

DEPARTMENT: Board of Supervisors BY: Doug Balmain  
Supervisor District 2

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes\_\_\_ No\_x\_)  
Resolution in Support of AB 35 (Goldsmith) Prevailing Wage Survey for  
Wage Scales in Locality of Public Works Projects

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The attached Assembly Bill No. 35, introduced by Assembly Member Jan Goldsmith, requires the Director of Industrial Relations to determine the prevailing wage for a local area based upon a survey of wages in the locality in which a public works project is to be performed and to set that rate as a weighted average for each craft, classification or type of work performed in that locality. In determining those rates, the bill requires the director to ascertain and consider the applicable wage rates established by collective bargaining agreements and rates that have been predetermined for federal public works within the locality and in the nearest labor market area, together with data from collective bargaining representatives, as specified.

The Board supported similar legislation (SB 1204) in February of 1994 (Res #94-34). The bill subsequently fell short of the required votes in committee.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- 1. Do not support the bill. Mariposa County will not be on record in support of an action that could affect the cost of its public works projects.

COSTS: (x) Not Applicable  
A. Budgeted current FY \$ \_\_\_\_\_  
B. Total anticipated costs \$ \_\_\_\_\_  
C. Required additional funding \$ \_\_\_\_\_  
D. Internal transfers \$ \_\_\_\_\_  
SOURCE: ( ) 4/5ths Vote Required  
A. Unanticipated revenues \$ \_\_\_\_\_  
B. Reserve for contingencies \$ \_\_\_\_\_  
C. Source description: \_\_\_\_\_  
Balance in Reserve for Contingencies, \_\_\_\_\_  
if approved: \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:  
Assembly bill AB 35 (Goldsmith)  
\_\_\_\_\_  
\_\_\_\_\_

CLERK'S USE ONLY:  
Res. No.: 95-373 Ord. No. \_\_\_\_\_  
Vote - Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_  
Approved ( ) Denied  
( ) Minute Order Attached ( ) No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:  
This item on agenda as:  
 Recommended  
 Not Recommended  
 For Policy Determination  
 Submitted with Comment  
 Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.  
Date: \_\_\_\_\_  
ATTEST: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By: \_\_\_\_\_  
Deputy

Comment: \_\_\_\_\_  
A.O. Initials: DB



# Mariposa County Board of Supervisors

District 1.....PATTI A. REILLY  
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District 3.....ROBERT C. STEWART  
District 4.....GARRY R. PARKER  
District 5.....GERTRUDE R. TABER



MIKE COFFIELD  
County Administrative Officer

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August 17, 1995

The Honorable Dick Monteith  
California State Senate  
State Capitol, Room 2048  
Sacramento, CA 95814

The Honorable George House  
California State Assembly  
State Capitol, Room 4017  
Sacramento, CA 95814

Dear Senator Monteith and Assemblyman House,

At its meeting of August 15, 1995, the Mariposa County Board of Supervisors unanimously took action to support AB 35 (Goldsmith), relative to prevailing wage survey for wage scales in locality of public works projects; and AB 36 (Goldsmith) relative to prevailing wage exemption for local public works projects.

A copy of Resolution No. 95-373 and 95-374 is enclosed for your review and consideration.

We respectfully urge your support concerning AB 35 and AB 36; and should you have any questions, please do not hesitate to contact our office.

Respectfully submitted,

GARRY R. PARKER  
Chairman

GRP:mw

Enclosures

cc: Assemblyman Jan Goldsmith  
California State Association of Counties  
Regional Council of Rural Counties





**ASSEMBLY BILL**

**No. 35**

**Introduced by Assembly Member Goldsmith**

July 14, 1995

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An act to amend Section 1773 of the Labor Code, relating to public works.

LEGISLATIVE COUNSEL'S DIGEST

AB 35, as introduced, Goldsmith. Public works: prevailing wage rates.

Existing law requires the Director of Industrial Relations to determine the general prevailing rate of per diem wages in the locality in which a public work is to be performed for each craft, classification, or type of worker needed to execute the contract. In determining those rates, the director is required to ascertain and consider the applicable wage rates established by collective bargaining agreements and rates that have been predetermined for federal public works within the locality and in the nearest labor market area, together with data from collective bargaining representatives, as specified.

This bill instead would require the director, in determining the general prevailing rate of per diem wages in the locality in which the public work is to be performed, to conduct a survey of the wages paid for work performed in each locality for each craft, classification, or type of work, and to use a weighted average of the wage rates surveyed for each craft, classification, or type of work.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1773 of the Labor Code is  
2 amended to read:

3 1773. (a) The body awarding any contract for public  
4 work, or otherwise undertaking any public work, shall  
5 obtain the general prevailing rate of per diem wages and  
6 the general prevailing rate for holiday and overtime work  
7 in the locality in which the public work is to be performed  
8 for each craft, classification, or type of ~~workman~~ worker,  
9 as specified in Section 1723, needed to execute the  
10 contract from the Director of the Department of  
11 Industrial Relations. The holidays upon which ~~such~~ these  
12 rates shall be paid need not be specified by the awarding  
13 body, but shall be all holidays recognized in the collective  
14 bargaining agreement applicable to the particular craft,  
15 classification, or type of ~~workman~~ worker employed on  
16 the project.

17 In determining such rates, the Director of the  
18 Department of Industrial Relations shall ascertain and  
19 consider the applicable wage rates established by  
20 collective bargaining agreements and such rates as may  
21 have been predetermined for federal public works,  
22 within the locality and in the nearest labor market area.  
23 Where such rates do not constitute the rates actually  
24 prevailing in the locality, the director shall obtain and  
25 consider further data from the labor organizations and  
26 employers or employer associations concerned, including  
27 the recognized collective bargaining representatives for  
28 the particular craft, classification or type of work  
29 involved. The rate fixed for each craft, classification or  
30 type of work shall be not less than the prevailing rate paid  
31 in such craft, classification or type of work.

32 If the director determines that the rate of prevailing  
33 wage for any craft, classification or type of workman is the  
34 rate established by a collective bargaining agreement,  
35 the director may adopt such rate by reference as

1 provided that in such agreement and such determination  
2 shall be effective for the life of such agreement or until  
3 the director determines that another rate should be  
4 adopted.

5 (b) In determining the general prevailing rate of per  
6 diem wages in the locality in which the public work is to  
7 be performed, the director shall conduct a survey of the  
8 wages paid for work performed in each locality in which  
9 the public work is to be performed for each craft,  
10 classification, or type of worker needed to execute the  
11 contract, and use an average of the wage rates surveyed,  
12 weighted by the total employed for each craft,  
13 classification, or type of work.