

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass and Be Placed on the Consent Calendar
<b>Vote:</b>	9 - 0 - 1
<b>Yeas:</b>	Barton, Cameron, Edwards C., Esquivel, Holvey, Matthews, Thatcher, Witt, Schaufler
<b>Nays:</b>	0
<b>Exc.:</b>	Kennemer
<b>Prepared By:</b>	Theresa Van Winkle, Administrator
<b>Meeting Dates:</b>	2/18

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**WHAT THE MEASURE DOES:** Modifies required language in weekly certified payroll reports for projects covered under Oregon’s prevailing wage rate law from “actual wages paid” to “gross wages earned.”

**ISSUES DISCUSSED:**

- Penalties for falsifying payroll records
- If or when violations of prevailing wage rate statutes trigger a contractor from being disbarred from bidding on or performing covered projects

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Oregon’s prevailing wage law was established in 1959 and is based on the federal Davis-Bacon Act of 1931. Prevailing wage laws apply to all contractors or subcontractors who work on certain types of public works projects. The prevailing wage rate (PWR) is the standard wage a construction worker is paid in a particular occupation in one of 14 different regions throughout the state; wages and benefits that are found to be “prevailing” for similar work in or near the same industry. The state’s PWR is established through an annual survey by the Oregon Employment Department regarding wages paid on commercial construction projects by both union and non-union contractors. The Bureau of Labor and Industries (BOLI) is responsible for enforcing PWR law.

Contractors and subcontractors working on covered projects are required to file certified payroll reports with the public agency, which include weekly total of hours worked on a project, worker classifications, pay rates, fringe benefit contributions, and related information. Certified payroll must be completed for each week a worker is employed on a public works project, and statements must be submitted once a month to the contracting agency.

Current statute assumes that contractors and subcontractors pay workers on a weekly basis, although that is not required under law, and the term “actual wages paid” causes difficulties for employers who issue wages bi-weekly or monthly. Senate Bill 54 changes the weekly reporting requirement terminology from “actual wages paid” to “gross wages earned”.