## ORDINANCE NO. 757

# AN ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, WORKMEN AND MECHANICS EMPLOYED ON PUBLIC WORKS

39s-12, Chapter 48, Illinois Revised Statutes, 1985, approved June political subdivision or by any one under contract for public works," public works by the State, county, wages of laborers, mechanics and other workmen employed in any WHEREAS the State of Illinois has enacted "An ACT regulating 26, 1941, as amended, being city or any public body Section 39s-1 through or any

struction of public works for the said City, exclusive of maintenance of the City of Nokomis investigate and ascertain the prevailing rate workmen in the locality wages as defined in the said Act for laborers, mechanics and other AND WHEREAS the aforesaid Act requires that the City Council of the said City employed in performing

COUNCIL NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE OF THE CITY OF NOKOMIS:

locality for laborers, subdivision or works by the State, county, city wages of laborers, mechanics and other workmen employed in any public 26, Section 1: 1941, by any one under contract for public works," approved as To the extent and as required by "An amended, mechanics and other the general prevailing rate of wages in this or any public body or any workmen engaged in the con-ACT political regulating

a copy of that determination being incorporated herein by reference. by the Department of Labor of the State of Illinois as of June, 1987, for construction work in the Montgomery County area as determined struction of public works coming under the jurisdiction of this City used in the aforesaid Act shall be the same as in the said Act. The definition of any terms appearing in this ordinance which are also hereby ascertained to be the same as the prevailing rate of wages

the extent required by the aforesaid Act. work or employment except public works construction of this City to the said general prevailing rate of wages as herein ascertained to any Section 2: Nothing herein contained shall be construed to apply

this determination of such prevailing rate of wage. inspection by any interested party in the main office of this City Section 3: The City Clerk shall publicly post or keep available

particular rates and the particular class of workmen whose wages will and addresses, requesting copies of any determination stating the person or association of employees who have be affected by such rates. any employer (and to any association of employers) and to any Section 4: The City Clerk shall mail a copy of this determinafiled, or file, their names

Section 5: with the The City Clerk shall promptly file a certified copy Secretary of State of Illinois.

newspaper of general circulation within the area a copy of this ordi-Section 6: The City Clerk shall cause to be published in a

is effective and that this is the determination of this public body. nance, and such publication shall constitute notice that the determination

PASSED THIS 13th day of July , 1987.

APPROVED:

(SEAL)

ATTEST:

Published the 29th day of July, 1987.

STATE OF ILLINOIS )
COUNTY OF MONTGOMERY ) SS.
CITY OF NOKOMIS )

### CERTIFICATE

the ordinance being LABORERS, WORKMEN AND MECHANICS EMPLOYED ON PUBLIC ORDINANCE and the City Council of the City of Nokomis being entitled: "AN a true and correct copy of an ordinance duly passed by the Mayor a regular meeting held on the 13th City Clerk in and for the City of Nokomis; that the foregoing is MARY JEAN SCHELLER, DO HEREBY CERTIFY THAT I am ASCERTAINING a part of the official records of said City. THE PREVAILING RATE day of July , 1987, the OF WAGES WORKS", FOR

DATED: This 15th day of July, 1987.

(SEAL)

Mary Jean Scheller, City Clerk

### ILLINGIS DEPARTMENT OF LABOR CONCILIATION AND MEDIATION SERVICE PREVAILING WAGES FON CONSTRUCTION TRADES FOR THE COUNTY OF HONIGOMERY, EFFECTIVE 06/01/82

These Prevailing Mages shall be included in the contracts and their advertised specifications to which any public body, as defined in CHAPTER 48, SECTION 39S-2, ILL. REV. STAT., is a party, for the construction, reconstruction, anintenance and/or repair, including painting, redecorating, asbestos abatement, encapsulators or removal, and landscaping of public buildings or public works within the State of Illinois which requires or involves the employment of mechanics, laborers and owner/operators excluding independent contractors. Minimum wages, overtime rate and fringe benefits certified herein shall be paid and the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of work. This determination is the property of the Illinois Department of Labor and shall not be altered without their consent in writing.

### W. 1

Uner/operators in any classification shall be paid an amount per hour equal to the sum of the pre airing wage and the amount shown in the latest "Schedule of Average Annual Equipment Unership Expense" publication issued by the Illinois Department of Transportation.

Luch inclusion (including incorporation by reference) in a contract shall not and cannot contradict or affect the interpretation of this determination, no matter what other provisions of such contract or advertisement may say. If any such other provision shall be neld to contradict or affect the interpretation of this determination, this determination shall be null and void, thereby rendering the contract null and void. The Department shall be the sole authority as to the interpretation of this determination.

Failure to comply with this determination shall be a material breach of such contracts. "failure to comply" includes but is not limited to both a failure to keep an accurate record of the names, occupation and actual wages paid, which record shall show the various activities and classifications of work undertaken by each individual, each day, and as well a failure to pay appropriately. A contractor shall snow compliance to the public body by (if the Department of Labor has not otherwise investigated compliance) presenting either a notarized statement under penalty of perjury and fraud from an officer of the company following his inspection of payroll and non-payroll records that the contractor has complied with this determination or a verification to the same effect from a certified public accountant following an audit. A failure to present such a verification shall constitute a failure to comply, and shall be the basis for liens by or for all employees

comply on the part of a contractor followed by contractual payment notwithstanding by a public body, would reveal the determination-stipulation as in fact unenforced by the public body, rendering both determination-stipulation and contract null and void for purposes of the Prevailing Wage Act.

- The definitions of owner/operators and independent operators can be found in "Guidelines Concerning the Illinois Prevailing Wage Act".
- J This determination incorporates and includes the Department's "Guidelines Concerning the Illinois Prevailing Wage Act" and the Act itself.
- Overtime applies as shown to hours after 40 in a week, after eight hours in a day. Saturdays and Sundays. There is no "4-10s" exception. Further, overtime applies to combinations of private and public work. Thus, if an employee works 38 hours of private work in a week before 4 hours of public work, 2 hours of the public work is overtime at prevailing wage. Thus, too, an employee who works 6 hours in private work and 4 hours on public works has worked 2 overtime hours at the prevailing wage. Overtime problems often occur regarding supposed before and after work vehicle driving; for a description of the coverage of the Act as to such situations, contact the Superintendent of the Conciliation and Mediation Division for the Department's "Letter on Travel."
- This electrician classification is subject to a further 3% pension "surcharge" on the hourly rate (including overtime premimum). Note that the 3% does not apply to the other hourly fringe rates shown.

### TRUCK DRIVERS

### EXPLANATION OF CLASSES - BUILDING, HEAVY AND HIGHWAY WORK

Classification of work in the following Counties of Illinois:

Adams, Alexander, Bond, Brown, Bureau, Calhoun, Carroll (South), Cass, Champaign, Christian, Clark, Clay, Clinton, Cuies, Crawford, Cumberland, Dewitt, Douglas, Edgar, Edwards, Effingnam, Fayette, Franklin, Fulton, Gallatin, Greene, Hamilton, Hancock, Hardin, Henderson, Henry, Jackson, Jasper, Jefferson, Jerse, Johnson, Knoa, LaSalle, Lawrence, Logan, Macoupin, Madison, Marion, Marshall, Mason, Massac, McDonough, Menard, Mercer, Monroe, Montgomery, Morgan, Moultrie, Peoria, Perry, Platt, Pike, Pope, Pulaski, Putnam, Kandolph, Richland, Rock Island, Saline, Sangamon, Scnuyler, Scott, Shelby, St. Clair, Stark, Tazewell, Union, Vermilion, Wabash, Warren, Washington, Wayne, White, Mhiteside, Williamson; and parts of ford (except North), Jobaviess (West), Lee (except East), McLean (except North), Ogle (South), and Woodford (except East).

Class 1. Drivers on 2 male trucks hauling less than 9 ton. Air compressor and welding machines and brooms, including those pulled by separate units, truck driver nelpers, warehousemen, mechanic helpers, greasers and tiremen, pickup trucks when nauling materials, tools, or men to and from and on-the-job site, and fork lifts up to 5,000 lb. capacity.

Class 2. Ivo or three able trucks hauling more than 9 ton but hauling less than 16 ton. A-frame winch trucks, hydrolift trucks, or similar equipment when used for transportation purposes. Fork lifts over 6,000 lb. cabacit, which trucks, four able combination units, and ticket vities.

Class 3. Like, three or four dale trucks hauling 16 ton or more. Drivers on vater pulls, mechanics and working foremen, and dispatchers.

five axle or more combination units.

Class 4. Low Boy and Oil Distributors.

### OPERATING ENGINEERS

### EXPLANATION OF CLASSES - BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Classification of work in the following Counties of Illinois:

bond, Calnoun, Clinton, Fayette, Greene, Jefferson, Jersey, Macoupin, Madison, Marion, Monroe, Montgomery, Perry, Randolph (includes Kaskaskia Island), St. Clair, and Washington.

Class 1. Cranes, Dragline, Shovels, Skimmer Scoops, Clamshells or Derrick Boats, Pile Orivers, Crane-Type Backhoes, Asphalt Plant Operators, Concrete Plant Operators, Ditching Machines of Backfillers (requiring Dilers), Dredges, Asphalt Spreading Machines, All Locomotives, Cable Ways, or Tower Machines, Hoists - 2 Drums or more (where Oiler or Fireman is required)...Hydraulic Backhoes, Ditching Machines or Backfiller (not requiring Oilers), Hoists - 2 Drums or more (where Oiler or Fireman is not required). Cherrypickers, Overhead Cranes, Roller, Steam or Gas, Concrete Pavers, Excavators, Concrete

over)....Motor Graders or Pushcats, Scoops or Tournapulls, Bulldozers, Endloaders or fork Lifts, Power Blade or Elevating Graders, Minch Cats, Boom or Finch Irucks or Boom Tractors, Pipe Mrapping or Fainting Machines. Apprais Plant Ingineer, Journayman Lubricating Engineer, Self-Propelled walk-behind rollers, Orills (other than Derrica Type), One Drum Hoists, Mud Jacks, or Hell Drilling Machines, Boring Machines or Track Jacks, Mixers (Two or Trace Bags), Conveyors (Two), Air Compressors (Two), Water Pumps regardless of size (Two), Welding Machines (Two), Siphons or Jets (Two), Winch Heads or Apparatuses (Two), Light Plants (Two)...Mixers (under two bags),...All Tractors regardless of size (straight tractor only), Fireman on Stationary Boilers, Automatic Elevators, form Grading Machines, finishing Machines, Power Sub-Grader or Ribbon Machines, Longitudinal Floats, Boat Operators (under 25 feet), Distributor Operators on Trucks, Winch Heads or Apparatuses (One), Mobile track air and heaters (Two to Five), Assistant Master Mechanic and Heavy Duty Mechanic.

Class 2. Air Compressors (One), Water Pumps, regardless of Size (One), Welding Hachine (One), Mixers (One Bag), Conveyor (One), Sipnon or Jet (One), Light Plant (One), Heater (One), Immobile Track Air (One).

Class 3. Asphait Spreader Oilers, Fireman on Whirlies.

Class 4. Heavy Equipment Oilers (Truck Cranes, Dredges, Monigans, Large Cranes), over 65 ton rated capacity.

Class 5. Oiler.

### Other Classifications of Work:

for definitions of classifications not otherwise set out, the Department generally has on file such definitions which are available. If there is no such definition on file, the Bureau of Labor Statistics SIC list will be used. If a task to be performed is not subject to one of the classifications of pay set out, the Department will upon being contacted state which neighboring county has such a classification and provide such rate, such rate being deemed to exist by reference in this document. Further, if no such neighboring county rate applies to the task, the Department shall undertake a special determination, such special determination being then deemed to have existed under this determination.

### ILLINOIS DEPARTMENT OF LABOR CONCILIATION AND MEDIATION SERVICE PREVAILING WAGES FOR CONSTRUCTION TRADES FOR THE COUNTY OF MONICOMERY, EFFECTIVE 05/01/87

These Prevailing Wages shall be included in the advertised specifications for every contract to which any public body, as defined in CHAPIER 48, SECTION 395-2, ILL. REV. STAT., is a party, for the construction, reconstruction and/or repair, including painting, redecorating, asbestos abatement, encapsulators or removal, and landscaping of public buildings or public works within the State of Illinois which requires or involves the employment of owner/operators, independent contractors, mechanics and/or laborers. Minimum wages, overtime rate and fringe benefits certified herein shall be paid and the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of work. This determination is the property of the Illinois Department of Labor and shall not be altered without their consent in writing.

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### TRUCK DRIVERS

### EXPLANATION OF CLASSES - BUILDING, HEAVY AND HIGHWAY WORK

Jurisdiction in the following Counties of Illinois:

Adams, Alexander, Bond, Brown, Bureau, Calhoun, Carroll (South), Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Fulton, Gallatin, Greene, Hamilton, Hancock, Hardin, Henderson, Henry, Jackson, Jasper, Jefferson, Jersey, Johnson, Knox, LaSalle, Lawrence, Logan, Macon, Macoupin, Madison, Marion, Marshall, Mason, Massac, McDonough, Menard, Mercer, Monroe, Montgomery, Morgan, Moultrie, Peoria, Perry, Piatt, Pike, Pope, Pulaski, Putnam, Randolph, Richland, Rock Island, Saline, Sangamon, Schuyler, Scott, Shelby, St. Clair, Stark, Iazewell, Union, Vermilion, Wabash, Warren, Washington, Wayne, White, Whiteside, Williamson; and parts of ford (except North), Jobaviess (West), Lee (except East), McLean (except North), Ogle (South), and Woodford (except East).

Class 1. Orivers on 2 axle trucks hauling less than 9 ton. Air compressor and welding machines and brooms, including those pulled by separate units, truck driver helpers, warehousemen, mechanic helpers, greasers and tiremen, pickup trucks when hauling materials, tools, or men to and from and on-the-job site, and fork lifts up to 5,000 lb. capacity.

Class 2. Iwo or three axle trucks nauling more than 9 ton but hauling less than 16 ton. A-frame winch trucks, hydrolift trucks, or similar equipment when used for transportation purposes. Fork lifts over 6,000 lb. capacity, winch trucks, and four axle combination units.

In the event the Employer desires to use ticket writers that classification shall come under Class 2.

Class 3. Two, three or four axle trucks hauling 16 ton or more. Drivers on water pulls, mechanics and working foremen.

Five axle or more combination units.

In the event the Employer desires to use dispatchers that classification shall come under Class 3.

Class 4. Low Boy and Oil Distributors.

Class 5. Drivers on oiling and chipping only.

### OPERATING ENGINEERS

### EXPLANATION OF CLASSIS . BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

Jurisdiction in the following Counties of Illinois:

Bond, Calhoun, Clinton, Fayette, Greene, Jefferson, Jersey, Macoupin, Madison, Marion, Monroe, Montgomery, Perry, Randolph (includes Kaskaskia Island), St. Clair, and Mashington.

Class 1. Cranes, Dragline, Shovels, Skimmer Scoops, Clamshells or Derrick Boats, Pile Drivers, Crane-Type Backhoes, Asphalt Plant Operators, Concrete Plant Operators, Ditching Machines or Backfillers (requiring Oilers), Dredges, Asphalt Spreading Machines, All Locomotives, Cable Ways, or lower Machines, Hoists - 2 Drums or more (where Oiler or Fireman is required). Hydraulic Backhoes, Ditching Machines or Backfiller (not requiring Oilers), Hoists - 2 Drums or more (where Oiler or Fireman is not required). Cherrypickers, Overnead Cranes, Roller, Steam or Gas, Concrete Pavers, Excavators, Concrete Breakers, Concrete Pumps, Bulk Cement Plants, Cement Pumps, Derrick-Type Drills, Mixers, (over three bags), Boat Operators (25 feet and over)...Motor Graders or Pushcats, Scoops or Tournapulls, Bulldozers, Endloaders or Fork Lifts, Power Blade or Elevating Graders, Winch Cats, Boom or Minch Irucks or Boom Tractors, Pipe Wrapping or Painting Machines. Asphalt Plant Engineer, Journeyman Lubricating Engineer, Self-Propelled waik-behind rollers... Drills (other than Derrick Type), One Drum Hoists, Mud Jacks, or Well Drilling Machines, Boring Machines or Irack Jacks, Mixers (Las or Inree Bags), Conveyors (Iuc), Air Compressors (Iec), Water Pumps regardless of Size (Iuc), Welding Machines (Iuc), Sipnins or Jets (Iuc), Winch Heads or Apparatuses (Iuc), Light Plants (Iuc), Light Plants (Iuc) (Iuc), Fireman on Stationary Boilers, Automatic Elevators, Form Grading Machines, finishing Machines, Power Sub-Grader or Ripbon Machines, Insishing Machines, Power Sub-Grader or Ripbon Machin

Class 2. Air Compressors (line), Water Pumps, regardless of Size (Une), Weiding Machine (One), Mixers (Une Bug), Conveyor (One), Siphon of let (Une), Light Plant (Une), reater (Une), Immobile Track Air (Une)

Class 3. Asphalt spreader Otters, theman on Whirlies.

Class 4. Heavy Equipment Oilers (Truck Cranes, Dredges, Monigans, Large Cranes), over 65 ton rated capacity.

Class 5. Oiler.