

Prevailing Wage Advisory Committee Meeting Minutes

Thursday
April 16, 2015

3:00 p.m.

Bureau of Labor & Industries
800 NE Oregon St. Room 1D
Portland, Oregon

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| ATTENDANCE | Members present: Melinda Dailey Klaas DeBoer Steve Malany Willy Myers Jodi Guetzloe Parker Ken Stroup Robert Westerman (co-chair) Nelda Wilson | Members absent: Mike Bezner Joseph Bowers Joe Correy (co-chair) Val Solorzano | Staff present: Rachel Diamond Mike Fevurly Rachelle Herbert Lois Johnson Selena Schryvers Gerhard Taeubel Susan Wooley |
| CALL TO ORDER | The meeting was called to order at 3:00 p.m. | | |
| MINUTES | The January 1, 2015 meeting minutes were approved unanimously as written. | | |
| STAFF REPORTS | | | |
| REPORTS SUBMITTED | <ul style="list-style-type: none"> - <i>Summary of PWR Enforcement Activity</i> for the period 07/01/13 to 03/31/15; - <i>Open PWR Cases</i> as of 03/31/15; - <i>Summary of PWR Education Seminars</i> for Fiscal Year 2014-2015 as of 03/31/15; - <i>Current Winter/Spring 2015 PWR Seminar Schedule.</i> | | |
| ENFORCEMENT ACTIVITY | Staff reported that in the 2013-2015 biennium to date, \$1,069,679 in PWR wages have been collected. The PWR Unit's enforcement goal to complete 64% of PWR investigations in less than 91 days was not met. Of the 73 predeterminations issued, 100% were completed within the targeted timeframe. It is currently investigating approximately 51 active complaints. | | |
| PWR SEMINARS | As of March 31, 2015, 41 PWR seminars have been held. A total of 639 contractors and public agencies have attended. | | |
| NEW BUSINESS | | | |
| SURVEY PROCESS UPDATES | Jason Payton, BOLI Survey Coordinator with the Oregon Employment Department, presented an overview of the 2014 Construction Industry Occupational Wage Survey in which all trades were surveyed. The response rate was over 85%. From this point forward, BOLI will survey two thirds of all trades annually using a three-year cycle. | | |
| NON-AGENDA RELATED QUESTION | An audience member requested information related to a proposed administrative rule change that would amend how BOLI responds to objections to its investigative subpoenas. Because this is not specific to prevailing wage rate law, nor on the agenda, BOLI staff proposed to send information to the committee after the meeting adjourned. | | |

| OLD BUSINESS | |
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| CONTINUED DISCUSSION OF PUBLISHING MASTER LABOR AGREEMENT SHIFT DIFFERENTIAL/ PREMIUM PAY | <p>Discussion continued from January's meeting regarding a proposal that various types of shift, premium and subsistence pay found in master labor agreements be added to the prevailing wage rates for those regions where the union wage rates prevail.</p> <p>PWR staff presented the committee with the shift differential and/or premium pay data collected from master labor agreements. After a very brief discussion, committee member Willy Myers motioned to incorporate the premium pay into the prevailing union wage rates in the Appendix portion of the rate book; the motion was seconded. A vote was taken and members Nelda Wilson, Willy Myers, Jodi Guetzloe-Parker, Klaas De Boer, Ken Stroup and Bob Westerman approved the motion; members Melinda Daily and Steve Malany opposed the motion. Wage and Hour Administrator Gerhard Taeubel reported that he would discuss the committee's recommendation with the Commissioner and report back at the next meeting.</p> |
| PROPOSED LEGISLATION 2015 | |
| | <p>Staff briefly reported on legislation that would affect prevailing wage statutes and rules.</p> <p>SB 137 amends the definition of public works in ORS 279C.800(6)(a)(B) The bill has been passed out of the Senate floor and now heads to the House.</p> <p>HB 2664 subjects universities with a governing board, or not-for-profit organization or other entity that university with governing board controls, to certain provisions of Public Contracting Code. It also applies certain provisions of Public Contracting Code and PWR requirements to agreements between a private entity and university with a governing board to construct, reconstruct, renovate or paint improvements on real property that the university with a governing board owns and to similar agreements between private entities and not-for-profit organizations or other entity owned or controlled by a university with a governing board. This bill has been passed out of the House floor and now heads to the Senate.</p> |
| NEXT MEETING | <p>Time: 3:00-4:30 p.m. Date: July 15, 2015 Place: Portland State Office Building, Room 1D, 800 NE Oregon Street, Portland, Oregon</p> |
| ADJOURNED | The meeting was adjourned at 4:12 p.m. |