

## MINUTES

### PREVAILING WAGE ADVISORY COMMITTEE

Thursday, October 14, 2004

Committee Chair Norman Malbin called the meeting to order at 1:30 p.m.

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>	<u>Guests Present</u>
Ed Glad	Daniel Boldt	Dan Gardner	Betty Huskey, ODOT
Jessica Harris-Adamson	Shawn Miller	Annette Talbott	Marie McHone, ODOT
Mark Holliday	Dan O'Brien	Christie Hammond	John Rowand, FCF
Norman Malbin	Bob Shiprack	Marc Zolton	Jim Pauley, IW29
John Mohlis	Dick Springer	Lois Banahene	Joe Bowers, IW29
Jay Minor		Susan Wooley	LeeAnne Clark, Laborers
		Sandra Smith	Bruce Roller, LIUNA320
		Steve Simms (ATD)	Jeff Dean, ABC
		Denise O'Farrell (OED)	Bruce Dennis, Carpenters
			Bob Acker, Carpenters
			Jess McKinley, Group AGB

### ODOT Workforce Proposal

Marie McHone, Manager, ODOT Office of Civil Rights, explained ODOT's OJT program. The objective of ODOT's program is to maximize the participation of minority and women firms and individuals on OTIA III projects in partnership with BOLI.

Steve Simms, director of the Apprenticeship and Training Division of BOLI, advised the committee that BOLI has a legislative directive to increase the number of women and minorities in apprenticeship programs, and said that ODOT and BOLI would be working together to increase apprenticeship opportunities in ODOT's program.

Ms. McHone described the goals of ODOT's program, which include improving training curriculum; OJT and apprenticeship participation requirements; and improved statistical reporting. Betty Huskey, on-the-job training program technician with ODOT, provided the committee with her business cards and the committee was urged to provide additional ideas and suggestions.

Jay Minor urged "common sense" to be used in setting goals. He said that outreach with minorities in rural areas is difficult because of the expense of traveling to remote areas of the state. He also expressed concern about the 5 to 1 ratio goal, saying that some jobs only need three or four workers.

Mark Holliday said that the apprenticeship goals may be overly ambitious outside the metro area. He also said that the apprentice goals should be required on all public works projects, not just federally-funded ODOT projects.

Norman Malbin commented that there is already an incentive for contractors to use apprentices because it decreases labor costs.

Commissioner Dan Gardner stated he'd like to see minimum apprenticeship participation on all public works over \$150,000 as the state of Washington requires.

Jay Minor commented that apprentices are not readily available from union halls.

John Mohlis stated that he would like the rules to be fairly applied so that all contractors must comply.

Jessica Harris-Adamson emphasized the importance of students being made aware of careers in the trades. Ed Glad agreed, pointing out that the current workforce is aging.

In response to a question about whether ODOT would be establishing new crafts as part of its program, Marie McHone said that the department's program would only be using currently established crafts.

### **Minutes of the Previous Meeting**

The minutes of the August 19, 2004 meeting of the advisory committee were reviewed and approved as presented.

### **Staff Reports**

Staff presented summaries of BOLI's PWR enforcement activities, including fiscal year-end investigation, collection, and violations data, and education seminars conducted during fiscal year 2004-2005. A fall 2004 Prevailing Wage Rate Seminar Schedule, a list of the currently open PWR investigations, and a copy of the letter regarding proposed policy revisions relating to on-site work performed by truck drivers and parts runners on public works projects were also provided.

### **2004 Construction Industry Survey Update**

Denise O'Farrell reported that approximately 72% of the surveys had been returned to date, and the third and final notice was mailed earlier in the week. Ms. O'Farrell said that 900,000 hours have been collected to date and noted that survey data received through November 15 will be used setting rates for the January, 2005 rates publication.

### **Staff Introductions**

Marc Zolton (BOLI Legislative Affairs & Communications Director) and Sandra Smith (PWR Coordinator) were introduced to the advisory committee.

### **Draft Rule Pertaining to Construction Managers/General Contractors ("CM/GC's")**

Copies of a letter sent to interested parties and a summary of comments received relating to the most recently revised version of the draft CM/GC rule were presented. It was noted that committee member Bob Shiprack, who was unable to attend the meeting, had previously expressed concerns relating to the

proposed CM/GC rule. It was therefore agreed that the rule would be discussed further at the next meeting after Mr. Shiprack had an opportunity to review it.

### **Proposed 2005 Legislation**

The commissioner presented a draft of an amendment to ORS 279C.830. The new language would require contractors to be registered training agents if they want to contract for public works projects exceeding \$250,000. John Rowand asked if the law would require the actual utilization of apprentices or just that the contractors be training agents. Mark Holliday stated that the contractors should not only be required to be training agents, but also commit to use apprentices. The question was also posed whether or not this law would apply to subcontractors as well as primary contractors. Jay Minor expressed his opinion that both should be held to the \$250,000 contract threshold. Commissioner Gardner indicated that BOLI will review these issues further and report back to the committee.

### **Advisory Meeting Attendance**

Committee Chair Norm Malbin noted that the committee had previously established a policy that if a committee member had three consecutive unexcused meeting absences, the member would be replaced on the committee. Commissioner Gardner suggested that before removing/replacing a committee member, staff should contact the member to determine their interest in continuing on the committee. The committee agreed to this revised policy.

### **Next Meeting Date/Agenda**

The next meeting of the Prevailing Wage Advisory Committee will be held on Thursday, November 18, 2004 at 1:30 p.m. at the International Union of Operating Engineers, 555 East 1st Street, Gladstone, OR.

The results of the prevailing wage survey will be reviewed. Christie Hammond said that the January, 2005 Prevailing Wage Rate publication needs to be to the printer by December 1, 2004.

The meeting adjourned at approximately 3:00 p.m.