

Brady made several attempts to negotiate a contract aimed at market recovery. According to Durick, "we were nearing the point of submitting a final offer" to the Carpenters District Council when a representative of the international union intervened. The agreement was signed by the district council without rank and file ratification. There has been "extreme resistance" to the agreement by the rank and file, according to Durick, but members are reporting for work and manning the jobs.

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NEW ASBESTOS RULES REDUCE HEALTH RISK, SHOULD BE UPHELD, LABOR DEPARTMENT SAYS

The Labor Secretary's findings that provisions of the revised asbestos standards are feasible and will reduce a significant risk of material health impairment are supported by substantial evidence, the Labor Department said Jan 30.

The Labor Department filed a brief in the U.S. Court of Appeals for the District of Columbia Circuit asking the court to dismiss petitions requesting review of the revised asbestos standards. The petitions were filed by the AFL-CIO Building and Construction Trades Department and Asbestos Information Association/North America.

All industry objections to the Secretary's significant risk findings in the asbestos rule making are without merit, the Labor Department argued. It said that the Occupational Safety and Health Administration properly:

- Determined that lung cancer and mesothelioma risk follow a linear dose-response relationship;
- Selected the studies on which to base its lung cancer risk and its mesothelioma risk;
- Included smokers in its overall lung cancer risk estimate; and
- Estimated the risk based on a 45-year working lifetime.

'Lowest Feasible Level'

Responding to BCTD's claim that the permissible exposure limit should be set at 0.1 fibers per cubic centimeter, rather than 0.2 f/cc, the department argued that "although the unions are correct" in stating that for some operations and industries a 0.1 f/cc is feasible, the record shows that "for most covered operations," 0.2 f/cc is the "lowest feasible level that reliably can be achieved."

The revised asbestos standards — one covering general industry, the other covering construction — were published June 20, 1986, and became effective on July 21, 1986. Both standards set identical permissible exposure levels of 0.2 f/cc of air and an action level of 0.1 f/cc that triggers worker training and medical

monitoring requirements, 32 CLR 467 (June 25, 1987).

BCTD and the Asbestos Information Association/North America subsequently filed challenges to the standards in the D.C. circuit, 32 CLR 918 (Oct. 29, 1987). Under the revised briefing schedule set by the appeals court, all intervening parties' briefs are due Feb. 20, reply briefs from the unions and industry groups are due March 5, and any appendices and corrections to briefs are due March 14.

CALIFORNIA BUILDING TRADES FIGHT FOR JOBS ON \$350 MILLION MERIT SHOP PROJECT

Building trade unions in Contra Costa County, Calif., are protesting the award of a \$350 million steel mill expansion project to an out-of-state merit shop construction firm.

The unions argue that the award will have an adverse impact on the local economy and deprive their members opportunities to work.

At stake is an estimated 2 million manhours of work.

The project is a \$350 million expansion and modernization job for USS-POSCO Industries' steel mill at Pittsburg, Calif. The project was awarded to BE&K Construction Co., Birmingham, Ala., which was the low bidder by \$45 million. USS-POSCO is a joint venture between USX (formerly U.S. Steel) and Pohang Iron and Steel Ltd. (POSCO) of South Korea. USS-POSCO owns the steel mill at Pittsburg formerly owned by U.S. Steel.

The Contra Costa Building Trades Council in Martinez, Calif., complains that BE&K will pay wages on the project that are 75 percent lower than those prevailing for construction in the area and that BE&K will bring with it substantial numbers of traveling employees who will take jobs from local residents. The Council wants the project awarded to a local union construction firm and for the work performed under local agreements or a project agreement.

According to a Council statement, building tradesmen in the area "feel South Korea is just like other foreign governments that subsidize home industries to invest in American industry at the expense of the American jobs and workers."

To draw attention to the situation, the unions will stage a demonstration outside the South Korean embassy in San Francisco on Feb. 12.

Wages To Average \$7.25?

Most of the difference between the lowest union firm bid and the BE&K bid comes from using non-union labor, the Council maintained in a fact sheet. The local building trade wage and fringe package averages nearly \$30 an hour, bringing labor costs for a

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