



## **Memorandum**

DATE: February 3, 2010

TO: Menasha Common Council

FROM: Mark Radtke, Director of Public Works *MR*

RE: Minimum Wage Rates

Alderman Benner requested a copy of our most recent Prevailing Wage Rate decision from the State be included in the next Council packet. Enclosed is a copy of the State of Wisconsin Prevailing Wage Rate Determination for the Midway Business Park Street Construction Project from last year. The state wage rate determinations are specific by county so there may be slight variances between Calumet and Winnebago County projects. The State wage rates are, generally speaking, at least twice as high as the current City of Menasha minimum rates.

Enclosure

M:\word\CC memo re wage rates 2-3-10.doc

Jim Doyle  
Governor  
Roberta Gassman  
Secretary  
Jennifer A. Ortiz  
Division Administrator



EQUAL RIGHTS DIVISION  
201 East Washington Avenue, Room A300  
P.O. Box 8928  
Madison, WI 53708  
Telephone: (608) 266-6860  
Fax: (608) 267-4592  
TTY: (608) 264-8752  
<http://www.dwd.state.wi.us/>

State of Wisconsin  
Department of Workforce Development

**RECEIVED**

DEPARTMENTAL ORDER

FEB 17 2009

MARK RADTKE, DIRECTOR OF PUBLIC WORKS  
CITY OF MENASHA  
140 MAIN ST  
MENASHA, WI 54952

RE: MIDWAY BUSINESS PARK CONCRETE STREET AND SIDEWALK  
CITY OF MENASHA, WINNEBAGO COUNTY, WISCONSIN  
Determination No. 200900292 Project No. 2009-01

The application which you filed or was filed on your behalf, by the person copied below, for a prevailing wage rate determination applicable to the above-referenced project has been received.

A survey was conducted to determine the prevailing wage rate for the trade(s) or occupation(s) needed to complete the project. The findings of the survey are set forth in the enclosed determination.

If you believe that the wage rate for any trade or occupation does not accurately reflect the prevailing wage rate in the city, village or town in which the project is located, you have the right to request the department to conduct an administrative review regarding such wage rate.

Your request must be made, in writing, within 30 days from the date indicated below and at least 10 days before the date a construction contract(s) is to be awarded or negotiated. Your request must also include wage rate information on at least three (3) similar projects located in the city, village or town where the proposed project is located on which some work was performed by the contested trade(s) or occupation(s) during the current survey period and which was previously considered by the department in issuing the enclosed determination. See s. DWD 290.10 of the Wisconsin Administrative Code and either s. 66.0903 (3)(br) or s. 103.49 (3)(c), Stats. for a complete explanation of the administrative review process.

Now, therefore, it is hereby ORDERED that the prevailing wage rates set forth in the enclosed determination shall only be applicable to the above referenced project. This ORDER shall be deemed a FINAL ORDER of this department unless a timely request for an administrative review is filed with the department or a construction contract(s) is not awarded or negotiated before the determination's expiration date.

DATED

2/16/2009

Enclosures

FOR THE DEPARTMENT

A handwritten signature in black ink, appearing to read 'Rita Ruona', written over a horizontal line.

Rita Ruona, Investigator  
Labor Standards Bureau  
Construction Wage Standards Section  
(608) 266-1898

## PREVAILING WAGE RATE DETERMINATION

Issued by the State of Wisconsin  
Department of Workforce Development  
Pursuant to s. 66.0903, Stats.  
Issued On: 2/16/2009

**DETERMINATION NUMBER:** 200900292

**EXPIRATION DATE:** Prime Contracts MUST Be Awarded Or Negotiated On Or Before 12/31/2009. If NOT, You MUST Reapply.

**DESCRIPTION OF PROJECT:** MIDWAY BUSINESS PARK CONCRETE STREET AND SIDEWALK  
PROJECT NO: 2009-01

**LOCATION OF PROJECT:** CITY OF MENASHA, WINNEBAGO COUNTY, WISCONSIN

**CONTRACTING AGENCY:** CITY OF MENASHA

**CLASSIFICATION:** Contractors are required to call the Department of Workforce Development if there are any questions regarding the proper trade or classification to be used for any worker on a public works project.

**OVERTIME:** Time and one-half must be paid for all hours worked over 10 hours per day and 40 hours per calendar week and for all hours worked on Saturday, Sunday and the following six (6) holidays: January 1; the last Monday in May; July 4; the 1st Monday in September; the 4th Thursday in November; December 25; the day before if January 1, July 4 or December 25 falls on a Saturday; the day following if January 1, July 4 or December 25 falls on a Sunday.

**FUTURE INCREASE:** If indicated for a specific trade or occupation, the full amount of such increase MUST be added to the "TOTAL" indicated for such trade or occupation on the date(s) such increase(s) becomes effective.

**PREMIUM PAY:** If indicated for a specific trade or occupation, the full amount of such pay MUST be added to the "HOURLY BASIC RATE OF PAY" indicated for such trade or occupation, whenever such pay is applicable.

**SUBJOURNEY:** Wage rates may be available for some of the classifications indicated below with the exception of laborers, truck drivers and heavy equipment operators. Any employer that desires to use any subjourney classification on this project MUST request the applicable wage rate from this department PRIOR to the date such classification is used on this project. Form ERD-10880 is available for this purpose.

### SEWER, WATER OR TUNNEL CONSTRUCTION

Includes those projects that primarily involve public sewer or water distribution, transmission or collection systems and related tunnel work (excluding buildings).

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Bricklayer, Blocklayer or Stonemason	27.98	13.20	41.18
Carpenter	27.51	13.48	40.99
Future Increase(s): Add \$2.25/hr on 6/1/2009; Add \$2.25/hr on 5/31/2010.			
Cement Finisher	27.00	12.83	39.83
Electrician	28.34	15.48	43.82
Fence Erector	17.35	3.08	20.43
Ironworker	26.78	18.14	44.92
Line Constructor (Electrical)	33.08	14.68	47.76
Pavement Marking Operator	26.52	17.13	43.65
Piledriver	26.61	12.86	39.47
Plumber	33.65	12.83	46.48
Steamfitter	30.16	12.98	43.14
Teledata Technician or Installer	20.69	10.17	30.86

Fringe Benefits Must Be Paid On All Hours Worked

TRADE OR OCCUPATION	HOURLY BASIC RATE OF PAY	HOURLY FRINGE BENEFITS	TOTAL
	\$	\$	\$
Tuckpointer, Caulker or Cleaner	27.98	13.20	41.18
Underwater Diver (Except on Great Lakes)	30.16	12.98	43.14
Well Driller or Pump Installer	23.52	13.90	37.42
Heavy Equipment Operator - ELECTRICAL LINE CONSTRUCTION ONLY	25.22	12.05	37.27
Light Equipment Operator -ELECTRICAL LINE CONSTRUCTION ONLY	26.48	15.50	41.98
Heavy Truck Driver - ELECTRICAL LINE CONSTRUCTION ONLY	16.00	8.00	24.00
Light Truck Driver - ELECTRICAL LINE CONSTRUCTION ONLY	21.50	11.00	32.50
Groundman - ELECTRICAL LINE CONSTRUCTION ONLY	18.19	10.04	28.23

## TRUCK DRIVERS

Single Axle or Two Axle	17.75	3.50	21.25
Three or More Axle	18.00	0.00	18.00
Articulated, Euclid, Dumptor, Off Road Material Hauler	24.98	14.87	39.85
Pavement Marking Vehicle	20.06	11.55	31.61
Truck Mechanic	19.00	11.14	30.14

## LABORERS

General Laborer Future Increase(s): Add \$1.45/hr on 6/01/09; Add \$1.45/hr on 6/07/2010; Add \$1.45/hr on 6/06/2011 Premium Pay: Add \$.20 for blaster, bracer, manhole builder, caulker, bottomman and power tool; Add \$.55 for pipelayer; Add \$1.00 for 0-15 lbs. compressed air; Add \$2.00 for 15-30 lbs. compressed air; Add \$3.00 for over 30 lbs. compressed air.	23.83	11.74	35.57
Landscaper	23.28	11.14	34.42
Flagperson or Traffic Control Person	18.55	12.20	30.75
Fiber Optic Laborer (Outside, Other Than Concrete Encased)	16.58	12.00	28.58
Railroad Track Laborer	21.38	14.04	35.42

## HEAVY EQUIPMENT OPERATORS

Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of Over 100 Tons; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 176 Feet or Over; Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of 130,000 Lbs. or Over Future Increase(s): Add \$2.00/hr on 6/1/2009; Add \$2.05/hr on 6/1/2010. Premium Pay: Add \$.25/hr for cranes with lifting capacity of 45 ton or over.	31.12	16.41	47.53
Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of 100 Tons or Under; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 175 Feet or Under; Traveling Crane (Bridge Type); Caisson Rig; Pile Driver; Dredge (Not Performing Work on the Great Lakes); Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of Under 130,000 Lbs.	25.50	1.67	27.17
Truck Mounted Hydraulic Crane (10 Tons or Under); Tractor or Truck Mounted Hydraulic Backhoe; Gradall (Cruz-Aire Type); Mechanic or Welder; Bulldozer or Endloader; Grader or Motor Patrol; Concrete Pump, Grout Pump, or Concrete Conveyor (Rotec or Bidwell Type); Concrete Breaker (Manual or Remote); Concrete Batch Plant; Power Subgrader; Concrete	28.97	15.83	44.80

**Fringe Benefits Must Be Paid On All Hours Worked**

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Spreader; Concrete Paver; Concrete Grinder or Planing Machine; Concrete Conveyor System; Concrete Slipform Placer; Curb and Gutter Machine; Roller (Over 5 Ton); Shouldering Machine; Boring Machine (Horizontal, Vertical or Directional); Air Track, Rotary or Percussion Drilling Machine; Straddle Carrier or Travel Lift; Manhoist or Elevator; Material or Stack Hoist; Trencher; Sideboom; Post Hole Digger or Driver; Tug or Launch (Not Performing Work on the Great Lakes)			
Farm or Industrial Type Tractor; Greaser; Compactor (Self-Propelled); Concrete Saw (Vermeer Type); Concrete Bump Cutter or Grooving Machine; Tining or Curing Machine; Roller (5 Ton or Under); Broom or Sweeper; Hoist (Tugger); Environmental Burner	28.56	15.79	44.35
Crusher, Screening or Wash Plant; Air, Electric or Hydraulic Jacking System; Air Compressor (400 CFM or Over); Generator (150 KW or Over); Pump (3 Inch or Over) or Well Points; Refrigeration Plant or Freeze Machine; Skid Steer Loader (With or Without Attachments); Robotic Tool Carrier (With or Without Attachments); Skid Rig; Stump Chipper; Mulcher; Vibratory Hammer or Extractor; High Pressure Utility Locating Machine (daylighting machine).	28.56	15.35	43.91
Oilier; Forklift	28.97	15.95	44.92

**LOCAL STREET OR MISCELLANEOUS PAVING CONSTRUCTION**

**Includes roads, streets, alleys, trails, bridges, paths, racetracks, parking lots and driveways (except residential or agricultural), public sidewalks or other similar projects (excluding projects awarded by the Wisconsin Department of Transportation).**

Bricklayer, Blocklayer or Stonemason Future Increase(s): Add \$1.90 06/01/2009; Add \$1.95 05/31/2010	29.24	13.80	43.04
Carpenter Future Increase(s): Add \$2.25/hr on 6/1/2009; Add \$2.25/hr on 5/31/2010.	27.51	13.48	40.99
Cement Finisher Future Increase(s): Add \$1.90 06/01/2009; Add \$1.95 05/31/2010	29.24	13.80	43.04
Electrician Future Increase(s): Add \$1.70/hr on 6/1/2009; Add \$1.70/hr on 6/1/2010.	31.00	16.80	47.80
Fence Erector	17.35	3.08	20.43
Ironworker	28.96	18.41	47.37
Line Constructor (Electrical)	33.08	14.68	47.76
Painter	21.61	7.52	29.13
Pavement Marking Operator	26.52	17.13	43.65
Piledriver	26.61	12.86	39.47
Roofer or Waterproofer	19.25	8.26	27.51
Teledata Technician or Installer Future Increase(s): Add \$.90 on 6/1/09.	21.08	10.68	31.76
Tuckpointer, Caulker or Cleaner	27.98	13.20	41.18
Underwater Diver (Except on Great Lakes)	30.16	12.98	43.14
Heavy Equipment Operator - ELECTRICAL LINE CONSTRUCTION ONLY	25.22	12.05	37.27
Light Equipment Operator -ELECTRICAL LINE CONSTRUCTION ONLY	26.46	12.69	39.15
Heavy Truck Driver - ELECTRICAL LINE CONSTRUCTION ONLY	23.16	11.48	34.64
Light Truck Driver - ELECTRICAL LINE CONSTRUCTION ONLY	21.50	11.00	32.50

Fringe Benefits Must Be Paid On All Hours Worked

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Groundman - ELECTRICAL LINE CONSTRUCTION ONLY	18.19	10.04	28.23
<b>TRUCK DRIVERS</b>			
Single Axle or Two Axle	27.00	0.00	27.00
Three or More Axle	16.15	4.52	20.67
Articulated, Euclid, Dumptor, Off Road Material Hauler Future Increase(s): Add \$1.75/hr on 6/1/2009; Add \$1.80/hr on 6/1/2010.	29.89	16.41	46.30
Pavement Marking Vehicle	20.06	11.55	31.61
Shadow or Pilot Vehicle	35.51	0.00	35.51
Truck Mechanic	19.00	11.14	30.14
<b>LABORERS</b>			
General Laborer	20.96	11.32	32.28
Landscaoper Future Increase(s): Add \$1.55/hr on 6/1/09; Add \$1.60/hr on 6/1/10; Add \$1.60/hr on 6/1/11; Add \$1.60/hr on 6/1/12; Add \$1.70/hr on 6/1/13; Add \$1.60/hr on 6/ 1/ 14. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.25/hr for work performed under artificial illumination with traffic control.	23.87	11.75	35.62
Flagperson or Traffic Control Person	19.60	10.59	30.19
Fiber Optic Laborer (Outside, Other Than Concrete Encased)	16.58	12.00	28.58
Railroad Track Laborer	21.38	14.04	35.42
<b>HEAVY EQUIPMENT OPERATORS CONCRETE PAVEMENT OR BRIDGE WORK ONLY</b>			
Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of Over 100 Tons; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 176 Feet or Over Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/ 1/ 13. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.	30.97	16.60	47.57
Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of 100 Tons or Under; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 175 Feet or Under; Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of 130,000 Lbs. or Over; Caisson Rig; Pile Driver; Dredge (Not Performing Work on the Great Lakes) Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/ 1/ 13. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.	30.47	16.60	47.07
Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of Under 130,000 Lbs.; Tractor or Truck Mounted Hydraulic Backhoe; Gradall (Cruz-Aire Type); Mechanic or Welder; Bulldozer or Endloader; Grader or Motor Patrol; Scraper (Self Propelled or Tractor Drawn) 5 cu yards or more capacity; Concrete Pump, Grout Pump or Concrete Conveyor (Rotec or Bidwell Type); Concrete Breaker (Manual or Remote); Concrete Batch Plant; Power	29.97	16.60	46.57

**Fringe Benefits Must Be Paid On All Hours Worked**

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Subgrader; Concrete Spreader; Concrete Paver; Concrete Grinder or Planing Machine; Concrete Conveyor System; Concrete Slipform Placer; Curb and Gutter Machine; Air Track, Rotary or Percussion Drilling Machine; Straddle Carrier or Travel Lift; Trencher; Post Hole Digger or Driver; Tug or Launch (Not Performing Work on the Great Lakes) Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/ 1/ 13. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.			
Farm or Industrial Type Tractor; Greaser; Compactor (Self-Propelled); Concrete Saw (Vermeer Type); Concrete Bump Cutter or Grooving Machine; Tining or Curing Machine; Environmental Burner Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/ 1/ 13. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.	29.97	16.60	46.57
Oilier; Crusher, Screening or Wash Plant; Air Compressor; Generator; Pump (3 Inch or Over) or Well Points; Forklift; Skid Steer Loader (With or Without Attachments); Skid Rig; Stump Chipper; Mulcher; Vibratory Hammer or Extractor	28.42	15.98	44.40
Fiber Optic Cable Equipment	26.46	12.69	39.15

**HEAVY EQUIPMENT OPERATORS  
ASPHALT PAVEMENT OR OTHER WORK**

Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of Over 100 Tons; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 176 Feet or Over Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/ 1/ 13. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.	30.97	16.60	47.57
Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of 100 Tons or Under; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 175 Feet or Under; Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of 130,000 Lbs. or Over; Caisson Rig; Pile Driver; Dredge (Not Performing Work on the Great Lakes)	29.47	15.95	45.42
Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of Under 130,000 Lbs.; Tractor or Truck Mounted Hydraulic Backhoe; Gradall (Cruz-Aire Type); Mechanic or Welder; Bulldozer or Endloader; Grader or Motor Patrol; Scraper (Self propelled or Tractor Drawn) 5 cu yards or more capacity; Concrete Breaker (Manual or Remote); Power Subgrader; Concrete Grinder or Planing Machine; Concrete Slipform Placer; Curb and Gutter Machine; Asphalt Plant; Asphalt Paver; Asphalt Screed; Asphalt Milling Machine; Roller (Over 5 Ton); Shouldering Machine; Trencher; Post Hole Digger or Driver Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/ 1/ 13.	22.90	15.40	38.30
Farm or Industrial Type Tractor; Greaser; Compactor (Self-Propelled); Roller (5 Ton or Under); Broom or Sweeper; Environmental Burner Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on	22.90	15.40	38.30

**Fringe Benefits Must Be Paid On All Hours Worked**

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
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6/1/12; Add \$2/hr on 6/ 1/ 13.			
Oiler; Crusher, Screening or Wash Plant; Air Compressor; Generator; Pump (3 Inch or Over) or Well Points; Forklift; Skid Steer Loader (With or Without Attachments); Skid Rig; Stump Chipper; Mulcher; Vibratory Hammer or Extractor	22.97	15.95	38.92
Fiber Optic Cable Equipment	26.46	12.69	39.15
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This document **MUST BE POSTED** by the **CONTRACTING AGENCY** in at least one conspicuous and easily accessible place **on the site of the project**. A local governmental unit may post this document at the place normally used to post public notices if there is no common site on the project. This document **MUST** remain posted during the entire time any worker is employed on the project and **MUST** be physically incorporated into the specifications and all contracts and most subcontracts. If you have any questions, please write to the Equal Rights Division, Labor Standards Bureau, P.O. Box 8928, Madison, Wisconsin 53708 or call (608) 266-1898.

**The following statutory provisions apply to local governmental unit public works projects and are set forth below pursuant to the requirements of s. 66.0903 (8), Stats.**

Each contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person described in sub. (4) and an accurate record of the number of hours worked by each of those persons and the actual wages paid therefor.

Any contractor, subcontractor or agent thereof, who fails to pay the prevailing wage rate determined by the department under sub.(3) or who pays less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor determined under sub.(3), shall be liable to any affected employe in the amount of his or her unpaid wages or his or her unpaid overtime compensation and in an additional equal amount as liquidated damages. An action to recover the liability may be maintained in any court of competent jurisdiction by any employe for and in behalf of that employe and other employes similarly situated. No employe may be a party plaintiff to any such action unless the employe consents in writing to become such a party and the consent is filed in the court in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in addition to any judgment awarded to the plaintiff, allow reasonable attorney fees and costs to be paid by the defendant.