



Oregon Bureau of Labor and Industries

Wage and Hour Division

Memo

DATE: October 15, 2007

TO: Legislators and Interested Persons

FROM: Christine Hammond, Administrator
Wage and Hour Division

REGARDING: Proposed Administrative Rule Amendments

The Bureau of Labor and Industries has filed the attached Notice of Proposed Rulemaking with the Secretary of State for publication in the November 1, 2007 *Oregon Bulletin*.

The proposed rule amendments replace temporary rules currently in place implementing the provisions of House Bill 2140 (2007 Legislature) which became effective July 1, 2007. HB 2140 amended the definition of “public work” in the Prevailing Wage Rate (PWR) law to include certain “public/private” projects, and exempts certain private residential construction projects providing affordable housing from the law.

The legislation also requires the Commissioner of the Bureau of Labor and Industries (BOLI) to issue coverage determinations. Adoption of a new rule, OAR 839-025-0005, has been proposed to implement this process.

The proposed rule amendments additionally implement and conform existing rules to the provisions of HB 2021, effective January 1, 2008. This bill requires BOLI to apply federal Davis-Bacon law guidelines to projects subject to both state and federal prevailing wage rate laws, and shifts responsibility for payment of a fee to BOLI by contractors on public works projects to public agencies.

The text of the proposed rule amendments may be accessed on the bureau’s webpage at www.oregon.gov/boli. (Click on the “New/Proposed Rules” link.) You may also request a copy of the rules by calling (971) 673-0838.

The last day for public comment will be November 26, 2007.

If you have any questions regarding the above-referenced legislation or proposed rule amendments, please contact PWR Technical Assistance Coordinator Susan Wooley at (971) 673-0853.

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