



Commissioner Brad Avakian  
Bureau of Labor and Industries

## COMMISSIONER'S MESSAGE – July 27, 2010

Dear Friends:

Like many of you, I love this time of year. Even during the days that some folks spend reveling in air-conditioned lassitude, I try to be out enjoying all the natural beauty of our state—summer in Oregon is a truly remarkable thing. Of course, summertime is not just about camping, fishing and other great local pursuits; it is also the time for families to take advantage of fair weather and the kids' time off from school to do a little traveling.

I intend to do all those things in coming weeks, enjoying time not only with my family but also reconnecting with some old friends. While that means that the Brad Tracker will have less information to share with you in the next couple of Commissioner's Messages, it also means that in September I will be back to a busy schedule of events throughout the state. For example, on Labor Day, a day that has special significance for the state's Labor Commissioner, I will be out on the picnic circuit visiting with as many of my friends in the labor community as possible. But we'll save the details of my Labor Day plans for another time—after all, at least for now it's still July.

Many of you probably missed the brief [article that ran on the AP](#) wire about the Oregon Council on Civil Rights' (OCCR's) own Lucy Baker, who has taken the helm at the Oregon Advocacy Commissions Office (OACO). Why is this such a big deal? There are a couple of reasons.

First, this is important because Oregon's advocacy commissions (for Women and Asian, Black and Hispanic Affairs) are a diverse group of smart, engaged civic leaders. They need experienced, hard-working staff like Lucy (and continuing Commission Assistant Joy Howard) to support their efforts and help keep their momentum going between meetings, when the commissioners must also attend to their own personal and professional affairs.

Beyond that, however, I am excited by the fact that more connections are being made between OCCR and the advocacy commissions. I've mentioned before that the diverse perspectives and ideas of OCCR and the advocacy commissions should be viewed as very complementary, because there are a lot of voices that need to be heard in the discussion of how best to advance civil rights in Oregon. It is extremely valuable to have connections between the various groups that are all working towards the same goal but pursuing different strategies and tapping different resources.

Adding to her prior work and her experience with OCCR, Lucy's new job will make her an even more important part of our advocate network than she was before. So congratulations to Lucy and to the advocacy commissions, who will very quickly benefit from her work.

Sincerely,

A handwritten signature in blue ink that reads "B. Avakian".

Brad Avakian  
Oregon Labor Commissioner

*The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.*

## The Brad Tracker

**Where's he been?** Last week, Brad had a number of agency planning meetings and participated in the Oregon Council on Civil Rights' meeting, which elected as Co-Chairs James Mason (re-elected) and Kendall Clawson. Yesterday, Brad spoke at the Portland Disability Commission's observance of the 20<sup>th</sup> Anniversary of the Americans with Disabilities Act (ADA), focusing on his experience as a young attorney filing lawsuits under the newly enacted ADA and the really transformational effect that the ADA has had on our society. Earlier today he discussed the new, improved annual wage rate survey with union business managers at the Operating Engineers' Hall in Gladstone.

**Where's he going?** Tomorrow, Brad will be back in Central Oregon, speaking to the Prineville Chamber of Commerce before heading to a Washington County Democrats meeting in Beaverton. He plans to attend an open house at the new offices of Oregon Tradeswomen, Inc. this Friday. Sunday, Brad will be in Salem, working the grill at a political cook-off hosted by the Marion County Chapter of the Oregon League of Conservation Voters. Not familiar with this event? The Statesman Journal gives [a full explanation](#).

If your group is interested in having the Commissioner come to speak, send good contact information to [Commissioner.Brad.Avakian@state.or.us](mailto:Commissioner.Brad.Avakian@state.or.us). Staff will respond to your request in a timely manner, but please provide at least 2 weeks' notice if suggesting a particular date for the Commissioner's visit.

---

## **Employer Assistance Plans Statewide Tour**

*TA staff to visit 11 counties in 11 weeks*

The TA Program has announced a schedule of educational seminars throughout the state in coming weeks. Starting in August, TA will offer 17 seminars in 11 Oregon counties in 11 weeks, highlighting new resources like the 2010 *Family Leave Laws Handbook* while raising awareness of its services—some of which are free.

“TA is overwhelmingly funded by the revenue from seminars and handbook sales,” said BOLI chief Brad Avakian. “The employers who buy handbooks and attend seminars are investing directly in program services, so that when they have a question about employment law, they can call TA for an answer without having to check their balance sheet first. Especially in a difficult economy, employers need someone they can turn to when they can't afford a legal team or fully-staffed HR department.”

In addition to public seminars, TA also customizes specific trainings for employers that need an on-site seminar. The program staffers also research and distribute information to employers via newspaper columns, FAQs posted on the website, and the free telephone and email hotline. Any employer can call on TA staff for help and they do.

“It's fascinating how many state agencies and even employment law attorneys will call for our help,” said Jennifer Germundson, manager of TA. “Even folks who might be thought of as

*The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.*

experts want to check in with us, since we can draw on the expertise of the agency that enforces so many employment laws in Oregon.”

In 2009, the Oregon legislature invested modest General Fund dollars in TA to ensure that its services were not lost when employers would need the program most. Still, with a staff only recently brought to five to support Oregon’s approximately 130,000 employers, the workload is substantial.

“BOLI isn’t scheduling seminars just where it’s profitable or convenient for our staff,” Avakian said. “We’re bringing TA seminars to Jackson, Clatsop and Malheur Counties because employers need this information and because educating employers is the most efficient way to safeguard the rights of workers throughout this state.”

Each year, TA responds to over 30,000 phone and email inquiries and conducts over 200 public and private seminars. For more about TA, visit <http://www.oregon.gov/BOLI/TA/index.shtml>.

---

---

### *Wage Rate Survey Reaches Contractors*

As of today, contractors are already receiving the new model of annual construction industry wage survey that I described [earlier this year](#). This survey, reflecting several improvements from the previous version, will collect the data that BOLI relies upon in setting prevailing wage rates to take effect on the first of the year.

“I want to thank the Prevailing Wage Advisory Committee for giving me thoughtful recommendations about improving the validity as well as the ease of use of our survey process,” Commissioner Avakian said earlier this year. “I look forward to implementing these improvements to our process, and I am excited to continue discussing other potential improvements, such as data auditing and electronic reporting.”

One recommendation that came unanimously from contractors and workers was to abolish the “peak week” survey methodology and allow collection of more statistically significant data. The new survey will collect data from four pre-determined weeks each year in order to gather more accurate data regarding wages paid.

“Continuing improvement to the survey and our rate-setting process is my goal,” Avakian said. “There was widespread agreement on some changes and we’re going to push forward with those, and I and the members of the advisory committee and representatives from the Employment Department will continue to discuss ways to increase the accuracy of our system as well as reducing the workload it creates.”

You can find more information about the specific changes coming to the survey and rate-setting process [on BOLI’s website](#).

## Upcoming BOLI Events

Date	Event Type	Location	Subject	Contact
Aug. 3 & 4	TA Seminar	Central Oregon Comm. Coll, Bend	<a href="#">Leave Laws in Oregon: A 2-Day Training</a>	TA Program @ 971-673-0825
Aug. 4	PWR Seminar	ODOT HR Trng. Center in Salem	Prevailing Wage Rate Laws for Contractors	PWR Unit @ 971-673-0838
Aug. 10	TA Seminar	Portland State Office Bldg.	<a href="#">Leave Laws in Oregon</a>	TA Program @ 971-673-0825
Aug. 10	PWR Seminar	Portland State Office Bldg.	Prevailing Wage Rate Laws for Contractors	PWR Unit @ 971-673-0838
Aug. 11	TA Seminar	Tillamook Bay Comm. College	<a href="#">Effective Supervisory Practices</a>	TA Program @ 971-673-0825
Aug. 18	TA Seminar	Chemeketa Comm. College, Salem	<a href="#">Recordkeeping Requirements</a>	TA Program @ 971-673-0825
Aug. 20	Statewide Closure	ALL BOLI OFFICES	Mandatory unpaid time-off for all staff	<a href="#">Oregon Furlough Information Site</a>
Aug. 24	TA Seminar	Lane Comm. College, Eugene	<a href="#">Employer's Guide to Civil Rights &amp; Workplace Harassment</a>	TA Program @ 971-673-0825
Aug. 24 & 25	TA Seminar	RCC/SOU Higher Ed. Ctr., Medford	<a href="#">Leave Laws in Oregon: A 2-Day Training</a>	TA Program @ 971-673-0825
Aug. 26	TA Seminar	Umpqua Comm. College, Roseburg	<a href="#">Wage and Hour Laws</a>	TA Program @ 971-673-0825
Aug. 26	TA Seminar	Portland State Office Bldg.	<a href="#">Wage and Hour Laws</a>	TA Program @ 971-673-0825
Sept. 15 & 16	TA Seminar	Lane Comm. College, Eugene	<a href="#">Leave Laws in Oregon: A 2-Day Training</a>	TA Program @ 971-673-0825
Sept. 16	OSATC Quarterly Mtg	Crater Lake ETC, Central Point	<a href="#">State Apprenticeship and Training Council</a>	Appr. Div. @ 971-673-0760
Sept. 17	Statewide Closure	ALL BOLI OFFICES	Mandatory unpaid time-off for all staff	<a href="#">Oregon Furlough Information Site</a>
Sept. 21 & 22	TA Seminar	Chemeketa Comm. College, Salem	<a href="#">Employee Supervision: A 2-Day Basic Training</a>	TA Program @ 971-673-0825
Sept. 28	TA Seminar	Portland State Office Bldg.	<a href="#">Advanced Leave Laws</a>	TA Program @ 971-673-0825
Sept. 30	TA Seminar	Clatsop Comm. College, Seaside	<a href="#">Wage and Hour Laws</a>	TA Program @ 971-673-0825

-----

*The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.*