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April 10, 2015

Prevailing Wage Rate Coordinator
Bureau of Labor and Industries
800 NE Oregon Street, Suite 1045
Portland, Oregon 97232

Dear Coordinator:

I am writing as a professional surveyor as well as the owner of a Land Surveying/Engineering firm in the State of Oregon. I am writing this in opposition to the request letter from the International Union of Operating Engineers/Local 701 to revise the Power Equipment Operator's definition. The union requests that Land Surveyor Party Chief subclassification be moved to Power Equipment Operator Group 2 as covered by prevailing wage classification under ORS 279C.

I have been registered as an engineer in this state for 30 years and as a surveyor for 16 years. Prior to that period I worked in the construction industry building public facilities projects with my fathers construction firm for 10 years. I have worked on the planning, design and construction of many large and complex publics works projects as a contractor, engineer and surveyor for more than 40 years. I feel I am well qualified to address this issue and am hopeful that you will consider my opposition position to this issue positively.

My opposition is based on the fact that land surveying is a profession; that land surveyors do not use power equipment; that party chiefs are in a supervisory position; and that the request by International Union of Operating Engineer contains factual errors as to the fundamental nature of the duties of a surveying party chief. Finally, this was not initiated for the benefit of the surveying profession or in consultation with the professional association representing land surveyors.

Surveying is a profession as defined by ORS 672.002(4) and OAR 820-010. Land surveyors are required to obtain a professional license and bound by rules of professional conduct (OAR 820-020). Land surveyors are regulated as a profession by the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS). Survey Party Chiefs are often licensed and, regardless of license status, are bound by the same rules of professional conduct that a licensed surveyor must follow.

Party Chiefs in survey crews are supervisors and therefore should not be classified as Power Equipment Operators. Survey Party Chiefs are constantly required to make independent and autonomous decisions. They are expected to understand legal principles, geomatics, cadastral

surveying principles, construction principles and the Public Land Survey System. Furthermore, Party Chiefs are expected to train their charges in these subjects. The need for constant training demonstrates that they are operating in a supervisory capacity.

Land surveying Party Chiefs rarely, if ever, use power equipment and therefore should not be classified as Power Equipment Operators. Many Party Chiefs do not run total stations because it is easier to control and supervise the job while using a prism pole. Furthermore, it is inaccurate to consider total stations or GPS units power equipment when they are instruments of the profession.

In summary, Land Surveying Party Chiefs are professionals, act in a supervisory capacity, and do not use power equipment. They should not be included in Power Equipment Operator Group 2. I ask you to reject the International Union of Operating Engineers/Local 701 request based on statutes, administrative rules, and because facts stated in their request do not reflect the reality of the duties and responsibilities of a Survey Party Chief. Finally, reject their petition as it doesn't reflect the will or best interest of professional land surveyors in Oregon.

Our company reserves the right to further participate in this process under the law including but not limited to the Administrative Procedures Act. We appreciate the consideration of the PWR Committee in evaluating this issue and considering our perspective as a company that provides surveying services.

Sincerely,

Ronald A. Bush

Ronald A. Bush, P.E., P.L.S.
Owner
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