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### **MONTHLY MEETING**

The Regular Monthly Membership Meetings are held on the **4th Monday** of every month at 7:00 pm at the LOCAL 98 TRAINING SITE 102 EAST PLUMTREE ROAD SUNDERLAND, MA

This newsletter is created and printed by I.U.O.E. Local 98.

# IJOELOCAL 98

International Union of Operating Engineers Local 98





Our Jobs



Our Future



### BUSINESS MANAGER-PHILIP C. CHAFFEE

The start of another construction season is upon us. The 2018 season should find us with full employment as the work forecast continues to be promising. We will be wrapping up several projects this year such as the MGM casino and the I-91 Viaduct. The contract work that is coming out lies heavily in road reconstruction, bridge replacement, and continued upgrades with pipe and utility construction. Site projects currently are lagging slightly but we continue to utilize the Cooperative Trust Fund to stay com-

petitive in that area.

Our presence in the prevailing rate work market remains strong but we are always looking to increase our market share. We have been successful in signing contracts with new companies and have been supplying operators to companies performing hydro excavation and utility sector work. To help in expanding our market share Brother Keith Hancock will now be responsible for negotiating contracts and organizing. Having an organizer will bring new opportunities for our members. Brother Leonard Delgatto has taken over the VT and NH Business Agent position and is training with Keith to maintain our presence in those areas.

The Local has also started a drive to maintain our jurisdiction with respect to the forklifts, skid steer loaders and rollers. We must never relinquish these seats and furthermore we must take the initiative to see that when these pieces of equipment are operated that an engineer is at the controls. Our General President has stated that "It is the responsibility of each local union to enforce both of the classifications contained in your respective collective bargaining agreements and to protect the rightful jurisdictional claims of the I.U.O.E.".

Demonstrating that we are highly skilled and productive workers for our signatory contractors serves to increase work hours for our members and contributions to our funds. Please take full advantage of the equipment at the training school to upgrade and maintain your operating skills. These are Our Jobs, Our Pride, Our Future!

Please have a safe and productive year. I hope to see you at our monthly meetings and at our annual family clambake!

Respectfully,

Philip C. Chaffee, Business Manager

Philip C. Chaffee



### Years of Service Pins

### October 2017

### 5 Years

**Todd Fillion** 

### 15 Years

David Cretella Robert Gervais

### 20 Years

Michael T. Berniche Allen J. Nareau

### 30 Years

Robert C. Barrett, Jr. Richard J. Johnson

### 35 Years

David P. Chaffee

### 45 Years

Ralph E. Minter

### November 2017

### 5 Years

Kenneth Gray

### 10 Years

Amos Merrill, III Richard Pease

### 50 Years

Richard A. Barnaby

### December 2017

### 5 Years

Jordan Blanchard John Panzetti

### 10 Years

Mary Bell Jacob Melville

### 15 Years

Steven Konieczny

### 20 Years

Robin Miller

### January 2018

### 5 Years

Joseph Efantis Frederic Silliker

### 15 Years

Chester J. Sobieski

### 25 Years

Jay Pelley

### 30 Years

Michael R. Hastings

### February 2018

### 10 Years

John Carvalho Jonathon Grossman Richard Johnson Scott Newton Kyle Przbyla

### 15 Years

Dane Stolgitis

### 30 Years

James R. Theroux

### 60 Years

Thomas F. Berniche

### **March 2018**

### 5 Years

Scott Brouthers Michael Morin

### 10 Years

Patrick Finn Beau Manuel Jacob Morse

### 15 Years

Darin Braese Derek DeAngelis Denis Lessard Sean Madden Leo Peet

### March 2018—Continued

### 30 Years

Mark Butcher Greg Caldwell Michael Ogoley

### 35 Years

Richard Lahey Michael R. Simard

### 50 Years

Edward J. Mieczkowski

### **April 2018**

### 5 Years

Robert Sumner

### 10 Years

Andrew Bristol Vincent Madore William Morin Daniel Perry Chris Persons Jeffrey Schroder

### 15 Years

Murray R. Lewis, Jr.

### 20 Years

John H. Davis Donald M. Hanley Peter Higgins

### 25 Years

Thomas Christie

### 35 Years

Timothy Brazee
Brian D. Martell
David J. Minniear
Alan R. Nuttall
Domenico E. Pellegrini



### Years of Service Pins

### **June 2017**

5 Years

Joe Czarnecki Dante Ristaino Daniel Saletnik Jack Wetherell

10 Years

Ryan Dupree Aaron Perras Timothy Witham

15 Years

David Allen
Erik Carr
Robert Letourneau
Paul Petrin
Gary Scott, Jr.
Gerry Spaulding
Brian Willis

20 Years

Richard Cella Richard Granger Stephen Hart Mark Labier Jay Lisheness Jose Rua

30 Years

Stephen Laroche

35 Years

Frank Durocher Douglas Richards

### **July 2017**

5 Years

Scott Bingham
Timothy Chartrand
Christopher Frenette
Scott Horrigan
Kody Inglis
David Kent
Walter Kenyon
Kristopher Longtin
James Morrison
Kayvan Ortiz

Richard Theriault

July 2017 — Continued

10 Years

Pedro Fernandes

15 Years

Tomas Avery Sean O'Keefe Donald E. Vollinger

20 Years

Patrick M. Gormley John R. Green Robert Mitchell Patrick Provost Kenneth R. Thurber

25 Years

Stephen J. Winter

**30Years** 

Paul J. Cormier Todd D. Downey Mark T. Mandell Michael T. McKenna Robert L. Parisi Michael P. Sexton Thomas D. Smart, Jr.

45 Years

Bruce Lanpher

August 2017

5 Years

Michael Cormier Cody Griswold Jared Laroche Samantha Pelis

10 Years

Doug Hanson Mark McCormick Joshua MeKenna

15 Years

Roger A. Witter

**August 2017—Continued** 

20 Years

Joseph Albano James M. Fitzgibbon Mark Forkey Russel L. Magane Joseph P. Muzzy

25 Years

Jason Lizardi

35 Years

Bruce R. Hastie

September 2017

5 Years

Brad Czarnecki Michel Marquis

10 Years

Francis Appleton Brian Driscoll

15 Years

Alan Talamini

20 Years

Joseph R. Bassett Michael J. Boesse James W. Burns, Jr. Walter Gwozdz Keith C. Hancock Richard Krutiak Michael Pereira Carl Pomietlarz Mark R. Raffa Wayne Tetreault

25 Years

Michael F. Ackerman

30 Years

Robert S. Fournier Richard Hatfield Cristin M. Polak

### **Annual Clambake**

Our 2017 Clambake was a huge success. Through ticket sales and the advertising journal, Local 98 was able to donate approximately \$3,000.00 to Toys for Tots and The Open Pantry Community Service, Inc. We want to thank our staff, our members, surrounding Locals and vendors who helped make this past holiday season better for struggling families in our community.





### 2018 Annual Clambake Save the Date

The Local 98 Family Clambake will be on September 23, 2018.

If you would like to donate a raffle prize please contact Heather Tetreault at 413-525-4291 ext.509.

A mailing to purchase tickets will be going out in early September.

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# HAZMAT TRAINING



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### **HAZMAT CLASS**

Above Picture: Apprentices from the 2015, 2017 and a couple of journeyman take a group photo during the dress out section of the 40 hour Hazwoper. They got to experience the real challenges associated with wearing different levels of PPE, as well as the importance of the buddy system for properly donning and doffing this PPE.

Pictures to the right: First year apprentices Nate Croke (top) and Jack Fowler (below) use their real world experience working in supplied air respirators to demonstrate the proper inspection, as well as donning and doffing of an SCBA and SAR-E respirator.



# CDL TRAINING

After much studying and practicing in our Volvo Boom Truck, second year apprentice Amy Calandrella holds up her CDL B license. Amy not only got her CDL on her first attempt, she did it in a snowstorm!

### **REMINDERS**

- ♦ MONTHLY DUES: Your monthly dues are to be paid on or before the first of every month. Please keep in mind that if you are 30 days in arrears of your dues, you will be SUSPENDED. In order to be reinstated, you must pay all dues owed, 3 months in advance and a \$5.00 reinstatement fee. Once your dues have become 6 months in arrears, you will be EXPELLED. In order to be reinstated from expulsion you must pay all back dues, 6 months in advance and a \$5.00 reinstatement fee. If you have any questions regarding your dues status, call the Union Hall at 1-800-449-4241.
- ◆ AUTOMATIC PAYMENT: We encourage you to contact your bank and setup automatic payment for your monthly dues. When doing so, keep in mind that your dues are to be paid on or before the first of every month so schedule your payment accordingly.
- ◆ **WEBSITE:** You can check your dues status any time by logging into your membership account on our website. If you have lost or forgotten your login information call the office for assistance.
- ♦ OUT OF WORK: If for any reason you become unemployed, it is your responsibility to contact the Union Hall to put your name on the out of work list. If you return to work, it is also your responsibility to call the Union Hall and remove your name from the out of work list. This will help us know who is and who is not available for work.

### **IN MEMORIAM**

We would like to offer our condolences to all of the family and friends of our dearly departed Sisters and Brothers.

Ernest Desrochers - June 9, 2017	Russell Evasius - November 4, 2017
Clifford Judecki – June 17, 2017	Peter Nichols - November 22, 2017
David Clement - July 15, 2017	William Paquette - December 5, 2017
Roger Sherman – July 22, 2017	John Flegert - December 15, 2017
Jeffrey Lee – July 23, 2017	Henry Poudrier - December 30, 2017
John Brill, Jr August 8, 2017	Ronald Widelo - January 11, 2018
Henri Lapointe - August 8, 2017	George Robie - January 15, 2018
Wayne Lacey - August 24, 2017	Angelo Bruschi – January 13. 2018
Frank Tatro - August 28, 2017	Giovanni Cattaneo - January 28, 2018
Mark Bradway - September 2, 2017	John Fitch - February 12, 2018
Richard Gates - September 16, 2017	Michael Begos, Sr February 27, 2018
Maurice Ingalls - October 25, 2017	Cleland Stephens - February 20, 2018
Paul Lesure - November 2, 2017	George Lombard - March 19, 2018

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# Recently Retired

Dennis Beauregard - July 1, 2017

Martin Sullivan - July 1, 2017

Charles Gardner, Jr. - July 1, 2017

Christopher Patterson - August 1, 2017

Mark Tidwell - November 1, 2017

Alan Thurber - November 1, 2017

Richard Docimo - November 1, 2017

Gary Matthess - December 1, 2017

Stanley Mitchkoski, Jr. - January 1, 2018

Paul Cormier - January 1, 2018

Kevin Taylor - January 1, 2018

Edward Welch - January 1, 2018

David Pincince - February 1, 2018

Kenneth Cote - February 1, 2018

James Keough - February 1, 2018

Frank O'Brien - April 1, 2018

Thomas Grasso - April 1, 2018

David Prats - April 1, 2018

## **Retirees' Corner**

After the long snowy, and icy winter, spring is coming, but not soon enough. A trip to Foxwoods on March 21, 2018 was canceled by the bus company due to a pending storm that never developed. Some retirees went to the casino on there own. The trip to Foxwoods is rescheduled for Wednesday, April 25, 2018, a notice was mailed to Retiree Club members. If anyone has any suggestions for functions come to a meeting. Check the union website for the dates.



### **Arthur Butler is presented with an Honorary Membership**

Arthur Butler has been a lifelong dedicated advocate for union membership and the importance of fair labor standards for the construction industry for over 50 years. As a 17 year-old he joined the United States Navy and saw 4 years of active duty in Lebanon before returning stateside for 2 years of inactive duty "down in Dixie". Having not already felt he'd done enough for his country, Art went on to serve another 10 years in the National Guard and over 10 more in the Army Reserve. A 30 year American service Veteran, Art is also a long-time member of the Veterans of Foreign Wars and the American Legion.

Alongside his service work, Art was an Inspector for the Massachusetts Department of Labor and Industries throughout the 1970s and 1980s, followed by another decade of service as an Inspector for the Office of the Attorney

General of Massachusetts in the 1990s. Ever since he's been a Field Monitor for The Foundation for Fair Contracting of Massachusetts, surveying Western Massachusetts, interviewing workers at job sites and coffee shops, mining Certified Payroll Records for wage, hour and benefit violations, and filing allegations with the various powers-that-be in his career-long fight to eradicate employee wage and benefit abuses throughout the Commonwealth. Always quick with a short story, Irish limerick or push for sign-in/sign-out laws at jobsites, Art is truly a treasure of the fair labor movement.

# Future Training Center Location 5 Hudson Drive Southwick, Massachusetts



We are pleased to announce that on March 16, 2018 the Local 98 Training Fund purchased a 35-acre parcel of property at 5 Hudson Drive Southwick, MA. Negotiations are currently under way for the design of the new facility and we are excited to begin construction as soon as possible. The proposed design will allow for office space, classroom facilities and a maintenance shop.

This new facility will serve to train our apprentice operators, maintain and improve the machine skills, classroom training and licensing requirements of our members.

The security of Local 98, and the stability of your benefits, depend on us funding a Training Center that will provide a highly skilled workforce well into the future.





### FOUNDATION FOR FAIR CONTRACTING OF MASSACHUSETTS

### **Program Statistics**

April 2017 - March 2018

The Foundation for Fair Contracting of Massachusetts was created in 1992 to monitor prevailing wage compliance on public works projects in Massachusetts and to assist employees in collecting back pay and benefits in cases where wage law violations have occurred. Its activities include communication and interaction with public works construction workers, contractors, enforcement agencies, and public owners, according to their respective roles in achieving compliance. Its major accomplishments have been in providing information to workers about their rights under the prevailing wage laws and assistance to them in exercising those rights.

### **AG's Office Moves on FFCM Transmittals**

- Andover Electric Services, Inc. and its owner, Robert J. Branca, were issued multiple civil citations in the amount of \$1,900 and ordered to pay \$8,682 in restitution (total of \$10,582) after failing to pay prevailing wages and failure to submit true and accurate certified payroll records on the following public works projects in Massachusetts: Emergency and As Needed Electrical Services for All Municipal and School Buildings public works projects in towns of North Andover, Haverhill and Methuen.
- C & Y Construction Co. and its owner, Carlos E. DeCarlo, were issued a civil citation in the amount of \$15,000 for failure to pay prevailing wages on various public works projects in MA. This citation was part of a formal settlement agreement which the company entered into, however this 11 years old case remains open pending receipt of final payment.
- New England Sports Floors, LLC and its owner, Dimitrios Zorbas, were issued multiple civil citations in the amount of \$3,050 and ordered to pay \$2,705 in restitution (total of \$5,755) after failing to pay prevailing wages, proper overtime rate and failure to submit true and accurate certified payroll records on the following public works projects in Massachusetts: Town of Burlington -Marshall Simonds Middle School, Town of Maynard Maynard High School, Town of Tewksbury Tewksbury High School and UMass Boston Clark Gymnasium.
- R & A Drywall, LLC and its owner, Alan S. Vitale, were issued multiple civil citations in the amount of \$40,400 and ordered to pay \$21,952 in restitution (total of \$62,352) after failing to pay prevailing wages, proper overtime rate and failure to submit true and accurate certified payroll record on the

### **Vermont and New Hampshire**

With the time change and feel of spring in the air, the construction season is poised to take off. The Burlington Vermont town center project is underway, along with the power transmission line upgrades throughout the state of New Hampshire.

The 2018 season is showing signs of a promising start. We will see multiple projects starting in southern New Hampshire at the beginning of the second quarter. Our New Hampshire and Vermont members will have many employment opportunities this season. The northern territory shops are all busy and hiring to keep up with the workload presently on the books. It is the care and pride in the professional skill that you possess, putting us noticeably above the rest. So to you my brothers and sisters, who stand proudly and unified, I wish a safe and prosperous new season.

Leonard Del Gatto 413-362-4313 ldelgatto@local98.org



The garage crew for the Town of Springfield, Vermont.



The new elementary school in Templeton, Massachusetts. Our operators working with the footing crews.



### Members' Forum

Any one interested in participating in a Local 98 Bike Run please contact:

Nick Girolamo at 413-265-1781 or Frank Fay at 413-441-4390

### **Berkshire and Franklin Counties**

These recent snowstorms have put a damper on work in the Berkshires and surrounding areas. When the weather breaks there should be plenty of work. Taconic High School in Pittsfield and Mount Greylock Regional High School in Williamston have demo work and athletic fields that still need to be built. With several construction projects still in progress at Williams College we continue to employ operators. There are also a couple of good size paving jobs on Route 91 in Bernardston, Greenfield and Clarksburg, Massachusetts. The outlook looks good for the Berkshires.

Paul Wilk 413-374-1053 pwilk@local98.org

### **Hampden and Hampshire Counties**

The larger projects in the area have been completed or are winding down but there still will be a lot of activity in the area. Downtown Springfield will be busy due to the MGM streetscape projects, sidewalks and curbing along with repaving should keep our members busy. Pipe and road projects have been bid or are being released around the area. Business as usual for western Massachusetts.

Remember as an Operating Engineer we all have the responsibility to protect our work, do your best to keep the skid steers and forklifts ours.

Doug Fay 413-271-0333 dfay@local98.org

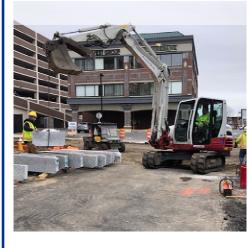


Bruce Forgea is loading matts at Williams College for Maxymillian.



James Quink hanging steel at Tanglewood for Hallamore.





Will Roberts at MGM for Northeast Contractors setting curb for final landscape package.



Bob Sieruta, working for Gerber Construction, is ripping rock for new soccer field in Springfield, Massachusetts.

- following public works projects in Massachusetts: Town of Lexington Cary Memorial Building and City of Quincy Old City Hall Renovation projects. Notification letters were sent to the awarding authorities involved.
- **Southern Road and Bridge, LLC** was issued civil citations in the amount of **\$20,000** and has to pay \$193,407 in restitution (total of **\$213,407**) after failure to pay prevailing wages and failure to submit true and accurate certified payroll records on the following public works projects in Massachusetts: Gloucester Bridge, Wrentham Five Bridges and Worcester Burns Bridge.
- **S & R Construction Company** and its owner, **Stephen P. Early**, were issued a civil citation in the amount of **\$25,000** and ordered to pay restitution in the amount of **\$40,920** (total of **\$65,920**) for failure to pay prevailing wages on the following public works projects in Massachusetts: MBTA Fitchburg Commuter Rail Line and MBTA Assembly Row.
- The Ockers Company and its owner, John Joseph Houser, were issued civil citations in the amount of \$550 and ordered to pay \$1,645 in restitution (total of \$2,195) after failing to pay proper overtime rate and failure to submit true and accurate certified payroll records on the City of Newton LED Street Light Changeover project.
- **Total Home Services, Inc.** and its owner, Eugene J. Whitehead Jr., were issued civil citations in the amount of **\$6,000** and ordered to pay **\$37,111** in restitution (total of **\$43,111**) after failing to pay prevailing wages and failure to submit true and accurate certified payroll records on the West Boylston Solar Photovoltaic System Installation public works project.

### FFCM Project Targeting

- Since April 1, 2017, the Foundation has targeted **60** projects in Western Massachusetts worth an estimated **\$179M.** Of these, **57** have been awarded, with **\$94M** of the **\$152M** (or **62%**) awarded to contractors signatory to at least one of the unions contributing to the FFCM.
- Since April 1, 2017, the FFCM Western Mass Office has transmitted **19** cases of prevailing wage and other violations on public jobs to the Office of Attorney General, Awarding Authorities and other agencies.
- During this time, the FFCM Western Mass Office requested 66 and received 64 certified payrolls.

### **Employee Communications**

Since April 1, 2017, the FFCM has sent personalized letters to the employees on **30** public works projects in Western Massachusetts.

### Michelle P. Schweitzer, Administrator

Spring has officially begun however the weather has not been cooperating with the Calendar! Hopefully, we've seen our last Nor'easter for this season and the nice weather will return soon, so we can get an early start to our employment season. I hope everyone had a nice holiday season and I wish you all a wonderful and productive 2018.

### **ANNUITY FUND DISTRIBUTIONS:**

In our June 2017 Newsletter, I detailed information regarding our Annuity Fund, and the criteria that must be met to be eligible for a distribution from that Fund. It has come to my attention that there are still questions as to why distributions are not allowed for reasons other than those that are defined by our Plan. The IUOE Local 98 Annuity Plan is regulated by the United States Department of Labor and the Internal Revenue Service. It is compliance with these regulations that permits pre-tax contributions to be made into the plan and earnings to grow tax free until distributed.

Under IRS regulations, defined contribution plans *may* permit a participant to withdraw retirement plan funds while actively employed if the participant experiences a financial hardship. The IUOE Local 98 Annuity Plan is designed and operated to allow hardship withdrawals for all the events specifically designated as permissible under the regulations (certain medical expenses, purchase of primary residence, certain educational expenses, certain funeral expenses, certain losses). Permitting distributions for any other type of hardship can result in the Plan's loss of tax exempt status.

As the United States Government re-writes the tax code for the recently approved Tax Cuts and Jobs Act, Plan Trustees will evaluate the impact on the Plan and, if necessary modify provisions accordingly.

Fund Office employees must follow the Plan Documents that are in place and we do not have the flexibility to "make exceptions" for any reason. This applies not only to the Annuity Fund, but to all of the Funds.

The benefit funds are governed by a Board of Trustees which includes both Union and Employer Trustees. The Trustees have the authority to amend, modify or discontinue all or part of these Plans when conditions so warrant. The decisions that are made by the Funds' Board of Trustees regarding any plan modifications are only considered after legal, actuarial, investment and accounting professionals have reviewed and determined that the changes are appropriate, and are in accordance with ERISA, IRS and DOL regulations that ultimately govern how these plans operate.

### **SHORT TERM DISABILITY:**

As you know, your Health & Welfare Plan provides disability benefits to active participants who become disabled while covered by the health plan. It is imperative that any participant collecting disability payments, or disability credit towards health coverage notify the Fund Office immediately upon return to work. The Fund Office has no way of knowing that you've returned to work unless you notify us. If benefits are paid and you've returned to work, you will be required to repay any benefits you were not entitled to.

### **MENTAL HEALTH & SUBSTANCE ABUSE:**

Your health plan covers services relating to mental health & substance abuse. There are providers locally that specialize in these services. Please contact Blue Cross/Blue Shield at the number on the back of your Blue Cross ID card or contact the Fund Office at (413) 525-4221 if you need assistance locating a provider.

### ANNOUNCING TWO SCHOLARSHIPS IN ASSOCIATION WITH THE MASSACHUSETTS COALITION OF TAFT-HARTLEY TRUST FUNDS

As a result of our affiliation with the MA Coalition of Taft-Hartley Trust Funds, any member, child, grandchild or spouse of a Local 98 member or employee of the Funds are eligible to apply for these annual scholarships:

<u>Colleen Sullivan Memorial Nursing Vocation Scholarship</u>: This \$4,000.00 (\$1,000.00 x 4 years) scholarship is available to applicants that are enrolled in or accepted as an undergraduate student by an accredited nursing program.

**Lou Sarno Memorial Scholarship**: This \$4,000.00 (\$1,000.00 x 4 years) is available to applicants that are enrolled in or accepted as an undergraduate student by an accredited college or university.

Applicants must provide an *official* copy of his or her current school transcript along with a 500-word (or more) essay. The essay topic for each scholarship will be sent to you along with the application. Applications must be postmarked or received by Monday, May 21, 2018. For applications, please contact the Fund Office at (413) 525-4221 or print one from our website at www.iuoelocal98.org/benefits.

### **IMPORTANT REMINDERS:**

Please make sure you have a completed/updated Beneficiary Form on file with the Fund Office.

Participants approaching retirement age, please remember that our Plan requires a full 90-day notice prior to your retirement date. If you plan to retire, make sure to call at least 90 days prior to your anticipated retirement date to begin the application process.

PLEASE SUBMIT YOUR CALENDAR CARDS TO OUR OFFICE MONTHLY. This is the only way we will know if you are working and receiving the benefits you are entitled to.