

HOUSE BILL No. 4622

April 13, 1989, Introduced by Reps. DeLange, Emmons,
Willis Bullard and Krause and referred to the Committee on
Labor.

A bill to amend section 4 of Act No. 166 of the Public Acts
of 1965, entitled

"An act to require prevailing wages and fringe benefits on state
projects; to establish the requirements and responsibilities of
contracting agents and bidders; and to prescribe penalties,"

being section 408.554 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 4 of Act No. 166 of the Public Acts of
2 1965, being section 408.554 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 4. The commissioner shall establish prevailing wages
5 and fringe benefits at the same rate AS DETERMINED BY THE UNITED
6 STATES SECRETARY OF LABOR PURSUANT TO CHAPTER 411, 46 STAT. 1494,
7 40 U.S.C. 276a TO 276a-5 COMMONLY REFERRED TO AS THE DAVIS-BACON
8 ACT. ~~that prevails on projects of a similar character in the~~
9 ~~locality under collective agreements or understandings between~~

1 ~~bona fide organizations of construction mechanics and their~~
2 ~~employers. Such agreements and understandings, to meet the~~
3 ~~requirements of this section, shall not be controlled in any way~~
4 ~~by either an employee or employer organization. If the prevail-~~
5 ~~ing rates of wages and fringe benefits cannot reasonably and~~
6 ~~fairly be applied in any locality because no such agreements or~~
7 ~~understandings exist, the commissioner shall determine the rates~~
8 ~~and fringe benefits for the same or most similar employment in~~
9 ~~the nearest and most similar neighboring locality in which such~~
10 ~~agreements or understandings do exist. The commissioner may hold~~
11 ~~public hearings in the locality in which the work is to be per-~~
12 ~~formed to determine the prevailing wage and fringe benefit~~
13 ~~rates.~~ All prevailing wage and fringe benefit rates determined
14 under this section shall be filed ~~in the office of~~ WITH the
15 commissioner ~~of labor~~ and made available to the public.