

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/23/99**

Received By: **malaigm**

Wanted: **Soon**

Identical to LRB:

For: **Senate Democratic Caucus 6-2257**

By/Representing: **Walter**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Employ Priv - prevailing wage**

Extra Copies:

**Pre Topic:**

SDC:.....Walter - Caucus #4013 ,

**Topic:**

Prevailing wage determinations

**Instructions:**

See Attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1			hhagen 06/27/99	_____	lrb_docadmin 06/27/99		

FE Sent For:

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yes

SDC

caucus number 4013

duplicate flag:

duplicate with:

Other reference numbers:

LFB Sum #:

FM 459

bill number/amendment number:

LRB draft #

LRB P-draft:

description: FM 459 - Prevailing wage modifications.

**other notes**

drafting instructions: FM 459. See above.

more instructions:

Agency: **Workforce Development - Employment, Training and Vocational Rehabilitation**

Number of Amendments: 5

+

4013 13. Prevailing Wage modifications as outlined in JFC Motion 459. Another effort by Russ Decker to bring fairness to the lives of working people across Wisconsin and America. This motion has the strong support of the Laborers, Carpenters and AFL-CIO.

4014 14. Youth Options modifications as outlined in JFC Motion 775(eliminate item c on p.2 since this was adopted in a subsequent motion). Under this motion which was drafted with assistance from Annette Talis from the Wisconsin School Board Association, local school districts would only have to pay for courses taken at a post secondary institution if it was determined to be for high school credit. The school district's determination would be final.

WORKFORCE DEVELOPMENT -- EMPLOYMENT,  
TRAINING AND VOCATIONAL REHABILITATION PROGRAMS

Prevailing Wage Rate--Annual Wage Rate Survey

Motion:

Move to allow the reporting of wages paid for public works projects on the annual wage rate survey used to determine prevailing wages when the wage rate paid on a public works project is more than the prevailing wage rate established for the project.

Note:

Under current law, DWD determines the prevailing wage rates for state and local public works projects for an area by compiling the wages and benefits paid for a majority of the hours worked in the trade or occupation on projects in the area and determining a prevailing wage rate using that data. In determining prevailing wage rates, DWD cannot include the wages from state, local and federal public works projects. This motion would eliminate this prohibition when the wage rate paid on a public works project is more than the prevailing wage rate established for the project.

MO#	AYE	NO	ABS
BURKE	Y		A
DECKER	Y		A
JAUCH	Y		A
MOORE	Y		A
SHIBILSKI	Y		A
PLACHIE	Y		A
COWLES	Y		A
PANZER	Y		A
GARD	Y		A
PORTER	Y		A
KAUFERT	Y		A
ALBERS	Y		A
DUFF	Y		A
WARD	Y		A
HUBER	Y		A
RILEY	Y		A

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## **PREVAILING WAGE – WHITE SHEET WORK INCLUDED ON ANNUAL WAGE RATE SURVEY**

This motion allows contractors to report “white sheet” work on annual prevailing rate survey when the wage rate paid on the public project is more than the prevailing wage rate established for the project.

Current law requires contractors to participate in an annual prevailing rate survey

The survey is intended to determine what wages and benefits are being paid in the private sector and then have those same standards applied to public work

State law prohibits the reporting of “white sheet” work so that only those wages paid in the private sector are factored in the survey

The law ignores the fact that many union and non-union workers are getting paid above the prevailing wage rate. Their contractors bid and win work based on the higher rates and subsequently pay their employees the higher rate.

These rates are not imposed on the contractor – they are freely negotiated and paid in the private sector

Including these wages in the survey guarantees a more accurate picture of what construction workers earn and what the industry supports.



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1028/11  
GMM.....  
cmr

SDC:.....Walter – Caucus #4013 , Prevailing wage determinations

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 785, line 13: after that line insert:

3 "SECTION 1618j. 66.293 (3) (av) of the statutes is amended to read:

4 66.293 (3) (av) In determining prevailing wage rates under par. (am) or (ar),

5 the department may not use data from projects that are subject to this section, s.

6 103.49 or 103.50 or 40 USC 276a unless the department determines that there is

7 insufficient wage data in the area to determine those prevailing wage rates, in which

8 case the department may use data from projects that are subject to this section, s.

9 103.49 or 103.50 or 40 USC 276a. The department may also use data from a project

10 that is subject to this section, s. 103.49 or 103.50 or 40 USC 276a in determining

1 prevailing wage rates under par. (am) or (ar) if the department determines that the  
 2 wage rate paid on that project is higher than the prevailing wage rate determined  
 3 for that project.”.

History: 1971 c. 154, 307; 1973 c. 181; 1977 c. 29; 1985 a. 159; 1989 a. 56, 228; 1991 a. 316; 1993 a. 112, 399; 1995 a. 27 ss. 3318, 3319, 9130 (4); 1995 a. 215; 1997 a. 3, 35.

4 **2.** Page 1080, line 2: after that line insert:

5 “SECTION 2005d. 103.49 (3) (ar) of the statutes is amended to read:

6 103.49 (3) (ar) In determining prevailing wage rates under par. (a) or (am) ~~for~~  
 7 ~~building, residential or agricultural projects,~~ the department may not use data from  
 8 projects that are subject to this section, s. 66.293 or 103.50 or 40 USC 276a. ~~In~~  
 9 ~~determining prevailing wage rates for projects involving the use of heavy equipment,~~  
 10 unless the department determines that there is insufficient wage data in the area  
 11 to determine those prevailing wage rates, in which case the department may use data  
 12 from projects that are subject to this section, s. 66.293 or 103.50 or 40 USC 276a. The  
 13 department may also use data from a project that is subject to this section, s. 66.293  
 14 or 103.50 or 40 USC 276a in determining prevailing wage rates under par. (am) ~~or~~  
 15 ~~if~~ if the department determines that the wage rate paid on that project is higher  
 16 than the prevailing wage rate determined for that project.”.

(a) or

History: 1983 a. 27; 1985 a. 159; 1985 a. 332 ss. 141, 142, 253; 1987 a. 403 s. 256; 1989 a. 228; 1993 a. 112; 1995 a. 27, 215, 225; 1997 a. 35.

17 (END)





State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb1028/1  
GMM:cmh:ksh

SDC:.....Walter - Caucus #4013 , Prevailing wage determinations

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17 (END)