



## MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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### MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: April 2, 2008

SUBJECT: **Agenda Item VI: Consideration of resolution adopting a Labor Compliance Program.**

Staff Recommendation: That the Governing Board adopt the attached resolution adopting a Labor Compliance Program.

Background: A Labor Compliance Program administers prevailing wage and apprentice utilization requirements for public works projects. Prevailing wages are specific, minimum hourly wage rates determined by State or Federal government for trade workers on public works projects and include fringe benefit amounts for health insurance, vacation and pension. California Labor Code sections 1720 and 1771 define public works as work done under contract and paid for in whole or in part out of public funds that involves one or more of the following: construction, alteration, demolition, installation, repair work or maintenance work.

Numerous statutes, including Propositions 50 and 84, require awarding bodies to adopt and enforce a labor compliance program with respect to certain public works projects. Prevailing wages must be paid on any public works project over \$1,000. However, if a Labor Compliance Program is adopted, the \$1,000 threshold rises to \$25,000 for construction work and \$15,000 for maintenance, repair, demolition or alteration work.

Adoption of the proposed Labor Compliance Program will mean that the MRCA has fulfilled this requirement of Propositions 50 and 84, and furthermore, that construction contracts under \$25,000 and maintenance contracts under \$15,000 will not be subject to prevailing wages.

The proposed Program requires MRCA to designate a Labor Compliance Officer to monitor the affected contracts. These duties will be assigned to existing staff and there is no impact on the MRCA budget.