



## PERMANENT ADMINISTRATIVE ORDER

**BLI 6-2025**  
CHAPTER 839  
BUREAU OF LABOR AND INDUSTRIES

**FILED**

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FILING CAPTION: Amends rule to eliminate process related to reconsideration of prevailing wage determination.

EFFECTIVE DATE: 03/10/2025

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AMEND: 839-025-0005

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RULE SUMMARY: Amends rule to eliminate process related to reconsideration of prevailing wage determination.

CHANGES TO RULE:

839-025-0005

Purpose and Procedure for Determination Requests ¶

(1) A request for a determination as to whether a project or proposed project is a public works under ORS 279C.817, must meet the following requirements before it will be considered by the Bureau:¶

(a) The request must be in writing and describe all relevant details of the project or proposed project.¶

(b) A copy of the request must be sent to any public agency known to be associated with the project at the time it is submitted to the Bureau. The request must identify the public agencies receiving a copy of the request.¶

(c) In addition to the written request, the requester must provide all documents, records, and other information necessary to enable the Bureau to make the determination. This information includes, but is not limited to, copies of advertisements, project plans and specifications, development and disposition agreements, contracts, project financing information, loan agreements, and any other relevant information related to the project or proposed project. When the requester is not a public agency and information necessary for a determination is in the custody or control of a public agency, it is the requester's responsibility to obtain the information from the public agency and provide it with the request.¶

(2) The requester has a continuing duty to provide the Bureau with all relevant documents, records and other information until a determination is made. If any information submitted in connection with a request is modified or superseded in any material respect after the request is made, the requester must promptly submit the updated information to the Bureau.¶

(3) The Bureau will inform the requester if additional documents, records, or other information is necessary to enable the Bureau to make the determination.¶

(4) If the Bureau informs a requester that the Bureau has not received all the documents, records, or other information necessary to make a determination, the request will remain pending for 90 calendar days. If the Bureau does not receive the information the Bureau deems necessary to make a determination while the request is pending, the requester may be required to submit a new request in order to obtain a determination.¶

(5) If a requester fails or refuses to provide documents, records, or other information necessary to enable the Bureau to make the determination and the Bureau has reasonable grounds to believe such documents, records, or other information exist, the Bureau may inform the requester that the Bureau is unable to issue a determination.¶

(6) The Bureau's determination will be issued to the requester, with copies mailed to any public agencies identified on the request.¶

(7) The determination will include notice of the right of the requester, and of any person adversely affected or aggrieved by the determination, to a hearing in accordance with ORS 183.413 to 183.470 and OAR Ch. 839, div. 50.¶

~~(8)(a) After the Bureau issues a determination, the requester or any public agency served with a copy of the determination may request that the Bureau reconsider the determination.¶~~

~~(b) A request for reconsideration must be received within 15 calendar days of the date the determination was mailed. Requests must be submitted to the Bureau. A request for reconsideration does not toll the time period for requesting a contested case hearing on the determination.¶~~

~~(c) The reconsideration request must be in writing and include the reason or reasons for the request and any documents in support of the request.¶~~

~~(d) The Bureau will accept or reject the request within 15 business days of receipt of the request by the Bureau. If the Bureau does not accept the request within 15 business days, it is deemed denied.~~

Statutory/Other Authority: ORS 279C.808, ORS 279C.817, ORS 651.060

Statutes/Other Implemented: ORS 279C.817