



Commissioner Brad Avakian
Bureau of Labor and Industries

COMMISSIONER'S MESSAGE – June 24, 2010

Dear Friends:

It is shaping up to be a busy summer for BOLI and me. Later in this newsletter you'll see information about upcoming events, including the special seminars BOLI is holding to talk about the new law on employer use of credit histories and the most effective way for 3rd parties to help us enforce prevailing wage law. These come on the heels of specialized seminars just a few weeks ago for growers and agricultural workers as their work picks up for the spring and summer.

As I often mention, BOLI's Technical Assistance for Employers Program (TA) already does a great job of bringing educational seminars to communities throughout the state, as well as doing customized on-site trainings. Given the minimal taxpayer support that TA receives, it is almost always necessary to charge the employers who attend seminars in order to keep these services available.

However, we know that the best law enforcement mechanism is effective education that prevents violations of the law from occurring in the first place. I have always been a stalwart advocate for our schools, and for other public education efforts, because prevention is the best solution to many of our chronic challenges. BOLI can conduct its enforcement work much more effectively if Oregon employers and employees better understand our laws and can prevent or resolve a number of issues before they come to the agency. What is critical about this effort, *especially* when the economy continues to struggle, is ensuring that BOLI's enforcement resources can be targeted to more egregious law violations.

Prioritizing education means several busy months for the dedicated staff in TA. First, TA will be working diligently on not only conducting a raft of seminars in the coming months, but in readying the informative Family Leave Laws Handbook for sale beginning July 1. Thorough updates and additions to the Civil Rights Laws Handbook are underway, likely making that book available in time for our annual Employment Law conference in December.

Here's one indication of how busy these folks will be this summer: 17 public seminars are scheduled in 11 different Oregon counties during one 11-week period. Several sessions are scheduled in Portland, Salem and Eugene, but TA will also be in Ontario, Baker City and Pendleton, Medford and Roseburg, Tillamook and Seaside, and Bend twice over those weeks. Of course, the team will also be responding to several thousand questions sent in by phone or email, providing regular columns to local newspapers and preparing for BOLI's signature event: the Annual Employment Law Conference on December 1-2. TA is clearly a program that Oregon employers can count on, reaching out even more when employers need all the support they can get.

Sincerely,

A handwritten signature in blue ink that reads "B. Avakian".

Brad Avakian
Oregon Labor Commissioner

The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.

New Feature: The Brad Tracker

Especially during the summer months, Commissioner Avakian travels to various communities around the state to talk about what BOLI is doing as well as to listen to diverse perspectives on Oregon's current and future challenges. This dialogue happens with various community groups, from Chambers of Commerce to local political parties and a wealth of other organizations.

If your group is interested in having the Commissioner come to speak, send good contact information to Commissioner.Brad.Avakian@state.or.us. Staff will respond to your request in a timely manner, but please provide at least 2 weeks' notice if suggesting a particular date for the Commissioner's visit.

Where's he been? Last week, Brad spoke to the Pendleton Chamber of Commerce, met with representatives of the local Building Trades Council in Hermiston, spoke to the Jefferson County Democratic Party in Madras, chaired a meeting of the Oregon State Apprenticeship and Training Council in Madras, met with members of the Oregon Open Campus project in Prineville, gave an update on BOLI to the Clackamas County Democratic Party in Gladstone and participated in the Northwest Pride Parade in Portland. This week, he joined State Rep. Betty Komp for a town hall discussing jobs and the economy in Salem, spoke to delegates at the American Legion Oregon Boys State program and addressed the Marion County DemoForum in Salem.

Where's he going? Next week, Brad will participate in virtual town halls with State Rep. Arnie Roblan and State Rep. Debbie Boone, welcome attendees at the July 1 seminar on employer use of credit histories and observe the 4th of July with his family.

Employer Education: New Prohibition on Use of Credit Histories

As you've likely heard, a new employment law takes effect in Oregon on July 1 that prohibits except in limited circumstances, the use of credit history information to make employment decisions. The new law also prohibits discrimination or retaliation based on information from an employee or applicant's credit history. There are a few specific exemptions to the law, which are described in the [senate bill that created the law](#) and in [BOLI's administrative rule](#).

The Technical Assistance for Employers Program (TA) is offering two sessions of a special, free training to employers the morning of July 1. Even if you can't make it to Portland on the 1st, additional resources are already available: TA's FAQ on this topic and an advice column set to appear in several newspapers around the state are available on the [BOLI website](#). In addition, the training materials from the July 1 training will be posted on the website on July 2. If you have additional questions, they can be directed to TA's telephone hotline (971-673-0824) or sent via email (bolita.ta@state.or.us).

Information about how to comply with the new law will be incorporated into TA's already-scheduled seminars on Civil Rights and Workplace Harassment and Effective Supervisory Practices. To learn the latest on use of credit histories and a host of other employment issues, visit http://www.oregon.gov/BOLI/TA/T_SEM_Taseminar.shtml and sign up for the next seminar coming to a community near you.

July 7: Filing an Effective 3rd Party PWR Complaint

For individuals interested to learn about the enforcement process in prevailing wage rate (PWR) cases, BOLI's PWR Unit is offering a special, free seminar on July 7th. The seminar will include a general education about prevailing wage rate law in Oregon, an overview of a typical PWR investigation, tips on how to file a complaint and information about the types of evidence BOLI needs to initiate an investigation and take enforcement action.

WHO: Commissioner Avakian and Expert PWR trainer Susan Wooley
 WHAT: Free informational seminar, covering PWR law and 3rd party complaint filing
 WHEN: Wednesday, July 7, 2010; 9-11am
 WHERE: SheetMetal Training Center at 2379 NE 178th Ave. in Portland

The seminar is free and no registration is required. Questions about the seminar can be directed to Susan Wooley at 971-673-0853.

Upcoming BOLI Events

Date	Event Type	Location	Subject	Contact
June 29	TA Seminar	Portland State Office Bldg.	Documentation, Discipline and Discharge	TA Program @ 971-673-0825
July 1	Special Seminar	Portland State Office Bldg.	Senate Bill 1045 and other recent law changes	TA Hotline @ 971-673-0824
July 14	PWR Seminar	Portland State Office Bldg.	Prevailing Wage Rate Laws for Contractors	PWR Unit @ 971-673-0838
July 15	TA Seminar	Chemeketa Comm. College, Salem	Payroll Issues	TA Program @ 971-673-0825
July 19 & 20	TA Seminar	Portland State Office Bldg.	Employee Supervision: A 2 Day Basic Training	TA Program @ 971-673-0825
July 19	TA Seminar	Lane Comm. College, Eugene	Wage and Hour Laws	TA Program @ 971-673-0825
July 22	OCCR Mtg.	Portland State Office Bldg.	The Co-Chairs are developing the agenda	Civil Rights @ 971-673-0764
July 27	TA Seminar	Portland State Office Bldg.	Employer's Guide to Civil Rights & Workplace Harassment	TA Program @ 971-673-0825
Aug. 3 & 4	TA Seminar	Bend TBA	Leave Laws in Oregon: A 2-Day Training	TA Program @ 971-673-0825
Aug. 4	PWR Seminar	ODOT HR Trng. Center in Salem	Prevailing Wage Rate Laws for Contractors	PWR Unit @ 971-673-0838
Aug. 10	TA Seminar	Portland State Office Bldg.	Leave Laws in Oregon	TA Program @ 971-673-0825
Aug. 10	PWR Seminar	Portland State Office Bldg.	Prevailing Wage Rate Laws for Contractors	PWR Unit @ 971-673-0838

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Aug. 11	TA Seminar	Tillamook Bay Comm. College	Effective Supervisory Practices	TA Program @ 971-673-0825
Aug. 18	TA Seminar	Chemeketa Comm. College, Salem	Recordkeeping Requirements	TA Program @ 971-673-0825
Aug. 24	TA Seminar	Lane Comm. College, Eugene	Employer's Guide to Civil Rights & Workplace Harassment	TA Program @ 971-673-0825
Aug. 24 & 25	TA Seminar	RCC/SOU Higher Ed. Ctr., Medford	Leave Laws in Oregon: A 2-Day Training	TA Program @ 971-673-0825
Aug. 26	TA Seminar	Umpqua Comm. College, Roseburg	Wage and Hour Laws	TA Program @ 971-673-0825
Aug. 26	TA Seminar	Portland State Office Bldg.	Wage and Hour Laws	TA Program @ 971-673-0825

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