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BUREAU OF LABOR AND INDUSTRIES

Civil Rights Division Complaint of Unlawful Practice



CIVIL RIGHTS DIVISION
PORTLAND OFFICE

COMPLAINANT:

Case #: EEEMRE160203-10122

Commissioner Brad Avakian
Bureau of Labor and Industries
800 NE Oregon Street, #1045
Portland, OR 97232

RESPONDENTS:

CONTACT:

HEADQUARTERS:

A D Traffic Control Services, LLC
309 S. McLoughlin Blvd
Oregon City, OR 97045

Member:
Evan Williams
PO Box 28157
Portland OR 97228

Tri-Star Flagging, LLC
309 S. McLoughlin Blvd
Oregon City, OR 97045

Member:
Phoenix Construction Group Inc.
309 S McLoughlin Blvd
Oregon City, OR 97045

AIDERS/ABETTORS:

CONTACT:

Evan Williams
309 S. McLoughlin Blvd
Oregon City, OR 97045

County: CK

of Employees: 15+

Phone #:

ORS 652.355, 659A.030(1)(f), 659A.199 and 659A.810

I, Commissioner Brad Avakian, being first duly sworn, do depose and say as follows:

Allegations: In order to protect the interests of vulnerable Oregonians, and to ensure that the public's interest in this and similar matters is protected, the Commissioner of the Bureau of Labor and Industries hereby sets forth the following allegations:

1. During 2014 and 2015, multiple individuals have filed complaints with the Oregon Bureau of Labor and Industries, alleging that Respondents violated ORS chapter 279C, ORS chapter 652, ORS chapter

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PORTLAND
800 NE Oregon St., Suite 1045
Portland, Oregon 97232-2180

SALEM
3865 Wolverine Ave. NE; E-1
Salem, Oregon 97305-1268

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1400 Executive Parkway, Suite 200
Eugene, Oregon 97401-2158

654, ORS chapter 659A, and/or ORS chapter 279C, and that Respondents retaliated against employees based on those claims.

2. At all times relevant to this complaint, Evan Williams has owned and controlled A D Traffic Control Services, LLC and Tri-Star Flagging, LLC.
3. On one or more occasions, including but not limited to July 1, 2015, Respondents have terminated employees in retaliation for opposition to unlawful employment practices.
4. On multiple occasions, including but not limited to incidents occurring in September and October of 2015, Respondent Evan Williams has threatened physical violence in response to BOLI's investigations of complaints against Respondents.
5. The Commissioner alleges that Respondents' retaliatory actions have prevented other employees from filing BOLI complaints against Respondents.
6. The Commissioner alleges that Respondents' retaliatory actions have impeded or interfered with BOLI's ability to investigate complaints filed under ORS chapter 659A.

The Commissioner believes Respondents have retaliated against employees for filing wage claims, in violation of ORS 652.355 and 659A.199, for reporting violations of ORS chapter 279C, in violation of ORS 659A.199, for opposing unlawful employment practices, in violation of 659A.030(1)(f) and 659A.199, and/or for cooperating with BOLI investigations, in violation of ORS 659A.030(1)(f) and 659A.810.

CrI 12.16.2015

I swear (or affirm) that I know and understand this complaint and that it is true to the best of my knowledge, information and belief.

I understand that this complaint is a public record and that the information herein may be disclosed to any person, at any time.

Your signature: _____

Brad Avakian

Verification upon Oath or Affirmation

State of OREGON

County of Multnomah

Signed and sworn to (or affirmed) before me this 3 Day of February 20 16

by Brad Avakian (name of person making statement).

Daniel C. Lopez
Notary Public - State of OREGON

8-21-2016
Date on which commission expires

