

Program #72005B - Labor Compliance

2/20/2019

Department: County Management **Program Contact:** Brian Smith
Program Offer Type: Innovative/New Program **Program Offer Stage:** As Requested
Related Programs: 72005-19 FRM Purchasing
Program Characteristics: One-Time-Only Request, Out of Target

Executive Summary

This program offer will fund a Labor Compliance Pilot Program to provide education and support for workers and construction contractors on wage theft prevention and will create a volunteer program to interview workers on the jobsite to help ensure they are paid a fair wage. The program offer will also purchase data infrastructure to help the County with compliance monitoring.

Program Summary

Wage theft exists when a worker is not paid or is underpaid for their work. Wage theft harms workers by driving down wages, and harms honest contractors by making them less competitive. Wage theft is particularly prevalent in the construction industry. According to the Oregon Center for Public Policy, “Between 2015 and 2016, the most recent period of data we analyzed, the construction industry had the second highest number of wage claims as a share of its workforce.” Some wage theft is unintentional (for example, a calculation error), and easily correctable when identified. Other wage theft is intentional, and often harms workers who may not report it for fear of losing their jobs. A County Labor Compliance Program can support workers and contractors to ensure workers are getting paid correctly.

This Labor Compliance Pilot Program will: 1) provide technical assistance and support to ensure that contractors and subcontractors properly classify workers and are in compliance with BOLI labor laws which include Apprenticeship rules and Prevailing Wage laws; 2) ensure that workers on County projects understand their rights related to wage laws, 3) train and oversee authorized community volunteers to support the County’s verification of certified payroll by interviewing workers at worksites regarding wages, benefits, and hours, and 4) purchase software to enable robust monitoring and reporting on wages and benefits paid on County construction projects.

Performance Measures

Measure Type	Primary Measure	FY18 Actual	FY19 Purchased	FY19 Estimate	FY20 Offer
Output	Number of volunteers certified by County	NA	NA	NA	10
Outcome	Percent of County construction projects visited by certified volunteers	NA	NA	NA	75%

Performance Measures Descriptions

This is a pilot program with new measurements. The program will need to train a group of volunteers quickly in FY 2020 as construction site visits are a key component of this program. While site visits would ideally happen at all construction projects, some may not be visited due to time or resource constraints.

Legal / Contractual Obligation

ORS 279C.800 to 279C.870 list the requirements for payment of prevailing wages paid on public works projects.

Revenue/Expense Detail

	Proposed General Fund	Proposed Other Funds	Proposed General Fund	Proposed Other Funds
Program Expenses	2019	2019	2020	2020
Personnel	\$0	\$0	\$55,441	\$0
Materials & Supplies	\$0	\$0	\$144,436	\$0
Total GF/non-GF	\$0	\$0	\$199,877	\$0
Program Total:	\$0		\$199,877	
Program FTE	0.00	0.00	0.50	0.00

Program Revenues				
Total Revenue	\$0	\$0	\$0	\$0

Explanation of Revenues

This program would be funded through General Fund revenues.

Significant Program Changes

Last Year this program was:

The .5 FTE Program Specialist in this offer was assigned in FY19 to the Health Department Headquarter's Project and included in Program #72005A (FRM Purchasing). With conclusion of that project, the position is now available to develop and operate the Labor Compliance Program.