



Commissioner Brad Avakian  
Bureau of Labor and Industries

## COMMISSIONER'S MESSAGE – March 30, 2010

Dear Friends:

I've got several pieces of news to share this time and I want to get right to those, but I want to talk first, briefly, about the Oregon Advocacy Commissions. The members of the Commissions play an important role in shaping public policy in Oregon and too few Oregonians are aware of their contributions.

The Oregon Commissions on Asian Affairs, Black Affairs and Hispanic Affairs, and the Oregon Commission for Women, are made up of gubernatorial appointees confirmed by the state senate. The four Commissions are staffed by a total of two people, who handle all of the administrative work generated by 37 active, engaged members. These are volunteers who take on their advocacy responsibilities in addition to their day-to-day personal enterprises, which for some are quite substantial.

What work are they doing? Each Commission sets its own agenda, but the combined mission is to work toward economic, social, legal and political equality for minorities and women in Oregon. I have been privileged to speak at public meetings and town halls sponsored by the Commissions, we work together to keep good information flowing back and forth between their constituencies and BOLI, and I am looking forward to even more cooperative efforts in the coming years. BOLI, particularly as the home of the state's Civil Rights Division, shares many common goals with the advocacy commissions. BOLI's mission to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination is made all the easier when we work constructively with the expertise and community relationships that the various commission members bring to their positions.

Just as the Civil Rights Division benefits from partnering with the advocacy commissions, so too does the Oregon Council on Civil Rights (OCCR). Where OCCR has a diverse, multi-faceted membership that is looking for state-level solutions to problems with broad consequences or impacts, each of the advocacy commissions works with a specific community of Oregonians to empower and engage their activism. There are sure to be issues better resolved by one or the other, or by the engagement of particular individuals from OCCR or the advocacy commissions. Taken together and working cooperatively, OCCR and the advocacy commissions give us an even greater opportunity to see civil rights issues addressed effectively from multiple perspectives. Combining their efforts with the enforcement powers of the Civil Rights Division means a very strong team is working to advance civil rights in Oregon.

Sincerely,

Brad Avakian  
State Labor Commissioner

*The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.*

# CALL FOR NOMINATIONS

## 26<sup>th</sup> ANNUAL WOMEN OF ACHIEVEMENT AWARDS

The Oregon Commission for Women (OCFW) was established in 1964 to advise the Governor on the status of women in Oregon and to maintain a continuing assessment of the issues and needs confronting women.

Every year since 1985, the OCFW has proudly presented the Women of Achievement Awards. The sixty-six honorees represent an amazingly diverse group of women who have all made Oregon a better place to live through their community service, their professional accomplishments, and dedication to their vocation.

Nominations for the 2010 OCFW's Women of achievement Awards are now being accepted. The OCFW's Commissioners will determine the recipient of the award from those nominated. To be considered for this prestigious award, nominees are required to excel in the following four criteria:

- the candidate has been recognized for leadership and success in her area of expertise
- the candidate promotes the status of women in society through her efforts to advance women's rights, status, or condition
- the candidate has demonstrated a specific commitment to equity and diversity
- the candidate serves as an exemplary role model for women

Incomplete nominations will not be accepted. The nomination form is also available on the OCFW website - <http://www.oregon.gov/Women/index.shtml>

### **THE DEADLINE FOR NOMINATIONS IS APRIL 30, 2010.**

The 2010 Annual Women of Achievement Awards celebration will take place in July. This event is for those who want to participate in honoring the achievements of women across the State. We will celebrate the women who have made significant contributions to improving the lives of women in Oregon. Proceeds from this event support the work of the Oregon Commission for Women.

For more information, email the Oregon Advocacy Commissions Office  
at [oaco.mail@das.state.or.us](mailto:oaco.mail@das.state.or.us) or call 503-378-2139.

# # #

---

### **Avakian Statement on Oregon's Newest Unemployment Numbers**

*Labor Commissioner says job training must accompany job growth*

According to the Employment Department, the unemployment rate in Oregon was essentially unchanged at 10.5% in February. As chief of Oregon's Civil Rights Division and the Apprenticeship and Training Division at the Oregon Bureau of Labor and Industries (BOLI), as well as a member of the Oregon Green Jobs Council, Commissioner Brad Avakian plays a key role in the state's job opportunity system. Commissioner Avakian made this statement:

*The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.*

**“Despite the continuing sluggishness of our economy in the short term, we must focus attention on the long-term strength of workforce development in Oregon. Our economy is growing more dynamic and can change direction quickly; we must ensure our workforce development system is similarly adaptable and agile. Now is the time to invest in the specific public education and job training programs that will give Oregon the workforce that existing employers and emerging industries are demanding.”**

BOLI defends the rights of workers and citizens to equal, nondiscriminatory treatment in workplaces, housing and public accommodations and encourages and enforces compliance with state laws relating to wages, hours, and terms and conditions of employment. The bureau also partners with business and labor organizations to build a skilled workforce in Oregon and trains employers to understand and comply with civil rights and other labor and employment laws.

---

## **State Apprenticeship Council Launches New Information Portal**

The Oregon State Apprenticeship and Training Council (OSATC), chaired by Bureau of Labor and Industries (BOLI) Commissioner Brad Avakian, has officially launched a new, info-packed website to expand outreach to potential apprentices in Oregon. Avakian’s top priority as chief of BOLI is to strengthen workforce development and improve access to job opportunities for all Oregonians. The new website, a product of collaboration between various business, labor, government agency and community partners, is <http://oregonapprenticeship.com>.

“This website is going to be a great tool for recruiting the next generation of skilled workers in Oregon,” Avakian said. “Reaching out electronically is a key way to renew interest in Oregon apprenticeship, especially among women and people of color who are not traditionally directed toward these career pathways that can lead to high-skill, living-wage jobs.”

“Creating the jobs that our apprentices will use to develop their skills and earn while they learn is the critical priority right now,” said Avakian. Although a slow economy limits the number of new apprentices currently being registered in approved programs, Avakian emphasized the importance of looking at job training over the longer term. “Raising awareness about apprenticeship opportunities now will prime the pump and ensure that as jobs become available, Oregonians are ready to start or in the process of getting the necessary skills. When employment in the trades rebounds, we want to make sure that all Oregonians are able to enjoy a meaningful career opportunity.”

BOLI’s Apprenticeship and Training Division (ATD) staffs OSATC and helped to create the website through the OSATC’s Affirmative Action Task Force. ATD partners with business and labor organizations to build a skilled workforce in Oregon through hands-on job training and earn-while-you-learn paid experience.

---

## **KNOW THE LAW: Unpaid Internships**

There have been several inquiries to BOLI lately about the requirements or parameters around unpaid work experiences or internships. While there is an exception to wage and hour law for interns, there are very specific criteria that must be met to qualify the experience as an unpaid internship. WH Publication 1297, issued by the U.S. Department of Labor, provides the following tests:

*The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.*

## CRITERIA FOR TRAINEES

When *all* of the following criteria apply, trainees or students are not employees within the meaning of wage and hour laws:

1. The training, even though it includes actual operation of the facilities of the employer, is similar to that which would be given in a vocational school;
2. The training is for the benefit of the trainees or students;
3. The trainees or students do not displace regular employees, but work under their close supervision;
4. The employer that provides the training derives no immediate advantage from the activities of the trainees or students; and on occasion his operations may actually be impeded;
5. The trainees or students are not necessarily entitled to a job at the conclusion of the training period; **and**
6. The employer and the trainees or students understand that the trainees or students are not entitled to wages for the time spent in training.

Employees with questions about internships or concerns that they should have been paid for their time should contact BOLI's Wage and Hour Division at 971-673-0761. Employers, as always, should direct their questions to the Technical Assistance for Employers Program at 971-673-0824.

## Upcoming BOLI Events

Date	Event Type	Location	Subject	Contact
Mar. 30	PWR Seminar	COIC in Redmond	PWR for Contractors and Subcontractors	PWR Unit @ 971-673-0838
Mar. 31	PWR Seminar	COIC in Redmond	PWR for Public Agencies	PWR Unit @ 971-673-0838
Mar. 31	PWR Seminar	COIC in Redmond	PWR for Contractors and Subcontractors	PWR Unit @ 971-673-0838
Apr. 1	TA Seminar	Portland State Office Bldg.	<a href="#">Leave Laws in Oregon</a>	TA Program @ 971-673-0825
Apr. 6	TA Seminar	Lane Community College	<a href="#">Effective Supervisory Practices</a>	TA Program @ 971-673-0825
Apr. 14	TA Seminar	Portland State Office Bldg.	<a href="#">Advanced Leave Laws</a>	TA Program @ 971-673-0825
Apr. 20 & 21	TA Seminar	Chemeketa Comm. College	<a href="#">Employee Supervision: A 2 Day Basic Training</a>	TA Program @ 971-673-0825
Apr. 22	OCCR Quarterly Meeting	Portland State Office Bldg.	The Co-Chairs are developing the agenda	Donna Brown @ 971-673-0781
Apr. 27	TA Seminar	Holiday Inn, Ontario	<a href="#">Wage and Hour Laws</a>	TA Program @ 971-673-0825
Apr. 28	TA Seminar	City Hall, Baker City	<a href="#">Leave Laws in Oregon</a>	TA Program @ 971-673-0825
Apr. 29	TA Seminar	Pendleton Convention Cntr.	<a href="#">Policywriting Guidelines (half-day)</a>	TA Program @ 971-673-0825

*The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.*