



Legislation Details (With Text)

**File #:** 45115      **Version:** 1      **Name:** Eliminating references to prevailing wage laws  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/11/2016      **In control:** BOARD OF PUBLIC WORKS  
**On agenda:** 2/7/2017      **Final action:** 2/7/2017  
**Enactment date:** 2/21/2017      **Enactment #:** ORD-17-00011

**Title:** Amending Section 33.07(7)(k)6. and Section 39.02(9)(f)1. of the Madison General Ordinances to eliminate statutory references to municipal prevailing wage laws.

**Sponsors:** Larry Palm, Paul E. Skidmore

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/7/2017	1	COMMON COUNCIL	Adopt	Pass
1/25/2017	1	BOARD OF PUBLIC WORKS	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	
12/13/2016	1	AFFIRMATIVE ACTION COMMISSION	Return to Lead with the Recommendation for Approval	
11/22/2016	1	BOARD OF PUBLIC WORKS	Referred	
11/22/2016	1	COMMON COUNCIL	Refer	Pass
11/11/2016	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

No fiscal impact.

**Title**

Amending Section 33.07(7)(k)6. and Section 39.02(9)(f)1. of the Madison General Ordinances to eliminate statutory references to municipal prevailing wage laws.

**Body**

DRAFTER'S ANALYSIS: This ordinance eliminates references to the State's municipal prevailing wage law, which was repealed as part of the 2015 state budget (2015 Wis. Act 55). The repeal of the State's local prevailing wage requirements, as set forth in Wis. Stat. § 66.0903 (2013-2014 Stats.), goes into effect on January 1, 2017. The City may still be subject to prevailing wage requirements under the federal Davis-Bacon Act for certain federally funded projects. Accordingly, the references to the municipal prevailing wage laws are being changed to apply more broadly to any applicable prevailing wage law, which would include municipal prevailing wages should the State laws be changed in the future to allow that.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Paragraph 6. of Subdivision (k) entitled "Required Certifications" of Subsection (7) entitled "Best Value Contracting" of Section 33.07 entitled "Board of Public Works" of the Madison General Ordinances is amended to read as follows:

"6. Pay all craft employees that it employs on public works projects the wage rates and benefits required under any applicable prevailing wage law, ~~Wis. Stat. § 66.0903.~~"

2. Paragraph 1. entitled "Maintenance of Records" of Subdivision (f) entitled "Record-Keeping Requirements" of Subsection (9) entitled "Contract Compliance Provisions" of Section 39.02 entitled "Affirmative Action Ordinance" of the Madison General Ordinances is amended to read as follows:

"1. Maintenance of Records. All contractors shall keep full and accurate records of the minority group status and the sex of all employees and whether or not they are persons with disabilities, as well as dates of hire, termination, recall and/or layoff, reasons for termination or layoff, and job duties or job description for each employee. In addition, every contractor subject to ~~Wis. Stat. § 66.0903(10)(a) and Wis. Admin. Code § DWD 290.13 and DWD 290.14~~ any applicable prevailing wage law shall keep records of the name and trade or occupation of every employee, and an accurate record of hours worked by each employee as are required to be kept pursuant to those regulations.

All contractors shall also maintain such records as may be required by the Common Council in the Affirmative Action Plan as defined in Sec. 39.02(9)(a)1. of this ordinance. Contractors requesting exempt status under this ordinance shall furnish all information requested by the Division of Affirmative Action in order to determine exempt status."