

**CHAPTER 4**

**AN ACT** to amend 103.49 (1) of the statutes, relating to wages and hours of laborers, workmen and mechanics on certain contracts for the erection, construction or repair of any public building or other public works project, except contracts for the construction or maintenance of public highways and bridges.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

103.49 (1) of the statutes is amended to read:

103.49 (1) Each contract involving \$1,000 or more hereafter made for the erection, construction, remodeling or repairing of any public building or for any other project of public works, except contracts for the construction or maintenance of public highways and bridges, to which the state, any department thereof or any public building corporation is a party shall contain a stipulation that no laborer, workman or mechanic employed directly upon the site of the work by the contractor or by any subcontractor, agent or other person, doing or contracting to do all or a part of the work, shall be permitted to work a greater number of hours per day or per calendar week than the prevailing hours of labor determined pursuant to this section, except that any such laborer, workman or mechanic may be permitted or required to work more than such prevailing number of hours per day and per calendar week if he is paid for all hours in excess of the prevailing hours at a rate of at least 1½ times his hourly basic rate of pay; nor shall he be paid less than the prevailing wage rate in the same or most similar trade or occupation in the area wherein such public building or project of public works is situated; *nor shall this section apply to wage rates and hours of employment of laborers, workmen or mechanics engaged in the processing or manufacture of materials or products or to the delivery thereof by or for commercial establishments which have a fixed place of business from which they regularly supply such processed or manufactured materials or products; except that this section shall apply to laborers, workmen or mechanics who deliver mineral aggregate such as sand, gravel or stone which is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle.* The prevailing wage rates, prevailing hours of labor, and hourly basic rates of pay determined pursuant to this section shall be set forth specifically in the contract.

Approved March 17, 1965.