

## The Columbus Dispatch

# Misfeasance

## Head of school-building agency erred, but governor to blame

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As executive director of the Ohio School Facilities Commission, Richard Murray was supposed to act as a good steward of the millions of dollars Ohio pours into new school buildings every day. Instead, a report by the Ohio inspector general shows, he has abused his position to push the interests of unions, including the one to which he belongs, at substantial cost to the state and local school districts.

His unprofessional behavior disqualifies him for this position.

Murray's union advocacy comes as no surprise; his career before Gov. Ted Strickland appointed him included more than 12 years as Ohio director of the Laborers-Employers Cooperation and Education Trust, a union advocacy group. He is a member of Local 423 of the Laborers' International Union of North America.

Strickland's decision in September 2009 to summarily oust well-regarded former Executive Director Michael Shoemaker, a fellow Democrat, and replace him with Murray shows that the governor, too, is far more interested in doing favors for one of his primary constituencies — labor — than in working for Ohioans' best interests. In fact, Murray says he was instructed by the Strickland administration to treat construction unions as "constituents" and to improve relations with them.

Shortly after taking office, Strickland began stacking the deck for unions by appointing union-friendly members to the Facilities Commission, which promptly lifted the policy that prohibited school districts from requiring contractors to pay the union-level "prevailing wage" on their projects.

He also showed his loyalty to labor by declaring that 7,000 home-health-care workers and 8,000 home-based child-care workers who provide state-subsidized care could unionize. He has attempted to thwart charter schools, which are anathema to teachers unions. He also tried, unsuccessfully, to expand the prevailing-wage requirement to cover any project with any public funding.

Under Gov. Bob Taft, school districts undertaking jointly financed school building and renovation projects with the School Facilities Commission were barred from requiring prevailing wage or using project-labor agreements, which in effect require any worker on a commission-financed project to join a union, if only temporarily. Such agreements haven't proved to improve quality or safety but serve to fill

union coffers with mandatory dues. The Taft policy ensured that more school-building money went into school buildings.

Reversing that policy was Strickland's prerogative, and voters can render a judgment. But, according to the inspector general's findings, instead of remaining impartial and leaving it to school districts to decide if they wanted to pay more for labor, Murray pushed and bullied some of them to do so.

He met frequently with union organizations, introducing himself as a member of Local 423 and asking the union supporters to be his "eyes and ears" on project sites to report problems with nonunion contractors — a clear indication of his bias.

That was bad enough, but Murray went much further to help twist school officials' arms. When union representatives visited school officials to argue in favor of union labor, Murray — the keeper of the state purse for school construction — sometimes accompanied them, an implicit message to school officials that their best interest lay in acquiescing to union demands.

He bragged about having fired the commission's legal counsel, who had tangled with organized labor. He disrupted several building projects in southern Ohio by yanking the commission-assigned project administrator because union officials had complained about her, and he did this without bothering to check out the administrator's record or investigating the union's complaints. In other cases, too, he interfered in building projects in response to complaints by unions without verifying the allegations.

Also, Murray stood by while union official Gary Coleman screamed profanities at officials of Clay Local School District in Scioto County during a meeting in which Coleman was pushing the reluctant school district to use a project-labor agreement. Coleman was upset because the district was using a nonunion contractor to do site preparation.

That Murray sat silently while Coleman abused the stunned school officials is shameful. Worst of all, Coleman's tactic worked; the district eventually signed a project-labor agreement.

Not long after, when the New Boston Local School District declined to sign a project-labor agreement, Murray suddenly raised objections to the site chosen for the project; school officials say he told them that if they would accept a labor agreement, his objections could be worked out. Murray disputes the New Boston officials, but the accusation fits the pattern reported by the inspector general.

Most recently, renovation of the combined campuses of the state-administered Ohio State School for the Deaf and Ohio State School for the Blind gave Murray a chance to impose a project-labor agreement without having to pressure a school board into it. He did so, even though the agreement directly benefits the union he belongs to as well as his former employer, the labor trust.

As is typical, the agreement acted to discourage nonunion contractors from bidding, resulting in fewer and predictably higher bids, the lowest coming in \$11 million above the state's \$28 million estimate. Now the project will be delayed because, under state law, it must be rebid.

Complaints by Clay and New Boston school officials led to the inspector general's probe. Inspector General Thomas P. Charles was appointed by Strickland and is empowered to investigate executive-branch wrongdoing.

Murray's actions were grossly unprofessional and unacceptable for the head of a state agency in charge of billions of dollars in public money. The governor faces a choice: Remove an administrator

who has ill-served the public, or keep him and thereby choose to serve labor's interests rather than those of Ohio students and taxpayers.

Recommend 46

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## Stop Catering To Ohio Unions

By The Intelligencer

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For several years the Ohio School Facilities Commission's philosophy was that taxpayers' dollars should be stretched as far as possible. That changed not long after Gov. Ted Strickland took office. It became clear the governor intended to strengthen his friendship with labor unions that helped get him elected.

Strickland appointed new members, people who shared his philosophy of working closely with unions, to the School Facilities Commission. He replaced its head, appointing union veteran Richard Murray to the post.

Quickly, the commission reversed a policy that had been in place under Strickland's predecessor. Under former Gov. Bob Taft, the commission had prohibited school districts receiving state money from requiring that construction contractors pay "prevailing wage" on projects. Now, that safeguard is not in place. School districts spend more money on construction projects, in effect bowing to unions because of pressure to pay "prevailing wage" - which too often means union scale, not the pay rates that truly prevail.

Now Murray has taken the pressure to hire union contractors to a whole new - and very disturbing - level.

During a recent meeting with officials of a school district in Scioto County, Murray was accompanied by the business director of a laborers' union local.

And if the message that the facilities commission likes unions was not strong enough, Murray allowed the union leader to engage in what those at the meeting described as "a tirade" about agreements to use union workers on school projects. The union official's remarks were "profanity laced and threatening," one school official said. Three school officials told The Columbus Dispatch the union leader told them a union agreement would provide "a dome of protection during the construction of (a) new school ..."

No one disputes the school officials' account of the meeting - which clearly was intended to pressure them into a union agreement.

Murray's offense was worse than bad judgment. He knew precisely the effect showing up at the meeting with a union leader in tow, then allowing the man to harangue local school officials, would have.

Obviously, Murray needs to be sent packing. The school facilities commission should have a new executive director - one more concerned with making tax dollars go as far as possible than with currying favor with labor unions.

The commission's policy on prevailing wage contracts needs to change, too. Strickland is using taxpayers' money to gain support from unions - and Ohio voters should not tolerate it.

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