

**Title 8—DEPARTMENT OF
LABOR AND INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

PROPOSED AMENDMENT

8 CSR 30-3.010 Prevailing Wage Rates for Public Works Projects. The division proposes to amend the section (4).

PURPOSE: The Department of Labor and Industrial Relations determines the prevailing wages of occupational classifications in the construction industry for each Missouri county and the City of St. Louis. Under section 290.262, RSMo, the Department must file its initial prevailing wage determinations with the Secretary of State by March tenth of each year. The Department receives thousands of submissions indentifying wage rates paid for millions of hours worked in the various occupational classifications throughout the state each year. (For use in preparing the 2015 wage order, the Department received reports of wage rates paid for over nineteen million hours of construction work.) In order for it to reasonably be able to consider the impact of the hours submitted, especially considering that the wage rates determined to be prevailing in a county can be dependent on rates paid in an adjacent county under section 290.262.3, RSMo, the Department needs to set a cutoff date by which the submissions must be made so that it can then complete the task of sorting and tabulating the hours submitted, and then assess what wage rates prevail as defined by statute. This amendment sets such a cutoff date.

(4) The annual wage order issued by the department contains the current wage rates prevailing in the locality at the time the annual wage order is issued. Hours worked during the calendar year are used to set the prevailing wage rates in the annual wage order issued in March of the following year. **The department will consider hours submitted for use in its initial determination of the prevailing wage rates to be included in a particular year's wage order only if those hours are received by it, by either paper submission or in electronic format, no later than January thirty-first of that year.** Section 290.262.9, RSMo provides that the annual wage order for a particular occupational title may be altered once each year with an incremental increase. A public body shall specify in the call for bids for each contract the prevailing hourly rate of wages in the locality for each type of worker as set forth in the annual wage order or any replacement page(s) identifying the annual incremental increase issued by the department. The wage rates attached to and made a part of the call for bids for a contract shall remain in effect for the duration of that particular contract.

*AUTHORITY: section 290.240.2, RSMo 2000. Original Rule filed Dec. 18, 1975, effective Dec. 28, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed November 10, 2015.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Labor Standards, Attn: John E. Lindsey, Director, PO Box 449, Jefferson City, MO 65102-0449. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*