



Commissioner Brad Avakian
Bureau of Labor and Industries

COMMISSIONER'S MESSAGE - June 22, 2009

BOLI is fighting for end of session budget restorations while it continues to pursue strong enforcement of civil rights and wage and hour enforcement

Friends,

It has been a busy couple of weeks at the Bureau – the legislature is moving fast toward adjournment, our workload has increased in recent months with the economic downturn, and the Oregon State Apprenticeship and Training Council just took strong action to increase opportunities for women and ethnic minorities in the skilled trades. In Salem, our budget has moved out of committee and is now headed to the House and Senate floors for approval; although BOLI's final budget includes a loss of 10 positions, we are keeping busy as we fight for restorations in the end of session bill.

As we fight for these restorations, the cases we see continue to illustrate the need for our services and for the strong enforcement of our civil rights and wage and hour laws. Just two weeks ago, BOLI was compelled to take prompt, aggressive action against Eugene restaurateur Morgan Sanchez, who was sentenced to 90 days in jail after demonstrating a pattern of non-payment of wages and violating a BOLI Commissioner's order by illegally operating a business.

The story of Morgan Sanchez is a perfect example of BOLI's enforcement role and how critical our agency is to protecting Oregonians in the workplace. Over the last few years, Sanchez has owned five businesses – all now closed – that generated nine wage claims for unpaid wages and violated both BOLI and court orders against her operating a business. BOLI took swift action in Lane County circuit court when Sanchez's repeated neglect to pay workers and willful violation of prior orders came to light. More information about the Morgan Sanchez case can be found [here](#) and [here](#).

Each year, BOLI receives 2,200 complaints of discrimination and nearly 2,600 wage claims. BOLI processes each of these cases with the same commitment and energy. For us, each case is just as important as the next. **No matter how high-profile or flashy, we take each alleged civil rights violation and wage complaint seriously.** From working with individuals who believe they have been the victim of unlawful discrimination to helping Oregon workers collect any unpaid wages they are due, BOLI's civil rights investigators, wage and hour compliance specialists, and the staff of our Hearings Unit are a thorough, experienced, enforcement mechanism that is accessible to the public (employers and employees alike) at no cost.

BOLI takes this responsibility seriously and, regardless of the final budget outcome, we are committed to providing strong enforcement of civil rights law and wage and hour law as well as providing technical assistance to Oregon employers. As we fight for end of session budget restorations, our staff and I will continue to work toward a singular mission: to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.

Sincerely,

Brad Avakian
State Labor Commissioner

The mission of the Bureau of Labor and Industries is to protect employment rights, advance employment opportunities, and protect access to housing and public accommodations free from discrimination.

Employer-Supported Wage Security Fund Protects Displaced Oregon Workers

Oregon's Wage Security Fund (WSF) is a unique, critical program which protects workers of companies that have closed without the ability to pay their final wages. The only Fund of its kind in America, the WSF is maintained by BOLI and exists through small diversion of the employment tax paid by employers. In essence, it is an employer-maintained Fund which exists to protect employees who have lost their jobs in difficult times.

It's unfortunate when the rough economy forces honest companies to close their doors without the ability to pay their workers' final salaries. **But over the years, employers have supported the Wage Security Fund so that these employees can make ends meet and Oregon's economy can survive difficult times.**

And recently we have seen just how effective the WSF can be. In May, after months of working to stay afloat in a rough economy, Portland-based internet security company Vidoop, LLC was forced to lay off a majority of its employees in May without the ability to pay their final salaries. Fortunately for Vidoop employees, Oregon's Wage Security Fund (WSF) is able to ensure the company's employees' final wages are paid.

Joel Norvell, former Vidoop CEO, has praised the process. He said, "I'm glad that Oregon employers like us have paid to maintain the Wage Security Fund during these tough times. While we explore options and try to turn things around, it's reassuring to know that the WSF will protect our workers. BOLI has been extremely helpful and kind as we try to do right by our employees and work to eventually repay the WSF."

For more information about the Wage Security Fund and filing a claim, please visit:

<http://www.oregon.gov/BOLI/WHD/docs/wsf120506.pdf>

BOLI Technical Assistance for Employers Handbooks Coming Soon!

The first of the much-anticipated BOLI Technical Assistance for Employers (TA) handbooks is almost here. Our 2009 Wage and Hour Handbook, which provides employers with an in-depth update to Oregon wage laws, is scheduled for release in mid-to-late July. The cost for this handbook will be \$40, plus shipping and handling.

Also be sure to look forward to the following other BOLI TA Handbooks due out in 2009: Family Leave Laws; White Collar Exemptions Handbook; Policywriting Guidelines; Legal Hiring Practices; and Civil Rights Laws.

For more information on BOLI's TA program, please [click here](#). To learn about upcoming TA seminars in your area, please [click here](#).

State Apprenticeship Council Works to Increase Minority Participation in State Apprenticeship Programs

Last week, the Oregon State Apprenticeship and Training Council (OSATC), chaired by State Labor Commissioner Brad Avakian, took strong action to increase opportunities for women and ethnic minorities in the skilled trades. With only 18 percent of Oregon apprentices being a woman or member of a minority group, OSATC members and Commissioner Avakian believe that additional steps are needed to increase diversity in Oregon's quality apprenticeship programs.

At their June 18 meeting the OSATC approved the recommendations submitted by its Affirmative Action Task Force:

- All Oregon registered apprenticeship programs will incorporate a cultural competency or diversity course into their curriculum by July 30, 2010.
- All programs will adopt a mentorship strategy as part of their affirmative action plan by January 1, 2011.
- "Branded" OSATC, BOLI Apprenticeship and Training Division and community outreach materials will be developed to better market apprenticeship and unify outreach activities.
- OSATC will fund the initial development of an independent apprenticeship website, with content to be developed and maintained by the Oregon apprenticeship community.

These actions demonstrate strong, ongoing efforts by the OSATC and Commissioner Avakian to increase workforce development in these traditionally underserved communities.

To learn more about BOLI's Apprenticeship and Training Division, please [click here](#).