



To: Chair Barker & Members of the House Judiciary Committee

From: Nellie deVries, Building Owners & Managers Association of Oregon

Date: March 27, 2017

Re: Support to HB 3279

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The Building Owners and Managers Association (BOMA) of Oregon is a commercial real estate organization representing over 45 million square feet of commercial real estate in Oregon.

BOMA supports the overall concept of HB 3279, which requires property services contractor to register with Commissioner of Bureau of Labor and Industries. The bill requires the commissioner and Department of Consumer and Business Services to adopt rules for property services contractors and farmworker camp operators to provide training to employees with respect to sexual harassment, discrimination and whistleblower protection.

The fact that 35-50 percent of women are sexually harassed at some point in their working life is unconscionable. Safety from sexual predators should be a basic work expectation. HB 3279 requires companies that hire janitorial, security contractors or subcontractors would to use a registered contractor that follows the requirements below:

- All janitorial or security firms must register through BOLI on an annual basis. [SEP]
- Contractors disclose information pertaining to compliance with Wage and Hour violations (including sick time and FMLA), OR-OSHA violations, Civil Rights violations, USERRA violations, and NLRA violations. [SEP]
- The registry would be made available by request or through a public website through BOLI. [SEP]
- BOLI would be empowered to deny the registration to companies whose compliance record demonstrates repeated or willful failure to comply with workplace laws. [SEP]

Creating this registry of janitorial firms without major abuses allows building owners to choose contractors who have some basic training and screening on violations. This will help insulate building owners from some legal challenges. Further, the registry will contain both union and non-union contractors.

BOMA Oregon supports the concept of HB 3279; however, we do have a few concerns. We look forward to working with BOLI and the bill's sponsor to address and clarify the issues below:

- What is the financial impact to the contractor or the building owner?
- BOMA asks that HB 3279 follow the same process as the Oregon Real Estate Agency so that contractors will not be charged for the random audits. Currently, the Oregon Real Estate Agency does random audits, and licensees of a building owner, property manager, etc. and does not charge the contractor.
- What is the process of distributing training materials? Most companies have corporate offices that can provide these materials. Contractors should have the option of using their in-house training, finding a third-party provider, or going through BOLI. Any training options must be geared towards both union and non-union employees
- Enforcement: BOLI may assess fines (not will assess fines).

BOMA respectfully requests your consideration of addressing the aforementioned issues and then support of HB 3279. Thank you.