



Commissioner Brad Avakian  
Bureau of Labor and Industries

## COMMISSIONER'S MESSAGE – December 7, 2009

Dear Friends:

It is a particularly busy time of year at BOLI, as we prepare for new rules and laws to take effect in the new year and host the marquis event of BOLI's year: the Annual Employment Law Conference, coming up this Wednesday and Thursday in Portland. If you're interested in the latest and greatest information for Oregonians about civil rights and employment law, both state and federal, then the conference is the place to get it. More information on the schedule and the (very reasonable) costs can be [found here](#).

This edition of the Commissioner's Message includes important updates on prevailing wage, BOLI Business Award winners and one of the ways BOLI is being a careful steward of state resources in a very uncertain economy. Before we get to that, though, I want to talk about civil rights for a moment.

Last week (Dec. 1) was the 54<sup>th</sup> anniversary of Rosa Parks' brave stand for equality and this Thursday, Dec. 10, is International Human Rights Day, marking the 61<sup>st</sup> anniversary of the adoption of the Universal Declaration of Human Rights. Those great events sometimes seem very distant from us, and create an expectation that we have left the injustices of the past far behind us. Sadly, although we have seen progress, we have also seen reverses and we recognize that the struggle goes on.

Fortunately, there are many smart, energetic people who are tackling the challenges of racial inequality and other human rights challenges in the modern context. I often tout the Oregon Council on Civil Rights, so let me share another example: I want to congratulate the Urban League of Portland for coordinating last Thursday's [State of Black Oregon](#) Symposium: A Call for Action and Accountability for community leaders and concerned citizens to come together and talk about specific solutions to racial inequities. I am looking forward to their other community events in upcoming months and supporting their work as much as I can.

Another example is the [Northwest Coalition Against Trafficking](#), which is putting on a [January 9 conference in Portland](#). Human trafficking is not only a civil and human rights issue, but also a serious workforce issue that abuses workers and undercuts law-abiding employers who provide living wage jobs. BOLI is a member of the coalition and encourages anyone interested in this issue to participate in the conference.

Sincerely,

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

Brad Avakian  
State Labor Commissioner

If you want to help spread the word about our work on all these important issues, encourage your friends and colleagues to [sign up for the Commissioner's Message](#).

*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.*

## And the BOLI goes to...

The Bureau of Labor and Industries' 2009 BOLI Business Awards are set to be presented this Wednesday, Dec. 9, at a luncheon ceremony at the 25<sup>th</sup> Annual [Employment Law Conference](#). BOLI received and reviewed a large stack of nominations for diverse businesses from throughout Oregon, settling on four winners in the three categories:

**Civil Rights Champion – Mother's Bistro & Bar and Mama Mia Trattoria of Portland**

Nominated by a customer/community partner for offering community building events, donating to pro-civil rights causes and encouraging fellow restaurants to follow suit.

**Civil Rights Champion – Intel Corporation of Hillsboro**

Nominated by an employee for establishing support and development networks for diverse employee populations that promote cultural awareness and company unity.

**Fair Workplaces Champion – Dogs for the Deaf, Inc. of Central Point**

Nominated by an employee for ensuring thorough safety procedures are observed, providing comprehensive benefits and tailoring the benefits to rural community needs.

**Workforce Development Champion – Hampton Affiliates of Tillamook and Willamina**

Nominated by youth program co-sponsors for participation in 3 adult apprenticeship programs as well as 2 youth pre-apprenticeship programs in Tillamook and McMinnville.

Representatives of each of the winning companies will be on hand to receive their awards at the luncheon, and to perhaps say a few words about their leadership in the area in which they were nominated.

On behalf of BOLI and the nominees, Commissioner Avakian said:

“Thank you to all of the folks who took the time to send in nominations. There were a lot of great nominees spread throughout the categories, and it was a challenge to determine the best candidate. Please join me in looking forward to next year's awards, when we hope to have an even larger and more diverse pool of nominees. You can start preparing your nominations now.”

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### **Avakian extends existing PWR rates**

Commissioner Avakian announced this week that he will publish existing wage determinations in the January 1, 2010, Prevailing Wage Rates publication, which sets out wage rates to be paid to workers employed on public works projects covered by the prevailing wage rate law. The Commissioner postponed the 2009 annual construction industry survey to enable the Prevailing Wage Advisory Committee (PWAC) to complete its review of the survey and make recommendations to improve the survey process.

“I know that both workers and contractors are anxiously awaiting the new wage survey model,” said Commissioner Avakian. “I expect to announce the changes I am implementing early next year, after which the improved survey process can begin in earnest. In the meantime, project planners, contractors and workers will have some certainty about the wage rates to expect.”

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The construction industry wage survey is normally conducted on an annual basis. Commissioner Avakian postponed the survey this year to allow PWAC to review the survey process. PWAC was tasked with making recommendations to increase data validity and address some of the many concerns raised about the existing method and its effectiveness. The goal throughout this process has been to obtain the most accurate data possible with the least amount of disruption to contractors' businesses.

Pending the results of this survey review, the Commissioner decided to continue publishing rates based on last year's survey data, updating only the rates in the appendix where changes have been made.

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## **BOLI Saves \$31,000 by Not Mailing New Minimum Wage Posters**

*Required posters available for free on agency website*

In a move to contain costs and preserve limited budget resources, the Wage and Hour Division of the Oregon Bureau of Labor and Industries (BOLI) has opted not to mail copies of the 2010 minimum wage poster to Oregon's 130,000 employers. The poster, which is required to be posted in all Oregon workplaces, is available for printing for [free on the agency's website](#). BOLI staff estimates that the move will save the agency about \$31,000 each year.

"This small change saves thousands of dollars in BOLI's budget and will not harm Oregon employers," said Commissioner Brad Avakian, chief of BOLI. "With each required poster available on our website for free, employers can print exactly as many as they need for their worksites and BOLI can focus its resources on providing technical assistance for employers and enforcing the law."

BOLI is also warning Oregonians to beware of any solicitations from businesses that sell required postings for profit. Employers need to know that all legally required postings are available for free from the issuing agency. BOLI also sells a composite poster, the 8 most commonly required postings together on one 24" x 39" page, for just \$10--about a quarter of what for-profit companies charge

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## **Upcoming BOLI Events**

<b>Date</b>	<b>Event Type</b>	<b>Location</b>	<b>Subject</b>	<b>Contact</b>
Dec. 9 & 10	25 <sup>th</sup> ANNUAL EMPLOYMENT LAW CONFERENCE	PORTLAND OREGON CONVENTION CENTER	<a href="#">Leave Laws, Caselaw Updates, the always popular Legislative Update and more!</a>	TA Program @ 971-673-0825
Dec. 10	PWR Seminar	Portland State Office Bldg.	PWR for Contractors and Subcontractors	PWR Unit @ 971-673-0838
Dec. 15	TA Seminar	Portland State Office Bldg.	<a href="#">Wage and Hour Laws</a>	TA Program @ 971-673-0825
Dec. 17	TA Seminar	Portland State Office Bldg.	<a href="#">Recordkeeping Requirements</a>	TA Program @ 971-673-0825
Dec. 17	OSATC Meeting	NW College of Construction	State Apprenticeship Council Quarterly Mtg	ATD Staff @ 971-673-0760

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