

OAKLAND CITY COUNCIL

RESOLUTION NO. **57103** C. M. S.

INTRODUCED BY COUNCILMAN _____

FROM C. 45

RESOLUTION CONFIRMING COMPLIANCE WITH LABOR CODE SECTIONS 1770, ET SEQ. FOR PROVIDING WAGE SCALE FOR PUBLIC WORKS CONSTRUCTION CONTRACTS AND REPEALING RESOLUTION NO. 56134 C.M.S..

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WHEREAS, the City of Oakland is a body awarding contracts for public work; and

WHEREAS, it must comply with Labor Code Sections 1770, et seq., in awarding said contracts; now, therefore, be it

RESOLVED: That pursuant to Section 1773 of the Labor Code the City shall obtain the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which the public work is to be performed for each craft, classification or type of workman needed to execute its public work contracts from the Director of the Department of Industrial Relations; and if the Director determines that the rate of prevailing wage for any craft, classification or type of workman is the rate established by a collective bargaining agreement, he may adopt such rate by reference as provided for in such agreement and such determination shall be effective for the life of such agreement or until the Director determines that another rate should be adopted; and be it

FURTHER RESOLVED: That health and welfare, pension, vacation, travel time, subsistence pay, apprenticeship or other training programs and any other employer payments shall be as established for each craft, classification or type of workman under any and all collective bargaining agreements that are (a) recognized as effective within said City of Oakland by the Associated General Contractors of California-East Bay and Central Coast Districts and the Alameda County Building and Construction Trades Council, and (b) approved by the Construction Industry Stabilization Board or the Pay Board, as required; and be it

FURTHER RESOLVED: That hours of work per day or week shall be as established for each craft, classification or type of workman under those aforesaid collective bargaining agreements effective within said City of Oakland; and be it

FURTHER RESOLVED: That travel and subsistence pay needed to execute the work, as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with Section 1773.8 of the Labor Code shall be paid each workman. To establish such travel and subsistence payments for contracts entered into with said City of Oakland, the representative of any craft, classification or type of workman needed to execute the contracts is required to file fully executed copies of collective bargaining agreements for the particular craft, classification or type of work involved with the Department of Industrial Relations, State of California; such agreements filed within ten (10) days after their execution establish such travel and subsistence payments whenever filed thirty (30) days prior to the call for bids; and be it

FURTHER RESOLVED: That the contractor, or any subcontractor under him, shall comply with all provisions of Section 1777.5 of the Labor Code pertaining to the employment of apprentices on public works projects. In the event any contractor willfully fails to comply with Section 1777.5 he shall be denied the right to bid on a public works contract for a period of six (6) months from the date the determination is made. The interpretation and enforcement of Section 1777.5 shall be in accordance with rules

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