

# Oregon State Association of Electrical Workers

Robert Westerman  
President  
IBEW Local 932  
3427 Ash Street  
North Bend, OR 97459  
(541) 756-3907  
[ibew932@frontier.com](mailto:ibew932@frontier.com)

Travis Eri  
Secretary Treasurer  
IBEW Local 125  
17200 N.E. Sacramento  
Portland, OR 97230  
(503) 262-9125  
[travis@ibew125.com](mailto:travis@ibew125.com)

Gary Young  
IBEW Local 48  
15937 N.E. Airport Way  
Portland, OR 97230  
(503) 256-4848  
[busmgr@ibew48.com](mailto:busmgr@ibew48.com)

Matt Carroll  
IBEW Local 89  
P.O. Box 3219  
Arlington, WA 98223  
(360)657-1423  
[mattcarroll@ibew89.com](mailto:mattcarroll@ibew89.com)

Pete Marsh  
IBEW Local 112  
2637 W. Albany Street  
Kennewick, WA 99336  
(509) 735-0512  
[ibew112pmarsh@owt.com](mailto:ibew112pmarsh@owt.com)

Drew Lindsey  
IBEW Local 280  
P.O. Box 404  
Tangent, OR 97389  
(541) 812-1771  
[dlindsey@ibew280.org](mailto:dlindsey@ibew280.org)

Lennie Ellis  
IBEW Local 659  
4480 Rogue Valley Hwy.  
Suite 3  
Central Point, OR 97502  
(541) 664-0800  
[lennie@ibew659.org](mailto:lennie@ibew659.org)

October 1, 2015

PWR Coordinator  
Bureau of Labor and Industries  
800 NE Oregon Street, Suite 1045  
Portland, OR 97232

RE: Proposed change to occupational definition for PEO's

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The Oregon State Association of Electrical Workers (OSAEW) is comprised of all seven IBEW locals in Oregon and represents over 9,000 members licensed electricians and electrical workers. We are writing in opposition to the proposed change to the occupational definition of Power Equipment Operator (PEO) for prevailing wage work and adding the language "operates all types and sizes of cranes" to their Typical Duties. We don't believe it is a necessary addition and are very concerned that it might have jurisdictional impacts, beyond just prevailing wage law, in the future.

As you know, many of our members use small cranes, digger derrick cranes, booms, and lifts on a regular basis to move materials around on the job-site and access transmission lines. The use of this equipment is essential to performing electrical work, lifting and placing materials, like power poles, conduit, transformers, and tools, to and from high places like rooftops and power lines; the use of cranes in this capacity is well within the typical duties of line constructors and electricians. We have always used cranes in this way and our members are trained and certified to use the equipment safely and legally. In addition, many of our contractors have made substantial investments in this type of equipment because it is such a necessary component of our work.

After inquiring with BOLI, our understanding is that the proposed change won't expand or change the current interpretation of the occupational definition for PEOs related to the use of cranes. We also understand that the proposed change won't impact BOLI's existing interpretation that small crane work can, and does, also fall within the typical duties of an electrician and line constructor for prevailing wage work (as well as many other crafts). While we appreciate this clarification, we remain opposed - especially since it doesn't appear to have any substantive impact. We are concerned about how this definition might impact future jurisdictional disputes, collective bargaining and relationships on the job site.

We would also like to respectfully request a more formal determination from BOLI related to the use of cranes by our membership and that it does

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indeed fall within our own job classifications for prevailing wage work.

Thank you for the opportunity to provide comments on the proposed change. We are very concerned that its adoption will have impacts beyond just prevailing wage work and are opposed to this addition to the definition of a PEO. We look forward to participating as interested parties as BOLI considers this change.

Please feel free to contact me or our Government Affairs Representative Kate Newhall if you have questions regarding our comments or would like additional clarification on the issues we have raised.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Westerman', with a large, stylized flourish at the end.

Robert Westerman, President  
Oregon State Association of Electrical Workers  
Business Manager, IBEW Local 932

