

Secretary of State  
**STATEMENT OF NEED AND FISCAL IMPACT**  
A Notice of Proposed Rulemaking accompanies this form.

**FILED**  
9-24-15 9:29 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE

Bureau of Labor and Industries  
Agency and Division

839  
Administrative Rules Chapter Number

Implements legislation related to prevailing wage law; clarifies "public works" and "exemptions."

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Rules regulating prevailing wage rates

**Statutory Authority:**

ORS 651.060(4); ORS 279C.808

**Other Authority:**

**Statutes Implemented:**

SB 137 and HB 2664, Regular Session (Or.2015), ORS chapter 279C

**Need for the Rule(s):**

The proposed rule amendments would implement the provisions of SB 137 and HB 2664, which take effect on January 1, 2016. Amendments to the current rules are required in order to implement the recently-enacted legislation which impact the application, definitions and exemptions in prevailing wage rate statute and rule. Other clarifications will assist contractors and public contracting agencies in complying with the prevailing wage rate regulations.

**Documents Relied Upon, and where they are available:**

SB 137 and HB 2664 Regular Session (Or.2015), available at <https://www.oregonlegislature.gov/>

**Fiscal and Economic Impact:**

None or minimal

**Statement of Cost of Compliance:**

**1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):**

None or minimal

**2. Cost of compliance effect on small business (ORS 183.336):**

**a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:**

Small businesses performing construction activities on public works projects are subject to the proposed amendments.

**b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:**

None or minimal

**c. Equipment, supplies, labor and increased administration required for compliance:**

None or minimal

**How were small businesses involved in the development of this rule?**

Small businesses were not involved as the proposed changes to the rule either implement the provisions of legislation already enacted or provide clarification of existing regulations.

**Administrative Rule Advisory Committee consulted?:No**

**If not, why?:**

The Prevailing Wage Advisory Committee has reviewed the legislation and the primary rule revisions merely would implement recently enacted legislation. Other revisions would provide clarification of existing regulations.

11-21-2015 Close of Business  
Last Day (m/d/yyyy) and Time

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for public comment

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