

Grand Rapids, Minnesota, Code of Ordinances >> - CODE OF ORDINANCES >> Chapter 2 - ADMINISTRATION
>> ARTICLE IV. - FINANCE >> DIVISION 2. - PREVAILING WAGE RATE AND HOURS OF LABOR FOR
EMPLOYEES OF CITY CONTRACTORS >>

**DIVISION 2. - PREVAILING WAGE RATE AND HOURS OF LABOR FOR EMPLOYEES OF CITY
CONTRACTORS** ^[5]

Sec. 2-111. - Definitions.

Sec. 2-112. - Purpose.

Sec. 2-113. - City project contracts.

Sec. 2-114. - Determining prevailing wage rate and hours of labor.

Sec. 2-115. - Posting.

Sec. 2-116. - Penalty.

Secs. 2-117—2-140. - Reserved.

Sec. 2-111. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Area means the county or other locality from which labor for any project would normally be secured.

Hourly basic wage means the hourly wage paid to any employee.

Prevailing hours of labor means the hours of labor per day and per week worked within the area by a larger number of workers of the same class than are employed within the area for any other number of hours per day and per week.

Prevailing wage rate means the hourly basic rate of pay plus the contribution for health and welfare benefits, vacation benefits, pension benefits and any other economic benefit paid to the largest number of workers engaged in the same class of labor within the area. In no event shall the prevailing wage rate be deemed to be less than a reasonable and living wage.

Project means erecting, constructing, remodeling or repairing any public building or other public work financed in whole or part by city funds, or any funds that are administered by the city.

Sec. 2-112. - Purpose.

It is the purpose of this division to establish the prevailing wage rate as defined in Minn. Stat. § 177.42 as the minimum standard for wages and which established the hours and working conditions prevailing for the largest number of workers engaged in the same class of labor within the area as a minimum standard for contractors' employees which must be agreed to by any contractor before he

may be awarded any contract for the furnishing of any labor or materials for projects as defined in this division.

Sec. 2-113. - City project contracts.

- (a) Any contract which provides for a project within the meaning in section 2-111 shall contain a stipulation that no laborer or mechanic employed directly upon the project work site by the contractor or any subcontractor, agent or other person doing or contracting to do all or a part of the work of the project, shall be permitted or required to work more hours than the prevailing hours of labor unless such laborer or mechanic is paid for all hours in excess of the prevailing hours at a rate of at least 1½ times his hourly basic rate of pay; nor shall he be paid a lesser rate of wages than the prevailing wage in the same or most similar trade or occupation in the area.
- (b) This section shall not apply to wage rates and hours of employment of laborers or mechanics engaged in the processing or manufacture of materials or products or to the delivery thereof by or for commercial establishments which have a fixed place of business from which they regularly supply such processed or manufactured materials or products; except that this section shall apply to laborers or mechanics who deliver mineral aggregate such as sand, gravel or stone which is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders from the transporting vehicle.
- (c) The prevailing wage rates, prevailing hour of labor and hourly basic rates of pay shall be set forth specifically in the contract.
- (d) The prevailing wage rates, prevailing hours of labor and hourly basic rates of pay for all trades and occupations required in any contemplated project shall be ascertained before the city asks for bids.
- (e) It is the duty of the city to enforce this section. To this end it may demand, and it shall be the duty of every contractor and subcontractor to furnish to the city copies of any or all payrolls, and the city may examine all records relating to wages paid laborers or mechanics on work to which this division applies.
- (f) This section shall not apply to a contract, or work under a contract, under which (a) the estimated total cost of completing the project is less than \$25,000.00 and only one trade or occupation is required to complete it, or (b) the estimated total cost of completing the project is less than \$50,000.00 and more than one trade or occupation is required to complete it.

Sec. 2-114. - Determining prevailing wage rate and hours of labor.

For the purposes of determining the prevailing hours of labor and prevailing wage rates, the city shall determine such figures from the commissioner of labor and industry as are applicable to the county, or that part of the county in which the city is located.

Sec. 2-115. - Posting.

The prevailing hours of labor, the prevailing wage rates, and the hourly basic rates of pay and

classification for all labor as certified by the city shall be specifically set forth in the proposals and contracts for each construction contract to which the city is a party, and shall be kept posted on the project by the employer in at least one conspicuous place for the information of the employees working on the project.

(Code 1979 § 57.03)

Sec. 2-116. - Penalty.

Any contractor, subcontractor or agent thereof who violates this section is guilty of a misdemeanor.

(Code 1979 § 57.03)

Secs. 2-117—2-140. - Reserved.

FOOTNOTE(S):

** State law reference - This provision was of Minn. Stat. § 177.47 and is [\(Back\)](#)*

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Area means the county or other locality from which labor for any project would normally be secured.

Hourly basic wage means the hourly wage paid to any employee.

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Prevailing wage rate means the hourly basic rate of pay plus the contribution for health and welfare benefits, vacation benefits, pension benefits and any other economic benefit paid to the largest number of workers engaged in the same class of labor within the area. In no event shall the **prevailing wage rate** be deemed to be less than a reasonable and living wage.

Project means erecting, constructing, remodeling or repairing any public building or other public work financed in whole or part by city funds, or any funds that are administered by the city.

177.42 177.42 177.42

Sec. 2-112. - Purpose.

It is the purpose of this division to establish the **prevailing wage rate** as defined in Minn. Stat. § 177.42 as the minimum standard for **wages** and which established the hours and working conditions **prevailing** for the largest number of workers engaged in the same class of labor within the area as a minimum standard for contractors' employees which must be agreed to by any contractor before he

may be awarded any contract for the furnishing of any labor or materials for projects as defined in this division.

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- (a) Any contract which provides for a project within the meaning in section 2-111 shall contain a stipulation that no laborer or mechanic employed directly upon the project work site by the contractor or any subcontractor, agent or other person doing or contracting to do all or a part of the work of the project, shall be permitted or required to work more hours than the **prevailing** hours of labor unless such laborer or mechanic is paid for all hours in excess of the **prevailing** hours at a rate of at least 1½ times his hourly basic rate of pay; nor shall he be paid a lesser rate of **wages** than the **prevailing wage** in the same or most similar trade or occupation in the area.
- (b) This section shall not apply to **wage** rates and hours of employment of laborers or mechanics engaged in the processing or manufacture of materials or products or to the delivery thereof by or for commercial establishments which have a fixed place of business from which they regularly supply such processed or manufactured materials or products; except that this section shall apply to laborers or mechanics who deliver mineral aggregate such as sand, gravel or stone which is incorporated into the work under the contract by depositing the material substantially in place, directly or through spreaders from the transporting vehicle.
- (c) The **prevailing wage** rates, **prevailing** hour of labor and hourly basic rates of pay shall be set forth specifically in the contract.
- (d) The **prevailing wage** rates, **prevailing** hours of labor and hourly basic rates of pay for all trades and occupations required in any contemplated project shall be ascertained before the city asks for bids.
- (e) It is the duty of the city to enforce this section. To this end it may demand, and it shall be the duty of every contractor and subcontractor to furnish to the city copies of any or all payrolls, and the city may examine all records relating to **wages** paid laborers or mechanics on work to which this division applies.
- (f) This section shall not apply to a contract, or work under a contract, under which (a) the estimated total cost of completing the project is less than \$25,000.00 and only one trade or occupation is required to complete it, or (b) the estimated total cost of completing the project is less than \$50,000.00 and more than one trade or occupation is required to complete it.

Sec. 2-114. - Determining prevailing wage rate and hours of labor.

For the purposes of determining the **prevailing** hours of labor and **prevailing wage** rates, the city shall determine such figures from the commissioner of labor and industry as are applicable to the county, or that part of the county in which the city is located.

Sec. 2-115. - Posting.

The **prevailing** hours of labor, the **prevailing wage** rates, and the hourly basic rates of pay and classification for all labor as certified by the city shall be specifically set forth in the proposals and

• **State law reference—** 30% cost-of-living wage adj. Minn. Stat. § 177.43 et seq. (Back)