

2001 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB55)

Received: 06/15/2001

Received By: malaigm

Wanted: Soon

Identical to LRB:

For: Senate Democratic Caucus 6-2257

By/Representing: Keckhaver

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Addl. Drafters:

Subject: **Employ Priv - prevailing wage**

Extra Copies:

Submit via email: NO

Requester's email:

Pre Topic:

SDC:.....Keckhaver - CN3520,

Topic:

Direct DWD to eliminate swimming pool installer as separate job classification for purposes of 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>
/?	malaigm 06/16/2001	gilfokm 06/16/2001		_____			
/1			kfollet 06/16/2001	_____	lrb_docadmin 06/16/2001		

FE Seat For:

<END>

2001 DRAFTING REQUEST

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1?	malaigm	6/16 King	KJ 6/16	KJ/self 6/16			

FE Sent For:

<END>

NF-3) Repeal the Swimming Pool Installer Classification from the prevailing wage classification. (Supporting documents attached.)

CN
3520 60953

RAC



BADGER SWIM POOLS, INC.



- General Contractor of:
- Municipal/Commercial Pools
 - Wastewater Treatment Plants
 - Concrete Water Reservoirs
 - Reinforced Concrete

May 17, 2001

Jay Wadd
Senator Hansen's Office
State of Wisconsin
P.O. Box 7882
Madison, WI 53707-7882

Dear Mr. Wadd:

I am sending this information to you following a conversation I had with Mark Reihl with the Wisconsin State Council of Carpenters. We are hoping that Senator Hansen will add an amendment to the Senate Budget Bill eliminating the Swimming Pool Installer Prevailing Wage Classification.

Badger Swim Pools has been campaigning to the Department of Workforce Development (DWD) towards the removal of the Swimming Pool Installer (SPI) prevailing wage rate. We feel this is causing a great inequity in the pay to those performing the tasks of building a municipal in-ground concrete swimming pool. This classification also does not cover 100% of the tasks involved in constructing a commercial swimming pool.

History of events:

- 12/10/1996: Letter from Badger Swim Pools to Gary Shealy, Director of Labor Standards Board of DWD requesting clarification on tasks we perform in the day to day construction of a swimming pool on prevailing wage rate work.
- 01/03/1997: Response letter from Gary Shealy, DWD to our letter dated 12/10/1996. The department's response stated that the majority of the tasks in question would fall under the typical duties of either "laborer" or "carpenter" prevailing wage rate classification. It also stated that the Department would be preparing a definition of every worker employed on a public works project in the near future.
- 07/01/1997: Swimming Pool Installer prevailing wage rate first appeared on the annual wage rate survey.
- 01/01/1998: Swimming Pool Installer prevailing wage rate first appeared as a classification in the Dictionary of Occupational Classifications and Work Descriptions. Wages were substantially lower than the general classifications such as carpenter or laborer.
- 04/19/1998: Letter to Gary Shealy, DWD from Badger Swim Pools requesting the elimination of the SPI prevailing wage rate. Letter expressed concern regarding the wages used to derive the SPI rate may not reflect "heavy" swimming pool construction even comparing the construction of large municipal swimming pools to that of the construction of a wastewater treatment plant. We expressed in this letter to the DWD that we felt it be important to have the construction of a municipal swimming pool continue to use the prevailing wage rate classifications of laborer, carpenter, cement mason, ironworker, etc. as before. The work being performed by Badger Swim Pools in the construction of the swimming pool is no different than the work being performed by a member of the general contractor's staff

78909 Road
Phila. Co. Pa. 19155
(608) 643-6440
(608) 643-3732 FAX
(609) 256 2026 Madison

- 12/08/1998: Memo from DWD to Badger Swimpools regarding our request to have the SPI wage rate eliminated. Those notified had 30 days to respond to request.
- 03/16/1999: Letter from Gary Shealy, DWD regarding responses they received in opposition of the removal of the SPI prevailing wage rate. It stated that Badger Swimpools had 30 days to respond to the opposition. Responses in opposition were received from our largest competitor, Neumann Pools in Beaver Dam, WI along with letters from several ironworker unions, AFL-CIO, and a small pool contractor.
- 04/12/1999: Letter to Gary Shealy, DWD from Badger Swimpools in response to the opposition received regarding elimination of SPI prevailing wage rate. Again requesting that the classification be eliminated. The correspondence received in opposition of the removal of the classification stated that the current wage determinations for this trade does not meet the average wage paid to skilled swimming pool installers and that a re-evaluation would produce a different rate. This remark was made by the same contractor that is reporting \$ 8.50/hour with little to no benefits per hour for journeyperson level swimming pool installation. (More on this topic later in this letter)
- 09/08/1999: Initial Determination from Pat Hewitt, Acting Chief of Labor Standards Board with DWD. Stated that Swimming Pool Installer would be deleted IF no appeals were received within 30 days of the initial determination.
- 09/22/1999: Letter to J. Sheehan Donoghue, Division Administrator of Equal Rights Division of DWD from Neumann Pools Inc. appealing decision to eliminate SPI. Included was a recommendation of typical duties definition for swimming pool installation.
- 09/23/1999: Letter to J. Sheehan Donoghue, DWD from Badger Swimpools thanking for the elimination.
- 02/10/2000: Memo from Pat Hewitt, DWD stating that based on comments made in response to the elimination of the SPI classification, "...the department would be modifying the dictionary description to primarily allow the swimming pool installer to construct the swimming pool and assemble and install the pool amenities." Comments regarding this matter should be faxed by 02/17/2000 due to small window of time before 2000 wage survey was prepared.
- 02/14/2000: Letter to Pat Hewitt, Chief, DWD from Badger Swimpools stating that the definition they have initially determined speaks to vinyl liner construction. This type of construction is virtually never found in municipal applications due to the lack of durability and overall strength and difficulty in the installation of a liner large enough to accommodate the size demands for a municipal pool. Letter picks apart the definition line-by-line stating problems in the verbiage.
- 02/17/2000: Letter to Pat Hewitt, DWD from Neumann Pools stating the definition reads difficult and is speaking of two different types of swimming pool construction. They again enclosed the definition they felt better describes the installation of a commercial swimming pool as originally submitted on 9/22/99.
- 03/07/2000: Meeting with Robert Anderson, Director; J. Sheehan Donoghue, Division Administrator; Pat Hewitt, Chief; all of the Equal Rights Division of the DWD; Tom Jackson, Senator Schulz's office; myself with Badger Swimpools, and Teresa Mueller, counsel for Associated General Contractors of Wisconsin. Purpose of meeting was a proposal to restructure the Swimming Pool Installer classification definition. Our objective was to continue to express our concerns in having classification removed but also to make definition appropriate.
- 03/22/2000: Final Determination received from DWD. Few changes were made to definition. Stated if anyone was affected by this decision they could petition for a hearing.
- 03/30/2000: Letter to Pat Hewitt, Chief, DWD from Neumann Pools Inc. questioning the relativity of the definition to the installation of commercial swimming pools. They resubmitted their recommended description.

I have also attached a copy of the final determination for the Swimming Pool Installer prevailing wage classification. This describes the typical duties the DWD has associated with this classification. The excluded items listed in the last several lines consists of approximately 36% of the work involved in completing a commercial pool project.

The DWD is not being consistent with their reasoning. They want those constructing a swimming pool to use this lower paying scale for 65% of the work, but if it falls into one of these excluded areas they can be paid the higher wage.

We evaluated 5 different municipal swimming pool projects to determine the difference in pay based on the general trades prevailing wage rates and the swimming pool installer prevailing wage rate. Please see attached evaluation of the wage rates for these 5 projects. The difference in pay between the Swimming Pool Installer and the general trade classifications is as high as + \$ 15.00/hour.

We appreciate any time you give this matter. If there is anything else I can be of assistance, please feel free to give me a call.

Sincerely,



Michelle O'Connor
Project Accountant

Enclosures

Cc: Mark Reihl, Wisconsin State Council of Carpenters (Letter Only)
Mike Ryan, Wisconsin Laborers' District Council (Letter Only)

About the Department of Workforce Development

The Department of Workforce Development is required by law to define the specific work performed by all trades or occupations commonly employed on all public works projects throughout the State of Wisconsin that are subject to either Section. 66.293, 103.49 or 103.50, Stats.

There are seven divisions with the Department, which is headed by a Secretary appointed by the Governor.

OFFICE OF THE SECRETARY

Jennifer Reinert, Secretary

Dick Wegner, Deputy Secretary

Jennifer Noyes, Executive Assistant

EQUAL RIGHTS DIVISION (is one of the seven division)

Sheehan Donoghue, Administrator

Robert Anderson, Director – Bureau of Labor Standard

Pat Hewitt, Chief – Construction Wage Standards (Prevailing Wage Rates)

Prevailing Wage Rate

Prior to 1996 the DWD used information supplied by Unions to determine the prevailing wage rate for public work projects. The DWD felt it did not represent an accurate rate because residential work was excluded from the calculation. Due to this belief changes were made.

Dictionary of Occupational Classifications and Work Descriptions:

The Chief of the Construction Wage Standards Section at that time, Gary Sheely (has since retired), researched, investigated and created what is currently referred to as the Dictionary of Occupational Classifications and Work Descriptions. There were numerous wage rate classifications in effect at the time but the DWD had never officially itemized the "typical duties" for each classification.

Therefore was the creation of "The Dictionary of Occupational Classifications and Work Descriptions." This dictionary details what the "Typical Duties" are for each of these classifications. When this dictionary was first presented in 1998 there were several new classification that had been added. The Swimming Pool Installer was one of these.

Annual Prevailing Wage Rate Survey

In June of 1996 the DWD distributed their first official Wage Rate Survey to be completed by all employers performing both commercial and residential work throughout the State. All journeyman level wages paid on private was to be included. (all prevailing wage rate work, apprentice, and foreman/supervisor level work was to be excluded)

The survey asks for the location (city/county), commercial/residential, and number of hours. Therefore creating a separate wage rate for each county and a separate wage rate within each county for residential or commercial work.

The survey is distributed in June of each year to be completed and returned by July 31. The information to be included is for the calendar year prior to that June:

Example: Survey due July 31, 2001

Include wage information for January 1 – December 31, 2000

Wages determined by this information effective January 1, 2002

On or before October 1 of each year the department will issue its initial prevailing wage rate determinations based on the survey mailed in June. All corrections and/or additional information must be received by the department within 30 days after the Initial determination date. The department will accept information on the basis that the employer did not receive a survey, that the employer properly mailed a survey form which the department did not receive or that the survey data previously submitted was erroneous.

After the recalculation period is completed, the department will issue its final wage rate determinations on the following January 1st.

Wage Rate Determinations

These wages are then used by the DWD's Labor Standards Bureau to issue Wage Rate Determinations for State and local public works projects. Each public entity must obtain a determination when (1) total cost of project is \$ 34,000 or more with primarily 1 trade ~or~ (2) total cost of project is \$ 168,000 or more with more than 1 trade.

These determinations are then typically supplied with the bidding documents to be used by the bidders to determine the appropriate wages to be paid depending on the task being performed.

**BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT
EQUAL RIGHTS DIVISION**

In the matter of a request to
delete the swimming pool installer
classification from the Dictionary of
Occupational Classifications and Work Descriptions

FINAL DETERMINATION

Requestor:

Badger Swimpools, Inc.
N789 Golf Road
Prairie du Sac, WI 53578

This administrative proceeding arose as the result of a written appeal submitted to the Department of Workforce Development. The department grants any party affected by the use of any trades or occupations commonly recognized by the department and employed on any public works projects subject to either ss. 66.293, 103.49 or 103.50, Stats. the right to request that the department add, delete or modify any occupational classification or work description. The Dictionary of Occupational Classifications and Work Descriptions defines the specific work that is typically performed by each occupational classification used on public works projects.

The department received a request from Badger Swimpools, Inc. on April 13, 1998 to delete the classification of swimming pool installer from the Dictionary of Occupational Classifications and Work Descriptions. Badger Swimpools, Inc. alleges that the wage rates for the swimming pool installer classification obtained through the annual prevailing wage rate survey do not represent the appropriate wage rates for "heavy" swimming pool construction.

After reviewing all comments and arguments submitted by all affected parties the department now makes the following:

FINDINGS OF FACT

1. On December 8, 1998 the department sent a memorandum to several parties affected by any possible change to the classification of swimming pool installer in the Dictionary of Occupational Classifications and Work Descriptions. This memorandum informed the affected parties that they had 30 days to submit comments regarding the request by Badger Swimpools, Inc. to delete such trade or occupation from the dictionary.
2. Several parties responded to the memorandum of December 8, 1998. All such responses and any additional information submitted by such parties were sent to Badger Swimpools, Inc. on March 16, 1999.
3. Badger Swimpools, Inc. sent the department a letter on April 12, 1999 commenting on these responses and again requested that the swimming pool installer classification be deleted from the dictionary.

4. This department issued an Initial Determination on September 8, 1999. On that date the department had recommended deleting the swimming pool installer classification from the dictionary. A copy of the Initial Determination was sent to all affected parties with notice that they had 30 days to appeal the decision of the department. Several timely written comments addressing the department's decision were received within the 30-day appeal period.
5. Based on the comments and information received during the appeal period the department recommended modifying the typical duties of the swimming pool installer in the dictionary. The description modification was sent to all affected parties. The affected parties had until February 17, 2000 to review and comment on the modifications.
6. Timely comments were again received from several affected parties. Some of the affected parties made additional suggested changes to the description of the typical duties of the swimming pool installer and Badger Swimpools, Inc. against requested that the classification be deleted from the dictionary.

CONCLUSIONS

1. The department has the authority to adopt a request as proposed, modify and adopt a request as proposed, or reject a request.
2. Insufficient documentation was received by this department to justify deleting the swimming pool installer classification from the dictionary.

ORDER

It is hereby ordered that the department modify the description of the typical duties of the swimming pool installer classification in its Dictionary of Occupational Classifications and Work Descriptions. These modifications take into account the concerns related by the affected parties to the department during the appeal process. A copy of the final description of the swimming pool installer classification is enclosed.

This order shall become effective on June 1, 2000 for the purpose of collecting wage and hour data during the year 2000 survey. The department will then use the results from such survey to determine the applicable prevailing wage rates for the swimming pool installer classification, as modified, beginning January 1, 2001.

Under sec. 103.005(6)(e), Stats., any employer or other person affected by this decision may petition for a hearing before the department on the reasonableness of the decision. Any such petition should be addressed to Robert Anderson, Director, Labor Standards Bureau, P.O. Box 8928, Madison, WI 53708.

Dated at Madison, Wisconsin, March 22, 2000.



Pat Hewitt, Chief
Construction Wage Standards Section

Encl.

Swimming Pool Installer

CODE: 148

PRIMARY PURPOSE:

Performs any combination of following tasks in constructing and installing swimming pools at commercial and/or residential sites.

TYPICAL DUTIES:

Plots length and width of pool site according to specifications and marks corners of site using stakes and sledgehammer. Confers with customer to ensure that pool location and dimensions meet customer's demands. Shapes and grades walls of in-ground pool. Assembles and aligns wall panel sections using nuts, bolts, electric air gun and transit. Pours premixed concrete mixture between dirt wall and wall panels to establish footing to anchor bottoms of wall panels and cross braces. Dumps and spreads gravel into hollow foundation to form drain field using wheelbarrow, shovel and rake. Digs trenches, spreads gravel and lays drain tiles uphill of pool site to divert ground water. Lays out and connects pipelines for water inlets, return valves and filters using hand tools. Snaps coping section to inside upper edge of wall panels around pool circumference to secure liner edge and protect pool users. Mixes prescribed amounts of cement, sand and water and pours mixture into foundation. Spreads and smooths mixture evenly throughout foundation using trowel and allows mixture to set. Applies interior pool finishes including interior pool tile. Assembles heater parts, connects gas, oil or electric lines and starts heater to verify working order of unit. Installs liner into pool, starts pump to fill pool with water, balances water and installs return valves. Installs filtration system and activity piping. Assembles and installs all pool amenities. Lays out and assembles prefabricated parts of above-ground pool, installs liner, connects plumbing lines, starts pump and checks pool for leaks. Duties not included are the installation of the heating, ventilating or air conditioning system, potable water lines, gas piping, deck and deck drains, electrical junction boxes, motor starters or grounding system, reinforcing rods, cast-in-place concrete forms or concrete or tile pool deck. Excavation of the pool site and landscaping are also not included.

LAST UPDATE: 03/22/2000



BADGER SWIM POOLS, INC.

General Contractor of:

- Municipal/Commercial Pools
- Wastewater Treatment Plants
- Concrete Water Reservoirs
- Reinforced Concrete

December 10, 1996

Gary Shealy
Department of Industry Labor and Human Relations
Labor Standards Board
PO Box 8928
Madison, WI 53508

RECEIVED
1996 DEC 11 AM 8:08
DILHR-ERD

Dear Mr. Shealy,

Thank-you for speaking with me on the phone today. As we had discussed, there are certain jobs performed in our daily activities which require some clarification to which trade they are classified on prevailing wage rate work. These are the ones which are frequently questioned:

- Form Stripping
 - Reusable Forms
 - Nonreusable Forms
- Placing of Concrete
 - Filling Forms
 - Flat Work
 - Concrete Nozzle Operator (guniting)
- Laying PVC Pipe in ground
- Connecting PVC Pipe to Equipment
 - Filters
 - Heaters
 - Chemical Controllers
- Placing of Equipment in Equipment Rooms (same as above).

I would appreciate your response to insure we are following the determinations correctly.

Sincerely,

Karen M. Cahill
Accountant

N789 Golf Road
Prairie du Sac, WI 53578
(608) 643-6440
(608) 643-3732 FAX
(608) 256-2026 Madison

Tommy G. Thompson
Governor

Richard C. Wegner
Acting Secretary

J. Sheehan Donoghue
Division Administrator



EQUAL RIGHTS DIVISION
201 East Washington Avenue
P.O. Box 8928, Room 407
Madison, WI 53708-8928
Telephone: (608) 266-6860
FAX: (608) 267-4592
TDD: (608) 264-8752
(TDD-Hearing Impaired Callers)

State of Wisconsin
Department of Workforce Development

January 3, 1997

Karen Cahill, Accountant
Badger Swim Pools, Inc.
N789 Golf Road
Prairie du Sac, WI 53578

Re: Proper Classification of Workers

Dear Ms. Cahill:

Your correspondence dated December 10, 1996 requested the opinion of this department regarding the proper classification of workers to be utilized when performing a variety of tasks on public work projects.

At this time, I believe the information presented should assist you with your immediate concerns. In the relative near future, this department will be preparing a detailed definition for every worker employed on a public works project. This document should further assist you with your concerns.

The following information is generally applicable throughout the State of Wisconsin.

Form Stripping

When stripping forms that are to be re-used again, the releasing of the forms shall be done by a carpenter and the moving, cleaning, oiling and carrying of the forms to the next point of erection shall be done by a laborer. The stripping of forms that are not to be re-used shall be done by a laborer.

Placing of Concrete

The placing of all concrete into forms shall be done by a laborer. All flat work shall be "finished" by a cement mason or cement finisher. The spraying of all gunite shall be done by a laborer.

Laying of PVC Pipe

The laying of all PVC pipe in ground shall be done by a laborer.

Karen Cahill, Accountant
Page 2
December 20 1996

Connecting PVC Pipe to Equipment

The connecting of PVC pipe to (1) filters, (2) heaters and (3) chemical controllers may be done by a laborer.

Placing of Equipment in Equipment Rooms

I am not sure of what you mean by "placing"? If you mean "installing" such equipment I would need more specific information about such equipment before I could give you an answer. Please advise.

I hope the above information is of some assistance to you. Please call me at (608) 266-3193 if you have further questions.

Sincerely,
LABOR STANDARDS BUREAU



Gary Shealy, Chief
Construction Wage Standards Section

RIVER FALLS NEW HIGH SCHOOL

TRADES PREVAILING WAGE RATES VERSES SWIMMING POOL INSTALLER

<u>TRADE</u>	<u>PREVAILING WAGE TOTAL PACKAGE</u>		<u>INEQUITY BETWEEN TRADES AND SWIMMING POOL INSTALLER</u>
	per hour		per hour
<u>SWIMMING POOL INSTALLER</u>	<u>\$17.28</u>		
<u>CARPENTER</u>	<u>\$26.56</u>	<u>less 17.28</u>	<u>= \$9.28</u>
<u>CEMENT FINISHER</u>	<u>\$23.13</u>	<u>less 17.28</u>	<u>= \$5.85</u>
<u>IRON WORKER</u>	<u>\$31.71</u>	<u>less 17.28</u>	<u>= \$14.43</u>
<u>PLASTERER</u>	<u>\$27.65</u>	<u>less 17.28</u>	<u>= \$10.37</u>
<u>TILE FINISHER</u>	<u>\$26.04</u>	<u>less 17.28</u>	<u>= \$8.76</u>
<u>TILE SETTER</u>	<u>\$27.37</u>	<u>less 17.28</u>	<u>= \$10.09</u>
<u>GENERAL LABORER</u>	<u>\$14.77</u>	<u>less 17.28</u>	<u>= (\$2.51)</u>

SHEBOYGAN FALLS HIGH SCHOOL ADDITON

TRADES PREVAILING WAGE RATES VERSES SWIMMING POOL INSTALLER

<u>TRADE</u>	<u>PREVAILING WAGE TOTAL PACKAGE</u>		<u>INEQUITY BETWEEN TRADES AND SWIMMING POOL INSTALLER</u>
	per hour		per hour
<u>SWIMMING POOL INSTALLER</u>	<u>\$18.75</u>		
<u>CARPENTER</u>	<u>\$26.10</u>	less 18.75	= <u>\$7.35</u>
<u>CEMENT FINISHER</u>	<u>\$27.59</u>	less 18.75	= <u>\$8.84</u>
<u>IRON WORKER</u>	<u>\$32.12</u>	less 18.75	= <u>\$13.37</u>
<u>PLASTERER</u>	<u>\$27.59</u>	less 18.75	= <u>\$8.84</u>
<u>TILE FINISHER</u>	<u>\$26.61</u>	less 18.75	= <u>\$7.86</u>
<u>TILE SETTER</u>	<u>\$27.59</u>	less 18.75	= <u>\$8.84</u>
<u>GENERAL LABORER</u>	<u>\$22.67</u>	less 18.75	= <u>\$3.92</u>

HOMESTEAD HIGH SCHOOL POOL ADDITION

TRADES PREVAILING WAGE RATES VERSES SWIMMING POOL INSTALLER

<u>TRADE</u>	<u>PREVAILING WAGE TOTAL PACKAGE</u>			<u>INEQUITY BETWEEN TRADES AND SWIMMING POOL INSTALLER</u>
	per hour			per hour
<u>SWIMMING POOL INSTALLER</u>	<u>\$18.45</u>			
<u>CARPENTER</u>	<u>\$29.88</u>	<u>less 18.75</u>	<u>=</u>	<u>\$11.43</u>
<u>CEMENT FINISHER</u>	<u>\$27.47</u>	<u>less 18.75</u>	<u>=</u>	<u>\$9.02</u>
<u>IRON WORKER</u>	<u>\$33.87</u>	<u>less 18.75</u>	<u>=</u>	<u>\$15.42</u>
<u>PLASTERER</u>	<u>\$27.24</u>	<u>less 18.75</u>	<u>=</u>	<u>\$8.79</u>
<u>TILE FINISHER</u>	<u>\$26.78</u>	<u>less 18.75</u>	<u>=</u>	<u>\$8.33</u>
<u>TILE SETTER</u>	<u>\$29.27</u>	<u>less 18.75</u>	<u>=</u>	<u>\$10.82</u>
<u>GENERAL LABORER</u>	<u>\$25.51</u>	<u>less 18.75</u>	<u>=</u>	<u>\$7.06</u>

Monona Grove High School

TRADES PREVAILING WAGE RATES VERSES SWIMMING POOL INSTALLER

<u>TRADE</u>	<u>PREVAILING WAGE TOTAL PACKAGE</u>		<u>INEQUITY BETWEEN TRADES AND SWIMMING POOL INSTALLER</u>
	per hour		per hour
<u>SWIMMING POOL INSTALLER</u>	<u>\$15.99</u>		
<u>CARPENTER</u>	<u>\$26.08</u>	less 15.99 =	<u>\$10.09</u>
<u>CEMENT FINISHER</u>	<u>\$27.50</u>	less 15.99 =	<u>\$11.51</u>
<u>IRON WORKER</u>	<u>\$30.16</u>	less 15.99 =	<u>\$14.17</u>
<u>PLASTERER</u>	<u>\$23.04</u>	less 15.99 =	<u>\$7.05</u>
<u>TILE FINISHER</u>	<u>\$23.50</u>	less 15.99 =	<u>\$7.51</u>
<u>TILE SETTER</u>	<u>\$26.10</u>	less 15.99 =	<u>\$10.11</u>
<u>GENERAL LABORER</u>	<u>\$20.82</u>	less 15.99 =	<u>\$4.83</u>

LODI HIGH SCHOOL
TRADES PREVAILING WAGE RATES
VERSES
SWIMMING POOL INSTALLER

<u>TRADE</u>	<u>PREVAILING WAGE TOTAL PACKAGE</u>				<u>INEQUITY BETWEEN TRADES AND SWIMMING POOL INSTALLER</u>
	per hour				per hour
<u>SWIMMING POOL INSTALLER</u>	<u>\$14.71</u>				
<u>CARPENTER</u>	<u>\$23.79</u>	less 14.71	=		<u>\$9.08</u>
<u>CEMENT FINISHER</u>	<u>\$25.22</u>	less 14.71	=		<u>\$10.51</u>
<u>IRON WORKER</u>	<u>\$30.16</u>	less 14.71	=		<u>\$15.45</u>
<u>PLASTERER</u>	<u>\$23.00</u>	less 14.71	=		<u>\$8.29</u>
<u>TILE FINISHER</u>	<u>\$23.50</u>	less 14.71	=		<u>\$8.79</u>
<u>TILE SETTER</u>	<u>\$26.10</u>	less 14.71	=		<u>\$11.39</u>
<u>GENERAL LABORER</u>	<u>\$20.23</u>	less 14.71	=		<u>\$5.52</u>



SDC:.....Keckhaver – CN3520, Direct DWD to eliminate swimming pool installer as separate job classification for purposes of prevailing wage determinations

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

Substitute amendment

① At the locations indicated, amend the ~~bill~~ as follows:

2 ✓ 1. Page 681, line 7: after that line insert:

③ "SECTION 2026~~a~~ ^{nz} 66.0903 (3) (am) of the statutes is amended to read:

4 66.0903 (3) (am) A local governmental unit, before making a contract by direct
5 negotiation or soliciting bids on a contract, for the erection, construction, remodeling,
6 repairing or demolition of any project of public works, including a highway, street or
7 bridge construction project, shall apply to the department to determine the
8 prevailing wage rate for each trade or occupation required in the work contemplated.
9 The department shall conduct investigations and hold public hearings as necessary

1 to define the trades or occupations that are commonly employed on projects that are
 2 subject to this section and to inform itself as to the prevailing wage rates in all areas
 3 of the state for those trades or occupations, in order to determine the prevailing wage
 4 rate for each trade or occupation. In defining those trades or occupations, the
 5 department may not define swimming pool installer as a separate trade or
 6 occupation for purposes of determining the prevailing wage rates for the trades or
 7 occupations that are commonly employed in the construction of swimming pools. The
 8 department shall issue its determination within 30 days after receiving the request
 9 and shall file the determination with the requesting local governmental unit.”

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; 1999 a. 70; 1999 a. 150 s. 335; Stats. 1999 s. 66.0903; 1999 a. 186 ss. 51 to 60.

10 ✓ 2. Page 904, line 24: after that line insert:

11 “SECTION 2558h. 103.49 (3) (a) of the statutes is amended to read:
 12 103.49 (3) (a) Before bids are asked for any work to which this section applies,
 13 the state agency having the authority to prescribe the specifications shall apply to
 14 the department to determine the prevailing wage rate for each trade or occupation
 15 required in the work under contemplation in the area in which the work is to be done.
 16 The department shall conduct investigations and hold public hearings as necessary
 17 to define the trades or occupations that are commonly employed on projects that are
 18 subject to this section and to inform itself as to the prevailing wage rates in all areas
 19 of the state for those trades or occupations, in order to determine the prevailing wage
 20 rate for each trade or occupation. In defining those trades or occupations, the
 21 department may not define swimming pool installer as a separate trade or
 22 occupation for purposes of determining the prevailing wage rates for the trades or
 23 occupations that are commonly employed in the construction of swimming pools. The
 24 department shall issue its determination within 30 days after receiving the request

1 and shall file the determination with the requesting state agency. For the
 2 information of the employees working on the project, the prevailing wage rates
 3 determined by the department, the prevailing hours of labor and the provisions of
 4 subs. (2) and (6m) shall be kept posted by the state agency in at least one conspicuous
 5 and easily accessible place on the site of the project.”.

6 ~~NOTE: NOTE: NOTE: Par. (a) is shown as affected by two acts of the 1999 legislature and as merged by the revisor under s. 13.93 (2) (c).NOTE:~~
 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; 1999 a. 70; 1999 a. 150 ss.
 628, 672; 1999 a. 167; s. 13.93 (2) (c).

7 **3.** Page 1428, line 5: after that line insert:

8 “(3z) PREVAILING WAGE RATES; JOB CLASSIFICATIONS. The treatment of sections
 9 66.0903 (3) (am) and 103.49 (a) of the statutes takes effect on January 1, 2002,
 10 or on the day after publication, whichever is later.”.

*affec.
date*

(END)

(3)

11

SDC:.....Keckhaver – CN3520, Direct DWD to eliminate swimming pool installer as separate job classification for purposes of prevailing wage determinations

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS SENATE AMENDMENT

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2001 SENATE BILL 55

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

2 **1.** Page 681, line 7: after that line insert:

3 “**SECTION 2026nz.** 66.0903 (3) (am) of the statutes is amended to read:

4 66.0903 (3) (am) A local governmental unit, before making a contract by direct
5 negotiation or soliciting bids on a contract, for the erection, construction, remodeling,
6 repairing or demolition of any project of public works, including a highway, street or
7 bridge construction project, shall apply to the department to determine the
8 prevailing wage rate for each trade or occupation required in the work contemplated.

9 The department shall conduct investigations and hold public hearings as necessary

1 to define the trades or occupations that are commonly employed on projects that are
2 subject to this section and to inform itself as to the prevailing wage rates in all areas
3 of the state for those trades or occupations, in order to determine the prevailing wage
4 rate for each trade or occupation. In defining those trades or occupations, the
5 department may not define swimming pool installer as a separate trade or
6 occupation for purposes of determining the prevailing wage rates for the trades or
7 occupations that are commonly employed in the construction of swimming pools. The
8 department shall issue its determination within 30 days after receiving the request
9 and shall file the determination with the requesting local governmental unit.”.

10 **2.** Page 904, line 24: after that line insert:

11 “**SECTION 2558h.** 103.49 (3) (a) of the statutes is amended to read:

12 103.49 (3) (a) Before bids are asked for any work to which this section applies,
13 the state agency having the authority to prescribe the specifications shall apply to
14 the department to determine the prevailing wage rate for each trade or occupation
15 required in the work under contemplation in the area in which the work is to be done.
16 The department shall conduct investigations and hold public hearings as necessary
17 to define the trades or occupations that are commonly employed on projects that are
18 subject to this section and to inform itself as to the prevailing wage rates in all areas
19 of the state for those trades or occupations, in order to determine the prevailing wage
20 rate for each trade or occupation. In defining those trades or occupations, the
21 department may not define swimming pool installer as a separate trade or
22 occupation for purposes of determining the prevailing wage rates for the trades or
23 occupations that are commonly employed in the construction of swimming pools. The
24 department shall issue its determination within 30 days after receiving the request

1 and shall file the determination with the requesting state agency. For the
2 information of the employees working on the project, the prevailing wage rates
3 determined by the department, the prevailing hours of labor and the provisions of
4 subs. (2) and (6m) shall be kept posted by the state agency in at least one conspicuous
5 and easily accessible place on the site of the project.”.

6 **3.** Page 1428, line 5: after that line insert:

7 “(3z) PREVAILING WAGE RATES; JOB CLASSIFICATIONS. The treatment of sections
8 66.0903 (3) (am) and 103.49 (3) (a) of the statutes takes effect on January 1, 2002,
9 or on the day after publication, whichever is later.”.

10 (END)