

HB 828 -- Prevailing Wage

Sponsor: Ruestman

This bill requires the Department of Labor and Industrial Relations to annually determine the prevailing hourly rate of wages in all third and fourth classification counties and certain first and second classification counties. The prevailing hourly rate is the wage required to be paid for work of a similar character in the locality in which the work is performed and must be paid to all workers employed by or on behalf of any public body engaged in public works. Any work done for or by any drainage or levee district, any public work project with a total cost of up to \$150,000, or any maintenance and repair work on a public works project is exempt from the hourly wage rate requirement.

In determining the prevailing hourly rate, the department will consider the wage rate for each type of work performed and each occupational title as claimed by the unions in a locality. In any location where no wages are reported, the wage rate will be 1.5 times the most recent average hourly wage rate as annually determined by the Missouri Economic Research and Information Center of the Department of Economic Development.

Contractors and subcontractors are required to pay no less than the prevailing hourly rate to all workers employed in the execution of a contract with any public body. Contractors or subcontractors will forfeit to the contracting public body \$10 per worker for each day they fail to pay the prevailing hourly rate.

The department will determine annually the prevailing hourly wage rate to be contained in the general wage order for the Highways and Transportation Commission. The department will consider the applicable wage rates established by collective bargaining agreements, if any, and the average rates that are paid within the locality. Any person affected by the rate determination may file an objection with the department. The hearing, notice, and determination procedures are specified.

The department will annually determine the prevailing hourly wage rate in each locality for each separate occupational title. The department will ascertain the rates generally paid within a locality and by March 11 file a certified copy of its findings with the Secretary of State. Any person affected by the rate determination may file an objection with the department. The hearing, notice, and determination procedures are specified.

Certain reporting requirements for each public body which awards

a contract for a public works project and any contractor or subcontractor engaged in the construction are specified. Any person representing a public body, contractor, or subcontractor who willfully violates the provisions of the bill is subject to a fine of up to \$500 and/or imprisonment up to six months for each offense.