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April 14, 2015

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

SUBJECT: *Response to Request to revised the BOLI Power Equipment Operator definition by adding the Party Chief subclassification to Group 2 made by the International Union of Operating Engineers/Local 701*

Dear PWR Coordinator:

This letter is in response to the requested revision of the BOLI Power Equipment Operator definition by adding the Party Chief subclassification to Group 2 made by the International Union of Operating Engineers/Local 701 (“Union”) and submitted to BOLI for review.

We **oppose** a change in the definition to include “Party Chief” as a subclassification for several reasons and believe that no action is needed by BOLI.

Otak, Inc, employs 6 full time, permanent and fully benefitted party chiefs in Oregon, working on public and private projects throughout the state. We perform approximately \$2.5m in surveying work in Oregon annually. Our firm provides survey services in support of the design and construction of projects for various public clients in Oregon. The factual background provided by the Union letter is not an accurate depiction of survey services including the role of the Party Chief. The duties of a Party Chief were not adequately represented.

The position of survey Party Chief at our company includes the following job description:

An Otak Survey Crew works under the direct supervision of a Licensed Professional Surveyor. The Party Chief is knowledgeable about the methodology and mathematics used to perform accurate surveys in addition to the equipment and software utilized to assist with these duties. The advancement of the technology has lessened the physical aspects of this job but has increased the need for the individuals in the field to understand the process, equipment and software more. The survey Party Chief is responsible for directing the field crews in various tasks needed to measure and collect the data. The Party Chief must accurately calculate the data in the field as a check and review of the measurements. The Party Chief is responsible for calibrating equipment, troubleshooting issues and quality checks to coordinate the design intent with construction efforts. Modern survey work relies less on physical labor because the equipment is lighter and involves more complex technology than in the past. No longer does the survey crew need to place physical stakes because the advanced technology is able to place a digital stake. The party chief many times is responsible for performing their own deed, survey, and corner records research.

The Union is incorrect in the job description provided for “Party Chief,” they also fail to provide a distinction for the position that is not already addressed in other standard BOLI occupational definitions. There is no value in adding another “title” and new subclassification unless the physical aspect of the work is different. The physical descriptions of the work provided by the Union is already covered under the current BOLI definitions of “Stake Setter,” “Brush Cutter” and “Stake Chaser.”

We have reviewed the letter prepared by Mr. Sean Gay of Stoel Rives LLP on behalf of David Evans and Associates, Inc. and agree with his evaluation of the issue. We incorporate the letter submitted by Mr. Sean Gay into this letter by reference, including the analysis and statements made in objection to the request made by the Union.

Finally Otak's submission of this response is not a waiver of any rights or remedies under the law (including, but not limited to, the Oregon Administrative Procedures Act), all of which are reserved. We appreciate the consideration of the PWR Committee in evaluating this issue and considering our perspective as a company that provides surveying services.

Sincerely,
Otak, Inc.



Jon M. Yamashita, PLS
Survey Manager