

Good morning Senators:

I am writing to you to ask for your support on SB 596. I have been Business Manager of Laborers' Local 320 for 11 years and we represent approximately 1000 workers in the construction industry, including traffic control flaggers. Our reason for introducing this legislation is to help insure the safety of the traffic control flaggers as well as the general public in work zones throughout the State of Oregon.

Traffic control flagging is one of the most dangerous occupations in the construction industry, and according to ODOT's 2014 Work Zone Safety Facts there have been an average of 19 serious injury and nine fatal crashes in work zones during the last 10 years. 80 percent of those fatalities are motorists and 20 percent are workers on the project. In light of the high number of incidents that are occurring I think that at least having a basic level of accountability on the contractors that are coordinating traffic control through the work zones is one reason this legislation is important. Additionally, these contractors are the only employers working on these projects that are not required to have a CCB license, surety bonding, and liability insurance. In the State of Washington all contractors working on public works contracts are required to obtain the above stated items to be able to participate in these projects. It seems ironic to me that the very same contractors that are working in Oregon also perform work in Washington and obtain the proper documentation and do not seem hindered in their ability to operate their business profitably. Also it should be noted that on projects that have MBE/WBE requirements the work performed by these unlicensed, non bonded and uninsured contractors is used to meet these goals and seems to be contrary to what the agencies contracting the work out are trying to do.

Secondly, by not requiring the contractors to have in place the items in this legislation there is very complicated, time consuming and expensive process that must be performed to recover unpaid wages for the workers. I have a very specific example that I will share in my testimony on Monday that involved twelve of my members that worked for a traffic control contractor. The process took over nine months and required BOLI to attach the bonds of several general contractors to resolve the issue. Not only is this unfair to the workers and the general contractor but it is also extremely costly to the State of Oregon to have to pursue these remedies. While this legislation will not guarantee that this won't happen again, it certainly will streamline the process for the workers to get their wages and also make it more difficult for these unscrupulous contractors to obtain bonds for future projects and lighten the workload on the wage and hour people at BOLI.

Thank you for your consideration in this matter,

David J Tischer

Business Manager-Secretary Treasurer

Laborers' Local 320

503-253-4800

Cell 503-705-4621