

# Oregon State Association of Electrical Workers

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May 4<sup>th</sup>, 2021  
Senate Bill 493 A

Chair Smith Warner, Members of the House Committee on Rules:

Thank you for inviting me back to answer questions on SB493 A in the House Committee on Rules on Tuesday the 4th. I wasn't able to testify again, but I do want to submit additional information that may answer some of the questions raised by committee members.

First, I would like to address a question by Representative Bonham on what happens in a region that has two Collective Bargaining Agreements (CBAs) for the same occupation. I do not believe he got an adequate response to that question.

The IBEW has six Local Unions that negotiate different CBAs for their geographical jurisdictions for each of the occupations that we represent. These CBAs' geographical jurisdictions do not match the established BOLI regions for prevailing wage purposes. Using electricians and Region 5 (Lane County) as an example, the Region has two IBEW CBAs in effect. IBEW Local Union 280's CBA covering the valley and IBEW Local Union 932's CBA covering the coast. The passage of this bill would not require the payment of the higher valley wages along the coast, due to the fact that when CBAs prevail, they only prevail in their geographical jurisdiction. Upon prevailing, the distinction between the CBAs, their effective areas, and their rate is located in the appendix to the 'Prevailing Wage Rates for Public Works Contracts'.

In this instance, using an average wage of the two CBAs would be untenable as it would arbitrarily lower wages in the eastern bulk of Region 5 and arbitrarily raise them along the coast. In both cases it would not reflect the industry negotiated wages and benefits for this Region.

I would like to reiterate that average wages are not prevailing wages. The amendment -1 to SB 493 was intended to eliminate the possible gaming of our industry's wages by bad actors that may misclassify one occupation's prevailing wage to a lower wage of a different occupation, and to ensure industry negotiated rates are reflected. The CBAs in one occupation do not generally overlap as they only apply within a Local Union's jurisdiction, and the use of the Appendix addresses those regions that do.

I am sympathetic to the argument that we need to ensure that the gaming of PWR rates does not occur. Oregon's construction Unions have existing CBAs that are industry negotiated and those CBAs are the only industry negotiated CBAs that should be recognized. We also look forward to continuing to work with our industry to prevent the gaming of rates.

I hope that you will take this additional information into consideration and I am willing to answer any questions you may have.

Robert Westerman  
President, OSAEW