



"Working to make Indiana businesses clean and safe, and wages fair and competitive."

MITCHELL E. DANIELS, Jr., GOVERNOR
Miguel R. Rivera, Sr., Commissioner

402 W. Washington St., Room W195
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July 20, 2006

Re: AFL/CIO, Building Trades and IDOL Agreed Wage Scale Format

Dear Commissioner, Superintendent and Building Trades Officer:

During the last nineteen months the AFL/CIO and representatives from the Indiana State Building and Construction Trades Council have been working diligently with the Indiana Department of Labor to prepare an agreed upon common construction wage scale format that complies with the present state of Indiana law (both statutory and case law) and that sufficiently addresses the realities of bona fide apprenticeship programs and the training and pay percentage scales included in such programs. We are very pleased to announce that we have come to an agreement and have prepared a wage scale that satisfies these requirements.

Attached please find the agreed upon common construction wage scale format that will be accepted by the Indiana Department of Labor for all common construction wage hearings across the state. I encourage you to utilize this form when making wage determinations in your county. The strict use of this form will help ensure the legal efficacy of the wages your committees set and will help guarantee acceptance and enforcement by the Indiana Department of Labor. We strongly recommend that you utilize this form without amendment.

The Building Trades, the AFL/CIO and the Indiana Department of Labor are in agreement that this wage scale form should be used in all 92 counties and for all public projects that are subject to Indiana's common construction wage process. Deviations from this format may result in legal challenges to your wage scales.

Thank you for your attention to this matter. The attached form is available on line at the Indiana Department of Labor's web site.

Miguel R. Rivera, Sr.
Commissioner
Indiana Department of Labor

Benjamin E. Ramsey
Executive Director
Indiana State Building and Construction
Trades Council

Attachment

COMMON CONTRUCTION WAGE SCALE

Date:

City:

County:

Project Description and Scope:

We the undersigned common construction wage committee, appointed pursuant to Indiana Code 5-16-7 *et seq.*, do hereby fix and determine the following common construction wage scale to apply on the above referenced project.

Classification	Class	Hourly Rate	Fringes	Total:
Asbestos Workers	Skilled	\$	\$	\$
	Semiskilled	\$	\$	\$
	Unskilled	\$	\$	\$
Asbestos Abatement	Skilled	\$	\$	\$
	Semiskilled	\$	\$	\$
	Unskilled	\$	\$	\$
Boilermakers	Skilled	\$	\$	\$
	Semiskilled	\$	\$	\$
	Unskilled	\$	\$	\$

[Add classifications as required by the project]

Definitions:

Skilled: An individual who performs work in a classification listed on the scale of wages. It shall be presumed that an employee is a skilled worker in that classification, and entitled to receive compensation at the skilled rate, unless the worker satisfies all of the criteria for being categorized as a semi-skilled or unskilled worker.

Semi-skilled: An individual registered in a bona fide apprenticeship program registered with the United States Department of Labor, Employment and Training Administration, Bureau of Apprenticeship and Training. Apprentices are paid pursuant to their individually warranted percentage for the classification of work that they perform as set forth in the apprentice program standards.

Unskilled: An individual with less than twelve months of cumulative experience in the construction trades and who is not registered in a bona fide apprenticeship program.

The above definitions shall not apply to workers in the classification of Laborer.

Apprenticeship Programs:

The Wage Committee determines that the common practice in the county is for contractors to participate in bona fide apprenticeship programs registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training and that the rate of pay for the classifications of labor that participate in such programs is based in part on a percentage of the journeyman's rate (skilled rate herein) depending on the individual's progress in the program.

Workers engaged in such an apprenticeship program will be permitted to work at less than the predetermined rate set out above for the work they perform. Such apprentices must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate which is the skilled hourly rate in this wage scale.

Any worker who is not registered or otherwise employed in a bona fide apprenticeship program registered with the U.S. Department of Labor, Bureau of Apprenticeship and Training and has twelve or more months of cumulative experience in the construction trades shall be paid at the skilled wage rate on this wage determination for the classification of work actually performed by the worker regardless of how the employer classifies such a worker.

Disputes regarding the appropriate classification of workers and the amounts said workers should be paid may be submitted to the Indiana Department of Labor for investigation.

Indiana State AFL-CIO Representative

Awarding Agency Representative

Governor's Representative

Taxpayer Named by Appointing Agency

Taxpayer Named by County Legislative
Body

Date