



Commissioner Brad Avakian

Bureau of Labor and Industries

COMMISSIONER'S MESSAGE – January 12, 2011

Dear Friends:

It's official: the 2011 legislative session is here. While the legislature won't meet regularly to work on bills and the budget until February 1, advocates are already reaching out to legislators and laying the groundwork for their agendas.

BOLI is no exception. We have a [substantive agenda](#) for legislation relating to each part of the agency's mission, and I appreciate the legislative and community champions who have already stepped up to help us enact these laws. This legislature has very real opportunities to support employees and employers, defend the rights of all Oregonians, and even encourage the economic recovery, just by passing the bills that BOLI has introduced.

At the top of BOLI's list is House Bill 2033, the first step of the career and technical education restoration plan that I've shared with so many of you and that I wrote about [in the Oregonian](#). Restoring these programs is an important step we can take right now to help train the workforce that will rebuild our economy, but it's even more essential to the long-term health of our state. It's time to start resharping the competitive edge that Oregon has let dull in recent years, and to do it in a way that organized labor and employer associations, farmers and renewable energy advocates, and small business people throughout the state all agree is the best way forward: give every Oregon student access to high-quality career and technical education (CTE) options that teach emerging or in-demand job skills.

BOLI's legislative agenda tackles a wide range of problems facing Oregonians. Working with the Oregon Council on Civil Rights and the Commissions on Asian Affairs, Black Affairs, Hispanic Affairs and the Commission for Women, we are advocating bills that strengthen Oregon's equal pay law, extend workplace harassment protections to interns and volunteers and assure all Oregonians access to public accommodations. BOLI bills will ensure that workers have recourse when their employers try to pay them with non-sufficient funds checks, align apprenticeship statutes with federal law and preserve access to justice for all civil rights complainants. To simplify employers' responsibilities under workplace expression of breast milk laws, BOLI will advocate conforming state statutes to the federal standard. To reduce administration expenses for the agency, BOLI is seeking repeal of the costly requirement that we publish a second PWR rate book that is out-of-date as soon as it comes back from the printer and conformance of our wage claim handling statute with state unclaimed property law. You can read more about many of these concepts [here](#).

Please let me know if you have any feedback on my legislative priorities or want to know how you can help advance them.

Sincerely,

A handwritten signature in blue ink that reads "B. Avakian".

Brad Avakian
Oregon Labor Commissioner

The Brad Tracker

Where's he been? Brad was delighted to spend the holidays with his family and since New Years has focused on preparations for the legislative session. On Monday, he attended the opening day ceremonies at the State Capitol, sitting with the other statewide-elected officials during Governor Kitzhaber's inaugural address (pictured) and visiting with many friends and colleagues who were in the building.



Where's he going?

In coming weeks, Brad will be meeting with representatives of the local youth apprenticeship and pre-apprenticeship programs that BOLI helps to coordinate, discussing these success stories and strategies for expanding career and technical education opportunities throughout the state.

If your group is interested in having the Commissioner come to speak, send good contact information to Donna.Brown@state.or.us. Staff will respond to your request in a timely manner, but please try to provide at least 2 weeks' notice if suggesting a particular date for the Commissioner's visit.

Avakian Announces New PWAC Co-Chairs

Veteran committee members will take the helm February 1st

Commissioner Avakian today named the co-chairs of the Prevailing Wage Advisory Committee (PWAC) for the next year. The co-chair representing labor will be Norman Malbin of the International Brotherhood of Electrical Workers, Local 48, while Shawn Miller, counsel for Associated Builders and Contractors and the Independent Electrical Contractors of Oregon, will be the management co-chair.

"Norm and Shawn are both respected, experienced members of this committee," Avakian said. "Each is a strong advocate as well as a thoughtful, conscientious consensus builder when that approach is needed to get a job done."

PWAC was created by legislative action in 2003, directing the Commissioner of the Bureau of Labor and Industries to appoint an equal number of representatives from management and labor in the building and construction industry who perform work on public works contracts. The committee is charged with advising the Commissioner on matters regarding the prevailing wage rate laws that apply to public construction projects.

"I'm honored that individuals with Norm's and Shawn's level of expertise, and commitment to a cooperative, productive system, were willing to take on these additional responsibilities," Avakian added. "The Labor Commissioner and other decision makers rely on the well-considered

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recommendations of PWAC to advance the best policies for the State of Oregon, and I am confident that our new co-chairs will help the committee continue to excel.”

Current co-chairs Don Kool of the United Association of Plumbers and Steamfitters, Local 290 (retired), and Jim McKune, Chief Operating Officer of Emerick Construction Co., will complete their terms as co-chairs at PWAC’s next meeting. The committee is scheduled to meet Thursday, January 20th, at 3pm at the International Union of Operating Engineers Hall in Gladstone (555 East 1st Street).

“I want to thank Don and Jim for their great service in leading PWAC for the last two years,” Avakian said. “The leadership that they have provided, on a range of tough issues, has been invaluable.”

For more information about PWAC and Oregon’s prevailing wage rate laws, visit BOLI’s website at <http://www.oregon.gov/BOLI/WHD/PWR/index.shtml>.

Avakian Announces Legislative Agenda for 2011

Commissioner Avakian has announced BOLI’s agenda for the legislative session that began Monday. BOLI will advocate for bills supporting all facets of its mission to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.

“BOLI is advancing a comprehensive agenda to protect workers as well as employers in this state,” said Avakian. “We are pleased to have legislative champions and partner organizations who have already signed on to support a series of bills that will help our agency work more efficiently for all Oregonians.”

Among BOLI’s top priorities: House Bill 2033, which is part of an effort by Avakian and a coalition of supporters to restore career and technical education to public middle and high schools in Oregon.

“Every student in Oregon should have access to high-quality career and technical education (CTE) options that teach emerging or in-demand job skills,” Avakian said. “We need to commit to getting our students the skills that employers consistently demand—problem-solving, creativity, analytical thinking, teamwork—at an earlier age so that they’re ready to compete in the modern workforce.”

Avakian called CTE classes “essential to the economic well-being of this state,” but highlighted other agency concepts that will directly affect Oregon’s working families, including efforts to:

- Hold employers accountable for bouncing paychecks to their workers (HB 2038);
- Eliminate confusing differences between state and federal laws (HB 2039); and
- Reduce administrative costs in the Prevailing Wage Rate Unit (SB 178).

“I am especially excited about our civil rights agenda,” Avakian continued. “We will work aggressively to reinforce the advantages of BOLI’s administrative law process and ensure all Oregonians the full protection of their rights in employment, housing, and public accommodations.”

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Much of BOLI's civil rights agenda coincides with priorities of the Oregon Council on Civil Rights, the Oregon Advocacy Commissions, and a host of other community supporters.

Together the groups will advocate to:

- Extend the state's Equal Pay law to cover all protected classes, not just gender (HB 2861);
- Extend workplace protections against discrimination and harassment to interns and volunteers (HB 2862); and
- Clarify ambiguous case law that limits equal access to public accommodations (HB 2863).

You can learn more about many of [BOLI's bills](#) on the agency's website, or [view the bills](#) themselves on the legislature's website.

Upcoming BOLI Events

Date	Event Type	Location	Subject	Contact
Jan. 20	OCCR Quarterly Mtg.	State Office Building, Portland	The Co-Chairs are developing the agenda	Civil Rights @ 971-673-0795
Jan. 20	PWAC Quarterly Mtg.	I.U.O.E. Hall, Gladstone	Prevailing Wage Advisory Committee	PWR Unit @ 971-673-0837
Feb. 9 & 10	Low-Cost TA Seminar	State Office Building, Portland	Leave Laws in Oregon: A 2-Day Training	TA Program @ 971-673-0825
Feb. 16	Free PWR Seminar	State Office Building, Portland	PWR for Contractors and Subcontractors	PWR Unit @ 971-673-0853
Feb. 16	Free PWR Seminar	State Office Building, Portland	PWR for Contracting Public Agencies	PWR Unit @ 971-673-0853
Feb. 22	Low-Cost TA Seminar	State Office Building, Portland	Documentation, Discipline & Discharge	TA Program @ 971-673-0825
Feb. 23	Free PWR Seminar	Hillsboro Civic Center, Hillsboro	PWR for Contractors and Subcontractors	PWR Unit @ 971-673-0853
Feb. 23	Free PWR Seminar	Hillsboro Civic Center, Hillsboro	PWR for Contracting Public Agencies	PWR Unit @ 971-673-0853
