

Safety for Instafab Workers in the Field and in the Shop

Executive Summary

A report of the Portland Area Workers Rights Board

April 28, 2016



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Introduction

On April 28, 2016, the Portland Area Workers Rights Board heard testimony from approximately a dozen striking Instafab workers. Instafab Company is a nonunion steel fabrication and erection shop based in Vancouver, WA, who does a significant amount of work in Oregon. The main concerns of the striking workers concern safety in the field and in the shop, and a culture of inappropriate workplace communication in the company.

This Executive Summary includes the names of the panelists, the list of testimonies heard, and the recommendations from the Board. A full report will be available shortly.

A Worker Rights Board hearing is held to help resolve situations that threaten workers' rights. A panel of prominent citizens---drawn from a broad spectrum of community leaders committed to establishing community standards about fairness in the workplace—is convened to give workers the opportunity to publicly air their grievances. The panel hears from and questions the workers and when appropriate relevant experts, deliberates, and then issues a written statement summarizing their findings and recommending actions designed to help resolve the situation.

The Panelists



Professor Lisa Bates, Urban Planning Professor at PSU (Chair)

Lisa K. Bates is Associate Professor at the Toulon School of Urban Studies & Planning at Portland State University. Her research area is housing and community development, with a focus on racial justice.



Oregon House Speaker Tina Kotek

Tina Kotek began her public service career as a policy advocate before being elected to the Oregon House of Representatives in 2006. In 2013, Tina became the first openly lesbian speaker of any state house in the nation. As Speaker, Tina has led the charge for positive change here in Oregon. She has worked to give every Oregonian a fair shot at success by championing efforts to expand child care options for working parents, raise the minimum wage, end racial profiling, and create greater opportunities for families across the state.



José Padín, Professor of Sociology at PSU

José is a native of Puerto Rico, a longstanding member of the Portland Workers Rights Board, and member of the racial equity task force of the national American Association of University Professors. Dr. Padín's teaching and research interests are class and justice in economic development, racial oppression, labor, immigration, and higher education injustices.



Rev. Cecil Prescod, Ainsworth UCC

The Rev. Cecil Charles Prescod serves as Director of Faith Formation. Cecil has been active in social justice issues since his youth. Among the organizations that he has worked with are Ministers for Racial Social and Economic Justice and United Black Christians in the United Church of Christ, Mackenzie River Gathering Foundation, the Urban League of Portland, Public Policy Committee of Ecumenical Ministries of Oregon, Fellowship of Reconciliation, Love Makes A Family, Inc, Brother to Brother, the American Friends Service Committee, KBOO Radio, and PFLAG Portland Black Chapter.



Fr. Dave Zegar, St. Andrew Catholic Church

Father Dave Zegar has been parish priest in the Catholic Archdiocese of Portland for 36 years working extensively with the Latino Community during this time. He is presently pastor of St. Andrew Catholic Church in Portland and brings extensive knowledge of Catholic Social Teaching related to labor.

“Ironworking is an extremely dangerous profession. It is one of the highest rated in terms of accidents on the job. Without proper training, ironworkers can easily die.”

-- Matt

Striking Workers’ Testimonies:

- Mark Leavitt
- Matt Momb
- William Russell
- Matt Justice
- Skylar McCall
- Laramie Lexow
- Greg Malta
- Andy Wilson
- Jordan Reimer
- Leo Duque
- Mike James

Community Testimonies:

- Tiffany Thompson, Oregon Tradeswomen, Inc
- Margot Black, Portland Tenants United
- Perry Willard, Ironworkers
- Maurice Rahming, O’Neill Electric

Issues Raised

- dangerously inadequate safety training,
- falsified drug test cards, and
- long work hours leading to sleep deprivation that affected safety on the job
- came close to being injured when a forklift driven by a coworker ripped steel off a building and just missed his hand.
- never checked his certifications when they hired him,
- shown a safety video from Australia that spoke in terms of kilograms and other unfamiliar measurements.
- flagrantly disrespectful treatment by management — like being called “dumbass” on a regular basis.
- Striker Laramie Lexow said the breaking point for him personally was when he witnessed a manager verbally abuse a coworker in front of others, causing the worker to break down in tears on the shop floor.

“I see a lot of people testify in my line of work. What I’m hearing is some really authentic testimony about trying to make a workplace safer. And I hear what you’re saying, but there’s a real disconnect. I think meeting with them and giving them a second chance is something you need to consider.”

-- Oregon House Speaker Tina Kotek

Recommendations from the Board

- Create a report of these proceedings
- Bring these findings to the management of Instafab
- Address issues of safety, proper equipment and training
 - The kinds of safety issues are not a just a perception but real findngs that are very serious
 - Protection from retaliation when working people bring up safety concerns
- Create some programming around personnel, management, respectful and appropriate supervision and communication
- Present to andersen, skanska and other general contractors finding validity in problems raised by workers
- Addressing Oregon BOLI to make sure they are aware of recent findings in state of Washington re safety violations in the fabrication and continue examination of field sites in oregon
- Present letters to public institutions that have work done by Instafab, to the unions on campus to act in support of workers' rights, and to other building trades unions

Timeline

Feb 27, 2015	2015 initial field crew of 5 workers walks off presents manager with their demands adequate water, a dry shack on every job, affordable health care (not catastrophic), better safety conditions, etc.
May 2015	Initial media coverage: https://nwlaborpress.org/2015/05/crew-nonunion-ironworkers-goes-unfair-labor-practice-strike-instafab/
Nov 2015	NLRB Complaint Issued Against Instafab Link to the full NLRB complaint (Nov 2015): https://nwlaborpress.org/wp-content/uploads/2015/11/NLRB-complaint-Instafab.pdf NW Labor Press article: https://nwlaborpress.org/2015/11/instafab/ NLRB Instafab site: https://www.nlr.gov/case/19-CA-153291
March 2016	1 year anniversary: http://www.columbian.com/news/2016/mar/06/instafab-striking-workers-steel-themselves-amid-long-labor-dispute/
March - April 2015	Washington State Labor and Industries fines Instafab over \$30,000 for safety violations in the shop: http://www.columbian.com/news/2016/apr/19/instafab-fined-safety-violations-vancouver/
April 28, 2016	Portland Area Workers Rights Board

About the Portland Area Workers Rights Board

The Portland Area Workers' Rights Board is a community-based project of Portland Jobs with Justice that works to promote economic justice and human rights for working people and their families. The Workers' Rights Board is a public forum where workers can bring complaints against employers for violating their human and legal rights in the workplace.

The Portland Workers' Rights Board will attempt to resolve issues in a variety of ways including: investigating complaints, meeting with workers and their employers, holding public hearings or press conferences, and participating in community events to raise awareness about workers' rights, including the right to organize.

About Portland Jobs with Justice

Portland jobs with Justice is a coalition of over 120 unions, worker organizations, faith institutions, community organizations and student groups fighting for workers rights and economic justice in the Portland Metro Area with a lens of racial justice and economic justice.

For more information and the full report, please email kate@jwipdx.org

EXHIBIT A: WORKERS' SUMMARY,
INITIAL DEMAND LETTER
(FIELD) + DEMANDS IN SHOP

INSTAFAB COMPANY

Company Overview:

Instafab Company Inc. is a metal fabrication and steel erection company based in Vancouver, Washington which has been in business for about 25 years. The company is privately owned by Bruce Allen Perkins. On average, Instafab employs between 65 – 85 ironworkers in the shop and field. Instafab fabricates and installs miscellaneous metal components used to construct buildings. They perform work on residential, commercial, industrial, and mixed-use projects for both public and private developments.

Worker Issues:

Instafab has a history of mistreatment and abuse toward its workers. Some of the conditions and abuses that workers say they experience at Instafab include, but are not limited to:

- ✓ Serious safety and health violations; and Instafab is being investigated by state agencies;
- ✓ Charges for personal safety gear that state law requires employers provide without cost;
- ✓ Little or no safety and occupational training is provided;
- ✓ No retirement benefits or affordable family health insurance;
- ✓ Inconsistent rest and meal breaks required by state law;
- ✓ No dry shacks during the winter months;
- ✓ Drinking water is not provided by Instafab on jobsites;
- ✓ Inadequate restroom facilities in the shop;
- ✓ Over 18 workers have walked out on strike against the company;
- ✓ One worker is being sued for safety equipment after going on strike and speaking out publicly against the mistreatment and unsafe working conditions;
- ✓ The company refuses to meet with workers to resolve these issues

RE: THE EMPLOYEES OF INSTAFAB (HEREBY)
DEMAND, WATER ON EVERY JOB, DRY SKIN ON EVERY JOB
SAFETY & OTHER TRAINING, MEDICAL PAID BY INSTAFAB,
~~AND~~ A RETIREMENT PLAN AND AREA STANDARD WAGES

SIGNED

MATT

PATRICK

WIL

ANDREW

ISRAEL

Matt

- No shop Safety Standards or training. It's always "Just Don't Get Hurt"
- Insufficient Restroom facilities for the number of workers on site.
- Constant threat of being fired for what seems like whatever was making the boss angry on any given day
- Lack of Uniformity among Job. ie one person w/ this job title might make more or less than the person next to him with the same title.
- Raises were seemingly based on favoritism or for people that wouldn't be bullied into backing down
- Catastrophic health insurance w/ no help for families. I can't afford to insure my wife and child
- timed lights on the bathroom that the foreman would watch to make sure people weren't in there too long.

EXHIBIT B:

NLRB COMPLAINT (NOV 2015)

OCT 30 2015

Schwerin Campbell Barnard
Iglitzin & Lavitt LLP

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19**

INSTAFAB COMPANY, INC.

and

IRONWORKERS LOCAL UNION NO. 29

and

INSTAFAB WORKERS COALITION OF
JUSTICE

Cases 19-CA-147671
19-CA-152100
19-CA-153291
19-CA-153804

**ORDER CONSOLIDATING CASES, CONSOLIDATED COMPLAINT,
COMPLIANCE SPECIFICATION, AND NOTICE OF HEARING**

Pursuant to §§ 102.33 and 102.54(c) of the Rules and Regulations of the National Labor Relations Board (the "Board"), and to avoid unnecessary costs or delay, IT IS ORDERED THAT Cases 19-CA-147671 and 19-CA-152100, which are based on charges filed by Ironworkers Local Union No. 29 (the "Union") against Instafab Company, Inc. ("Respondent"), and Cases 19-CA-153291 and 19-CA-153804, which are based on charges filed by Instafab Workers Coalition of Justice (the "Coalition") against Respondent are consolidated.

CONSOLIDATED COMPLAINT

This Consolidated Complaint, which is based on these charges, is issued pursuant to § 10(b) of the National Labor Relations Act (the "Act"), 29 U.S.C. § 151 *et seq.* and § 102.15 of the Board's Rules and Regulations, and alleges Respondent has violated the Act as described below.

1.

(a) The charge in Case 19-CA-147671 was filed by the Union on March 6, 2015, and a copy was served on Respondent by U.S. mail on the same date.

(b) The first amended charge in Case 19-CA-147671 was filed by the Union on March 26, 2015, and a copy was served on Respondent by U.S. mail on the same date.

(c) The charge in Case 19-CA-152100 was filed by the Union on May 12, 2015, and a copy was served on Respondent by U.S. mail on May 13, 2015.

(d) The first amended charge in Case 19-CA-152100 was filed by the Union on July 31, 2015, and a copy was served on Respondent by U.S. mail on the same date.

(e) The charge in Case 19-CA-153291 was filed by the Coalition on June 1, 2015, and a copy was served on Respondent by U.S. mail on the same date.

(f) The first amended charge in Case 19-CA-153291 was filed by the Coalition on July 31, 2015, and a copy was served on Respondent by U.S. mail on the same date.

(g) The charge in Case 19-CA-153804 was filed by the Coalition on June 8, 2015, and a copy was served on Respondent by U.S. mail on June 9, 2015.

2.

(a) At all material times, Respondent has been an Oregon corporation with an office and place of business in Vancouver, Washington ("the facility"), and has been a contractor in the construction industry engaged in the fabrication and erection of

structural metal, steel, and other metal products for commercial and residential construction.

(b) During the past 12 months, a period representative of all material times, Respondent, in conducting its business operations described above in paragraph 2(a), purchased and received at Respondent's facility goods valued in excess of \$50,000 directly from points outside the State of Washington.

(c) At all material times, Respondent has been an employer engaged in commerce within the meaning of §§ 2(2), (6), and (7) of the Act.

3.

At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.

4.

At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of § 2(11) of the Act and agents of Respondent within the meaning of § 2(13) of the Act:

Bruce Perkins	-	President and Owner
Will Filbeck	-	General Manager
Todd Steward	-	Field Superintendent
Ron Gregg	-	Shop Foreman

5.

(a) About February 27, 2015, Respondent, by Will Filbeck ("Filbeck"), at the facility, threatened its employees with discharge for going on strike or talking to or dealing with its striking employees.

(b) From a date in or around early March 2015 to a date in or around April 2015, more precise dates unknown to the General Counsel but particularly within the knowledge of Respondent, Respondent posted a written statement at the facility threatening its employees with discharge for communicating with its striking employees.

(c) On a Friday in or around March 2015, a more precise date unknown to the General Counsel but particularly within the knowledge of Respondent, Respondent, by Filbeck, at the facility, threatened its employees with discharge for talking to picketers or its striking employees.

(d) About March 12, 2015, Respondent posted a job ad on craigslist.org that would reasonably be understood by applicants to mean that union membership and engaging in union activities and protected, concerted activities was inconsistent with employment with Respondent.

(e) About March 19, 2015, Respondent, by Filbeck, at the facility, instructed its employees not to talk to picketers or its striking employees.

(f) About April 21, 2015, Respondent, by Filbeck, at the facility:

(i) interrogated its employees about their union membership or affiliation;

(ii) told its employees that Respondent was seeking employees who were loyal to Respondent and not to a union; and

(iii) threatened to discharge its employees for talking to the Union or soliciting employees to join a strike or to form, join, or assist a union.

(g) About April 23, 2015, Respondent, by Filbeck, at the facility, threatened its employees with negative consequences for having union stickers on their personal vehicles.

(h) On a date in or around late April or early May 2015, a more precise date unknown to the General Counsel but particularly within the knowledge of Respondent, Respondent, at the facility:

(i) by Todd Steward ("Steward"), told its employees that Respondent wanted employees who were loyal to Respondent and would not engage in union activities, including seeking assistance of the Union;

(ii) by Steward, told its employees that they needed to be on board and not go against Respondent because the striking employees were going to lose in the end; and

(iii) by Filbeck, instructed its employees not to talk about the Union or striking employees during work hours, while permitting employees to talk about other non-work subjects.

(i) About May 8, 2015, Respondent threatened its employees with discharge for talking to picketers or striking employees:

(i) by Filbeck, at Respondent's facility; and

(ii) by Steward, at a jobsite in Hillsboro, Oregon.

6.

(a) Since about January 11, 2015, Respondent's employees Andrew Brodehl ("Brodehl"), Patrick Goggin ("Goggin"), William Skyler McCall ("McCall"), Israel Mudder ("Mudder"), Brian Reinke ("Reinke"), and William Russell ("Russell") engaged in

concerted activities with each other and with other employees for the purposes of collective bargaining and other mutual aid and protection and concertedly complained to Respondent regarding the wages, hours, and working conditions of Respondent's employees by:

- (i) communicating with each other, other employees, and third parties about the wages, hours, and working conditions of Respondent's employees;
- (ii) presenting Respondent with petitions listing demands related to the wages, hours, and working conditions of Respondent's employees; and
- (iii) engaging in a strike in support of their demands related to the wages, hours, and working conditions of Respondent's employees.

(b) About the dates set forth opposite their names, Respondent discharged its employees named below:

Name	Date
Brodehl	February 27, 2015
Goggin	February 27, 2015
McCall	March 13, 2015
Mudder	February 27, 2015
Reinke	March 13, 2015
Russell	February 27, 2015

(c) About the dates set forth opposite their names, Respondent deducted amounts from the pay of its employees named below for the cost of safety harnesses and/or weld certifications:

Name	Date
Goggin	March 6, 2015
McCall	March 20, 2015

Name	Date
Mudder	March 6, 2015
Reinke	March 13, 2015
Russell	March 6, 2015

(e) Respondent engaged in the conduct described above in paragraphs 6(b) and 6(c) because its named employees engaged in the conduct described above in paragraph 6(a) and because they joined and assisted the Union, and to discourage employees from engaging in these or other concerted activities.

7.

By the conduct described above in paragraphs 5 and 6, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in § 7 of the Act in violation of § 8(a)(1) of the Act.

8.

By the conduct described above in paragraph 6, Respondent has been discriminating in regard to the hire or tenure or terms or conditions of employment of its employees, thereby discouraging membership in a labor organization in violation of §§ 8(a)(1) and (3) of the Act.

9.

The unfair labor practices of Respondent described above affect commerce within the meaning of §§ 2(6) and (7) of the Act.

WHEREFORE, as part of the remedy for the unfair labor practices alleged above, the General Counsel seeks an Order requiring that at a meeting or meetings scheduled to ensure the widest possible attendance, Respondent's representative Will Filbeck read the notice to the employees on worktime in the presence of a Board agent.

Alternatively, the General Counsel seeks an order requiring that Respondent promptly have a Board agent read the notice to employees during worktime in the presence of Respondent's supervisors and agents indentified above in paragraph 4; and

WHEREFORE, as part of the remedy for the unfair labor practices alleged above, the General Counsel seeks an order requiring that the Respondent reimburse discriminatees for all search-for-work and work-related expenses regardless of whether the discriminatees received interim earnings in excess of these expenses, or at all, during any given quarter, or during the overall backpay period.

COMPLIANCE SPECIFICATION

In order to liquidate the amount owed by Respondent and to avoid unnecessary cost or delays, this Compliance Specification is issued pursuant to § 102.54(c) of the Board's Rules and Regulations together with the instant Consolidated Complaint and alleges as follows:

10.

As a result of the conduct described above in paragraph 6(b) of the Consolidated Complaint, the named employees of Respondent are entitled to backpay in the manner and amount computed as follows.

11.

The backpay periods of the employees named below began on the dates set forth opposite their names, which were the dates Respondent discharged them:

Name	Beginning of Backpay Period
Brodehl	February 27, 2015
Goggin	February 27, 2015
McCall	March 13, 2015

Name	Beginning of Backpay Period
Mudder	February 27, 2015
Reinke	March 13, 2015
Russell	February 27, 2015

12.

The backpay periods of the employees named below end on the dates set forth opposite their names, which were the dates two weeks from the dates Respondent sent valid offers of reinstatement to their correct addresses:

Name	Beginning of Backpay Period
Brodehl	April 20, 2015
Goggin	April 20, 2015
McCall	April 20, 2015
Mudder	April 20, 2015
Reinke	April 29, 2015
Russell	April 20, 2015

13.

Gross backpay is the amount of wages the employees named above in paragraph 6(b) of the Consolidated Complaint and paragraphs 11 and 12 of this Compliance Specification would have earned during the backpay period and is calculated at their hourly rate times the hours they would have worked but for the discrimination against them.

14.

Interim earnings are the wages earned by the employees named above in paragraph 6(b) of the Consolidated Complaint and paragraphs 11 and 12 of this Compliance Specification during their respective backpay periods.

15.

Net backpay is the difference between gross backpay and interim earnings.

16.

(a) The gross backpay of Brodehl is calculated as his hourly wage rate while employed by Respondent, \$20, times the total hours he would have worked for Respondent as a full-time employee working 40 hours per week, or 8 hours per weekday.

(b) The gross backpay of Brodehl for the first quarter of 2015 is \$3,360 (\$20 times 8 hours per weekday times one day, plus \$20 times 40 hours per week times 4 weeks).

(c) Brodehl had deductible interim earnings of \$530 from REFA Erection during the first quarter of 2015.

(d) The net backpay of Brodehl for the first quarter of 2015 is \$2,830 (\$3,360 gross backpay, minus \$530 interim earnings).

(e) The gross backpay of Brodehl for the second quarter of 2015 is \$2,560 (\$20 times 8 hours per weekday times one day, plus \$20 times 40 hours per week times 3 weeks).

(f) Brodehl had deductible interim earnings of \$460 from ABACUS Construction during the second quarter of 2015.

(g) The net backpay of Brodehl for the second quarter of 2015 is \$2,100 (\$2,560 gross backpay, minus \$460 interim earnings).

(h) The total net backpay owed to Brodehl as a result of Respondent's conduct described above in paragraph 6(b) of the Consolidated Complaint is \$4,930 (\$2,830 first quarter of 2015, plus \$2,100 second quarter of 2015).

17.

(a) The gross backpay of Goggin is calculated as his hourly wage rate while employed by Respondent, \$21, times the total hours he would have worked for Respondent as a full-time employee working 40 hours per week, or 8 hours per weekday.

(b) The gross backpay of Goggin for the first quarter of 2015 is \$3,528 (\$21 times 8 hours per weekday times one day, plus \$21 times 40 hours per week times 4 weeks).

(c) Goggin had no deductible interim earnings during the first quarter of 2015.

(d) The net backpay of Goggin for the first quarter of 2015 is \$3,528 (\$3,528 gross backpay, minus \$0 interim earnings).

(e) The gross backpay of Goggin for the second quarter of 2015 is \$2,688 (\$21 times 8 hours per weekday times one day, plus \$21 times 40 hours per week times 3 weeks).

(f) Goggin had no deductible interim earnings during the second quarter of 2015.

(g) The net backpay of Goggin for the second quarter of 2015 is \$2,688 (\$2,688 gross backpay, minus \$0 interim earnings).

(h) The total net backpay owed to Goggin as a result of Respondent's conduct described above in paragraph 6(b) of the Consolidated Complaint is \$6,216 (\$3,528 first quarter of 2015, plus \$2,688 second quarter of 2015).

18.

(a) The gross backpay of McCall is calculated as his hourly wage rate while employed by Respondent, \$25, times the total hours he would have worked for Respondent as a full-time employee working 40 hours per week, or 8 hours per weekday.

(b) The gross backpay of McCall for the first quarter of 2015 is \$3,200 (\$25 times 8 hours per weekday times one day, plus \$25 times 40 hours per week times 3 weeks).

(c) McCall had no deductible interim earnings during the first quarter of 2015.

(d) The net backpay of McCall for the first quarter of 2015 is \$3,200 (\$3,200 gross backpay, minus \$0 interim earnings).

(e) The gross backpay of McCall for the second quarter of 2015 is \$3,200 (\$25 times 8 hours per weekday times one day, plus \$25 times 40 hours per week times 3 weeks).

(f) McCall had no deductible interim earnings during the second quarter of 2015.

(g) The net backpay of McCall for the second quarter of 2015 is \$3,200 (\$3,200 gross backpay, minus \$0 interim earnings).

(h) The total net backpay owed to McCall as a result of Respondent's conduct described above in paragraph 6(b) of the Consolidated Complaint is \$6,400 (\$3,200 first quarter of 2015, plus \$3,200 second quarter of 2015).

19.

(a) The gross backpay of Mudder is calculated as his hourly wage rate while employed by Respondent, \$30, times the total hours he would have worked for Respondent as a full-time employee working 40 hours per week, or 8 hours per weekday.

(b) The gross backpay of Mudder for the first quarter of 2015 is \$5,040 (\$30 times 8 hours per weekday times one day, plus \$30 times 40 hours per week times 4 weeks).

(c) Mudder had deductible interim earnings of \$2,823 from Sowles Co. during the first quarter of 2015.

(d) The net backpay of Mudder for the first quarter of 2015 is \$2,217 (\$5,040 gross backpay, minus \$2,823 interim earnings).

(e) The gross backpay of Mudder for the second quarter of 2015 is \$3,840 (\$30 times 8 hours per weekday times one day, plus \$30 times 40 hours per week times 3 weeks).

(f) Mudder had no deductible interim earnings during the second quarter of 2015.

(g) The net backpay of Mudder for the second quarter of 2015 is \$3,840 (\$3,840 gross backpay, minus \$0 interim earnings).

(h) The total net backpay owed to Mudder as a result of Respondent's conduct described above in paragraph 6(b) of the Consolidated Complaint is \$6,057 (\$2,217 first quarter of 2015, plus \$3,840 second quarter of 2015).

20.

(a) The gross backpay of Reinke is calculated as his hourly wage rate while employed by Respondent, \$27, times the total hours he would have worked for Respondent as a full-time employee working 40 hours per week, or 8 hours per weekday.

(b) The gross backpay of Reinke for the first quarter of 2015 is \$3,456 (\$27 times 8 hours per weekday times one day, plus \$27 times 40 hours per week times 3 weeks).

(c) Reinke had deductible interim earnings of \$3,942 from Carr Construction during the first quarter of 2015.

(d) The net backpay of Reinke for the first quarter of 2015 is \$0, because his interim earnings exceeded his gross backpay.

(e) The gross backpay of Reinke for the second quarter of 2015 is \$7,128 (\$27 times 8 hours per weekday times 3 days, plus \$27 times 40 hours per week times 6 weeks).

(f) Reinke no deductible interim earnings during the second quarter of 2015.

(g) The net backpay of Reinke for the second quarter of 2015 is \$7,128 (\$7,128 gross backpay, minus \$0 interim earnings).

(h) The total net backpay owed to Reinke as a result of Respondent's conduct described above in paragraph 6(b) of the Consolidated Complaint is \$7,128 (\$0 first quarter of 2015, plus \$7,128 second quarter of 2015).

21.

(a) The gross backpay of Russell is calculated as his hourly wage rate while employed by Respondent, \$18.50, times the total hours he would have worked for Respondent as a full-time employee working 40 hours per week, or 8 hours per weekday.

(b) The gross backpay of Russell for the first quarter of 2015 is \$3,108 (\$18.50 times 8 hours per weekday times one day, plus \$18.50 times 40 hours per week times 4 weeks).

(c) Russell had no deductible interim earnings during the first quarter of 2015.

(d) The net backpay of Russell for the first quarter of 2015 is \$3,108 (\$3,108 gross backpay, minus \$0 interim earnings).

(e) The gross backpay of Russell for the second quarter of 2015 is \$2,368 (\$18.50 times 8 hours per weekday times one day, plus \$18.50 times 40 hours per week times 3 weeks).

(f) Russell had no deductible interim earnings during the second quarter of 2015.

(g) The net backpay of Russell for the second quarter of 2015 is \$2,368 (\$2,368 gross backpay, minus \$0 interim earnings).

(h) The total net backpay owed to Russell as a result of Respondent's conduct described above in paragraph 6(b) of the Consolidated Complaint is \$5,476 (\$3,108 first quarter of 2015, plus \$2,368 second quarter of 2015).

22.

Summarizing the facts and calculations specified above, the obligation of Respondent under this Compliance Specification to make the employees whole for losses suffered as a result of Respondent's unlawful conduct will be discharged by payment to the employees of the amounts set forth below, with daily compounded interest accruing on the entire amount to the date of payment, minus tax withholdings required by federal and state law:

Name	Total Net Backpay
Brodehl	\$4,930
Goggin	\$2,688
McCall	\$6,400
Mudder	\$6,057
Reinke	\$7,128
Russell	\$5,476

ANSWER REQUIREMENT

Respondent is notified that, pursuant to §§ 102.20, 102.21, and 102.56 of the Board's Rules and Regulations, it must file an answer to the Consolidated Complaint and Compliance Specification. The answer must be **received by this office**

on or before November 18, 2015, or postmarked on or before November 17, 2015.

Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See § 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission.

As to all matters set forth in the compliance specification (paragraphs 10 to 22) that are within the knowledge of Respondent, including but not limited to the various factors entering into the computation of gross backpay, a general denial is not sufficient. See § 102.56(b) of the Board's Rules and Regulations, a copy of which is attached. Rather, the answer must state the basis for any disagreement with any allegations that are within the Respondent's knowledge, and set forth in detail Respondent's position as to the applicable premises and furnish the appropriate supporting figures.

If no answer is filed, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the Consolidated Complaint and Compliance Specification are true. If the answer fails to deny allegations of the Compliance Specification (paragraphs 10 to 22) in the manner required under § 102.56(b) of the Board's Rules and Regulations, and the failure to do so is not adequately explained, the Board may find those allegations in the Compliance Specification are true and preclude Respondent from introducing any evidence controverting those allegations.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on the 23rd day of February, 2016, at 9:00 a.m., at the **Green-Wyatt Federal Building, 1220 SW 3rd Avenue, Suite 605, Portland, Oregon**, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this Consolidated Complaint and Compliance Specification. The procedures to be followed at the hearing are

described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

DATED at Seattle, Washington this 28th day of October, 2015.



Ronald K. Hooks, Regional Director
National Labor Relations Board, Region 19
2948 Jackson Federal Building
915 2nd Avenue
Seattle, WA 98174-1006

Attachment

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case 19-CA-147671

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements *will not be granted* unless good and sufficient grounds are shown *and* the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in *detail*;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

CERTIFIED MAIL

Bruce Perkins , Owner
Instafab Company, Inc.
2424 E 2nd St
Vancouver, WA 98661-7705
7014 2120 0002 1823 0465

REGULAR MAIL

Michael T. Garone, Esq.
Schwabe, Williamson & Wyatt
1211 SW 5th Ave., Suite 1900
Portland, OR 97204-3719

Robert Camarillo, Vice President
and Business Agent
Ironworkers Local Union No. 29
11620 NE Ainsworth Cir., Suite 200
Portland, OR 97220-9016

William Russell
Instafab Workers Coalition of Justice
11848 SE Pardee St
Portland, OR 97266-3217

Danielle Franco-Malone, Esq.
Schwerin, Campbell, Barnard,
Iglitzin & Lavitt, LLP
18 W Mercer St., Suite 400
Seattle, WA 98119-3971

EXHIBIT C: INSTAFAB

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Inspection Detail

Case Status: VIOLATIONS UNDER CONTEST

Note: The following inspection has not been indicated as closed. Please be aware that the information shown may change, e.g. violations may be added or deleted. For open cases, in which a citation has been issued, the citation information may not be available for 5 days following receipt by the employer for Federal inspections or for 30 days following receipt by the employer for State inspections.

Inspection: 1108944.015 - Insta Fab Co Inc

Inspection Information - Office: Washington Region 4

Nr: 1108944.015 Report ID: 1055340 Open Date: 12/01/2015

Insta Fab Co Inc

18101 Se 6th Ave.

Vancouver, WA 98661

Union Status: NonUnion

SIC:

NAICS: 332311/Prefabricated Metal Building and Component Manufacturing

Mailing: 2424 E 2nd St, Vancouver, WA 98661

Inspection Type: Complaint

Scope: Complete

Advanced Notice: N

Ownership: Private

Safety/Health: Health

Close Conference: 02/23/2016

Emphasis: S:Constr

Close Case:

Related Activity: Type

Complaint

ID

1041782

Safety

Health

Yes

Case Status: VIOLATIONS UNDER CONTEST

Violation Summary

	Serious	Willful	Repeat	Other	Unclass	Total
Initial Violations	10			7		17
Current Violations	10			7		17
Initial Penalty	\$30,400					\$30,400
Current Penalty	\$30,400					\$30,400
FTA Amount						

Violation Items

#	ID	Type	Standard	Issuance	Abate	Curr\$	Init\$	Fta\$	Contest	LastEvent
1.	01001	Serious	296-901-14010(1)	03/18/2016	04/10/2016	\$4,800	\$4,800	\$0	04/19/2016	-
2.	01002	Serious	296-901-14016(1)	03/18/2016	04/10/2016	\$4,800	\$4,800	\$0	04/19/2016	-
3.	01003	Serious	296-24-37005(2)	03/18/2016	12/01/2015	\$2,400	\$2,400	\$0	04/19/2016	-

4.	01004	Serious	296-24-37013(3)	03/18/2016	12/03/2015	\$2,400	\$2,400	\$0	04/19/2016	-
5.	01005	Serious	296-24-37009(9)	03/18/2016	03/24/2016	\$2,400	\$2,400	\$0	04/19/2016	-
6.	01006	Serious	296-24-37005(5)	03/18/2016	04/10/2016	\$2,400	\$2,400	\$0	04/19/2016	-
7.	01007	Serious	296-24-37009(2)	03/18/2016	12/01/2015	\$2,400	\$2,400	\$0	04/19/2016	-
8.	01008	Serious	296-800-15030	03/18/2016	03/24/2016	\$2,400	\$2,400	\$0	04/19/2016	-
9.	01009	Serious	296-817-20005(1)	03/18/2016	12/14/2015	\$3,200	\$3,200	\$0	04/19/2016	-
10.	01010	Serious	296-817-20035(1)	03/18/2016	04/10/2016	\$3,200	\$3,200	\$0	04/19/2016	-
11.	02001	Other	296-901-14014(7)	03/18/2016	03/24/2016	\$0	\$0	\$0	04/19/2016	-
12.	02002	Other	296-842-15005(1)(A)	03/18/2016	12/03/2015	\$0	\$0	\$0	04/19/2016	-
13.	02003	Other	296-842-12005(1)	03/18/2016	03/24/2016	\$0	\$0	\$0	04/19/2016	-
14.	02004	Other	296-842-13005	03/18/2016	12/01/2015	\$0	\$0	\$0	04/19/2016	-
15.	02005	Other	296-842-14005	03/18/2016	12/01/2015	\$0	\$0	\$0	04/19/2016	-
16.	02006	Other	296-842-16005(1)(A)	03/18/2016	12/01/2015	\$0	\$0	\$0	04/19/2016	-
17.	02007	Other	296-842-17005(1)	03/18/2016	03/24/2016	\$0	\$0	\$0	04/19/2016	-

UNITED STATES
DEPARTMENT OF LABOR

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Occupational Safety & Health Administration
200 Constitution Ave., NW,
Washington, DC 20210
☎ 800-321-OSHA (6742)
TTY
www.OSHA.gov

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STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES
Division of Occupational Safety and Health
PO Box 44600 • Olympia, Washington 98504-4600

March 18, 2016

INSTA FAB CO INC
INSTA FAB COMPANY INC
2424 E 2nd St
Vancouver, WA 98661

OSHA #: 1108944
Inspection: 317938713
UBI: 601766692
Region: 4-Health
Inspector ID: F9196
Reference: 209476014

Dear Employer:

Enclosed are the results of the safety and health inspection of your workplace. This packet contains:

- **Citation Invoice** – The total assessed penalty is \$30,400.00
- **Citation and Notice of Assessment** – Washington Administrative Code (WAC) Violations.
- **Employer Certification of Abatement instruction and form** - Correct all violations and return written verification or additional penalties may result.
- **Employer Appeal Rights** – You have 15 working days to appeal this citation.

You must immediately post this Citation and Notice of Assessment at or near where the violation(s) occurred, where employees can easily find and read it, or where employees normally receive posted information. All postings must remain until you have corrected all violations, or for three working days, whichever is longer. "Working day" means a calendar day, except Saturdays, Sundays and all legal state holidays.

Because this inspection is public information, the result will be posted online 30 days after the above date by the Department of Labor & Industries. You may view it at <https://secure.lni.wa.gov/verify/>.

If you have questions, call the compliance supervisor, RYAN ALLEN, at (360) 902-5409.

Respectfully,

Anne F. Soiza

Anne F. Soiza
L&I Assistant Director
Division of Occupational Safety & Health

Enclosure(s)



Washington State Department of
Labor & Industries
 Division of Occupational Safety and Health

Invoice

Inspection: 317938713

UBI: 601766692
Legal Name: INSTA FAB CO INC
DBA Name: INSTA FAB COMPANY INC
Inspection 18101 SE 6th Ave.,
Site: Vancouver, WA, 98661

Issued: March 18, 2016
Opening Conference: December 1, 2015
Closing Conference: February 23, 2016
Inspector ID: F9196

Summary of Assessed Penalties Due

The Citation and Notice of Assessment includes a full description of each violation.

Violation Item	Violation Type	WAC	Correction Due Date	Penalty Amount
1-1	Serious	WAC 296-901-14010(1)	4/10/2016	\$4,800.00
1-2	Serious	WAC 296-901-14016(1)	4/10/2016	\$4,800.00
1-3	Serious	WAC 296-24-37005(2)	Corrected	\$2,400.00
1-4	Serious	WAC 296-24-37013(3)	Corrected	\$2,400.00
1-5	Serious	WAC 296-24-37009(9)	3/24/2016	\$2,400.00
1-6	Serious	WAC 296-24-37005(5)	4/10/2016	\$2,400.00
1-7	Serious	WAC 296-24-37009(2)	Corrected	\$2,400.00
1-8	Serious	WAC 296-800-15030	3/24/2016	\$2,400.00
1-9	Serious	WAC 296-817-20005(1)	Corrected	\$3,200.00
1-10	Serious	WAC 296-817-20035(1)	4/10/2016	\$3,200.00
2-1	General	WAC 296-901-14014(7)	3/24/2016	\$0.00
2-2	General	WAC 296-842-15005(1)(a)	Corrected	\$0.00
2-3	General	WAC 296-842-12005(1)	3/24/2016	\$0.00
2-4	General	WAC 296-842-13005	Corrected	\$0.00
2-5	General	WAC 296-842-14005	Corrected	\$0.00
2-6	General	WAC 296-842-16005(1)(a)	Corrected	\$0.00
2-7	General	WAC 296-842-17005(1)	3/24/2016	\$0.00
Total Penalty Due				\$30,400.00

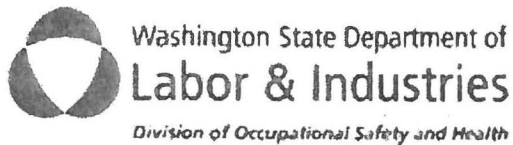
PAYABLE TO THE ORDER OF

Payment is due 15 working days from receipt of this citation.

Make check payable to the Department of Labor and Industries.

Write Inspection number 317938713 on the check and mail to:

**Attn: DOSH Cashier
Department of Labor and Industries
PO Box 44835
Olympia, WA 98504-4835
Or deliver to: Any L&I office**



Post This Document
Citation and Notice of Assessment
Inspection: 317938713

UBI: 601766692
Legal Name: INSTA FAB CO INC
DBA Name: INSTA FAB COMPANY INC
Inspection Site: 18101 SE 6th Ave. Vancouver, WA 98661

Issued: March 18, 2016
Opening Conference: December 1, 2015
Closing Conference: February 23, 2016
Inspector ID: F9196

Violation 1 Item 1

Violation Type: Serious

WAC 296-901-14010(1)

The employer did not develop, implement, and maintain a written hazard communication program.

The existing Insta Fab Hazard Communication program was deficient in the following areas.

- 1) A list of hazardous chemicals known to be present in your workplace, including galvanized steel and stainless steel.
- 2) Procedures for making sure all containers are properly labeled.
- 3) A description on how to obtain and maintain SDSs.
- 4) A description of how training and information will be given to employee(s).
- 5) A description of how to inform employee(s) about chemical hazards used during non-routine tasks (such as welding on stainless) and the hazards associated in their work areas.

Paint products containing flammable solvents and isocyanates are mixed and sprayed in the paint room. In addition, welders periodically weld on stainless and galvanized steel.

Exposure to these products can cause irritation and burns to the eyes, skin, and respiratory tract, and can also cause central nervous system depression. Isocyanate exposure may cause allergic respiratory and/or skin reaction in susceptible persons or sensitization.

Explosions from ignited flammable vapors can lead to severe injuries and death.

Exposure to metal fumes, such as hexavalent chrome, can lead to severe lung and skin sensitivity and impairment and cancer.

Exposure to the chemicals in the workplace can be controlled through a properly developed and implemented Hazard Communication Program.

Correct by: 4/10/2016
Assessed penalty: \$4,800.00



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Citation and Notice of Assessment
Inspection: 317938713

Violation 1 Item 2

Violation Type: Serious

WAC 296-901-14016(1)

The employer did not provide employees with effective information and training on hazardous chemicals in their work area.

At the time of the inspection, employees who weld and work with paints and flammable solvents had not received training on the hazards of the materials they work with. Paint products containing flammable solvents and isocyanates are mixed and sprayed in the paint room. In addition, welders periodically weld on stainless and galvanized steel.

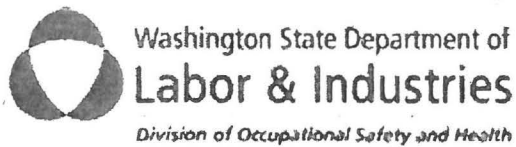
Exposure to these products can cause irritation and burns to the eyes, skin, and respiratory tract, and can also cause central nervous system depression. Isocyanate exposure may cause allergic respiratory and/or skin reaction in susceptible persons or sensitization.

Explosions from ignited flammable vapors can lead to severe injuries and death.

Exposure to metal fumes, such as hexavalent chrome, can lead to severe lung and skin sensitivity and impairment and cancer.

Exposure to the chemicals in the workplace can be controlled through a properly developed and implemented Hazard Communication Program.

Correct by: 4/10/2016
Assessed penalty: \$4,800.00



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Citation and Notice of Assessment
Inspection: 317938713

Violation 1 Item 3

Violation Type: Serious

WAC 296-24-37005(2)

The employer did not ensure that there were no open flames or spark producing equipment in the spray area nor within 20 feet, unless separated by a partition.

Flammable solvents and paints are sprayed and applied in the paint room. At the time of the inspection, electric fans that were not rated for hazardous locations were in use in the paint room. Additionally, they were plugged into a junction box that was not rated for hazardous locations.

Flammable vapors and combustible residues in the presence of ignition can lead to flash fire and explosion.

This violation was corrected during the inspection.

Assessed penalty: \$2,400.00

Violation 1 Item 4

Violation Type: Serious

WAC 296-24-37013(3)

The employer did not ensure that residue scrapings and debris contaminated with residue were immediately removed from the premises and properly disposed of:

- 1) Only approved waste cans shall be provided for solvent impregnated rags and waste.
- 2) The contents of waste cans shall be properly disposed of at least once daily or at the end of each shift.

Rags and debris saturated in paint and combustible over spray can provide a fuel source for fire that can cause permanent disability or death.

This violation was corrected during the inspection.

Assessed penalty: \$2,400.00



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Citation and Notice of Assessment
Inspection: 317938713

Violation 1 Item 5

Violation Type: Serious

WAC 296-24-37009(9)

The employer did not ensure that whenever flammable or combustible liquids are transferred from one container to another, both containers shall be effectively bonded and grounded to prevent discharge sparks of static electricity.

At the time of inspection, flammable paint products were poured and mixed without being bonded and grounded.

Flammable liquids and vapors can ignite when exposed to static electricity.

Correct by: 3/24/2016
Assessed penalty: \$2,400.00

Violation 1 Item 6

Violation Type: Serious

WAC 296-24-37005(5)

The employer did not ensure that electrical equipment and wiring in any spray area where deposits of combustible residues may readily accumulate were approved for hazardous locations.

Electrical equipment and wiring in the spray area and within 20 feet of the paint booth were not approved for hazardous locations.

Combustible residues and flammable vapors can ignite when exposed to electrical current.

Correct by: 4/10/2016
Assessed penalty: \$2,400.00



Violation 1 Item 7

Violation Type: Serious

WAC 296-24-37009(2)

The employer did not ensure that flammable and combustible liquids that were kept in the vicinity of the spraying operations be kept to the minimum required for one day of operation or one shift.

At the time of the inspection, paint storage was located in the mixing area of the spray room, near the exhaust filters. Some of the paint containers were not sealed, contributing to the flammable vapor load in the room.

Flammable liquids and vapors can ignite when exposed to static electricity and ignition sources. If a flash fire occurred during spray operations, these closed and open containers would add tremendous fuel to the fire.

This violation was corrected during the inspection.

Assessed penalty: \$2,400.00

Violation 1 Item 8

Violation Type: Serious

WAC 296-800-15030

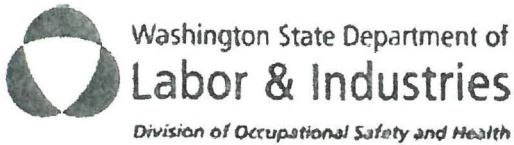
The employer did not ensure emergency eyewash facilities were accessible when there was potential for employees' eyes to be exposed to corrosives, strong irritants, or toxic materials.

At the time of the inspection, an emergency eyewash was not accessible to employees who work with paints and solvents.

Contact with these corrosive liquids can cause irritation, severe burns, and irreversible damage to the eye. Effective first-aid through the use of an emergency eyewash decreases the likelihood of a debilitating eye injury.

Correct by: 3/24/2016

Assessed penalty: \$2,400.00



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**Citation and Notice of Assessment
Inspection: 317938713**

Violation 1 Item 9

Violation Type: Serious

WAC 296-817-20005(1)

The employer did not conduct noise exposure monitoring to determine employees' actual exposure when reasonable information indicated that any employee's exposure may equal or exceed 85 decibels (dBA) time-weighted average (TWA) for eight hours:

Shop employees were sampled for noise exposure found to be exposed to noise levels over the WAC Permissible Exposure Limit of 85 dBA for a time-weighted average (TWA). Noise exposure levels were measured with personal dosimeters on three fabrication employees during the day shift.

The monitoring conducted by Labor and Industries during this inspection constitutes compliance with this code.

Exposure to loud noise causes permanent and irreversible hearing loss leading to complete deafness.

This violation was corrected during the inspection.

Assessed penalty: \$3,200.00

Violation 1 Item 10

Violation Type: Serious

WAC 296-817-20035(1)

The employer did not identify and correct deficiencies in the hearing loss program by providing annual audiograms.

At the time of the inspection, employees identified to be exposed to loud noise had not been provided annual audiograms as required by WAC 817: Hearing Loss Prevention.

Exposure to loud noise over a long period of time causes noise induced hearing loss (NIHL). This is a permanent disability. Audiometric testing monitors the sharpness and acuity of an employee's hearing over time, thus providing an opportunity for employee education regarding their hearing and the need to protect it, and providing information to the employer regarding deficiencies in their hearing loss prevention program.

Correct by: 4/10/2016

Assessed penalty: \$3,200.00



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Citation and Notice of Assessment
Inspection: 317938713

Violation 2 Item 1

Violation Type: General

WAC 296-901-14014(7)

The employer did not maintain copies of the required safety data sheets (SDS) for each hazardous chemical, and did not ensure that they were readily accessible to employees.

At the time of the inspection, SDSs were not available for paints, solvents, and coated steel.

SDSs contain important instructions regarding the safe use, and preventing and treating exposures to chemicals in the workplace.

Correct by: 3/24/2016
Assessed penalty: \$0.00

Violation 2 Item 2

Violation Type: General

WAC 296-842-15005(1)(a)

The employer did not provide fit tests for all tight fitting respirators before employees were assigned duties that would require the use of respirators.

At the time of the inspection, employees were required to wear respirators for protection from welding fumes and solvent and paint vapors. The employer had not conducted fit testing for five years.

Respirators that are fit tested to the employees' faces are most effective at filtering contaminants.

This violation was corrected during the inspection.
Assessed penalty: \$0.00

Violation 2 Item 3

Violation Type: General

WAC 296-842-12005(1)

The employer did not develop and maintain a written program to ensure that respirator use is safe.

At the time of the inspection, employees were wearing half-face tight fitting respirators for protection from paint and solvent vapors and for welding fumes.

An effective respiratory protection program helps to ensure that the proper selection, training, and use of respirators are being evaluated.

Correct by: 3/24/2016
Assessed penalty: \$0.00



Violation 2 Item 4

Violation Type: General

WAC 296-842-13005

The employer did not select and provide, appropriate respirators by completing the Respirator Selection Process listed in WAC 296-842-13005.

Employees working in the shop were assigned tight fitting face piece respirators for protection from solvent vapor and welding fumes. The correct cartridge was not always used.

Selecting the appropriate respirators and cartridges helps assure employees are protected from air contaminants.

This violation was corrected during the inspection.

Assessed penalty: \$0.00

Violation 2 Item 5

Violation Type: General

WAC 296-842-14005

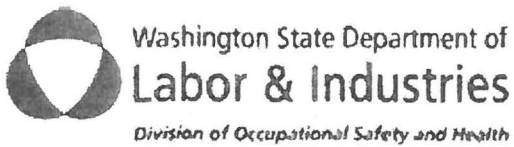
The employer did not provide medical evaluations for all of the employees who wear respirators.

At the time of the inspection, employees who wore tight fitting respirators had not been provided medical evaluations to declare them as fit for respirator use.

Using a respirator can create physical risks for an employee each time it is worn. Medical evaluations can determine if an employee is at risk for problems that wearing respirators can cause, such as claustrophobic tendencies or it can jeopardize an already compromised breathing condition.

This violation was corrected during the inspection.

Assessed penalty: \$0.00



Post This Document
Citation and Notice of Assessment
Inspection: 317938713

Violation 2 Item 6

Violation Type: General

WAC 296-842-16005(1)(a)

The employer did not provide employees who wear respirators with respiratory protection training.

At the time of the inspection, employees working in the shop were assigned tight fitting face piece respirators for protection from solvent vapor and welding fumes. Employees had not been provided respiratory protection training.

Respirators must be worn with the full knowledge of the maintenance of and limitations that their respiratory protection and cartridges are designed to protect against.

This violation was corrected during the inspection.

Assessed penalty: \$0.00

Violation 2 Item 7

Violation Type: General

WAC 296-842-17005(1)

The employer did not ensure that respirators were maintained in a clean and reliable condition. You must make sure that respirators are kept clean, sanitary, and in good working order.

At the time of the inspection, two respirators that were being worn by employees were observed to be dirty and in disrepair. Employees wear respirators for protection from welding fumes and organic vapors.

Respirators that aren't maintained properly may not effectively protect the wearer from inhaling these contaminants.

Correct by: 3/24/2016
Assessed penalty: \$0.00

What you must do now:

- Check the correction due date(s) shown on the enclosed Employer Certification of Abatement Form. You must fully correct the hazards by these dates.
 - Describe on the form how you corrected each hazard, rather than what you *intend to do* in the future. Examples:
 - Right:** *All staff have received the required training.*
 - Wrong:** *All staff will receive the required training next week.*
- Use attachments if you need more space. Submit additional documentation of hazard correction if requested in the citation packet.
- Fill in the date you corrected the hazard and sign.
 - Post a copy of the completed form for at least three working days, or until you have corrected all violations, whichever is longer. It must be posted near the hazard location or in a place that is readily accessible by affected employees and their representatives.
 - Send your completed form to the address provided.

Note: If we do not receive written confirmation you have corrected the hazards, we will take follow-up action, which may include additional penalties. If you provide us with false information, you may face criminal penalties.

If you are unable to fix the hazard(s) by the correction due date(s):

We must receive your written request for an extension **before** the correction due date(s) listed for the hazard(s). Correction due dates are shown on the enclosed Citation and Notice of Assessment and on your Employer Certification of Abatement Form(s).

Extensions are not automatically granted. To be considered for an extension, you must provide the following:

- Inspection number, employer name, telephone number, and site address.
- Violation and Item number for each requested extension.
- Correction due date on the citation and additional time needed.
- Steps taken to fix the hazard by the correction due date.
- Why you cannot correct the hazard by the correction due date.
- How you will protect your employees until you fix the hazard.

For more information, contact:
Or call: (360) 902-5409

RYAN ALLEN, Compliance Supervisor
Department of Labor and Industries
7273 Linderson Way SW
Tumwater, WA 98501

You must post all documentation associated with your request for extension with your citation packet. All postings must remain until you have corrected all violations, or unless you have appealed and received and posted your hearing notice.



Washington State Department of
Labor & Industries
Division of Occupational Safety and Health

**Employer Certification of
Abatement Form**
Inspection: 317938713

UBI: 601766692

Legal Name: INSTA FAB CO INC

Site Address: 18101 SE 6th Ave., Vancouver, WA, 98661

Issued: March 18, 2016

DBA Name: INSTA FAB COMPANY INC

**You must complete this form and return it to: LYNDA WINTER, Department of Labor & Industries
312 SE Stonemill Dr. Suite 120, Vancouver, WA 98684
Or Fax to: (360) 896-2366**

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-1	Serious	WAC 296-901-14010(1)	4/10/2016
How you corrected the hazard →			
Date you corrected the hazard →			
1-2	Serious	WAC 296-901-14016(1)	4/10/2016
How you corrected the hazard →			
Date you corrected the hazard →			

I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

Signature Name

Title Date Phone No.

DOSH Reviewer's Signature Date



Washington State Department of
Labor & Industries
 Division of Occupational Safety and Health

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 Abatement Form**
Inspection: 317938713

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 312 SE Stonemill Dr. Suite 120, Vancouver, WA 98684
 Or Fax to: (360) 896-2366**

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-5	Serious	WAC 296-24-37009(9)	3/24/2016
How you corrected the hazard →			
Date you corrected the hazard →			

I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

 Signature Name

 Title Date Phone No.

 DOSH Reviewer's Signature Date



Washington State Department of
Labor & Industries
 Division of Occupational Safety and Health

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 312 SE Stonemill Dr. Suite 120, Vancouver, WA 98684
 Or Fax to: (360) 896-2366

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-6	Serious	WAC 296-24-37005(5)	4/10/2016
How you corrected the hazard →			
Date you corrected the hazard →			

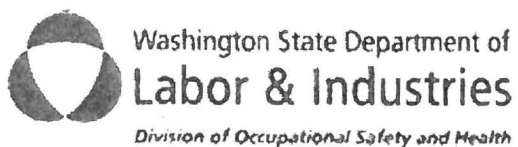
I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

 Signature Name

 Title Date Phone No.

DOSH USE ONLY

 DOSH Reviewer's Signature Date



Employer Certification of Abatement Form

Inspection: 317938713

UBI: 601766692

Legal Name: INSTA FAB CO INC

Site Address: 18101 SE 6th Ave., Vancouver, WA, 98661

Issued: March 18, 2016

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You must complete this form and return it to: **LYNDA WINTER, Department of Labor & Industries**
312 SE Stonemill Dr. Suite 120, Vancouver, WA 98684
 Or Fax to: **(360) 896-2366**

Violation(s) are fully described in the Citation and Notice of Assessment section.

Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-8	Serious	WAC 296-800-15030	3/24/2016
How you corrected the hazard →			
Date you corrected the hazard →			

I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

Signature Name

Title Date Phone No.

DOSH Reviewer's Signature Date



Washington State Department of
Labor & Industries
Division of Occupational Safety and Health

**Employer Certification of
Abatement Form**
Inspection: 317938713

UBI: 601766692

Issued: March 18, 2016

Legal Name: INSTA FAB CO INC

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Site Address: 18101 SE 6th Ave., Vancouver, WA, 98661

**You must complete this form and return it to: LYNDA WINTER, Department of Labor & Industries
312 SE Stonemill Dr. Suite 120, Vancouver, WA 98684
Or Fax to: (360) 896-2366**

Violation(s) are fully described in the Citation and Notice of Assessment section.

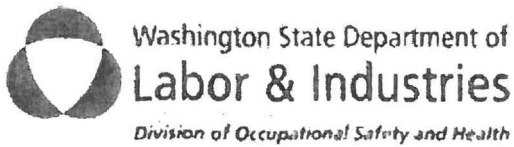
Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
1-10	Serious	WAC 296-817-20035(1)	4/10/2016
How you corrected the hazard →			
Date you corrected the hazard →			

I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

Signature Name

Title Date Phone No.

DOSH Reviewer's Signature Date



Employer Certification of Abatement Form

Inspection: 317938713

UBI: 601766692

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Issued: March 18, 2016

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You must complete this form and return it to: **LYNDA WINTER, Department of Labor & Industries**
312 SE Stonemill Dr. Suite 120, Vancouver, WA 98684
 Or Fax to: **(360) 896-2366**

Violation(s) are fully described in the Citation and Notice of Assessment section.

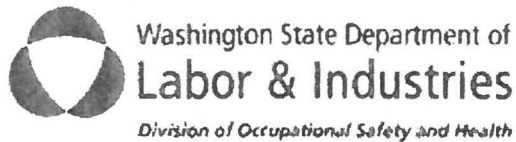
Violation, Item & Group#	Type of Violation	WAC# Violated	Correction Due Date
2-1	General	WAC 296-901-14014(7)	3/24/2016
How you corrected the hazard →			
Date you corrected the hazard →			
2-3	General	WAC 296-842-12005(1)	3/24/2016
How you corrected the hazard →			
Date you corrected the hazard →			
2-7	General	WAC 296-842-17005(1)	3/24/2016
How you corrected the hazard →			
Date you corrected the hazard →			

I certify that the hazards described in this Employer Certification of Abatement Form have been corrected as described above. Affected employees and their representatives have been informed of the correction activities. I am aware that knowingly providing false information may result in criminal penalties (RCW 49.17.190(2)).

Signature Name

Title Date Phone No.

DOSH Reviewer's Signature Date



Post This Document

Appeal Rights

Inspection: 317938713

For Employers

If you are cited for a violation of Occupational Safety and/or Health rules, you have the right to appeal the citation. **You have 15 working days from the date you receive this citation to appeal.** (RCW 49.17.140(1)) "Working day" means a calendar day, except Saturdays, Sundays and all legal state holidays. Your appeal must be in writing. It may be mailed, faxed, or personally delivered.

For violations classified as serious, willful, repeat serious, or failure to abate serious, an employer must correct the violations by the date listed on the Citation and Notice / Employer's Certification of Abatement form unless a stay of abatement date is requested in the appeal as described on this page. A stay of abatement date means the employer's requirement to abate or correct the hazard is put on hold until the appeal is resolved. All general and repeat general violations under appeal automatically have stay of abatement dates until a final order on those violations has been issued. If you only need an extension of an abatement date, please see the above section entitled, "If you are unable to fix the hazard(s) by the correction due date(s)".

Your appeal must include:

- Name, address, telephone number, and fax number if available of the employer who is appealing, and for the employer's representative, if any, such as an attorney or interpreter.
- Inspection Number (You will find this nine-digit number in the top right corner of this page.)
- Statement explaining:
 1. What you think is wrong with the citation and any related facts.
 2. How you think the citation should be changed.
 3. What relief you are seeking and why.

If you are requesting a stay of abatement date for serious, willful, repeat serious or failure to abate serious, you must also include:

- Each violation and item number for which a stay of abatement date is requested; and
- The reason for the stay of abatement date request.

Note: Employees and/or employee representatives may elect to participate in appeal hearings.

Posting requirement:

You must post your appeal documents (along with this citation packet) until the appeal is resolved. You must also post all other documents related to this appeal.

For Employees or Their Representatives

If your employer is cited, you may only appeal the correction due date(s).

Your appeal must include:

- Your name, address, telephone number, and fax number if available and the same information for anyone who is representing you, if any.
- Inspection number.
- Statement explaining why the correction due date should be changed.

Send all appeals to:

Assistant Director for DOSH
Attn: Appeals Program
PO Box 44604
Olympia, WA 98504-4604
Fax to: (360) 902-5581 or deliver to: Any L&I office

For more information call the Appeals Program: **(360) 902-5486.**

503-226-1311
www.djcOregon.com

Two Dollars
Vol. 252, No. 30

DJJC

Helping hands
Architects are needed to help with this year's Architects in Schools program.
Page 2

Moneymaker
Gerding Edlen nets sweet profit on \$124.4M sale of Seattle building.
Page 3

51 new construction bidding opportunities listed today **PAGE 6**

WWW.DJCOREGON.COM

43 new public notices and calls for bids published today **PAGE 10**

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IRONWORKERS LOCAL 29
11620 NE AINSWORTH CIR # 200
PORTLAND OR 97220-9016

New facility coming to help at-risk kids succeed

Open School East will share facilities with Boys & Girls Clubs in Rockwood

BY BEVERLY CORBELL
beverly.corbell@djcOregon.com

Kids throughout the Portland area who are at high risk of dropping out of school will get some strategic help when Open School East arrives in 2019. And those kids will have even more resources when Boys & Girls Clubs of Portland Metropolitan Area redevelops an adjoining facility.

Gov. Kate Brown and Gresham Mayor Shane Bemis were among the dignitaries on hand last week at a ground-breaking event for the school facility. Operations started last year with about 60 students attending classes at Oliver Elementary on Southeast Taylor Street. When Open School East opens, it will serve 270 students from six school districts throughout the Portland-metro area. All of the students are in danger of becoming dropouts.

The school's philosophy is rooted in the belief that every child can graduate if given the means, so wrap-around pro-



Open School East, a new facility planned in Gresham's Rockwood neighborhood, will share a gym and a large commercial kitchen with one next door used by Boys & Girls Clubs.

grams are provided to give high-risk students support in intensive remedial education and social services.

The new Open School East will get a neighbor when Boys and Girls Clubs of Portland Metro-

politan Area starts work on its facility next spring. Holst Architecture is designing both projects, and P&C Construction will serve as the project manager for both. They're being built on four acres at the corner of Southeast 165th

Avenue and Stark Street.

Andrew Mason, executive director of Open School East, said joining forces with Boys & Girls Clubs by sharing a gym and kitchen saved a substantial amount of money.

"In terms of capital, not only will we build a single gym and a single kitchen and share some classrooms, but it also makes us eligible for New Market Tax Credits," he said.

The partnership also benefits from Boys & Girls Clubs operating its programs after school is out for the day, he said.

"It's really smart in terms of capital and operating," he said. "We're getting together in an intelligent way and using taxpayer money in a smart manner."

Mason said the school didn't have all the dollars it needed to build what it wanted, but when he discovered that Boys and Girls Clubs had the same architect, combining forces made even more sense.

Josh Fuhrer, who left Gresham City Council two years ago to head the city's redevelopment commission focusing on Rockwood, said seeing the development move forward is a dream come true.

"Those two organizations have such an impact on the community they serve, and all of our East (Multnomah) County youth will benefit from having them here," he said. "These are organizations

See FACILITY, Page 4

Vancouver fabrication business receives NLRB complaints

Hearing scheduled to take place in Portland next February

BY GARRETT ANDREWS
garrett.andrews@djcOregon.com

A nonunion fabrication shop in Vancouver, Wash., has drawn complaints from the National Labor Relations Board.

Instafab Co. has until Nov. 18 to answer allegations that it discouraged workers from unionizing and charged some for safety equipment and certification.

About a dozen striking employees along with the local ironworkers union have agitated against the company since February, when employees walked out after demanding workplace reforms. A hearing is now set for February 2016 at the Green-Wyatt Federal Building in Portland. Instafab could be ordered to pay limited back wages to six of the striking workers, and post notices advising employees it won't commit further labor violations.

Bruce Perkins founded Instafab in Portland in 1987, and then moved it to Vancouver in 2000. Today it keeps between 30 and 60 people employed at its fabrication shop

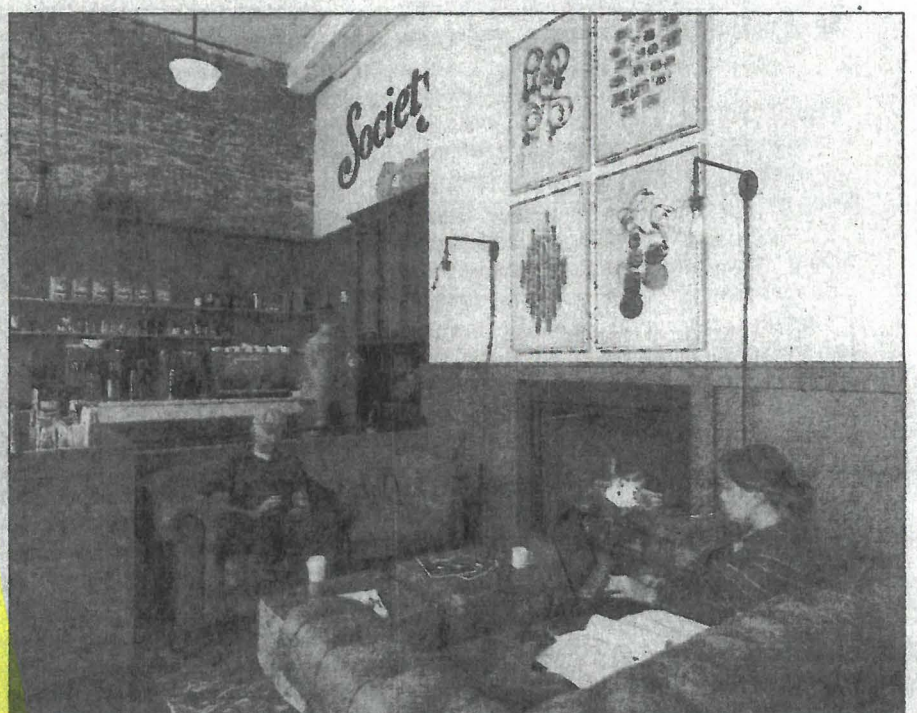
in south Vancouver and on crews installing its metal products at commercial and residential construction sites around the Portland area. The firm is regularly retained by large general contractors, including Andersen Construction and Skanska.

Complaints in this case were filed in NLRB's Region 19 by two groups - Instafab Workers Coalition of Justice and Ironworkers Local 29. The NLRB's internal investigation found merit in some of the charges, and gave Instafab time to specifically answer them.

According to the consolidated complaint, workers presented Perkins with a petition threatening a strike if demands - including union representation - weren't met. They further accused the company of not providing water at all job sites, and requiring workers to pay for necessary safety gear like harnesses. One major issue to resolve in the case is if - and when - Perkins terminated the workers in response to these demands.

See COMPLAINTS, Page 5

LOUNGING AROUND



Patrons sit in the lounge of the Society Hotel, a hotel/hostel hybrid that opened last week in Old Town Chinatown after extensive renovations and seismic upgrades to the 135-year-old building. More photos, page 4. - Sam Tenney

China may not be the best place to seek profits

Investing in Chinese closed-end funds following massive market collapse would be a gutsy move

Dear Mr. Berko: The Chinese market has collapsed. And, as you have commented, the best time to buy stocks is when there's blood on the streets. I don't want to buy individual Chinese stocks and would appreciate your recommendation of several Chinese closed-end funds. I have \$17,000 to invest in Chinese stocks.

H.D.

Ann Arbor, Mich.

Dear H.D.: I wouldn't. That's like sky-diving without a parachute.

I'm uncomfortable with the Chinese psyche that has morphed into a delicate and changing balance of communism, socialism, totalitarianism, capitalism and democracy. Therefore, with the exception of its food - especially hot and sour soup - there's not much about China that I'd recommend investing in. Though I've commented on Chinese stocks at readers' requests, I've never felt comfortable owning them. I don't understand or trust their accounting systems, their banking systems and their value systems. Therefore, I've never been comfortable relying on the government's publication of changes in



TAKING STOCK

Malcolm Berko

its economic indicators. Berko's Rule No. 1099 is: "Never purchase shares of any corporation that generates most of its business in a country where you don't speak the language." Be mindful of the many far better equities that are Made In America.

By the end of July, the Shanghai market had lost 30 percent of its value, and no one panicked, and the market continued to fall. Then, on Aug. 24, Black Monday, the index crashed a bone-jarring 8.5 percent, cumulatively wiping out over 2 trillion dollars of market capitalization. Some 1,473 companies filed for a trading halt to prevent further disaster. Unfortunately, for several years Chinese banks willingly encouraged investors to borrow trillions of yuan to buy those shares before they tanked. Now those sucker banks are nervously holding securities worth trillions of yuan less than their purchase price. And during this

process the Chinese government was also spending trillions of yuan buying back stock to support the market as it crashed. Unlike the U.S. government bailouts of 2008 and 2009 at the bottom of the market, China's trillions of yuan purchased shares at the top of the market. Now, after this epic crash, the \$64,000 question is: "What will the government do with, and how will it pay for, all the stock it has purchased?" And the next \$64,000 question is: "How will the Chinese banks that lent trillions of yuan to individual investors be made whole again?" Even Janet Yellen lacks an answer, but the Chinese government better find a way to deal with this problem lest it weigh heavier on an economy that's been slowing for over a year.

There are more Chinese closed-end funds than you can wave a flag at, but if your guts are on the same page as your logic then the following five CEFs are excellent rank speculations. 1, China Fund (CHN-\$17.09), with \$330 million in assets, has leverage of 10 percent, trades at a 16.1 percent discount to its net asset value (NAV) and is off almost 35 percent for the year. The annual cost to manage CHN is 1.30 percent of assets. 2, Aberdeen Greater China Fund (GCH-

\$9.06) has \$101 million in assets and is not leveraged. GCH trades at a 17.10 percent discount to its NAV, and the shares are down 29 percent from a 12-month high with an annual management fee of 1.98 percent. That's a lotta yuan! 3, JP Morgan China Regional Fund (JFC-\$15.76), with 12 percent leverage, manages \$129 million in assets, trades at a 16.4 percent discount to NAV and is off nearly 35 percent in the trailing 12 months. 4, Morgan Stanley China A Share Fund (CAF-\$24.97) manages \$754 million in assets and is not leveraged, though it trades at a huge 27.2 percent discount to NAV. CAF is down 36 percent for the last 12 months, and its annual costs are 1.81 percent. And that's a lot of chop suey, too! Finally, there's 5, Templeton Dragon Fund (TDF-\$19.72), which is off 33 percent during the last dozen months. Templeton Dragon manages \$847 million, trades at a 12 percent discount to NAV and has no leverage. The annual management fee is 1.32 percent.

Address your financial questions to Malcolm Berko, c/o The Daily Journal of Commerce, P.O. Box 8303, Largo, FL 33775, or email him at mjberko@yahoo.com. © 2015 Creators.com

Complaints: Company's founder denies any wrongdoing

Continued from Page 1

In a statement to the Daily Journal of Commerce, Perkins called the campaign against his business part of a larger, union-backed effort to eliminate nonunion competition. He said he is confident that he will be vindicated when all evidence is gathered.

"Instafab denies that it violated the National Labor Relations Act in any way," Perkins wrote. "The truth is that Instafab never fired the strikers and when it (was)

discovered that they were claiming they were fired, Instafab promptly sent them correspondence indicating that they were not fired and that they were free to return to work. Some have done so."

He continued, "Instafab is a good place to work with good people. The union's claims of worker abuse and retaliation are simply untrue, and were meant to cause harm and weaken the company and its relationships with its workers, customers and suppliers."

Striking worker Laramie Lexow called the NLRB's complaint a big win for the striking workers, many whom have been away from work for nine months.

"We can now show people, 'See? We weren't messing around,'" he said. "You're going to start seeing more and more of us. We want resolution."


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SUB-BIDS REQUESTED

Cornelius/Woodlark Hotel
525 SW Park & 813 SW Alder Street,
Portland, OR


Bids Due: 11/24/15 at 2 PM
Pre-bid site walk-thru: 11/16/15 at 9 AM

Work Summary: Renovation of two vintage downtown Portland buildings. The two buildings will receive seismic upgrading, full restoration of the exteriors, and full renovation of all interior floors. The buildings will be adjoined to create a 150 key boutique hotel, with amenity areas including: lobby/lounge area, full service restaurant, associated kitchen, bar, meeting/event space, and service/support areas.

Scope Bidding Includes All Trades

Construction is scheduled to begin February 2016

Bidders are solely responsible for reviewing all contract documents including plans, specifications, addendums, clarifications, and any other published documents associated with this project to prepare their proposal. Bid documents are located at logpence.com, LCG Pence's office, and plan rooms.



2720 SW Corbett Ave.
Portland, OR 97201
P: 503-252-3802 | F: 503-256-3684

We are an equal opportunity employer and request sub bids from all interested firms including minority, women, disadvantaged and emerging small business enterprises.

10914160 CCB# 153167

SUB-BIDS REQUESTED


SW 124TH Avenue Extension & Water Transmission Line
Washington County

Bid Number: 2015.077B
Project: 100158

Bids Due: 11/17/15 at 2PM

Submit Bids to: bids@themeigroup.com
or fax to (503) 674-0909

Requesting Subcontractor Bid Proposals for the following scopes of work: Asphalt Paving, Boring, Bridge, Cathodic Protection, CCTV Camera System, Cement Treatment, Cold Planing AC, Concrete Barrier, Concrete Cutting, Concrete (Flatwork/Curbs/Inlets), Electrical, Erosion Control, Fencing, Fiber Optic Communication System, Flagging, Guardrail, Landscaping, Permanent Signs, Retaining Walls (MSE), Rock Drilling & Blasting, Shotcrete, Soil Nails, Striping, Survey, Traffic Control Devices, Traffic Signals, Trucking, Well Abandonment



Moore Excavation Inc.
PO BOX 789, Fairview, OR 97024
P/ (503) 674-0900 | F/ (503) 674-0909

We are an equal opportunity employer and request sub-bids from all interested firms including disadvantaged, minority, women, disabled veterans and emerging small business enterprises.

10894022 CCB # 28397

4

Moore-Love, Karla

From: D P Wu <d@jwjpdx.org>
Sent: Friday, April 22, 2016 12:33 PM
To: Moore-Love, Karla
Subject: Re: PLS RESPOND: Requesting a Communications slot on May 4, 2016; save the date for Workers Rights Board

Hi, Karla!

Thank you so much - will do -

Warmly,
D

On Fri, Apr 22, 2016 at 12:22 PM, Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov> wrote:

Hello D,

On April 4th someone from your office was in touch with Sue Parsons the Assistant Council Clerk in my office and we have been holding two spots for you and Laramie.

This email will confirm your spot but Laramie will have to send in her own request as we do not allow others to sign up someone else. Laramie will have to send her name, address, phone number, date she wishes to speak (May 4th), and topic back to me by 5:00 p.m., Monday, April 25, 2016. Send to: Karla.moore-love@portlandoregon.gov

Regards,

Karla



Karla Moore-Love | Council Clerk

City of Portland | Office of the City Auditor
1221 SW 4th Ave Rm 130

Portland OR 97204-1900

email: Karla.Moore-Love@portlandoregon.gov

Testimony Email: cctestimony@portlandoregon.gov

phone: [503.823.4086](tel:503.823.4086)

Clerk's Webpage: www.portlandoregon.gov/auditor/councilclerk

From: D P Wu [<mailto:d@jwjpdx.org>]

Sent: Friday, April 22, 2016 11:07 AM

To: Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov>

Subject: Fwd: PLS RESPOND: Requesting a Communications slot on May 4, 2016; save the date for Workers Rights Board

Hi, Karla,

Hope this finds you well! I had been in conversation with Cristina and Goldann in Commissioner Fritz's office about this, but then I realize I should also reach out to you directly.

I just called and left a voice message, but I was reaching out to see if there are two communications slots able to be reserved for a report from Portland Jobs with Justice's Workers Rights Board on May 4, 2016?

Thank you in advance -

Warmly,

D

On Mon, Apr 4, 2016 at 9:55 AM, Nieves, Cristina <Cristina.Nieves@portlandoregon.gov> wrote:

Good morning D—

Thank you giving our office these updates. I'm CC'ing the Commissioner's new Executive Assistant, Goldann Salazar, so she will review your request with the Commissioner and have a response for you ASAP.

I feel so fortunate to have been given the opportunity to hear your perspective at the community gathering! Thank you for the invaluable work you continue to do for our community members.

Cristina Nieves

Office of Commissioner Fritz

503 - 823 - 3990

From: D P Wu [mailto:d@jwipdx.org]

Sent: Monday, April 04, 2016 6:30 AM

To: Nieves, Cristina <Cristina.Nieves@portlandoregon.gov>

Subject: Requesting a Communications slot on May 4, 2016; save the date for Workers Rights Board

Hi, Cristina!

Hope this finds you well!

Thank you again for all your support of workers rights and immigrants' rights. It's thrilling to be able to work with you.

I'm emailing to let you know to save the date for a **Workers Rights Board hearing on Instafab Workers for April 28, 2016, 6-8 pm. Location TBD**. I'll send a formal invitation once the location is set and speakers are confirmed, hopefully by the end of this week. We would love to have Commissioner Fritz present if possible! Thank you.

I would also like to ask for 2 communication spots on May 4, 2016 if possible. Most likely, I and Laramie Lexow would be giving an update on the Workers Rights Board hearing from the week before and presenting the WRB report to the City Council and Mayor.

Thank you!

Warmly,

D

--

D Pei Wu

Executive Director

Portland Jobs with Justice
1500 NE Irving St, Suite 585
Portland, OR 97232

E: d@jwjpgdx.org

O: [971-242-8705](tel:971-242-8705)

C: [971-221-5464](tel:971-221-5464)

Support workers rights and racial justice! Donate [here!](#)

Come celebrate 25 years of labor, student, faith, and community alliance! [RSVP now](#) to the Justice Jubilee on June 3, 2016!

[Request support from JwJ!](#)

--

D Pei Wu

Executive Director | Portland Jobs with Justice

1500 NE Irving St, Suite 585

Portland, OR 97232

E: d@jwjpgdx.org

O: [971-242-8705](tel:971-242-8705)

C: [971-221-5464](tel:971-221-5464)

Pronouns: D; they / them / theirs

Support workers rights and racial justice! Donate [here!](#)

Come celebrate 25 years of labor, student, faith, and community alliance! [RSVP now](#) to the Justice Jubilee on June 3, 2016!

[Request support from JwJ!](#)

--

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E: d@jwpx.org

O: [971-242-8705](tel:971-242-8705)

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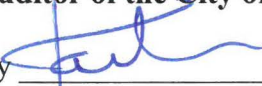
Request of D Pei Wu to address Council regarding report from Portland Jobs with
Justice Workers Rights Board (Communication)

MAY 04 2016

PLACED ON FILE

Filed APR 26 2016

MARY HULL CABALLERO
Auditor of the City of Portland

By 
Deputy

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
1. Fritz		
2. Fish		
3. Saltzman		
4. Novick		
Hales		