



May 17, 2023

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

RE: Revised Ironworker Local 29 Proposed Revisions to Definitions of Covered Occupations

To Whom It May Concern:

The Oregon Solar + Storage Industries Association (OSSIA) is a trade association founded in 1981 to promote clean, renewable, solar technologies. OSSIA members include businesses, non-profit groups, and other solar and storage industry stakeholders.

The Oregon Solar Energy Education Fund (OSEEF) is a 501(c)(3) nonprofit committed to supporting solar workforce education and regulatory reform in Oregon. OSEEF runs the only Limited Renewable Technician apprenticeship program in the state of Oregon.

OSSIA and OSEEF write in strong opposition of the revision of definition changes requested by the Ironworkers Local 29. Based on past practices and traditional understandings we see conflicts with many areas of the proposed changes. In addition, the request letter is confusing; it is unclear if the Ironworkers are requesting manufacturing or installation of solar racking to be included in their occupational definition. Due to this lack of clarity and other reasons, we feel the scope of their request is overly broad.

The process of installing solar racking is not closely enough related to traditional Ironworker work to be included in their definitions by default. In current practice, other crafts offload and distribute materials and install all portions of solar racking.

A major change in occupational definition such as this would have serious consequences in every aspect of solar installation. This change could delay projects for homeowners, community solar, businesses and utilities. Such a delay would be in conflict with Oregon's climate requirements. The solar industry is already struggling with high interest rates which are making customers more reluctant to commit to solar. Solar projects in every corner of the state could face difficulties and delays, which would put hundreds, if not thousands, of current workers in limbo.

As an interested party we request any and all notifications of hearings or proceedings associated with the above referenced revisions request.

Sincerely,

A handwritten signature in black ink that reads "Angela Crowley-Koch".

Angela Crowley-Koch
Executive Director

From: Ron Hubacka <rhubacka@jhkelly.com>
Sent: Wednesday, May 17, 2023 11:30 AM
To: EMAIL PWR * BOLI
Subject: Iron workers/ wind turbines/Bad

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

This email is being sent in opposition to iron workers doing anything on any kind on a turbine. I don't know if you know much about iron workers but they do not have the tools or expertise to do this work. I have worked around every trade for the last 40 years and this is 100% Millwright work. If cost is a consideration, millwrights have a lower cost than IW's as well.

Thanks.



Ron Hubacka
Millwright Superintendent | JH Kelly, LLC
Cell: 360-838-3621



[REDACTED]

From: Dennis Still <dstill@jhkelly.com>
Sent: Wednesday, May 17, 2023 4:49 PM
To: EMAIL PWR * BOLI
Subject: Solar, racking, and wind turbines

Follow Up Flag: Follow up
Flag Status: Flagged

No on any changes made on this work, if they have been doing this work they owe the Millwrights a lot of money because this is Millwright work not Ironworker work No on any changes Thanks Local 96

Sent from my iPhone

May 22, 2023

ATTN: Request for Revision to Occupational Definition for Ironworkers.

Dear Ms. Ponaman,

I am writing in regard to the letter submitted by Jason Fussell with Ironworkers Local 29.

I have worked on three solar projects with only one not having ironworks on site. The two projects I worked on that included ironworkers were VERY problematic to say the least. The 29 members were constantly defiant and completely disregarded the safety rules and regulations set by the general contractor. The ironworkers made every effort to flaunt this behavior towards the general contractor and create a hostile work environment every chance they could. Killing wildlife (specifically told to leave snakes alone), drinking on the job (wrecking the crew bus and damaging the array in the process), not using spotters, racing buggies, failing to attend weekly all hands safety meetings, failure to stay off roads when Life flight helicopter was inbound for a medical emergency and PPE are just a few examples of this type of behavior.

The projects I was on had a crew of Laborers that would perform quality control after the initial installation of the racking systems. On a daily basis it was common to see where procedures were ignored to simplify their work. Rather than tightening bolts to the proper torque specifications they would simply over torque them using a 20 volt impact driver and often dent the tubes in the process. While I understand that it would be unrealistic to expect that every part of the installation would be completed without the occasional error (hence the need for quality control) it is inexcusable to ignore procedures to just simplify your daily work. On several occasions crews had to clean graffiti off the components directed at the general contractor. How is this professional behavior?

Mr. Fussell states in his letter that they are incorporating training to ensure correct and safe work on solar projects, but these procedures are already in place. The problem is members of ironworkers local 29 simply choose to ignore them.

With this type of behaviour It is easy to see why contractors would choose to use other trades for their solar projects or simply go non-union.

I believe Mr. Fussell is trying to include this work under ironworker jurisdiction simply because they may not be invited back to many projects in the future.

John Nickols



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Comment per the BOLI revision of Ironworker to include Solar PV racking Scope

Advanced Energy Systems LLC has installed many megawatts of rooftop and ground mounted Solar PV systems including the racking for the Solar PV. We have over 200,000 hours installing Solar PV racking systems of many different types. This has allowed AES to perform safely and to train many electrical apprentices and carpenters how to install in a safe manner.

The best category for Solar PV racking installation is the Carpenter Class. While ground mounted Solar PV racking is often “unbox and bolt together” roof mounted Solar PV racking involves very specific leveling, attachments and cutting of the aluminum racking system to fit the specific rooftop area.

On BOLI specified projects we compensate at the Carpenter rate for all racking installation labor.

Advanced Energy Systems LLC is in support of listing Solar PV racking installations under the Carpenter Class.

Thank you.

Ken DenOuden
May 23rd, 2023.