

CHAPTER 526

AN ACT to renumber 103.50 (3); to amend 103.50 (2); and to create 103.50 (3) (b) of the statutes, relating to wage rates on highway contracts, including rates where the worker uses his own equipment.

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

SECTION 1. 103.50 (2) of the statutes is amended to read:

103.50 (2) \* \* \* "Prevailing hours of labor" \* \* \* means the hours of labor per day and per week worked within the area by a larger number of workmen of the same class than are employed within the area for any other number of hours per day and per week. In no event \* \* \* shall the prevailing hours of labor be deemed to be more than 8 hours per day nor more than 40 hours per week. \* \* \* "Prevailing wage rate" \* \* \* means the rate of pay per hour paid to the largest number of workmen engaged in the same class of labor within such area, including rental rates for truck hire paid to those who own and operate the truck. In no event \* \* \* shall the prevailing wage rate for any class of labor be deemed to be less than a reasonable and living wage, nor shall truck rental rates established pursuant to this provision be subject to the provisions of sub. (1) relating to hours worked in excess of the prevailing hours when operated in excess of 8 hours in any one day or 40 hours in any one week. \* \* \* "Area" \* \* \* means the locality from which labor for any project within such area would normally be secured.

SECTION 2. 103.50 (3) of the statutes is renumbered 103.50 (3) (a).

SECTION 3. 103.50 (3) (b) of the statutes is created to read:

103.50 (3) (b) The commission shall inform itself of the nature of the equipment furnished by truck drivers who own and operate trucks on such contract work, with a view to ascertaining and determining minimum rates for the drivers and equipment. In order to protect the minimum wage rates established by the commission from evasion through unrealistic rates paid truck drivers for equipment owned and operated by them, the commission shall establish minimum rates for the drivers and equipment owned and operated by them. It is the intent of this provision to prevent a truck driver who owns the equipment he operates from being required to accept less than the actual cost of operating his equipment, thereby reducing the scale of wages established by the commission.

SECTION 4. This bill is declared to be an emergency executive budget bill in accordance with the provisions of s. 15.11 (2) of the statutes.

Approved October 2, 1959.