

Prevailing Wage Advisory Committee Meeting Minutes

Thursday
January 10, 2013

3:00 p.m.

Portland State Office Building
800 NE Oregon St., Portland OR 97232

ATTENDANCE	Members present: Kevin Jensen Darrin Lane Steve Malany James McKune Shawn Miller (co-chair) Jodi Guetzloe Parker Val Solorzano Ken Stroup	Members absent: Dee Burch Greg Held Donald Kool Nelda Wilson	Staff present: Lois Banahene Christie Hammond Rachelle Herbert Selena Schryvers Gerhard Taeubel Susan Wooley
CALL TO ORDER	The meeting was called to order at 3:00 p.m.		
MINUTES	The October 18, 2012 minutes were unanimously approved as written.		
HOUSEKEEPING			
PWAC COMMITTEE APPOINTMENTS & BOLI STAFFING CHANGES	<p><u>Changes to committee membership:</u> Donald Kool will be replaced by Robert Westerman, who was present in the audience and begins his term at the next meeting. Norman Malbin has been replaced by Nelda Wilson. Commissioner Avakian will appoint a new member shortly to replace James McKune.</p> <p><u>Staffing changes within BOLI:</u> Upon the retirement of Doug McKean, Christie Hammond became BOLI's Deputy Commissioner. Gerhard Taeubel assumed the role of Administrator of the Wage and Hour Division in December. Elizabeth Cushwa is the agency's new Legislative Director, replacing Kate Newhall. Charlie Burr is the agency's new Communications Director, replacing Bob Estabrook.</p>		
STAFF REPORTS			
REPORTS SUBMITTED	<ul style="list-style-type: none"> - Summary of PWR Enforcement Activity for the period July 2011 – Dec 2012; - Open PWR Cases as of Jan 1, 2013; - Summary of PWR Education Seminars for Fiscal Year 2012-2013, as of Dec 31, 2012; and, - Winter/Spring PWR Seminar Schedule. 		
ENFORCEMENT ACTIVITY	Staff reported that, during the 2009-2011 biennium, the PWR Unit's collection of back wages totaled \$2,294,209, an amount which is considerably greater than those of previous biennia. In addition, 49.2% of PWR investigations were completed within 90 days (the goal is 50%) and 100% of PWR coverage determination requests were completed within 15 days (the goal is 75%).		
PWR SEMINARS	To date, 37 seminars with 681 attendees have been held around the state.		
NEW BUSINESS			
EMPLOYER REQUIREMENTS UNDER THE FEDERAL AFFORDABLE CARE ACT	<p><u>Presenters:</u> Anthony A. Behrens, State of Oregon Insurance Division, Department of Consumer Affairs; and Michael Schopf, Oregon Health Insurance Exchange (Cover Oregon).</p> <p>Anthony Behrens provided an overview and answered questions related to the Patient Protection and Affordable Care Act. Michael Schopf presented information related to Oregon's "Cover Oregon" program.</p> <p>Committee members discussed the potential impact the Affordable Care Act may have on the state's prevailing wage regulations, which exclude from the definition of fringe benefits "items that federal, state or local law requires the contractor or subcontractor to provide" [ORS 279C.800(1)(b)].</p>		

	The committee asked that at the next meeting BOLI staff provide some guidance regarding the fringe benefit issue as it relates to the federal Affordable Care Act.
NEXT MEETING	The next meeting, scheduled for February 28 as a legislation-related work session for committee members only, may need to be rescheduled. If not re-scheduled, the work session will be held: Time: 3:00-4:30 p.m. Date: Thursday, February 28, 2013 Place: International Union of Operating Engineers, 555 East First St., Gladstone, Oregon
ADJOURNED	The meeting was adjourned at 4:37 p.m.