

DEPARTMENT OF INDUSTRIAL RELATIONS

Office of the Director

455 Golden Gate Avenue, 10th Floor

San Francisco, CA 94102

MAILING ADDRESS:

P. O. Box 420603

San Francisco, CA 94142-0603



October 8, 2008

Notice of Public Hearings and Request for Data to Determine the Prevailing Wage for Off-the-Site Hauling (to/from a Construction Site)

The Director of the Department of Industrial Relations is conducting a wage investigation pursuant to Labor Code section 1770 and 1773 to determine the general prevailing rate of per diem wages for off-the-site hauling (to/from a construction site). The Director has also scheduled two public hearings to gather information to determine the applicable prevailing rate of per diem wages for this work. Any person, including but not limited to employees, labor organizations, employers, and employer associations are invited to participate by providing data and testimony concerning the above referenced subject matter. Any testimony given at either hearing will be under oath as required by 8 CCR 16304(a)(6). All documents mailed or received must be accompanied by a signed statement certifying the documents submitted are true and accurate. Attached is a suggested language you can use to certify your records.

Data Requested

The participant(s) shall document the following information as applicable:

- Describe the trucks used by your employees to perform off-the-site hauling (to/from a construction site) including refuse (e.g. bottom dumps including cubic yards, flat bed including number of axles, transit mix including cubic yards, etc.);
- Indicate the number of employees (drivers) operating each type of truck during your peak employment¹ for your company on a county-by-county basis²;
- Provide a current wage sheet showing the basic hourly wage rate and the supplemental benefits paid to workers employed in all driving classifications; and
- Submit payroll documents (such as weekly/monthly payroll reports) related to each county's peak period.
- For those who are party to a collective bargaining agreement (CBA), submit every fully executed (jointly signed) CBA applicable to off-the-site hauling (to/from a construction site);
- For those who are party to a CBA under which off-the-site hauling is performed, list the counties covered under the terms of the CBA, if not already contained in the agreement;
- For those who are party to a CBA under which off-the-site hauling is covered, list the names and addresses of all employers signatory to each CBA that you submit, if such information is not already contained in the CBA;

Date, Time and Location of the Public Hearings

9:00 a.m. – 5:00 p.m.

November 10, 2008

Junipero Serra State Building

Carmel Room

320 West Fourth Street

Los Angeles, CA 90013

9:00 a.m. – 5:00 p.m.

November 19, 2008

Hiram Johnson State Building

Milton Marks Auditorium

455 Golden Gate Avenue

San Francisco, CA 94102

¹ The peak employment date is defined as the maximum number of drivers employed on a single day performing off-the-site hauling work by county during the past 12 months from November 2007 through October 2008.

² Note that county designation is based on the construction site location of where the material was delivered or picked up.

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(to/from Construction Site)*

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Participants may instead mail their data to the following address to be received by November 24, 2008. Paper copies and electronic copies (PDF format only) on CD/DVD are acceptable.

Gregory Govan, Chief
Department of Industrial Relations
Division of Labor Statistics and Research (DLSR)
P.O. Box 420603
San Francisco, CA 94142-0603

Thank you for your cooperation in this matter. Questions regarding the hearing or documentation requirements may be directed to the DLSR, by calling (415) 703-4780.

Certification Form

I, _____ the undersigned, am
(Name-print)

_____ with the authority to act for and on behalf of
(Position in organization)

_____, certify under penalty of perjury
(Name of organization)

that the records or copies thereof submitted and consisting of

_____ are the originals or true, full and correct copies
(Description, no. of pages)

of the originals.

Date: _____

Signature: _____