

Senate Bill 1568

Sponsored by Senator SOLLMAN, Representative FAHEY (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Makes pay for electricians equal to the pay in a union contract in parts of the state where there is a union contract and the union is the only one that speaks for electricians. Takes effect 91 days after session ends (Flesch Readability Score: 60.6).

Provides that, for the purpose of specifying the prevailing rate of wage for electrical workers, a locality is the geographical area within which each local union is the exclusive representative for the local union's membership, and the collective bargaining agreement is the collective bargaining agreement to which the local union is a party.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to a prevailing rate of wage for electrical workers; creating new provisions; amending ORS
3 279C.815; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 279C.815 is amended to read:

6 279C.815. (1) As used in this section[,]:

7 (a) **"Electrical worker" means an electrician, inside wireman, cable splicer, electrical**
8 **welder, electrical material handler, lighting maintenance worker or limited energy**
9 **electrician.**

10 (b) "Person" means an employer, a labor organization or an official representative of an em-
11 ployee or employer association.

12 (2)(a) The Commissioner of the Bureau of Labor and Industries at least once each year shall
13 determine in accordance with paragraph (b) of this subsection the prevailing rate of wage for
14 workers in each trade or occupation in each locality described in ORS 279C.800 and shall make this
15 information available at least twice each year. The commissioner may amend the rate at any time.

16 (b)(A) **Except as provided in subparagraph (B) of this paragraph,** the prevailing rate of wage
17 for a trade or occupation in a locality is the rate of wage set forth in the collective bargaining
18 agreement for the trade or occupation in the locality or, if more than one collective bargaining
19 agreement covers a trade or occupation in the locality, the highest rate of wage among the collec-
20 tive bargaining agreements for the trade or occupation in the locality.

21 **(B) Notwithstanding ORS 279C.800 (3), for the purpose of specifying a prevailing rate of**
22 **wage for electrical workers in accordance with subparagraph (A) of this paragraph, the ap-**
23 **licable locality is the geographical area within which each local union is the exclusive rep-**
24 **resentative for the local union's membership, and the applicable collective bargaining**
25 **agreement is the collective bargaining agreement to which the local union is a party.**

26 (c) If a collective bargaining agreement does not exist for a trade or occupation in a locality,
27 the commissioner shall determine the prevailing rate of wage by conducting an independent wage

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 survey in the locality. The commissioner may also consider additional information such as other
2 independent wage surveys and the prevailing rates of wage determined by appropriate federal
3 agencies or agencies of adjoining states. If a wage survey under this paragraph does not show that
4 a majority in the same trade or occupation is paid at the same rate, the average rate of hourly wage,
5 including all fringe benefits, paid in the locality to workers in the same trade or occupation is the
6 prevailing rate. If the wage a contractor or subcontractor pays to workers on a public works is
7 based on a period of time other than an hour, the hourly wage must be mathematically determined
8 by the number of hours worked in that period of time.

9 (3) A person shall make reports and returns to the Bureau of Labor and Industries that the
10 commissioner requires to determine the prevailing rates of wage, using forms the bureau provides
11 and within the time the commissioner prescribes. The person or an authorized representative of the
12 person shall certify to the accuracy of the reports and returns.

13 (4) Notwithstanding ORS 192.311 to 192.478, reports and returns or other information provided
14 to the commissioner under this section are confidential and not available for inspection by the
15 public.

16 (5) The commissioner may enter into a contract with a public or private party to obtain data
17 and information the commissioner needs to determine the prevailing rate of wage. The contract may
18 provide for the manner and extent of the review of affected trades and occupations and for other
19 requirements regarding timelines of reports, accuracy of data and information and supervision and
20 review as the commissioner prescribes.

21 **SECTION 2. The amendments to ORS 279C.815 by section 1 of this 2024 Act apply to de-**
22 **terminations of the prevailing rate of wage that the Commissioner of the Bureau of Labor**
23 **and Industries makes on and after the effective date of this 2024 Act.**

24 **SECTION 3. This 2024 Act takes effect on the 91st day after the date on which the 2024**
25 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

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