

...What's Portland Public Schools hiding?

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were obeying the law.

He had grounds for suspicion. In April 2019, after a similar investigation, Todd Construction paid \$60,355 to 38 workers it had underpaid at Meadow Ridge Elementary School in Albany. The company blamed an error in its payroll system, and signed a compliance agreement with Oregon's Bureau of Labor and Industries (BOLI). Now Todd had outbid several more experienced union contractors to win a \$44 million contract to build a new school at Southeast 69th & Powell.

Albany School District had sent Strickland unredacted certified payroll records for Todd Construction within three weeks of his request. But PPS took its time on the public records request. After six days, an email acknowledged the request had been received. At 30 days, another email said they were actively working on collecting the records. At 53 days, the records came—but only for Todd Construction, and they were so heavily redacted there'd be no way to contact workers to confirm they were paid what Todd said they were.

What about his request for Moore Excavation, Strickland asked?

"Whoops! I think we missed

that," wrote PPS Public Records Officer Ryan Vandehey.

Even heavily redacted, Strickland said, the Todd Construction records revealed many irregularities. And they showed that hourly wages and benefits were \$6 to \$12.55 below the mandated prevailing wage. Strickland filed a complaint against Todd March 5 with BOLI, the state agency responsible for investigating violations of the prevailing wage law. An investigation is under way.

When the records for Moore Excavation came, Strickland uncovered more problems: Moore was paying the prevailing wage—at 2017 rates.

There's a term for paying workers less than the law requires: Wage theft. When they're caught, every wage thief has stories about software glitches or the law's terrible complexity. Union reps have heard all the excuses, and they don't buy them. The errors only ever go in one direction: subtraction from workers' paychecks.

"You're telling me the same contractor that understands building codes, ADA requirements, thousands of pages of architectural specifics ... is befuddled by a single form? The same contractor that can build a \$100 million project to spec is not

able to use Quickbooks?" Strickland says.

At a roundtable meeting of local building trades union organizers, Local 701's frustrations tumbled out, and it turned out other unions had problems getting information from PPS: Laborers, Sheet Metal, Roofers, Cement Masons, Bricklayers.

On March 19, Ryan Nielsen, a strategic researcher for the Laborers district Council, had requested a list of subcontractors that worked on recent PPS projects. Knowing that the third in a series of school construction bonds would be on the November ballot, Nielsen wanted to find out if past school construction projects had employed Laborers union members or not. Forty-two days and several reminder emails later, he got a response: It would take PPS staff 80 hours to find that information, for which the Laborers would have to pay \$2,800.

"It's hard to see a price tag like that and not think this is intentional obstruction," Nielsen told the *Labor Press*. "What they're basically saying is we don't have the names of the contractors that performed the work for us on a public bond. It really makes you wonder if at a basic level they don't have that info accessible, what else don't they



Lincoln High School, left, is the latest Portland high school to get a complete modernization. Building trades union reps say union firms have been getting very little of the work, even though all bidders must pay the same prevailing wage. But Portland Public Schools has frustrated their efforts to investigate if nonunion firms are cheating on wages.

have in terms of oversight?"

In July, Bricklayers Local 1 field rep Matteo Russo requested certified payroll records for nonunion Prestige Tile for its work on Grant High School. Thirty days later, PPS said it would take 10 hours of work to identify, compile, and review (redact) the records (for a single contractor on a single project), for which the district would charge \$370. Russo said Multnomah County provides the same kind of information for \$35, or even free. "PPS is the worst I've had to deal with as far as obtaining information," Russo says. "We're essentially helping PPS by going through these records, on our dime, and looking to see if their rules are followed," Russo said. "Our goal is to make sure these workers aren't getting cheated out of money."

In October, exasperated with the district, building trades representatives started showing up outside PPS construction sites

with two giant inflatables: Scabby the Rat and his cigar-chomping worker-squeezing pal Fat Cat. "What is PPS hiding" said a custom-made banner.

"We're a pro-worker non-profit," Strickland says. "Yes, we're a union, but whatever you want to call us, we're looking to enforce, for free, all the laws you're supposed to enforce."

"PPS, whether intentionally or unintentionally, is aiding and abetting wage theft," Nielsen says. "That's the bottom line."

Union reps say they're not giving up or going away. And they may have an ally. In September, PPS board member Michelle DePass, chair of the district's school improvement bond committee, met with building trades officials to get their side of the story. DePass has a background in construction management. She says she was disturbed by what she heard, and plans on following up to get to the bottom of it.



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