

PREVAILING WAGE COMMISSION MEETING
September 7, 2011
MINUTES

PRESENT: **COMMISSIONER DAVIS**
 BRENT HALL
 R.T. SUMMERS
 BOB OGLESBY
 WAYBURN CRABTREE

Recorded by: Christina J. Tugman

Please note this transcript is not a word-for-word account. Some general discussion and comments have been omitted for the sake of brevity.

I. Call to Order and Roll Call

Michael Dattilo called the meeting to order at 8:30 a.m. with all Commission members stating their names for the record.

II. Conflict of Interest Declaration

Michael Dattilo had all Commission members sign the Conflict of Interest statements. (Statements should be signed once a year, not every meeting). Commissioner Davis stated that current state employees may refer to the Ethics Disclosure in lieu of the Contrast of Interest.

III. Old Business

Review and approve December 1, 2010 Prevailing Wage Commission Meeting Minutes.

R.T. Summers motioned to approve the minutes from the Prevailing Wage Commission Meeting of December 1, 2010.

Brent Hall seconded.
All approved. Motion passed.

III. New Business

The Commission reviewed and discussed the Preliminary 2011 Highway and Bridge Survey mailing list. Commissioner Davis asked Michael Dattilo as to the origin of this list. Michael Dattilo stated that he retained this list from Wayburn Crabtree who represents TDOT and this current list is excluding the companies that requested to be removed from the survey register.

Wayburn Crabtree mentioned that he could provide a more current list for this year's survey.

Commissioner Davis inquired as to when this list was obtained; Dattilo stated that it was obtained last year. Wayburn Crabtree stated that this list is of prequalified contractors. Bob Oglesby made the comment that the list provided may only include contractors who have done business with the state versus those who provide continued services throughout the state, therefore our numbers may be somewhat jaded by having limited access to contractors. R.T. Summers stated that when looking at the building side that may be the case but not when reviewing highway and bridge. This particular list includes all companies that would provide services that deal with highway and bridge construction.

Again the Commissioner posed the question to Wayburn Crabtree asking is this list the most accurate. Wayburn Crabtree reiterated that these are all prequalified contractors who work with TDOT but cannot address the issue on the building side. Commissioner Davis then asked is there a way to obtain the data from everyone else who might need it. Commissioner Davis asked a member of the public, Kent Starwalt, to comment on the Highway and Bridge list. Kent Starwalt stated that this list is quite extensive and from his knowledge of the industry the survey is also sent out to his members and anyone who wants to participate in the survey may do so as well.

Commissioner Davis stated that once Wayburn Crabtree provides the Commission with the updated list that we will use that list for survey purposes.

The Commission discussed and looked to approve the schedule for 2011 Prevailing Wage Survey.

Michael Dattilo stated that companies assume that because they have not completed a state project that there is no data to report. So language has been added to the Prevailing Wage survey letter that states *"Please not the data we are requesting does not have to be for work performed on a state funded project, however, it is not to include data for private residential construction."*

R.T. Summers questioned if this was the only change to the form. Michael Dattilo stated that it was and including the dates to reflect the year change.

Wayburn Crabtree motioned to approve the 2011 Highway and Bridge Prevailing Wage Survey Letter.

R.T. Summers seconded.

All approved. Motion passed.

Commissioner Davis brought up the issue of using a paper survey and stating that it takes a significant amount of effort to fill out a paper survey.

Commissioner Davis would like to propose that the survey be an entirely electronic database starting next year, in turn this process would be easier to tabulate the data more accurately and efficiently. R. T. Summers commented that the commission has given the option to participate in the survey online. Michael Dattilo stated that only about 20% of the participants respond to the survey online. Wayburn Crabtree stated that one of the biggest issues is receiving enough response online. That the commission would not want to limit the survey to just an electronic response. Bob Oglesby questioned if data could be collected from TDOT that commission implement and if there was a way to incorporate that information automatically. Unfortunately, it's been questioned because the commission would only be using our own data and not state wide data which would exclude non-state funded projects.

Commissioner Davis asked that we again try to implement a strictly electronic database, while comparing what we receive in paper response versus electronic response. The commission should look at what a fair comparison of an average, paper vs. electronic, looking at the best interest of moving forward in relation to the budget and lways to be more efficient with the data collection.

Bob Oglesby asked how many responses are received from the survey. Michael Dattilo stated that Highway and Bridge responses average the same online as it does paper. Our mail out was approximately 920 and we received 220 responses about 20% response. Brent Hall mentioned some companies only do work within Tennessee once or twice every few years and that it can sometimes skew the data numbers. Building is more diverse and the challenge comes with pulling out the incorrect data i.e. misclassifications and investigative research by contacting the company.

The next meeting of the Prevailing Wage Commission will be held on November 18, 2011 at 1:30 p.m.

Commissioner Davis motioned to approve the second meeting of the Prevailing Commission to be held on November 18, 2011 at 1:30 p.m.

Brent Hall seconded.

All approved. Motion passed.

The final meeting of the Prevailing Wage Commission will be held on November 30, 2011 at 9:00 a.m.

Commissioner Davis motioned to approve the second meeting of the Prevailing Commission to be held on November 30, 2011 at 9:00 a.m.

Bob Oglesby seconded.

All approved. Motion passed

Michael Dattilo asked that the commission review the Highway Rate Analysis 2003-2011 data chart put together by Thomas Hamlett, inspector for Labor Standards. This is a cumulative chart that reviews what the survey data results have collected from 2003-2011. Green means the rate went up, yellow shows the rate is neutral, and red indicates a drop in the rate. Showing rates for the previous year.

R.T. Summers indicated that In the past notification of these meetings have been sent out to other interested parties. Such as Tennessee Road Builders, Associated General Contractors, Associated Building Contractors, assorted labor unions, etc. in this case they were not notified. Michael Dattilo stated that we do have a listing and that the notification will be sent out for next meeting. Notices are posted online and the Legislative Plaza. The commission will look into posting the agenda as well.

Commissioner Davis made a motion to adjourn the meeting of the Prevailing Wage Commission.

Brent Hall seconded.

All approved. Motion passed.