

PREVAILING WAGE FOR THE UNIVERSITY OF MISSOURI

A GUIDE FOR CONTRACTORS AND EMPLOYEES

Prevailing wage throughout the University of Missouri System refers to a set of predetermined wage rates that are incorporated into the specifications and contracts. The Board of Curators policy is that the workers on University projects be paid the appropriate wage rate for work of a similar character within the county where construction takes place. Contractors are required to pay their workers those rates for the duration of the contract.

The wage rates for the University are determined by the Director of Facilities Planning and Development. The Prevailing Wage Coordinator is in that office and is responsible for activities necessary to ensure compliance with the prevailing wage rate portion of the contracts.

The campuses and facilities in the University System are not subject to the provisions of the Missouri prevailing wage law. However, because of the Board of Curators policy and the construction contracts requirements, the contractors and their employees should 'feel' the same as they do when on a public works project covered the state prevailing wage law.

WAGE RATES

The wage rates for the University are determined by adopting the Annual Wage Order issued by the State of Missouri, Department of Labor and Industrial Relations, Division of Labor Standards. This takes advantage of the survey, analysis and publication process set up by the State, thus avoiding a duplicate process.

Some University projects are partially funded with Federal money. When this occurs the specifications have not only the wage rates for the University but also those required by the Federal Davis-Bacon law. In those cases the contractor is required to comply with both wage rate requirements.

A wage rate for each construction occupation on a project is given on the rate sheet. The worker must be paid the total of the base rate of pay and the fringe benefit amount. The fringe benefit may be paid to 'third party' plans. The contractor may take credit only for the amount that is paid to such a plan. The remainder must be paid to the worker.

Each wage rate has accompanying overtime and holiday provisions. These explain how the overtime must be paid and for which holidays.

The contractor is required to post the wage rates for the project at the field office in such a manner that all employees can readily see it. They should remain posted for the duration of the project. In cases where there is not field office, the contractor may post them at their local office. Contractors should provide a copy of the wage rates to employees on request.

WORK OF A SIMILAR CHARACTER

The rate sheets in the wage orders have approximately 39 different wage rates. There is one for each 'craft' or occupational title found on a construction project. The rates are based on surveys of what rate is paid to each occupational title.

Each occupational title is defined in a state regulation. The University contracts include that regulation by reference to define what is 'work of a similar character'. The regulation describes what tasks a person in each of the different title does. For example: if a worker is building concrete framework, they should be paid the rate for a 'carpenter'.

WHO SHOULD BE PAID

All persons who are working on the project site or in a temporary yard or a facility that is established for the project should be paid the prevailing wage rate for the type of work they are doing. Working foremen are considered to be workers and should be paid the correct rate. This is required of the prime contractor and any subcontractor of any tier.

The exception is work performed in permanent offices, fabrication plants and yards; and supervisory personnel or professional services.

APPRENTICES

A contractor may pay a lower rate of pay to workers if they are apprentices. In order for a worker to be considered an apprentice, they must be enrolled in a program that is registered with the U. S. Department of Labor, Office of Apprenticeship. Apprentices may not be employed in greater numbers (in relation to journey level workers) than the program standards allow.

FRINGE BENEFITS AND DEDUCTIONS FROM WORKRS PAY

The contractor can take credit for payments to 'third party' funds for health and insurance, vacation funds, pension plans, cost of apprenticeship programs, etc. Such payments may not be considered as fringe benefits if required by law. State required workers compensation insurance is an example.

Bonuses, travel pay, mileage, meals or other similar expenses cannot be considered to be fringe benefits.

The contractor may not make any deductions from the workers pay for meals, sleeping accommodations, transportation, use of small tools, uniforms or anything of any kind or description unless they have entered into an agreement in writing at the beginning of the workers term of employment. Such an agreement has to be approved by the University.

The contractors cannot demand that their workers make contributions or give part or all of their wages back in order to get or keep a job. The exception to this is to an agent of representative of a duly constituted labor organization acting in the collection of dues or assessments of such an organization.

HOW COMPLIANCE IS MONITORED

The contractor and all subcontractors are required to submit certified payroll reports to the Construction Project Manager. These reports are submitted and uploaded online via projex. The reports are reviewed by University personnel and the Prevailing Wage Coordinator.

The Prevailing Wage Coordinator may also conduct wage interviews with workers. Interviews will generally be conducted on the projects but may also be conducted at other times.

The contractors and subcontractors on a project are required to maintain and permit audits of the payroll accounting records related to the project. The Prevailing Wage Coordinator will conduct audits for compliance with the wage provisions.

FOR MORE INFORMATION REGARDIDNG PREVAILING WAGE COMPLIANCE ON UNIVERSITY CONTRACTS CONTACT:

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