



Oregon Bureau of Labor and Industries

Wage and Hour Division

July 28, 2021

RE: Important Information Regarding New Prevailing Wage Rate Law

Dear Interested Parties:

Oregon's Prevailing Wage Rate (PWR) Law (ORS 279C.800-279C.870) is enforced by the Bureau of Labor and Industries' Wage and Hour Division and requires that the Labor Commissioner determine the "prevailing rate of wage" for workers on Public Works projects across the state by locality and trade or occupation. The law also required information derived from an independent wage survey be utilized to determine the prevailing wage rates.

In the 2021 Legislative Session, the Legislature passed [Senate Bill \(SB\) 493](#) which was signed by the Governor and is effective **January 1, 2022**.

SB 493 amends state PWR law ([ORS 279C.815](#)) as follows:

- The prevailing rate of wage for each locality is the wage in the collective bargaining agreement that covers that occupation.
- If more than one collective bargaining agreement covers that occupation, the highest rate of wage among the collective bargaining agreements will prevail.
- If a collective bargaining agreement does not exist for a trade or occupation, the rate of wage may be determined by conducting an "independent wage survey."

BOLI is evaluating the impact of this new law on existing regulations and will conduct an internal assessment of agency processes and resources. **At this time, contractors who received the [BOLI Construction Industry Occupational Wage Survey](#) should complete and return the survey form no later than *September 9, 2021*.** There will not be a supplemental process to accompany the survey this year. Completing this survey will give BOLI important wage information during this transition.

Information and opportunities for stakeholders to provide feedback and guidance throughout the process is forthcoming and will be available on our [website](#) (Oregon.gov/boli).

If you have questions, please contact Jessica Ponaman, Compliance Manager with the Wage and Hour Division, at 503-360-7292 or by email at Jessica.E.Ponaman@state.or.us.

Sincerely,

Sonia Ramirez, Administrator
Wage and Hour Division
Oregon Bureau of Labor and Industries