

BUREAU OF LABOR AND INDUSTRIES (BOLI)
COMMISSIONER BRAD AVAKIAN

Commissioner's Message – April 4, 2012
Full steam ahead in revitalizing Oregon's workforce

Dear Friends:

In just a few weeks, we'll be announcing the recipients of the first round of grants from Oregon's Career and Technical Education Revitalization Fund. [As I strongly urged them](#), legislators wisely kept the fund intact and the effort to bring 21st Century shop classes to Oregon schools is right on track.

Forty-seven final proposals are due by April 9, outlining diverse ideas for bringing hands-on learning and job skills training to as many as 171 Oregon schools. With the total of the requests exceeding \$11 million, we know two things very clearly: first, that not every proposal will be funded in this inaugural grant cycle, but second, and arguably more importantly, that there is a huge demand in communities throughout our state to bring back real opportunities to learn job skills and explore careers in school. When the legislature convenes in 2013, expansion of the grant fund will be priority one for me and the coalition of supporters who continue to pursue this critical investment.

As you know, that coalition is broad and extends well beyond education professionals—though I know they are very excited to see this kind of rejuvenation in our schools. But it's the commitment of community partners like trade associations, labor unions and individual local employers that really highlight the overwhelming consensus that 21st Century shop classes must be a part of our school curriculum.

Among the grant proposals submitted, an average of four community partners are identified in each plan. So nearly 200 partners have already signed up in support of our efforts, confirming again that there are private sector resources ready to broaden the reach of any grants we award. I am grateful to have so much support for such important work.

This is no surprise, though, as it's the dedication and resources of local community partners that have helped to sustain a strong career and technical education program in the Corvallis School District. When I visited that program last month, [the Corvallis Gazette-Times really took notice](#). [The Albany Democrat-Herald was on hand as well](#), as schools in Albany and Lebanon are adopting the same model. The students are benefitting greatly from the willingness of partners like the Laborers and IBEW Local 280, through their state of the art training centers, to create opportunities—even before the state was willing to make a serious investment. Now, with the state grants, we have the key to making similar opportunities available to many more students throughout our state.

Sincerely,

Brad

Newest Supportive Services Contract Request Still Open

Proposals to provide apprenticeship guidance and evaluation services due April 30

The latest request for proposals (RFP) for contracts with the BOLI-ODOT Highway Construction Workforce Development Program is still available on ORPIN, Oregon's online tool for connecting potential contractors with state agencies seeking services or materials. The RFP seeks guidance services to better connect apprenticeship programs with individuals seeking careers in the highway construction trades, such as:

- potential applicants (such as students referred by high school guidance counselors),
- graduates of pre-apprenticeship programs, and
- qualified applicants to an apprenticeship program in a highway trade.

The same RFP seeks contractors who can evaluate the work of highway trade apprenticeship programs and their training agents and offer recommendations of specific steps or efforts they can implement to increase workforce diversity. This latest RFP complements projects underway to provide outreach and preparatory education to potential apprentices (promoting recruitment) and direct support to current apprentices (promoting retention). The BOLI-ODOT program is designed to identify and repair potential breakdowns or gaps in retention efforts over the full continuum of trades career preparation—from career exploration and pre-apprenticeship through graduation to journey status.

For more on the specific services being sought, head to <http://orpin.oregon.gov> and look for RFP # 102-1904-12. The submission deadline is April 30, and RFP specialist [Lori Doke](#) is the single point of contact for all questions.

Supreme Court Rolls Back Worker Rights

Recent 5-4 decision eliminates certain FMLA protections

The U.S. Supreme Court has [ruled, along familiar 5-4 lines](#), that the federal Family and Medical Leave Act's (FMLA) protection for leave related to an employee's own serious health condition cannot be enforced against employers who are state government entities.

According to the court, a state cannot be sued for violations of FMLA's self-care leave provisions unless sovereign immunity, which the court has found is guaranteed to states under the U.S. Constitution, has specifically been waived by that state for purposes of FMLA lawsuits. Only a handful of states have employee leave laws in place that cover self-care, Oregon being one of those fortunate few (the [Oregon Family Leave Act, enforced by BOLI](#)), which leaves the overwhelming majority of state government employees around the country with no employment protection for the time they need to, for instance, receive cancer treatments, dialysis or physical therapy. In contrast, FMLA leave rights for employees to care for seriously ill family members can be enforced against state employers under [a separate, 2003 Supreme Court decision](#).

Update on Commissioner Avakian's Ruling Supporting Firefighter Overtime Pay

The Northwest Labor Press has the [full story of the overtime wage dispute](#) between Grants Pass and its firefighters, including the latest word on a potential appeal of Commissioner Avakian's ruling and whether other firefighters are facing the same issue.

The TA Tracker

Technical Assistance for Employers Program through the first quarter of 2012

TRAINING SERVICES:	BROUGHT TO THESE COUNTIES:
BOLI Technical Assistance seminars:	Lane, Marion, Multnomah
Public seminars hosted by local OECs:	Coos, Linn-Benton, Lane, Malheur, Union, Curry, Multnomah
Private, customized on-site trainings:	Lane, Multnomah, Marion
New Supervisor Seminar Series:	Multnomah—coming soon to Marion!
Total training days logged since Jan. 1	29.5

To learn more about TA's various services and how they can help your business, visit www.oregon.gov/BOLI/TA. We value your support!

For a printable PDF of the Commissioner's Message, [click here](#)

For more information and news from BOLI, visit us online [here](#)