

BUREAU OF LABOR AND INDUSTRIES (BOLI)
COMMISSIONER BRAD AVAKIAN

Commissioner's Message – June 6, 2011
Advancing Employment Opportunities for Oregon

Dear Friends:

BOLI has a diverse range of responsibilities, such as worker pay and rest periods, employment protections for uniformed service members, support and resources for Oregon employers, prevailing wage rates on public works projects, investigating fair housing complaints and enforcing farm labor contractor laws to name just a few. But there is a single, unified theme, spelled out in our mission: to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.

As Commissioner, I've made a point of emphasizing our workforce development activity, both because employment opportunity is valuable in its own right and because successful employment breeds additional opportunities in the community. As I have always believed: educational opportunity leads to employment opportunities which in turn lead to the less-quantifiable but extremely valuable opportunities to give back to the community, take on leadership roles and motivate others, or even just serve as an example to the next generation.

I've spoken often about career and technical education in our public schools, and the needs that aren't being met in this critical area. At the same time, through the state Apprenticeship and Training Division, BOLI has made specific strides in expanding opportunities for Oregonians whose employment prospects might be limited:

- Barely three years old, the apprenticeship program in operation at 16 different Department of Corrections facilities has 28 active apprentices in four occupations, plus six individuals who have completed their training and earned journey level status.
- A new inter-state apprenticeship reciprocity agreement, to be finalized at the Oregon State Apprenticeship and Training Council later this month, will facilitate work opportunities for apprentices that travel between Washington, Montana and Oregon that will help keep them advancing toward journey status without unnecessary barriers.
- BOLI has partnered with the Oregon Department of Transportation to fund supportive services to potential highway construction workers, especially women and people of color who face traditional barriers to such employment. The partnership has already facilitated some 1,700 construction career orientations, pre-employment outreach for more than 1,000 Oregonians, mentoring and retention services for over 300, as well as other supportive services.

Each of the Oregonians touched by these initiatives will be better positioned to obtain and keep living-wage employment, which is the essential foundation of the American Dream. It's exciting to be a part of so many valuable programs, especially when they represent just a small slice of the total work BOLI does to support Oregonians.

Sincerely,

Brad Avakian

The Brad Tracker

Since early May, Brad's travels have been mostly short and close to home, as his youngest child approaches high school graduation. Working around legislative commitments and meetings with BOLI staff, Brad has been able to:

- Attend the NW Youth Careers Expo, organized by the Portland Workforce Alliance;
 - Speak at the [WebVisions 2011](#) Conference, after receiving their WebVision Award for Outstanding Achievement in Technology for his support of technology companies in Washington County and throughout Oregon;
 - Speak to the Yamhill County Democratic Party;
 - Attend the Oregon League of Minority Voters Liberty and Hope Awards Dinner;
 - Speak to the Clatsop County Democrats;
 - Speak to the graduating apprentices at the Northwest College of Construction; and
 - Speak at the ground-breaking ceremony for a new Student Success Center at his alma mater, Oregon State University.
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Updated PWR Rates to Take Effect on July 1st

Based on additional hours reported for the 2010 survey period, the annual evaluation of published prevailing wage rates (PWR) is complete and modest rate changes are set to take effect next month. Commissioner Avakian has directed state PWR unit staffers to update several rates, generally reflecting slightly higher "statewide average" rates which apply in regions where union contract rates do not prevail. The trades with rates set to change on July 1 are:

PREVAILING WAGE RATE JULY 2011 DATA SUMMARY

Occupation	Survey 2010 Rate Implemented Jan. 2011	July 2011 Changes
Bridge & Hwy Carpenter	Union 1, 6-9, 12, 14 Avg: \$ 31.15/13.14	\$31.21/13.13
Glazier	Union 2-5, 7, 12-13 Avg: \$29.05/11.06	\$29.20/11.18
Ironworker	Union 1-3, 5-6, 8-10, 12-13 Avg: \$30.71/13.47	\$30.76/13.54
Millwright (Groups 1 and 2)	Union 1, 9, 12 (Using AGC Union Rate) State Avg: \$26.93/8.54	Upgrade region 2 into Union rates. Increase the Avg. rate to \$29.32/10.68
Power Equipment Operators 2	Union 1-13 State Avg: \$31.66/10.05	\$31.67/10.06

Power Equipment Operators 3	Union 1-13 State Avg: \$30.82/9.57	\$30.87/9.64
Power Equipment Operators 5	Union 1-13 State Avg: \$27.98.8.03	\$27.99/8.04
Power Equipment Operators 6	Union 1-13 State Avg: \$26.15/8.67	\$26.30/8.93
Soft Floor Layer	Union 9, 13 Avg: \$23.21/9.12	\$23.69/9.12
Tile Setter/Terrazzo Worker: Hard Tile Setter	Union 2, 5 Avg: \$26.28/10.55	\$26.38/10.55
Truck Driver	Union: 11 Avg: \$19.90/5.92	\$19.80/6.11

Avakian Wins Passage of Key Pro-Worker Legislation

Last week, the Oregon Senate endorsed one of Commissioner Avakian’s legislative priorities: protecting working Oregonians from non-sufficient funds (NSF) paychecks. House Bill 2039A, pending signature by the governor, will allow BOLI to pursue existing damages for passing a bad check as a civil penalty against the employer, rather than requiring wage claimants to file a separate case in court for those damages.

“This bill means that Oregon workers won’t have to get an attorney and go to court, just to recover their overdraft fees and charges that their employer forced them to incur,” the Commissioner said. “Oregon families have a reasonable expectation that on payday they’re actually going to get paid. Employers should not be able to hand out bad checks and leave their employees holding the bag.”

[KTVZ News in Bend](#) and the [Salem Statesman Journal](#) have good coverage of the story.

Legislative Update: BOLI Bills still moving as session winds down

The legislature will conclude its session later this month, but several BOLI bills have been enacted or are still active in the process, including:

- House Bill (HB) 2034, the Apprenticeship and Training Division (ATD) statute modernization bill, has passed with overwhelming bipartisan support in both chambers, and been signed into law by the Governor.
- HB 2036, which contains five important changes to civil rights laws enforced by the state Civil Rights Division, has passed both chambers without opposition.
- HB 2039 (see story above) received only two “no” votes as it moved through the legislative process, and now awaits signature by the Governor.
- HB 2040 contains technical changes for BOLI’s Wage and Hour Division and is awaiting the Governor’s signature.

- Senate Bill (SB) 178, eliminating the costly exercise of creating an unusable rate-comparison publication, has passed the Senate (26-4) and the House (56-3) and is headed to the Governor's desk.
 - SB 159, strengthening BOLI's authority to regulate signature-gathering operations, has passed the Oregon Senate and now moves to the House
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