes but is not limited to temporary employment service contracts, general task order assignments, indefinite quantity contracts, basic ordering agreements, and consultant contracts. However, this does not preclude Employee from employment with a company providing supplies, equipment, materials, or commodities to the Site under a fixed-price contract or purchase order.
2. Employee agrees that the Employer has no obligation to reemploy Employee in the future, and Employee waives any recall, rehire, or rehire preference rights, such as those that may arise under Section 3161 of the National Defense Authorization Act for Fiscal 1993. Employee agrees to perform all steps required by Employer's policies and procedures at the separation of his/her employment.
3. Except as set forth in paragraph 4 below, Employee, on behalf of himself/herself and any person or entity entitled to sue on Employee's behalf, waives and releases Employer, its parents, subsidiaries, and affiliates, the Department of Energy, and their employees, officers, directors, shareholders, agents, and successors from any causes of action or claims, whether known or unknown, that arise out of the Employee's resignation and separation of employment with Employer and any causes of action or claims that arise out of Employee's employment with Employer, up to and including the date of Employee's resignation, under any federal, state or local law, including but not limited to the Age Discrimination in



7. Employee has been advised to consider this Agreement and to consult with an attorney of his/her choice, and Employee has had the opportunity to do so. Employee has had the right to consider this Agreement for a period of at least forty-five (45) days prior to entering into this Agreement. Employee has the right to revoke this Agreement for a period of seven (7) days following execution of this Agreement by giving written notice to the local Human Resources representative. If Employee revokes the Agreement, it shall not be effective and enforceable and Employee will not receive any of the benefits described in paragraph 5. Employee has read and understands the terms and contents of this Agreement, and Employee freely, voluntarily, and without coercion enters into this Agreement and agrees to be bound by its terms.

8. This Agreement constitutes the entire understanding and agreement of Employee and Employer and can only be modified in writing agreed to by both parties.

9. Employee has received all of the information required to be disclosed in these circumstances under the Age Discrimination in Employment Act regarding who is covered by the Program, the eligibility factors, the time limits of the Program, the ages and job titles of everyone eligible for the Program, and the ages of ineligible employees in the same job classification or organizational unit.

PLEASE READ THIS AGREEMENT CAREFULLY. IT CONTAINS A RELEASE OF KNOWN AND UNKNOWN (See Note 3) CLAIMS AS DESCRIBED IN PARAGRAPH 3, ABOVE. SUBJECT TO THE LIMITATIONS EXPRESSLY SET FORTH IN PARAGRAPH 4.

Agreed to:

Employee/date

{Employer}/date