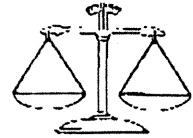


AB528 (1)



Wisconsin Department of Transportation
Office of General Counsel



MEMORANDUM

To: Representative Lee Meyerhofer
From: Allyn Lepeska
Date: October 15, 2001
Subject: A.B. 528 and S.B. 268

The Wisconsin Department of Transportation enforces the prevailing wage rate on state highway projects. Section 103.50(8) requires contractors to "keep and furnish upon the request by the department of transportation, copies of payrolls and other records and information related to compliance of this section."

A.B. 528 and S.B. 268 create a new section 103.50(6m) that requires every contractor to "keep full and adequate records clearly indicating the name and trade or occupation of every person performing the work described in sub. (2m) and an accurate number of hours worked by each of those persons and the actual hours worked." It then provides that "any person" may inspect and copy those records without personally identifiable information.

Our concern is that a contractor may read the more restrictive (6m) to delete personal information on records it is required to provide the department and make enforcement more difficult. The drafter is aware of the Department's concerns and can clarify same if you so request.

→ DMH dr/epk

In addition, prevailing wages are paid based upon the classification of the work performed so it would be more helpful for the contractor to keep a record of the classification of the work performed rather than the occupation of the person performing the work.

If you have any questions, feel free to contact me.