

Roberts Surveying, Inc.

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April 10, 2015

Prevailing Wage Rate Coordinator
Bureau of Labor and Industries
800 NE Oregon Street, Suite 1045
Portland, Oregon 97232

Dear Coordinator:

I am writing on behalf of Roberts Surveying, Inc. as the owner, and a Registered Professional Land Surveyor in the State of Oregon, in opposition to the request letter from the International Union of Operating Engineers/Local 701 to revise the Power Equipment Operator's definition. The union requests that Land Surveyor Party Chief subclassification be moved to Power Equipment Operator Group 2 as covered by prevailing wage classification under ORS 279C.

I began my career in the land surveying profession in 1988 performing whatever tasks necessary to complete the work. One man, usually a person with more land surveying experience than myself or a licensed surveyor would operate the transit and auto level on job sites. The job site may have been in the woods or on a construction site. The work I performed really didn't have a job title. We just did the job.

Later in my career, I heard the terminology of a rodman, head chainman, rear chainman, instrument man, party chief, etc. I found that these names derived from the process of surveying decades early. Except for the instrument man, these just aren't terms we use today. The equipment we use has changed so much that these positions just don't exist anymore. My field crew are considered Survey Technicians. They will remain Survey Technicians until they pass the appropriate testing to become Land Surveyors in Training (LSIT) and ultimately becoming a Registered Professional Land Surveyor.

On a construction site, my field crew and often myself, use equipment known as a robotic total station, a survey grade gps unit, a conventional total station and an auto level; along with other supporting equipment and materials. We always use 2 men on a crew when performing construction layout. When using a conventional total station, one person is operating the survey instrument and the other person is driving hubs in the ground with a sledge hammer. When using

an auto level, one person is operating the survey instrument and the other is holding the level rod. This is the way we have worked on a construction site for over 20 years.

Using the newer technology of the robotic total station, the person operating the survey equipment is holding the range pole which has a data collector attached to it along with the prism and radio control unit; he does not need to stand behind the total station to operate it. The other person still drives hubs in the ground. The gps unit is used in a similar fashion as the robotic total station; the person operating the survey equipment is holding the range pole which has a data collector attached to it along with the gps antenna. The other person still drives hubs in the ground.

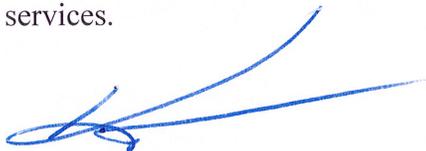
A couple of years ago while attending the annual Professional Land Surveyors of Oregon conference, I sat in on a seminar provided by the Bureau of Labor and Industry (BOLI). What I learned has affected our company drastically; the person driving hubs in the ground is considered a Laborer 1 by BOLI when providing construction layout on public projects and is subject to prevailing wages. I am now required to provide certified payroll statements each week when working on these projects. These higher wages I provide my employees is added into our hourly rate. I am finding that I cannot compete with other companies who are not operating by the same rules.

If your intent is to classify the person operating the survey equipment as a party chief and incorporating this person into Power Equipment Operator Group 2, this is a terribly flawed way of thinking. The person operating the survey equipment and the person pounding hubs and stakes into the ground is often myself; a registered professional land surveyor. Surveyors and employees of surveyors all view themselves as providing a professional service. The state has no business categorizing us the same as a tradesperson. We are professionals.

In summary, Land Surveying Party Chiefs are professionals, act in a supervisory capacity, and do not use "power equipment". They should not be included in Power Equipment Operator Group 2. I ask you to reject the International Union of Operating Engineers/Local 701 request based on statutes, administrative rules, and because facts stated in their request do not reflect the reality of the duties and responsibilities of a Survey Party Chief. Finally, reject their petition as it doesn't reflect the will or best interest of professional land surveyors in Oregon.

Our company reserves the right to further participate in this process under the law including but not limited to the Administrative Procedures Act. We appreciate the consideration of the PWR Committee in evaluating this issue and considering our perspective as a company that provides surveying services.

Sincerely,



Kent Baker (PLS 59885)
Owner:
Roberts Surveying, Inc.