



August 21, 2018

Ms. Christine E. Lewis  
800 NE Oregon Street  
Suite 1045  
Portland, OR 97232

Re: Rulemaking to implement HB 4058

Dear Ms. Lewis:

Thank you for the opportunity to provide comments to the Bureau of Labor and Industries ("BOLI") in response to the draft labor contractor licensing rules to implement HB 4058 (2018).

As a reference, the Oregon State Chamber of Commerce ("OSCC") represents 75 Chambers of Commerce and over 24,000 Oregon businesses. OSCC is concerned that the draft rules to implement HB 4058 are unnecessarily burdensome to Oregon businesses. To that end, OSCC provides the following comments:

**OAR 839-015-0145**

*(9) Providing notification to the bureau of any change in the circumstances under which a license was issued.*

The use of the phrase "any change" encompasses even the most minor change to the 32-page property services contractor license application. This language is overly broad, and OSCC respectfully asks that that BOLI identify a narrow set of criteria that would trigger notification.

**OAR 839-015-0175**

HB 4058 is clear: *"... the commissioner may establish a process to administer the examination in-person, through an online electronic medium or in any other manner as the commissioner may specify."*

Although the statute provides flexibility to property services contractors to take the required exam, BOLI's draft rules disallow testing by any means other than in-person. At the very least, BOLI should mirror the statutory language and allow for remote, online testing. This is important for rural employers.

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**OAR 839-015-0355**

This section applies a one-size-fits-all requirement to property services contractors without rationale for this new section. However, the requirements are not feasible for all business models. For instance, temporary staffing agencies will likely be unable to comply with the requirements in subsection (1)(a-b) when applying for a license or renewing a license.

Additionally, subsection (1)(c) may conflict with BOLI's draft rules to implement HB 2005 (2018).

OSCC recommends that BOLI eliminate OAR 839-015-0355 to avoid issues with implementation.

**OAR 839-015-0380**

Please clarify when the 90-day training window begins. Oregon businesses are not one-size-fits-all, and employers need clarity concerning when HB 4058 training requirements are triggered,

Thank you for the opportunity to provide comments today. Please do not hesitate to contact OSCC with any questions.

Sincerely,

A handwritten signature in blue ink that reads "JL Wilson". The signature is fluid and cursive, with a long horizontal stroke at the end.

JL Wilson  
Legislative Counsel