1516 of the Act and 42 CFR 122.204 where the State Agency provides assurance in accordance with 42 CFR 122.206 that it will expend or obligate non-Federal funds during the grant period for the purposes for which grants under this section may be made.

(e) *Grant payments.* Payments to a grantee of a grant award will be made in accordance with 42 CFR 122.207.

(f) *Use of grant funds.* Funds granted pursuant to this section, as well as other funds required as a condition of the grant to be used in performance of the approved activity, shall be expended in accordance with section 1516 of the Act, terms and conditions of the award, and the applicable cost principles prescribed by Subpart Q of 45 CFR Part 74. Such funds shall be available for obligation only during the period of the State Agency's designation agreement current at the time of the grant award.

(g) *Nondiscrimination.* The provisions of 42 CFR 122.209 shall apply to grants made under this section.

(h) *Grantee accountability.* The provisions of paragraphs (a) and (b) of 42 CFR 122.211 shall apply to grants made under this section.

(i) *Applicability of 45 CFR part 74.* The provisions of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants made under this section.

(j) *Additional conditions.* The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of the public health, or the conservation of grant funds.

§ 123.502 Additional requirements for State agencies.

In addition to the other provisions of this Part, the provisions of this section shall apply to a State Agency which receives a grant under section 1516.

(a) *Additional functions*—(1) *Conditional designation.* In the case of a State Agency designated pursuant to a Conditional Designation Agreement, the State Agency shall perform such of the functions prescribed by section 1513 of the Act and 42 CFR 122.107(c) as the secretary, in writing, directs it to perform in accordance with 42 CFR 122.106 (b) and (c), as though the State were a health service area and the State Agency a health systems agency for such area.

(2) *Full designation agreement.* In the case of a State Agency designated pursuant to a Full Designation Agreement, the State Agency shall perform the functions prescribed by section 1513 of the Act and 42 CFR 122.107(c), as though the State were a health service area and the State Agency a health systems agency for such area.

Provided, That: The requirements of section 1513(b)(2) of the Act and 42 CFR 122.107(c)(2) (relating to the development of a health systems plan); section 1513(f) of the Act and 42 CFR 122.107(c)(14) (relating to the review of new institutional health services proposed to be offered or developed); section 1513(g) of the Act and 42 CFR 122.107(c)(15) (relating to periodic review of all institutional health services); and section 1513(h) of the Act and 42 CFR 122.107(c)(16) (relating to recommendation of projects for modernization, construction and conversion of medical facilities) shall not apply for purposes of this section.

(b) *Review and comment by SHCC.* The State Agency shall afford the SHCC for such State a reasonable opportunity to review and comment upon the following actions by the State Agency before such actions are made final:

(1) The establishment, annual review, and amendment of the annual implementation plan ("AIP") as described in 42 CFR 122.107(c)(3);

(2) The development and publication of specific plans and programs for achieving the objectives established in the AIP, as described in 42 CFR 122.107(c)(6);

(3) The making of grants and contracts from the Area Health Services Development Fund pursuant to section 1640 of the Act, as described in 42 CFR 122.107(c)(9);

(4) The approval or disapproval of each proposed use of Federal funds within the State, as described in 42 CFR 122.107(c)(17).

(c) *State agency staff.* Notwithstanding any other provisions of this Part relating to State Agency staff, a State Agency to which this section is applicable shall have a staff which meets the requirements of 42 CFR 122.110. The Secretary may, for good cause shown upon application by any such State Agency, waive the requirements of 42 CFR 112.110 in whole or in part with respect to such agency. The requirements of section 1522(b)(4)(B) of the Act and § 123.104(b)(6) (relating to personnel standards on a merit basis) shall apply to each State Agency under this section.

§ 123.503 Special provisions for membership for SHCCs.

The membership of the SHCC shall number not less than 16 and shall be appointed by the Governor of such State in accordance with the provisions of 42 CFR 122.109(b), relating to the composition of the governing body of a health systems agency; *Provided,* That: In the case of the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, American Samoa, or the Northern Mariana Islands any of the requirements of 42 CFR 122.109(b) may be waived by the Secretary upon the written request of the Governor supported by evidence sufficient to satisfy the Secretary that such requirement cannot be met or would, under the circumstances, be inconsistent with the purposes of the Act.

§ 123.504 Preliminary State health plan.

(a) In the case of a State Agency designated for the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, the Northern Mariana Islands and any other State determined to meet the requirements of section 1536 of the Act, the preliminary State health plan shall be established after appropriate consideration of the recommended National Guidelines for health planning policy issued by the Secretary under section 1501, and the priorities set forth in section 1502, and shall be a detailed statement of goals (1) describing a healthful environment and health system in the area which, when developed, will assert that quality health services will be available and accessible in a manner which assures continuity of care, at reasonable cost, for all residents of the area; (2) which are responsive to the unique needs and resources of the area; and (3) which take into account and are consistent with the National Guidelines for health planning policy issued by the Secretary under section 1501 of the Act respecting supply, distribution and organization of health resources.

(b) For purposes of this part, the preliminary State health plan prepared pursuant to this section shall be deemed to be the health systems plan for the State.

[FR Doc. 78-5957 Filed 3-9-78; 8:45 am]

federal register

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FRIDAY, MARCH 10, 1978
PART V



DEPARTMENT OF LABOR

Pension and Welfare Benefit Programs

■

EMPLOYEE RETIREMENT INCOME AND SECURITY

Annual Reporting Requirements; Final Regulations

[4510-29]

Title 29—Labor

CHAPTER XXV—PENSION AND WELFARE BENEFIT PROGRAMS, DEPARTMENT OF LABOR

PART 2520—RULES AND REGULATIONS FOR REPORTING AND DISCLOSURE

Annual Reporting Requirements; Final Regulations

AGENCY: Department of Labor.

ACTION: Final regulations.

SUMMARY: These final regulations relate to the annual report that an employee benefit plan must prepare and file under the Employee Retirement Income Security Act of 1974. The report is filed with the Internal Revenue Service and copies are forwarded to the Department of Labor. The annual report is designed to inform these agencies about the year-to-year activities of the plan, particularly its yearly financial operations. A summary of the annual report must be disclosed by the plan to its participants and beneficiaries. These regulations also include rules specifying the dates when annual reports must be filed. Regulations concerning the preparation and disclosure of the summary annual report are not included in this document but will be published separately at a later date.

EFFECTIVE DATE: These regulations are generally effective for plan years beginning in 1977 and thereafter.

FOR FURTHER INFORMATION CONTACT:

Joe Bodnar, 202-523-7901, for questions relating to these regulations, or Mervyn Schwedt, 202-523-8769, for questions relating to the annual return/report forms.

SUPPLEMENTARY INFORMATION: The supplementary information section is divided into two parts. Part I, "Description of the Regulations," is a general, nontechnical description of what the regulations require. It is specifically written for the reader who is not a professional or an expert in the field of employee benefit plans. Part II, "Technical Explanation of the Regulations and Findings by the Department," contains discussions of the background and major issues involved, of significant differences between the annual report regulations published in the FEDERAL REGISTER on August 3, 1976 as temporary and proposed regulations, and November 29, 1977 as proposed regulations and the final regulations published here, and of substantive public comments on the proposals, as well as findings required by statute and detailed technical explanations of certain requirements.

PART I—DESCRIPTION OF THE REGULATIONS

GENERAL

Under the Employee Retirement Income Security Act of 1974 (ERISA) an employee benefit plan must prepare an annual report for the fiscal reporting year of the plan. The annual report is the document which informs the Department of Labor about the financial condition and activities of a plan. A copy of the annual report must be made available by the plan administrator, usually at the administrator's office or at the work site, for inspection by plan participants and beneficiaries. Copies of the report must be furnished upon request, although a reasonable charge may be assessed. Also, a summary of the annual report that is filed with the Department must be furnished to plan participants and beneficiaries. Final regulations concerning preparation and disclosure of the summary annual report are not contained in this document but will be published separately at a later date.

PREPARATION AND FILING

Annual reports must be prepared by all employee benefit plans unless specifically exempted by regulations issued by the Secretary of Labor. ERISA requires a copy of the annual report to be filed with the Secretary of Labor. The Department of Labor and the Internal Revenue Service have made arrangements to permit plans that are required to file annual reports and returns with both the Department and the Service to make a single filing with the Internal Revenue Service, starting with the plan year 1977 filings and thereafter. Microfiche copies of annual reports filed with the Internal Revenue Service will be forwarded to the Department of Labor.

The regulations permit a plan with 100 or more participants to prepare the annual report using Form 5500, "Annual Return/Report of Employee Benefit Plan," which is issued jointly by the Internal Revenue Service, Department of Labor and Pension Benefit Guaranty Corporation. Certain pension plans with fewer than 100 participants that cover self-employed individuals may use Form 5500-K, while all other plans with fewer than 100 participants that are not exempted from the annual reporting requirements may use Form 5500-C.

The regulations include requirements for the date by which the annual report must be filed. That date is generally seven months after the close of the plan year. The plan year is the 12-month period on the basis of which the plan's records are kept.

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The information that is required to be included in the annual report is primarily of a financial nature, such as a statement of assets and liabilities and income and expenses. In addition to the information required on Forms 5500, 5500-C and 5500-K, plans are required to include certain financial schedules, among which are a schedule of assets held for investment, a schedule of certain transactions with persons who are "parties in interest" with respect to the plan, a schedule of obligations in default, a schedule of leases in default, and a schedule of "reportable transactions." Reportable transactions, which are defined in these regulations, are certain transactions that involve a significant portion of a plan's assets.

ERISA requires an employee benefit plan to engage an accountant to examine the plan's financial statements and to prepare a report containing an opinion with respect to the financial condition of the plan. The accountant's report must be included in the annual report. Under these regulations, the scope of the accountant's opinion is generally not required to extend to information certified by certain financial institutions such as banks and insurance companies. The accountant's report is waived for employee pension and welfare benefit plans with fewer than 100 participants. In addition, these regulations provide that certain pension plans funded through allocated insurance contracts, prusuant to which benefit payments are guaranteed by an insurance company, and certain welfare plans that are unfunded or fully insured, are not required to engage an accountant and are exempt from completing certain financial items on the annual report form.

Some banks and insurance companies maintain funds in which assets belonging to a number of plans—generally pension plans—are pooled for investment. Funds of this type maintained by banks are referred to as common or collective trusts, while those maintained by insurance companies are referred to as pooled separate accounts. These regulations provide simplified reporting of certain financial information concerning assets placed by a plan in a common or collective trust maintained by a bank or a pooled separate account maintained by an insurance company. For example, plans need only file a statement of assets and liabilities of the trust or account and disclose the value of the plan's units of participaion to satisfy the plan's reporting obligation regarding the assets held in such trust or account.

In order to prepare an annual report, a plan administrator may find

it necessary to collect information from a number of sources, such as banks, insurance companies and other organizations that provide services to employee benefit plans. The regulations provide that such organizations must furnish needed information to plan administrators to enable them to prepare their annual reports in a timely manner.

EXEMPTIONS

Under these regulations, certain welfare plans which are either unfunded or fully insured or are partially unfunded and partially insured and have fewer than 100 participants are exempt from all annual reporting requirements and certain other reporting and disclosure obligations. The exemption is available if certain conditions are met, including the requirement that benefits under these plans are paid directly from the general assets of the employer or employee organization maintaining the plan or are provided by an insurance company through an insurance contract or policy.

Some welfare plans are part of a group insurance arrangement under which fully insured benefits are provided to employees of more than one employer but premiums for the group insurance contracts or policies are collected by a trust or other entity, such as a trade association, which also holds the contracts or policies. If the trust or other entity filed an annual report on behalf of the participating plans in the arrangement and other conditions are met, the participating welfare plans are exempt from requirement to file an annual report. Such plans, however, are not exempt from the requirement to prepare a summary annual report and to furnish it to plan participants and beneficiaries.

DRAFTING INFORMATION

The principal drafter of these regulations was Roger J. Thomas of the Plan Benefits Security Division, Office of the Solicitor, Department of Labor. However, persons from other offices of the Department participated in developing the regulation.

PART II—TECHNICAL EXPLANATION OF THE REGULATIONS AND FINDINGS BY THE SECRETARY

BACKGROUND

On August 3, 1976, regulations relating to the annual reporting requirements under the Act were published in the FEDERAL REGISTER (41 FR 32522). The regulations were both temporary regulations effective immediately for plan years beginning in 1975 and proposed regulations for final adoption. On May 6, 1977, the Department announced that the annual reporting regulations which were effective for 1975 plan years would also be effective for 1976 plan years (USDL 77-417). On November 29, 1977, the Department published in the FEDERAL REGISTER (42 FR 60899) proposed revisions in the annual reporting requirements that were designed to reduce certain reporting burdens.

The annual reporting regulations contained in this document are final regulations and, except where otherwise specifically noted, are effective for plan years beginning in 1977 and thereafter. Regulations relating to summary annual reports—§§ 2520.104b-10 and 2520.104b-11—which were published on August 3, 1976 as part of the annual reporting requirements are not contained in this document and will be published at a later date. It should be noted that §§ 2520.104-20 and 2520.104-21, which were published in final form in the FEDERAL REGISTER (40 FR 34526) on August 15, 1975, are also contained in this document because certain conforming changes have been made to those sections.

Certain sections of the annual reporting regulations are statutory interpretations of section 103 of the Act; the other sections of the regulations pertain to an alternative method of compliance for pension plans and to a limited exemption for welfare plans. Only plans which utilize the alternative method of compliance or limited exemption can rely upon those sections of the regulations which relate to the content of the annual report—§§ 2520.103-1, -2, -6, -10 and -11. Those sections of the regulations that do not relate to the content of the annual report are statutory interpretations which apply to all plans required to file an annual report. Plans following the statutory scheme of annual reporting in section 103 of the Act, rather than the alternative method or limited exemption set forth in the regulations, must comply with all the statutory reporting requirements.

§ 2520.103-1

Under this section, employee benefit plans with 100 or more participants are permitted to file an annual report in accordance with the provisions of section 103 of the Act, or in accordance with a limited exemption or alternative method of compliance authorized under sections 104(a)(3) and 110, respectively, of the Act. The content of the annual report (on Form 5500) for plans electing the limited exemption or alternative method of compliance is described in paragraph (b) of this section. Under the authority of section 104(a)(2)(A) of the Act, the section also provides that plans with fewer than 100 participants must file an annual report consisting of a Form 5500-C or 5500-K and any schedules required by the instructions to the forms, in accordance with § 2520.104-41.

The limited exemption or alternative method of compliance for plans with 100 or more participants permits such plans to fulfill their annual reporting obligation under section 103 of the Act by filing an annual report containing the following: A completed Form 5500, including applicable schedules of insurance or actuarial information and the schedules called for by Item 22(a) of Form 5500, a report by an independent qualified public accountant, and separate financial statements if prepared in order for the plan's accountant to form the opinion required by § 2520.103-1(b)(5).

In response to comments, § 2520.103-1 has been revised to make clear that the accountant may render an opinion with respect to the financial information in Form 5500 or in separate financial statements, but if separate financial statements are prepared, the financial information required by Items 13 and 14 of Form 5500 still must be completed by the plan administrator. If the plan's accountant chooses to prepare separate financial statements, the section also prescribes the content of those statements.

In those cases where a plan files separate financial statements, § 2520.103-1(b)(3) has been revised to include a requirement that the notes to the financial statements contain an explanation of the differences, if any, between the information in the separate financial statements and the information contained in Items 13 and 14 of Form 5500. The section also has been revised to make clear that the notes to the financial statements must be prepared whether the accountant's report is rendered with respect to the financial information in the Form 5500 or with respect to the separate financial statements.

The accountant's report must state whether the audit was made in accordance with generally accepted auditing standards and must designate any auditing procedures deemed necessary by the accountant which have been omitted and the reasons for their omission. In addition, the accountant's report must contain the opinion of the accountant with respect to the financial statements and schedules covered by the report and the accounting principles and practices reflected in such report. The report must also contain the opinon of the accountant as to the consistency of the application of the accounting principles with the application of such principles in the preceding year, or as to any changes in such principles which have a material effect on the financial statements of the plan. Further, the accountant's report must identify any matters to which the accountant takes exception, and to

the extent practicable, the effect on the financial statements of the matters to which he has taken exception. Finally, the report must indicate whether the matters to which the accountant takes exception are the result of Department of Labor regulations.

The following findings, pursuant to section 110 of the Act, are made with respect to the promulgation of § 2520.103-1 as an alternative method of fulfilling the annual reporting requirements of section 103 of the Act for pension benefit plans:

1. The alternative method of compliance is consistent with the purposes of title I of the Act, and provides adequate disclosure to plan participants and beneficiaries and adequate reporting to the Secretary. The essential information required by section 103 of the Act is reported and disclosed under the alternative method of compliance, while duplicative requirements are merged to provide a clearer portrayal of the financial activity and status of pension benefit plans.

2. The alternative method of compliance relieves plans subject to the annual reporting requirements from increased costs and unreasonable administrative burdens. The alternative frees plans which elect it from duplicative auditing requirements and simplifies the content of the annual report in general.

3. Finally, the alternative method of compliance is not adverse to the interests of participants and beneficiaries in the aggregate, because the alternative preserves all of the basic financial reporting features of section 103 of the Act, while at the same time restructuring the content to produce a more efficient and understandable report.

In accordance with the authority to promulgate a limited exemption for employee welfare benefit plans under section 104(a)(3) of the Act, the Secretary has found that the reporting and disclosure requirements of section 103 of the Act are inappropriate as applied to welfare benefit plans.

§ 2520.103-2

Under § 2520.104-43, welfare plans participating in a group insurance arrangement may be exempted from filing an annual report provided that the trust, trade association, or other entity which holds the insurance contracts and acts as a conduit for the insurance premiums files an annual report for the entire arrangement. Section 2520.103-2 prescribes the contents of the annal report to be filed by the trust, trade association, or other entity in order for a plan to be eligible for the exemption described in § 2520.104-43.

The annual report required to be filed under § 2520.103-2 must contain the following: A completed Form 5500 including the insurance schedule and the schedules necessary to complete Item 22(a) of Form 5500, a report by an independent qualified public accountant, and separate financial statements if prepared by the accountant in order to form the opinion required by § 2520.103-2(b)(5).

In response to comments, the section has been revised to make clear that the accountant may render an opinion with respect to the financial information in Form 5500 or in separate financial statements, but that if separate financial statements are prepared, the financial information required by Items 13 and 14 of the Form 5500 still must be completed by the plan administrator. Where the plan's accountant chooses to prepare separate financial statements in order to form the opinion required by § 2520.103-2(b)(5), the section also prescribes the content of those statements.

In those cases where a plan files separate financial statements, § 2520.103-2(b)(3) has been revised to include a requirement that the notes to the financial statements contain an explanation of the differences, if any, between the information in the separate financial statements and the information contained in Items 13 and 14 of Form 5500. The section also has been revised to make clear that the notes to the financial statements must be prepared whether the accountant's report covers the financial information contained in the Form 5500 or in separate statements.

The accountant's report must state whether the audit was made in accordance with generally accepted auditing standards. In addition, the accountant's report must contain the opinion of the accountant with respect to the financial statements and schedules covered by the report and the accounting principles and practices reflected in such report. The report must also contain the opinion of the accountant as to the consistency of the application of the accounting principles with the application of such principles in the preceding year. Further, the accountant's report must identify any matters to which the accountant takes exception and to the extent practicable, the effect of the matters to which he has taken exception on the financial statements. Finally the report must indicate whether the matters to which the accountant takes exception are the result of Department of Labor regulations.

§ 2520.103-3

Pursuant to the authority granted in section 103(b)(3)(G) of the Act, § 2520.103-3 provides an exemption from certain annual reporting requirements relating to plan assets held in a common or collective trust maintained by a bank, trust company, or similar institution. Under § 2520.103-3, a plan with assets in such a trust need only include the following financial information in the annual report: The value of the plan's units of participation in the trust, transactions involving the acquisition and disposition by the plan of units of participation in the trust, if otherwise required to be reported, and a statement of the assets and liabilities of the trust. A plan administrator is not required to report any information with respect to transactions engaged in by the bank involving the assets of the trust.

Proposed § 2520.103-3 defined a common or collective trust as a trust maintained for the collective investment and reinvestment of assets contributed to such trust *by the bank in its capacity as trustee, executor, administrator or guardian.* (Emphasis added.) Comments noted that assets contributed to a common or collective trust may not necessarily be contributed by the bank in its capacity as trustee, executor, administrator, or guardian. In response to these comments, the italicized language has been deleted. In addition, certain changes have been made in § 2520.103-3 to make it clear that the statement of assets and liabilities of the common or collective trust that is required to be attached to the plan's annual report must relate to the fiscal year of the trust ending with or within the plan year for which the annual report is made. These changes are discussed more fully in the section of the preamble relating to § 2520.103-9.

Under § 2520.103-3 the annual reporting exemption applies only to assets held in a common or collective trust maintained by a bank, trust company, or similar institution regulated and supervised and subject to periodic examination by a State or Federal agency. The term "common or collective trust" is defined to mean a trust which consists of the assets of two or more participating entities, and plans of a controlled group of corporations are treated as a single participating entity in a common or collective trust.

Some of the comments received by the Department suggested that the annual reporting exemption for assets held in a common or collective trust should be extended to situations where assets of plans maintained by a single employer or by members of a controlled group of corporations are held in a single trust that is maintained by a bank, trust company, or similar institution. These suggestions were not accepted. Where a trust maintained by a bank consists solely of the assets of plans of a single employer or members of a controlled group of corporations, the likelihood that investment decisions regarding the assets held in such trusts will be

subject to the influence of the single employer or the controlled group is greater than where such a trust consists of assets of unrelated participating entities. Thus, where a trust consists solely of the assets of plans maintained by a single employer or by members of a controlled group of corporations, it would not be in the interests of plan participants to exempt such plans from the requirements to furnish detailed information regarding their financial activities. Other comments suggesting that § 2520.103-3 should apply to a pooled investment trust not maintained by a bank, trust company, or similar institution were also not accepted because such a trust is not covered by section 103(b)(3)(G) of the Act, which is the statutory basis for § 2520.103-3. The instructions accompanying the Annual Return/Report Forms, 5500 Series, however, provide guidance for plans with assets in a trust that includes assets of more than one plan of a single employer or members of a controlled group of corporations but does not meet the requirements for the exemption set forth in § 2520.103-3 (such as a so-called "master trust").

§ 2520.103-4

Under the authority of section 103(b)(3)(G), § 2520.103-4 provides an exemption from certain annual reporting requirements relating to plan assets held in a pooled separate account maintained by an insurance carrier. This exemption is similar to the exemption provided in § 2520.103-3 for plans whose assets are held in a common or collective trust. Under § 2520.103-4 a plan with assets in a pooled separate account need only include the following financial information in the annual report: the value of the plan's units of participation in the account; transactions involving the acquisition and disposition by the plan of units of participation in the account, if otherwise required to be reported; and a statement of the assets and liabilities of the account. Certain changes have been made in § 2520.103-4 to clarify the date as of which the statement of assets and liabilities of the pooled separate account that is required to be filed in conjunction with the plan's annual report must be prepared. These changes are discussed more fully in the preamble relating to § 2520.103-9.

Under § 2520.103-4 the annual reporting exemption applies only to assets held in a pooled separate account maintained by an insurance carrier regulated and supervised and subject to periodic examination by a State agency. Paragraph (b) of the section has been revised to define the term "pooled separate account" to mean an account which consists of the assets of two or more participating entities. This definition was added in response to comments to clarify that a pooled separate account need only contain the assets of two participating entities to meet the requirements of the section, which is consistent with the treatment of common or collective trusts in § 2520.103-3. Comments also requested clarification concerning the treatment of plans of a controlled group of corporations and suggested that such plans be treated under § 2520.103-4 in the same manner as they are treated under § 2520.103-3. Based on these comments, the definition provides that plans a controlled group of corporations are to be treated as a single participating entity in a pooled separate account.

Some of the comments received by the Department urged that the exemption from annual reporting should cover situations where the assets of a plan or plans maintained by a single or controlled group of employers are held in a separate account consisting solely of the assets of such plan or plans. These comments were not accepted. Where a separate account consists solely of the assets of plans maintained by a single employer or by members of a controlled group of corporations, the likelihood that investment decisions regarding the assets held in such an account will be subject to the influence of the single employer or the controlled group is greater than where such an account consists of assets of unrelated participating entities. Thus, where a separate account consists solely of the assets of plans maintained by a single employer or by members of a controlled group of corporations, it would not be in the interests of plan participants to exempt such plans from the requirements to furnish detailed information regarding their financial activities.

§ 42520.103-5

Section 2520.103-5 implements section 103(a)(2) of the Act. Section 103(a)(2) of the Act requires an insurance carrier or other organization which provides some or all of the benefits under a plan or holds plan assets, a bank or similar institution which holds plan assets, or a plan sponsor to transmit and certify to the accuracy and completeness of such information as is needed by the plan administrator to comply with the requirements of Title I of the Act.

Section 2520.103-5 sets forth the information which must be provided to the plan administrator and requires that the information be transmitted within 120 days of the close of the plan year.

Several comments suggested that requiring banks and insurance companies to certify as to the completeness of the information furnished may be interpreted to cover information not required by § 2520.103-5. The section has been revised to make clear that the certification as to accuracy and completeness only covers the information required to be reported by this section. It should be noted that the language suggested in the section for the certification is only an example. Any other signed statement which assures the accuracy and completeness of the information required by subparagraph (c) of the section may be used. The certification need not be sworn to or notorized.

To conform this section to current revisions in §§ 2520.103-3 and 2520.103-4 regarding the annual statement of assets and liabilities for a common or collective trust or pooled separate account required to be included in the plan's annual report or filed directly by the bank or insurer, the section has been revised so that the annual statement of assets and liabilities for the fiscal year of the account or trust shall be for the fiscal year that ends with or within the plan year for which the annual report is made.

§ 2520.103-6

This section is applicable to the schedule of reportable transactions required by item 22(a)(v) of Form 5500 as described in § 2520.103-10(b)(6). Plans which use the alternative method of compliance or limited exemption prescribed in § 2520.103-1(b) or §2520.103-2(b) must use the definitions in this section for purposes of preparing the above schedule.

Reportable transactions as defined in this section consist of four separate categories of transactions: first, a single transaction in excess of 3 percent of the current value of plan assets; second, a series of transactions with or in conjunction with the same person, involving property other than securities, which amount in the aggregate to more than 3 percent of the current value of plan assets; third, a series of transactions with respect to securities of the same issue which amount in the aggregate to more than 3 percent of the current value of total plan assets; and fourth, any transaction with respect to securities with or in conjunction with a person if a prior or subsequent single transaction has occurred with respect to securities with or in conjunction with that same person in an amount in excess of 3 percent of the current value of plan assets, unless specifically excluded by this section.

A number of comments were received with respect to the section as published on August 3, 1976, requesting clarification as to the applicability of the reporting requirements of this section to plans whose assets are held in a common or collective trust maintained by a bank or pooled separate account maintained by an insurance

company. Paragraph (a) has been revised and a new paragraph (c)(3) has been inserted to make clear that such plans are exempt from reporting individual transactions of the common or collective trust or pooled separate account.

In response to comments, an example has been added to paragraph (e)(3) to clarify that a simultaneous sale by a plan of property which is not a security (e.g., real estate) and a loan by the plan to the purchaser of the property is to be treated as two separate transactions that must be aggregated to determine whether a series of transactions with the same person exceeds 3 percent of the current value of plan assets.

On November 29, 1977, the Department proposed to reduce significantly the reporting of securities transactions triggered by a 3 percent transaction under § 2520.103-6(c)(1)(iv) (42 FR 60899). Except as noted below, the revisions have been adopted as proposed. The revised section eliminates the reporting requirements triggered by a 3 percent transaction if the 3 percent transaction or any prior or subsequent transaction involves certain types of temporary investments or the transaction which is triggered involves purchases or sales of listed and certain publicly traded securities. The changes are limited to triggered transactions covered by § 2520.103-6(c)(iv); the changes would not relieve plans of the reporting obligations set forth in § 2520.103-6(c)(1)(i)-(iii).

The reduced reporting burden is accomplished by narrowly defining the term "securities" solely for purposes of § 2520.103-6(c)(iv). The definition excludes from the reporting requirement of § 2520.103-6(c)(iv) investments involving transactions meeting two criteria: (1) The transactions must be effected through one of four enumerated categories of financial institutions subject to Federal and/or State regulation; and (2) the transactions must fall within one of seven enumerated categories of temporary investments. If a 3 percent transaction meets these two criteria, it must be reported but it will not trigger the reporting requirements of § 2520.103-6(c)(iv).

The section also contains a restricted definition of the phrase "with or in conjunction with a person" contained in § 2520.103-6(b)(3)(ii) solely for purposes of § 2520.103-6(c)(iv). The definition excludes from the category of transactions "with or in conjunction with a person" any transaction that meets the following three criteria: (1) The broker-dealer who engages in the transaction is registered under the Securities Exchange Act of 1934; (2) the security is listed on a national securities exchange or quoted on NASDAQ; (3) the broker-dealer does not purchase or sell the security for its own account or the account of an affiliated person. Thus, any 3 percent transaction in such security must be reported, but the transaction will not trigger the reporting requirements of § 2520.103-6(c)(iv) if the three conditions described above are met with respect to the other securities transactions effected for the plan by the same broker-dealer.

One comment requested that with respect to the excluded category in paragraph (2)(ii)(C) of "interests issued by a company registered under the Investment Company Act of 1940" (i.e., mutual fund shares), that the phrase "which invests primarily in securities with a maturity of not more than one year" be deleted. The comment indicated that many different types of mutual funds are suitable for short term investment and therefore the reduced reporting also should be available for mutual funds that do not invest in short term securities. The comment also noted that the limitation on fund investment for reporting purposes represented an unjustified disparity between the mutual fund industry and the banking and insurance industries because the section did not contain any limitation on the portfolio composition of bank common or collective trusts or insurance company pooled separate accounts. In response to this comment, the section has been revised so that the reduced reporting is equally available for any investment in mutual fund shares.

Several comments suggested that the categories of investments that do not trigger the reporting of other transactions be expanded to include such investments as bankers acceptances, time deposits, variable amount notes, commerical paper not rated in the highest category by two rating services, long term investments with a maturity of less than one year from the date of acquisition and mortgage backed pass through certificates issued by governmental entities. The Department has decided not to accept these comments at this time but does intend to monitor the reduced reporting provisions to determine whether additional changes should be made for subsequent plan years.

Several comments suggested that the revised reporting requirements provided under paragraph (c)(1)(iv) should be extended to the aggregation of securities transactions under paragraph (c)(1)(iii). These comments were not adopted. The revised requirements of paragraph (c)(1)(iv) are intended only to reduce the reporting of prior or subsequent transactions if a 3 percent transaction in securities with the same person has occurred and not to reduce or eliminate the reporting of a transaction or a series of transactions in securities which exceeds 3 percent of plan assets.

Another comment noted that financial institutions that collect information with respect to plan transactions and provide that information to plan administrators may not have sufficient time to revise their data processing systems in order to take advantage of the reduced reporting requirements for plan years commencing in 1977, and suggests that the changes not be effective for 1977 plan years. The Department will not delay the effective date of these changes. However, plan administrators can furnish, for the 1977 plan year, reportable transaction data which includes those transactions which would otherwise be excluded under the revised regulation.

Finally, paragraph sections of the regulation have been renumbered in accordance with the appropriate format for regulations.

New examples have been added in paragraphs (e) (4), (5), (6), and (7) to illustrate the operation of the revisions to these paragraphs.

It should be noted that with respect to both the interim regulations published on August 3, 1976, and these final regulations, the aggregation of transactions involving securities, which is required under § 2520.103-6(c)(1)(iii), is to be on the basis of issue rather than issuer. The Department believes that such aggregation would be more useful to the Department for purposes of monitoring plan activity under the Act, as well as less burdensome to plans and financial institutions. Reporting three percent series transactions involving securities of the same issue, rather than issuer, will also decrease the number of transactions reportable on the separate schedule because only purchases and sales of a particular type of security, e.g., XYZ common stock rather than all types of XYZ securities, will be aggregated.

Plans which report such securities transactions on the separate schedule need only provide certain aggregate information relevant to the series of securities transactions. The specific information to be furnished includes the total number of purchases of such securities made by the plan within the plan year, total number of sales, total dollar value of purchases, total value of sales, and the net gain or loss as a result of these transactions. This approach is simpler and less burdensome to plans while providing information which is relevant.

§ 2520.103-7

Section 2520.103-7 establishes special accounting rules for certain plans filing an annual report under the Act for the plan year beginning in 1975. This section remains unchanged from the temporary version. The special accounting rules prescribed by the section, which do not apply to plan years

beginning after 1975, vary according to the type of plan. Plans with 100 or more participants and trusts filing an annual report for a group insurance arrangement in accordance with §§ 2520.104–43 and 2520.104a–6 which file an annual report for the plan year beginning in 1975, may only use the special accounting rules described in this section if the plan has adopted the limited exemption/alternative method of compliance of §§ 2520.103–1(b) or 2520.103–2(b). Such plans are not required to: (1) Display at current value plan assets and liabilities in comparative form as of the end of the previous plan year or the beginning of the plan year subject to the initial annual report, (2) engage an accountant to examine the plan's financial statements for the preceding plan year, or (3) provide an accountant's opinion regarding the consistency of the initial plan year's financial statements with the preceding plan year's financial statements.

All plans with fewer than 100 participants which file an annual report for the plan year beginning in 1975 are not required to display at current value plan assets and liabilities in comparative form as of the end of the previous plan year or the beginning of the plan year which is covered by the initial annual report. (Plans with fewer than 100 participants are exempt under § 2520.104–46 from the requirement to engage an accountant to examine the plan's financial statements and prepare an accountant's report.)

The following findings are made with respect to the promulgation of § 2520.103–7 as an alternative method of compliance under section 110 of the Act for pension plans which cover fewer than 100 participants at the beginning of the plan year:

1. The special accounting rules are consistent with the purposes of Title I of the Act, and provide adequate disclosure to plan participants and beneficiaries and adequate reporting to the Secretary. Because plans filing an initial annual report for the plan year beginning in 1975 may not have previously maintained their financial books and records on the basis of current value, a requirement to include a statement of assets at current value as of the beginning of the plan year would be unduly burdensome.

2. Requiring small plans to obtain a current valuation of all plan assets for the beginning of the 1975 plan year would result in increased costs for an appraisal. These increased costs and the administrative burden of preparing beginning of the year balances at current value would be adverse to the interests of participants and beneficiaries in the aggregate.

§ 2520.103–8

Under section 2520.103–8, which interprets and implements section 103(a)(3)(C) of the Act, the examination and report of the independent qualified public accountant need not address any statement or information regarding plan assets held by a bank or insurance carrier, which is regulated and supervised and subject to periodic examination by a State or Federal agency, provided that the statement or information is transmitted and certified to the plan administrator in accordance with § 2520.103–5. Plan assets held in any type of bank or insurance carrier trust or account, including separate trusts, common or collective trusts, custodial accounts and pooled or individual separate accounts, are included.

Some comments indicated that the section is not clear with respect to the nature and extent of the information which may be excluded from the scope of an examination by an independent qualified public accountant. Section 2520.103–8 provides that an opinion that must be rendered by an accountant need not be expressed as to any statements required by § 2520.103–5, which are prepared and certified to by a bank or similar institution or insurance carrier regulated and supervised and subject to periodic examination by a State or Federal agency. Section 2520.103–5 sets forth the information that may be transmitted and certified to by a bank or similar organization or an insurance carrier. Information which is required to be provided under § 2520.103–5 and which is transmitted and certified to the administrator of a plan pursuant to that section need not be covered in the accountant's examination and report of that plan in the annual report.

Other comments requested clarification as to whether a plan is required to engage an independent qualified public accountant when all its assets are held and certified to by a bank or insurance company. If a plan is required under § 2520.103–1 to engage an accountant to render an opinion with respect to the financial statements of the plan, an exemption is not provided under § 2520.103–8 and section 103(a)(3)(C) of the Act from such requirements solely because the plan's assets are held by a bank or insurance company and certification has been provided under § 2520.103–5. However, the examination by the accountant and the scope of the accountant's opinion would, in such circumstances, be limited as a result of the applicability of this section.

Finally, comments requested clarification as to the applicability of this section to plans sponsored by a bank or insurance company for its own employees when the bank or insurance company prepares and certifies such information to the plan administrator. Section 2520.103–5 does not distinguish between plans of a bank or insurance company and plans of unrelated parties so long as the bank or insurance company is regulated by a State or Federal agency. Accordingly, the limitation provided by 2520.103–8 would apply to a plan of a bank or insurance company provided the requirements of § 2520.103–5 are satisfied. The Department, however, intends to monitor the operation of this limitation as it applies to plans of a bank or insurance company to determine whether there is a sufficient potential for abuse in such circumstances to justify making this limitation inapplicable to those plans.

§ 2520.103–9

Section 2520.103–9 implements section 103(b)(4) of the Act, which authorizes the Secretary to relieve plans with assets held in whole or in part in a common or collective trust fund or a pooled separate account from filing a statement of assets and liabilities of such trust or account as required under section 103(b)(3)(G) of the Act if the bank or insurance carrier files a statement of assets and liabilities of the trust or pooled separate account directly with the Secretary prior to the date on which the plan is required by § 2520.104a–5 or § 2520.104a–6 to file its annual report.

One comment urged clarification with respect to the requirement set forth in § 2520.103–9 that the annual statement of assets and liabilities of the common or collective trust or pooled separate account to be filed with the Secretary and furnished to the plan administrator be the most recent such statement. The comment stated that § 2520.103–9 could be interpreted in conjunction with section 103(a)(2) of the Act and § 2520.103–5 to require that in situations where the fiscal year of the common or collective trust or pooled separate account ends between the end of the plan year and the date on which the plan's annual report must be filed with the Secretary, the bank or insurance carrier maintaining the trust or account complete the annual statement and furnish it to the plan administrator within a shorter period than the 120-day period after the end of the plan year that is generally allowed under section 103(a)(2) and § 2520.103–5 for transmittal and certification by a bank or insurance carrier of information maintained by such bank or carrier. The same comment is also applicable to the exemptions from certain annual reporting requirements set forth in § 2520.103–3 and § 2520.103–4 for assets held in a common or collective trust and for assets held in an insurance company pooled separate account, respectively.

Sections 2520.103–3, 2520.103–4 and 2520.103–9 have been revised to make clear that the statement of assets and

liabilities of the common or collective trust or pooled separate account must relate to the fiscal year of such account or trust that ends with or within the plan year for which the annual report is made. Thus, the shortest period allowed for completion and transmittal to the plan administrator of the annual statement of the assets and liabilities of the trust or separate account is 120 days, in the situation where the plan year of the plan and the fiscal year of the trust coincide.

The statement of the assets and liabilities of the trust or account must be filed with the Secretary no later than the date on which the annual report of the plan must be filed under section 104(a)(1)(A) of the Act and § 2520.104a-5.

Conforming changes have been made in §§ 2520.103-1, 2520.103-2, and 2520.103-5.

Another comment suggested that the requirement of § 2520.103-9(b)(2)(i)(B) that the bank or insurance carrier maintaining the common or collective trust or pooled separate account must file with the Secretary a list of all plans, assets of which are held in the common or collective trust or pooled separate account, should be eliminated because of the administrative difficulties created by the preparation of such a list. This suggestion has been rejected because the list of plans with assets in the trust or account is necessary for the Department and the Internal Revenue Service to make effective use of the information in the annual statement of assets and liabilities of the trust or account. However, to assist the trustee or insurance carrier in preparing the required list, the section has been revised to require the administrator of a plan with assets in the trust or account to provide the trustee of the trust or the insurance carrier maintaining the account the plan number as on the Annual Return/Report Form and the name and EIN of the plan sponsor.

§ 2520.103-10

Section § 2520.103-10 details the format and content of the schedules which are necessary to complete Item 22(a) of Form 5500, and required to be included with the annual report pursuant to the limited exemption and alternative method of compliance prescribed in §§ 2520.103-1(b) and 2520.103-2(b). The format and content of the schedules are prescribed in § 2520.103-10 pursuant to authority granted by section 109(c) of the Act. An additional schedule of assets acquired and disposed within a plan year has been added to reflect the adoption of new § 2520.103-11.

§ 2520.103-11

Under section 103(b)(3)(C) of the Act, an employee benefit plan must include in its annual report a schedule of all "assets held for investment purposes * * *." No regulation has previously been adopted to interpret or implement this provision.

The 1975 Annual Report forms had provided that the schedule of "assets held for investment purposes" should include only those assets held for investment by the plan at the end of the plan year. This interpretation of the language in section 103(b)(3)(C) was criticized in comments on two grounds. First, the comments suggested that this interpretation did not comport with the legislative intent behind the reporting requirements of the Act. Second, the comments argued that plans could circumvent the reporting requirements of the Act by purchasing assets early in the plan year and selling those assets before the end of the plan year. The instructions for the 1976 Annual Report forms did not include the reference to plan assets held for investment at the end of the plan year.

The Department received comments which noted that the reporting of every investment asset held during the plan year imposed a heavy reporting burden on plans. The comments emphasized that under this interpretation of section 103(b)(3)(C), a plan would have to report all temporary investments used for the legitimate function of cash management and report investments already listed on other schedules in the annual report.

After consideration of these comments, the Department decided to revise the reporting of assets held for investment by proposing § 2520.103-11. The final regulation, which is unchanged, except as explained below, from the proposed version published on November 29, 1977, will require the reporting of all assets held for investment purposes by a plan at the end of the plan year, plus a limited category of assets purchased during the plan year and sold before the end of the plan year. These reporting requirements would be implemented by narrowly defining the phrase "assets held for investment purposes" in section 103(b)(3)(C) of the Act to exclude certain types of investments.

Under the final regulation, the investment transactions during the plan year that would not have to be reported would be purchases and sales of U.S. Government securities, instruments for short term money management, (such as interests in mutual funds and short term commercial paper ranked in the highest rating category), and securities listed on a national securities exchange or quoted on NASDAQ if purchased from a person registered as a broker-dealer under the Securities Exchange Act of 1934. The potential for abuse and the need for reporting appears to be relatively low for these investments because such investments are effected through financial institutions subject to recordkeeping requirements by Federal and/or State agencies and are in securities which are generally traded in established markets. On the other hand, these factors generally are not present in those cases where plans make investments such as real estate, mortgages, loans and securities which are not listed on a national securities exchange or quoted on NASDAQ. Records concerning such investments are not readily accessible and such investments generally do not have a readily ascertainable market value.

It also appears unnecessary and duplicative for plans to report on the schedule of assets held for investment, those investments that would appear on other schedules in the annual report. For example, if a plan purchases and sells unlisted securities from a party in interest during the plan year such transactions will be reported in the schedule required by § 2520.103-10(b)(3) if they are not exempt from the prohibited transaction provisions of the Act. Accordingly, the section would exclude from the requirement to report assets held for investment, transactions reported on the other schedules required by § 2520.103-10.

One comment urged that one of the categories of investments that does not have to be reported—securities of a company registered under the Investment Company Act of 1940 that invests primarily in short term securities—be expanded to include securities of all mutual funds. The comment was accepted for the reasons set forth in the preamble to § 2520.103-6.

Other comments suggested that the category of investments that does not have to be reported if acquired and sold within the plan year be expanded to include investments in time deposits, bankers acceptances, variable amount notes, commercial paper not ranked in the highest rating category and mortgage backed pass through certificates. The Department has decided, at this time, not to accept these comments but intends to monitor the reporting of assets held for investment to determine whether further relief from reporting for subsequent plan years is appropriate.

Plans which elect to use the alternative method and limited exemption for filing the annual report provided in § 2520.103-1 or § 2520.103-2 would be able to rely on the definition of assets held for investment set forth in § 2520.103-11(b) for the preparation of the appropriate schedule under § 2520.103-10(b).

§ 2520.104-20

Section 2520.104-20, which was published as a final regulation on August

15, 1975, provides an exemption from the filing requirements for certain welfare plans. Such an exemption is authorized by section 104(a)(3) if the Secretary finds that all or part of the reporting and disclosure requirements of Title I of the Act are inappropriate as applied to welfare benefit plans.

The exemption provided in this section is based on the assumption that certain reporting requirements of Title I of the Act are inappropriate as applied to many small unfunded or totally insured welfare plans. For this reason, those plans with fewer than 100 participants, which could be overwhelmed by the expense and administrative burden of all the reporting and disclosure requirements, have been exempted.

The section provides that this exemption is only available for plans covering fewer than 100 participants at all times during the plan year. This requirement could be overly burdensome because welfare plans with fewer than 100 participants at the beginning of the year would be required to maintain all the records necessary to file Form 5500 in the event the plan had 100 or more participants at any time during the year. Accordingly, the section (and example 1) have been revised so that the exemption is available for plans covering fewer than 100 participants at the beginning of the plan year. This change conforms § 2520.104-20 to other exemptions from the annual reporting requirements (see §§ 2520.103-1, 2520.104-41, 2520.104-45, and 2520.104-46) which are available for plans with fewer than 100 participants at the beginning of the plan year.

§ 2520.104-21

This section, which was published as a final regulation on August 15, 1975, provides an exemption from filing requirements for welfare plans with fewer than 100 participants using certain group insurance arrangements.

Consistent with the change in § 2520.104-20 discussed above, the exemption provided by § 2520.104-21 has been revised so that it is available for plans which have fewer than 100 participants at the beginning of the plan year.

In addition, to conform the exemption to the relief provided by § 2520.104-43, the exemption is now available if the trust or other entity "holds" the policy rather than being the "legal owner" of the policy. See the preamble to § 2520.104-43 for an explanation of this change.

§ 2520.104-41

Section 2520.104-41, which is unchanged from the proposed version, provides for simplified annual reporting for plans with fewer than 100 participants. Plans that have fewer than 100 participants at the beginning of the plan year, none of whom is an owner-employee as defined in section 401(c)(3) of the Internal Revenue Code of 1954 and welfare plans with fewer than 100 participants at the beginning of the plan year must file a Form 5500-C "Annual Return/Report of Employee Benefit Plan (with fewer than 100 participants)," in the manner prescribed in § 2520.104a-5.

A simplified reporting method is also available for Keogh plans with fewer than 100 participants at the beginning of the plan year, at least one of whom is an owner-employee as defined in section 401(c)(3) of the Internal Revenue Code of 1954. Such a pension plan must file a Form 5500-K "Annual Return/Report of Employee Pension Benefit Plans" in the manner prescribed in § 2520.104a-5.

A Keogh plan which covers more than 100 participants is not eligible for this simplified annual reporting method, but must file the full Form 5500 "Annual Return/Report" which provides for more complete and detailed financial information.

§ 2520.104-42 WAIVER OF CERTAIN ACTUARIAL INFORMATION IN THE ANNUAL REPORT

This section extends to reports for plan years beginning in 1976 and 1977 the waiver of the requirement that the annual report include certain actuarial information.

Under the authority of section 104(a)(2)(A) of the Act, the Secretary of Labor may waive the requirement that actuarial information on the annual report include the present value of the plan's liabilities for nonforfeitable pension benefits allocated by termination priority category, as set forth in section 4044 of Title IV of the Act, and the actuarial assumptions used in these computations. In order to waive this requirement, however, the Secretary must make findings as required under section 104(a)(2)(A) that the interests of plan participants are not harmed thereby, and that the expense of compliance with specific requirements of section 103(d)(6) is not justified by the needs of the participants, the Pension Benefit Guaranty Corporaton (PBGC) and the Department of Labor.

Section 2520.104-42 provides that the plan administrator of an employee pension benefit plan, required under section 103(d) of the Act to include actuarial information as part of the annual report, is not required to include in the annual reports for the 1976 and 1977 plan years a statement of the present value of all the plan's liabilities for nonforfeitable pension benefits as set forth in section 4044 of Title IV of the Act and is not required to provide the actuarial assumptions used in these computations. The waiver which is based upon preliminary findings by the Secretary that the information required under section 103(d)(6) is primarily important to a plan which is terminating and would be of little relevance to participants or the Secretary in the case of an ongoing plan. Moreover, PBGC has expressed no need for such information on an annual basis. In addition the requirements of section 103(d)(6) are overly burdensome and would add considerable expense and time to the preparation of the actuarial statement of the annual report.

Comments received on the temporary regulation generally support the waiver. Because the issues raised by the waiver and the requirements of section 103(d)(6) are still under consideration, the regulation provides a continuation of the temporary waiver. The waiver of termination priorities information is effective only for 1975, 1976, and 1977 plan years. If PBGC develops a need for such annual information, or if the Department determines that this information should be made available to participants and beneficiaries, the waiver will not be extended.

The waived information is solicited on an optional basis. Those plans that have developed the requisite data covering the termination priority categories are requested to submit this information to the Department of Labor, though there is no requirement that they do so. This data will assist the Department in making a final determination as to the usefulness of this information to the Department and pension plan participants and beneficiaries.

§ 2520.104-43

Under § 2520.104-43, a welfare plan participating in a trade association or other group insurance arrangement which meets all the requirements of § 2520.104-21, except the limitation that a plan cover fewer than 100 participants at the beginning of the plan year, is exempt from the requirements to file an annual report with the Secretary of Labor if the trust or trade association that acts as an intermediary between the plan and the insurance company files a report containing the information specified in § 2520.103-2. This section is designed to obtain annual financial information from the central trust or trade association, which may hold plan assets for a period of time before transmitting them to the insurance company. A participating plan, regardless of the number of participants, does not have the financial data relevant to the group insurance arrangement.

It is the trust or trade association rather than the plan which is able to provide the most relevant financial information regarding a group insurance arrangement, because it is only at the

trust or trade association level that any plan assets are held in a form other than premium payments or insurance contracts. The trust or trade association may, for example, maintain a contingency or reserve fund which is a proper object of financial reporting in the case of group insurance arrangements.

Section 2520.104-43 provides an exemption which makes it possible to avoid multiple filings, one for each participating plan, if one annual report is filed on behalf of the entire group insurance arrangement or trade association.

In response to comments the section has been revised so that the exemption is available if the trust or other entity is the "holder" rather than the "legal owner" of the policy. This change, which clarifies the intended scope of the exemption, should result in the exemption being available to a greater number of plans.

The only other change from the proposed regulation is the revised reference to § 2520.104-21 to reflect changes discussed in the preamble to that section.

§ 2520.104-44

Section 2520.104-44, as proposed, provided relief for wholly insured plans if, among other things, the payments received by the insurance company or similar organization were held solely in the general account of such company. Several comments sought clarification as to whether this exemption would apply to a pension plan funded through a contract with an insurance company that provides for the accumulation of unallocated funds, such as a deposit administration or immediate participation guaranteed contract. Other comments suggested that the exemption should not be based on whether premium payments are held in the general account of the insurance company, but should be based on whether the insurance company fully guarantees benefit payments under the contract. In the latter situation, which would not include deposit administration or immediate participation guaranteed contracts because these contracts do not provide any guarantee of benefit payments, the comments suggested that an exemption should be available. In response to these comments, the final regulations have been revised to make clear that the exemption set forth in § 2520.104-44 only applies to a pension plan funded entirely with allocated insurance contracts where benefits are fully guaranteed by the insurance company or organization that issued the policy.

The exemption, as revised, provides for information which is most relevant for plan participants and beneficiaries. To the extent that funds accumulated under an insurance contract are allocated and the insurance carrier fully guarantees benefit payments, the participants and beneficiaries look to the insurance carrier for their benefits. Thus, the financial information that is not required to be included in the annual report under § 2520.104-44 is not necessary to provide accurate and reliable reporting on the funds available to the plan for the payment of benefits. To the extent that funds accumulated under an insurance contract are unallocated and benefit payments are not guaranteed, however, plan participants and beneficiaries look to the plan for their benefits and the financial information provided in the annual report is necessary to provide accurate and reliable reporting.

The revision is also consistent with the provisions of the annual return/report, which do not require the reporting of financial information to the extent a plan is funded with allocated insurance contracts.

The distinction between allocated and unallocated insurance contracts however, does not apply to welfare plans. As a result, the exemption for such plans remains unchanged from the proposed version.

Paragraph (c)(2) of the proposed regulations has been deleted to make clear that Schedules A and B, if applicable, must be filed by plans that use the alternative method and limited exemption provided by this section. Minor changes were made in the example to clarify the relationship of this exemption to the exemption provided by § 2520.104-20.

Other comments were received which requested that an intermediary trust or other entity which collects contributions for the payment of insurance premiums to an insurance company and forwards refunds to participants should be allowed to qualify for the limited exemption and alternative method of compliance if all other conditions of § 2520.104-44 are met. These suggestions were not accepted because passage of such funds through an intermediary trust or other entity present an opportunity for fund management that should be subject to financial reporting.

The following findings are made with respect to the promulgation of § 2520.104-44 as an alternative method of compliance under section 110 of the Act:

1. The use of the alternative method of compliance set forth below is consistent with the purposes of Title I of the Act, and provides adequate reporting to the Secretary and adequate disclosure to plan participants and beneficiaries. The Act requires an employee benefit plan to include certain financial information that is inappropriate with regard to plans funded exclusively through allocated insurance contracts where the insurance company guarantees benefits.

2. If such an insured plan were not clearly exempt from including certain financial information in the annual report, such plan would incur the additional expense of hiring an independent qualified public accountant. The regulation makes it clear that such an insured plan is not required to hire an independent qualified public accountant.

3. The additional expense of an audit and the preparation of additional financial statements would be adverse to the interests of plan participants in the aggregate.

With respect to the promulgation of § 2520.104-44 as an exemption under section 104(a)(3) of the Act, the annual reporting provisions requiring insured or unfunded welfare plans to include certain financial information are found inappropriate for the reasons listed above.

§ 2520.104-45

A temporary exemption from reporting insurance fees and commissions for insured plans with fewer than 100 participants was provided for plan years beginning in 1975 because of the additional time needed by insurance companies to retrieve the necessary commission and fee information. On May 6, 1977, the Department announced that this temporary exemption was being extended to cover plan years beginning in 1976 (USDL 77-417). Because insurance carriers have had sufficient time to retrieve commission and fee information, the temporary exemption will not be available for plan years beginning in 1977 and for subsequent plan years.

§ 2520.104-46

Section 2520.104-46 waives the requirement to engage an independent qualified public accountant for both pension and welfare plans with fewer than 100 participants as of the beginning of the plan year. The waiver for pension plans is based on the statutory authority in sections 103(a)(3)(A) and 104(a)(2) of the Act, while the waiver for welfare plans is based on the broad exemption authority in section 104(a)(3) of the Act. Both sections 103(a)(3)(A) and 104(a)(2) evidence a specific intent to provide small plans with relief from burdensome and expensive reporting requirements. No changes were made in this section.

§ 2520.104a-4

Under section 104(a)(1)(D) of the Act, a plan adminstrator of an employee benefit plan shall file with the Secretary any material modification or change in the plan referred to in section 102(a)(2) of the Act within 60 days after such modification or change

is adopted or occurs. Section 102(a)(2) refers to to any material modification in the terms of the plan and any change in the information described in section 102(b) of the Act.

On April 23, 1976, the Department adopted § 2520.104a-4 (41 FR 16964), which defined more precisely the obligation of a plan administrator to file material modifications in the terms of the plan and changes in the information described in section 102(b) of the Act. Under that section, a plan administrator was required to report any material modificaton in plan terms or change in information described in section 102(b) of the Act to the Secretary within 60 days after such modification or change was adopted or occurs. This report was required to be filed on Department of Labor Form EBS-1 in accordance with § 2520.104a-1(a) and the instructions to this form.

On July 19, 1977, the Department published final regulations covering summary plan description requirements with certain regulations effective on an interim basis (42 FR 37178). As a result of these regulations, a plan administrator was required to file two reports of any modification or change with the Department at two different times. One report, an amended EBS-1, was required to be filed with the Department within 60 days of the adoption or occurrence of such modification or change; the second report, the summary description of such modification or change (SMM), was required to be filed not later than 210 days after the end of the plan year in which such modification occurs. To eliminate this duplicative reporting, the Department proposed, on November 29, 1977 to (1) rescind § 2520.104a-4, and to adopt a new § 2520.104a-4 which would, in effect, permit a plan to satisfy the requirements of section 104(a)(1)(D) by filing an SMM not later than 210 days after the close of the plan year in which the modification or change occurred or was adopted.

The revised § 2520.104a-4 has been adopted as proposed.

Several points should be noted concerning § 2520.104a-4. First, a plan administrator must file a Form EBS-1 for the description of the plan as required by section 104(a)(1)(B) of the Act and § 2520.104a-2. Section 2520.104a-4 pertains only to the summary of a material modification or change required by section 104(a)(1)(D) of the Act. It is contemplated that when the initial Form EBS-1 is updated once every five years as required by section 104(a)(1)(B) of the Act, the plan administrator will integrate into the updated Form EBS-1 all the information contained in the SMM's filed during the intervening years.

Second, determinations with respect to what constitutes "material" modifications or changes in plan information, should be made pursuant to the requirements set forth in § 2520.104b-3.

Finally, in the case of most material modifications and changes in the information under section 102(a), plan administrators may file the SMM with the Department at the same time they forward the SMM to plan participants and beneficiaries. The regulation provides this potential for coordination by permitting the SMM to be filed no later than the date the SMM would be provided to plan participants and beneficiaries under § 2520.104b-3.

Pursuant to section 110(a) of the Act, the following findings are made with respect to the alternative method of compliance in § 2520.104a-4 for reporting by pension plans of material modifications in plan terms and changes in information required by section 102(a)(2).

1. Use of the alternative method of compliance is consistent with the purposes of Title I of the Act and provides adequate disclosure to plan participants and beneficiaries and adequate reporting to the Secretary. Under the alternative, all the information required by section 104(a)(1)(D) would be filed with the Department through an understandable summary that would be more informative to plan participants and the Department than the checked-off boxes in the Form EBS-1.

2. The alternative method of compliance relieves plans from increased costs and unreasonable administrative burdens. If this alternative method were not implemented, plans would have to file two reports for every material modification in plan terms or any change in the information described in section 102(b).

3. The application of the requirement to file a Form EBS-1 for every material modification in plan terms and every change in section 102(b) information would be adverse to the interests of plan participants in the aggregate. This requirement imposes the costs of duplicative reporting on pension plans without providing additional information to plan participants.

With respect to the promulgation of § 2520.104a-4 as an exemption for welfare plans under section 104(a)(3) of the Act, the filing of Form EBS-1 in addition to a SMM for every material modification in plan terms and every change in section 102(b) is inappropriate for the reasons stated above.

§ 2520.104a-5

This section provides guidance as to when the annual report is to be filed. Under the section an annual report was required to be filed no later than December 15, 1976, for plan years which begin in 1975, and 7 months after the end of any plan year which begins after December 31, 1975. The section also refers filers to the instructions to the appropriate return/report form for instructions regarding where to file the return/report.

§ 2520.104a-6

Section 2520.104a-6 prescribes the annual report filing date requirements to be met by trusts, trade associations or other entities filing under the provisions of §§ 2520.103-2 and 2520.104-43. Under section 2520.104a-6, the annual report was required to be filed no later than December 15, 1977, for fiscal years of the trust or other entity beginning in 1975 and 7 months after the close of any fiscal year beginning after December 31, 1975. Because the trust or trade association, rather than the participating employers, is the primary source of financial information for the plan, it is appropriate to link the annual reporting date to the fiscal year of the trust or trade association, rather than a participating employer's taxable year or the plan year.

Subparts C, D, and E of Part 2520 of Title 29 are amended to read as follows:

Subpart C—Annual Report Requirements

Sec.
2520.103-1 Content of annual report.
2520.103-2 Content of annual report for a group insurance arrangement.
2520.103-3 Exemption from certain annual reporting requirements for assets held in a common or collective trust fund.
2520.103-4 Exemption from certain annual reporting requirements for assets held in an insurance company pooled separate account.
2520.103-5 Transmittal and certification of information to the plan administrator for annual reporting purposes.
2520.103-6 Definition of reportable transaction for purposes of Annual Return/Report.
2520.103-7 Special accounting rules for plans filing the initial annual report.
2520.103-8 Limitation on scope of accountant's examination.
2520.103-9 Direct filing rules for bank common and collective trusts and insurance carrier pooled separate accounts.
2520.103-10 Format and contents of Annual Report/Return financial schedules.
2520.103-11 Assets held for investment purposes.

Subpart D—Provisions Applicable to Both Reporting and Disclosure Requirements

2520.104-20 Limited exemption for certain small welfare plans.
2520.104-21 Limited exemption for certain group insurance arrangements.
2520.104-41 Simplified annual reporting requirements for plans with fewer than 100 participants.
2520.104-42 Waiver of certain actuarial information in the annual report.
2520.104-43 Exemption from annual reporting requirement for certain group insurance arrangements.
2520.104-44 Limited exemption and alternative method of compliance for annual

reporting by unfunded or insured welfare and pension plans.
2520.104-45 Temporary exemption from reporting insurance fees and commissions for insured plans with fewer than 100 participants.
2520.104-46 Waiver of examination and report of an independent qualified public accountant for employee benefit plans with fewer than 100 participants.

Subpart E—Reporting Requirements

2520.104a-4 Material modifications to the plan and changes in plan description information.
2520.104a-5 Annual report filing requirements.
2520.104a-6 Annual reporting for plans which are part of a group insurance arrangement.

AUTHORITY: Secs. 101, 102, 103, 104, 109, 110, 111(b)(2), 111(c), 505, Pub. L. 93-406, 88 Stat. 840-52, 894 (29 U.S.C. 1021-24, 1029-31, 1135).

Subpart C—Annual Report Requirements

§ 2520.103-1 Contents of the annual report.

(a) *General.* The administrator of a plan required to file an annual report in accordance with section 104(a)(1)(A) of the Act shall include with the annual report the information prescribed in paragraph (a)(1) of this section or in the limited exemption or alternative method of compliance described in paragraph (a)(2) of this section.

(1) The annual report shall contain the information prescribed in section 103 of the Act.

(2) Under the authority of sections 104(a)(3) and 110 of the Act, a limited exemption or alternative method of compliance is prescribed for employee welfare and pension benefit plans, respectively, which cover 100 or more participants at the beginning of the plan year. A plan electing the limited exemption or alternative method of compliance shall file an annual report containing the information prescribed in paragraph (b) of this section and shall furnish a summary annual report as prescribed in § 2520.104b-10 or § 2520.104b-11.

(b) *Contents of the annual report for plans with 100 or more participants electing the limited exemption or alternative method of compliance.* Except as provided in §§ 2520.103-2 and 2520.104-44, the annual report of an employee benefit plan covering 100 or more participants at the beginning of the plan year which elects the limited exemption or alternative method of compliance described in paragraph (a)(2) shall include:

(1) A completed Form 5500 "Annual Return/Report of Employee Benefit Plan" (including items 13, 14 and the separate schedules necessary to complete item 22(a)) and any schedule (i.e. Schedule A "Insurance Information" or Schedule B "Actuarial Information") which is required to be attached to the form.

(2) Separate financial statements (in addition to the information required by paragraph (b)(1) of this section), if such financial statements are prepared in order for the independent qualified public accountant to form the opinion required by section 103(a)(3)(A) of the Act and § 2520.103-1(b)(5). These statements shall include the following:

(i) Except as provided in § 2520.103-7, a statement of assets and liabilities at current value presented in comparative form for the beginning and end of the year. The statement of plan assets and liabilities shall include the assets and liabilities listed in columns *a* and *b* of item 13 of Form 5500; however, the assets and liabilities may be aggregated into categories in a manner other than that used on Form 5500.

(ii) Separate or combined statements of plan income and expenses and of changes in net assets which include the categories of income, expense, and changes in assets shown in item 14 of Form 5500; however the income, expense, and changes in net assets may be aggregated into categories in a manner other than that used on Form 5500.

(3) Notes to the financial statements described in paragraphs (b)(1) or (2) of this section which contain a description of the accounting principles and practices reflected in the financial statements and, if applicable, variances from generally accepted accounting principles; a description of the plan, including any significant changes in the plan made during the period and the impact of such changes on benefits; the funding policy (including policy with respect to prior service cost) and any changes in such policy from the prior year, a description of material lease commitments, other commitments, and contingent liabilities; a description of agreements and transactions with persons known to be parties in interest; a general description of priorities upon termination of the plan; information concerning whether or not a tax ruling or determination letter has been obtained; an explanation of the differences, if any, between the information contained in the separate financial statements and the information contained in items 13 and 14 of Form 5500, and any other matters necessary to fully and fairly present the financial condition of the plan.

(4) In the case of a plan, some or all of the assets of which are held in a pooled separate account maintained by an insurance company, or a common or collective trust maintained by a bank or similar institution, a copy of the annual statement of assets and liabilities of such account or trust for the fiscal year of the account or trust which ends with or within the plan year for which the annual report is made as required under § 2520.103-3 or § 2520.103-4. See § 2520.103-9 for direct filing with the Secretary of such statements by banks or insurance companies.

(5) A report of an independent qualified public accountant.

(i) *Technical requirements.* The accountant's report—

(A) Shall be dated;

(B) Shall be signed manually;

(C) Shall indicate the city and state where issued; and

(D) Shall identify without detailed enumeration the financial statements and schedules covered by the report.

(ii) *Representations as to the audit.* The accountant's report—

(A) Shall state whether the audit was made in accordance with generally accepted auditing standards; and

(B) Shall designate any auditing procedures deemed necessary by the accountant under the circumstances of the particular case which have been omitted, and the reasons for their omission. Authority for the omission of certain procedures which independent accountants might ordinarily employ in the course of an audit made for the purpose of expressing the opinions required by paragraph (b)(5)(iii) of this section is contained in § 2520.103-8.

(iii) *Opinion to be expressed.* The accountant's report shall state clearly:

(A) The opinion of the accountant in respect of the financial statements and schedules covered by the report and the accounting principles and practices reflected therein; and

(B) The opinion of the accountant as to the consistency of the application of the accounting principles with the application of such principles in the preceding year or as to any changes in such principles which have a material effect on the financial statements.

(iv) *Exceptions.* Any matters to which the accountant takes exception shall be clearly identified, the exception thereto specifically and clearly stated, and, to the extent practicable, the effect of the matters to which the accountant takes exception on the related financial statements given. The matters to which the accountant takes exception shall be further identified as (A) those that are the result of DOL regulations, and (B) all others.

(c) *Contents of the annual report for plans with fewer than 100 participants.* Except as provided in §§ 2520.104-43 and 2520.104a-6, the annual report of an employee benefit plan which covers fewer than 100 participants at the beginning of the plan year shall be Form 5500-C "Annual Return/Report of Employee Benefit Plan (with fewer than 100 participants)" or 5500-K "Annual Return/Report of Employee Pension Benefit Plan for Sole Proprietorships and Partnerships (with fewer than 100 participants and at least one owner-employee)".

§ 2520.103-2 Contents of the annual report for a group insurance arrangement.

(a) *General.* (1) A trust or other entity described in § 2520.104-43(b) that files an annual report for purposes of § 2520.104-43 shall include in such report the items set forth in paragraph (b) of this section.

(b) *Contents.* (1) A completed Form 5500 "Annual Return/Report of Employee Benefit Plan" (including items 13, 14 and the separate schedules necessary to complete item 22(a)) and Schedule A "Insurance Information" which is attached to the form.

(2) Separate financial statements (in addition to the information required by paragraph (b)(1) of this section), if such financial statements are prepared in order for the independent qualified public accountant to form the opinion required by section 103(a)(3)(A) of the Act and § 2520.103-2(b)(5). These financial statements shall include the following:

(i) Except as provided in § 2520.103-7, a statement of all trust assets and liabilites at current value presented in comparative form for the beginning and end of the year. The statement of trust assets and liabilities shall include the assets and liabilities listed in columns *a* and *b* of item 13 of Form 5500; however, the assets and liabilities may be aggregated into categories in a manner other than that used on Form 5500.

(ii) Separate or combined statements of all trust income and expenses and changes in net assets which includes the categories of income, expense, and changes in assets shown in item 14 of Form 5500; however, the income, expense, and changes in assets may be aggregated into categories in a manner other than that used on Form 5500.

(3) Notes to the financial statements described in paragraphs (b) (1) or (2) of this section which contain a description of the accounting principles and practices reflected in the financial statements and, if applicable, variances from generally accepted accounting principles; a description of the group insurance arrangement including any significant changes in the group insurance arrangement made during the period and the impact of such changes on benefits; a description of material lease commitments, other commitments, and contingent liabilities; a description of agreements and transactions with persons known to be parties in interest; a general description of priorities upon termination of the plan; an explanation of the differences, if any, between the information contained in the separate financial statements and the information contained in items 13 and 14 of Form 5500; and any other matters necessary to fully and fairly present the financial condition of the plan.

(4) In the case of a group insurance arrangement some or all of the assets of which are held in a pooled separate account maintained by an insurance carrier, or a common or collective trust maintained by a bank, a copy of the annual statement of assets and liabilities of such separate account or trust for the fiscal year of the account or trust which ends with or within the plan year for which the annual report is made, as required under § 2520.103-3 or § 2520.103-4. See also § 2520.103-9 for direct filing with the Secretary of Labor of such statements by banks or insurance companies.

(5) A report of an independent qualified public accountant. (i) *Technical requirements.* The accountant's report—

(A) Shall be dated;

(B) Shall be signed manually;

(C) Shall indicate the city and State where issued; and

(D) Shall identify without detailed enumeration the financial statements and schedules covered by the report.

(ii) *Representations as to the audit.* The accountant's report—

(A) Shall state whether the audit was made in accordance with generally accepted auditing standards; and

(B) Shall designate any auditing procedures deemed necessary by the accountant under the circumstances of the particular case, which have been omitted, and the reasons for their omission. Authority for the omission of certain procedures which independent accountants might ordinarily employ in the course of an audit made for the purpose of expressing the opinions required by paragraph (b)(5)(iii) of this section is contained in § 2520.103-8.

(iii) *Opinion to be expressed.* The accountant's report shall state clearly:

(A) The opinion of the accountant in respect of the financial statements and schedules covered by the report and the accounting principles and practices reflected therein; and

(B) The opinion of the accountant as to the consistency of the application of the accounting principles with the application of such priniciples in the preceding year, or as to any changes in such principles which have a material effect on the financial statements.

(iv) *Exceptions.* Any matters to which the accountant takes exception shall be clearly identified, the exception thereto specifically and clearly stated, and, to the extent practicable, the effect of the matters to which the accountant takes exception on the related financial statements given. The matters to which the accountant takes exception shall be further identified as to (A) those that are the result of DOL regulations and (b) all others.

§ 2520.103-3 Exemption from certain annual reporting requirements for assets held in a common or collective trust.

(a) *General.* Under the authority of section 103(b)(3)(G) of the Act, a plan whose assets are held in whole or in part in a common or collective trust maintained by a bank, trust company, or similar institution which meets the requirements of paragraph (b) of this section shall include as part of the annual report required to be filed under § 2520.104a-5 or § 2520.104a-6 the annual statement of assets and liabilities of the common or collective trust for the fiscal year of the trust ending with or within the plan year for which the annual report is made and other information as described in paragraph (c) of this section. Such plan is not required to include in the annual report any information concerning the individual transactions of the common or collective trust. This exemption has no application to assets not held in such trusts.

(b) *Application.* This provision applies only to a plan some or all of the assets of which are held in a common or collective trust maintained by a bank, trust company, or similar institution regulated and supervised and subject to periodic examination by a State or Federal agency. For purposes of this section, (1) a common or collective trust is a trust which consists of the assets of two or more participating entities and is maintained for the collective investment and reinvestment of assets contributed thereto, and (2) plans maintained by a single employer or by the members of a controlled group of corporations, as defined in section 1563(a) of the Internal Revenue Code of 1954, shall be deemed to be a single participating entity.

(c) *Contents.* (1) A plan which meets the requirements of paragraph (b) of this section shall include in the Annual Return/Report and in the separate statements and schedules of the annual report, information regarding the value of the units of participation in the common or collective trust held by the plan and transactions involving the acquisition and disposition by the plan of units of participation in the common or collective trust. However, the annual report is not required to include any information regarding the individual transactions of the common or collective trust.

(2) The annual report of such plan shall also include the annual statement by the bank, trust company, or similar institution of the assets and liabilities of the common or collective trust for the fiscal year of the trust ending with or within the plan year for which the annual report is made.

(3) The statement of assets and liabilities of the common or collective trust is not required to be attached to the annual report filed by the administrator pursuant to § 2520.104a-5 or § 2520.104a-6 if the administrator meets the requirements of § 2520.103-9 regarding direct filing of the statement of assets and liabilities of the

common or collective trust by the bank, trust company or similar institution.

§ 2520.103-4 Exemption from certain annual reporting requirements for assets held in an insurance company pooled separate account.

(a) *General.* Under the authority of section 103(b)(3)(G) of the Act, a plan whose assets are held in whole or in part in a pooled separate account of an insurance carrier which meets the requirements of paragraph (b) of this section shall include as a part of the annual report required to be filed under § 2520.104a-5 or § 2520.104a-6 the annual statement of assets and liabilities of the pooled separate account for the fiscal year of the account ending with or within the plan year for which the annual report is made, and other information as described in paragraph (c) of this section. Such plan is not required to include in the annual report any information concerning the individual transactions of the pooled separate account. This exemption has no application to assets not held in such a pooled separate account.

(b) *Application.* This provision applies only to a plan some or all of the assets of which are held in a pooled separate account of an insurance carrier regulated and supervised and subject to periodic examination by a State agency. For purposes of this section, (1) a pooled separate account is an account which consists of the assets of two or more participating entities and is maintained for the collective investment and reinvestment of assets contributed thereto, and (2) plans maintained by a single employer or by members of a controlled group of corporations, as defined in section 1563(a) of the Internal Revenue Code of 1954, shall be deemed to be a single participating entity.

(c) *Contents.* (1) A plan which meets the requirements of paragraph (b) of this section shall include in the Annual Return/Report and in the separate statements and schedules of the annual report, prescribed information regarding the value of the units of participation in the pooled separate account held by the plan and transactions involving the acquisition and disposition by the plan of units of participation in the pooled separate account. However, the annual report is not required to include any information regarding the individual transactions of the pooled separate account.

(2) The annual report of such plan shall also include the annual statement by the insurance carrier of the assets and liabilities of the pooled separate account for the fiscal year of the separate account ending with or within the plan year for which the annual report is made.

(3) The statement of assets and liabilities of the pooled separate account is not required to be attached to the annual report filed by the administrator pursuant to § 2520.104a-5 or § 2520.104a-6 if the administrator meets the requirements of § 2520.103-9 regarding direct filing of the statement of assets and liabilities of the pooled separate account by an insurance carrier.

§ 2520.103-5 Transmittal and certification of information to plan administrator for annual reporting purposes.

(a) *General.* In accordance with section 103(a)(2) of the Act, an insurance carrier or other organization which provides benefits under the plan or holds plan assets, a bank or similar institution which holds plan assets, or a plan sponsor shall transmit and certifty such information as needed by the administrator to file the annual report under section 104(a)(1)(A) of the Act and § 2520.104a-5 or § 2520.104a-6:

(1) Within 9 months after the close of the plan year which begins in 1975 or September 30, 1976, whichever is later, and

(2) Within 120 days after the close of any plan year which begins after December 31, 1975.

(b) *Application.* This requirement applies with respect to—

(1) An insurance carrier or other organization which:

(i) Provides from its general asset account funds for the payment of benefits under a plan, or

(ii) Holds assets of a plan in a separate account;

(2) A bank, trust company, or similar institution which holds assets of a plan in a common or collective trust, separate trust, or custodial account; and

(3) A plan sponsor as defined in section 3(16)(B) of the Act.

(c) *Contents.* The information required to be provided to the administrator shall include—

(1) In the case of an insurance carrier or other organization which:

(i) Provides funds from its general asset account for the payment of benefits under a plan, upon request of the plan administrator, such information as is contained within the ordinary business records of the insurance carrier or other organization and is needed by the plan administrator to comply with the requirements of section 104(a)(1)(A) of the Act and § 2520.104a-5 or § 2520.104a-6;

(ii) Holds assets of a plan in a pooled separate account which is exempted from certain reporting requirements under § 2520.103-4, a copy of the annual statement of assets and liabilities of the separate account for the fiscal year of such account that ends with or within the plan year for which the annual report is made, and a statement of the value of the plan's units of participation in the separate account;

(iii) Holds assets of a plan in a separate account which is not exempted from certain reporting requirements under § 2520.103-4, a listing of all transactions of the separate account and, upon request of the plan administrator, such information as is contained within the ordinary business records of the insurance carrier and is needed by the plan administrator to comply with the requirements of section 104(a)(1)(A) of the Act and § 2520.104a-5 or § 2520.104a-6.

(2) In the case of a bank, trust company, or similar institution holding assets of a plan—

(i) In a common or collective trust which is exempted from certain reporting requirements under § 2520.103-3, a copy of the annual statement of assets and liabilities of the common or collective trust for the fiscal year of such trust that ends with or within the plan year for which the annual report is made, and a statement of the value of the plan's units of participation in the common or collective trust.

(ii) In a trust which is not exempted from certain reporting requirements under § 2520.103-3, a listing of all transactions of the separate trust and, upon request of the plan administrator, such information as is contained within the ordinary business records of the bank, trust company, or similar institution and is needed by the plan administrator to comply with the requirements of section 104(a)(1)(A) of the Act and § 2520.104a-5.

(iii) In a custodial account, upon request of the plan administrator, such information as is contained within the ordinary business records of the bank, trust company, or similar institution and is needed by the plan administrator to comply with the requirements of section 104(a)(1)(A) of the Act and § 2520.104a-5 or § 2520.104a-6.

(3) In the case of a plan sponsor, a listing of all transactions directly or indirectly involving plan assets engaged in by the plan sponsor and such information as is needed by the plan administrator to comply with the requirements of section 104(a)(1)(A) of the Act and § 2520.104a-5 or § 2520.104a-6.

(d) *Certification.* (1) An insurance carrier or other organization, a bank, trust company, or similar institution, or plan sponsor, as described in paragraph (b) of this section, shall certify to the accuracy and completeness of the information described in paragraph (c) of this section by a written declaration which is signed by a person authorized to represent the insurance carrier, bank, or plan sponsor. Such certification will serve as a writ-

ten assurance of the truth of the facts stated therein.

(2) *Example of Certification.* The XYZ Bank (Insurance Carrier) hereby certifies that the foregoing statement furnished pursuant to 29 CFR 2520.103-5(c) is complete and accurate.

§ 2520.103-6 Definition of reportable transaction for Annual Return/Report.

(a) *General.* For purposes of preparing the schedule of reportable transactions described in § 2520.103-10(b)(5), and subject to the exceptions provided in §§ 2520.103-3 and 2520.103-4 with respect to transactions by a common or collective trust or pooled separate account, a reportable transaction includes any transaction or series of transactions described in paragraph (c) of this section.

(b) *Definitions.* (1)(i) Except as provided in paragraph (b)(1)(ii) and in paragraphs (c)(2) and (d)(1)(vi) (relating to assets acquired or disposed of during the plan year), "current value" shall mean the current value, as defined in section 3(26) of the Act, of plan assets as of the beginning of the plan year, or the end of the previous plan year.

(ii) With respect to schedules of reportable transactions for plan years beginning in 1975, the current value of plan assets for the beginning of the plan year, or the end of the previous plan year, shall be the amount shown on line 13(h) of Form 5500 Annual Return/Report.

(2)(i) A "transaction with respect to securities" is any purchase, sale, or exchange of securities. A transaction with respect to securities for purposes of this section occurs on either the trade date or settlement date of a purchase, sale, or exchange of securities; either the trade date or settlement date must be used consistently during the plan year for the purposes of this section. For the purposes of this section, except as provided in paragraph (b)(2)(ii) of this section, "securities" includes a unit of participation in a common or collective trust or a pooled separate account.

(ii) Solely for purposes of paragraph (c)(1)(iv) of this section, the term "securities", as it applies to any transaction involving a bank or insurance company regulated by a Federal or State agency, an investment company registered under the Investment Company Act of 1940, or a broker-dealer registered under the Securities Exchange Act of 1934, shall not include:

(A) Debt obligations of the United States or any United States agency with a maturity of not more than one year;

(B) Debt obligations of the United States or any United States agency with a maturity of more than one year if purchased or sold under a repurchase agreement having a term of less than 91 days;

(C) Interests issued by a company registered under the Investment Company Act of 1940;

(D) Bank certificates of deposit with a maturity of not more than one year;

(E) Commercial paper with a maturity of not more than nine months if it is ranked in the highest rating category for commercial paper by at least two nationally recognized statistical rating services and is issued by a company required to file reports under section 13 of the Securities Exchange Act of 1934;

(F) Participations in a bank common or collective trust;

(G) Participations in an insurance company pooled separate account;

(3)(i) Except as provided by paragraph (b)(3)(ii) of this section, a transaction is "with or in conjunction with a person" for purposes of this section if that person benefits from, executes, facilitates, participates, promotes, or solicits a transaction or part of a transaction involving plan assets.

(ii) Solely for the purposes of paragraph (c)(1)(iv) of this section, a transaction shall not be considered "with or in conjunction with a person" if:

(A) That person is a broker-dealer registered under the Securities Exchange Act of 1934;

(B) The transaction involves the purchase or sale of securities listed on a national securities exchange registered under section 6 of the Securities Exchange Act of 1934 or quoted on NASDAQ; and

(C) The broker-dealer does not purchase or sell securities involved in the transaction for its own account or the account of an affiliated person.

(c) *Application.* (1) This provision applies to—

(i) A transaction within the plan year, with respect to any plan asset, involving an amount in excess of 3 percent of the current value of plan assets;

(ii) Any series of transactions (other than transactions with respect to securities) within the plan year with or in conjunction with the same person which, when aggregated, regardless of the category of asset and the gain or loss on any transaction, involves an amount in excess of 3 percent of the current value of plan assets;

(iii) Any transaction within the plan year involving securities of the same issue if within the plan year any series of transactions with respect to such securities, when aggregated, involves an amount in excess of 3 percent of the current value of plan assets; and

(iv) Any transaction within the plan year with respect to securities with or in conjunction with a person if any prior or subsequent single transaction within the plan year with such person with respect to securities exceeds 3 percent of the current value of plan assets.

(2) For purposes of determining whether any 3 percent transactions occur, the "current value" of an asset acquired or disposed of during the plan year is the current value, as defined in section 3(26) of the Act, at the time of acquisition or disposition of such asset.

(3) Plans whose assets are held in whole or in part in a common or collective trust or a pooled separate account, as provided in §§ 2520.103-3 and 2520.103-4, and which satisfy the requirements of those sections, are not required to prepare schedules of reportable transactions with respect to the individual transactions of the common or collective trust or pooled separate account.

(d) *Contents.* (1) The schedule of transactions shall include the following information as to each transaction or series of transactions:

(i) The name of each party, except that in the case of a transaction or series of transactions involving a purchase or sale of a security on the market, the schedule need not include the person from whom it was purchased or to whom it was sold. A purchase or sale on the market is a purchase or sale of a security through a registered broker-dealer acting as a broker under the Securities Exchange Act of 1934;

(ii) A brief description of each asset;

(iii) The purchase or selling price in the case of a purchase or sale, the rental in the case of a lease, and the amount of principal, interest rate, payment schedule (e.g., fully amortized, partly amortized with balloon) and maturity date in the case of a loan;

(iv) Expenses incurred, including, but not limited to, any fees or commissions;

(v) The cost of any asset;

(vi) The current value of any asset acquired or disposed of at the time of acquisition or disposition; and

(vii) The net gain or loss.

(2) The schedule of transactions with respect to a series of transactions described in subparagraph (c)(1)(iii) may include the following information for each issue in lieu of the information prescribed in paragraphs (d)(1)(i)-(vii)):

(i) The total number of purchases of such securities made by the plan within the plan year;

(ii) The total number of sales of such securities made by the plan within the plan year;

(iii) The total dollar value of such purchases;

(iv) The total dollar value of such sales;

(v) The net gain or loss as a result of these transactions.

(e) *Examples.* (1) At the beginning of the plan year, XYZ plan has 10 percent of the current value of its plan assets invested in ABC common stock.

Halfway through the plan year, XYZ purchases ABC common stock in a single transaction in an amount equal to 5 percent of the current value of plan assets. At about this time, XYZ plan also purchases a commercial development property in an amount equal to 4 percent of the current value of plan assets. Under paragraph (c)(1)(i) of this section, the 5 percent stock transaction is a reportable transaction for the plan year because it exceeds 3 percent of the current value of plan assets. The 4 percent land transaction is also reportable under paragraph (c)(1)(i) of this section because it exceeds 3 percent of current value of plan assets.

(2) During the plan year, AAA plan purchases a commercial lot from ZZZ corporation at a cost equal to 2 percent of the current value of the plan assets. Two months later, AAA plan loans ZZZ corporation an amount of money equal to 1.5 percent of the current value of plan assets. Under the provisions of paragraph (c)(1)(ii) of this section, the plan has engaged in a reportable series of transactions with or in conjunction with the same person, ZZZ corporation, which when aggregated involves 3.5 percent of plan assets.

(3) During the plan year NMN plan sells to OPO corporation a commercial property that represents to 2.5 percent of the current value of plan assets. OPO simultaneously executes a note and mortgage on the purchased property to NMN which represents 2 percent of the current value of plan assets. Under the provisions of paragraph (c)(1)(ii) of this section, NMN has engaged in a reportable series of transactions with or in conjunction with the same person, OPO corporation, consisting of a simutaneous sale of property and a loan, which, when aggregated, involves 4.5 percent of the current value of plan assets.

(4) At the beginning of the plan year, ABC plan has 10 percent of the current value of plan assets invested equally in a combination of XYZ Corporation common stock and XYZ preferred stock. One month into the plan year, ABC sells some of its XYZ common in an amount equal to 2 percent of the current value of plan assets.

(i) Six weeks later the plan sells XYZ preferred stock in an amount equal to 2 percent of the current value of plan assets. A reportable series of transactions has not occurred because only transactions involving securities of the same issue are to be aggregated under paragraph (c)(1)(iii) of this section.

(ii) Two weeks later when the ABC plan purchases XYZ common stock in an amount equal to 2.5 percent of the current value of plan assets, a reportable series of transactions under paragraph (c)(1)(iii) of this section has occurred. The sale of XYZ common stock worth 2 percent of plan assets and the purchase of XYZ common stock worth 2.5 percent of plan assets aggregate to exceed 3 percent of the total value of plan assets.

(5) At the beginning of the plan year, Plan X purchases through broker-dealer Y common stock of Able Industries in an amount equal to 4 percent of plan assets. The common stock of Able Industries is not listed on any national securities exchange or quoted on NASDAQ. This purchase is a reportable transaction under paragraph (c)(1)(i) of this section. Three months later, Plan X purchases short term debt obligations of Charley Company through broker-dealer Y in the amount of 0.2 percent of plan assets. This purchase is also a reportable transaction under the provisions of paragraph (c)(1)(iv) of this section.

(6) At the beginning of the plan year, Plan X purchases from Bank B certificates of deposit having a 180 day maturity in an amount equal to 4 percent of plan assets. Bank B is a national bank regulated by the Comptroller of the Currency. This purchase is a reportable transaction under paragraph (c)(1)(i) of this section. Three months later, Plan X purchases through Bank B 91-day Treasury bills in the amount of 0.2 percent of plan assets. This purchase is not a reportable transaction under paragraph (c)(1)(iv) of this section because the purchase of the Treasury bills as well as the purchase of the certificates of deposit are not considered to involve a security under the definition of "seurities" in paragraph (b)(2)(ii) of this section.

(7) At the beginning of the plan year, Plan X purchases through broker-dealer Y common stock of Able Industries, a New York Stock Exchange listed security, in an amount equal to 4 percent of plan assets. This purchase is a reportable transaction under paragraph (c)(1)(i) of this section. Three months later, Plan X purchases through broker-dealer Y, acting as agent, common stock of Baker Corporation, also a New York Stock Exchange listed security, in an amount equal to 0.2 percent of plan assets. This latter purchase is not a reportable transaction under paragraph (c)(1)(iv) of this section because it is not a transaction "with or in conjunction with a person" pursuant to paragraph (b)(3)(ii) of this section.

§ 2520.103-7 Special accounting rules for plans filing the annual report for plan years beginning in 1975.

(a) *General.* (1) The administrator of an employee benefit plan which meets the requirements described in paragraph (b)(1) and elects to file an annual report containing the items prescribed in § 2520.103-1(b) or § 2520.103-2(b) is not required to comply with the accounting requirements described in paragraph (c)(1) of this section.

(2) Under the authority of sections 110 and 104(a)(3) of the Act, the administrator of any employee benefit plan which meets the requirements described in paragraph (b)(2) is not required to comply with the accounting requirements described in paragraph (c)(2) of this section.

(b) *Application.* With respect to the annual report described in § 2520.103-1 or § 2520.103-2, filed in accordance with § 2520.104a-5 or § 2520.104a-6 for the plan year beginning in 1975,

(1) The administrator of a plan which covers 100 or more participants as of the beginning of the plan year or the trust or other entity which files an annual report in accordance with § 2520.104-43 is not required to comply with the accounting requirements described in paragraph (c)(1) of this section; and

(2) The administrator of a plan which covers fewer than 100 participants as of the beginning of the plan year is not required to comply with the accounting requirements described in paragraph (c)(2) of this section.

(c) *Excepted requirements.* (1) In the case of a plan which covers 100 or more participants as of the beginning of the plan year,

(i) To display at current value the statement of the assets and liabilities of the plan, as of the end of the previous plan year;

(ii) To engage an independent qualified public accountant to conduct an examination of the plan's financial statements for the plan year immediately preceding the plan year or trust year covered by the initial annual report; and

(iii) To include within the initial annual report the opinion of an independent qualified public accountant as to whether the financial statements for the close of the initial plan year are presented on a basis consistent with that of the preceding year.

(2) In the case of a plan which covers fewer than 100 participants at the beginning of the plan year, to display at current value the statement of the assets and liabilities of the plan displayed in Item 13 of the 1975 Form 5500-C or Item 12 of the 1975 Form 5500-K as of the end of the previous plan year or as of the beginning of the plan year subject to the initial annual report.

§ 2520.103-8 Limitation on scope of accountant's examination.

(a) *General.* Under the authority of section 103(a)(3)(C) of the Act, the examination and report of an independent qualified public accountant need not extend to any statement or information prepared and certified by a

bank or similar institution or insurance carrier. A plan, trust or other entity which meets the requirements of paragraph (b) of this section is not required to have covered by the accountant's examination or report any of the information described in paragraph (c) of this section.

(b) *Application.* This section applies to any plan, trust or other entity some or all of the assets of which are held by a bank or similar institution or insurance carrier which is regulated and supervised and subject to periodic examination by a State or Federal agency.

(c) *Excluded information.* Any statements or information certified to by a bank or similar institution or insurance carrier described in paragraph (b) of this section, provided that the statements or information regarding assets so held are prepared and certified to by the bank or insurance carrier in accordance with § 2520.103-5.

§ 2520.103-9 Direct filing for bank or insurance carrier trusts and accounts.

(a) *General.* Under the authority of section 103(b)(4) of the Act, the Secretary may relieve any employee benefit plan whose assets are held in whole or in part in a common or collective trust or a pooled separate account described in section 103(b)(3)(G) of the Act and §§ 2520.103-3 and 2520.103-4 from including in the annual report the statement of assets and liabilities of the common or collective trust or pooled separate account if the bank or insurance carrier which maintains such trust or account files such statement of assets and liabilities directly with the Secretary. An employee benefit plan which meets the requirements of paragraph (b)(1) of this section is relieved from including a statement of assets and liabilities of the common or collective trust or pooled separate account, provided that the bank or insurance carrier which holds the plan's assets meets the requirements of paragraph (b)(2) of this section.

(b) *Application.* A plan required to include a statement of assets and liabilities of a common or collective trust or pooled separate account in the annual report in accordance with section 103(b)(3)(G) of the Act and §§ 2520.103-3 and 2520.103-4 is relieved from including such statement in the annual report if the plan administrator files with the annual report the information described in paragraph (b)(1) and provides the bank or insurance carrier the information described in paragraph (b)(2) and the bank or insurance carrier files the information described in paragraph (b)(3) in the manner described therein.

(1) The plan administrator shall include in the annual report:

(i) A certification that the plan has received from the bank or insurance carrier a copy of the annual statement of assets and liabilities of any common or collective trust or pooled separate account in which any plan assets are held for the fiscal year of such trust or account ending with or within the plan year for which the annual report is made; and

(ii) The Employer Identification Number (EIN) of such common or collective trust or pooled separate account and any additional identification number assigned to the trust or account for purposes of this section pursuant to paragraph (b)(3)(i)(C) of this section.

(2) The administrator of a plan, assets of which are held in a common or collective trust or pooled separate account, shall provide the bank or insurance carrier which maintains the common or collective trust or pooled separate account with the plan number as indicated on the Annual Return/Report Form and the name and EIN of the plan sponsor. Such information shall be provided on or before the end of the plan year.

(3) The bank or insurance carrier which maintains the common or collective trust or pooled separate account in which assets of the plan are held—

(i) Shall file the following information with the Secretary:

(A) The annual statement of the assets and liabilities of the common or collective trust or pooled separate account in which assets of the plan are held for the fiscal year of such trust or account ending with or within the plan year for which the annual report is made,

(B) A list of all plans, assets of which are held in the common or collective trust or pooled separate account identified by the plan number as on the Annual Return/Report Form, name and EIN of the plan sponsor, and

(C) The EIN of the common or collective trust or pooled separate account; if the same EIN designates more than one trust or account, the bank or insurance carrier shall sequentially number the trusts or accounts for purposes of this section and report the sequential numbers together with the EIN; and

(ii) Shall furnish the following items to the plan administrator:

(A) The annual statement of assets and liabilities of the common or collective trust or pooled separate account in which the plan is a participant for the fiscal year of such trust or account ending with or within the plan year for which the annual report is made (See § 2520.103-5);

(B) The EIN of the common or collective trust or pooled separate account and any other identification number assigned to the trust or account for purposes of this section; and

(C) A certification that a copy of the annual statement of assets and liabilities of the trust or account for the fiscal year of such trust or account ending with or within the plan year for which the annual report is made has been filed with the Secretary on or before the date upon which the annual report of the plan is required to be filed in accordance with § 2520.104a-5 or § 2520.104a-6.

(c) *Filing address.* See § 2520.104a-5(b).

§ 2520.103-10 Format and contents of annual report financial schedules.

(a) *General.* Under the authority of section 103(c)(5) of the Act, the separate financial schedules required by item 22(a) of Form 5500 Annual Return/Report shall include the information presented in the formats prescribed in paragraph (b) of this section.

(b) *Format and Content of schedules.*—(1) *Assets held for investment.* A schedule of all assets held for investment purposes at the end of the plan year aggregated and identified by issue, maturity date, rate of interest, collateral, par or maturity value, cost, and current value and in the case of a loan, the payment schedule (e.g. fully amortized, partly amortized with final lump sum payment) in the format set forth below:

22(a)(i). Prepare a schedule of all assets held for investment purposes at the plan year end (see 29 CFR 2520.103-11) aggregated and identified by issue, maturity date, rate of interest, collateral, par or maturity value, cost and current value and in the case of a loan, the payment schedule in the following or similar format, using the same size paper as this form.

Note: *In column a., place an asterisk (*) on the line of each identified person known to be a party-in-interest to the plan. In column c., include any restriction on transferability of corporate security.*

a.	b. Identity of issue, borrower, lessor or similar party	c. Description of investment including maturity date, rate of interest, collateral, par or maturity value	d. Cost	e. Current value

(2) *Assets acquired and disposed within the plan year.* A schedule of all assets acquired and disposed within the plan year aggregated and identified by issue, maturity date, rate of interest, collateral, par or maturity value, cost of acquisition and proceeds of disposition in the format set forth below:

In addition, prepare a schedule of investment assets which were both acquired and disposed of within the plan year (see 29 CFR 2520.103–11). The schedule is to set out the information in the following or similar format using the same size paper as this form.

a. Identity of issue, borrower, lessor or similar party	b. Description of investment including maturity date, rate of interest, collateral, par or maturity value	c. Costs of acquisitions	d. Proceeds of dispositions

(3) *Party in interest transactions.* Except in the case of a transaction to which a statutory exemption under Part 4 of Title I or an administrative exemption under section 408(a) of the Act is applicable, a schedule of each transaction involving a person known to be a party in interest, the identity of such party in interest and his relationship to any other party in interest and to the plan or trust, a description of each asset to which the transaction relates, the purchase or selling price (in case of a sale or purchase) or the rental (in case of a lease) or the interest rate and maturity date (in the case of a loan), the expenses incurred by the plan or trust in connection with the transaction, the cost of the asset, the current value of the asset, and the net gain (or loss) on each transaction in the format set forth below:

22(a)(ii). The types of transactions referred to include those set forth in sections 406 and 407(a) of ERISA and section 4975(c) of the Code. Do not check "Yes" for transactions that are statutorily exempt under Part 4 of Title I or administratively exempt under section 408(a) of ERISA or exempt under sections 4975(c) and 4975(d) of the Code. Also, do not list such transactions. Set out each transaction with the information set forth below in the following or similar format using the same size paper as this form. (For definition of party-in-interest see instruction 13(d).) You may indicate that an application for an administrative exemption is pending.

a. Identity of party involved	b. Relationship to plan, employer or other party-in-interest	c. Description of transactions including maturity date, rate of interest, collateral, par or maturity value	d. Purchase price	e. Selling price	f. Lease rental	g. Expenses incurred in connection with transaction	h. Cost of asset	i. Current value of asset	j. Net gain or (loss) on each transaction

(4) *Obligations in default.* A schedule of all loans or fixed income obligations which were in default as of the close of the end of the plan or trust fiscal year or were classified during the year as uncollectible, and the following information with respect to each loan on such schedule (including a notation as to whether parties involved are known to be parties in interest): The original principal amount of the loan, the amount of principal and interest received during the reporting year, the unpaid balance, the identity and address of the obligor, a detailed description of the loan (including date of making and maturity, interest rate, the type and value of collateral, and other material terms), the amount of principal and interest overdue (if any) and an explanation thereof, in the format set forth below:

22(a)(iii). Set out each loan in the following or similar format using the same size paper as this form.

Note: *In column a., place an asterisk (*) on the line of each identified person known to be a party-in-interest to the plan. Include all loans that were renegotiated during the plan year.*

a.	b. Identity and address of obligor	c. Original amount of loan	Amount received during reporting year		f. Unpaid balance at end of year	g. Detailed description of loan including dates of making and maturity, interest rate, the type and value of collateral, any renegotiation of the loan and the terms of the renegotiation and other material terms	Amount overdue	
			d. Principal	e. Interest			h. Principal	i. Interest

Explain what steps have been taken or will be taken to collect overdue amounts for each loan listed.

(5) *Leases in default.* A schedule of all leases which were in default or were classified during the year as uncollectible and the following information with respect to each lease on such schedule (including a notation as to whether parties involved are known to be parties in interest): The type of property leased and, in the case of fixed assets such as land, buildings, leasehold, and so forth, the location of the property; the identity of the lessor or lessee from or to whom the plan is leasing; the relationship of such lessors and lessees (if any) to the plan or trust, the employer, employee organization, or any other party in interest; the terms of the lease regarding rent, taxes, insurance, repair, expenses, and renewal options; the date the leased property was purchased and its cost; the date the property was leased and its approximate value at such date; the gross rental receipts during the reporting period; expenses paid for the leased property during the reporting period; the net receipts from the lease; the amount in arrears, and a statement as to what steps have been taken to collect amounts due or otherwise remedy the default in the format set forth below:

22(a)(iv). Give the following information in the format below or similar format using the same size paper as this form.

a.	b. Identity of lessor/lessee	c. Relationship to plan, employer, employee organization or other party-in-interest	d. Terms and description (type of property, location and date it was purchased, terms regarding rent, taxes, insurance, repairs, expenses, renewal options, date property was leased)	e. Original cost	f. Current value at time of lease	g. Gross rental receipts during the plan year	h. Expenses paid during the plan year	i. Net receipts	j. Amount in arrears

Attach a statement explaining what steps have been taken to collect amount due or to otherwise remedy the default.

(6) *Reportable transactions.* A schedule of any reportable transactions as defined in § 2520.103-6, in the format set forth below:

22(a)(v). Show each reportable transaction (see 29 CFR 2520.103-6) in the following or similar format using the same size paper as this form.

Note: In the case of a purchase or sale of a security on the market, do not identify the person from whom purchased or to whom sold.

a. Identity of party involved	b. Description of asset (include interest rate and maturity in case of a loan)	c. Purchase price	d. Selling price	e. Lease rental	f. Expense incurred with transaction	g. Cost of asset	h. Current value of asset on transaction date	i. Net gain or (loss)

Note: The 3% figure is determined by comparing the current value of the transaction at transaction date with the current value of the plan assets at the beginning of the plan year.

§ 2520.103-11 Assets held for investment purposes.

(a) *General.* For purposes of preparing the schedule of assets held for investment purposes required by section 103(b)(3)(C) of the Act and described in § 2520.103-10(b)(1) and (2), assets held for investment purposes include those assets described in paragraph (b) of this section.

(b) *Definitions.* (1) Assets held for investment purposes shall include:

(i) Any investment asset held by the plan on the last day of the plan year; and

(ii) Any investment asset which was purchased at any time during the plan year and was sold at any time before the last day of the plan year, except as provided by paragraphs (b)(2) and (b)(3) of this section.

(2) Assets held for investment purposes shall not include any investment which was not held by the plan on the last day of the plan year for which the

annual report is filed if that investment falls within any of the following categories:

(i) Debt obligations of the United States or any agency of the United States;

(ii) Interests issued by a company registered under the Investment Company Act of 1940;

(iii) Bank certificates of deposit with a maturity of not more than one year;

(iv) Commerical paper with a maturity of not more than nine months if it is ranked in the highest rating category by at least two nationally recognized statistical rating services and is issued by a company required to file reports with the Securities and Exchange Commission under section 13 of the Securities Exchange Act of 1934;

(v) Participations in a bank common or collective trust;

(vi) Participations in an insurance company pooled separate account;

(vii) Securities purchased from a person registered as a broker-dealer under the Securities Exchange Act of 1934 and listed on a national securities exchange registered under section 6 of the Securities Exchange Act of 1934 or quoted on NASDAQ;

(3) Assets held for investment purposes shall not include any investment which was not held by the plan on the last day of the plan year for which the annual report is filed if that investment is reported on the annual report of that same plan in any of the following:

(i) The schedule of each transaction involving a person known to be a party in interest required by section 103(b)(3)(D) of the Act and § 2520.103-10(b)(3);

(ii) The schedule of loans or fixed income obligations in default required by section 103(b)(3)(E) of the Act and § 2520.103-10(b)(4);

(iii) The schedule of leases in default or classified as uncollectible required by section 103(b)(3)(F) of the Act and § 2520.103-10(b)(5); or

(iv) The schedule of reportable transactions required by section 103(b)(3)(H) of the Act and § 2520.103-10(b)(6).

(c) *Examples.* (1) On February 1, 1977, plan N purchases an interest in registered investment company F (fund F). Fund F is not a party in interest with respect to plan N. On November 1, 1977, plan N sells this interest in fund F and purchases 1,000 shares of stock S, which the plan holds for the rest of the plan year. Plan N must include in its schedule of assets held for investment purposes the 1,000 shares of stock S under paragraph (b)(1) of this section, but need not include the interest in fund F because of Paragraph (b)(2)(ii) of this section.

(2) On February 1, 1977, plan N purchases a parcel of real estate from Mr. M, who is not a party in interest with respect to plan N. On November 1, 1977, plan N sells the parcel of real estate for cash to Mr. X, who is not a party in interest with respect to plan N. Plan N uses the cash from this transaction to purchase a 1-year certificate of deposit in bank B, which it holds until maturity in 1978. Plan N must include in its schedule of assets held for investment purposes the 1-year certificate of deposit in bank B under paragraph (b)(1)(i) of this section, and must also include the parcel of real estate under paragraph (b)(1)(ii) of this section.

Subpart D—Provisions Applicable to Both Reporting and Disclosure Requirements

§ 2520.104-20 Limited exemption for certain small welfare plans.

(a) *Scope.* Under the authority of section 104(a)(3) of the Act, the administrator of any employee welfare benefit plan which covers fewer than 100 participants at the beginning of the plan year and which meets the requirements of paragraph (b) of this section is exempted from certain reporting and disclosure provisions of the Act. Specifically, the administrator of such plan is not required to file with the Secretary any of the following documents: Plan description, copy of the summary plan description, description of a material modification in the terms of a plan or change in the information required to be included in the plan description, annual report, and terminal report. In addition, the administrator of a plan exempted under this section—

(1) Is not required to furnish participants covered under the plan and beneficiaries receiving benefits under the plan with statements of the plan's assets and liabilities and receipts and disbursements and a summary of the annual report required by section 104(b)(3) of the Act;

(2) Is not required to furnish upon written request of any participant or beneficiary a copy of the plan description, annual report, and any terminal report, as required by section 104(b)(4) of the Act;

(3) Is not required to make copies of the plan description and annual report available for examination by any participant or beneficiary in the principal office of the administrator and such other places as may be necessary, as required by section 104(b)(2) of the Act.

(b) *Application.* This exemption applies only to welfare benefit plans—

(1) Which have fewer than 100 participants at the beginning of the plan year;

(2)(i) For which benefits are paid as needed solely from the general assets of the employer or employee organization maintaining the plan, or

(ii) The benefits of which are provided exclusively through insurance contracts or policies issued by an insurance company or similar organization which is qualified to do business in any State, the premiums for which are paid directly by the employer or employee organization from its general assets or partly from its general assets and partly from contributions by its employees or members, provided that contributions by participants are forwarded by the employer or employee organization within three months of receipt, or

(iii) Both; and

(3) For which, in the case of an insured plan—

(i) Refunds, to which contributing participants are entitled, are returned to them within three months of receipt by the employer or employee organization, and

(ii) Contributing participants are informed upon entry into the plan of the provisions of the plan concerning the allocation of refunds.

(c) *Limitations.* This exemption does not exempt the administrator of an employee benefit plan from any other requirement of Title I of the Act, including the provisions which require that plan administrators furnish copies of the summary plan description to participants and beneficiaries (section 104(b)(1)) and furnish certain documents to the Secretary of Labor upon request (section 104(a)(1)), and which authorize the Secretary of Labor to collect information and data from employee benefit plans for research and analysis (section 513).

(d) *Examples.* (1) A welfare plan has 75 participants at the beginning of the plan year and 105 participants at the end of the plan year. Plan benefits are fully insured and premiums are paid directly to the insurance company by the employer pursuant to an insurance contract purchased with premium payments derived half from the general assets of the employer and half from employee contributions (which the employer forwards within three months of receipt). Refunds to the plan are paid to participating employees within three months of receipt as provided in the plan and as described to each participant upon entering the plan. The plan appoints the employer as its plan administrator. The employer, as plan administrator, provides summary plan descriptions to participants and beneficiaries. He also makes copies of certain plan documents available at the plan's principal office and such other places as necessary to give participants reasonable access to them. The exemption provided by § 2520.104-20 applies even though the plan has more than 100 participants by the end of the plan

year, because it had fewer than 100 participants at the beginning of the plan year and otherwise satisfied the conditions of the exemption.

(2) A welfare plan is established and maintained in the same way as the plan described in example (1), except that a trade association which sponsors the plan is the holder of the insurance contract. Since the plan still sends the premium payments directly to the insurance company, the exemption applies, as in example (1).

§ 2520.104-21 Limited exemption for certain group insurance arrangement.

(a) *Scope.* Under the authority of section 104 (a)(3) of the Act, the administrator of any employee welfare benefit plan which covers fewer than 100 participants at the beginning of the plan year and which meets the requirements of paragraph (b) of this section is exempted from certain reporting and disclosure provisions of the Act. Specifically, the administrator of such plan is not required to file with the Secretary any of the following documents: Plan description, copy of the summary plan description, description of a material modification in the terms of a plan or change in the information required to be included in the plan description, and terminal report. In addition, the administrator of a plan exempted under this section:

(1) Is not required to furnish upon written request of any participant or beneficiary a copy of the plan description and any terminal report, as required by section 104(b)(4) of the Act;

(2) Is not required to make copies of the plan description available for examination by any participant or beneficiary in the principal office of the administrator and such other places as may be necessary, as required by section 104(b)(2) of the Act.

(b) *Application.* This exemption applies only to welfare plans, each of which has fewer than 100 participants at the beginning of the plan year and which are part of a group insurance arrangement if such arrangement:

(1) Provides benefits to the employees of two or more unaffiliated employers, but not in connection with a multiemployer plan as defined in section 3(37) of the Act and any regulations prescribed under the Act concerning section 3(37);

(2) Fully insures one or more welfare plans of each participating employer through insurance contracts purchased solely by the employers or purchased partly by the employers and partly by their participating employees, with all benefit payments made by the insurance company: *Provided,* That—

(i) Contributions by participating employees are forwarded by the employers within three months of receipt,

(ii) Refunds, to which contributing participants are entitled, are returned to them within three months of receipt, and

(iii) Contributing participants are informed upon entry into the plan of the provisions of the plan concerning the allocation of refunds; and

(3) Uses a trust (or other entity such as a trade association) as the holder of the insurance contracts and the conduit for payment of premiums to the insurance company.

(c) *Limitations.* This exemption does not exempt the administrator of an employee benefit plan from any other requirement of Title I of the Act, including the provisions which require that plan administrators furnish copies of the summary plan description to participants and beneficiaries (section 104(b)(1)), file an annual report with the Secretary of Labor (section 104(a)(1)(A)) and furnish certain documents to the Secretary of Labor upon request (section 104(a)(1)), and authorize the Secretary of Labor to collect information and data from employee benefit plans for research and analysis (section 513).

(d) *Examples.* (1) A welfare plan has 25 participants at the beginning of the plan year. It is part of a group insurance arrangement which provides benefits to employees of two or more unaffiliated employers, but not in connection with a multiemployer plan as defined under the Act. Plan benefits are fully insured pursuant to insurance contracts purchased with premium payments derived half from employee contributions (which the employer forwards within three months of receipt) and half from the general assets of participating employers. Refunds to the plan are paid to participating employees within three months of receipt as provided in the plan and as described to each participant upon entering the plan. A trade association is the holder of the insurance contract and acts as a conduit for payments, receiving premium payments from participating employers and paying the insurance company. The plan appoints the trade association as its plan administrator. The association, as plan administrator, provides summary plan descriptions to participants and beneficiaries, enlisting the help of the participating employer in carrying out this distribution. The plan administrator also makes copies of certain plan documents available to the plan's principal office and such other places as necessary to give participants reasonable access to them. The plan administrator files with the Secretary an annual report covering activities of the plan, as required by the Act and such regulations as the Secretary may issue. The exemption provided by § 2520.104-21 applies because the conditions of § 2520.104-21(c) have been satisfied.

(2) A welfare plan has 75 participants at the beginning of the plan year. It is part of a group insurance arrangement and its benefits and credits are paid in the same manner as in example (1) of § 2520.104-21. A trade association acts as a conduit for payments, acting through its agent, an independent insurance brokerage firm, and is the holder of the insurance contract. The plan appoints an officer of the participating employer as the plan administrator. The officer, as plan administrator, performs the same reporting and disclosure functions as the administrator in example (1) of § 2520.104-21, enlisting the help of the association in providing summary plan descriptions and necessary information. The exemption provided by § 2520.104-21 applies.

(3) A welfare plan has 125 participants at the beginning of the plan year. It is part of a group insurance arrangement and its benefits and credits are paid in the same manner as in the previous examples. A trade association acts as a conduit for payments and is the holder of the insurance contract. The plan appoints the association as plan administrator. The association, as plan administrator, performs all the reporting and disclosure requirements of Title I of the Act for the plan. These include filing with the Secretary a plan description, summary plan description, description of any material modifications in the terms of the plan or change in the information required to be included in the plan description, annual report, and certain other documents if required by regulations or request of the Secretary of Labor. The requirements also include disclosure of certain documents to participants and beneficiaries, including among others the summary plan description and summary of the annual report. The plan administrator obtains necessary information not available in its records—such as the fact that there are 125 participants—from the plan. The exemption provided by § 2520.104-21 does not apply because the plan had more than 100 participants at the beginning of the plan year although the other conditions of paragraph (c) are satisfied.

(4) A welfare plan has 125 participants. It is part of a group insurance arrangement and its benefits and credits are paid in the same manner as in the previous examples. A trade association acts as a conduit for payments and is the holder of the insurance contract. The plan appoints an officer of the participating employer as plan administrator. The plan administrator performs the same reporting and disclosure functions as the administrator in example (3), enlisting the help of the association in providing summary plan descriptions and necessary information. The exemption provided by § 2520.104-21 does not apply.

§ 2520.104-41 Simplified annual reporting requirements for plans with fewer than 100 participants.

(a) *General.* (1) Under the authority of section 104(a)(2)(A), the Secretary of Labor may prescribe simplified annual reporting for employee pension benefit plans with fewer than 100 participants.

(2) Under the authority of section 104(a)(3), the Secretary of Labor may provide a limited exemption for any employee welfare benefit plan with respect to certain annual reporting requirements.

(b) *Application.* The administrator of an employee pension or welfare benefit plan which covers fewer than 100 participants at the beginning of the plan year and is required to file an annual report under section 104(a)(1)(A) of the Act and § 2520.104-5 shall file the simplified annual report described in paragraph (c) of this section.

(c) *Contents.* (1) The administrator of (i) an employee pension benefit plan which covers fewer than 100 participants, none of whom is an owner-employee, as defined in section 401(c)(3) of the Internal Revenue Code of 1954, or (ii) an employee welfare benefit plan which covers fewer than 100 participants shall file a Form 5500-C "Annual Return/Report of Employee Benefit Plan (with fewer than 100 participants)" in the manner prescribed in § 2520.104a-5.

(2) The administrator of an employee pension Keogh plan which covers fewer than 100 participants, at least one of whom is an owner-employee, as defined in section 401(c)(3) of the Internal Revenue Code of 1954, shall file a Form 5500-K "Annual Return/Report of Employee Pension Benefit Plan for Sole Proprietorships and Partnerships (with fewer than 100 participants one of whom is an owner-employee)" in the manner prescribed in § 2520.104a-5.

§ 2520.104-42 Waiver of certain actuarial information in the annual report.

(a) *Scope and application.* Under the authority of 104(a)(2)(A) of the Act, the Secretary of Labor may waive the requirement that the anual report include as part of the actuarial statement (schedule B) the present value of all of the plan's liabilities for nonforfeitable pension benefits allocated by the termination priority categories, as set forth in section 4044 of Title IV of the Act, and the actuarial assumptions used in these computations. In accordance with this authority the plan administrator of any employee pension benefit plan required under sections 103(c)(5) and 103(d) of the Act to include actuarial information as part of the annual report is not required to include a statement of the present value of all of the plan's liabilities for nonforfeitable pension benefits allocated by termination priority categories, as set forth in section 4044 of Title IV of the Act, and the actuarial assumptions used in these computations.

(b) *Limitation.* This section applies only to the annual reports required to be filed for plan years beginning in 1975, 1976 and 1977.

§ 2520.104-43 Exemption from annual reporting requirement for certain group insurance arrangements.

(a) *General.* Under the authority of section 104(a)(3) of the Act, the administrator of an employee welfare benefit plan which meets the requirements of paragraph (b) of this section is not required to file an annual report with the Secretary of Labor as required by section 104(a)(1)(A) of the Act.

(b) *Application.* (1) This exemption applies only to a welfare plan for a plan year in which (i) such plan meets the requirements of § 2520.104-21, except the requirement that the plan cover fewer than 100 participants at the beginning of the plan year, and (ii) an annual report containing the items set forth in § 2520.103-2 has been filed with the Secretary of Labor in accordance with § 2520.104a-6 by the trust or other entity which is the holder of the group insurance contracts by which plan benefits are provided and the conduit for payment of premiums for such policies.

(2) For purposes of this section, the term "trust or other entity" shall be used in place of the term "plan" or "plan administrator" as applicable, in §§ 2520.103-3, 2520.103-4, 2520.103-6, 2520.103-7(b)(1), 2520.103-8, 2520.103-9, 2520.103-10, and 2520.104-45.

(c) *Limitation.* This provision does not exempt the administrator of an employee benefit plan which meets the requirements of paragraph (b) from furnishing a copy of a summary annual report to participants and beneficiaries of the plan, as required by section 104(b)(3) of the Act.

§ 2520.104-44 Limited exemption and alternative method of compliance for annual reporting by unfunded plans and by certain insured plans.

(a) *General.* (1) Under the authority of section 104(a)(3) of the Act, the Secretary of Labor may exempt an employee welfare benefit plan from any or all of the reporting and disclosure requirements of Title I. An employee welfare benefit plan which meets the requirements of paragraph (b)(1) of this section is not required to comply with the annual reporting requirements described in paragraph (c) of this section.

(2) Under the authority of section 110 of the Act, an alternative method of compliance is prescribed for certain employee pension benefit plans subject to Part 1, Title I of the Act. An employee pension benefit plan which meets the requirements of paragraph (b)(2) of this section is not required to comply with the annual reporting requirements described in paragraph (c) of this section.

(b) *Application.* This section applies only to:

(1) An employee welfare benefit plan under the terms of which benefits are to be paid—

(i) Solely from the general assets of the employer or employee organization maintaining the plan;

(ii) The benefits of which are provided exclusively through insurance contracts or policies issued by an insurance company or similar organization which is qualified to do business in any State, the premiums for which are paid directly by the employer or employee organization from its general assets or partly from its general assets and partly from contributions by its employees or members: *Provided,* That any plan assets held by the insurance company or similar organization are held solely in the general account of such company or organization, contributions by participants are forwarded by the employer or employee organization to the insurance company or organization within three months of receipt and, in the case of a plan that provides for the return of refunds to contributing participants, such refunds are returned to them within three months of receipt by the employer or employee organization; or

(iii) Partly in the manner specified in paragraph (b)(1)(i) of this section and partly in the manner specified in paragraph (b)(1)(ii) of this section; and

(2) A pension benefit plan the benefits of which are provided exclusively through allocated insurance contracts or policies which are issued by, and pursuant to the specific terms of such contracts or policies benefit payments are fully guaranteed by an insurance company or similar organization which is qualified to do business in any State, and the premiums for which are paid directly by the employer or employee organization from its general assets or partly from its general assets and partly from contributions by its employees or members: *Provided,* That contributions by participants are forwarded by the employer or employee organization to the insurance company or organization within three months of receipt and, in the case of a plan that provides for the return of refunds to contributing participants, such refunds are returned to them within three months of receipt by the employer or employee organization.

(c) *Contents.* An employee benefit plan described in paragraph (b) of this section is exempt from complying with

the following annual reporting requirements:

(1) Completing items 13, 14, and 22 of Form 5500 in the case of a plan required to file Form 5500 pursuant to § 2520.104a-5 or § 2520.104a-6; items 13, 14, and 21 in the case of a plan required to file Form 5500-C in accordance with § 2520.104-41, or items 13 and 17 in the case of a plan required to file Form 5500-K in accordance with § 2520.104-41;

(2) Engaging an independent qualified public accountant pursuant to section 103(a)(3)(A) of the Act and § 2520.103-1(b) to conduct an examination of the financial statements and schedules of the plan; and

(3) Including in the annual report a report of an independent qualified public accountant concerning the financial statements and schedules required to be a part of the annual report pursuant to section 103(b) of the Act and § 2520.103-1(b).

(d) *Limitation.* This section does not exempt any plan from filing an annual report form with the Secretary in accordance with section 104(a)(1)(A) of the Act and § 2520.104a-5.

(e) *Example.* A welfare plan which is funded entirely with insurance contracts and which meets all the requirements for exemption under § 2520.104-20 except that it covers 100 or more participants at the beginning of the plan year is not exempt from the annual reporting requirements under § 2520.104-20, but is exempt from certain reporting requirements under § 2520.104-44. Under the latter section, such a welfare plan should file Form 5500, including Schedule A "Insurance Information." However, the plan is not required to engage an independent qualified public accountant and items 13, 14, and 22 of Form 5500 need not be completed.

§ 2520.104-45 Temporary exemption from reporting insurance fees and commissions for insured plans with fewer than 100 participants.

(a) *General.* (1) Under the authority of section 104(a)(3) of the Act, the Secretary of Labor may exempt an employee welfare benefit plan from any or all of the reporting and disclosure requirements of Title I. The administrator of an employee welfare benefit plan which meets the requirements of paragraph (b) of this section is exempt from complying with the annual reporting requirements described in paragraph (c) of this section.

(2) Under the authority of section 110 of the Act, the Secretary of Labor may prescribe an alternative method of compliance for employee pension benefit plans subject to Part 1, Title I, of the Act. The administrator of an employee pension benefit plan which meets the requirements of paragraph (b) of this section is not required to comply with the annual reporting requirements described in paragraph (c) of this section.

(b) *Application.* (1) The provisions of this section apply only to welfare and pension plans which cover fewer than 100 participants at the beginning of the plan year and which provide benefits in whole or in part through insurance contracts or policies issued by an insurance company or similar organization which is qualified to do business in any State.

(c) *Contents.* A plan which meets the requirements of paragraph (b) is not required to include in the annual report filed in accordance with section 104(a)(1)(A) of the Act and § 2520.104a-5 or § 2520.104a-6 the following information described under sections 103 (c) and (e) of the Act:

(1) The name and address of any insurance agent, broker or other person to whom insurance commissions, salaries or fees are paid;

(2) The amount paid to each; and

(3) The purpose for which such payment is made.

(d) *Limitation.* The provisions of this section apply only to the annual report required to be filed for the plan years beginning in 1975 and 1976.

§ 2520.104-46 Waiver of examination and report of an independent qualified public accountant for employee benefit plans with fewer than 100 participants.

(a) *General.* (1) Under the authority of section 103(a)(3)(A) of the Act, the Secretary may waive the requirements of section 103(a)(3)(A) in the case of a plan for which simplified annual reporting has been prescribed in accordance with section 104(a)(2) of the Act.

(2) Under the authority of section 104(a)(3) of the Act the Secretary may exempt any employee welfare benefit plan from certain annual reporting requirements.

(b) *Application.* (1) The administrator of an employee pension plan for which simplified annual reporting has been prescribed in accordance with section 104(a)(2)(A) of the Act and § 2520.104-41 is not required to comply with the annual reporting requirements described in paragraph (c) of this section.

(2) The administrator of an employee welfare benefit plan that covers fewer than 100 participants at the beginning of the plan year is not required to comply with annual reporting requirements described in paragraph (c) of this section.

§ 2520.104a-4 Material modifications to the plan and changes in plan description information.

(a) *General obligation to file.* The administrator of an employee benefit plan subject to the provisions of Part 1 of Title I of the Act shall file with the Secretary, as required by section 104(a)(1)(D) of the Act, any material modifications in the terms of the plan or any changes in the information required by section 102(b) of the Act.

(b) *Fulfilling the filing obligation.* (1) The administrator of an employee benefit plan shall satisfy the requirements of section 104(a)(1)(D) of the Act and § 2520.104(a)-4(a) by filing with the Secretary a summary of material modifications or changes in information which is required by § 2520.104b-3. The summary description of such material modifications or changes shall be filed, in accordance with § 2520.104a-7, no later than the date on which the summary description is required to be disclosed to participants.

(2) The administrator of an employee benefit plan is not required to file a summary of any material modifications or changes in information required to be included in the summary description if such modifications or changes are:

(i) Incorporated in a summary plan description or supplement filed with the Secretary of Labor pursuant to § 2520.104a-3;

(ii) Incorporated in the plan description filed with the Secretary within 120 days after the plan becomes subject to Part I of Title I of the Act and pursuant to § 2520.104a-2.

(iii) Incorporated in an updated plan description filed with the Secretary pursuant to section 104(a)(1)(B) of the Act.

(b) *Filing address.* The summary description of material modifications to the plan and changes in the information required by section 102(b) shall be filed with the Secretary of Labor by mailing it to SMM, U.S. Department of Labor, Washington, D.C. 20216 or by delivering it during normal working hours to Room N-4635, Department of Labor, 200 Constitution Ave., NW., Washington, D.C.

(c) *Effect.* This section is effective April 10, 1978, and supersedes prior § 2520.104a-4 published on April 23, 1976 (41 FR 16964).

(c) *Waiver.* The administrator of a plan described in paragraph (b) (1) or (2) of this section is not required to:

(1) Engage an independent qualified public accountant to conduct an examination of the financial statements of the plan;

(2) Include within the annual report the financial statements and schedules prescribed in section 103(b) of the Act and §§ 2520.103-1, 2520.103-2, and 2520.103-10 and

(3) Include within the annual report a report of an independent qualified public accountant as prescribed in section 103(a)(3)(A) of the Act and § 2520.103-1.

(d) *Limitation.* The waiver described in this section does not affect the obli-

gation of a plan described in paragraph (b) (1) or (2) of this section to file a Form 5500-C or -K and all schedules called for therein. See § 2520.104-41.

§ 2520.104a-5 Annual reporting filing requirements.

(a) *Filing obligation.* Except as provided in § 2520.104a-6, the administrator of an employee benefit plan required to file an annual report pursuant to section 104(a)(1)(A) of the Act shall file an annual report containing the items prescribed in § 2520.103-1 within:

(1) Eleven and one half months after the close of the plan year which begins in 1975, or December 15, 1977, whichever is later; and

(2) Seven months after the close of any plan year which begins after December 31, 1975.

(b) *Where to file.* The annual report described in § 2520.103-1 shall be filed in accordance with and at the address provided in the instructions to the Annual Return/Report Form.

§ 2520.104a-6 Annual reporting for plans which are part of a group insurance arrangement.

(a) *General.* A trust or other entity described in § 2520.104-43(b) that files an annual report in accordance with the terms of subsections (b) and (c) shall be deemed to have filed such report in accordance with § 2520.104a-6 for purposes of § 2520.104-43.

(b) *Date of filing.* The annual report shall be filed within:

(1) Eleven and one-half months after the close of the fiscal year of the trust or other entity described in § 2520.104-43 which begins in 1975 or December 15, 1977, whichever is later; and

(2) Seven months after the close of the fiscal year of the trust or other entity which begins after December 31, 1975.

(c) *Where to file.* The annual report prescribed in § 2520.103-2 shall be filed in accordance with and at the address provided in the instructions to the Annual Return/Report Form.

Signed at Washington, D.C. on this 3rd day of March 1978.

IAN D. LANOFF,
Administrator, Pension and Welfare Benefit Programs, Labor-Management Services Administration.

[FR Doc. 78-6073 Filed 3-9-78; 8:45 am]

federal register

FRIDAY, MARCH 10, 1978
PART VI



DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

[4510-27]

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates, (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

NEW GENERAL WAGE DETERMINATION DECISIONS

Georgia: GA78-1023, GA78-1024.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Arkansas: AR77-4173, August 19, 1977; AR77-4285, AR77-4286, AR77-4287, AR77-4288, September 30, 1977; AR77-4290, November 11, 1977.
Delaware: DE77-3134, September 30, 1977.
Georgia: GA77-1117, GA77-1118, September 30, 1977.
Maryland: MD77-3086, August 5, 1977.
New Jersey: NJ77-3093, July 8, 1977.
New Mexico: NM78-4012, February 10, 1978.
Oregon: OR77-5078, September 23, 1977.
Pennsylvania: PA76-3169, May 21, 1976; PA77-3100, July 15, 1977; PA77-3102, PA77-3103, July 22, 1977; PA77-3122, PA77-3123, September 9, 1977; PA77-3128, PA77-3129, September 16, 1977.
Tennessee: TN77-1036, March 25, 1977; TN77-1041, April 1, 1977.
Washington: WA77-5096, October 14, 1977.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State.

Supersedeas Decision numbers are in parentheses following the numbers of the decisions being superseded.

Alaska: AK77-5097(AK78-5020), September 30, 1977.
Georgia: GA77-5035(GA78-1015), March 11, 1977.
Indiana: IN77-2008(IN78-2025), IN77-2009(IN78-2033), February 11, 1977; IN77-2082(IN78-2032), IN77-2083(IN78-2030), IN77-2084(IN78-2033), May 13, 1977.
Michigan: AM-402(MI78-2023), August 18, 1971; MI77-2050(MI78-2010), MI77-2051(MI78-2011), MI77-2053(MI78-2013), MI77-2054(MI78-2014), May 6, 1977; MI77-2052(MI78-2012), MI77-2055(MI78-2015), May 13, 1977; MI77-2127(MI78-2016), September 2, 1977.
Minnesota: MN77-2119(MI79-2009), August 12, 1977.
Nevada: NV77-5007(NV78-5009), September 23, 1977; NV77-5072(NV78-5010), July 8, 1977.
New Mexico: NM77-4103(NM78-4021), May 20, 1977.
New York: NY77-3025(NY78-3007), June 17, 1977.
North Carolina: GA77-5035(GA78-1015), March 11, 1977.
North Dakota: ND77-5100(ND78-5019), December 9, 1977.
Ohio: OH77-2131(OH78-2007), August 26, 1977.
South Carolina: GA77-5035(GA78-1015), March 11, 1977.

Tennessee: TN77-1129(TN78-1151), October 7, 1977.

Texas: TX77-4254(TX78-4020), TX77-4260(TX78-4018), TX77-4261(TX78-4019), TX77-4263(TX78-4017), TX77-4280(TX78-4016), September 30, 1977.

Virginia: GA77-5035(GA78-1015), March 11, 1977.

Washington, D.C.: GA77-5035(GA78-1015), March 11, 1977.

Wyoming: WY78-5008(WY78-5014), January 27, 1978. WY78-5013(WY78-5015), February 3, 1978.

Cancellation of General Wage Determination Decisions

General Wage Determination No. AQ-4124, Laurens County, Ga., is hereby cancelled. Agencies with building construction projects contemplated in the county should utilize the project determination procedure by submitting form SF-308 (see CFR Part 1, § 1.5.). Contracts for which bids have been opened shall not be affected by this notice. Consistent with 29 CFR Part 1, § 1.7(b)(2), inclusion of the above decision in contracts for which the bid opening is within ten (10) days of this notice need not be affected.

Signed at Washington, D.C., this third day of March 1978.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

NEW DECISION

STATE: GEORGIA

COUNTIES: BALDWIN, BIBB, BLECKLEY, BUTTS, CRAWFORD, HOUSTON, JASPER, JONES, LAMAR, MONROE, PEACH, PIKE, PUTNAM, TWIGGS, UPSON, & WILKINSON

DECISION NUMBER: GA78-1023

DATE: DATE OF PUBLICATION

DESCRIPTION OF WORK: RESIDENTIAL CONSTRUCTION (includes single family homes and garden type apartments up to and including 4-stories).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING MECHANICS	$ 5.50				
BRICKLAYERS	6.25				
CARPENTERS & DRYWALL HANGERS	5.00				
CARPET LAYERS	4.00				
CEMENT MASONS	5.02				
ELECTRICIANS	5.39				
IRONWORKERS	4.25				
LABORERS	2.99				
PAINTERS & DRYWALL FINISHERS	5.00				
PLUMBERS & PIPEFITTERS	5.84				
ROOFERS	4.00				
SHEET METAL WORKERS	5.78				
TILE SETTERS	6.00				
TRUCK DRIVERS	3.07				
WELDERS - Rate for craft					
POWER EQUIPMENT OPERATORS:					
Backhoe	3.34				
Scraper - pan	4.00				

NEW DECISION

STATE: GEORGIA

COUNTIES: COLUMBIA, GLASCOCK, JEFFERSON, MCDUFFIE, & WARREN

DECISION NUMBER: GA78-1024

DATE: DATE OF PUBLICATION

DESCRIPTION OF WORK: BUILDING CONSTRUCTION (does not include single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Bricklayers	$ 6.85				
Carpenters	5.94				
Cement masons	4.75				
Electricians	7.76				
Glaziers	4.72				
Ironworkers:					
Structural & ornamental	4.75				
Reinforcing	3.50				
Laborers	3.40				
Painters	5.00				
Plumbers & Pipefitters	8.54				
Roofers	4.70				
Sheet metal workers	6.38				
Tile setters	7.65				
Truck drivers	3.50				
Welders - Receive rate prescribed for craft performing operation to which welding is incidental.					
POWER EQUIPMENT OPERATORS:					
Crane	6.80				
Front end loader	7.22				

MODIFICATIONS P. 1

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. AR77-4173 - Mod. #6 (42 FR 42063 - August 19, 1977,) Jefferson County, Arkansas					
CHANGE:					
BOILERMAKERS	$10.55	.80	1.00		.02
LINE CONSTRUCTION:					
Linemen & Operators	11.60		3%		3/8%
Cable splicers	11.725		3%		3/8%
DECISION NO. AR77-4285 - Mod. #5 (42 FR 52898 - September 30, 1977) Garland, Hot Springs and Clark Counties, Arkansas					
CHANGE:					
ELECTRICIANS:					
Electricians	$10.975		3%		½%
Cable splicers	11.10		3%		½%
BOILERMAKERS	10.55	.80	1.00		.02
DECISION NO. AR77-4286 - Mod. #5 (42 FR 52900-September 30, 1977) Union & Ouachita Counties, Arkansas					
CHANGE:					
BOILERMAKERS	10.55	.80	1.00		.02
DECISION NO. AR77-4287 - Mod. #6 (42 FR 52903 - September 30, 1977 Pulaski County, Arkansas					
CHANGE:					
BOILERMAKERS	10.55	.80	1.00		.02
DECISION NO. AR77-4288 - Mod. #4 (42 FR 52901 - September 30, 1977) Sebastian, Crawford and Washington Counties, Arkansas					
CHANGE:					
BOILERMAKERS	10.55	.80	1.00		.02
ELECTRICIANS:	10.65	.35	3%+5.5%		1/4%
Electricians	10.65	.35	3%+5.5%		1/4%
Cable splicers	10.90	.35	3%+5.5%		1/4%

MODIFICATIONS P. 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION NO. AR77-4290 - Mod. #4 (42 FR 58924 - November 11, 1977) Conway, Van Buren, Perry, and Cleburne Counties, Arkansas					
CHANGE:					
BOILERMAKERS	$10.55	.80	1.00		.02
LINE CONSTRUCTION:					
Linemen	11.60		3%		3/8%
Cable splicers	11.725		3%		3/8%
Operators	11.60		3%		3/8%
DECISION #DE77-3134 - Mod. # 6 (42 FR-52990 - September 30, 1977 State of Delaware					
Omit:					
All classifications and wage rates for Laborers on Highway Construction					
Add:					
Laborers - Highway Construction:					
New Castle County	$ 5.90				
Kent & Sussex Counties	5.45				

DECISION #GA77-1117 - Mod. #1
(42 FR 52998 - September 30, 1977)
Chatham County, Georgia

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Asbestos workers	$10.15	.55	.60		.10
Boilermakers	10.25	.75	1.05		.02
Bricklayers, stone masons, marble masons, tile setters, & terrazzo workers	8.50	.20	.20		.01
Carpenters & soft floor layers	8.75	.50			
Cement masons	7.50				
Elevator Constructors:					
Mechanics	9.15	.745	.56	4%+a+b	.035
Helpers	6.405	.745	.56	4%+a+b	.035
Millwrights	9.35	.50			
Piledrivermen	9.00	.50			
Plasterers	7.25				
Plumbers & Pipefitters:					
Contracts $15,000.00 or less	9.65	.45	.60		.05
Contracts over $15,000.00	10.30	.45	.60		.05
Sheet metal workers	9.23	.45			.04
FOOTNOTE:					
a. Seven Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving Day; Christmas Day.					

DECISION #GA77-1118 - Mod. #2
(42 FR 53000 - September 30, 197
Richmond County, Georgia

Change:					
Asbestos workers	$ 9.15	.45	.25		.02
Laborers:					
Building & Construction laborers	4.60	.15			.10
Power & air tool operators, concrete or clay pipe layers, & wipers, mortar makers & power buggy operators	4.75	.15			.10
Powderman, wagon drill operator, tool room tender, tunnel laborers, shaft laborers, burners, acetylene (demolition work), slip form workers (steel or wood, screw or jack type), potman, creosote materials handler, steel form setter (on grade), chimney or stack workers	4.80	.15			.10

DECISION #MD77-3086 - Mod. #5
(42 FR 39880 - August 5, 1977)
Allegany & Garrett Counties, Maryland

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Boilermakers	$12.025	1.075	1.00		.02
Elevator Constructors	11.77	.745	.56	4%+a+b	.025
Elevator Constructors Helpers	70% JR	.745	.56	4%+a+b	.025
Elevator Constructors Helpers (Probationary)	50% JR				

DECISION #NJ77-3093 - Mod. # 9
(42 FR-35567 - July 8, 1977)
Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex, Union, & Warren Counties, New Jersey

Change:					
Boilermakers	$11.57	8%	20%+.25	10%	.01
Boilermakers Helpers	11.04	8%	20%+.25	10%	.01
Laborers, Heavy & Highway Construction:					
GROUP 1	9.40	.85	1.00	e	.10
GROUP 2	9.25	.85	1.00	e	.10
GROUP 3	9.00	.85	1.00	e	.10
GROUP 4	8.95	.85	1.00	e	.10
GROUP 5	8.85	.85	1.00	e	.10
GROUP 6	8.75	.85	1.00	e	.10
GROUP 7	8.50	.85	1.00	e	.10
GROUP 8	8.35	.85	1.00	e	.10
GROUP 9	8.30	.85	1.00	e	.10
Laborers, Free Air Tunnel Jobs:					
GROUP 1	9.77	.85	1.00	e	.10
GROUP 2	9.37	.85	1.00	e	.10
GROUP 3	9.21	.85	1.00	e	.10
GROUP 4	8.70	.85	1.00	e	.10
Plumbers:					
ZONE 3	12.45	.75	1.35		.20

MODIFICATIONS P. 5

DECISION NO. NM78-4012 - Mod. #2 (43 FR 5978 - February 10, 1978) Statewide, New Mexico	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CHANGE:					
BOILERMAKERS	$10.165	$1.075	$1.00	.50	.02
ELECTRICIANS(ZONE III):					
3-A	9.60	.30	3%		1/10%
3-B	11.05	.30	3%		1/10%
ELECTRICIANS(ZONE IV):					
4-A	10.60	.60	3%		.01
4-B	10.95	.60	3%		.01
4-C	11.10	.60	3%		.01
4-D	11.35	.60	3%		.01
CABLE SPLICERS (ZONE III):					
3-A	9.85	.30	3%		1/10%
3-B	11.30	.30	3%		1/10%
CABLE SPLICERS (ZONE IV):					
4-A	10.95	.60	3%		.01
4-B	11.30	.60	3%		.01
4-C	11.45	.60	3%		.01
4-D	11.70	.60	3%		.01
DECISION NO. OR77-5078 - Mod.#2 (42 FR 48700 September 23, 1977) Statewide Oregon					
CHANGE:					
Boilermakers	$12.025	1.075	1.00	.75	.02
Electricians:					
Clackamas, Clatsop, Columbia, Hood River, Multnomah, Sherman, Tillamook, Wasco, Washington, Nl Yamhill, Cos.					
Electricians	14.55	.90	3%+1.00		.05
Lead Cable Splicers	15.30	.90	3%+1.00		.05
LINE CONSTRUCTION:					
All counties except Malheur					
Cable Splicer, Leadman Pole Sprayer	13.29	.45	3%+ .40	.10	1/2%
Lineman, Pole Sprayer, Heavy Line Equip. Man, Certified Lineman Welder	12.00	.45	3%+ .40	.10	1/2%
Tree Trimmer	10.84	.45	3%+ .40	.10	1/2%
Line Equipment Man	10.34	.45	3%+ .30	.10	1/2%
Head Groundman (Chipper), Head Groundman, Powderman, Jackhammer Man	9.04	.45	3%+ .30	.10	1/2%
Groundman, Tree Trimmer Helper	8.50	.45	3%+ .30	.10	1/2%
Zone Pay - see Decision					

MODIFICATIONS P. 6

DECISION #PA76-3169 - Mod. #6 (42 FR-21133 - May 21, 1976) Bucks, Chester, Delaware, Montgomery & Philadelphia Counties, Pennsylvania	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Line Construction:					
Journeyman Lineman	$13.71	.45	.137		.041
DECISION #PA77-3100 - Mod. #6 (42 FR 36775 - July 15, 1977) Columbia. Montour, and Snyder Counties, Pennsylvania					
Change:					
Line Construction:					
Linemen, dynamite man, heavy equipment operators	10.80	.50	3%		3/8 of 1%
Winch truck operator	7.59	.50	3%		3/8 of 1%
Groundman	7.26	.50	3%		3/8 of 1%
DECISION #PA77-3102 - Mod. #8 (42 FR 37754 - July 22. 1977) Clinton, Centre, Huntingdon, Fulton & Mifflin Counties, Pennsylvania					
Change:					
Line Construction:					
ZONE 2					
Linemen, dynamite man, heavy equipment operators	10.80	.50	3%		3/8 of 1%
Winch truck operator	7.59	.50	3%		3/8 of 1%
Groundman	7.26	.50	3%		3/8 of 1%
DECISION #PA77-3103 - Mod. #5 (42 FR 37759 - July 22, 1977) Bradford, Tioga and Union Counties, Pennsylvania					
Change:					
Line Construction:					
Linemen, dynamite man, heavy equipment operators	10.80	.50	3%		3/8 of 1%
Winch truck operator	7.59	.50	3%		3/8 of 1%
Groundman	7.26	.50	3%		3/8 of 1%

MODIFICATIONS P. 7

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #PA77-3122 - Mod. #2 (42 FR 45614 - September 9, 1977) Cumberland, Dauphin, Perry, Juniata, New Cumberland Depot in York County, Pennsylvania					
Change:					
Marble Setters	$10.28	.60	.57		
DECISION #PA77-3129 - Mod. #2 (42 FR 46903 - September 16, 1977) Northumberland County, Pennsylvania					
Change:					
Electricians:					
Remainder of County	10.95	.35	3%+.20		.05
Line Construction:					
Linemen, dynamite man, heavy equipment operators	10.80	.50	3%		3/8 of 1%
Winch truck operator	7.59	.50	3%		3/8 of 1%
Groundman	7.26	.50	3%		3/8 of 1%
DECISION #PA77-3123 - Mod. #4 (42 FR 45616 - September 9, 1977) Schuylhill County, Pennsylvania					
Change:					
Line Construction:					
Linemwn, dynamite man, heavy equipment operators	10.80	.50	3%		3/8 of 1%
Winch truck operator	7.59	.50	3%		3/8 of 1%
Groundman	7.26	.50	3%		3/8 of 1%
DECISION #PA77-3128 - Mod. #4 (42 Fr 46901 - September 16, 1977) Adams & York Counties, Pennsylvania					
Change:					
Roofers:					
Composition	9.25	.61	.30	.25	
Slate & Tile	9.85	.61	.30	.25	
Carpenters:					
York County	9.89	.50	.45		.03

MODIFICATIONS P. 8

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Decision # TN77-1036, Mod. # 2. (42 FR 16375 - March 25, 1977) Davidson County, Tennessee.					
CHANGE:					
Electricians	$9.20	.45	3%		0.25%
Decision # TN77-1041, Mod. # 1. (42 FR 17784 - April 1, 1977) Statewide, Tennessee					
CHANGE DESCRIPTION OF WORK TO: Highway Construction (does not include tunnels, railroad construction, building structures in roadside rest areas, or bridges designed to accommodate waterborne navigation).					
DECISION NO. WA77-5096 - Mod.#3 (42 FR 55412 October 14, 1977) Statewide Washington					
CHANGE:					
BOILERMAKERS	$12.025	1.075	1.00	.75	.02
ELECTRICIANS:					
Clark, Klickitat, and Skamania Counties					
Electricians	14.55	.90	3% +1.00		.05
Cable Splicers	15.30	.90	3% +1.00		.05
IRONWORKERS:					
Statewide except: Clark, Cowlitz, Klickitat, Pacific (Southern Portion), Skamania and Wahkiakum Cos. Reinforcing, Structural, Fence Erectors, Ornamental, Riggers, and Signalmen	11.85	.93	1.20		.10
LINE CONSTRUCTION:					
Cable Splicer, Leadman Pole Sprayer	13.29	.45	3% +.40	.10	1/2%
Lineman, Pole Sprayer, Heavy Line Equipment Man, Certified Lineman Welder	12.00	.45	3% +.40	.10	1/2%
Tree Trimmer	10.84	.45	3% +.40	.10	1/2%
Line Equipment Man	10.34	.45	3% +.30	.10	1/2%
Head Groundman (Chipper), Head Groundman, Powderman, Jackhammer Man	9.04	.45	3% +.30	.10	1/2%
Groundman, Tree Trimmer Helper	8.50	.45	3% +.30	.10	1/2%
ZONE PAY - see Decision					

SUPERSEDEAS DECISION

STATE: Alaska
DECISION NUMBER: AK78-5020
COUNTIES: Statewide
DATE: Date of Publication
Supersedes Decision No. AK77-5097 dated September 30, 1977, in 42 FR 52890
DESCRIPTION OF WORK: Building Construction (including residential construction consisting of single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction and Dredging.

AREA I (North of the 63rd Parallel) AREA II (South of the 63rd Parallel and West of the 141st Meridian) AREA III (East of the 141st Meridian)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$20.36	.44	$ 1.20		.10
BOILERMAKERS	17.485	1.075	1.00	.75	.02
BRICKLAYERS; Blocklayers; Stonemasons	15.68	.90	2.45		.09
CARPENTERS:					
Area I					
Carpenters	16.28	.70	1.65		.10
Powder actuated tool operator	16.50	.70	1.65		.10
DeWalt or similar type saw operator; Marlite and Acoustical; Fire or Floor Repair work applicators; Nailing Machine Operator;					
Saw Filer	16.56	.70	1.65		.10
Millwrights	16.67	.70	1.65		.10
Piledriverpen	15.82	.70	1.65		.10
Areas II and III					
Journeyman Carpenters	15.81	.70	1.65		.15
Acoustical and Marlite Applicators; Floor Workers; Radial air saw operators; Fire and Floor Workers	16.19	.70	1.65		.15
Millwrights	16.34	.70	1.65		.15
Piledrivermen	15.82	.70	1.65		.15
CEMENT MASONS:					
Cement Masons, paving (concrete), Curb, Gutter and Sidewalks	14.30	.70	2.28		.15
Operating Screeding and Rodding Machines, Application of all Composition, Mastic, Epoxy, and Plastic Materials	14.83	.70	2.28		.15
Hand powered Grinder	14.83	.70	2.28		.15
Form Setters	14.45	.70	2.28		.15
CULINARY WORKERS:					
Baker of combination Cook-Baker, Head Cook; Working Camp Manager	13.31	.50	2.00		.04
Cook	12.95	.50	2.00		.04
Butcher	12.06	.50	2.00		.04

DECISION NO. AK78-5020 Page 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CULINARY WORKERS: (Cont'd)					
Head Waiter or Head Waitress	$12.57	.50	$ 2.00		.04
Head Bullcook	11.47	.50	2.00		.04
Camp Worker (waiter, waitress, Bullcook, General Helper, miscellaneous worker); Bartender	11.31	.50	2.00		.04
ELECTRICIANS:					
Electricians; Equipment Operators; Technicians	17.45	1.05	3%+3.00		.15
Cable Splicers	19.20	1.05	3%+3.00		.15
Residential Construction	10.25	1.05			.05
ELEVATOR CONSTRUCTORS	18.915	.745	.56	a	.025
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.745	.56	a	.025
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS:					
Area I	15.85	.65	1.00		
Areas II and III	15.74	.70	1.00		.10
IRONWORKERS:					
Bender Operator; Bridge; Fence Erector; Machinery Mover; Ornamental; Reinforcing; Sheeter; Structural	17.05	.85	2.75		.20
LATHERS	16.71	.70		1.08	.04
LINE CONSTRUCTION:					
Groundmen	15.45	1.05	3%+3.00		.15
Equipment Operators; Linemen; Technicians	17.45	1.05	3%+3.00		.15
Cable Solicers	18.95	1.05	3%+3.00		.15
Powderman	16.95	1.05	3%+3.00		.15
Material Handler	12.35	1.05	3%+3.00		.15
MARBLE SETTERS; Terrazzo Workers	15.68	.90	2.25		.09
PAINTERS:					
Area I					
Zone I (Within a 10 mile radius of the Fairbanks Post Office including Ft. Wainwright)					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: Cont'd)					
Zone 2 (Beyond 10 miles and up to 40 miles radius of the Fairbanks Post Office including Eielson Air Force Base and all the Sites within this territory)					
Zone 3 (Beyond 40 miles radius of the Fairbanks Post Office)					
Zone 1 and 3:					
Brush; Roller; Paper; Vinyl	$ 17.15	.70	$ 2.00		.10
Utilidor; Swing; Sign; Bosun	17.40	.70	2.00		.10
Structural Steel, Pot Tender Sandblaster	17.65	.70	2.00		.10
Epoxy; Tar; Finish metal Spray	18.15	.70	2.00		.10
Spray Painter	18.25	.70	2.00		.10
Tapers Hand	17.42	.70	2.00		.10
Tapers Machine	18.42	.70	2.00		.10
Buffer Operator	17.68	.70	2.00		.10
Hardwood Finishers	17.90	.70	2.00		.10
Zone 2:					
Brush, roller, paper and vinyl hangers	18.00	.65	2.00		.10
Utilidor, Swing, bosun, Sign	18.25	.65	2.00		.10
Structural steel, Pot tender-Sandblaster	18.50	.70	2.00		.10
Epoxy, Tar, Finish metal Spray	19.00	.70	2.00		.10
Spray painter	19.10	.70	2.00		.10
Tapers, Hand	18.27	.70	2.00		.10
Tapers, Machine	19.27	.70	2.00		.10
Buffer Operators	18.53	.70	2.00		.10
Hardwood Finisher	18.75	.70	2.00		.10
Zone 1, 2, and 3:					
Height Pay: All work on any form of scaffolding or staging over 40 ft. will be paid $.25 more per hour, and for every additional 20 ft. $.25 more per hour will be paid to the employee. The Height of work shall be determined from the ground to the point of hook-up.					

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
AREAS II and III:					
Brush, Roller, Sign Paper & vinyl, Swing Stage, Taper/Drywall, Structural Steel	$ 17.00	.70	$ 2.00		.20
Spray, Sandblast, Pot Tender	17.40	.70	2.00		.20
Epoxy and tar applicator	17.60	.70	2.00		.20
Steeple Jack and Tower	18.00	.70	2.00		.20
Height Pay: All classifications, with the exception of steeple jacks and tower painters, a $.25 hourly premium shall be paid for swing stage work on a structure with height in excess of 40 ft. an additional $.25 per hourly height pay shall be paid for each additional 50 ft. thereafter. Height pay on all towers and steeplejack work shall start at the 150 ft. level. $.50 per hour above the scale shall be paid for each additional 100 ft.	18.80	.70	2.00		.20
PLASTERERS	15.42	.70	2.28		.15
PLUMBERS: Steamfitters:					
Area I	18.42	.85	1.30		.45
Area II	16.85	.73	1.40		.15
Area III	16.50	1.00	1.70		.10
Residential Construction: Area II	14.32	.73	1.40		.15
ROOFERS:					
Area I	15.60	1.40	2.20		.05
Area II and III	15.30	1.40	2.20		.05
SHEET METAL WORKERS:					
Area I	18.99	.57	1.00		.17
Area II and III	18.36	.67	1.00		.15
SOFT FLOOR LAYERS:					
Area I	16.67	.70	1.65		.10
Areas II and III	16.04	.70	1.65		.15
SPRINKLER FITTERS	17.01	.65	.95		.08

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SURVEY CREWS:					
Party Chief	$14.45	.98	$ 3.00		.05
Instrumentman	13.21	.98	3.00		.05
Head Chainman	12.66	.98	3.00		.05
Stakehop	12.66	.98	3.00		.05
Rear Chainman	12.23	.98	3.00		.05
TERRAZZO WORKERS' and TILE SETTERS' HELPERS	12.83	.90	2.25		.09
TILE SETTERS	15.01	.90	2.45		.09
RIGGERS: WELDER: Receive rates for welding is incidential.	craft performing operation to which rigging or				
PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					
FOOTNOTE: a. Employer contributes 4% of the basic hourly rate for over 5 years' service and 2% of the basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit. Six paid holidays: A through F.					
LABORERS					
Group 1	$13.10	.60	2.25		.09
Group 2	13.27	.60	2.25		.09
Group 3	13.31	.60	2.25		.09
Group 4	13.34	.60	2.25		.09
Group 5	13.38	.60	2.25		.09
Group 6	13.39	.60	2.25		.09
Group 7	13.44	.60	2.25		.09
Group 8	13.52	.60	2.25		.09
Group 9	13.77	.60	2.25		.09
Group 10	13.80	.60	2.25		.09
Group 11	13.88	.60	2.25		.09
Group 12	13.90	.60	2.25		.09
Group 13	13.91	.60	2.25		.09
Group 14	14.02	.60	2.25		.09
Group 15	14.14	.60	2.25		.09
Group 16	14.27	.60	2.25		.09
Group 17:					
Class A	13.10	.60	2.25		.09
Class B	13.29	.60	2.25		.09
Class C	13.60	.60	2.25		.09
Class D	14.16	.60	2.25		.09
Class E	14.31	.60	2.25		.09
Class F	14.55	.60	2.25		.09

LABORERS

Group 1: Building Laborers; Carpenters Tenders; Material Handlers and Hook Tenders; Form Strippers; Signalmen; Riggers; Sandblast Pot Tender; Saw Tenders; General Labor; Dump Man; Pit Man; Brush Cutters, Ditch Diggers; ; Monolithic Workers; Dryer Man; Window Cleaner; Utiliwalk and Utilidor

Group 2: Base and Floor Machine Man

Group 3: Choke Setters

Group 4: Concrete Labor including Vibratorman; Power Butty and Concrete Power Saw; Curb and Gutterman; General Crew (including Plant Crew) Asphalt

Group 5: Pneumatic or Power Tools

Group 6: Stake Hopper; Grademan; Steampoint or Water Jet Operator

Group 7: Tank Cleaner

Group 8: Jackhammer Operator and Pavement Breaker; Chuck Tender (Wagon and Air Track Drills)

Group 9: Mason Tender and Mud Mixers

Group 10: Gunnite Operator; Pipelayers; Culvert and Multiplate; High Scaler; Sloper (over 20 feet); Chain and Power Saws; Sack or bulk; Sewer Pipelayer; Sewer Caulkers; Timberman; All Monolithic Crews; Pipe Builders; Sandblasters

Group 11: Asphalt Rakers

Group 12: Tenders; Plasterers; Bricklayers; Cement Finisher; Burning and Cutting Torch (except intermittent torch work)

Group 13: Wagon Driller

Group 14: Timber Faller; Air Track Wagon Driller

Group 15: Chain Saw Filer

Group 16: High Riggers and Tree Topper, Powderman

Group 17: TUNNEL OR SHAFT
Class A: Topman and Bull Gang; Brakeman
Class B: Muckers, Laborers; Nippers
Class C: Chuck Tender
Class D: Retimberman
Class E: Miners, Shafts and Raises
Class F: Powderman

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 13.93	.90	$ 2.50		.15
Group 2	14.82	.90	2.50		.15
Group 3	13.86	.90	2.50		.15
Group 4	13.99	.90	2.50		.15
Group 5	14.88	.90	2.50		.15
Group 6	15.66	.90	2.50		.15
Group 7	14.25	.90	2.50		.15
Group 8	13.42	.90	2.50		.15
Group 9	14.31	.90	2.50		.15
Group 10	14.58	.90	2.50		.15
Group 11	14.07	.90	2.50		.15
Group 12	16.41	.90	2.50		.15
Group 13	13.94	.90	2.50		.15
Group 14	14.34	.90	2.50		.15
Group 15	13.84	.90	2.50		.15
Group 16	14.37	.90	2.50		.15
Group 17	14.67	.90	2.50		.15
Group 18	12.76	.90	2.50		.15
Group 19	13.31	.90	2.50		.15
Group 20	14.26	.90	2.50		.15
Group 21	13.58	.90	2.50		.15
Group 22	12.91	.90	2.50		.15
Group 23	13.35	.90	2.50		.15
Group 24	13.52	.90	2.50		.15
Group 25	17.18	.90	2.50		.15
Group 26	17.85	.90	2.50		.15
Group 27	14.51	.90	2.50		.15
Group 28	13.88	.90	2.50		.15
DREDGING					
Group 1	13.23	1.00	3.00		
Group 2	13.36	1.00	3.00		
Group 3	14.29	1.00	3.00		
Group 4	14.35	1.00	3.00		
Group 5	14.51	1.00	3.00		
Group 6	14.92	1.00	3.00		
Group 7					
(a)	15.70	1.00	3.00		
(b)	16.45	1.00	3.00		

POWER EQUIPMENT OPERATORS

Group 1: Batch Plant Operator; Batch and Mixer, 200 yards per hour and under; Loaders; Elevating - Athey, Barber Greene and similar types; Overhead and front-end, under 2½ yards; Mixers; Concrete Mixers and Batch, 200 yards per hour and under; Pumps; Puller Kenyon, Pumpcrete and Concrete, Rollers, Tampers and Vibrators: on Plant or Road Mix materials; Tractor, Farmall types, 50 h.p. and over; Trenching Machines, under 16 inches

Group 2: Batch Plant Operator: Batch and Mixers, over 200 yards; Derricks, all; Drilling Machines, Core, Cable Rotary and Exploration; Mixers: Mobile type with hoist combination; Mucking Machines, Mole, Tunnel Drill and/or Shield

Group 3: Brooms, Power Wayne, Saginaw and similar types; Bulldozers, under D6 or similar; Post Hole Diggers, mechanical; Saws, Concrete; Scrapers; Carryall type, tandem

Group 4: Bulldozers: D6 through D9 or similar; Bump Cutter (Concut Christenson or similar types); Conveyors

Group 5: Bulldozers: TC 12, Quad 9, Pay Dozers, Linked Pusher, H.D. 41 and/or similar; Bulldozers engaged in Yo Yo Operation; Cableways and Highlines, 3 yards and under; Cranes: "A" Frame Trucks; Helicopter, transporters; Deck Winches (double power drum); Crawler, truck type, Floating Locomotive, Whirley, either 3 yards and under or 150 boom including jibs and under 45 tons and under; Hydralifts or Transporter (all track or truck type), Hyster Cat Cranes and attachments, Sidebooms 45 tons and under; Fork Lifts with power broom and swing attachment; Loaders: Overhead and Front-end, 2½ yards and under 4 yards; Motor Patrol Graders: Over Model 14 or similar types; Piledriver Engineers, (Ford, Ferguson, Case and similar types); Tournapulls, Caterpillar, Euclid Scrapers and similar type equipment, over 25 yards through 40 yards; Hover Craft, Flex Craft, Helicopter; Transporter; Cableways; Rollagon, Dredge Barge Cable, Highline or Cable Car, Boat Coxswain

POWER EQUIPMENT OPERATORS (Cont'd)

Group 6: Cableways and Highways, over 3 yards; Cranes: Crawler, truck type, Floating, Locomotive, Whirley, either over 3 yards and under 6 yards, over 150' boom, including jibs or over 45 tons; Tower Cranes, Pecco, Lorraine, Bucyrus and similar types; Hyster Cat Cranes and attachments, Sidebooms over 45 tons through 100 tons; Loaders: Overhead and Front-end, 4 yards up to and including 10 yards; Shovels: Crawler and truck type, all attachments, 3 yards and under 6 yards; Tournapulls, Caterpillar, Euclid Scrapers and similar type equipment over 40 yards through 55 yards; Slip Form Paver, C.M.I. and similar types

Group 7: Cement Hogs; Locomotives: Rod and Greared Engines

Group 8: Compressors: Excavating; Locomotives: Dinkey (air, steam, gas, and electric) Speeders

Group 9: Compressors: Steel Erection including Sandblasting, Painting or same, Pile Driving, Hoists on Steel Erection (Towermobiles and Air Tuggers); Loaders: Fork Lifts with tower

Group 10: Conveyors, Beltcrete with power pack and similar; Loader: Elevating Belt type, Euclid and similar types

Group 11: Cranes: "A" Frame Trucks, Deck Winches, single power drum; Crushers, rock, washing and screening plants; Hoist Air Tuggers, Elevators; Motor Patrol Graders: Model 14 or similar types and under; Power Plant Turbine Operators: under 300 K.W.; Shovels; Tournapulls, Caterpillar, Euclid, Scrapers and similar type equipment 25 yards and under

Group 12: Cranes: Crawler, truck type, Floating, Locomotive, Whirley, either 6 yards or over, or over 200' of boom including jibs or over 150 tons; Hyster Cat Cranes and attachments, Sidebooms over 100 tons; Loaders: Overhead and front-end, over 10 yards; Shovels: Crawler and truck type, all attachments, 6 yards and over; Tournapulls, Caterpillar, Euclid, Scrapers and similar type equipment over 55 yards thorugh 70 yards

Group 13: Finishing Machine Operator, Concrete Paving, Sidewalk Curb and Gutter Machine; Screed Man or Slurry Operator; Spreaders - Blaw Knox, Cedarapids, Barber Greene, Railroad Wing Spreader or similar types

Group 14: Loaders: Elevating Grader type, Dumor and similar types

Group 15: Loaders: Fork Lifts or Lumber Carrier (on construction job site)

Group 16: Mechanics, Welders, Machinists, heavy duty

Group 17: Mechanic; Leadman

POWER EQUIPMENT OPERATORS (Cont'd)

Group 18: Mechanics' Helpers, Heavy Duty (shop), Stake Hopper, Grademan

Group 19: Mechanic, light duty; Rollers, Tampers and Vibrators: Other than plants or road mix (where towed, to pay rate or equipment used to pull); Tractors, Farmall type less than 50h.p.; Scrapers; Carryall type, single

Group 20: Mixers, Asphalt

Group 21: Oilers, Brakemen, Blower Distributors

Group 22: Grade Checkers - Oiler combination); Safety Observer or Oiler Rigger

Group 23: Journeyman Equipment Service; Drill-helper; Oilers and Fireman; Oiler, either over 3 yards to over 150' boom or over 45 tons

Group 24: Pumps: Water

Group 25: Tournapulls, Caterpillar, Euclid Scrapers and similar types equipment over 70 yards through 85 yards

Group 26: Tournapulls, Caterpillar, Euclid Scrapers and similar type equipment, over 85 yards through 100 yards

Group 27: Trenching Machines: 16 inches and over or Remote controlled underwater Trenching

Group 28: Nodwell Sno-cat

POWER EQUIPMENT OPERATORS - DREDGING

Group 1: Assistant Mate (Deckhand)

Group 2: Fireman; Oiler

Group 3: Assistant Engineer (electric, diesel, steam or booster pumps); Mates and Boatmen

Group 4: Engineer Welder; Craneman

Group 5: Assistant Engineer (electric generator operator for primary pump, power barge, or dredge)

Group 6: Leverman, Hydraulic

Group 7: Leverman, Dipper:
(a) 5 yards and under
(b) Over 5 yards

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$13.22	.98	$ 3.00		.10
Group 2	13.28	.98	3.00		.10
Group 3	12.75	.98	3.00		.10
Group 4	13.60	.98	3.00		.10
Group 5	14.00	.98	3.00		.10
Group 6	14.31	.98	3.00		.10
Group 7	14.60	.98	3.00		.10
Group 8	14.91	.98	3.00		.10
Group 9	15.22	.98	3.00		.10
Group 10	15.53	.98	3.00		.10
Group 11	15.84	.98	3.00		.10
Group 12	16.15	.98	3.00		.10
Group 13	16.45	.98	3.00		.10
Group 14	13.74	.98	3.00		.10
Group 15	12.47	.98	3.00		.10
Group 16	12.90	.98	3.00		.10
Group 17	13.58	.98	3.00		.10
Group 18	13.84	.98	3.00		.10
Group 19	14.11	.98	3.00		.10
Group 20	14.38	.98	3.00		.10
Group 21	14.55	.98	3.00		.10
Group 22	13.52	.98	3.00		.10
Group 23	12.64	.98	3.00		.10

TRUCK DRIVERS

Group 1: Buggymobile; Hyster Operators (handling aggregate), Lumber Carrier

Group 2: Semi or truck and trailer; Dumpsters; Batch Trucks over 5 yards; Dump Trucks, over 5 yards up to and including 10 yards; Fuel Truck; Greasers of Grease Trucks; Flat Beds, dual rear axle; Ready Mix: Over 3 yards up to and including 5 yards; Water Wagon, semi; Water Wagon, dual axle; Winch Trucks; Flat Bed including "A" Frame manufactures rating over 5 tons; Bull Lifts and Fork Lifts over 5 tons; Front End Loader with Forks; Partsman and Outside Expeditor; Bus Operator, over 30 passengers, Track Truck Equipment; (All Terrain Vehicles, Form Distributor Truck, double axle; Loadmaster (air and water operations); Air cushion or similar type vehicle; Fire Trucks - double axle

Group 3: Batch Truck up to and including 5 yares; Dump Truck (including Rockbuggy and Trucks with pumps) up to and including 5 yards; Flat Beds, single rear axle; Water Wagon, single axle; Winch Truck, Flat Bed including "A" Frame manufactured rating 5 tons and under; Bull Lifts and Fork Lifts up to and including 5 tons; Bus Operator, up to 30 passengers; Form Distributor Truck, single axle, Hydro Seeder, single axle, Team Drivers (horses, mules and similar equipment); Vacuum Trucks and Truck Sweepers - single axle; Fire Trucks - single axle; Ambulance

Group 4: Dump Trucks over 10 yards up to and including 20 yards; Tire Services Man; Lowbed heavy-duty Trailer; Oiler Distributor Drivers; Ready Mix: Compactor (when pulled by rubber-tired equipment)

Group 5: Dump Trucks over 20 yards up to and including 30 yards

Group 6: Dump Trucks over 30 yards up to and including 40 yards

Group 7: Dump Trucks over 40 yards up to and including 50 yards

Group 8: Dump Trucks over 50 yards up to and including 60 yards

Group 9: Dump Trucks over 60 yards up to and including 70 yards

Group 10: Dump Trucks over 70 yards up to and including 80 yards

Group 11: Dump Trucks over 80 yards up to and including 90 yards

TRUCK DRIVERS (Cont'd)

Group 12: Dump Trucks over 90 yards up to and including 100 yards

Group 13: Dump Trucks over 100 yards (above scales to be paid on actual water level measurements)

Group 14: Turn-O-Wagoner DW-10 when not self-loading

Group 15: Gravel Spreader Box Operator on Truck; Pickup (pilot Cats all light-duty vehicles); Warehouseman Class 2: Farm Type rubber-tired tractor (material hauling); Swampers and Riggers

Group 16: Ready Mix: Up to and including 3 yards

Group 17: Ready Mix: Over 5 yards up to and including 7 yards

Group 18: Ready Mix: Over 7 yards up to and including 9 yards

Group 19: Ready Mix: Over 9 yards up to and including 12 yards

Group 20: Ready Mix: 13 yards and over

Group 21: Ready Mix, semi with double bowl mixer

Group 22: Water Wagon, when pulled by Euclid or similar type equipment

Group 23: Warehouseman - Class 1

STATES: Georgia, North Carolina, South Carolina, Virginia, and Washington, D. C., and in Florida, all counties on the Atlantic coast and the Gulf coast west to the Aucilla River and all tributary Waterways.
DECISION NUMBER: GA-78-1015 DATE: Date of Publication
Supersedes Decision No. GA-77-5035, dated March 11, 1977 in 42 FR 13756
DESCRIPTION OF WORK: Dredging

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
HYDRAULIC DREDGES 20" AND OVER					
Levermen	$7.63	.63	.50	a	
Engineer	7.53	.63	.50	a	
Mate	6.70	.63	.50	a	
Welder	6.94	.63	.50	a	
Derrick Operator	7.22	.63	.50	a	
Spill barge operator	7.06	.63	.50	a	
Spider barge operator	7.06	.63	.50	a	
Tug master	6.64	.63	.50	a	
Carpenter	7.18	.63	.50	a	
Tug mate	6.30	.63	.50	a	
Electrician	7.36	.63	.50	a	
Machinist	7.11	.63	.50	a	
Steward	5.69	.63	.50	a	
Oiler & Fireman	5.49	.63	.50	a	
Deckhand & tug deckhand	5.08	.63	.50	a	
Shoreman	4.97	.63	.50	a	
Second cook	5.08	.63	.50	a	
Messman	4.97	.63	.50	a	
HYDRAULIC DREDGES UNDER 20":					
Leverman	6.90	.63	.50	a	
Engineer	6.51	.63	.50	a	
Welder	6.64	.63	.50	a	
Mate	5.82	.63	.50	a	
Oiler and Fireman	5.42	.63	.50	a	
Launchman	5.49	.63	.50	a	
Shoreman	4.97	.63	.50	a	
Spill barge operator	5.99	.63	.50	a	
Spider barge operator	5.99	.63	.50	a	
CLAMSHELL DREDGES:					
Operator	7.56	.63	.50	a	
Engineer	7.08	.63	.50	a	
Welder	6.84	.63	.50	a	
Mate	6.55	.63	.50	a	
Fireman & Oiler	5.49	.65	.50	a	
Deckhand	5.08	.63	.50	a	
Launchman	5.49	.63	.50	a	
Scowman	5.18	.63	.50	a	

DECISION NO. GA78-1015

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DIPPER DREDGES:					
Operator	7.65	.63	.50	a	
Craneman	7.26	.63	.50	a	
Engineer	7.44	.63	.50	a	
Welder	6.94	.63	.50	a	
Mate	6.70	.63	.50	a	
Fireman & Oiler	5.49	.63	.50	a	
Deckhand	5.08	.63	.50	a	
Tug master	6.64	.63	.50	a	
Tug mate	6.30	.63	.50	a	
Scowman	5.18	.63	.50	a	
TUGS (TENDING DIPPER & CLAMSHELL DREDGES):					
Tug master	6.78	.63	.50	a	
Tug mate	6.37	.63	.50	a	
Engineer	6.78	.63	.50	a	
Assistant engineer	6.22	.63	.50	a	
Deckhand	5.00	.63	.50	a	
Cook	5.18	.63	.50	a	
STEWARD DEPARTMENT - ON DIPPER AND CLAMSHELL DREDGES AND ON HYDRAULIC DREDGES 20" AND UNDER:					
Cook	5.42	.63	.50	a	
Mess cook	5.04	.63	.50	a	
Messmen & janitor	4.94	.63	.50	a	
DRILLBOATS:					
Driller	7.53	.63	.50	a	
Blaster	7.53	.63	.50	a	
Operator engineer	7.53	.63	.50	a	
Helper	5.49	.63	.50	a	

FOOTNOTE:

PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

a. Six paid holidys, A through f, plus vacation contribution of 7% of straight time pay.

SUPERSEDEAS DECISION

STATE: INDIANA COUNTY: DECATUR
DECISION NUMBER: IN78-2025 DATE: Date of Publication
Supersedes Decision No. IN77-2008, dated February 11, 1977, in 42 FR 8908
DESCRIPTION OF WORK: Building construction (Does not include family homes & garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$12.00	.50	.55		.01
BOILERMAKERS	12.55	.80	1.00		.03
BRICKLAYERS; Stonemasons	10.00		.30		
CARPENTERS:					
Carpenters; Soft floor layers	9.74	.55	.65		.03
Piledrivermen	9.99	.55	.65		.03
Millwrights	10.24	.55	.65		.03
CEMENT MASONS	8.30		1.30		
ELECTRICIANS	11.90	4%	7%		.5%
ELEVATOR CONSTRUCTORS:					
Elevator constructors	11.285	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				
GLAZIERS	12.39				
IRONWORKERS:					
West ½ of County	11.15	.90	1.30		.05
East ½ of County:					
Ornamental; Structural	11.48	.90	1.05		.03
Reinforcing	10.68	.90	1.85		.02
LATHERS	11.09	.61	.35		.04
PLASTERERS	9.20	.80	.50		.01
PLUMBERS; Steamfitters	12.00	.50	.30		.05
ROOFERS:					
Composition & waterproof	10.95	.50	.50		
Slate, Tile, Asbestos & precast slab	11.20	.50	.50		
SHEET METAL WORKERS	11.94	.60	.70		.09
SPRINKLER FITTERS	11.65	.65	.95		.08
LABORERS:					
Group 1	7.40	.60	.45		.09
Group 2	7.60	.60	.45		.09
Group 3	7.70	.60	.45		.09
Group 4	8.40	.60	.45		.09

DECISION NO. IN78-2025

LABORERS

GROUP 1 - Building & Construction laborers; Scaffold builders (other than for masons or plasterers); Ironworkers helpers; Mechanic tenders; Civil engineer helpers & surveyor helpers; Rodmen & Chainmen; Window washers & cleaners; Waterboys & Toolhousemen ; Roofer's helpers; Railroad workers; Masonry wall washers (interior & exterior); Cement finisher helpers; Carpenter helpers; Helpers all of other crafts not listed; Mason tenders for Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley; All portable water pumps with discharge up to 3 inches

GROUP 2 - Waterproofing; Handling of creosote lumber of like treated material (excluding railroad material); Asphalt rakers & lutemen; Kettlemen; Air tool operators, vibrators, chipping hammer operator and all pneumatic tool operators; Earth compactors; Jackmen & sheetmen working ditches deeper than 6 ft. in depth; Laborers working ditches 6 ft. in depth or deeper; Assembly of Unicrete pump; Chain saw operators; Tile layers (sewer or field) & sewer pipe layers (metallic or non-metallic); Motor driven wheelbarrows & concrete buggies; Hyster operators; Pump crete assemblers; Conveyor assemblers; Core drill operators; Cement, lime or silica Clay handlers (bulk or bag); Handling of toxic materials damaging to clothing; Pneumatic spikers; Deck engine & winch operators; Water main & cable ducking (metallic & non-metallic)

GROUP 3 - Plasterers' tenders; Mason tenders, except for Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley; Mortar mixers; Welders (acetylene or electric); Cutting torch or burner; Cement nozzle laborers; Cement gun operators; Scaffold builders when working for plasterers; Scaffold builders when working for masons (except in Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley)

GROUP 4 - Dynamite men

FOOTNOTES:

a. 7 paid holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Day after Thanksgiving & Christmas Day

b. Employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 6% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

DECISION NO. IN78-2025

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP A	$10.58	.35	.35		.05
GROUP B	9.49	.35	.35		.05
GROUP C	8.75	.35	.35		.05

CLASSIFICATIONS

GROUP A: A-Frame winch truck, air compressor over 600 cu. ft., air tugger, auto-grade (CMI), auto patrol backhoe, ballast regulator (RR), batcher plant (electric control concrete), bending machine (pipe), bituminous plant, bituminous mixer travel plant, bituminous power roller, buildozer, cable way, Chicago boom, clamshell, concrete mixer (21 cu. ft. or over), crane, craneman, crusher plant, derrick boat, dinkey, dope pots (pipeline), dragline, dredge operator, drill operator, elevating grader, concrete paver, elevator, Ford hoe, (or similar type equipment), forklift formless paver, gantry crane, gradeall, grademan, grout pump, Hetherington paver, highlift hoist, hopto. hough loader (or similar type), hydro crane, hydro hammer, locomotive crane, locomotive, mechanic mobile mixer, motor crane, motor crane oiler and one(1) piece of minor equipment, mucking machine, multiple tamping machine (RR), overhead crane, pile driver, pulls, push dozer, push boats, roller (sheepfoot), Ross carrier, scoop shovel, side boom, swing crane, tail boom, tar machine (pipeline), throttle valve, trench machine, welder pump, truck mounted drill 2 to 4 pieces of minor equipment,well point, whirleys

GROUP B: Air compressor (200 cu. ft. per minute capacity or more) brakeman, bull float, concrete mixer (over 10S and under 21S), concrete spreader or puddler, deck engine drill helper, electric vibrator Kompactor (earth or rock), finishing machine, fireman, greaser (on grease facilities servicing heavy equipment), material pump motor boats, motor crane oiler, oiler and one piece of minor equipment, portable loader, post hole digger, power broom, rock roller, roller-wobble wheel (earth and rock), spike machine (RR), seaman tiller, spreader rock, sub-grader, tamping machine, truck mounted drill oiler, welding machine widener (Apsco or similar type)

GROUP C: Air compressor (under 200 cu. ft. per minute), biutminous distributor . cement gun, conveyor, desk hand, earth roller form grader, generator, guard rail driver, heater, oiler, paving joint machine, steam Jenny, vibrator, water pump , concrete saw

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TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$8.45	$25.50a	$18.00a	b & c	
GROUP 2	8.50	25.50a	18.00a	b & c	
GROUP 3	8.55	25.50a	18.00a	b & c	
GROUP 4	8.60	25.50a	18.00a	b & c	
GROUP 5	8.65	25.50a	18.00a	b & c	
GROUP 6	8.70	25.50a	18.00a	b & c	
GROUP 7	8.80	25.50a	18.00a	b & c	
GROUP 8	8.85	25.50a	18.00a	b & c	
GROUP 9	8.90	25.50a	18.00a	b & c	
GROUP 10	8.95	25.50a	18.00a	b & c	
GROUP 11	9.10	25.50a	18.00a	b & c	

GROUP 1: Drivers on single axle, lowboy helper or flagman, drivers on air compressors and welding machines including those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters

GROUP 2: Drivers on Mixer Trucks 2 yards

GROUP 3: Mechanic Helpers and Greasers

GROUP 4: Drivers on Batch Trucks wet or dry 3 batches or under

GROUP 5: Drivers on Tandem Axle Trucks (including Dog-Legs), Drivers on Oil Distributors Drivers on Mixers Trucks 3 yards, Winch Trucks

GROUP 6: Drivers on Single axle, semi-trucks, Drivers on batch trucks wet or dry or dry over 3 batches, Drivers on pavement breakers

GROUP 7: Drivers on Tandem-Axle semi-trucks, Drivers on trac-o-trucks, Euclids, Tournapull when pulling other than self-loading equipment up to and including 10 yards, Drivers on mixer trucks 4 yards, Mechanics

GROUP 8: Drivers on Tri-axle Trucks

GROUP 9: Drivers on Low-Boy, Drivers on Tandem, Tandem Axle Semi-trucks

GROUP 10: Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading equipment 11 yards to and including 16 yards, Drivers on mixer trucks above 4 yards

GROUP 11: Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equipment over 16 yards, Helicopter pilot

FOOTNOTES:
a. per week per employee
b. 1 week's paid vacation after 1 year's service; 2 weeks' paid vacation after 3 years' service; & 3 weeks' paid vacation after 10 years' service.
c. 7 paid holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Day after Thanksgiving Day; & Christmas Day

SUPERSEDEAS DECISION

STATE: Indiana COUNTIES: *See Below
DECISION NUMBER: IN78-2030 DATE: Date of Publication
Supersedes Decision No. IN77-2083 dated May 13, 1977 in 42 FR 24596
DESCRIPTION OF WORK: Heavy and Highway Construction

*Statewide, except Lake, LaPorte, Porter, and St. Joseph Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Jasper, Newton, and Starke Counties	$12.03	.50	.57		.05
Elkhart County	9.98	.60	.60		.05
Bartholomew (Camp Atterbury), Boone, Fountain, Hamilton, Hancock, Hendricks, Johnson (except Edinburg), Marion, Montgomery, Morgan (except Washington), Parke (except portion lying west of a line south and north running through Jessup, Rosedale, Carbondale, and Poland), Putnam, Vermillion (north of the south city limits of Summit Grove), and Warren Counties	10.45	.60	.50		.08
Remainder of State of Indiana	9.88	.55	.45		.05
CEMENT MASONS:					
Adams, Allen, Dekalb, Noble, Steuben, and Whitley Counties	9.75	.75			.01

DECISION NO IN78-2030

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS (Cont'd)					
Benton, Carroll (Northeast section of Co., south & west to, but not incl. Flora in the eastern section, & south to, but not incl. Rockfield, & west to, but not incl. Yeoman), Cass, Clinton, Fountain, Fulton, Howard, Jasper (excluding northeastern portion of Co., but including Wheatfield), Miami, Montgomery, Newton, Pulaski (excluding northern 2/3 of Co.), Tippecanoe, Warren, & White Cos.	$ 9.25	.60	.75		
Jasper (northeastern portion of Co. west to, but not incl. Wheatfield), Pulaski (northern 2/3 of Co.), & Starke Cos.	9.42	.60	.90		.03
Marshall Co.	9.66	.60	.80		.04
Blackford, Delaware, Grant, Huntington, Jay, Randolph, Wabash, & Wells Cos.	9.90	.60			
Elkhart, Kosciusko, & LaGrange Cos.	10.48		.30		.02
Hamilton (northern ½ of Co.), Hancock (eastern ½ of Co.), Henry, Madison, & Tipton Cos.	8.23	.40	.35		
Decatur, Fayette, Franklin, Rush, Union, & Wayne Cos.	8.30		1.30		
Boone, Hamilton (southern ½ of Co., north to the new Rte. Indiana Hwy #32 incl. Noblesville), Hancock (southern & western part, north to but not incl. Wilkinson & east to, but not incl. Fortville), Hendricks, Johnson, Marion & Morgan (northern ½ of Co.) Cos.	9.71	.65	.75		.04
Crawford, Dubois, Perry, Posey, Spencer, Vanderburgh, & Warrick Cos.	9.80	.65	.55		
Greene & Sullivan Cos.	10.55	.40	.70		.01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS (Cont'd)					
Daviess, Gibson, Knox, Martin & Pike Cos.	$ 9.35	.70	.80		
Clark, Floyd, & Harrison Cos.	9.28	.60	.30		
Dearborn, Ohio, Ripley, & Switzerland Cos.	7.50				
Jackson, Jefferson, Jennings, Lawrence, Orange, Scott, & Washington Cos.	9.60				
Clay, Owen (extreme western part of Co.), Parke, Putnam, Vermillion, & Vigo Cos.	10.20	.60	.25		
IRONWORKERS:					
Adams, Allen, Blackford, Dekalb, Delaware (northeastern 1/3 of Co.), Grant (excluding s/w portion), Huntington, LaGrange (eastern ½ of Co.), Noble, Steuben, Wabash, Wells, & Whitley Cos.	11.20	.90	1.20		.02
Elkhart, Fulton, Kosciusko, LaGrange (western ½ of Co.), Marshall, Pulaski, & Starke Cos.	10.55	.90	1.33		.03
Jasper (Northern ½ of Co.), & Newton Cos.	12.12	.80	1.36		.09
Clark, Crawford, Floyd, Harrison Jackson (southern ½ of Co.), Jefferson, Jennings (southern ½ of Co.), Lawrence (southern 2/3 of Co.), Martin (eastern ½ of Co.), Orange, Scott, & Washington Cos.	10.50	.75	.95		.05
Marion Co.	11.00	.90	1.30		.05
Dubois, Gisbon, Martin (western ½ of Co.), Perry, Pike, Posey, Spencer, Vanderburgh & Warrick Cos.	8.15	.25	.25		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS (Cont'd):					
Bartholomew, Boone (southeastern ½ of Co.), Brown, Clinton (eastern 1/3 of Co.), Decatur (western ½ of Co.), Delaware (southern 2/3 of Co.) Grant (S/W Portion), Hamilton, Hancock, Hendricks, Henry, Howard, Jackson (northern ½ of Co.), Jennings (northern ½ of Co.), Johnson, Lawrence (northeastern 1/6 of Co.), Madison, Monroe, Morgan, Owen, Putnam (eastern ½ of Co. excluding Greencastle), Rush, Shelby, & Tipton Cos.	$11.15	.90	1.30		.05
Benton, Boone (northwestern ½ of Co.), Carroll, Cass, Clinton (western 2/3 of Co.), Fountain, Jasper (southern ½ of Co.), Miami, Montgomery, Tippecanoe, Warren, & White Cos.	10.64	.90	1.25		.02
Fayette, Jay, Randolph, Union, & Wayne Cos.	10.96	.90	1.25		.04
Clay, Daviess, Greene, Knox, Lawrence (northwestern 1/6 of Co.), Parke, Putnam (western ½ of Co. incl. Greencastle), Sullivan, Vermillion, & Vigo Cos.	10.60	.90	1.90		.10
Dearborn, Decatur (eastern ½ of Co.), Franklin, Ohio, Ripley & Switzerland Cos.	11.48	.90	1.05		.03
PAINTERS:					
Adams, Allen, Dekalb, Grant, Huntington, LaGrange, Noble, Steuben, Wabash, Whitley, & Wells (northern ½ of Co. to & incl. Bluffton):					
Brush; Paperhangers; Rollers; & Tapers	8.60	.42	.45		.10
Sandblasters; Spray	9.60	.42	.45		.10

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS (Cont'd)					
Bartholomew, Decatur, Jackson & Jennings Cos.:					
Brush; Roller; & Steel	$ 9.45		.50		
Spray	10.45		.50		
Benton, Clinton, Fountain, Montgomery, Putnam, Tippecanoe, & Warren Cos.:					
Brush; Roller	10.15				
Structural Steel	10.40				
Sandblasting	11.15				
Spray	13.42				
Blackford, Cass, Delaware, Fulton, Howard, Jay, Madison, Miami, Tipton, & Wells (to the south city limits of Bluffton) Cos.:					
Brush	8.55		.60		
Spray	9.30		.60		
Boone, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan (north ½ of Co.) & Shelby Cos.:					
Brush	9.98	.47	.20		
Spray	10.98	.47	.20		
Brown, Monroe, Morgan (excluding north ½ of Co.) & Owen Cos.:					
Brush	8.90			.30	
Structural Steel	9.65			.30	
Spray	9.90			.30	
Carroll, Jasper, Newton, & White Cos.:					
Brush	10.65	.64	.50		.05
Sandblasting; Sign; & Spray	11.40	.64	.50		.05
Clark, Crawford, Floyd, Harrison, Jefferson, Scott, & Washington Cos.:					
Brush	8.62	.35	.20		.03
Spray	9.07	.35	.20		.03

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS (Cont'd):					
Daviess, Gibson, & Knox Cos.:					
Brush up to 30'	$9.05	.45			
Brush over 30'	9.85	.45			
Spray up to 30'	10.05	.45			
Spray over 30'	10.85	.45			
Dearborn, Ohio, Ripley & Switzerland Cos.:					
Brush; roller; wallwashing; Drywall taping & finish; paperhanging & vinyl; seamless floors & finishing floors; sanding	9.70				
Sandblasting & Steam clean	10.45				
Spray; Epoxy	10.20				
Tanks, elevators, bridges, Steeples over 40 ft.	10.80				
Dubois, Perry, Pike, Posey, Spencer, Vanderburgh, & Warrick Cos.:					
Brush	10.10	.65	.30		
Spray	11.10	.65	.30		
Elkhart, Koscuisko, Marshall, Pulaski & Starke Cos.:					
Brush	9.04		.20		$15.00p/yr
Drywall taping & finish; Paperhangers; Spray & Vinyl	9.04		.20		15.00p/yr
Fayette, Franklin, Henry, Randolph, Rush, Union, & Wayne Cos.:					
Brush	8.35				
Sandblasting; Spray	9.35				
Structural Steel; Scaffold over 30 ft.	8.60				
Lawrence, Martin, & Orange Cos.:					
Brush; & Structural Steel	8.00				
Parke, & Vermillion Cos.:					
Brush	9.65			.25	
Spray	11.15			.25	
Sullivan, & Vigo Cos.:					
Brush	8.50			.25	
Spray	9.50			.25	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS (Cont'd)					
Sullivan, & Vigo Cos.: (Cont'd)					
Structural steel up to 30'	$ 8.75			.25	
Structural steel 30' to 100'	9.50			.25	
Structural steel over 100'	10.50			.25	

LABORERS: HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$ 7.60	.70	.50		.09
GROUP 2	7.75	.70	.50		.09
GROUP 3	7.80	.70	.50		.09
GROUP 4	7.90	.70	.50		.09
GROUP 5	8.45	.70	.50		.09

LABORERS

GROUP 1: Chainman; Construction laborer; Continuous steel rod or mat installer; Fence erector; Grade checker; Guard rail erector; Joint man (mortar, mastic & all other types); Lighting installer (permanent & temporary); Lineman for automatic grade maker or paving machine; Manhole erector; Mortar man; Multi-plate erector; Rip-rap laborer, incl. all materials; Road marking & delineation laborer; Rodman; Sandblaster man; Setting & placing of all pre-stressed & precast concrete products; Spraying of epoxy, curing compound or like material; Survey crew helper; Temporary waterline installer; Top laborer; Wire mesh layer

GROUP 2: Air tool, power tool, & power equipment operator; Asphalt lute man; Asphalt raker man; Batch truck dumper; Cement handler (bulk or bag cement); Chain saw man; Concrete conveyor assembly man; Concrete puddler; Concrete rubber; Concrete saw operator - non riding type; Core drill operator; Hand blade operator; Hydro seeder man; Motor driven Georgia buggy operator; Power driven compactor or tamper operator; Power saw operator; Pumpcrete assembly man; Sealer applicator for asphalt, toxic; Side rail setter - for sidewalks, side ditches, radii & pavements, etc.; Sign installation, including supporting structures; Spreader box tender; Straw blower man; Subsurface drain & culvert pipe layer; Transverse & longitudinal hand bull float man

GROUP 3: Horizontal boring & jacking man; Jackman & sheetman; Pipe grade man; Wench & windlass operator

GROUP 4: Conduit installer; Cutting torch burner; Lazer beam aligner; Manual operated welder; Sewer pipe layer; Water line installer

GROUP 5: Air track & wagon drillman; Concrete finisher; Dynamite & powder man

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DECISION NO. IN78-2030
POWER EQUIPMENT OPERATORS
(Heavy & Highway Construction)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Adams, Allen, Benton, Blackford, Carroll, Cass, Clinton, Dekalb, Delaware, Fayette, Grant, Hamilton, Hancock, Henry, Howard, Huntington, Jay, Johnson, Madison, Marion, Miami, Randolph, Rush, Shelby, Steuben, Tippecanoe, Tipton, Union, Wabash, Wayne, Wells, White, & Whitley Counties:					
GROUP I	$10.30	.40	.40		.08
GROUP II	9.20	.40	.40		.08
GROUP III	8.77	.40	.40		.08
GROUP IV	7.96	.40	.40		.08
Elkhart, Fulton, Jasper, Kosciusko, LaGrange, Marshall, Newton, Noble, Pulaski, & Starke Counties:					
GROUP I	9.60	.70	.80		.08
GROUP II	8.50	.70	.80		.08
GROUP III	8.07	.70	.80		.08
GROUP IV	7.26	.70	.80		.08
Bartholomew, Brown, Clark, Crawford, Dearborn, Decatur, Dubois, Floyd, Franklin, Gibson, Harrison, Jackson, Jefferson, Jennings, Lawrence, Martin, Ohio, Orange, Perry, Pike, Posey, Ripley, Scott, Spencer, Switzerland, Vanderburgh, Warrick, & Washington Counties:					
GROUP I	10.40	.35	.35		.08
GROUP II	9.30	.35	.35		.08
GROUP III	8.87	.35	.35		.08
GROUP IV	8.06	.35	.35		.08
Boone, Clay, Daviess, Fountain, Greene, Hendricks, Knox, Monroe, Montgomery, Morgan, Owen, Parke, Putnam, Sullivan, Vermillion, Vigo, & Warren Counties:					
GROUP I	10.20	.40	.50		.08
GROUP II	9.10	.40	.50		.08
GROUP III	8.67	.40	.50		.08
GROUP IV	7.86	.40	.50		.08

POWER EQUIPMENT OPERATORS 2 of 3

Group 1: Air Compressors in Manifold with throttle valve; Asphalt Plant Engineer; Auto Grade or similar type machine; Auto Patrol; Backhoe on Farm type Tractor, 45 H.P. and over; Ballast Regulator (R. R.); Bituminous Mixer; Bituminous Paver; Bituminous Plant Engineer; Bull Dozer; Caisson Drilling Machine; Cherry Picker - 15 ton or over; Chip Spreader; Concrete Mixer 21 cu. ft. or over; Core Drilling Machine; Crane or Derrick with any attachment including clamshell, dragline, shovel, backhoe, etc.; Dredge Engineer; Dredge Operator; Drilling Machine on which the drill is an integral part; Earth Mover - rubber tired (paddle wheel, 619, 631, TS-24 or similar type); Earth Mover, rubber tired - tandem (50 cents per hour additional for each bowl); Elevating Grader; Fork Lift (10 ton or over); P.C.C. Formless Paver; Gradall; Gravel Processing Plant (Portable); Operator of Guard Rail Post Driver; Highlift Shovel - 1-1/2 cu. yd. or over; Hoist (2 drums and over); Helicopter - Crew; Hydraulic Boom Truck; Keystone (Skimmer Scoop); Loader - self-propelled (Belt-chain Wheel); Locomotive Operator; Mucking Machine; Panel Board Concrete Plant (Central Mix type); Paver-Hetherington; Pile Driver - Skid or Crawler; Road Paving Mixer; Rock Breaking Plant; Rock Crushing Plant (portable); Roller - Asphalt, Waterbound Macadam; Bituminous Macadam, Brick Surface; Roller with Dozer Blade; Root Rake, Tractor Mounted; Self-propelled Widener; Stump Remover, Tractor Mounted; Surface Heater and Planer; Tandem Push Tractor (50 cents per hour additional); Tractor - Boom, Winch or Hoe Head; Tractor - Push; Tractor Mounted Spreader; Tree Mover; Trench Machine (over 24"); Tug Boat Operator; Well Drilling Machine; Winch Truck with A-Frame

Group 2: Air Compressor with throttle valve or Clever Brooks type combination; Backfiller; Back Hoe on Farm type Tractor, under 45 H.P.; Bull Float; Cherry Picker under 15 ton; Chip Spreader (self-propelled); Concrete Pump; Concrete Mesh Depressor - independently operated; Concrete Spreader - power driven; End Loader under 1-1/2 cu. yd.; Excavating Loader - portable; Finishing Machine and Bull Float; Gunite Machine; Head Greaser; Mechanic; Mesh or Steel Placer; Multiple Tamping Machine (R.R.); P.C.C. Concrete Belt Placer; Pull Grader - power control; Refrigerating Machine - freezing operation; Ross Carrier; Sheepfoot Roller (self-propelled); Tamper - Multiple Vibrating - Asphalt, Waterbound Macadam, Bituminous Macadam, Brick Surface; Trench Machine 24" and under; Tube Float; Welder

POWER EQUIPMENT OPERATORS (Cont'd) 3 of 3

Group 3: Assistant Plant Engineer; Base Paver (Jersey or similar type machine); Concrete Finishing Machine; Concrete Mixer - less than 21 cu. ft.; Curb Machine; Farm Tractor - including farm tractor with all attachments except backhoe and including high lift end loaders of 1 cu. yd. capacity or less; Fireman (on boiler); Hoist (one drum); Operator, 5 pieces of minor equipment; Paving Breaker; Power Broom, self-propelled; Roller (Earth and Sub-base material); Slurry Seal Machine; Spike Machine (R.R.); Tamper - Multiple Vibrating - Earth and Sub-base material); Throttle Valve; Throttle Valve and Fireman combination on horizontal or upright boiler; Tractaire with Drill; Tractor - 50 H.P. or over; Well Point System; Widener (Apsco or similar type)

Group 4: Air Compressor; Assistant to Engineer - Oiler; Automatic Dry Batch Plant; Bituminous Distributor; Bituminous Patching Tamper; Belt Spreader; Broom and Belt Machine; Chair Cart (self-propelled); Coleman Type Screen; Conveyor (portable); Deck Hand; Digger Post Hole (power-driven); Fork Lift - under 10 ton; Form Grader; Form Tamper (motor driven); Generator; Greaser Helper; Hetherington Driver; Hetherington Helper; Hydra Seeder; Mechanics Helper; Mechanical Heater; Operator 1 thru 4 pcs. of minor equipment; Outboard or Inboard Motor Boat; Power Curing Spraying Machine; Power Saw - Concrete (power driven); Pug Mill; Pull Broom (power type); Seaman Tiller; Straw Blower or Brush Mulcher; Striping Machine, Paint (motor driven); Sub-grader; Tractaire; Tractor (below 50 H.P.); Truck Crane Oiler - Driver; Spreader; Water Pump; Welding Machine - 2 of 300 amps or over

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TRUCK DRIVERS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$8.38	19.50a	22.00a		
GROUP B	8.33	19.50a	22.00a		
GROUP C	8.28	19.50a	22.00a		
GROUP D	8.23	19.50a	22.00a		
GROUP E	8.18	19.50a	22.00a		
GROUP F	8.13	19.50a	22.00a		
GROUP G	8.08	19.50a	22.00a		
GROUP H	8.03	19.50a	22.00a		
GROUP I	7.98	19.50a	22.00a		
GROUP J	7.93	19.50a	22.00a		
GROUP K	7.88	19.50a	22.00a		
GROUP L	7.78	19.50a	22.00a		

CLASSIFICATIONS

GROUP A-Acey Wagons over 3 Buckets

GROUP B-Acey Wagons to and including 3 Buckets

GROUP C-Tandem-tandem Semi-Trucks-Truck Mechanics-Heavy Equipment Type Water Wagon over 5,000 Gallons-Tri-Axle Trucks pulling Tilt-Top Trailers- Low Boys, Tandem-tandem Axle

GROUP D-Tri-Axle Trucks-Tandem Semi-Trucks-Equipment not self loaded or pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Rug Bottom Dump, Tournatrailers, Tournarockers, Athey Wagons, or similar equipment over 12 cu. yd.-Tandem Axle Trucks pulling Tilt-Top Trailers-Low Boys, Tandem Axle-Tri-Axle Batch

GROUP E-Tandem "Dog-Legs" Trucks-Semi-Water Trucks-Sprinkler Trucks-Heavy Equipment Type Water Wagons 5,000 Gallons & Under

GROUP F-Truck Mounted Pavement Breakers-Tandem Trucks over 15 Ton Payload-Single Axle Semi-Trucks-Farm Tractors hauling material-Equipment not self loaded or Pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Rug Bottom Dump, Tournatrailers, Tournarockers, Athey Wagons or similar equipment 12 cubic yds. & under-Mixer Trucks, All Types-Single Axle Trucks pulling Tilt-Top Trailer Lowboys, Single Axle

GROUP G-Tandem Axle Fuel Trucks-Tandem Axle Water Trucks-Bituminous Distributor (one man)

GROUP H-Single Axle Dog-Legs-Tandem Trucks or Dog-Legs-Winch Trucks or A Frames used for Transportation-Batch Trucks Wet or Dry over 3 (34E) Batches-Grease and Maintenance Truck Servicing Tandem Axle Trucks

GROUP I-Single Axle Fuel Trucks-Single Axle Water Trucks-Bituminous Distributors, (two man)

GROUP J-Single Axle Straight Trucks-Batch Trucks, Wet or Dry 3 (34E) Batches or less-Grease & Maintenance Trucks servicing Single Axle Trucks

GROUP K-Helpers, Greasers, Tire Men, Batch Board Tenders

GROUP L-Pick-Up Trucks

FOOTNOTE: a-PER WEEK PER EMPLOYEE

LABORERS: SEWER, TUNNEL, & WATER CONSTRUCTION 1 of 2

	ZONE 2	ZONE 2A	ZONE 3	ZONE 4	ZONE 5
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
GROUP 1	$7.80	$7.60	$7.60	$7.50	$7.80
GROUP 2	7.95	7.75	7.75	7.65	7.95
GROUP 3	8.00	7.80	7.80	7.70	8.00
GROUP 4	8.10	7.90	7.90	7.80	8.10
GROUP 5	8.20	8.00	8.00	7.90	8.20
GROUP 6:					
A.	8.00	7.80	7.80	7.70	8.00
B.	8.15	7.95	7.95	7.85	8.15
C.	8.60	8.40	8.40	8.30	8.60
D.	8.10	7.90	7.90	7.80	8.10

Fringe Benefits Payments			
H & W	Pensions	Vacation	Education and/or Appr. Tr.
$.70	.50		.09

ZONES

ZONE 1: Jasper, Lake, LaPorte, Newton, Porter, & Starke Counties (Excluded from this schedule)

ZONE 2: Elkhart & St. Joseph Counties

ZONE 2A: Kosciusko, LaGrange, & Marshall Counties

ZONE 3: Adams, Allen, Benton, Blackford, Boone, Carroll, Cass, Clinton, DeKalb, Delaware, Fayette, Fulton, Grant, Hamilton, Hancock, Henry, Howard, Huntington, Jay, Madison, Miami, Montgomery, Noble, Pulaski, Randolph, Rush, Steuben, Tippecanoe, Tipton, Union, Wabash, Wayne, Wells, White, & Whitley Counties

ZONE 4: Marion & Shelby Counties

ZONE 5: Bartholomew, Brown, Clark, Clay, Crawford, Daviess, Dearborn, Decatur, DuBois, Floyd, Fountain, Franklin, Gibson, Greene, Harrison, Hendricks, Jackson, Jefferson, Jennings, Johnson, Knox, Lawrence, Martin, Monroe, Morgan, Ohio, Orange, Owen, Parke, Perry, Pike, Posey, Putnam, Ripley, Scott, Spencer, Sullivan, Switzerland, Vanderburgh, Vermillion, Vigo, Warren, Warrick, & Washington Counties

LABORERS

GROUP 1: Chainman; Construction laborer; Continuous steel rod or mat installer; Fence erector; Grade checker; Guard rail erector; Joint man (mortar, mastic & all other types); Lighting installer (permanent & temporary); Lineman for automatic grade maker or paving machine; Manhole erector; Mortar man; Multi-plate erector; Rip-rap laborer, incl. all materials; Road marking & delineation laborer; Rodman; Sandblaster man; Setting & placing of all pre-stressed & precast concrete products; Spraying of epoxy, curing compound or like material; Survey crew helper; Temporary waterline installer; Top laborer; Wire mesh layer

GROUP 2: Air tool, power tool, & power equipment operator; Asphalt lute man; Asphalt raker man; Batch truck dumper; Cement handler (bulk or bag cement); Chain saw man; Concrete conveyor assembly man; Concrete puddler; Concrete rubber; Concrete saw operator - non riding type; Core drill operator; Hand blade operator; Hydro seeder man; Motor driven Georgia buggy operator; Power driven compactor or tamper operator; Power saw operator; Pumpcrete assembly man; Sealer applicator for asphalt, toxic; Side rail setter - for sidewalks, side ditches, radii & pavements, etc.; Sign installation, including supporting structures; Spreader box tender; Straw blower man; Subsurface drain & culvert pipe layer; Transverse & longitudinal hand bull float man

GROUP 3: Horizontal boring & jacking man; Jackman & sheetman; Pipe grade man; Wench & windlass operator

GROUP 4: Conduit installer; Cutting torch burner; Lazer beam aligner; Manual operated welder; Sewer pipe layer; Water line installer

GROUP 5: Air track & wagon drillman; Concrete finisher; Dynamite & powder man

GROUP 6:
A. Bottom man; Concrete man
B. Concrete headman
C. Miner or header man
D. Mucker & Tunnel laborer

Adams, Allen, Blackford, DeKalb, Huntington, Jay, Steuben, Wells, & Whitley Counties

POWER EQUIPMENT OPERATORS: TUNNEL AND SEWER CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$10.30	.40	.40		.05
GROUP II	9.20	.40	.40		.05
GROUP III	8.80	.40	.40		.05
GROUP IV	8.00	.40	.40		.05

CLASSIFICATIONS

GROUP I
Air compressor (pressurizing shafts, tunnels & divers); Air tugger; Auto patrol; Back filler; Backhoe; Boom cat; Boring machine; Bull dozer; Caisson drilling machine; Cherry picker; Compactor (with dozer blade); Concrete mixer (dual drum); Concrete plant; Concrete pump; Crane with all attachments; Crane - electric overhead; Derrick; Dual purpose truck (pitman type); Ditching machine (18" and over); Dredge; Elevators (when hoisting material or tools); Fork lift; Formless paver; Generator (power for welders or compressors); Gradall; Helicoptor; Helicoptor winch operator; High lift - front end loader; Hoist; Locomotive and/or dinky engine; Mechanic on job site; Mucking machine; Panel board concrete plant; Pile driver; Push cat; Scoop & tractor; Scraper - rubber tired; Spreader - tractor mounted; Straddle carrier - ross type; Sub base finish machine (C.M.I. or similar); Tower crane; Tractor with backhoe (1/2 yard and over); Trench box - power driven; Tunnel shield; Welder (craft)

GROUP II
A frame truck; Batcher plant (automatic dry batch); Bending machine - Power driven; Bituminous mixer; Bituminous paver; Bituminous plant engineer; Boatman; Bull float; Compactor or tamper - self-propelled; Concrete mixer (21 cu. ft. or over); Concrete spreader - power driven; Ditching machine (less than 18"); Drilling machine; Finish machine & bull float; Finishing machine; Fireman - Pile driving and boilers; Gunite machine; Head greaser; Mechanic in shop; Mesh depresser - mesh placer; P.C.C. concrete belt placer; Roller - asphalt, Stone & sub base; Rotary drill; Sheepsfoot roller - self-propelled; Shop mule; Spreader or base paver-self-propelled; Sub grader; Throttle valve with air compressor or boiler; Tractor with backhoe (under 1/2 yard); Tractor - high lift - farm type; Tractor - industrial type; Tractor with winch; Well points; Winch truck

GROUP III
Air compressor (210 cu. ft. & over); Bituminous distributor; Chair cart; Concrete curing machine; Concrete saw; Dope pot - power agitated; Flex plane; Form grader; Hydrohammer; Jacks - hydraulic - power driven; Minor equipment operator 2,3,4, or 5; Paving joint machine; Post hole digger; Roller - earth; Throttle valve; Track jack - power driven; Tractor - farm type; Truck crane driver

GROUP IV
Air compressor (less than 210 cu. ft.); Concrete mixer (under 21 cu. ft.); Conveyor; Generator; Mechanical heater; Oiler; Power broom; Pump; Welding machine; Helpers

Boone, Clay, Daviess, Fountain, Greene, Hendricks, Knox, Monroe, Montgomery, Morgan, Owen, Parke, Putnam, Sullivan, Vermillion, Vigo, & Warren Counties

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POWER EQUIPMENT OPERATORS

Tunnel & Sewer Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$10.55	.40	.50		.08
GROUP II	10.45	.40	.50		.08
GROUP III	10.25	.40	.50		.08
GROUP IV	8.00	.40	.50		.08

CLASSIFICATIONS

GROUP I Master Mechanics

GROUP II Utility Operator

GROUP III Power Cranes, Draglines, Derricks, Electric Overhead Cranes, Shovels, Gradall, Mechanics, Repair and Maintenance of all Equipment, Tractor Highlift, Fork lifts, Tournadozer, Mixer over 1½S Capacity, Tournamixer, Two Drum Machine or Two Cage Hoists, Cableways, Tower Machines, Motor Patrol, Boom Tractor, Boom or Winch Truck, Truck Crane, Tournapull, Tractor operating Scoops, Bulldozer, Push Tractor, Finishing Machine on Asphalt, Large Rollers & Rollers on Asphalt, Gravel, Macadam and Brick Surface, Ross Carrier or similar Machine, Gravel Processing Machine, Asphalt Plant Engineer or Pug Mill, Two Air Compressors, Hetherington Paver Operator, Farm Tractor with half Yard bucket and/or Back Hoe Attachment, Trench Machines cutting over 24", Dredging Equipment, Central Mix Plant Engineer, CMI or similar type Machine, Concrete Spreader, Cherry Picker, Standard or Dinkey Locomotives, Scoopmobiles, Euclid Loader, Soil Cement Machines, Back Filler, Elevating Machine, Power Blade, Asphalt Plant Engineer, Well Drilling Machines, Paint Machine, Pipe Cleaning Machines, Pipe Wrapping Machine, Pipe Bending Machine, Apsco Paver, Boring Machine, Tractor Without Winch, Head Equipment Greasers, Barber Green Loaders, Formless Paver, Well Point System Hydra Ax, Resco Concrete Saw, Marine Scoops, Brush Mulcher, Brush Burner, Mesh Placer, Tree Mover, Helicopter Crew (3), Pile Driver Skid or Crawler, Stump Remover, Root Rake, Tug Boat Operator, Refrigerating Machine Freezing Operator, Chair Cart - Self Propelled, Hydra Seeder, Straw Blower, Concrete Mixers with Skip, all one Drum Hoists with Tower or Boom, Dredge Engineer, Dredge Operator, Rock Spreader, Truck or Skid Mounted Tower Crane, Engine or Rock Crusher Plant, Boiler Operator, Concrete Plant Engineer, Loaders, Hydra Crane Caissons, Shaft or any similar type Drilling Machine, Concrete Curb Machine - Self Propelled, Winch or Hydraulic Boom Truck

POWER EQUIPMENT OPERATORS

2 of 2

GROUP IV Mixers 1½S capacity or less, Trench Machine cutting 24" and under, Farm Tractor with less than half yard bucket and other Attachments except Back Hoe, Truck Crane Oiler, Power Subgrader, Bull Float, Form Grader, Finishing Machine Pavement Breaker, Rock Crushers, One Drum Machine, One Air Compressor, Concrete Pump, Gunite Machine, Air Tuggers, Truck Crane Drivers, House Elevators when used for hoisting Material, Two to Four Generators or Welding Machine, Mechanized Heaters irrespective of Motor Power when used for temporary heat, Small Rollers on Earth, Engine Tenders, Firemen, Wagon Drill, Flexplane, Conveyor, Two to Four Water Pumps, Siphon and Pulsometer, Switchman on Paint Pots, Fireman on Asphalt Plants, Distributor Operator on Trucks, Tampers, Power Broom, Post Hole Digger, Self-propelled Concrete Saw. Striping Machine (Motor Driven), Form Tamper, Seaman Tiller, Bulk Cement Plant Equipment Greaser, Track Jack, Mud Jack, Operator to do Winter Repair Work in Shop between November 1st and March 1st, Concrete Buggies motor driven, Oilers, Barrel Type Mixer, One Welding Machine or One Water Pump, Air Valves or Steam Valves from Plant, Concrete Mixers without Skip, Curing Machine, Concrete & Blacktop Curb Machine, Deck Hands

Cranes with booms from 149 ft. to 199 ft. including jib. receive additional $.75 per hour

Cranes with boom over 199 ft. including job receive additional $1.25 per hour.

Jasper, Newton, Pulaski, & Starke Counties

POWER EQUIPMENT OPERATORS Tunnel & Sewer Construction	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Class I	$ 10.30	.65	.85		.05
Class II	9.80	.65	.85		.05
Class III	8.25	.65	.85		.05
Class IV	7.25	.65	.85		.05

CLASS I Mechanic; asphalt plant; autograde; batch plant; benoto (requires two engineers); boiler & throttle valve; caisson rigs; central redimix plant; combination backhoe, front end loader with backhoe bucket of 1 cu. yd. & over; combination tugger hoist & air compressor; compressor and throttle; concrete breaker (truck mounted); concrete conveyor; concrete paver over 27E cu. ft.; concrete paver 27E cu. ft. and under; concrete tower; cranes, all; cranes, tower; derricks, all; derricks, traveling; forklift-lull type; forklift - 10 ton and over; hoists, one, two, and three drum; hoists, two tugger one floor; hydraulic boom truck; locomotive, all; pile drivers and skid rig; pit machines; pre-stress machine; pump cretes and similar types; rock drill (self-propelled); rock drill (truck mounted); slipform paver; straddle buggies; tractor with boom & side boom; trenching machine; winch tractors

CLASS II Asphalt spreader; boiler; bulldozers; combination backhoe, front-end loader with backhoe bucket, less than 1 cu. yd.; engineer acting as conductor in charge of crew; grader, elevating; greaser engineer; grouting machines; highlift shovels or front endloader; hoists, automatic; cowboy drilling machines; hoists all elevators; hoists, tugger single drum; motor patrol; post hole digger; rollers, all; scoops - tractor drawn; stone crushers; tournapull; winch trucks

CLASS III Concrete mixer (2 bag & over); conveyor, portable; steam generators; tractors, farm & similar type; air compressor small 150 & under (1 to 5 not to exceed a total of 300 ft.); air compressor - large over 150 combination - small equipment operator; forklift trucks; generators; pumps (1 to 3 not to exceed a total of 300 ft.); pumps, well points; welding machines (2 through 5); winches 4 electric drill winches

CLASS IV Heaters, mechanical (1 to 5); oilers & switchmen

Benton, Carroll, Cass, Clinton, Delaware, Fayette, Fulton, Grant, Hamilton, Hancock, Henry, Howard, Johnson, Madison, Marion, Miami, Randolph, Rush, Shelby, Tippecanoe, Tipton, Union, Wabash, Wayne, & White Counties

POWER EQUIPMENT OPERATORS: TUNNEL AND SEWER CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
GROUP I	$10.95	.55	.55		.08
GROUP II	10.00	.55	.55		.08
GROUP III	8.60	.55	.55		.08
GROUP IV	7.70	.55	.55		.08

CLASSIFICATIONS

GROUP I
Air compressor (pressurizing shafts, tunnels & divers); Air tugger; Auto patrol; Back filler; Backhoe; Boom cat; Boring machine; Bull dozer; Caisson drilling machine; Cherry picker; Compactor (with dozer blade); Concrete mixer (dual drum); Concrete plant; Concrete pump; Crane with all attachments; Crane - electric overhead; Derrick; Dual purpose truck (pitman type); Ditching machine (18" and over); Dredge; Elevators (when hoisting material or tools); Fork lift; Formless paver; Generator (power for welders or compressors); Gradall; Helicoptor; Helicoptor winch operator; High lift - front end loader; Hoist; Locomotive and/or dinky engine; Mechanic on job site; Mucking machine; Panel board concrete plant; Pile driver; Push cat; Scoop & tractor; Scraper - rubber tired; Spreader - tractor mounted; Straddle carrier - ross type; Sub base finish machine (C.M.I. or similar); Tower crane; Tractor with backhoe (1/2 yard and over); Trench box - power driven; Tunnel shield; Welder (craft)

GROUP II
A frame truck; Batcher plant (automatic dry batch); Bending machine - Power driven; Bituminous mixer; Bituminous paver; Bituminous plant engineer; Boatman; Bull float; Compactor or tamper - self-propelled; Concrete mixer (21 cu. ft. or over); Concrete spreader - power driven; Ditching machine (less than 18"); Drilling machine; Finish machine & bull float; Finishing machine; Fireman - Pile driving and boilers; Gunite machine; Head greaser; Mechanic; Mesh depresser - mesh placer; P.C.C. concrete belt placer; Roller - asphalt, Stone & sub base; Rotary drill; Sheepsfoot roller - self-propelled; Spreader or base paver-self-propelled; Sub grader; Throttle valve with air compressor or boiler; Tractor with backhoe (under 1/2 yard); Tractor - high lift - farm type; Tractor - industrial type; Tractor with winch; Well points; Winch truck

GROUP III
Air compressor (210 cu. ft. & over); Bituminous distributor; Chair cart; Concrete curing machine; Concrete saw; Dope pot - power agitated; Flex plane; Form grader; Hydrohammer; Jacks - hydraulic - power driven; Minor equipment operator 2,3,4, or 5; Paving joint machine; Post hole digger; Roller - earth; Throttle valve; Track jack - power driven; Tractor - farm type; Truck crane driver

GROUP IV
Air compressor (less than 210 cu. ft.); Concrete mixer (under 21 cu. ft.); Conveyor; Generator; Mechanical heater; Oiler; Power broom; Pump; Welding machine; Helpers

Elkhart, Fulton, Kosciusko, LaGrange, Marshall, & Noble Counties

POWER EQUIPMENT OPERATORS

Tunnel & Sewer Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$10.52	.65	.85	.40	.05
GROUP II	9.16	.65	.85	.40	.05
GROUP III	8.38	.65	.85	.40	.05
GROUP IV	7.70	.65	.85	.40	.05

CLASSIFICATIONS

GROUP I: All power cranes; Truck cranes; Locomotive cranes; LeTourneau Tournapulls; Shovels; Draglines; Derricks; Pile drivers; Highlifts; Tractors w/Side boom or "A" Frame; Forklifts 18' 6" in height or over; Motor patrols; Combination backhoe & loader; Mechanic; Conveyor systems; Hoist (3 drum) & over

GROUP II: All bulldozers; Scoops; Push cats; Concrete mixers of more than 21 cu. ft. capacity; Locomotives; Rollers; Stone crushers; Fork lifts under 18' 6"; Air compressors - 600 cu. ft. & over; Combination of Gasoline or Deisel driven welding machine & compressor; Engineers operating throttle valve with boiler and compressor for piledriving; Concrete pumps; Trench machines excluding ditch witches; Cableways; Hoist (2 drum)

GROUP III: Truck winches w/A Frame & Power winches; Tractors-farm type; Drills & conveyors; Small rubber tire end loaders ½ cu. yd. & under; Bobcat

GROUP IV : Gin poles; Sasgen derricks & similar hoists; Firemen; Oilers; One drum hoist; Single drum tugger hoist; Automatic hoist; Elevators; Compressor over 210 cu. ft. & under 600 cu. ft.; Well points

Statewide, except Crawford, DuBois, Fountain, Gibson, Miami (Peru & Grissom AFB), Perry, Pike, Posey, Spencer, Vanderburgh, Vermillion, Warren, Clinton (Frankfort), & Warrick Counties

LINE CONSTRUCTION

EXCLUSIVE OF CALUMET AREA

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen; Technicians	$10.07	.45	3%		.5%
Equipment Operators 1	7.87	.45	3%		.5%
Equipment Operators 2	9.56	.45	3%		.5%
Equipment Operators 3	9.56	.45	3%		.5%
Equipment Operators 4	10.07	.45	3%		.5%
Powderman and Equipment Mechanic	7.69	.45	3%		.5%
Senior Groundman Truck Driver w/w	6.57	.45	3%		.5%
Groundman Truck Driver with winch	6.31	.45	3%		.5%
Groundman Truck Driver w/o winch	5.53	.45	3%		.5%
Senior Groundman after 5 years	6.30	.45	3%		.5%
Senior Groundman after 12 months	6.13	.45	3%		.5%
Groundman 0-12 months	5.19	.45	3%		.5%

CALUMET AREA

Linemen; Technicians	10.38	.45	3%		.5%
Equipment Operators 1	7.94	.45	3%		.5%
Equipment Operators 2	9.63	.45	3%		.5%
Equipment Operators 3	9.63	.45	3%		.5%
Equipment Operators 4	10.38	.45	3%		.5%
Powderman and Equipment Mechanic	7.75	.45	3%		.5%
Senior Groundman Truck Driver w/w	6.69	.45	3%		.5%
Groundman Truck Driver with winch	6.39	.45	3%		.5%
Groundman Truck Driver w/o winch	5.61	.45	3%		.5%
Senior Groundman after 5 years	6.43	.45	3%		.5%
Senior Groundman after 12 months	6.25	.45	3%		.5%
Groundman 0-12 months	5.29	.45	3%		.5%

LINE CONSTRUCTION

Clinton (Frankfort only) & Miami (Peru & Grissom AFB)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINEMEN; Heavy equipment operators "A"	$ 10.73	.45	3%		½ of 1%
CABLE SPLICERS	11.65	.45	3%		½ of 1%
HEAVY EQUIPMENT OPERATORS "B"	8.63	.45	3%		½ of 1%
POWDERMAN; Equipment mechanic	8.44	.45	3%		½ of 1%
SENIOR GROUNDMAN - truck driver with winch	7.07	.45	3%		½ of 1%
GROUNDMAN - truck driver with winch	6.76	.45	3%		½ of 1%
SENIOR GROUNDMAN AFTER 5 YEARS	6.74	.45	3%		½ of 1%
SENIOR GROUNDMAN AFTER 12 MONTHS	6.54	.45	3%		½ of 1%
GROUNDMAN - truck driver without winch	6.05	.45	3%		½ of 1%
GROUNDMAN 0 to 12 MONTHS	5.60	.45	3%		½ of 1%

DECISION NO. IN78-2030

LINE CONSTRUCTION

Crawford, DuBois, Gibson, Perry, Pike, Posey, Spencer, Vanderburgh, & Warrick Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINEMEN; Line truck operators; Hole digger; Stool handling cable splicer	$11.65	.40	3%		
GROUNDMAN	10.29	.40	3%		
TRUCK DRIVER	10.60	.40	3%		
Fountain, Vermillion, & Warren Counties					
LINEMEN; Groundman equipment operator	11.57	.40	3%+.30		½%
GROUNDMAN TRUCK DRIVER W/WINCH	9.47	.40	3%+.30		½%
GROUNDMAN TRUCK DRIVER WO/WINCH	8.87	.40	3%+.30		½%
GROUNDMAN	8.42	.40	3%+.30		½%

SUPERSEDEAS DECISION

STATE: Indiana
COUNTIES: *See Below
DECISION NUMBER: IN78-2032
DATE: Date of Publication
Supersedes Decision No. IN77-2082, dated May 13, 1977 in 42 FR 24588
DESCRIPTION OF WORK: Building Construction (Does not include single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction

*Lake, LaPorte, Porter, & St. Joseph	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Lake & Porter Counties	$12.11	.81	.72		.12
LaPorte & St. Joseph Counties	12.13	.65	.75		
BOILERMAKERS	12.55	.80	1.00		.03
BRICKLAYERS:					
Lake, LaPorte & Porter Counties:					
Bricklayers; Marble setters & Stone Masons	11.85	.75	.55		.05
Tile setters	11.75	.75	.55		.02
St. Joseph County:					
Bricklayers; Stonemasons	10.76	1.00	.65		.06
Marble setters; Terrazzo workers; Tile setters	9.10	1.00	.65	a	.01
CARPENTERS:					
Lake, LaPorte, & Porter Counties:					
Carpenters	12.03	.50	.57		.05
Millwrights	12.13	.50	.57		.05
St. Joseph County:					
Building Construction:					
Carpenters; Millwrights; Pile-drivermen; Soft floor layers	10.25	.55	.65		.08
Heavy & Highway Construction:					
Carpenters	9.98	.60	.60		.05
CEMENT MASONS:					
Building Construction:					
Lake County (Hammond Area)	11.42	.90	.60		.03
LaPorte County; Porter County (Eastern ½ of Co.)	10.95	.90	1.00		.06
Heavy and Highway Construction:					
St. Joseph County	9.66	.60	.80		.04

DECISION NO. IN78-2032

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:					
Lake County	$11.75	6½%	8.3%		.7%
LaPorte & Porter Counties	12.10	4%	7½%		.5%
St. Joseph County	11.25	4.8%	7%		.2%
ELEVATOR CONSTRUCTORS:					
Lake & Porter Counties:					
Elevator constructors	12.455	.745	.56	4%+b+c	.035
Helpers	70%JR	.745	.56	4%+b+c	.035
Helpers (Prob.)	50%JR				
LaPorte & St. Joseph Counties:					
Elevator constructors	10.83	.745	.56	4%+b+c	.035
Helpers	70%JR	.745	.56	4%+b+c	.035
Helpers (Prob.)	50%JR				
GLAZIERS:					
Lake (E. of Rte #41 excl. Hammond), LaPorte (W. of Rte #39), & Porter Cos.	9.05	.40	.30		
IRONWORKERS:					
Lake, LaPorte (Michigan City), & Porter Counties	12.12	.80	1.36		.09
LaPorte (Remainder of Co.), & St. Joseph Counties	10.55	.90	1.33		.03
LATHERS:					
Lake & Porter Counties	11.19		.40		
LaPorte & St. Joseph Counties	10.12	.43	.50		.01
LEADBURNERS	9.25	.35		d	.01
PAINTERS:					
Lake County (Hammond Area):					
Commercial:					
Brush	9.60	.64	.50		.05
Sandblasting; Spray	10.35	.64	.50		.05
Paperhanging; Vinyl	9.85	.64	.50		.05
Industrial:					
Brush & Roller	10.65	.64	.50		.05
Sandblasting; Sign painters; Spray	11.40	.64	.50		.05
Lake County (Gary Area) & Porter County (North of Hwy #6):					
Commercial:					
Brush	9.10	.47	.40		.05
Sandblasting; Spray; Steam Cleaning; Machine spray stripping	9.85	.47	.40		.05
Paperhanging	9.35	.47	.40		.05

DECISION NO IN78-2032

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS (CONT'D)					
Industrial:					
Brush	$10.20	.47	.40		.05
Sandblasting; Spray; Steam-cleaning; Machine spray stripping	10.95	.47	.40		.05
LaPorte County (Southern portion of County); St. Joseph County: Brush; Drywall Tapers & Finish; Paperhanging; Spray & Vinyl	9.04		.20		15.00p/y
LaPorte County (No. portion of Co.):					
Brush; Tapers	9.00				
Paperhangers	9.00				
Porter (S. of Hwy #6):					
Brush; Paperhanging; Taping on drywall; Sandblasting; Vinyl hanging	9.25				
Spray	10.25				
Work above 40ft. above ground	9.50				
PLASTERERS:					
Lake County (Hammond Area)	10.21	.90	.60		.01
Lake County (Gary Area); Porter County (Valparaiso)	9.33	.60	.65		.01
LaPorte, Porter (Eastern ½ west to, but not including Chesterton) Counties	10.87	.90	1.00		.06
PLUMBERS:					
Lake County (Hammond Area)	11.52	.90	1.05		.02
Lake County (Gary Area), LaPorte County (except LaPorte City, Michigan City); & Porter County	11.45	.75	1.50		.02
LaPorte County (Michigan City, Trail Creek, & Long Beach)	12.37	.50	.60		.02
PLUMBERS; Steamfitters:					
LaPorte County (LaPorte City); St. Joseph County	11.25	.48	.95		.10

DECISION NO. IN78-2032

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS:					
Lake & Porter Counties:					
Composition, Damp & waterproof workers; Slate, Tile & Asbestos	$12.21	.70	.50		
LaPorte & St. Joseph Counties:					
Composition, Damp & waterproof	10.15	.50	.40		.03
Slate, Tile & Asbestos	10.65	.50	.40		.03
SHEET METAL WORKERS:					
Lake, LaPorte, & Porter Counties	11.40	.75	1.16		.12
St. Joseph County	10.98	.65	.615		.035
SPRINKLER FITTERS:					
Lake County (30-mile radius from Chicago, Illinois City Hall)	11.10	.75	.90		.15
Lake County (Remainder of Co.), LaPorte, Porter, & St. Joseph Counties	11.65	.65	.95		.08
TRUCK DRIVERS:					
Lake & Porter Counties:					
2 to 3 axles	8.70	28.00e	22.00 e	.45	
4 axles	8.90	28.00e	22.00 e	.45	
5 axles	9.10	28.00e	22.00 e	.45	
6 axles	9.30	28.00e	22.00 e	.45	
St. Joseph County (Building Construction):					
Pick-up	6.94	13.50e	22.00e	f	
Single axle	7.15	13.50e	22.00e	f	
Tandem or fuel	7.26	13.50e	22.00e	f	
Tri axle	7.31	13.50e	22.00e	f	
Semi trailer	7.36	13.50e	22.00e	f	
LaPorte Co. (Bldg., Construction)					
4 wheel; sheet metal	6.80	21.50e	22.00 e	g	
6 wheel; semis	6.90	21.50e	22.00 e	g	
Transit mix	7.20	21.50e	22.00 e	g	
Euclids	7.30	21.50e	22.00 e	g	
Winch	7.05	21.50e	22.00 e	g	

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. 6 paid holidays: A through F providing the employee works either the 5 days preceding or the 5 days following the holiday.
b. 7 paid holidays: A through F & Day after Thanksgiving
c. Employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 6% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
d. 9 paid holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.
e. per man per week
f. 1 week's paid vacation for 3 years' service, 2 weeks for 10 years' service, & 3 weeks for 15 years' service.
g. 1 year's service - 1 week's vacation; 3 years' service - 2 weeks' vacation; 10 years' service - 3 weeks' vacation; 20 years' service - 4 weeks' vacation

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
EXCLUSIVE OF CALUMET AREA		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen; Technicians	$10.07	.45	3%		.5%
Equipment Operators 1	7.87	.45	3%		.5%
Equipment Operators 2	9.56	.45	3%		.5%
Equipment Operators 3	9.56	.45	3%		.5%
Equipment Operators 4	10.07	.45	3%		.5%
Powderman and Equipment Mechanic	7.69	.45	3%		.5%
Senior Groundman Truck Driver w/w	6.57	.45	3%		.5%
Groundman Truck Driver with winch	6.31	.45	3%		.5%
Groundman Truck Driver w/o winch	5.53	.45	3%		.5%
Senior Groundman after 5 years	6.30	.45	3%		.5%
Senior Groundman after 12 months	6.13	.45	3%		.5%
Groundman 0-12 months	5.19	.45	3%		.5%
CALUMET AREA					
Linemen; Technicians	10.38	.45	3%		.5%
Equipment Operators 1	7.94	.45	3%		.5%
Equipment Operators 2	9.63	.45	3%		.5%
Equipment Operators 3	9.63	.45	3%		.5%
Equipment Operators 4	10.38	.45	3%		.5%
Powderman and Equipment Mechanic	7.75	.45	3%		.5%
Senior Groundman Truck Driver w/w	6.69	.45	3%		.5%
Groundman Truck Driver with winch	6.39	.45	3%		.5%
Groundman Truck Driver w/o winch	5.61	.45	3%		.5%
Senior Groundman after 5 years	6.43	.45	3%		.5%
Senior Groundman after 12 months	6.25	.45	3%		.5%
Groundman 0-12 months	5.29	.45	3%		.5%

DECISION NO. IN78-2032

LABORERS (Sewer, Tunnel, & Water Construction) St. Joseph County	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$7.80	.70	.50		.09
GROUP 2	7.95	.70	.50		.09
GROUP 3	8.00	.70	.50		.09
GROUP 4	8.10	.70	.50		.09
GROUP 5	8.20	.70	.50		.09
GROUP 6:					
A.	8.00	.70	.50		.09
B.	8.15	.70	.50		.09
C.	8.60	.70	.50		.09
D.	8.10	.70	.50		.09

LABORERS

GROUP 1: Chainman; Construction laborer; Continuous steel rod or mat installer; Fence erector; Grade checker; Guard rail erector; Joint man (mortar, mastic & all other types); Lighting installer (permanent & temporary); Lineman for automatic grade maker or paving machine; Manhole erector; Mortar man; Multi-plate erector; Rip-rap laborer, incl. all materials; Road marking & delineation laborer; Rodman; Sandblaster man; Setting & placing of all pre-stressed & precast concrete products; Spraying of epoxy, curing compound or like material; Survey crew helper; Temporary waterline installer; Top laborer; Wire mesh layer

GROUP 2: Air tool, power tool, & power equipment operator; Asphalt lute man; Asphalt raker man; Batch truck dumper; Cement handler (bulk or bag cement); Chain saw man; Concrete conveyor assembly man; Concrete puddler; Concrete rubber; Concrete saw operator - non riding type; Core drill operator; Hand blade operator; Hydro seeder man; Motor driven Georgia buggy operator; Power driven compactor or tamper operator; Power saw operator; Pumpcrete assembly man; Sealer applicator for asphalt, toxic; Side rail setter - for sidewalks, side ditches, radii & pavements, etc.; Sign installation, including supporting structures; Spreader box tender; Straw blower man; Subsurface drain & culvert pipe layer; Transverse & longitudinal hand bull float man.

GROUP 3: Horizontal boring & jacking man; Jackman & sheetman; Pipe grade man; Wench & windlass operator

GROUP 4: Conduit installer; Cutting torch burner; Lazer beam aligner; Manual operated welder; Sewer pipe layer; Water line installer

GROUP 5: Air track & wagon drillman; Concrete finisher; Dynamite & powder man

GROUP 6:
A. Bottom man; Concrete man
B. Concrete headman
C. Miner or header man
D. Mucker & Tunnel laborer

LABORERS (BUILDING CONSTRUCTION):	AREA I	AREA IA	AREA IB	AREA IIA
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
GROUP I	$8.25	$8.05	$7.85	$7.05
GROUP II	8.45	8.25	8.05	7.25
GROUP III	8.55	8.35	8.15	7.35
GROUP IV	9.25	9.05	8.85	8.05
GROUP V:				
A.	8.45	8.45	----	----
B.	8.325	8.325	----	----
C.	8.55	8.55	----	----
D.	8.525	8.525	----	----

	AREA IIB	AREA IIIA	AREA IIIB	AREA IIIC
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
GROUP I	$7.25	$7.50	$7.40	$7.65
GROUP II	7.45	7.70	7.60	7.85
GROUP III	7.55	7.80	7.70	7.95
GROUP IV	8.25	8.50	8.40	8.65

	Fringe Benefits Payments			
	H & W	Pensions	Vacation	Education and/or Appr. Tr.
AREA I	.60	.50		.09
ALL OTHER AREAS	.60	.45		.09

AREAS

AREA I: All territories west of Cline Avenue Lake Michigan Shorelines to Illinois State Line & Newton & Jasper Counties; All territories east of Cline Avenue, Lake County; All territory north of U. S. Highway No. 20, Porter County, including all Lake Michigan Shore Front east of Cline Avenue in Lake County

AREA IA: Porter County South of U. S. Highway No. 20, Starke, LaPorte Counties

AREA IB: Elkhart, Kosciusko, LaGrange, Marshall & St. Joseph Counties

AREA IIA: Fayette, Henry, Rush, Wayne, Union, Blackford, Delaware, Grant, Hamilton, Hancock, Jay, Madison & Randolph Counties

AREA IIB: Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, Whitley, Benton, Boone, Carroll, Cass, Clinton, Montgomery, Pulaski, Tippecanoe, White, Fulton, Howard, Miami, & Tipton Counties

AREA IIIA: Marion & Shelby Counties

AREA IIIB: Clay, Fountain, Greene, Hendricks, Owen, Parke, Putnam, Sullivan, Vermillion, Vigo, Warren, Bartholomew, Brown, Dearborn, Decatur, Franklin, Jackson, Johnson, Jennings, Lawrence, Martin, Monroe, Morgan, Ohio, Orange, Ripley, Clark, Crawford, Floyd, Harrison, Jefferson, Perry, Scott, Switzerland, & Washington Counties

AREA IIIC: Daviess, DuBois, Gibson, Knox, Pike, Posey, Spencer, Vanderburgh, & Warrick Counties

LABORERS

GROUP I: Building & Construction laborers; Scaffold builders (other than for masons or plasterers); Ironworker helpers; Mechanic tenders; Civil engineer helpers & surveyor helpers; Rodmen & Chainmen; Window washers & cleaners; Waterboys & Toolhousemen; Roofer's helpers; Railroad workers; Masonry wall washers (interior & exterior); Cement finisher helpers; Carpenter helpers; Helpers of all other crafts not listed; Mason tenders for Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley; All portable water pumps with discharge up to 3 inches

GROUP II: Waterproofing; Handling of creosote lumber or like treated material (excluding railroad material); Asphalt rakers & lutmen; Kettlemen; Air tool operators, vibrators, chipping hammer operators and all pneumatic tool operators; Earth compactors; Jackmen & sheetmen working ditches deeper than 6 ft. in depth; Laborers working ditches 6 ft. in depth or deeper; Assembly of Unicrete pump; Chain saw operators; Tile layers (sewer or field) & sewer pipe layers (metallic or non-metallic); Motor driven wheelbarrows & concrete buggies; Hyster operators; Pump crete assemblers; Conveyor assemblers; Core drill operators; Cement, lime or silica Clay handlers (bulk or bag); Handling of toxic materials damaging to clothing; Pneumatic spikers; Deck engine & winch operators; Water main & cable ducking (metallic & non-metallic)

GROUP III: Plasterers' tenders; Mason tenders, except for Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley; Mortar mixers; Welders (acetylene or electric); Cutting torch or burner; Cement nozzle laborers; Cement gun operators; Scaffold builders when working for plasterers; Scaffold builders when working for masons (except in Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley)

GROUP IV: Dynamite men

GROUP V:
A. Boiler setter laborers (Fire brick tear out with air tools)
B. Boiler setter laborers (Fire brick)
C. Boiler setter laborers (Mortar mixers)
D. Expeditor, bottom man & bell man

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LABORERS: HEAVY & HIGHWAY CONSTRUCTION

	Lake County	Remaining Counties	Fringe Benefits Payments			
	Basic Hourly Rates	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$ 8.30	$ 7.60	.70	.50		.09
GROUP 2	8.45	7.75	.70	.50		.09
GROUP 3	8.50	7.80	.70	.50		.09
GROUP 4	8.60	7.90	.70	.50		.09
GROUP 5	9.15	8.45	.70	.50		.09

LABORERS

GROUP 1: Chainman; Construction laborer; Continuous steel rod or mat installer; Fence erector; Grade checker; Guard rail erector; Joint man (mortar, mastic & all other types); Lighting installer (permanent & temporary); Lineman for automatic grade maker or paving machine; Manhole erector; Mortar man; Multi-plate erector; Rip-rap laborer, incl. all materials; Road marking & delineation laborer; Rodman; Sandblaster man; Setting & placing of all pre-stressed & precast concrete products; Spraying of epoxy, curing compound or like material; Survey crew helper; Temporary waterline installer; Top laborer; Wire mesh layer

GROUP 2: Air tool, power tool, & power equipment operator; Asphalt lute man; Asphalt raker man; Batch truck dumper; Cement handler (bulk or bag cement); Chain saw man; Concrete conveyor assembly man; Concrete puddler; Concrete rubber; Concrete saw operator - non riding type; Core drill operator; Hand blade operator; Hydro seeder man; Motor driven Georgia buggy operator; Power driven compactor or tamper operator; Power saw operator; Pumpcrete assembly man; Sealer applicator for asphalt, toxic; Side rail setter - for sidewalks, side ditches, radii & pavements, etc.; Sign installation, including supporting structures; Spreader box tender; Straw blower man; Subsurface drain & culvert pipe layer; Transverse & longitudinal hand bull float man

GROUP 3: Horizontal boring & jacking man; Jackman & sheetman; Pipe grade man; Wench & windlass operator

GROUP 4: Conduit installer; Cutting torch burner; Lazer beam aligner; Manual operated welder; Sewer pipe layer; Water line installer

GROUP 5: Air track & wagon drillman; Concrete finisher; Dynamite & powder man

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Lake, LaPorte, & Porter Counties

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Building, Sewer & Tunnel Construction					
Class I	$ 10.30	.65	.85		.05
Class II	9.80	.65	.85		.05
Class III	8.25	.65	.85		.05
Class IV	7.25	.65	.85		.05

CLASS I Mechanic; asphalt plant; autograde; batch plant; benoto (requires two engineers); boiler & throttle valve; caisson rigs; central redimix plant; combination backhoe, front end loader with backhoe bucket of 1 cu. yd. & over; combination tugger hoist & air compressor; compressor and throttle; concrete breaker (truck mounted); concrete conveyor; concrete paver over 27E cu. ft.; concrete paver 27E cu. ft. and under; concrete tower; cranes, all; cranes, tower; derricks, all; derricks, traveling; fork-lift-lull type; forklift - 10 ton and over; hoists, one, two, and three drum; hoists, two tugger one floor; hydraulic boom truck; locomotive, all; pile drivers and skid rig; pit machines; pre-stress machine; pump cretes and similar types; rock drill (self-propelled); rock drill (truck mounted); slipform paver; straddle buggies; tractor with boom & side boom; trenching machine; winch tractors

CLASS II Asphalt spreader; boiler; bulldozers; combination backhoe, front-end loader with backhoe bucket, less than 1 cu. yd.; engineer acting as conductor in charge of crew; grader, elevating; greaser engineer; grouting machines; highlift shovels or front endloader; hoists, automatic; cowboy drilling machines; hoists all elevators; hoists, tugger single drum; motor patrol; post hole digger; rollers, all; scoops - tractor drawn; stone crushers; tournapull; winch trucks

CLASS III Concrete mixer (2 bag & over); conveyor, portable; steam generators; tractors, farm & similar type; air compressor small 150 & under (1 to 5 not to exceed a total of 300 ft.); air compressor - large over 150 combination - small equipment operator; forklift trucks; generators; pumps (1 to 3 not to exceed a total of 300 ft.); pumps, well points; welding machines (2 through 5); winches 4 electric drill winches

CLASS IV Heaters, mechanical (1 to 5); oilers & switchmen

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POWER EQUIPMENT OPERATORS

St. Joseph County

Building, Sewer & Tunnel Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$10.52	.65	.85	.40	.05
GROUP II	9.16	.65	.85	.40	.05
GROUP III	8.38	.65	.85	.40	.05
GROUP IV	7.70	.65	.85	.40	.05

CLASSIFICATIONS

GROUP I: All power cranes; Truck cranes; Locomotive cranes; LeTourneau Tournapulls; Shovels; Draglines; Derricks; Pile drivers; Highlifts; Tractors w/Side boom or "A" Frame; Forklifts 18' 6" in height or over; Motor patrols; Combination backhoe & loader; Mechanic; Conveyor systems; Hoist (3 drum) & over

GROUP II: All bulldozers; Scoops; Push cats; Concrete mixers of more than 21 cu. ft. capacity; Locomotives; Rollers; Stone crushers; Fork lifts under 18' 6"; Air compressors - 600 cu. ft. & over; Combination of Gasoline or Deisel driven welding machine & compressor; Engineers operating throttle valve with boiler and compressor for piledriving; Concrete pumps; Trench machines excluding ditch witches; Cableways; Hoist (2 drum)

GROUP III: Truck winches w/A Frame & Power winches; Tractors-farm type; Drills & conveyors; Small rubber tire end loaders ½ cu. yd. & under; Bobcat

GROUP IV: Gin poles; Sasgen derricks & similar hoists; Firemen; Oilers; One drum hoist; Single drum tugger hoist; Automatic hoist; Elevators; Compressor over 210 cu. ft. & under 600 cu. ft.; Well points

POWER EQUIPMENT OPERATORS
(Heavy & Highway Construction)

Lake, LaPorte, & Porter Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	$10.35	.65	.85		.05
CLASS II	9.90	.65	.85		.05
CLASS III	9.45	.65	.85		.05
CLASS IV	8.35	.65	.85		.05
CLASS V	7.40	.65	.85		.05
St. Joseph County					
CLASS I	10.25	.65	.85		.05
CLASS II	9.80	.65	.85		.05
CLASS III	9.35	.65	.85		.05
CLASS IV	8.25	.65	.85		.05
CLASS V	7.30	.65	.85		.05

CLASSIFICATIONS

CLASS I: Auto patrol; Automatic dry batch plant; Automated sub-grader; Automated slip form paver; Automated finish machine; Backhoe - tractor mounted, ½ yd or over; Ballast regulator (R.R.); Concrete mixer, 27 cu. ft. or over; Concrete pump; Core drilling machine; Crane or derrick with any attachments, incl. Clamshell, Dragline, Shovel, Backhoe, etc.; Dredge engineer; Dredge op.; Euclid loader; Gradall; Lead greaser; Highlift shovel 3 yds. & over; Hoist - 2 & 3 drum; Locomotive op.; Lead mechanic; Mucking machine; Panelboard concrete plant (Central mix type); Paver - Hetherington; Pile drive, Skid or crawler; Road paving mixer; Ross carrier; Throttle valve & compressor or clever Brooks type combination; Throttle valve and Fireman combination on horizontal or upright boiler; Tournapull or similar type equipment; Tractor - boom; Trench machine; Tug boat op.; Winch truck with "A" Frame; Scoops, Tournapulls or similar type machines used in tandem

CLASS II: Backhoe - tractor mounted, with less than ½ yd.; Bituminous mixer; Bituminous paver; Bituminous plant engineer; Bulldozer; Concrete mixer, less than 27 cu. ft.; Elevating grader; Excavating loader, portable; Greaser; Highlift shovel under 3 yds.; Jersey spreader or base paver; Mechanic; Pull grader, power control; Roller, asphalt, waterbound macadam, bituminous macadam, brick surface; Sheepfoot roller (self-propelled) with blade; Surface heater & planer; Tamper-multiple vibrating, asphalt waterbound macadam, bituminous macadam, brick surface; Tractor - push; Tractor with scoop; Widener, Apsco or similar type

CLASS III: Assistant plant engineer; Back filler; Bituminous distributor; Broom & belt machine; Bull float; Concrete finishing machine; Concrete spreader, power driven; Digger, post-hole, power driven; Finishing machine & bull float; Form grader; Form tamper, motor driven; Hoist - 1 drum; Multiple tamping machine; Paving breaker; Roller, earth & subbase material; Roller sheepfoot (self-propelled); Sub-grader; Tamper-multiple vibrating-earth & subbase material; Tractaire; Tractaire with drill; Tractor with all attachments, except backhoe & including highlift, endloaders of 1 cu. yd. capacity & less

CLASS IV: Air compressor; Conveyors, all; Fireman on boiler; Generator; Assistant mechanic; Power curing spraying machine; Pull broom, power propelled; Seaman tiller; Spike machine (R.R.); Striping machine, paint, motor driven; Throttle valve; Welding machine; Wellpoint systems

CLASS V: Assistant greaser; Deck hand; Hetherington driver; Mechanical heater (1 to 5); Outboard or inboard motor boat; Oiler; Power saw, concrete, power driven; Truck crane oiler-driver; Water pump; Helper on C.M.I. & similar type equipment grasscutters

TRUCK DRIVERS (HEAVY & HIGHWAY CONSTRUCTION)

LaPorte County	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	$7.98	$21.50a	$22.00a		
CLASS 2	8.13	21.50a	22.00a		
CLASS 3	8.18	21.50a	22.00a		
CLASS 4	8.23	21.50a	22.00a		
CLASS 5	8.28	21.50a	22.00a		
CLASS 6	8.33	21.50a	22.00a		
CLASS 7	8.38	21.50a	22.00a		
CLASS 8	8.43	21.50a	22.00a		
CLASS 9	8.48	21.50a	22.00a		

CLASSIFICATIONS

CLASS 1
Drivers of pick-up trucks, helpers, greasers, tire men, tending batch boards & warehousemen

CLASS 2
Drivers on single axle straight trucks, batch truck wet or dry 3(3¼E) batches or less

CLASS 3
Drivers on single axle water trucks bituminous distributors (2-man) single axle fuel trucks

CLASS 4
Drivers on single axle "Dog Legs", tandem trucks, winch trucks or "A-Frame when used for transportation batch trucks (wet or dry) over 3(3¼E) batches

CLASS 5
Drivers on liquid asphalt tankers, tandem axle fuel trucks, bituminous distributors, (1 man) tandem axle water trucks

CLASS 6
Drivers on tandem trucks over 15 tons payload, single axle semi-trucks, farm tractors, hauling material, drivers on equipment when not self-loaded or pusher loaded such as Koehring or similar dumpsters, track trucks, euclid bottom dump & hug bottom dump, tournatrailers, tournarockers or similar equip. (12 cu. yds. & under), mixer trucks (all types), pulling tilt-top trailer (single axle), low-boys (single axle), truck mounted pavement breakers

CLASS 7
Drivers on tandem "Dog Legs" trucks, truck mechanics, builders, semi-water trucks, sprinkler trucks, heavy equip., type water wagon

CLASS 8
Drivers on tri-axle trucks, tandem axle semi-trucks, drivers on equip., when not self loaded or pusher loaded, such as Koehring or similar dumpsters, track trucks, euclid bottom dump & hug bottom dump, tourna-trailers, tournarockers, or similar equipment (over 12 cu. yds., drivers on truck pulling tilt-top trailer (tandem-axle) low-boys, tandem axle

CLASS 9
Drivers on tandem, tandem semi-trucks, drivers on heavy equip., type water wagon over 5,000 gallons, drivers on trucks pulling tilt-top trailer (tri-axle) low-boys. tandem-tandem axle

FOOTNOTE:
a. Per week Per Employee.

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TRUCK DRIVERS: HEAVY & HIGHWAY CONSTRUCTION St. Joseph County	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$8.38	19.50a	22.00a		
GROUP B	8.33	19.50a	22.00a		
GROUP C	8.28	19.50a	22.00a		
GROUP D	8.23	19.50a	22.00a		
GROUP E	8.18	19.50a	22.00a		
GROUP F	8.13	19.50a	22.00a		
GROUP G	8.08	19.50a	22.00a		
GROUP H	8.03	19.50a	22.00a		
GROUP I	7.98	19.50a	22.00a		
GROUP J	7.93	19.50a	22.00a		
GROUP K	7.88	19.50a	22.00a		
GROUP L	7.78	19.50a	22.00a		

CLASSIFICATIONS

GROUP A-Acey Wagons over 3 Buckets

GROUP B-Acey Wagons to and including 3 Buckets

GROUP C-Tandem-tandem Semi-Trucks-Truck Mechanics-Heavy Equipment Type Water Wagon over 5,000 Gallons-Tri-Axle Trucks pulling Tilt-Top Trailers- Low Boys, Tandem-tandem Axle

GROUP D-Tri-Axle Trucks-Tandem Semi-Trucks-Equipment not self loaded or pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Hug Bottom Dump, Tournatrailers, Tournarockers, Athey Wagons, or similar equipment over 12 cu. yd.-Tandem Axle Trucks pulling Tilt-Top Trailers-Low Boys, Tandem Axle-Tri-Axle Batch

GROUP E-Tandem "Dog-Legs" Trucks-Semi-Water Trucks-Sprinkler Trucks-Heavy Equipment Type Water Wagons 5,000 Gallons & Under

GROUP F-Truck Mounted Pavement Breakers-Tandem Trucks over 15 Ton Payload-Single Axle Semi-Trucks-Farm Tractors hauling material-Equipment not self loaded or Pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Hug Bottom Dump, Tournatrailers, Tournarockers, Athey Wagons or similar equipment 12 cubic yds. & under-Mixer Trucks, All Types-Single Axle Trucks pulling Tilt-Top Trailer Lowboys, Single Axle

GROUP G-Tandem Axle Fuel Trucks-Tandem Axle Water Trucks-Bituminous Distributor (one man)

GROUP H-Single Axle Dog-Legs-Tandem Trucks or Dog-Legs-Winch Trucks or A Frames used for Transportation-Batch Trucks Wet or Dry over 3 (34E) Batches-Grease and Maintenance Truck Servicing Tandem Axle Trucks

GROUP I-Single Axle Fuel Trucks-Single Axle Water Trucks-Bituminous Distributors, (two man)

GROUP J-Single Axle Straight Trucks-Batch Trucks, Wet or Dry 3 (34E) Batches or less-Grease & Maintenace Trucks servicing Single Axle Trucks

GROUP K-Helpers, Greasers, Tire Men, Batch Board Tenders

GROUP L-Pick-Up Trucks

FOOTNOTE: a-PER WEEK PER EMPLOYEE

SUPERSEDEAS DECISION

STATE: Indiana COUNTIES: *See Below

DECISION NUMBER: IN78-2033 DATE: Date of Publication

Supersedes Decision Nos. IN77-2009 dated February 11, 1977, in 42 FR 8910 and IN77-2084 dated May 13, 1977, in 42 FR 24555

DESCRIPTION OF WORK: Building Construction (Does not include single family homes & garden type apartments up to & including 4 stories)

*Brown, Clark, Crawford, Floyd, Harrison, Jackson, Jefferson, Jennings, Lawrence, Orange, Scott, Switzerland, & Washington	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Brown Co.	$12.00	.50	.55		.01
Switzerland Co.	12.16	.75	1.00		.02
Remaining Cos.	11.06	.45	.65		
BOILERMAKERS:					
Brown, Crawford, Jackson, Jennings, Lawrence, & Orange Cos.	12.55	.80	1.00		.03
Remaining Cos.	9.80	1.05	1.10	1.50	.02
BRICKLAYERS; Stonemasons:					
Brown, Jackson, & Jennings Cos.	10.15	.40	.30		.02
Clark, Floyd, & Harrison Cos.	9.83	.40	.40		.05
Crawford Co.	9.94	.85	.50		
Jefferson, Scott, & Switzerland Cos.	9.75				
Lawrence, Orange, & Washington Cos.	10.79				
CARPENTERS; Millwrights; Piledrivermen; & Soft floor layers:					
Brown (Hamblin, Washington, & Van Buren Twps.), Jackson, Jefferson, Jennings, & Scott Cos.:					
Carpenters; Soft floor layers	9.69	.55	.65		.03
Millwrights	10.19	.55	.65		.03
Piledrivermen; Welders; & burners	9.94	.55	.65		.03
Brown (Remainder of Co.):					
Carpenters; Soft floor layers	9.10	.60	.35		.01
Millwrights; Piledrivermen	9.35	.60	.35		.01
Clark, Floyd, Harrison, & Washington Cos.:					
Carpenters; Soft floor layers	10.15	.45	.45		.05
Millwrights	10.40	.30	.60		.02
Piledrivermen	10.40	.45	.45		.05
Crawford Co.:					
Carpenters	9.92	.45	.80		
Millwrights	10.34	.45	.70		
Piledrivermen; Welders; & burners	10.17	.45	.80		
Lawrence & Orange Cos.:					
Carpenters; Soft floor layers	9.87	.57	.50		
Millwrights; Piledrivermen	10.27	.57	.50		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS: (CONT'D)					
Switzerland Co.:					
Carpenters; Soft floor layers	$ 9.74	.55	.65		.03
Millwrights	10.24	.55	.65		.03
Piledrivermen; Welders; & burners	9.99	.55	.65		.03
CEMENT MASONS:					
Clark, Floyd, & Harrison Cos.	9.28	.60	.30		
Crawford Co.	9.80	.65	.55		
Jackson, Jefferson, Jennings, Lawrence, Orange, Scott, & Washington Cos.	9.60				
Switzerland Co.	7.50				
ELECTRICIANS:					
Brown Co.	11.15	.50	3%+.50		.01
Crawford, Lawrence, & Orange Cos.	12.35	.50	3%		½%
Clark, Floyd, Harrison, Jackson, Jefferson, Scott, & Washington Cos.	11.60	.50	3%+.40		½%
Jennings Co.	11.90	4%	7%		½%
Switzerland Co.:					
Up to & incl. 18 mi. radius from Hamilton Co. Court House, Cincinnati, Ohio	11.95	.70	3%+.60		.5%
Over 18 mi. radius up to & incl. 21 mi. radius from Hamilton Co. Court House, Cincinnati, Ohio	12.25	.70	3%+.60		.5%
Over 21 mi. radius up to & incl. 25 mi. radius from Hamilton Court House Cincinnati, Ohio	12.35	.70	3%+.60		.5%
Over 25 mi. radius from Hamilton Co. Court House, Cincinnati, Ohio	12.50	.70	3%+.60		.5%
ELEVATOR CONSTRUCTORS:					
Brown Co.:					
Elevator Constructors	11.285	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS: (CONT'D)					
Clark, Crawford, Floyd, Harrison, Jackson, Jefferson, Jennings, Lawrence, Orange, Scott, & Washington Cos.:					
Elevator constructors	$11.41	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				
Switzerland Co.:					
Elevator constructors	11.78	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				
GLAZIERS:					
Brown, Jackson (No. of #50), Jennings (Except from North Vernon, s/w to the corner of Jennings Co.), & Lawrence (No. of #54)	12.39				
Clark, Crawford, Floyd, Harrison, Jackson (So. of #50), Jefferson, Jennings (From North Vernon, s/w to the corner of Jennings Co.), Lawrence (South of #54 & #50), Orange, Scott, & Washington Cos.	8.90	.35	.45		
IRONWORKERS:					
Brown, Jackson (N. ½ of Co.), Jennings (N. ½ of Co.), & Lawrence (Except So. 2/3 of Co.)	11.15	.90	1.30		.05
Clark, Crawford, Floyd, Harrison, Jackson (So. ½ of Co.), Jefferson, Jennings (So. ½ of Co.), Lawrence (So. 2/3 of Co.), Orange, Scott, & Washington Cos.	10.50	.75	.95		.05
Switzerland Co.:					
Ornamental; Structural	11.48	.90	1.05		.03
Reinforcing	10.68	.90	1.85		.02

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LATHERS:					
Brown & Jackson Cos.	$11.09	.61	.35		.04
Clark, Crawford, Floyd, Harrison, Jefferson, Jennings, Lawrence, Orange, Scott, & Washington Cos.	10.29		.20		.01
Switzerland Co.	12.52		.25		.025
MARBLE SETTERS; Terrazzo Workers; & Tile Setters:					
Brown, Jackson, & Jennings Cos.	10.15	.40	.30		.02
Clark, Floyd, & Harrison Cos.	9.70	.40	.40		
Crawford Co.:					
Tile Setters	9.94	.85	.50		
MARBLE SETTERS' FINISHERS; Terrazzo Workers' Finishers; & Tile Setters' Finishers:					
Brown, Jackson, & Jennings Cos.:					
Marble Setters' Finishers; & Tile Setters' Finishers	9.50				
Terrazzo Workers' Finishers	8.95				
PAINTERS:					
Brown Co.:					
Brush; Drywall; Vinyl; Paperhangers; Rollers	8.90			.30	
Structural Steel	9.65			.30	
Sandblasting; Spray; Epoxy brush	9.90			.30	
Spray epoxy	10.90			.30	
Clark, Crawford, Floyd, Harrison, Jefferson, Scott, & Washington Cos.:					
Within 35 mi. radius of Jefferson Co., Ky. Court House:					
New Cosntruction:					
Basic	8.62	.35	.20		.03
Special	8.97	.35	.20		.03
Spray	9.07	.35	.20		.03
Old Construction:					
Basic	8.08	.35	.20		.03
Special	8.43	.35	.20		.03
Spray	8.53	.35	.20		.03
Over 35 mi. radius of Jefferson Co., Ky. Court House:					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (CONT'D)					
New Construction:					
Basic	$ 8.97	.35	.20		.03
Special	9.32	.35	.20		.03
Spray	9.52	.35	.20		.03
Old Construction:					
Basic	8.43	.35	.20		.03
Special	8.78	.35	.20		.03
Spray	8.98	.35	.20		.03
Jackson, & Jennings Cos.:					
Brush; Rollers; Drywall taping & hanging	9.45		.50		
Spray; Sandblast; Stage	10.45		.50		
Lawrence, & Orange Cos.:					
Brush repaint	7.10				
Sandblasting; Spray	9.00				
Vinyl hanging	8.10				
Structural steel; Brush, new construction; Roller applicator; Drywall	8.00				
Switzerland Co.:					
Brush; Roller; Wallwashing; Drywall taping & finishing; Wallpaper & vinyl hanging; Floor sanding; Seamless flooring & finishing; Sandblasting; Hopper tending; & Steamcleaning	9.70				
Spray; Epoxy	10.20				
PLASTERERS:					
Clark, Floyd, & Harrison Cos.	10.35				
Crawford Co.	10.58				
Jackson, Jefferson, Jennings, Lawrence, Orange, Scott, & Washington Cos.	9.60				
Switzerland Co.	7.50				
PLUMBERS; Steamfitters:					
Brown, Jackson, Lawrence, Orange, & Washington Cos.	11.85	.50	.85		.15
Clark, Crawford, Floyd, Harrison, Jefferson, Scott, & Switzerland Cos.	12.55	.50	1.00	c	.02
Jennings Co.	12.00	.50	.30		.05

DECISION NO. IN78-2033

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS:					
Brown, Jackson, Jennings, & Lawrence Cos.:					
Composition & Waterproofers	$10.95	.50	.50		
Slate, Tile, Asbestos & Precast slab	11.20	.50	.50		
Crawford, & Orange Cos.:					
Composition; Waterproofers	9.83	.60	.50		
Gypsum plank; Slate; Tile; & Concrete slab	10.08	.60	.50		
Clark, Floyd, Harrison, Jefferson, Scott, & Washington Cos.:					
Roofers	7.40	.50	.20		
Slate; Tile; & Precast concrete slabs	7.80	.50	.20		
Switzerland Co.	12.32		.85		.01
SHEET METAL WORKERS:					
Brown, Jackson, Jennings, Lawrence, Orange, & Washington Cos.	11.94	.60	.70		.09
Clark, Floyd, & Harrison Cos.	11.65	.70+d	1.05		.14
Crawford, Jefferson, Scott, & Switzerland Cos.	12.90	.70+d	1.05		.14
SPRINKLER FITTERS	11.65	.65	.95		.08

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. 7 paid holidays: A through F & Day after Thanksgiving Day
b. Employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years; 6% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
c. 1 paid holiday: Christmas Eve Day
d. 3% of gross earnings to SASMI

LABORERS:					
GROUP I	7.40	.60	.45		.09
GROUP II	7.60	.60	.45		.09
GROUP III	7.70	.60	.45		.09
GROUP IV	8.40	.60	.45		.09

LABORERS

GROUP I: Building & Construction laborers; Scaffold builders (other than for masons or plasterers); Ironworker helpers; Mechanic tenders; Civil engineer helpers & surveyor helpers; Rodmen & Chainmen; Window washers & cleaners; Waterboys & Toolhousemen; Roofer's helpers; Railroad workers; Masonry wall washers (interior & exterior); Cement finisher helpers; Carpenter helpers; Helpers of all other crafts not listed; Mason tenders for Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley; All portable water pumps with discharge up to 3 inches

GROUP II: Waterproofing; Handling of creosote lumber or like treated material (excluding railroad material); Asphalt rakers & lutmen; Kettlemen; Air tool operators, vibrators, chipping hammer operators and all pneumatic tool operators; Earth compactors; Jackmen & sheetmen working ditches deeper than 6 ft. in depth; Laborers working ditches 6 ft. in depth or deeper; Assembly of Unicrete pump; Chain saw operators; Tile layers (sewer or field) & sewer pipe layers (metallic or non-metallic); Motor driven wheelbarrows & concrete buggies; Hyster operators; Pump crete assemblers; Conveyor assemblers; Core drill operators; Cement, lime or silica Clay handlers (bulk or bag); Handling of toxic materials damaging to clothing; Pneumatic spikers; Deck engine & winch operators; Water main & cable ducking (metallic & non-metallic)

GROUP III: Plasterers' tenders; Mason tenders, except for Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley; Mortar mixers; Welders (acetylene or electric); Cutting torch or burner; Cement nozzle laborers; Cement gun operators; Scaffold builders when working for plasterers; Scaffold builders when working for masons (except in Areas I, IA, IB, and Counties of Adams, Allen, DeKalb, Steuben, Huntington, Noble, Wabash, Wells, & Whitley)

GROUP IV: Dynamite men

DECISION NO. IN78-2033

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP A	$10.58	.35	.35		.05
GROUP B	9.49	.35	.35		.05
GROUP C	8.75	.35	.35		.05

CLASSIFICATIONS

GROUP A: A-Frame winch truck, air compressor over 600 cu. ft., air tugger, auto-grade (CMI), auto patrol backhoe, ballast regulator (RR), batcher plant (electric control concrete), bending machine (pipe), bituminous plant, bituminous mixer travel plant, bituminous power roller, bulldozer, cable way, Chicago boom, clamshell, concrete mixer (21 cu. ft. or over), crane, craneman, crusher plant, derrick boat, dinkey, dope pots (pipeline), dragline, dredge operator, drill operator, elevating grader, concrete paver, elevator, Ford hoe, (or similar type equipment), forklift formless paver, gantry crane, gradeall, grademan, grout pump, Hetherington paver, highlift hoist, hopto. hough loader (or similar type), hydro crane, hydro hammer, locomotive crane, locomotive, mechanic mobile mixer, motor crane, motor crane oiler and one(1) piece of minor equipment, mucking machine, multiple tamping machine (RR), overhead crane, pile driver, pulls, push dozer, push boats, roller (sheepfoot), Ross carrier, scoop shovel, side boom, swing crane, tail boom, tar machine (pipeline), throttle valve, trench machine, welder pump, truck mounted drill 2 to 4 pieces of minor equipment, well point, whirleys

GROUP B: Air compressor (200 cu. ft. per minute capacity or more) brakeman, bull float, concrete mixer (over 10S and under 21S), concrete spreader or puddler, deck engine drill helper, electric vibrator Kompactor (earth or rock), finishing machine, fireman, greaser (on grease facilities servicing heavy equipment), material pump motor boats, motor crane oiler, oiler and one piece of minor equipment, portable loader, post hole digger, power broom, rock roller, roller-wobble wheel (earth and rock), spike machine (RR), seaman tiller, spreader rock, sub-grader, tamping machine, truck mounted drill oiler, welding machine widener (Apsco or similar type)

GROUP C: Air compressor (under 200 cu. ft. per minute), biutminous distributor, cement gun, conveyor, desk hand, earth roller form grader, generator, guard rail driver, heater, oiler, paving joint machine, steam Jenny, vibrator, water pump, concrete saw

TRUCK DRIVERS All counties except Crawford Co.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$8.45	$25.50a	$18.00a	b & c	
GROUP 2	8.50	25.50a	18.00a	b & c	
GROUP 3	8.55	25.50a	18.00a	b & c	
GROUP 4	8.60	25.50a	18.00a	b & c	
GROUP 5	8.65	25.50a	18.00a	b & c	
GROUP 6	8.70	25.50a	18.00a	b & c	
GROUP 7	8.80	25.50a	18.00a	b & c	
GROUP 8	8.85	25.50a	18.00a	b & c	
GROUP 9	8.90	25.50a	18.00a	b & c	
GROUP 10	8.95	25.50a	18.00a	b & c	
GROUP 11	9.10	25.50a	18.00a	b & c	

GROUP 1: Drivers on single axle, lowboy helper or flagman, drivers on air compressors and welding machines including those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters

GROUP 2: Drivers on Mixer Trucks 2 yards

GROUP 3: Mechanic Helpers and Greasers

GROUP 4: Drivers on Batch Trucks wet or dry 3 batches or under

GROUP 5: Drivers on Tandem Axle Trucks (including Dog-Legs), Drivers on Oil Distributors Drivers on Mixers Trucks 3 yards, Winch Trucks

GROUP 6: Drivers on Single axle, semi-trucks, Drivers on batch trucks wet or dry or dry over 3 batches, Drivers on pavement breakers

GROUP 7: Drivers on Tandem-Axle semi-trucks, Drivers on trac-o-trucks, Euclids, Tournapull when pulling other than self-loading equipment up to and including 10 yards, Drivers on mixer trucks 4 yards, Mechanics

GROUP 8: Drivers on Tri-axle Trucks

GROUP 9: Drivers on Low-Boy, Drivers on Tandem, Tandem Axle Semi-trucks

GROUP 10: Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading equipment 11 yards to and including 16 yards, Drivers on mixer trucks above 4 yards

GROUP 11: Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equipment over 16 yards, Helicopter pilot

FOOTNOTES:

a. per week per employee

b. 1 week's paid vacation after 1 year's service; 2 weeks' paid vacation after 3 years' service; & 3 weeks' paid vacation after 10 years' service.

c. 7 paid holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Day after Thanksgiving Day; & Christmas Day

SUPERSEDEAS DECISION

STATE: MICHIGAN
COUNTIES: KENT & MONTCALM
DECISION NO: MI78-2023
DATE: DATE OF PUBLICATION
Supersedes Decision No. AM-402, dated August 18, 1971 in 36 FR 15895
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASPHALT RAKERS/SPREADERS	$8.05	.55	.35	.65	.04
BRICKLAYERS	6.66				
CARPENTERS	5.87				
CARPET LAYERS/SOFT FLOOR LAYERS	6.30				
CEMENT MASONS/FINISHERS	6.23				
DRYWALL HANGERS	7.00				
DRYWALL TAPERS	7.03				
ELECTRICIANS	6.17				
FORM SETTERS	6.50				
INSULATION INSTALLERS	5.00				
LABORERS:					
COMMON	4.46				
MASON TENDERS	4.66				
LANDSCAPE	3.55				
PAINTERS	4.46				
PLUMBERS	7.02				
ROOFERS	5.29				
SHEET METAL WORKERS	5.00				
TRUCK DRIVERS	6.00				
POWER EQUIPMENT OPERATORS:					
BULLDOZER OPERATORS	6.85				
BACKHOE OPERATORS	7.40				
CRANE OPERATORS	6.41				
FRONT END LOADERS	6.34				
PAVER OPERATORS	8.38				
ROLLER OPERATORS	8.47	.80	1.00	.94	.05

SUPERSEDEAS DECISION

STATE: Michigan
COUNTIES: See Below
DECISION NO. MI78-2010
DATE: Date of Publication
Supersedes Decision No. MI77-2050, dated May 6, 1977 in 42 FR 23369
DESCRIPTION OF WORK: Building (Does not include single family homes and garden type apartments up to and including 4 stories) and Heavy (excluding Bridge Airport and Sewer) Construction.

COUNTIES: Alcona, Alpena, Charlevoix, Emmet, Grand Traverse, Leelanau, Mason, Montmorency, Muskegon, Oceana, Oscoda and Presque Isle.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$11.11	.84	1.48		.02
BOILERMAKERS	11.07	1.10	1.20	1.50	.03
BRICKLAYERS:					
Mason County:					
Bricklayers; Stonemasons; Marble-Tile Workers, Cement Masons & Plasterers	8.60	.65	.25		
Muskegon & Oceana Counties					
Bricklayers & Stonemasons	9.195	.55	.75		
Marble Masons	8.50	.55	.70		
Terrazzo & Tile Workers	8.25	.55	.70		
Plasterers	9.78	.50	.50		.02
Remaining Counties					
Bricklayers; Stonemasons; Plasterers-Marble-Tile-Terrazzo Workers	9.12	.60	.25		
CARPENTERS:					
Mason, Muskegon & Oceana Counties					
Carpenters	9.80	.60	.60		.01
Millwrights	11.35	.60	.60		.01
Piledrivers	10.20	.60	.60		.01
Remaining Counties					
Carpenters & Soft Floor Layers	8.51	.60	.60		.03
Millwrights	9.01	.60	.60		.03
Piledrivers	9.26	.60	.60		.03
CEMENT MASONS:					
Muskegon & Oceana Counties	8.05	.50	.50		.02
Remaining Counties	8.67	.60	.25		.02
ELECTRICIANS:					
Charlevoix, Grand Traverse, Leelanau & Emmet (except Wawatan Township) Counties and (Grant, Freesoil, and Meade Townships) in Mason County	11.00	.40	3%+.15		½ of 1%

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ELECTRICIANS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Muskegon, Oceana and the Remainder of Mason Counties	$11.00	.40	3%+.25		.01
Remaining Counties & (Wawatan Township) in Emmet County:					
Electricial Contractors $30,000 and below	9.35	.40	3%+.30		.1 of 1%
Electrical Contracts in excess of $30,000	11.10	.40	3%+.30		.1 of 1%
ELEVATOR CONSTRUCTORS:					
Alcona, Alpena, Montmorency, Ocscoda and Presque Isle:					
Elevator Constructor	11.21	.745	.56	a	.025
Elevator Constructor Helpers	70%JR	.745	.56	a	.025
Elevator Constructor Helpers (Prob.)	50%JR				
ELEVATOR CONSTRUCTORS:					
Remaninder of Counties:					
Elevator Constructors	10.195	.745	.56	a	.025
Elevator Constructors Helpers	70%JR	.745	.56	a	.025
Elevator Constructors Helpers (Prob.)	50%JR				
GLAZIERS:					
Emmet & Muskegon Counties	$ 8.55	.40	.30		
Charlecoix, Grand Traverse, Leelanau, Mason, & Oceana Counties	8.30	.40	.30		
IRONWORKERS:					
Alcona, Alpena, Montmorency, Oscoda and Preque Isle Counties:					
Structural and Ornamental	11.18	8%	14%	17%	.09
Reinforcing	10.10	.98+.25	15%	15%	.07
Fence Erectors	10.18	8%	14%	17%	.09
Remaining Counties	10.70	.60	1.00		.08
LATHERS	8.85	.64	.10	.50	.01
PAINTERS:					
Alcona and Oscoda Counties					
Brush	8.85	.50	.80		.02
Spray	9.70	.50	.80		.02

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Grand Traverse and Leelanau Counties and that portion of Charlevoix County lying South of and straight line drawn from Charlevoix (city) to Elmira					
Brush	$ 7.65	.50			.02
Spray; Tapers	8.25	.50			.02
Mason County	8.25				
Muskegon & Oceana Counties					
Brush, Tapers	8.00				
Paper hangers	8.25				
Spray & Sandblast	8.50				
Remainder of Charlevoix County and Remaining Counties					
Brush	7.80				
Spray	8.55				
PLUMBERS & STEAMFITTERS:					
Alcona and Oscoda Counties	10.74	.75	.50	1.60	
Alpena, Montmorency & Presque Isle Counties	11.19	.35	.50		
Mason, Muskegon & Oceana Counties	10.71	1.19	.75		.04
Remaining Counties	10.73	.60	.50		.06
ROOFERS:					
Mason, Muskegon & Oceana Counties	8.65	.67		.20	
Remainder of Counties:					
Composition, Damp & Waterproofers	9.10				
SHEET METAL WORKERS:					
Charlevoix, Emmet, Grand Traverse and Leelanau Counties	10.70	.50	.53		.05
Mason, Muskegon & Oceana Counties	9.55	.67	.65	.67	.02
Remaining Counties	11.11	.65	1.00		.03
SPRINKLER FITTERS	11.65	.65	.95		.08

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
Alcona, Alpena, Montmorency, Oscoda & Oreque Isle Counties					
Regular Truck Driver	$ 7.57	b24.00	b22.00	.26	
8 cu. yds. and over	7.67	b24.00	b22.00	.26	
Euclid	7.87	b24.00	b22.00	.26	
Charlevoix, Emmet, Grand Traverse and Leelanau Counties					
Regular Truck Driver	7.55	24.00b	18.00b	c	
8 cu. yds, and over	7.65	24.00b	18.00b	c	

Welder receive rate prescribed for craft to which welding is incidental.

FOOTNOTES:

a. Employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years; 6% contribution for more than 5 years-plus 7 Paid Holidays-New Years Day-Memorial Day-Independence Day-Labor Day-Thanksgiving Day-Day after Thanksgiving & Christmas Day

b. Per week; Per Employee

c. Paid vacation computed at a 40 hour week at straight time as follows: one year or more - one week; three years or more - two weeks; eight years or more - three weeks; and 7 Paid Holidays provided employee has been in service of employer 20 days or more and worked the full scheduled day prior to and after the holiday - New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the Friday after Christmas Day.

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
Mason County					
Group 1	6.70	.55	.35		.04
Group 2	6.85	.55	.35		.04
Group 3	7.15	.55	.35		.04
Group 4	7.05	.55	.35		.04
Group 5	7.10	.55	.35		.04
Group 6	6.95	.55	.35		.04
Muskegon and Oceana Counties					
Group 1	6.76	.55	.35	.55	.04
Group 2	6.91	.55	.35	.55	.04
Group 3	7.01	.55	.35	.55	.04
Group 4	6.88	.55	.35	.55	.04
Group 5	6.98	.55	.35	.55	.04
Group 6	7.08	.55	.35	.55	.04
Group 7	7.26	.55	.35	.55	.04
Remaining Counties					
Group 1	6.55	.55	.35		.04
Group 2	6.70	.55	.35		.04
Group 3	7.15	.55	.35		.04

LABORERS:
Mason County
Group 1: Building and Heavy Construction Laborers
Group 2: Plaster and Mason Tenders; Mortar Mixers; Material Mixers; All power Tools; Vibrator; Cahin Saw; Nozzleman; Green Cut Concrete work
Group 3: Jackhammer: Acetylene Torch;Windlass and Tugger Operators; swing Scaffold Chimneys; Tower, crane Scaffold; Rock Crusher
Group 4: Sewer Men-Open cut work-Caisson workers-Pipelayers
Group 5: Plasterers tenders - Machine pumped
Group 6: Work on scaffold 30' in height or more
Muskegon and Oceana Counties
Group 1: Building and Heavy Construction Laborers
Group 2: Plasterer tender; Material Mixers; Operators of Portable Mixers; Air, Electric or Gasoline Tools; Mortar Driver Buggies; Swing Scaffold
Group 3: Jackhammer Operator
Group 4: Signalmen
Group 5: Windlass Operator
Group 6: Top men on chimneys or towers over 30' in height
Group 7: Crock or Pipe Layers; ciasson work

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LABORERS (CONT'D)

Remaining Counties:
Group 1: Building and Heavy Construction Laborers
Group 2: Mortar Mixer; Material Mixers (hand or machine); Vibrator Operators; Operators of Concrete Mixers; Chipping Hammers; Concrete Breakers (90 lb. hammer or less); Tamping Machine (air, gas or electric); Sand blasters; Operator or Motor Driven Buggies; Plaster Mixer; Plasterers Tenders; Layers of non-metallic pipe
Group 3: Cement Gun Nozzleman; Blasters; Rock Drillers & Buster Operators

LC - ZONE II

LINE CONSTRUCTION: ZONE 11	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen; Heavy Equipment Operator	$10.12	.45	3%	a	.5%
Cable Splicer	10.54	.45	3%	a	.5%
Combination Digger Operator; Tractor Operator Groundman'					
1st 6 months	7.32	.45	3%	a	.5%
Over 6 months	7.91	.45	3%	a	.5%
Light Equipment Operator Groundman; Distribution Line Truck Driver Operator:					
1st 6 months	6.36	.45	3%	a	.5%
Over 6 months	6.94	.45	3%	a	.5%
Combination Winch Truck Driver Groundman:					
1st 6 months	5.79	.45	3%	a	.5%
Over 6 months	6.62	.45	3%	a	.5%
Combination Truck Driver Groundman	5.60	.45	3%	a	.5%

FOOTNOTES:

7 paid Holidays; New Year's Day; Memorial Day; Independence Day; Labor Day; Thaksgiving Day; Day after Thanksgiving Day; and Christmas Day.

DECISION NO. MI78-2010 MICH-3-PEO-1-2

POWER EQUIPMENT OPERATORS:

BUILDING & HEAVY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	$11.90	.80	1.00	10%	.05
CLASS B	11.65	.80	1.00	10%	.05
CLASS C	11.40	.80	1.00	10%	.05
CLASS D	10.85	.80	1.00	10%	.05
CLASS E	10.65	.80	1.00	10%	.05
CLASS F	9.45	.80	1.00	10%	.05
CLASS G	8.75	.80	1.00	10%	

CLASS A - Crane with main boom & jib 220' or longer

CLASS B - Crane with main boom & jib 140' or longer, tower cranes, gantry cranes, whirley derrick

CLASS C - Regular equipment operator, cranes, stiff leg derrick, scraper, dozer, grader, front end loader, hoist, job mechanic & head grease man

CLASS D - Air Tugger (single drum), Material Hoist, Boiler Oprs., Sweeping Machine, winch Truck, Bob Cat & Similar type equipment, Fork Truck (over 20' lift)

CLASS E - Pump 6" or over, Well Points, Freeze systems, Boom truck (non Swinging) Fork Truck (20' Lift)

CLASS F - Air Compressor, Welder, Generators, Pumps under 6", Grease Man, Conveyors

CLASS G - Oiler, Firemen & Heater Operator

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MICH-2-PEO-SE

POWER EQUIPMENT OPERATORS: STEEL ERECTION ALCONA, ALPENA, MONTMORENCY, OSCODA & PRESQUE ISLE COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	$11.57	.55	.75	10%	.05
CLASS B	11.33	.55	.75	10%	.05
CLASS C	10.85	.55	.75	10%	.05
CLASS D	10.70	.55	.75	10%	.05
CLASS E	9.61	.55	.75	10%	.05
CLASS F	8.65	.55	.75	10%	

CLASS A - Engineer when operation combination of boom jib 220' or longer
CLASS B - Engineer when operating combination of boom & jib 140' or longer Tower crane & derrick operator (where opeators work stations is 501 Or more above first sub level
CLASS C - Crane operator job mechanic
CLASS D Hoisting operator
CLASS E Compressor (or welder) operator
CLASS F - Oiler or fireman

MICH-6-PEO-SE

POWER EQUIPMENT OPERATORS: STEEL ERECTION REMAINING COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	$11.40	.55	.75	10%	.05
CLASS B	11.15	.55	.75	10%	.05
CLASS C	10.90	.55	.75	10%	.05
CLASS D	10.55	.55	.75	10%	.05
CLASS E	9.30	.55	.75	10%	.05
CLASS F	8.25	.55	.75	10%	

CLASS A - Crane operator w/main boom & jib 220' or longer
CLASS B - Crane operator w/main boom & jib 140' or longer; power cranes, gantry crane; whirley derrick
CLASS C - Regular equipment operator; crane; dozer; loader; hoist, straddle wagon, Job mechanic
CLASS D - Air tugger (single drum); material hoist, pump 6' or over
CLASS E - Air compressor, welder, generators-conveyors
CLASS F - Oiler & Fireman

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MICH-9-PEO-U-Z-2

POWER EQUIPMENT OPERATORS: UNDERGROUND CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	$ 9.24	.80	1.00	10%	.05
CLASS II	8.98	.80	1.00	10%	.05
CLASS III	8.52	.80	1.00	10%	.05
CLASS IV	8.27	.80	1.00	10%	.05

CLASS I - Power shovel, crane (crawler, truck type or pile driving), dragline, backhoe clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batching plant operator (concrete), backfiller tamper, well drilling rig, slip fom paver slope paver, conveyor loader (euclid type)
CLASS II - Trencher (8' digging capacity & smaller), endloader (1½ cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller than type D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more inclusive of generator), hoist, boom truck (power sing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher
CLASS III - Air compressor (2 or more - less than 600 CFM), air compressors 600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck(non-swinging, non powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum ½ dy or larger wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck mounted - includes compressor)
CLASS IV - Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hours or more a day gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishng machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 H.P. or over)

SUPERSEDEAS DECISION

STATE: Michigan COUNTIES: See Below
DECISION NO.: MI78-2011 DATE: Date of Publication
Supersedes Decision No. MI77-2051, dated May 6, 1977 in 42 FR 23374
DESCRIPTION OF WORK: Building (Does not include single family homes and garden type apartments up to and including four stories) and Heavy (excluding Bridge, Airport and Sewer) Construction.

COUNTIES: Alger, Baraga, Chippewa, Dickinson, Gogebic Houghton, Keweenaw, Mackinac, Marquette & Ontonagon	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKER:					
Chippewa & Mackinac Counties	$11.11	.84	1.48		.02
Gogebic & Ontonagon Counties	10.65	.40	.25		
Remainder of Counties	10.06	.60	.50	.65	.05
BOILERMAKERS	11.07	1.10	1.20	1.50	.03
BRICKLAYERS:					
Alger & Marquette Counties:					
Bricklayers, Stonemasons, Plasterers, & Marble-Tile-Terrazzo Workers	9.62	.75	.50		.01
Chippewa & Mackinac Counties:					
Bricklayers & Stonemasons	9.59	.70	.60		
Plasterers	9.44	.70	.60		
Tile & Terrazzo Workers	9.39	.70	.60		
Remainder of Counties:					
Bricklayers, Stonemasons, Palsterers, Marble-Tile and Terrazzo Workers	9.62	.75	.50		.01
CARPENTERS:					
Carpenters & Soft Floor Layers	9.24	.60	.60		.01
Millwrights	10.19	.60	.60		.01
Piledrivermen	9.44	.60	.60		.01
CEMENT MASONS:					
Alger & Marquette Counties	9.12	.75	.50		.01
Chippewa & Mackinac Counties	9.02	.70	.60		
Remainder of Counties	9.12	.75	.50		.01
ELECTRICIANS:					
Dickinson County:					
Contracts $50,000 or more & all Industrial work	11.06	.40	3%		.5%
Contracts Less than $50,000	9.74	.40	3%		.5%
Alger & Marquette Counties:					
Contracts over $50,000	11.55	.45	3%		.1of1%
Contracts $50,000 or less	10.15	.45	3%		.1of1%

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ELECTRICIANS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Chippewa & Mackinac Counties	$ 9.23	.40	1%		½%
Gogebic County	10.80	4%	3%	11%	3%
Remainder of Counties:					
Contracts $45,000 & over	10.89	.40	3%		¼ of 1%
Contracts up to $45,000	8.25	.40	3%		¼ of 1%
ELEVATOR CONSTRUCTORS:					
Constructors	10.765	.745	.56	a	.025
Helpers	70%JR	.745	.56	a	.025
Helpers (Prob.)	50%JR				
IRONWORKERS	9.50	.50	1.00	1.40	.04
LATHERS	8.85	.64	1.00	.50	.01
PAINTERS:					
Dickinson County:					
Commercial & Industrial	8.95		.75		
Alger & Marquette Counties					
Brush	9.25				
Glaziers	9.25				
Bridges, Water Tanks, Radio & TV	11.00				
Chippewa & Mackinac Counties:					
Commercial-Industrial & Sign Painter	7.00			1.50	
Taper-Hand	7.45			1.50	
Taper-Machine	7.55			1.50	
Steel	9.50			1.50	
Glaziers	5.80			1.50	
Baraga, Houghton, Keweenaw & the northern portion of Ontonagon County:					
Brush, Paperhangers, Tapers and Glaziers	8.00				
Spray & Sandblasting	8.50				
Gegobic County & the Remainder of Ontonagon County:	6.00				
Brush, Paperhangers	6.00				
Spray	6.50				

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS & STEAM FITTERS	$ 9.43	.70	.70	1.00	.02
ROOFERS	9.15		.50		
SHEET METAL WORKERS	10.08	.75+.08	.65		.04
SPRINKLER FITTERS	11.65	.65	.95		.08
TRUCK DRIVERS:					
Truck Driver	7.72	b22.00	b16.00		
Heavy Duty, Double Axle & Semi	7.85	b22.00	b16.00		
Euclid	8.08	b22.00	b16.00		

FOOTNOTES:

a. 7 Paid Holidays-New Year's Day-Memorial Day- Independence Day-Labor Day-Thankdgiving Day-Day after Thanksgiving & Christmas Day plus employer contributes 8% of Regular Hourly Tate to vacation pay credit for employee who has worked in business more than 5 years & 6% for employees in business less than 5 years

b. Per Week; Per Employee

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Welders receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:

a. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years; 4% contribution for more than 5 years.

b. Per Week; Per Employee

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Class A	$ 7.30	.55	.35		.04
Class B	7.40	.55	.35		.04
Class C	7.70	.55	.35		.04
Class D	7.85	.55	.35		.04

LABORERS

CLASS A: General Construction Laborers

CLASS B: Chipping Hammers; Concrete Mixers; Green Cutting (air, electric or gas); Material Mixers (hand or machine; Motor driven buggies; Mortar Mixers; Sand Blasters; Tamping Machines; Vibrator operator; Laborers with concrete mixer to pour, including pour from trucks

CLASS C: Blasters; Buster Operators; Cement Gun Nozzleman; Drillers; Layers of all non-metallic pipe; Mixers

CLASS D: Underground Work, Tunnels and Shafts - muckers, caisson workers, miners, drillers, blasters.

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LC -ZONE II

LINE CONSTRUCTION: ZONE 11	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen; Heavy Equipment Operator	$10.12	.45	3%	a	.5%
Cable Splicer	10.54	.45	3%	a	.5%
Combination Digger Operator; Tractor Operator Groundman'					
1st 6 months	7.32	.45	3%	a	.5%
Over 6 months	7.91	.45	3%	a	.5%
Light Equipment Operator Groundman; Distribution Line Truck Driver Operator:					
1st 6 months	6.36	.45	3%	a	.5%
Over 6 months	6.94	.45	3%	a	.5%
Combination Winch Truck Driver Groundman:					
1st 6 months	5.79	.45	3%	a	.5%
Over 6 months	6.62	.45	3%	a	.5%
Combination Truck Driver Groundman	5.60	.45	3%	a	.5%

FOOTNOTE:

a. 7 paid Holiday; New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Day after Thanksgiving Day; and Christmas Day.

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MICH-7-PEO-1-2-SE-U

POWER EQUIPMENT OPERATORS: BUILDING, HEAVY & UNDERGROUND CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	$ 8.72	.80	1.00	10%	.02
CLASS B	7.99	.90	1.00	10%	.02
CLASS C	7.46	.80	1.00	10%	.02
CLASS D	6.95	.80	1.00	10%	

CLASS A - Regular equipment operator, crane, dozer, front end loader, job mechanic
CLASS B - Air Track drill, boom truck, concrete mixers, fork truck, material hoist & tugger, pumps 6" or over, pumpcrete, belt crete, squeeze crete, sweeping machine trencher, winches, well pointsa nd freeze systems
CLASS C - Air compressor, conveyor, concrete saw, farm tractor (without attachments) generatOR, guard post driver, mulching pumps under 6" welders
CLASS D - Oiler, fireman, heater operator

POWER EQUIPMENT OPERATORS: STEEL ERECTION					
CLASS 1 - Operator	$ 8.95	.80	1.00	10%	.02
CLASS 2 - Compressor o& Welder	7.95	.80	1.00	10%	.02
CLASS 3 - Oiler & Fireman	7.05	.80	1.00	10%	

SUPERSEDEAS DECISION

STATE: Michigan COUNTY: Marquette
DECISION NO.: MI78-2012 DATE: Date of Publication
Supersedes Decision No. MI77-2052, dated May 13, 1977 in 42 FR 24618
DESCRIPTION OF WORK: Residential Construction consisting of single family homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.06	.60	.50		.05
BOILERMAKERS	11.07	1.10	1.20	1.50	.03
BRICKLAYERS & STONEMASONS	8.03	.65	.50		.01
CARPENTERS & SOFT FLOOR LAYERS	9.24	.60	.60		.01
CEMENT MASONS	7.53	.65	.50		.01
ELECTRICIANS	7.60	.45	3%		.1of1%
ELEVATOR CONSTRUCTORS:					
Constructors	10.765	.745	.56	a+b	.025
Helpers	70%JR	.745	.56	a+b	.025
Helpers (Prob.)	50%JR				
IRONWORKERS	9.50	.50	1.00	1.00	.04
LABORERS:					
Laborers	7.30	.55	.35		.04
Chipping Hammers; Concrete Mixers, Green Cutter (Air, Electric or Gas), Material Mixers, Mortar Mixers, Mortor driven buggy operator, sand-blasters, Tamping machines, vibrator operators	7.40	.55	.35		.04
LATHERS	8.85	.54	.10	.50	.01
MILLWRIGHTS	10.19	.60	.60		.01
PAINTERS:					
Brush & Glaziers	8.75				
PLASTERERS	7.98	.65	.50		.01
PLUMBERS & STEAMFITTERS	9.43	.70	.70	1.00	.02
ROOFERS	9.15		.50		
SHEET METAL WORKERS	10.08	.75+.08	.65		.04
SPRINKLER FITTERS	11.65	.65	.95		.08
TILE-MARBLE & TERRAZZO WORKERS	7.72	.65	.50		.01
TILESETTERS' FINISHERS	7.18	.45	.35		.01
TRUCK DRIVERS:					
Regular	7.72	22.00c	16.00c		
Heavy Duty, double axle and semi	8.08	22.00c	16.00c		
Euclid type equipment	8.08	22.00c	16.00c		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Power Equipment Operators					
Regular Equipment Operator Crane, Dozer, Front End Loaders Job Mechanic	8.72	.80	1.00	10%	.02
Air Track Drill, Boom Truck Concrete Mixers, Fork Truck, Material Hoist and Tugger, Pump, 6" andover, Pumpcrete, Belt Crete, Squeeze crete, Sweeping Machine, trencher, Winches, Well points and Greeze Systems	7.99	.80	1.00	10%	.02
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS: (WHERE APPLICABLE)

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Day after Thanksgiving Day & Christmas Day.

FOOTNOTES:

a. Six paid holidays: A through G

b. Employer contributes 8% of regular hourly rate to vacation credit for employee who has worked in business more than 5 years. Emoployer contributes 6% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

c. Per week, Per employee

SUPERSEDEAS DECISION

STATE: Michigan COUNTIES: See Below
DECISION NO. MI78-2013 DATE: Date of Publication
Supersedes Decision No: MI77-2053, dated May 6, 1977 in 42 FR 23377
DESCRIPTION OF WORK: Building (Does not include single family homes and garden type apartments up to and including four stories) and Heavy (excluding, Bridge, Airport and Sewer) Construction

COUNTIES: Allegan, Berrien Calhoun, Clinton, Eaton, Ingham, Jackson & Kalamazoo

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Berrien County	$12.12	.50	.75		
Remaining Counties	11.11	.84	1.48		.02
BOILERMAKERS	11.07	1.10	1.20	1.50	.03
BRICKLAYERS & STONEMASONS:					
Allegan County (Casco, Clyde Ganges and Lee Townships) and Berrien County	9.95	.95	.60		
Allegan County (Allegan, Cheshire, Gun Plain, Martin, Otsego, Trowbridge, Valley, and Watson Townships) and Kalamazoo County	10.40	.60	.35		.09
Allegan County (Remainder)	9.10	.55	.25		.04
Calhoun County and Bellevue, Carnel, Kalamo, and Walton Townships in Eaton County	10.50	.85	.35		
Clinton and Ingham (except Onondaga, Leslie, Bunker Hill and Stockbridge Townships) Counties and the remainder of Eaton County	10.85		.80		.01
Jackson County and remainder of Ingham County	11.62	.70	.55		
CARPENTERS:					
Berrien County (Chickaming, New Buffalo and Three Oaks Townships)	12.03	.50	.57		.05
Clinton, Eaton (except Bellevue, Walton, Kalamo and Vermontville Townships), Ingham & Jackson Counties	10.61	.60	.50		.01
Remaining Counties and the remainder of Berrien and Eaton Counties	9.80	.60	.60		.01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS:					
Kalamazoo County; Calhoun Co; Allegan Co., (Twps of Allegan, Cheshire, Gunn Plain, Martin, Otsego, Trowbridge, Valley & Watson)	$ 9.78	.50	.50		.02
Allegan County (Casco, Ganges & Lee Townships) and Berrien County	9.15	.95	.60		
Remainder of Allegan County	8.70	.50	.50		.02
Remainder of Counties	9.78	.50	.50		.02
ELECTRICIANS:					
Allegan County (Laketon, Fillmore, Leighton Townships	10.25	.40	3%+.35		.01
Allegan County (Remainder) and Kalamazoo County	11.30	.40	9½%		.01
Berrien County	11.25	4.8%	7%		.2%
Calhoun County and Sunfeild, Vermontville, Kalamo, Bellevue Eaton and Brookfield townships in Eaton County	11.42	.40	9%		.01
Clinton and Ingham (except Onondaga, Leslie, Stockbridge and Bunker Hill Townships) Counties and the remainder of Eaton County	12.05	.40	3%+.75		.5%
Jackson County and remainder of Ingham County	11.01	.40	3%		
ELEVATOR CONSTRUCTORS:					
Allegan, Kalamazoo, and Calhoun Counties:					
Constructor	10.81	.745	.56	a	.025
Helper	70%JR	.745	.56	a	.025
Helper (Prob.)	50%JR				
Berrien County:					
Constructor	10.83	.745	.56	a	.025
Helper	70%JR	.745	.56	a	.025
Helper (Prob.)	50%JR				.025

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ELEVATOR CONSTRUCTORS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Eaton, Ingham & Jackson Counties:					
Constructor	$12.41	.745	.56	a	.025
Helper	70%JR	.745	.56	a	.025
Helper (Prob.)	50%JR				
IRONWORKERS:					
Berrien County	10.55	.90	1.33		.03
Clinton, Ingham & Jackson Cos.					
Structural & Ornamental	11.18	8%	14%	17%	.09
Fence Erectors	10.18	8%	14%	17%	.09
Reinforcing	10.10	.98+.25	15%	15%	.07
Remaining Counties	10.70	.60	1.00		.08
LATHERS:					
All Counties except Berrien	8.85	.64	.10	.50	.01
MARBLE, TILE & TERRAZZO					
Allegan Co. (Gun Plain Otsego, Trowbridge Valley, Allegan, Cheshire, Martin and Watson Townships) and Kalamazoo County	8.85	.60			.05
Remainder of Allegan Co.	8.35	.45	.25		
Clinton, Ingham (except Onondaga, Leslie, Bunker Hill, and Stockbridge townships) and Eaton (except Kalamo, Carmel, Bellevue, and Walton Townships) Counties	10.03		.80		
Calhoun Co. & Bellevue, Carmel, Kalamo & Walton Twps. in Eaton County	10.50	.85	.35		
Jackson County and the Remainder of Ingham County					
Tile & Terrazzo Workers	10.90	.70	.55		
Marble Setters	11.62	.70	.55		
PAINTERS:					
Allegan Co. (Northern portion)					
Brush	8.05	.50	.25		.02
Paper hanging, Spray, Sandblasting, & Steamcleaning	8.55	.50	.25		.02

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PAINTERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Allegan County (S.E.¼) and Kalamazoo County					
Brush; Drywall Taping; Pan Roller	$ 9.45		.30		
Swing Stage; Structural Steel	10.10		.30		
Spray	10.35		.30		
Berrien County					
Brush	9.40				
Spray & Sandblasting; Drywall Taping	10.15				
Structural Steel	10.40				
Calhoun County					
Brush; Roller	8.30	.25			
Clinton, Eaton & Ingham Counties					
Brush and Tapers	10.87	.42	.40		.005
Structural Steel	11.27	.42	.40		.005
Spray & Sandblasting	11.62	.42	.40		.005
Jackson County					
Brush and Roller	11.02	.63	.20		.02
Spray and Sandblasters	11.77	.63	.20		.02
Drywall Taper	11.42	.63	.20		.02
PLASTERERS:					
Allegan County (Casco, Clyde, Ganges and Lee Townships) and Berrien County	9.35	.95	.60		
Remainder of Allegan County	8.83	.40	.25		.03
Remainder Counties	9.78	.50	.50		
PLUMBERS:					
Allegan County (Northern Tier Townships)	11.24	.60+.15	.75		.05
Allegan County (Remainder) and Kalamazoo County	11.71	.60	.86		

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PLUMBERS (CONT'D)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Berrien County (except city of Niles and vicinity)	$11.46	.84	.60		
City of Niles and Vicinity in Berrien County	11.25	.48	.80		.10
Calhoun County and Bellevue, Olivet, Hastings and Charlotte in Eaton County	11.19	1.30	.63		
Clinton and Ingham Counties and Sunfeild, Roxand, Oneida, Delta and Windson townships in Eaton County	11.90	.60	.70		
Jackson County	11.20	.87+.30	.80		.02
ROOFERS:					
Jackson County					
Composition	10.50	.85	.50	1.05	.10
Slate & Tile	11.25	.85	.50	1.05	.10
Allegan County					
Built-Up	7.25	.45	.35	.35	
Slate, Tile & Asbestos	7.50	.45	.35	.35	
Calhoun and Kalamazoo Counties:					
Composition	9.60			.25	
Slate, Tile & Asbestos	9.85			.25	
Clinton, Eaton and Ingham Cos.	8.35			.30	
SHEET METAL WORKERS:					
Berrien County	10.08	.65	.50		
Remaining Counties	9.98	.85	1.08	.68	.04
SOFT FLOOR LAYERS:					
Allegan, Berrien (except Chickaming, New Buffalo and Three Oaks townships), Calhoun, Kalamazoo Counties and Bellevue, Vermontville, Kalmo and Walton townships in Eaton County	8.40	.60	.60		.01
Clinton and Ingham Counties and the remainder of Eaton County	9.38	.60	.50		.01
Jackson County	10.61	.60	.50		.01
Chickaming, 3 Oaks & New Buffalo Twps. in Berrien Co.	12.03	.50	.57		.05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SPRINKLER FITTERS	$11.92	.65	.95		.08
TRUCK DRIVERS:					
Allegan, Berrien and Kalamazoo Counties:					
8 cu yds. & under	7.99	b20.00	b17.00		
8 cu yds. & over	8.5	b20.00	b17.00		
Low Boys Semis	8.26	b20.00	b17.00		
Calhoun County					
Less than 8 cu. yds.	7.95	b21.00	b12.00	.20	
8 cu. yds, and over; Semi Tandem	8.05	b21.00	b12.00	.20	
Clinton, Eaton and Ingham Cos.					
8 cu yds. & under	7.63	b24.00	b22.00	c	
Truck Drivers on dump trucks					
8 cu. yds. Capacity and over pole trailers	7.73	b24.00	b22.00	c	
Low boys drivers; Double bottom drivers	7.83	b24.00	b22.00	c	
Jackson County	5.95	b24.00	b22.00		
Welders receive rate prescribed for craft performing operation to which welding is incidental.					

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PAID HOLIDAYS (WHERE APPLICABLE)

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Day after Thanksgiving; G-Christmas Day

FOOTNOTES:

a. Employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years, 6% contribution for more than 5 years, plus 7 paid holidays - A through G

b. Per week, Per employee

c. One year's service, one week vacation; 3 years service, two weeks vacation

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
Allegan, Berrien, Calhoun and Kalamazoo Counties					
Group 1	$ 7.05	.55	.35	.55	.04
Group 2	7.20	.55	.35	.55	.04
Group 3	7.30	.55	.35	.55	.04
Group 4	7.17	.55	.35	.55	.04
Group 5	7.27	.55	.35	.55	.04
Group 6	7.37	.55	.35	.55	.04
Clinton, Eaton and Ingham Counties					
Group 1	7.60	.55	.35	.55	.04
Group 2	7.68	.55	.35	.55	.04
Group 3	7.74	.55	.35	.55	.04
Group 4	7.89	.55	.35	.55	.04
Group 5	7.84	.55	.35	.55	.04
Group 6	7.96	.55	.35	.55	.04
Group 7	8.215	.55	.35	.55	.04
Jackson County					
Group 1	7.43	.55	.35	.80	.04
Group 2	7.93	.55	.35	.80	.04

LABORERS:

Allegan, Berrien, Calhoun and Kalamazoo Counties

Group 1: All construction laborers on building and Heavy Construction not specified in Group 2 through 7 below

Group 2: Plasterer Tenders, Material Mixers, Operators of Portable Mixers; Air, Electric or Gasoline Tools; Motor Driven Buggies; Swing Scaffolds

Group 3: Jackhammer Operators

Group 4: Signal men

Group 5: Windlass Operator

Group 6: Crock Layers (or pipe layers), caisson work

Group 7: Top men on chimneys or towers over 30' in height

Clinton, Eaton and Ingham Counties

Group 1: Building Laborers

Group 2: Mortar Mixers, hand or machine

Group 3: Plasterer Tenders; Portable concrete mixer operator (14 and under); Air, Electric or Gasoline Tools; Tar Kettle tenders; Gasoline vibrators; Concrete gas buggies; Concrete saw; Signal men and top men

Group 4: Tunnel men; Concrete shovelers; Car pushers, etc.

Group 5: Windlass Operator (on caisson work)

Group 6: Crock layers (or pipe layers); Caisson workers; Tunnel muckers

Group 7: Tunnel Miners

Jackson County

Group 1: General Laborer

Group 2: Jackhammer and Acetylene Torch

DECISION NO. MI78-2013

LC ZONE I

LINE CONSTRUCTION WILLIAMSTON, LOCKE, LEROY, WHEATFIELD & WHITE OAK TOWN SHIPS IN INGHAM COUNTY	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen - Technician	$12.59	1.20	9%		½%
Cable Splicer	13.14	1.20	9%		½%
Combination Equipment Operator & Groundman	10.11	1.20	9%		½%
Groundman	8.77	1.20	9%		½%

LC -ZONE II

LINE CONSTRUCTION: ZONE 11 REMAINING COS: & THE REMAINDER OF INGHAM CO.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen; Heavy Equipment operator	$10.12	.45	3%	a	.5%
Cable Splicer	10.54	.45	3%	a	.5%
Combination Digger operator; Tractor operator Groundman'					
1st 6 months	7.32	.45	3%	a	.5%
Over 6 months	7.91	.45	3%	a	.5%
Light Equipment operator Groundman; Distribution Line Truck Driver Operator:					
1st 6 months	6.36	.45	3%	a	.5%
Over 6 months	6.94	.45	3%	a	.5%
Combination Winch Truck Driver Groundman:					
1st 6 months	5.79	.45	3%	a	.5%
Over 6 months	6.62	.45	3%	a	.5%
Combination Truck Driver Groundman	5.60	.45	3%	a	.5%

FOOTNOTE:
a. 7 paid Holiday; New Year's Day; Memorial Day; Independence Day; Labor Day; Thandsgiving Day; Day after Thanksgiving Day; and Christmas Day.

DECISION NO. MI78-2013

MICH-3-PBO-1-2

POWER EQUIPMENT OPERATORS:

BUILDING & HEAVY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	$11.90	.80	1.00	10%	.05
CLASS B	11.65	.80	1.00	10%	.05
CLASS C	11.40	.80	1.00	10%	.05
CLASS D	10.85	.80	1.00	10%	.05
CLASS E	10.65	.80	1.00	10%	.05
CLASS F	9.45	.80	1.00	10%	.05
CLASS G	8.75	.80	1.00	10%	

CLASS A - Crane with main boom & jib 220' or longer

CLASS B - Crane with main boom & jib 140' or longer, tower cranes, gantry cranes, whirley derrick

CLASS C - Regular equipment operator, cranes, stiff leg derrick, scraper, dozer, grader, front end loader, hoist, job mechanic & head grease man

CLASS D - Air Tugger (single drum), Material Hoist, Boiler Oprs., Sweeping Machine, winch Truck, Bob Cat & Similar type equipment, Fork Truck (over 20' lift)

CLASS E - Pump 6" or over, Well Points, Freeze systems, Boom truck (non Swinging) Fork Truck (20' Lift)

CLASS F - Air Compressor, Welder, Generators, Pumps under 6", Grease Man, Conveyors

CLASS G - Oiler, Firemen & Heater Operator

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MICH-2-PEO-SE

POWER EQUIPMENT OPERATORS: STEEL ERECTION CLINTON, INGHAM & JACKSON COS.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	$11.57	.55	.75	10%	.05
CLASS B	11.33	.55	.75	10%	.05
CLASS C	10.85	.55	.75	10%	.05
CLASS D	10.70	.55	.75	10%	.05
CLASS E	9.61	.55	.75	10%	.05
CLASS F	8.65	.55	.75	10%	

CLASS A - Engineer when operation combination of boom jib 220' or longer
CLASS B - Engineer when operating combination of boom & jib 140' or longer Tower crane & derrick operator (where opeators work stations is 501 Or more above first sub level
CLASS C - Crane operator job mechanic
CLASS D - Hoisting operator
CLASS E - Compressor (or welder) operator
CLASS F - Oiler or fireman

MICH-6-PEO-SE

POWER EQUIPMENT OPERATORS: STEEL ERECTION REMAINING COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	$11.40	.55	.75	10%	.05
CLASS B	11.15	.55	.75	10%	.05
CLASS C	10.90	.55	.75	10%	.05
CLASS D	10.55	.55	.75	10%	.05
CLASS E	9.30	.55	.75	10%	.05
CLASS F	8.25	.55	.75	10%	

CLASS A - Crane operator w/main boom & jib 220' or longer
CLASS B - Crane operator w/main boom & jib 140' or longer; power cranes, gantry crane; whirley derrick
CLASS C - Regular equipment operator; crane; dozer; loader; hoist, straddle wagon, Job mechanic
CLASS D - Air tugger (single drum); material hoist, pump 6' or over
CLASS E - Air compressor, welder, generators-conveyors
CLASS F - Oiler & Fireman

DECISION NO. MI78-2013

MICH-8-PEO-U

POWER EQUIPMENT OPERATORS: UNDERGROUND CONSTRUCTION CALHOUN, CLINTON, EATON, INGHAM & JACKSON COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	$10.61	.80	1.00	10%	.05
CLASS II	10.49	.80	1.00	10%	.05
CLASS III	9.83	.80	1.00	10%	.05
CLASS IV	9.31	.80	1.00	10%	.05

CLASS I - Power shovel, crane (crawler, truck type or pile driving), dragline, backhoe clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batching plant operator (concrete), backfiller tamper, well drilling rig, slip fom paver slope paver, conveyor loader (euclid type)
CLASS II - Trencher (8' digging capacity & smaller), endloader (1½ cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller than type D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more inclusive of generator), hoist, boom truck (power sing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher
CLASS III - Air compressor (2 or more - less than 600 CFM), air compressors 600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck(non-swinging, non powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum ½ dy or larger wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck mounted - includes compressor)
CLASS IV - Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hours or more a day gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishng machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 H.P. or over)

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POWER EQUIPMENT OPERATORS: UNDERGROUND CONSTRUCTION REMAINING COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	$ 9.24	.80	1.00	10%	.05
CLASS II	8.98	.80	1.00	10%	.05
CLASS III	8.52	.80	1.00	10%	.05
CLASS IV	8.27	.80	1.00	10%	.05

CLASS I - Power shovel, crane (crawler, truck type or pile driving), dragline, backhoe clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batching plant operator (concrete), backfiller tamper, well drilling rig, slip fom paver slope paver, conveyor loader (euclid type)

CLASS II - Trencher (8' digging capacity & smaller), endloader (1½ cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller than type D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more inclusive of generator), hoist, boom truck (power sing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher

CLASS III - Air compressor (2 or more - less than 600 CFM), air compressors 600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck(non-swinging, non powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum ½ dy or larger wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck mounted - includes compressor)

CLASS IV - Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hours or more a day gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishng machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 H.P. or over)

STATE: Michigan COUNTIES: See Below
DECISION NO.: MI78-2014 DATE: Date of Publication
Supersedes Decision No. MI77-2054, dated May 6, 1977 in 42 FR 23384
DESCRIPTION OF WORK: Building (Does not include single family homes and garden type apartments up to and including 4 stories) and Heavy (excluding Bridge, Airport and Sewer) Construction.

COUNTIES: Bay, Genesee, Huron, Iosco, Lapeer, Saginaw, St. Clair, Sanilac, Shiawassee & Tuscola

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
St. Clair County	$ 12.15	1.35	1.39		
Remainder of Counties	11.11	.84	1.48		.02
BOILERMAKERS	11.07	1.10	1.20	1.50	.03
BRICKLAYERS:					
Genesee, Lapeer & Shiawassee Cos.					
Bricklayers & Stonemasons	11.05	.60	1.00		
Marble-Tile-Terrazzo Workers	10.39	.50	1.00		
St. Clair & Sanilac Counties					
Bricklayers & Stonemasons	11.66	1.05	.72		
Marble Setters	12.12	.60	1.00		
Terrazzo Workers	11.29	.60	1.00		
Tile Setters	11.68	.60	1.00		
Remainder of Counties					
Bricklayers & Stonemasons	10.27	.85	.50		
Marble-Tile-Terrazzo Workers	10.50				
CARPENTERS:					
Sanilac (Except the West 5 Miles & St. Clair Counties:					
Carpenters & Piledrivermen	11.11	.75	10%	11%	.04
Soft Floor Layers	10.00	.86	7%	8%	.03
Remainder of Counties & the West 5 Miles of Sanilac County:					
Carpenters & Piledrivermen	10.25	.60	.60		.01
Soft Floor Layers	9.38	.60	.60		.01
CEMENT MASONS:					
St. Clair & Sanilac Counties	10.89	1.05	.72		
Lapeer County	9.80	.50	1.00		
Genesee & Shiawassee Counties	9.90	.48	.45		.02
Remainder of Counties					
Cement Masonry on sidewalks, curbs & gutters not related to highway, road and street construction	9.57	.85	.50		

DECISION NO. MI78-2014

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:					
Iosco County; Northern ½ of Co.:					
Contracts over $30,000	11.10	.40	3%+.30		1/10of1%
Contracts under $30,000	9.35	.40	3%+.30		1/10of1%
Bay Co; & Southern ½ of Iosco Co.	12.45	.40	3%+.30		½ of 1%
Genesee, Lapeer & Shiawassee Cos.	11.70	.40	3%+1.00		½%
Saginaw & Tuscola Counties	12.15		3%+1.00		½
Remainder of Counties	12.00	1.95	3%+1.06		.03
ELEVATOR CONSTRUCTORS:					
St. Clair County:					
Constructors	12.475	.745	.56	a	.025
Helpers	70%JR	.745	.56	a	.025
Helpers (Prob.)	50%JR				
Remainder of Counties:					
Constructors	11.21	.745	.56	a	.025
Helpers	70%JR	.745	.56	a	.025
Helpers (Prob.)	50%JR				
GLAZIERS:					
Genesee, Lapeer & Shiawassee Cos.	9.64	.55	.70		.02
St. Clair County	9.77	.55	.65		
Bay, Huron, Isoco, Tuscola & Sagianw Cos.	8.75		.50	.25	.01
IRONWORKERS:					
Structural & Ornamental	11.18	8%	15%	17%	.09
Reinforcing	10.10	.98+.25	15%	15%	.07
Fence Erectors	10.18	8%	14%	17%	.09
LABORERS:					
Iosco County; Unksilled	6.55	.55	.35		.04
Motar & Plaster Mixers, Sewer & Caisson Workers, Plasterer Tenders, Non-Metallic Pipe-Layers	6.70	.55	.35		.04
Cement Gun Nozzlemen, Blasters, Miners & rock Drillers	7.15	.55	.35		.04

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LATHERS	8.85	.64	.10	.50	.01
PAINTERS:					
Bay Iosco Cos., Huron (West of M-53) Cos., & the Townships of Akron, Almer, Columbia, Elkland, Ellington, Elmwood, Fairgrove, Gilford, Novesta, & Wisner in Tuscola County:					
Commercial	8.85	.50	.80		.02
Industiral	9.45	.50	.80		.02
Spray	9.70	.50	.80		.02
Saginaw Co., & the Remainder of Tuscola County:					
Brush	9.95		.35		.02
Spray	10.70		.35		.02
Genesee, Lapeer, & Shiawassee Cos.	9.40	.50	.60		
Western ½ of Shiawassee County	10.87	.42	.40		.005
Huron, st. Clair & Sanilac Cos.:					
Commercial & Industrial	11.47	.50	.50		.01
Brush	11.97	.50	.50		.01
Open Steel & Spray					
PLASTERERS:					
Lapeer County	10.05	.50	1.00		
Bay, Huron, Iosco, Saginaw & Tuscola Counties	10.57	.85			
Genesee & Shiawassee Cos.	9.78	.50	.50		.02
St. clair & Sanilac Counties	11.14	1.05	.72		
PLUMBERS AND STEAMFITTERS:					
Bay Iosco., N. ½ of Tuscola & the NW ½ of Huron (running from Port Autin south to Sanilac County line)	10.74	.75	.50	1.60	
Genesee, Lapeer & Shiawassee Cos	11.47	1.00	1.10		.02
Saginaw & S. ½ of Tuscola (including Carco, Washjamerga and South of the Lapeer County line Counties	10.33	.79	1.02		.01
Remainder of Huron County; St. Clair & Sanilac Counties	10.75	.25	1.30	1.52	.07

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS:					
Bay, Iosco, Saginaw, & Tuscola Cos.	10.75	.85	.60		.02
Genesee, Lapeer & Shiawassee Cos					
Composition	11.45	.60	.60		
Slate & tile	11.80	.60	.60		
St. Clair, Sanilac & Huron Cos.	7.70				
SHEET METAL WORKERS:					
Bay, Iosco, Huron, Saginaw & Tuscola Counties	11.11	.65	1.00		.02
Genesee, Lapeer & Shiawassee Cos.	9.89	.69	1.10	1.00	
St. Clair & Sanilac Counties	10.550	1.66	1.52	1.16	.11
SPRINKLER FITTERS	11.92	.65	.95		.08
TRUCK DRIVERS:					
Bay, Iosco, Saginaw & Tuscola					
Under 8 cubic yards	7.57	b24.00	b22.00	.26	
8 cubic yards & over	7.67	b24.00	b22.00	.26	
Euclid T pe Equipment	7.87	b24.00	b22.00	.26	
Genessee, Lapeer & Shiawassee	8.45	b24.00	b22.00		
Huron, St. Clair & Sanilac					
Pole Trailers, Low Boys Straddle Carriers, Double Bottoms & Special Load Permit Drivers	9.90	b24.00	b28.00		
Semi Drivers	9.80	b24.00	b28.00		
All Other Truck Drivers	9.65	b24.00	b28.00		
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTES:

a. 7 paid holidays - New Year's Day - Memorial Day - Independence Day; Labor Day; Thanksgiving Day - Day after Thankgiving Day and Christmas Day plus employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years and 6% for employees in business less than 5 years.

b. Per Week; Per Employee

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
Bay, Huron, Saginaw & Tuscola Counties					
CLASS A	$8.04	.55	.35		.04
CLASS B	8.16	.55	.35		.04
CLASS C	8.24	.55	.35		.04
CLASS D	8.81	.55	.35		.04
Genesee, Lapeer & Shiawassee Cos:					
CLASS A	8.39	.55	.55		.04
CLASS B	8.49	.55	.55		.04
CLASS C	8.59	.55	.55		.04
CLASS D	8.69	.55	.55		.04
CLASS E	8.94	.55	.55		.04
St. Clair & Sanilac Counties:					
GROUP 1	9.64	.55	.35		.04
GROUP 2	9.76	.55	.35		.04
GROUP 3	9.78	.55	.35		.04
GROUP 4	9.81	.55	.35		.04
GROUP 5	9.99	.55	.35		.04
GROUP 6	9.89	.55	.35		.04
GROUP 7	9.93	.55	.35		.04

LABORERS:

Bay, Huron, Saginaw & Tuscola Counties

CLASS A - all Construction Laborers on Building & Heavy Construction not specified in Classes, B,C, & D, below; Also includes pumps with a 3" or less discharge and not hooked up in a battersy; Mechanized Buggy Operator and Motar Mixer when done by hand.

CLASS B - Mechanized Mortar Mixers; Air, electric and gas driven tools; Vibrators

CLASS C - Air or Electric driven pavement Breakers; Plasterers Tenders; Plaster Mixers; Crock and/or Pipelayers; Signal Men & Top Man; Windlass and Tugger Operator; Caisson Worker

CLASS D - Drillers & Plasters; Burners

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LABORERS (CONT'D)

Genesee, Lapeer & Shiawassee Counties

CLASS A - Construction Laborers not specified in Classes B & E below

CLASS B - Mortar Mixer (includes concrete mixer ½ cu. yds. or smaller); Signal Men & Top Men (on caisson work; Air, Gasoline or Electric Tool Operators.

CLASS C - Jackhammer & Air Spade; Tunnel Menl Windlass Operators (on caisson work); Burner

CLASS D - Crock or Pipe Layers; Conduit and any Vertified Tile except 4" drain tile around Building; Caisson Workers & Tunnel Muckers

CLASS E - T nnel Miners

St. Clair & Sanilac Counties

GROUP 1 - General Laborers; Mason Tenders; all Demolition Laborers

GROUP 2 - Mortar Mixers (Hand or Machine)

GROUP 3 - Signal men & top men on caisson construction

GROUP 4 - Concrete Gas Buggies; Concrete Saw Operators, Plasterers Tenders

GROUP 5 - Crock or Pipelayers - caisson workers and muckers

GROUP 6 - Air Electric or Gas tool operator

GROUP 7 - Tunnel men, concrete shoulders and car pushers

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LINE CONSTRUCTION HURON, LAPEER, ST. CLAIR, SANILAC & TUSCOLA COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen - Technician	12.59	1.20	9%		½%
Cable Splicer	13.14	1.20	9%		½%
Combination equipment Operator & Groundman	10.11	1.20	9%		½%
Combination Driver-Groundman	9.52	1.20	9%		½%
Groundman	8.77	1.20	9%		½%

LC-ZONE II

LINE CONSTRUCTION: ZONE II BAY, IOSCO, GENESEE, SAGINAW & SHIAWASSEE COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen; Heavy Equipment operator	10.12	.45	3%	a	.5%
Cable Splicer	10.54	.45	3%	a	.5%
Combination Digger operator; Tractor operator Groundman:					
1st 6 months	7.32	.45	3%	a	.5%
Over 6 months	7.91	.45	3%	a	.5%
Light Equipment operator Groundman; Distribution Line Truck Driver Operator:					
1st 6 months	6.36	.45	3%	a	.5%
Over 6 months	6.94	.45	3%	a	.5%
Combination winch Truck Driver Groundman:					
1st 6 months	5.79	.45	3%	a	.5%
Over 6 months	6.62	.45	3%	a	.5%
Combination Truck Driver Groundman	5.60	.45	3%	a	.5%

Footnote: a-7 Paid Holidays; New Years Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Day after Thanksgiving; and Christmas Day.

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MICH-1-PEO-1-2

POWER EQUIPMENT OPERATORS: BUILDING & HEAVY CONSTRUCTION ST. CLAIR COUNTY	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	12.04	.80	1.00	10%	.05
CLASS B	11.81	.80	1.00	10"	.05
CLASS C	11.58	.80	1.00	10%	05
CLASS D	11.20	.80	1.00	10%	.05
CLASS E	10.05	.80	1.00	10%	.05
CLASS F	9.16	.80	1.00	10%	

CLASS A - Crane with boom & job or leads 220' or longer
CLASS B - Crane with boom and jib or leads 140' or longer
CLASS C - Regular crane operator
CLASS D - Regular Engineer
CLASS E - Engineer when operating Compressor (or welding machine)
CLASS F - Fireman or oiler

MICH -2-PEO-SE

POWER EQUIPMENT OPERATORS: STEEL ERECTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	11.57	.55	.75	10%	.05
CLASS B	11.33	.55	.75	10%	.05
CLASS C	10.85	.55	.75	10%	.05
CLASS D	10.70	.55	.75	10%	.05
CLASS E	9.61	.55	.75	10%	.05
CLASS F	8.65	.55	.75	10%	

CLASS A - Engineer when operating combination of boom jib 220' or longer
CLASS B - Engineer when operating combination of boom jib 140' or longer Tower crane & derrick operator (where operators work stations is 501 or more above first sub level
CLASS C - Crane operator job mechanic
CLASS D - Hoisting operator
CLASS E - Compressor (or welder) operator
CLASS F - Oiler or fireman

DECISION NO. MI78-2014

MICH-3-PEO-1-2

POWER EQUIPMENT OPERATORS: BUILDING & HEAVY CONSTRUCTION REMAINDER OF COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	11.90	.80	1.00	10%	.05
CLASS B	11.65	.80	1.00	10%	.05
CLASS C	11.40	.80	1.00	10%	.05
CLASS D	10.85	.80	1.00	10%	.05
CLASS E	10.65	.80	1.00	10%	.05
CLASS F	9.45	.80	1.00	10%	.05
CLASS G	8.75	.80	1.00	10%	.05

CLASS A - Crane with main boom & jib 220' or longer

CLASS B - Crane with main boom & jib 140' or longer, tower cranes, gantry cranes, whirley derrick

CLASS C - Regular equipment operator, cranes, stiff leg derrick, scraper, dozer, grader, front end loader, hoist, job mechanic & head grease man

CLASS D - Ait Tugger (single drum), Material Hoist, Boiler Oprs., Sweeping Machine,winch Truck, Bob Cat & Similar type equipment, Fork Truck (over 20' lift

CLASS E - Pump 6" or over, Well Points, Freeze systems, Boom truck (non Swinging Fork Truck (20' Lift)

CLASS F - Air Compressor, Welder, Generators, Pumps under 6", Grease Man, Conveyors

DECISION NO. MI78-2014

POWER EQUIPMENT OPERATORS: UNDERGROUND CONSTRUCTION

IOSCO COUNTY

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	9.24	.80	1.00	10%	.05
CLASS II	8.98	.80	1.00	10%	.05
CLASS III	8.52	.80	1.00	10%	.05
CLASS IV	8.27	.80	1.00	10%	.05

CLASS I - Power shovel, crane (crawler, truck type or pile driving), dragline, backhoe clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batching plant operator (concrete), backfiller tamper, well drilling rig, slip form paver slope, paver, conveyor loader (euclid type)

CLASS II - Trencher (8' digging capacity & smaller), endloader (1½ cu. yd. capacity & smaller), dozer less than 9' blade), side boom tractor (smaller than type D-4 or equivalent), pump (1 or more 6" discharve or larger - gas or diesel powered or powered by generator of 300 amps or more inclusive of generator), hoist boom truck (power single type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher

CLASS III - Air compressor (2 or more - less than 600 CFM, air compressors 600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck (non-swinging, non powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum ½ yd. or larger wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propleeed or truck mounted - includes compressor)

CLASS IV - Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hours or more a day gas or diesel powreed - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 H.P. or over)

DECISION NO. MI78-2014

POWER EQUIPMENT OPERATORS: UNDERGROUND CONSTRUCTION

REMAINDER OF COUNTIES

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	10.61	.80	1.00	10%	.05
CLASS II	10.49	.80	1.00	10%	.05
CLASS III	9.83	.80	1.00	10%	.05
CLASS IV	9.31	.80	1.00	10%	.05

CLASS I - Power shove, crane (crawler, truck type or pile driving), dragline, backhoe clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batching plant operator (concrete), backfiller tamper, well drilling rig, slip form paver, conveyor loader (euclid type)

CLASS II - Trencher (8' digging capacity & smaller), endloader (1½ cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller than type D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more inclusive of generator), hoist, boom truck power single type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher

CLASS III - Air compressor (2 or more - less than 600 CFM), air compressors 600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helpers, maintenance man, boom truck (non-swinging, non powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum ½ yd. or larger wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck mounted - includes compressor)

CLASS IV - Hydraulic pipe pushing machine, pumps (2 ore more up to 4" discharge if used 3 hours or more a day gas or siesel powered - excluding submersible pumps), trencher (service), boiler, vibrtaing compaction equipment, self propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment, finishing machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 H. P. or over)

SUPERSEDEAS DECISION

STATE: Michigan

COUNTIES: Genesee, Lapeer, Saginaw, St. Clair & Shiawassee

DECISION NUMBER: MI78-2015

DATE: Date of Publication

Supersedes Decision Number MI77-2055, dated May 13, 1977 in 42 FR 24619

DESCRIPTION OF WORK: Residential Construction consisting of Single Family Homes and garden type apartments up to and including 4 stories.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
St. Clair County	$12.15	1.35	1.39		
Remainder of Counties	11.11	.84	1.48		.02
BOILERMAKERS	11.07	1.10	1.20	1.50	.03
BRICKLAYERS:					
Genesee, Lapeer & Shiawassee	11.05	.60	1.00		
Saginaw County	10.27	.85	.50		
St. Clair County	11.66	1.05	.72		
CARPENTERS:					
Saginaw County	7.27	.60	.50		.02
St. Clair County	11.11	.75	10%	11%	.04
Remainder of Counties	10.24	.60	.60		.01
CEMENT MASONS:					
Genesee & Shiawasee Counties	9.90	.48	.45		.02
Lapeer County	9.80	.50	1.00		
Saginaw County	9.57	.85	.50		
St. Clair County	10.89	1.05	.72		
ELECTRICIANS:					
Genesee, Lapeer & Shiawasee Cos.	7.28	.40	3%+.75		.02
Saginaw County	7.63		3%+.15		¼%
St. Clair County	12.00	1.95	3%+1.06		.03
ELEVATOR CONSTRUCTORS:					
St. Clair County					
Constructors	12.475	.745	.56	a	.025
Helpers	70%JR	.745	.56	a	.025
Helpers (Prob.)	50%JR				
Remainder of Counties					
Constructors	11.21	.745	.56	a	.025
Helpers	70%JR	.745	.56	a	.025
Helpers (Prob.)	50%JR				
GLAZIERS:					
Genesee, Lapeer & Shiawassee Cs Cos.	9.64	.55	.70		.02
Saginaw County	8.75		.50	.25	.01
St. Clair County	9.77	.55	.65		
IRONWORKERS:					
Structural & Ornamental	11.18	8%	14%	17%	.09
Reinforcing	10.10	.98+.25	14%	15%	.07

DECISION NO. MI78-2015

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vocation	Education and/or Appr. Tr.
LABORERS:					
Saginaw County					
Laborers; Mortar Mixers (Hand)	8.04	.55	.35		.04
Plaster Mixers & Tenders	8.24	.55	.35		.04
Genesee, Lapeer & Shiawassee Cos.					
Laborers	8.39	.55	.55		.04
Air, Gas & Electric Tool Oprs	8.49	.55	.55		.04
Mortar Mixers	8.49	.55	.55		.04
Crock or Pipelayers	8.69	.55	.55		.04
St. Clair County					
Laborers; Mason Tenders	9.64	.55	.35		.04
Mortar Mixers	9.76	.55	.35		.04
Air, Gas & Electric Tool Oprs.	9.89	.55	.35		.04
Crock or Pipelayers	9.99	.55	.35		.04
LATHERS	8.85	.64	.10	.50	.01
MARBLE, TILE & TERRAZZO WORKERS:					
Genesee, Lapeer & Shiawasee Cos	10.39	.50	1.00		
Saginaw County	10.50				
St. Clair County:					
Marble Masons	12.12	.60	1.00		
Terrazzo Workers	11.29	.60	1.00		
Tile Setters	11.68	.60	1.00		
PAINTERS:					
Genesee & Eastern ¼ of Counties: West of Hwy. #53 in Lapeer	9.40	.50	.60		
St. Clair Co; & East of Hwy. #53 in Lapeer County	11.47	.50	.50		.01
Saginaw County	9.95		.35		.02
Western ¼ of Shiawassee County	10.35	.42	.40		.005
PLASTERERS:					
Saginaw County	10.57	.85			
Genesee & Shiawassee Counties	9.78	.50	.50		.02
Lapeer County	10.05	.50	1.00		
St. Clair County	11.14	1.05	.72		
PLUMBERS:					
Genesee, Lapeer & Shiawassee Cos.	11.47	1.00	1.10		.02
Saginaw County	10.33	.79	1.02		.01
St. Clair County	10.75	1.25	1.30	1.52	.07

DECISION NO. MI78-2015

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
St. Clair County					
Regular E gineer	10.52	.80	.85	10%	.05
Regular Crane Operator	10.82	.80	.85	10%	.05
Remainder of Counties					
Regular Equipment Operator; Scraper; Dozer; Grader, Front End Loader	11.40	.80	1.00	10%	.05
Bob Cat & Similar Type Equip.	10.85	.80	1.00	10%	.05
Air compressors; Generators	9.45	.80	1.00	10%	.05
ROOFERS:					
Genesee, Lapeer & Shiawassee Cos.	11.45	.60	.60		
St. Clair County	7.70	.85	.60		
SHEET METAL WORKERS:					
Genesee, Lapeer & Shiawassee Cos.	9.89	.69	1.10	1.00	
Saginaw County	11.11	.65	1.00		.03
St. Clair County	10.550	1.66	1.52	1.16	.11
SOFT FLOOR LAYERS:					
St. Clair County	9.45	.75	7%	8%	.03
Remainder of County	9.38	.60	.60		.01
SPRINKLER FITTERS	11.92	.65	.95		.08
TRUCK DRIVERS:					
Genesee, Lapeer, & Shiawassee Cos.	8.45	b24.00	b22.00		
Saginaw County					
Truck drivers	7.57	b24.00	b22.00	.26	
8 Cubic yards & over	7.67	b24.00	b22.00	.26	
Euclid Type Equipment	7.87	b24.00	b22.00	.26	
St. Clair County					
Truck Drivers	9.65	b24.00	b28.00		
Semi Trucks	9.80	b24.00	b28.00		

FOOTNOTES:

a. 7 paid Holidays - New Year's Day - Memorial Day - Independence Day - Labor Day - Thanksgiving Day - Day after Thanksgiving - Christmas Day plus employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years and 6% for employees in business less than 5 years.

b. Per week; Per Employee

SUPERSEDEAS DECISION

STATE: Michigan
COUNTIES: *See below
DECISION NO.: MI78-2016
DATE: Date of Publication
Supersedes Decision No.: MI77-2127 dated September 2, 1977 in FR 44450
DESCRIPTION OF WORK: Building Construction (Including Residential) and Heavy (Excluding Bridge, Airport and Sewer) Construction.

*Counties: Macomb, Monroe, Oakland, Washtenaw, & Wayne

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Monroe County	$12.43	.50	1.20		.04
Twps. of Bridgewater, Dexter, Freedom, Lima, Lydon, Manchester, Sharon & Sylvan in Washtenaw County	11.11	.84	1.48		.02
Remainder of Counties & the Remainder of Washtenaw County	12.15	1.35	1.39		.07
BOILERMAKERS:					
Monroe County	13.10	.70	1.00		.03
Remainder of Counties	11.07	1.10	1.20	1.50	.03
BRICKLAYERS & STONEMASONS:					
West of Hwy # 23 in Monroe Co.	10.54	.86	.55		.05
Washtenaw County	13.47		1.00		
Remainder of Counties & East of Hwy. # 23 in Monroe County	12.83	.80	8%+.10		.05
CARPENTERS & PILEDRIVERMEN					
Washtenaw County	11.14	.60	.50		.01
Remainder of Counties	11.11	.75	10%	11%	.04
CEMENT MASONS:					
South of Hwy. # 151 in Monroe County	13.34	.60			.02
Washtenaw County	13.27		1.00		
Remainder of Counties & North of Hwy. # 151 in Monroe County	11.71	.80	10%		.02
ELECTRICIANS:					
Washtenaw County	11.05	.50+4%	1%+.55	10%	2%
Monroe County:					
Building	13.00	.65	3%+.55		.1%
Residential	7.15	.65	3%+.55		.1%
Remainder of Counties:					
Building	12.00	1.95	3%+1.06		.03
Residential	12.00	1.95	3%+1.06		.03

DECISION NO. MI78-2016

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS:					
Monroe County:					
Constructors	$12.355	.745	.56	a	.025
Helpers	70%JR	.745	.56	a	.025
Helpers (prob.)	50%JR				
Washtenaw County					
Constructors	12.41	.745	.56	a	.025
Helpers	70%JR	.745	.56	a	.025
Helpers (prob.)	50%JR				
Remainder of Counties					
Constructors	12.475	.745	.56	a	.025
Helpers	70%JR	.745	.56	a	.025
Helpers (prob.)	50%JR				
GLAZIERS	$ 9.77	.55	.65		
IRONWORKERS:					
Monroe County	12.30	.93	1.11		.05
Remainder of Counties:					
Structural & Ornamental	11.18	8%	14%	17%	.09
Reinforcing	10.10	.98+.25	15%	15%	.07
Fence Erectors	10.18	8%	14%	17%	.09
Riggers & Machinery Erectors	10.00	1.10	1.71	16%	.02
LABORERS: (BUILDING, RESIDENTIAL & HEAVY)					
Monroe County:					
Construction Laborer & Carpenter helper	9.74	.55	.35	.55	.04
Mortar Mixer, Mason & Plaster Tender, Carpenter Helper, Cement Mason Helper, Tool Operator & Caisson Worker	9.94	.55	.35	.55	.04
LATHERS:					
S.W. Corner of Monroe County & Western Portion of Washtenaw Co.	8.85	.64	.10	.50	.01
Remainder of Counties: Eastern Portion of Washtenaw County & Remainder of Monroe County	10.92	.97+.35	.72		
MILLWRIGHTS:					
Washtenaw County	11.14	.60	.50		.01
Remainder of Counties	10.80	.96	11%	24%	.06

DECISION NO. MI78-2016

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
MARBLE MASONS:					
Washtenaw County	$13.47		1.00		
Remainder of Counties:					
Marble Mason	12.12	.60	1.00		
Marble Mason Finishers	10.37	.85	.80		
PAINTERS:					
Washtenaw County					
Brush	11.02	.63	.20		.02
Spray	11.77	.63	.20		.02
Tapers	11.42	.63	.20		.02
Remainder of Counties					
Brush	10.70	.74	1.00	1.00	50.00 P/Y
Spray:					
to 40' height	11.20	.74	1.00	1.00	50.00 P/Y
Over 40' height	11.325	.74	1.00	1.00	50.00 P/Y
PLASTERERS:					
South of Hwy. # 151 in Monroe Co.	13.00	.60			.01
Washtenaw County	13.47		1.00		
Remainder of Counties & Remainder of Monroe County	12.25	.85	.75		
PLUMBERS & STEAMFITTERS:					
Monroe County	11.18	.75	.80	1.25	.12
Washtenaw County	10.86	.85+.15	.75		.10
Remainder of Counties:					
Plumbers	10.75	1.25	1.30	1.52	.07
Pipefitters	10.55	1.55	1.50	1.35	.05
ROOFERS:					
Monroe County	12.11	.93	.85		.02
Washtenaw County:					
Composition	10.50	.85	.50	1.05	.10
Slate	11.25	.85	.50	1.05	.10
Remainder of Conties:					
Composition	10.81	.80	.80	1.00	
Slate	11.81	.80	.80	1.00	
SHEET METAL WORKERS:					
Monroe County	12.195	.93	1.15		.045
Remainder of Counties	10.550	1.66	1.52	1.16	.11

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SOFT FLOOR LAYERS:					
Washtenaw County	$11.14	.60	.50		.01
Remainder of Counties	10.00	.86	7%	8%	.03
SOUND & COMMUNICATION WORKERS:					
Wayne, Oakland & Macomb Cos:					
Electrical Technician	8.28	b1.60	b6.00		
Electrical Technician Jr.	6.86	b1.60	b6.00		
SPRINKLER FITTERS:					
Monroe County	11.92	.65	.95		.08
Remainder of Counties	12.185	.90	.90		.10
TILE & TERRAZZO WORKERS:					
Washtenaw County	13.47		1.00		
Remainder of Counties:					
Terrazzo Workers	11.29	.60	1.00		
Terrazzo Workers' Finishers	10.11	.60	.40	.65	
Tile Setters	11.68	.60	1.00		
Tile Setters' Finishers	9.27	.85	.80	.90	
TRUCK DRIVERS: Building & Heavy Construction:					
Pole Trailer; Low Boys; Straddle Carrier; Double Bottoms & special Load Permits	9.90	b24.00	b28.00		
Semi Drivers	9.80	b24.00	b28.00		
All Other Truck Drivers	9.65	b24.00	b28.00		
TRUCK DRIVERS: Underground Construction					
Truck Drivers (Except dump trucks of 8 cubic yards capacity or over, pole trailers, semis, low boys, Euclid, double bottom & Fuel trucks	9.08	b24.00	b28.00		
Truck Drivers on dump trucks 8 cubic yards capacity or over, Pole trailers, semis & fuel trucks	9.21	b24.00	b28.00		
Low boys, Euclid & double bottom driver	9.41	b24.00	b28.00		

FOONOTES: a. 7 Paid Holidays-New Years Day-Memorial Day-Independence Day-Labor Day Thandsgiving Day-Day after Thanksgiving-Christmas Day plus Employer contributes 8% or Regular Hourly Rate to Vacation Pay Credit for employee who has worked in business more than 5 years & 6% for employees in business less than 5 years.

DECISION NO. MI78-2016

LABORERS BUILDING, RESIDENTIAL & HEAVY	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Washtenaw County:					
GROUP 1	8.59	.55	.35	.75	.04
GROUP 2	8.79	.55	.35	.75	.04
GROUP 3	8.91	.55	.35	.75	.04
Wayne, Oakland & Macomb Cos:					
GROUP 1	8.93	.80	.80	.85	
GROUP 2	9.01	.80	.80	.85	
GROUP 3	9.11	.80	.80	.85	
GROUP 4	9.16	.80	.80	.85	
GROUP 5	9.18	.80	.80	.85	
GROUP 6	9.26	.80	.80	.85	
GROUP 7	9.31	.80	.80	.85	
GROUP 8	9.68	.80	.80	.85	

LABORERS: BUILDING, RESIDENTIAL & HEAVY

Washenaw County:

GROUP 1 - All Construction Laborers not specified below
GROUP 2 - Mortar mixers; Material Mixers (hand or machine) Air, Gas, Electric Tool Operators; Power Buggie Operators; Scaffold Building or Dismantler; Windlass Operators; Tar and Kettle Operators
GROUP 3 - Crock or Pipe Layers; Caisson Workers

Wayne, Oakland & Macomb Counties:

GROUP 1 - All Construction Laborers not specidied below
GROUP 2 - Mortar Mixers, Scaffold Builders
GROUP 3 - Signal Men, Air gas or electric tool operators, Windlass and Tugger operator, Jackahmmer and Vibrator Operator
GROUP 4 - Crock grade man
GROUP 5 - Furnace Battery Heater Helper
GROUP 6 - Crock and Pipe Layers
GROUP 7 - Caisson Workers
GROUP 8 - Lansing Burners, Blasters, Powderman

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LABORERS: OPEN CUT CONSTRUCTION WASHENAW COUNTY	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	7.70	.55	.35	.55	.04
CLASS 2	7.78	.55	.35	.55	.04
CLASS 3	7.83	.55	.35	.55	.04
CLASS 4	7.88	.55	.35	.55	.04
CLASS 5	7.93	.55	.35	.55	.04
WAYNE, OAKLAND, & MACOMB COS:					
CLASS 1	8.36	.75	.60	.75	.04
CLASS 2	8.44	.75	.60	.75	.04
CLASS 3	8.49	.75	.60	.75	.04
CLASS 4	8.54	.75	.60	.75	.04
CLASS 5	8.59	.75	.60	.75	.04
MONROE COUNTY					
CLASS 1	7.70	.55	.35	.55	.04
CLASS 2	7.80	.55	.35	.55	.04
CLASS 3	7.90	.55	.35	.55	.04
CLASS 4	7.95	.55	.35	.55	.04
CLASS 5	8.05	.55	.35	.55	.04

CLASS 1 - Construction Laborer
CLASS 2 - Mortar, & Material Mixers, Concrete form man, Signal Man, Wheel Point, Man, Manhole, Headwall & catch Basin Building, Guard Rail Builders & fence Erectors.
CLASS 3 - Air, gasoline, Electric Tool Ops., Vibrator Op., Drillers, Pumpman Tar Kettle Oprs., bracers, rodder, Reinfroced Steel or Mesh (under 40 H.P.) Windlass & Tugger Man
CLASS 4 - Trench Excavating Grade Man
CLASS 5 - Pipelayer

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LABORERS: TUNNEL, SHAFT & CASSION CONSTRUCTION WASHTENAW & MONROE COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	8.33	.55	.35	.55	.04
CLASS 2	8.41	.55	.35	.55	.04
CLASS 3	8.45	.55	.35	.55	.04
CLASS 4	8.61	.55	.35	.55	.04
CLASS 5	8.81	.55	.35	.55	.04
CLASS 6	9.06	.55	.35	.55	.04
Wayne, Okaland & Macomb Cos:					
CLASS 1	8.36	.75	.60	.75	.04
CLASS 2	8.44	.75	.60	.75	.04
CLASS 3	8.94	.75	.60	.75	.04
CLASS 4	8.64	.75	.60	.75	.04
CLASS 5	8.84	.75	.60	.75	.04
CLASS 6	9.09	.75	.60	.75	.04

CLASS 1 - Tunnel, Shaft & cassion laborer, dump man, Shanty man, Hog house tender, Testing Man (on gas)
CLASS 2 - Manhole, Headwall catch basin builder, Bricklayers Tender, Mortar man, Material mixer, fence Erector & Guard rail Builder
CLASS 3 - Air Tool operator (Jackhammer amn, Brush Hammer man & Grinding Man) First Bottom man, Second bottom man, Cage Tender, Car pusher, carrier man, Concrete man, concrete form man, Concrete repair man, Cement invert laborer, Cement finisher, concrete shoveler, conveyor man, Floor man, Gasoline & Electric Tool operator, Gunnite man, grout operator, Heading dinry man, inside lock tender, pea gravel operator, pump man, outside lock tender, Vibrator man, top signal man switch man, track man, Tugger man, Utility man, Vibrator man, Winch Operator, concrete saw operator (under 40 H.P.)
CLASS 4 - Tunnel, shaft & cassion mucker, Bracer man, Under Plate man, Long Haul Dinky driver & well point man
CLASS 5 - Tunnel, shaft, & Cassion Miner, Driller Runner, Key board Operator, Power Knife operator, reinforced steel or mesh man (Wire Mesh, Steel Mats, Dowell Bars, Etc.)
CLASS 6 - Dynamite man & Powerman

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LANDSCAPE LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS "A" Landscape Specialist, including air, gas, diesel, electric tool and/or equipment	$6.57				
CLASS "B" Landscape Laborers, Truck Drivers, Material Haulers & Small Power Equipment	4.82				

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LINE CONSTRUCTION Wayne, Macomb, Oakland Cos; Remainder of Washtenaw & Monroe Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Linemen - Technician	$12.59	1.20	9%		½%
Cable splicers	13.14	1.20	9%		½%
Combination Equipment Operator & Groundman	10.11	1.20	9%		½%
Combination Driver-Groundman	9.52	1.20	9%		½%
Groundman	8.77	1.20	9%		½%
LINE CONSTRUCTION: Twys. of Lyndon, Manchester, Sharson & Sylvan in Washtenaw Co; Twps. of Bedford, Erie LaSalle & Whiteford in Monroe County					
Lineman; Heavy Equipment Operator	10.12	.45	3%	a	.5%
Cable Splicers	10.54	.45	3%	a	.5%
Combination Digger Operator; Tractor Operator Groundman:					
1st 6 months	7.32	.45	3%	a	.5%
Over 6 months	7.91	.45	3%	a	.5%
Light Equipment Operator Groundman; Distribution Line Truck Driver Operator:					
1st 6 months	6.36	.45	3%	a	.5%
Over 6 months	6.94	.45	3%	a	.5%
Combination Winch Truck Driver Groundman:					
1st 6 months	5.79	.45	3%	a	.5%
Over 6 months	6.62	.45	3%	a	.5%
Combination Truck Driver Groundman	5.60	.45	3%	a	.5%

FOOTNOTES:

7 paid Holidays; New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Day After Thanksgiving Day; and Christmas Day.

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MICH-1-PEO-1-2

POWER EQUIPMENT OPERATORS: BUILDING & HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	12.04	.80	1.00	10%	.05
CLASS B	11.81	.80	1.00	10%	.05
CLASS C	11.58	.80	1.00	10%	.05
CLASS D	11.20	.80	1.00	10%	.05
CLASS E	10.05	.80	1.00	10%	.05
CLASS F	9.16	.80	1.00	10%	

CLASS A - Crane with boom & jib or leads 220' or longer
CLASS B - Crane with boom and jib or leads 140' or longer
CLASS C - Regular Crane Operator
CLASS D - Regular Engineer
CLASS E - Engineer when operating Compressor (or welding machine)
CLASS F - Firemen or oiler

MICH-2-PEO-SE

POWER EQUIPMENT OPERATORS: STEEL ERECTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	$11.57	.55	.75	10%	.05
CLASS B	11.33	.55	.75	10%	.05
CLASS C	10.85	.55	.75	10%	.05
CLASS D	10.70	.55	.75	10%	.05
CLASS E	9.61	.55	.75	10%	.05
CLASS F	8.65	.55	.75	10%	

CLASS A - Engineer when operation combination of boom jib 220' or longer
CLASS B - Engineer when operating combination of boom & jib 140' or longer Tower crane & derrick operator (where opeators work stations is 501 Or more above first sub level
CLASS C - Crane operator job mechanic
CLASS D - Hoisting operator
CLASS E - Compressor (or welder) operator
CLASS F - Oiler or fireman

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MICH-8-PEO-U

POWER EQUIPMENT OPERATORS: UNDERGROUND CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	10.61	.80	1.00	10%	.05
CLASS II	10.49	.80	1.00	10%	.05
CLASS III	9.83	.80	1.00	10%	.05
CLASS IV	9.31	.80	1.00	10%	.05

CLASS I - Power shovel, crane (crawler, truck type or pile driving), dragline, backhoe clamshell, trencher (over 8' digging capacity), mechanic, endloader (over 1½ cu. yd. cap.), grader, scraper (self-propelled or tractor drawn), dozer (9' blade & over), concrete paver (2 drum or larger), side boom tractor (type D-4 or equivalent & larger), elevating grader, roller (asphalt), gradall (and similar type machine), batching plant operator (concrete), backfiller tamper, well drilling rig, slip fom paver slope paver, conveyor loader (euclid type)
CLASS II - Trencher (8' digging capacity & smaller), endloader (1½ cu. yd. capacity & smaller), dozer (less than 9' blade), side boom tractor (smaller than type D-4 or equivalent), pump (1 or more 6" discharge or larger - gas or diesel powered or powered by generator of 300 amps or more inclusive of generator), hoist, boom truck (power sing type boom), tractor (pneu-tired, other than backhoe or front endloader), crusher
CLASS III - Air compressor (2 or more - less than 600 CFM), air compressors 600 cu. ft. per min. or larger), pumpcrete machine (and similar equipment), mechanic helper, maintenance man, boom truck(non-swinging, non powered type boom), welding machine or generator (2 or more - 300 amp. or larger gas or diesel powered), pump (2 or more - 4" up to 6" discharge - gas or diesel powered - excluding submersible pumps), concrete paver (1 drum ½ yd or larger wagon drill (multiple), elevator (other than passenger), concrete breaker (self-propelled or truck mounted - includes compressor)
CLASS IV - Hydraulic pipe pushing machine, pumps (2 or more up to 4" discharge if used 3 hours or more a day gas or diesel powered - excluding submersible pumps), trencher (service), boiler, vibrating compaction equipment, self propelled (6' wide or over), stump remover, mulching equipment, farm tractor (with attachment), finishng machine (concrete), roller (other than asphalt), curing machine (self-propelled), concrete saw (40 H.P. or over)

STATE: Minnesota COUNTIES: *See below
DECISION NUMBER: MN78-2009 DATE: Date of Publication
Supersedeas Decision No.: MN77-2119 dated August 12, 1977 in 42 FR 41082
DESCRIPTION OF WORK: Building Construction (Including Residential Construction)

*Counties: Carlton, Cook, Itasca, Koochiching Lake and St. Louis

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.65	.40	.25		
BOILERMAKERS	10.30	.85	1.00		.02
BRICKLAYERS:					
Bricklayers & Stonemasons:					
Koochiching County	10.40	.60	.25		
Cook, Lake & Carlton Counties & all that part of St. Louis County South of line between township 54 & 55 to 2 miles north of Cotton	10.27	.40	.30	.50	
Itasca County & the-northern half of St. Louis County	10.875	.30			
CARPENTERS:					
Building Construction:					
Koochiching County & Cities of Ashe Lake, Crane Lake, Kebetogama & Kinmount in St. Louis County	9.45	.40			
Cook County; Cities of Alborn, Arnold, Barlett, Birch, Brookston, Canyon, Clinton, Culver, Duluth, Floodwood, Cowan, Island, Kelsey, Lakewood, Meadowlands, Munger, Palmers, Payne, Praist, Shaw Taff in St. Louis County & Southern portion of Lake County					
Carpenters, Piledrivermen & Soft Floor Layers	9.15	.40	.50	.75	
Millwrights	9.37	.40	.50	.75	
Carlton County:					
Carpenters & Piledrivermen	9.20	.40	.50	.50	
Millwrights	9.34	.40	.50	.50	
Cities of Ball Club, Bass Lake, Big Fork, Blackberry, Bovey, Bowstring, Calument, Cohasset, Colerain, Deer River, Dora, Lake, Dunbar, Effie, Grand Rapids, Inger Marble, Marcell, Max, Pomroy, Spring Lake, Square Lake, Suomi, Talmoon, Warba & Wirt in Itasca County	9.14	.40	.50	.30	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS: (Cont'd)					
Cities of Allen, Aurora, Babbit, Britt, Biwabik, Buyck, Casco, Central, Lakes, Cook, Cusson, Ely, Embarrass, Eveleth, Florenton, Forbes, Gilbert, Hoyt Lakes, Indington, Iron Junction, Makinen, McComber, Masaba, Mountain, Iron, Ridge, Sax, Sherman Corners, Sherwood, Skibo, Soudon, Tower, Virginia, Wahlsten, Winton & Zim in St. Louis & Northern portion of Lake County					
Carpenters, Soft Floor Layers, and Tile Setters	$ 9.84	.40		.30	
Cities of Goodland, Keewatin, Nashwauk, Pengillu, Sawan River, Togo & Wawina in Itasca County & Cities of Bengal, Beer Lake Buhl Chrisholm, Gheen, Greaney, Hibbing, Kelly, Lake, Nett Lake, Orr Riley, Side Lake, Silica & Tovola in St. Louis County:					
Carpenters & Soft Floor Layers	9.64	.40		.30	
Site Preparation, Excavation & Incidential Paving:					
Lake, Cook, Carlton, Itasca & St. Louis Counties	8.28	.30		.30	
Koochiching County	7.32	.30			

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS & PLASTERERS:					
Building Construction:					
Koochiching County:					
Cement Masons & Plasterers	$10.05	.60	.25		
Itasca Co. and other Northern portion of St. Louis County, North or White Face River					
Cement Masons	10.05	.30			
Plasterers	10.65	.30			
Cook, Lake, Carlton Counties & the city of Duluth in St. Louis County:					
Cement Masons	10.445	.30			
Plasterers	10.20	.30		.45	
Koochiching County	10.05	.30	.15		
Cook, Lake, Carlton Counties & South of T-55-N in St. Louis County	10.445	.30			
Itasca County & North of T-54-N in St. Louis County	10.05	.30			
ELECTRICIANS:					
Cook, Lake, Carlton Counties the southerly 12 Townships of Itasca Couty including Harris, Feely, Blackberry, Spang, Goodland, Sago & Wawina & all of the southerly part of County bounded on the north by the lines of Kelsey Township extended east & west in St. Louis County	10.78	4%	8%	11%	1.5%
Koochiching County, Itasca County, (except that section south of a line extending east and west of the south line of Grand Rapids & Trout Lake Township), Northern part of St. Louis County bounded by the South Line of Ellsburg Township extended east and west	10.75	4%	6%	11%	1¼%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS:					
St. Louis & Lake Counties:					
Constructors	$ 9.99	.545	.35	4%+a	.02
Helpers	70%JR	.545	.35	4%+a	.02
Helpers (prob.)	50%JR				
GLAZIERS:					
Cook, Lake, St. Louis, Carlton, Koochiching Counties	$ 9.60	.40	.40	b	
IRONWORKERS	11.35	.30	.55		.02
LABORERS: BUILDING CONSTRUCTION					
Carlton County					
Laborers	8.30	.30	.35	.40	
Mason Tenders: Mortar Mixers and Jackhammer Operators	8.40	.30	.35	.40	
Cook, Lake, St. Louis Co. South of T-55-N, including the City of Duluth:					
Common Laborers & Flagman	8.35	.30	.35	.40	
Mortar Mixers, Carpenters & Mason Tender, Jackhammer & Vibrator Operator	8.45	.30	.35	.40	
Itasca & Koochiching Counties and north of T-55-N, including Cities of Hibbing, Chisolm & Buhl in St. Louis County					
Common Laborer	8.80	.20	.15		
Carpenter & Mason Tender, Mortar mixer, Bricklayer Tender and Jackhammer	8.90	.20	.15		
Pipelayer (non-metallic)	9.15	.20	.15		
LATHERS:					
St. Louis & Lake Counties	10.55	.30			
MARBLE, TILE & TERRAZZO WORKERS:					
St. Louis Co. (City of Duluth)					
Marble & Tile Setter	10.43	.30			
Remainder of Counties & Remainder of St.Louis County					
Marble Setters	10.355	.555	.33		
Tile Setters	10.25	.37	.50		
Marble & Tile Setters' Finishers	9.35	.37	.50		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush, Tapers & Rollers	$10.08	.40	.40		.09
Spray, Structural Steel & Paperhangers	10.68	.40	.40		.09
PLUMBERS & STEAMFITTERS:					
Koochiching County	13.10				
Cook & Carlton Counties & Southern half of St. Louis & Lake Counties	10.41	.30	.75	1.00	.05
Itasca Coutny & Northern portions of St. Louis & Lake Counties	10.65	.56	.64	1.00	.05
ROOFERS:					
Cook, Lake, Carlton Counties & Southern half of St. Louis County					
Roofers	9.23	.30	.25	1.00	
2nd Roofers	8.98	.30	.25	1.00	
Kettlemen	8.78	.30	.25	1.00	
Itasca & Koochiching Counties, the Northern half of St. Louis County					
1st Roofer	9.86	.52	.55		
2nd Roofer	9.56	.52	.55		
SHEET METAL WORKERS:					
Cook, Lake, Carlton Counties & Southern half of St. Louis County	10.35	.40	.44	1.00	
Itasca & Koochiching Counties, the Northern half of St. Louis County	10.92	.52	.55		
TRUCK DRIVERS:					
Building Construction:					
Koochiching County	8.80				
Itasca County	8.80				

FOOTNOTES:

a. Employer contributes 4% Basic Hourly Rate for over 5 years service, 2% of Basic Hourly Rate for 6 months to 5 years service as Vacation Pay Credit. Six (60 Paid Holdiays, New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day and Christmas Day.

b. 2 weeks vacation

DECISION NO. MN78-2009

LABORERS: Counties of Itaska and St.Louis Counties North of T-55, Site Preparation, Excavation & Incidental Paving:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	8.63	.20	.15	.25	
CLASS II	8.73	.20	.15	.25	
CLASS III	8.88	.20	.15	.25	
CLASS IV	8.93	.20	.15	.25	
CLASS V	8.98	.20	.15	.25	
CLASS VI	9.03	.20	.15	.25	
CLASS VII	9.13	.20	.15	.25	
CLASS VIII	9.23	.20	.15	.25	

CLASS I - Unskilled-Laborers, Laborers; wrecking & demolition; Bricklayer tender, drill runner helper, Landscape gardner, Sod layer & nurseryman pipihandler (water, gas cast iron); Salamander heater & blower tender; Carpenter tender; Stonemasons tender

CLASS II - Bituminous Shoveler, Bottom man (sewer , water or gas trench), Cement handler (bulk or bag); Chain saw man, compaction equipment (hand operator); Concrete mixer operator (1 bag), Concrete Shoveler, tamper & puddler (paving)) Concrete Vibrator, Conduit layers (w/o wiring); Dumper (wagon, truck etc.), Formsetter (municipal type curb & side walk) Formsetter (pavement); Jackhammer man & paving busters, Kettlemen (Bituminous or lead), Mortar mixer, Power buggy, Joint drawer, tunnel laborer (atmospheric pressure)

CLASS III - Bitminous Tamper, Cofferdam work, Caisson work

CLASS IV - Drill Runner (Heavy, including churn drill)

CLASS V: Bituminous Raker, Floater, Utility Men, Pipelayers (sewer, water, gass); Leadsman (Gunnite)

CLASS VII - Powderman

CLASS VIII -Tunnel Miner

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LABORERS Site preparation, Excavation & Incidential Paving Koochiching County	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	7.35	.20	.15		
CLASS 2	7.45	.20	.15		
CLASS 3	7.60	.20	.15		
CLASS 4	7.70	.20	.15		
CLASS 5	7.75	.20	.15		
CLASS 6	7.80	.20	.15		
CLASS 7	7.85	.20	.15		
CLASS 8	7.50	.20	.15		

CLASS 1 - Skilled Laborers, Bricklayers & Carpenters Tenders; Drill Runner Helper; Laborers Wreching & Demolition, Landscape Gardner, Pipe Handler (Water, Gas, Cast Iron), Salamander Heater, & Blower Tender, Sod Layer & Nurseryman; Stonemasons tender

CLASS 2 - Bituminous Shoveler, Bottom man (Sewer, Water or gas trench), Cement Coverman (Batch Trucks); Cement handler (Bulk or bag); Chain Saw Man, Compaction equipment (hand operated), Concrete mixer (1 bag); Concrete Shoveler, Tamper & Puddler (paving), Concrete vibrator, Conduit layers (w/o wiring); Drill runner (heavy, incl. Churn Driver Dumper (wagon truck, etc.); Jackhammerman, Joint Sawer, Kettlemen (Bituminous or Lead), Mortar Mixer Paving Buster; Power Buggy; Tunnel Laborer (atmospheric pressure)

CLASS 3 - Form setters (Municipal type curb & Sidewalk) form setter(pavement)

Class 4 - Bituminous Tamper, caisson work & cofferdam

CLASS 5 - Bituminous raker, floater, & Utility man; Leadman

CLASS 6 - Nozzleman (Gunnite)

CLASS 7 - Pipelayer, (Sewer, Water & Gas)

CLASS 8 - Powderman, Tunnel Miner

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MINN-14-LAB

LABORERS - SITE PREPARATION EXCAVATION & INCIDENTIAL PAVING Cook, Lake, Carlton & St. Louis Counties South of T-55	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	8.18	.30	.35	.40	
CLASS II	8.28	.30	.35	.40	
CLASS III	8.43	.30	.35	.40	
CLASS IV	8.48	.30	.35	.40	
CLASS V	8.53	.30	.35	.40	
CLASS VI	8.58	.30	.35	.40	
CLASS VII	8.68	.30	.35	.40	
CLASS VIII	8.78	.30	.35	.40	

CLASS I - Unskilled Laborers, Laborers; wrecking & demolition; Bricklayer tender, drill runner helper, Landscape gardner, Sod layer & nurseryman Pipehandler (water, gas, cast iron); Salamander heater & blower tender; Carpenter tneder; Stonemasons tender

CLASS II - Bituminous Shoveler, Bottom man (sewer, water or gas trench), Cement handler (bulk or bag); Chain saw man, compaction equipment (hand operated); Concrete mixer operator (1 bag), Concrete Shoveler, tamper & puddler (paving) Concrete Vibrator, Conduit layers (w/o wiring); Dumper (wagon, truck, etc.), Formsetter (municipal type curb & side walk) Formsetter (pavement); Jackhammer man & paving busters, Kettleman (Bituminous or lead), Mortar mixer, Power buggy, Joint drawer, tunnel laborer (atmospheric pressure)

CLASS III - Bituminous Tamper, Cofferdam work, Caisson work

CLASS IV - Drill Runner (Heavy, including churn drill)

CLASS V - Bituminous Raker, Floater & Utility Man, Pipelayers (sewer, water, gas); Leadman (Gunite)

CLASS VI - Nozzleman (Gunnite)

CLASS VII - Powderman

CLASS VIII - Tunnel Miner

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MINN-1-PEO-1

POWER EQUIPMENT OPERATORS BUILDING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS 1	$14.10	.45	.40		
CLASS 2	11.70	.45	.40		
CLASS 3	11.35	.45	.40		
CLASS 4	11.25	.45	.40		
CLASS 5	11.15	.45	.40		
CLASS 6	10.90	.45	.40		
CLASS 7	10.78	.45	.40		
CLASS 8	10.70	.45	.40		
CLASS 9	10.43	.45	.40		
CLASS 10	10.15	.45	.40		
CLASS 11	9.70	.45	.40		

CLASS 1 - Helicopter Operators (Hoisting Material)
CLASS 2 - Truck & crawler Cranes with 200' of Boom & over including Jib
CLASS 3 - Truck & crawler Cranes with 150' of Boom up to & not including 200' of Boom including jib.
CLASS 4 - Traveling Tower Crane
CLASS 5 - Master Mechanic
CLASS 6 - Derrick (Guy & Stiff Leg); Hoist engineer (3 drums or more); Locomotive Operator; Overhead Crane Operator, (inside Building Perimeter); Truck & Crawler Cranes up to 150' of Boom including jib.
CLASS 7 - Air compressor Operator; Pump & or Conveyor; 2 or more Mechanics; Hoist engineer (2 drum); Mechanic or welder; Pumpcrete or Complaco type Machine Operator; Fork Lift Operator
CLASS 8 - Boom truck Operator; concrete Mixer Operator; Drill Rigs (Heavy Duty Rotary or Churn Drill when used for caisson drilling or when drilling for elevator cylinder or Building Construction; Front End Loader Opr., Hoist Engineer (1 drum); Power Plant Engineer (100 KWH & over); Straddle carrier Operator; Tractor Operator (over D-2); Well Point Pump Operator
CLASS 9 - Concrete Batch Plant Opeator; gunnite Operator; Tractor Operator (D-2 or similar size 7 front End Loader Operator-up to ½ cu. yd.)
CLASS 10 - Air Compressor Operator; Pump & or Conveyor Operator; Fireman-Temporary Heat; Brakemen; Pick Up Sweeper (combustion engine operated); Truck Crane Oiler
CLASS 11 - Mechanic Space Heater (Temporary Heat) Oiler or Greaser

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MINN-7M-PEO-2-3

SITE PREPARATION, EXCAVATION & INCIDENTAL PAVING POWER EQUIPMENT OPERATORS; Cook, Lake, & St. Louis Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$ 14.20	.45	.40		
GROUP 2	10.91	.45	.40		
GROUP 3	10.65	.45	.40		
GROUP 4	10.52	.45	.40		
GROUP 5	10.43	.45	.40		
GROUP 6	9.75	.45	.40		
GROUP 7	9.45	.45	.40		

GROUP 1 - Helicopter Pilot
GROUP 2 - Crane with over 135' Boom, excluding jib, Dragline and/or other similar equipment w/shovel type controls 3 cu. yds. & over Mfg. rates capacity
GROUP 3 - Cableway Op., concrete Mixer, Stationary Plant over 34E, Derrick, Dragline and/or similar equipment with shovel type control up to 3 cu. yds. Mfg. rates capacity, Dredge Operator or Engineer, dredge Oper. (power) & Yds. & over, Grader or Motor Patrol Finishing earth & bituminous, Locomotive crane Operator, Master Mechanic, Mixer (paving) Concrete Paving Op., Road Mole., Op., incl. power supply, Mucking Mach., incl. mucking operations Conway or similar type, Refrigeration Plant Engineer, Tandem Scraper, Tractor Op. (Boom Type), Truck Crane Op., Tugboat Op. 100 HP & over
GROUP 4 - Dual Tractor Op., Elevating Grader Op., Pumpcrete Op., Scraper Op., Struck Capacity 32 cu. yds. & over, Self-Propelled. Traveling Soil Stabilizer
GROUP 5 - Air track Rock Drill, Asphalt Bituminous Stabilizer Plant Op., Crushing Plant Op., or Gravel Washing, Crushing and Screening Plant Op., Dope Machine Op., Drill Rigs, Heavy Rotary or Churn or Cable Drill, Engineer in charge of Plant requiring First Class License, fork Lift or Lumber Stacker, Front End Loader Op., Loader Op., over 1 cu. yds., Hoist Engineer, Hydraulic Tree Planter, Launcherman, Locomotive, all types, Mechanic or welder, Multiple machines, such as air compressors, welding machines, generators, pumps or crane oilers, paving breaker or tamping machines op., (power-driven - Mighty might or similar type, Pick-up sweeper, 1 cu. yd. & over Hopper capacity, Pipeline wrapping, cleaning

POWER EQUIPMENT OPERATORS (Cont'd)

or bending machine Op. Power Plant Engineer, Power actuated horizontal boring mach., over 6" op., pugmill op., roller, 8 tons & over, Rubber tired farm tractor, backhoe att., sheep foot op., tie tamper & hallast mach. Op., Tractor op., over D2, TD6 or similar HP with power take-off, tractor Op., over 50 HP without power take-off, trenching machine Op., (sewer, water, gas) turnapull op.,(or similar type) well point installation, dismatling or repair mechanic

GROUP 6 - Air compressor Op. 375 CFR or over, bituminous spreader and bituminous finishing machine op., Concrete dist. & Spreader op., finishing machine longitudinal float op., joint mach. op., spray., concrete mixer op. 14S and under, concrete op. (Mult. Blade), curb mach. op., Fine grade Op., form trench digger, front end loader op. (up to & incl. 1 cu. yd.), grader op. (motar patrol), gunite op. gunall, lead greader on truck or rack, loader op., power actuated Augars and boring mach. op. power actuated jacks op., pump op., roller op., self-propelled chip Spreader, shouldering mach. Op., stump chipper op., tractor op. (D2, TD6 or similar HP with power take-off)

GROUP 7 - Brakeman, switchman,conveyor op., deckhand, Fireman, Tank Car Heater op., Gravel screening plant op., greaser leverman, mech. helper, mech. space heater, oiler, self-prop. vib. packer op., sheep foot roller, tractor op. 50 HP or less w/o power take-off, truck crane oiler

MINN-6-PEO

SITE, PREPARATION, EXCAVATION & INCIDENTIAL PAVING

(JURISDICTION - NEXT PAGE)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$13.90	.45	.40		
GROUP 2	10.61	.45	.40		
GROUP 3	10.35	.45	.40		
GROUP 4	10.23	.45	.40		
GROUP 5	10.13	.45	.40		
GROUP 6	9.45	.45	.40		
GROUP 7	9.15	.45	.40		

GROUP 1 - Helicopter Pilot

GROUP 2 - Crane with over 135' Boom, excluding jib, Dragline and/or other similar equipment w/shovel type controls 3 cu. yds. & over Mfg. rates capacity

GROUP 3 - Cableway Op., concrete Mixer, Stationary Plant over 34E, Derrick, Dragline and/or similar equipment with shovel type control up to 3 cu. yds. Mfg. rates capacity, Dredge Operator or Engineer, dredge Oper. (power) & Yds. & over, Grader or Motor Patrol Finishing earth & bituminous, Locomotive crane Operator, Master Mechanic, Mixer (paving) Concrete Paving Op., Road Mole., Op., incl. power supply, Mucking Mach., incl. mucking operations Conway or similar type, Refrigeration Plant Engineer, Tandem Scraper, Tractor Op. (Boom Type), Truck Crane Op., Tugboat Op. 100 HP & over

GROUP 4 - Dual Tractor Op., Elevating Grader Op., Pumpcrete Op., Scraper Op., Struck Capacity 32 cu. yds. & over, Self-Propelled. Traveling Soil Stabilizer

GROUP 5 - Air track Rock Drill, Asphalt Bituminous Stabilizer Plant Op., Crushing Plant Op., or Gravel Washing, Crushing and Screening Plant Op., Dope Machine Op., Drill Rigs, Heavy Rotary or Churn or Cable Drill, Engineer in charge of Plant requiring First Class License, fork Lift or Lumber Stacker, Front End Loader Op., Loader Op., over 1 cu. yds., Hoist Engineer, Hydraulic Tree Planter, Launcherman, Locomotive, all types, Mechanic or welder, Multiple machines, such as air compressors, welding machines, generators, pumps or crane oilers, paving breaker or tamping machines op., (power-driven - Mighty might or similar type, Pick-up sweeper, 1 cu. yd. & over Hopper capacity, Pipeline wrapping, cleaning

POWER EQUIPMENT OPERATORS (Cont'D) SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING-CARLTON CO; KOOCHICHING CO., EAST OF A NORTH SOUTH LINE FROM THE CANADIAN BORDER TO PELLAND TO BIG FALLS & MINN. HWY. #6; ITASCA COUNTY EAST OF THE WESTERN RIGHT OF WAY OF MINN. HWY. #6.

or bending machine Op. Power Plant Engineer, Power actuated horizontal boring mach., over 6" op., pugmill op., roller, 8 tons & over, Rubber tired farm tractor, backhoe att., sheep foot op., tie tamper & hallast mach. Op., Tractor op., over D2, TD6 or similar HP with power take-off, tractor Op., over 50 HP without power take-off, ti .ching machine Op., (sewer, water, gas) turnapull op.,(or similar type) well point installation, dismatling or repair mechanic

GROUP 6 - Air compressor Op. 375 CFR or over, bituminous spreader and bituminous finishing machine op., Concrete dist. & Spreader op., finishing machine longitudinal float op., joint mach. op., spray., concrete mixer op. 14S and under, concrete op. (Mult. Blade), curb mach. op., Fine grade Op., form trench digger, front end loader op. (up to & incl. 1 cu. yd.), grader op. (motar patrol), gunite op. gunall, lead greader on truck or rack, loader op., power actuated Augars and boring mach. op. power actuated jacks op., pump op., roller op., self-propelled chip Spreader, shouldering mach. Op., stump chipper op., tractor op. (D2, TD6 or similar HP with power take-off)

GROUP 7 - Brakeman, switchman,conveyor op., deckhand, Fireman, Tank Car Heater op., Gravel screening plant op., greaser leverman, mech. helper, mech. space heater, oiler, self-prop. vib. packer op., sheep foot roller, tractor op. 50 HP or less w/o power take-off, truck crane oiler

MINN-7-PEO

POWER EQUIPMENT OPERATORS: SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Remainder of Itasca & Koochiching					
GROUP 1	13.45	.45	.40		
GROUP 2	9.27	.45	.40		
GROUP 3	9.02	.45	.40		
GROUP 4	8.88	.45	.40		
GROUP 5	8.80	.45	.40		
GROUP 6	8.27	.45	.40		
GROUP 7	7.87	.45	.40		

GROUP 1 - Helicopter Pilot

GROUP 2 - Crane with over 135' Boom, excluding jib, Dragline and/or other similar equipment w/shovel type controls 3 cu. yds. & over Mfg. rates capacity

GROUP 3 - Cableway Op., concrete Mixer, Stationary Plant over 34E, Derrick, Dragline and/or similar equipment with shovel type control up to 3 cu. yds. Mfg. rates capacity, Dredge Operator or Engineer, dredge Oper. (power) & Yds. & over, Grader or Motor Patrol Finishing earth & bituminous, Locomotive crane Operator, Master Mechanic, Mixer (paving) Concrete Paving Op., Road Mole., Op., incl. power supply, Mucking Mach., incl. mucking operations Conway or similar type, Refrigeration Plant Engineer, Tandem Scraper, Tractor Op. (Boom Type), Truck Crane Op., Tugboat Op. 100 HP & over

GROUP 4 - Dual Tractor Op., Elevating Grader Op., Pumpcrete Op., Scraper Op., Struck Capacity 32 cu. yds. & over, Self-Propelled. Traveling Soil Stabilizer

GROUP 5 - Air track Rock Drill, Asphalt Bituminous Stabilizer Plant Op., Crushing Plant Op., or Gravel Washing, Crushing and Screening Plant Op., Dope Machine Op., Drill Rigs, Heavy Rotary or Churn or Cable Drill, Engineer in charge of Plant requiring First Class License, fork Lift or Lumber Stacker, Front End Loader Op., Loader Op., over 1 cu. yds., Hoist Engineer, Hydraulic Tree Planter, Launcherman, Locomotive, all types, Mechanic or welder, Multiple machines, such as air compressors, welding machines, generators, pumps or crane oilers, paving breaker or tamping machines op., (power-driven - Mighty might or similar type, Pick-up sweeper, 1 cu. yd. & over Hopper capacity, Pipeline wrapping, cleaning

(POWER EQUIPMENT OPERATORS (Cont'd)

or bending machine Op. Power Plant Engineer, Power actuated horizontal boring mach., over 6" op., pugmill op., roller, 8 tons & over, Rubber tired farm tractor, backhoe att., sheep foot op., tie tamper & hallast mach. Op., Tractor op., over D2, TD6 or similar HP with power take-off, tractor Op., over 50 HP without power take-off, trenching machine Op., (sewer, water, gas) turnapull op.,(or similar type) well point installation, dismatling or repair mechanic

GROUP 6 - Air compressor Op. 375 CFR or over, bituminous spreader and bituminous finishing machine op., Concrete dist. & Spreader op., finishing machine longitudinal float op., joint mach. op., spray., concrete mixer op. 14S and under, concrete op. (Mult. Blade), curb mach. op., Fine grade Op., form trench digger, front end loader op. (up to & incl. 1 cu. yd.), grader op. (motar patrol), gunite op. gunall, lead greader on truck or rack, loader op., power actuated Augars and boring mach. op. power actuated jacks op., pump op., roller op., self-propelled chip Spreader, shouldering mach. Op., stump chipper op., tractor op. (D2, TD6 or similar HP with power take-off)

GROUP 7 - Brakeman, switchman,conveyor op., deckhand, Fireman, Tank Car Heater op., Gravel screening plant op., greaser leverman, mech. helper, mech. space heater, oiler, self-prop. vib. packer op., sheep foot roller, tractor op. 50 HP or less w/o power take-off, truck crane oiler

MINN-62-TD

TRUCK DRIVERS: BUILDING, SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING

Cook, Lake, Carlton & St. Louis Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	9.20	.40	.50		
GROUP 2	8.90	.40	.50		
GROUP 3	8.80	.40	.50		
GROUP 4	8.60	.40	.50		

GROUP 1 - Driver (Hauling machinery for employer's own use, including operation of hand & power operated winches); Truck train Mechanic, Welder; Tractor-Trailer; Off-Road Truck

GROUP 2 - Tri-axle (including 4-Axles); Dump Dry Batch Hauler; Tank Truck (Gas, Oil, Road Oil & Water); Boom & "A" Frame; Ready Mix Concrete; Slurry Driver.

GROUP 3 - Bituminous Distributor; Bituminous Distributor (1-Man Operation); Tandem Axle.

GROUP 4 - Bituminous Distributor Spray (rear-end oiler); Dumpman; Greaser & truck Servicemen; Tank Truck Helper (Gas, Oil, Road Oil & Water) Teamster and Stableman. Tractor Operator (Wheel Type used for any purpose) Pilot car driver, self-Propelled Packer; Slurry Operator; Single Axle Trucks.

MINN-5-TD

DECISION NO MN78-2009

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
SITE PREPARATION, EXCAVATION & INCIDENTIAL PAVING					
ITASCA & KOOCHICHING COS.					
GROUP 1	$ 8.02	.40	.50		
GROUP 2	7.72	.40	.50		
GROUP 3	7.62	.40	.50		
GROUP 4	7.42	.40	.50		

GROUP 1
Driver (hauling machinery for employer's own use including operation of hand & power operated winches); Truck train mechanic; Welder; Tractor-Trailer; Off road truck.

GROUP 2
Tri-Axle (including 4 Axles); Dump dry batch hauler; Tank truck (gas, oil, road oil & water); Boom & "A" Frame; Ready mix concrete; Slurry driver.

GROUP 3
Bituminous distributor driver; Bituminous distributor (1 man operation); Tandem axle.

GROUP 4
Bituminous distributor spray (rear-end oiler); Dumpman; Greaser & truck service man; Tank truck helper (gas, oil, road oil & water); Teamster and stableman; Tractor operator (wheel type used for any purpose); Pilot car; Self-propelled packer; Slurry operator; Single axle.

SUPERSEDEAS DECISION

STATE: Nevada

COUNTIES: Statewide (does not include the Nevada Test Site and Tonopah Test Range, and highway construction in Douglas County), Nevada

DECISION NUMBER: NV78-5009

DATE: Date of Publication

Supersedes Decision No. NV77-5007 dated September 23, 1977, in 42 FR 48662.

DESCRIPTION OF WORK: Building Construction (does not include single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Clark, Esmeralda, Lincoln, Nye Counties	$ 13.66	$ 1.10	$ 1.20		
Elko, Eureka, White Pine Cos.	11.21	.84	1.20		
Remaining Counties	13.00	1.02	1.20		.07
BOILERMAKERS	13.625	1.075	1.00	.75	.02
BRICKLAYERS; Stonemasons:					
Clark, Esmeralda, Lincoln, Nye County (south of Hwy. #6)	12.27	.70	.60		.06
Remaining Counties and Nye County (north of Hwy. #6)	11.45	.50	.60		.01
BRICK HOD CARRIERS:					
Statewide excluding Clark, Esmeralda, Lincoln, Nye County (south half):					
Zone A: 0-35 miles from Courthouse in Reno, Nevada	9.60	.50	.90		.05
Zone B: 35-75 miles from Courthouse in Reno, Nevada	10.50	.50	.90		.05

DECISION NO. NV78-5009 Page 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Clark, Esmeralda County (South of Hwy. #6), Lincoln, Nye County (south of Hwy. #6, including City of Tonopah):					
Zone 1: Area within the City limits of Henderson, Nevada, and Boulder City, Nevada; area within a 10 mile radius of Las Vegas, Nevada; area within a 5 mile radius of Tonopah, Nevada; present fenced area of Nellis Air Force Base, as well as that area adjacent to Nellis Air Force Base bounded on the north by the Nellis spur track and on the west by the train line of the Union Pacific Railroad:					
Carpenters	$ 11.36	.65	.90	$1.00	.10
Floor Layers; Patent Scaffold Erectors; Power Saw Operators	11.51	.65	.90	1.00	.10
Piledrivermen	11.56	.65	.90	1.00	.10
Millwrights	12.06	.65	.90	1.00	.10
Zone 2: Area outside of Zone 1 and not more than 20 road miles from the communities described above:					
Carpenters	11.86	.65	.90	1.00	.10
Floor layers; Patent Scaffold Erectors; Power Saw Operators	12.01	.65	.90	1.00	.10
Piledrivermen	12.06	.65	.90	1.00	.10
Millwrights	12.56	.65	.90	1.00	.10

DECISION NO. NV78-5009 Page 3

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS: (Cont'd)					
Zone 3: Area over 20 miles and not more than 40 miles from the communities described in Zone 1:					
Carpenters	$ 12.11	.65	.90	1.00	.10
Floor Layers; Patent Scaffold Erectors; Power Saw Operators	12.26	.65	.90	1.00	.10
Piledrivermen	12.41	.65	.90	1.00	.10
Millwrights	12.81	.65	.90	1.00	.10
Zone 4: Area over 40 miles from the communities described in Zone 1:					
Carpenters	13.36	.65	.90	1.00	.10
Floor Layers; Patent Scaffold Erectors; Power Saw Operators	13.51	.65	.90	1.00	.10
Piledrivermen	13.56	.65	.90	1.00	.10
Millwrights	14.06	.65	.90	1.00	.10
Nye County (north of Hwy. #6, excluding City of Tonopah) and all Remaining Counties:					
Carpenters	11.15	.70	1.16		.05
Floor Layers; Patent Scaffold Erectors; Power Saw Operators	11.30	.70	1.16		.05
Piledrivermen	11.35	.70	1.16		.05
Millwrights	11.75	.70	1.16		.05
CEMENT MASONS:					
Clark, Lincoln, Nye Counties:					
Cement Masons	11.40	1.00	.70		.08
Cement Floor Finishing Machine and Color Work	11.65	1.00	.70		.08
Lake Tahoe Area:					
Cement Masons	10.80	.70	.90	1.25	.05
Mastic, Magnesite and all Composition Masons	11.05	.70	.90	1.25	.05
Troweling Machine; Grinder Operator and Kelly Float	11.30	.70	.90	1.25	.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS: (Cont'd)					
Remaining Counties:					
Cement Masons	$ 9.35	.70	.90	$1.25	.05
Mastic, Magnesite and all Composition Masons	9.60	.70	.90	1.25	.05
Troweling Machine; Grinder Operator and Kelly Float	9.85	.70	.90	1.25	.05
DRYWALL INSTALLERS:					
Statewide except the Counties of Clark, Esmeralda County (south of Hwy. #6), Lincoln, Nye County (south of Hwy. #6)	11.40	.70	1.16		.05
ELECTRICIANS:					
Clark, Lincoln, Nye County (south of Mt. Diablo Base Line):					
Electricians; Technicians	14.36	.73	3%+1.30		.08
Cable Splicers	14.69	.73	3%+1.30		.08
Nye County (north of Mt. Diablo Base Line) and Remaining Counties excluding Lake Tahoe Area:					
Electricians; Technicians	13.33	.84	3%+1.07		.08
Cable Splicers	14.66	.84	3%+1.07		.08
Lake Tahoe Area:					
Electricians; Technicians	14.33	.84	3%+1.07		.08
Cable Splicers	15.66	.84	3%+1.07		.08
ELEVATOR CONSTRUCTORS:					
Nevada east of 118° longitude and south of 39° north latitude:					
Elevator Constructors	13.41	.745	.56	3%+a	.025
Elevator Constructors' Helpers	9.39	.745	.56	3%+a	.025
Elevator Constructors' Helpers (Prob.)	6.705				
Nevada west of 118° longitude:					
Elevator Constructors	14.82	.745	.56	3%+a	.025
Elevator Constructors' Helpers	10.37	.745	.56	3%+a	.025
Elevator Constructors' Helpers (Prob.)	7.41				
GLAZIERS:					
Clark, Esmeralda, Lincoln and Nye Counties	13.50	.50	.40		.05
Remaining Counties	11.22	.58	1.50	1.25	
IRONWORKERS:					
Elko, Eureka, White Pine Cos. Fence Erectors; Machinery Movers; Ornamental; Reinforcing; Riggers; Structural	10.65	.65	1.24		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS: (Cont'd)					
Remaining Counties:					
Fence Erector	$ 10.66	$ 1.24	$ 2.22	$1.46	.06
Ornamental; Reinforcing; Structural	11.55	1.24	2.22	1.46	.06
LATHERS:					
Clark, Esmeralda, Lincoln, and Nye Counties	10.60	.70	1.00	1.00	.16
LINE CONSTRUCTION WORKERS:					
Clark, Lincoln, Nye County (south half)					
Groundman	11.09	.73	3%		3/4%
Linemen; Line Equipment Op.	14.79	.73	3%		3/4%
Cable Splicers	15.53	.73	3%		3/4%
Lake Tahoe Area:					
Lineman	14.33	.84	3%+1.07		.08
Line Equipment Operators	13.00	.84	3%+1.07		.08
Groundman	11.00	.84	3%+1.07		.08
Cable Splicer	15.66	.84	3%+1.07		.08
Remaining Counties (excluding Lake Tahoe Area):					
Lineman	13.33	.84	3%+1.07		.08
Line Equipment Operator	12.00	.84	3%+1.07		.08
Groundman	10.00	.84	3%+1.07		.08
Cable Splicers	14.66	.84	3%+1.07		.08
MARBLE MASONS:					
Clark, Esmeralda, Lincoln, Nye County (south half)	12.27	.70	.60		.06
Remaining Counties and Nye County (north half)	11.45	.50	.60		.01
MARBLE, TERRAZZO, TILE HELPERS:					
Clark, Esmeralda, Lincoln, Nye County (south half)	9.65	.70	.60		
Remaining Counties and Nye County (north half)	6.87	.50	.60		.01
MASON TENDERS:					
Clark, Esmeralda, Lincoln, Nye County (south half)	10.02	.66	1.35		
PAINTERS:					
Clark, Esmeralda, Lincoln, Nye Counties:					
Brush; Roller	12.64	.75	.35		.06

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Paperhangers; Spray; Steel; Swing Stage; Sandblasters; Sign; Tapers	$ 12.99	.75	.35		.06
Buffing Steel; Sandblasters, Structural Steel	13.34	.75	.35		.06
Steeplejack	14.14	.75	.35		.06
Remaining Counties including Lake Tahoe Area:					
Brush and Roller Spray; Brush-swing stage, up to 40 ft.; Brush-steel; Sandblaster; Taper; Paperhangers	11.95	.70	.75		.005
Spray-swing stage up to 40 ft.	12.20	.70	.75		.005
PLASTER HOD CARRIERS:	12.45	.70	.75		.005
Statewide excluding Clark, Esmeralda, Lincoln, Nye County (south half):					
Plaster Hod carriers serving Plasterers	10.75	.50	.90		
Plaster Hod Carriers working on any type of Gun	11.35	.50	.90		
PLASTER TENDERS:					
Clark, Esmeralda, Lincoln, and Nye County (south half)	11.12	.66	1.35		
PLASTERERS:					
Clark, Lincoln, Nye Counties	11.68	1.00	.70		.08
Remaining Counties	11.22	.70	1.00		.03
PLUMBERS; Steamfitters:					
Clark, Esmeralda, Lincoln, Nye County (south half)	11.53	1.25	2.32	1.85	.08
Remaining Counties and Nye County (north half)	11.74	.73	.90	1.95	.10
PLUMBERS (Utility):					
Statewide except Clark, Esmeralda, Lincoln, Nye County (south half)	11.74	.73	.90	1.95	.10
ROOFERS:					
Clark, Esmeralda, Lincoln, and Nye County (south half)	13.75	.65			
Remaining Counties and Nye County (north half)	11.60	.70	.50		.02

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SHEET METAL WORKERS:					
Clark, Esmeralda, Lincoln, Nye County (South half), White Pine Counties	$ 13.67	.93	$ 1.61		.12
Remaining Counties and Nye County (north half)	11.22	1.04	2.13		.05
SOFT FLOOR LAYERS:					
Clark, Esmeralda, Lincoln, and Nye Counties	13.07	.65			.15
Remaining Counties including Lake Tahoe Area	11.48	.70	.20	.28	
SPRINKLER FITTERS	15.05	.65	.95		.08
TERRAZZO WORKERS; TILE SETTERS:					
Clark, Esmeralda, Lincoln, and Nye County (south half)	12.27	.70	.60		.06
Remaining Counties and Nye County (north half)	11.45	.50	.60		.01

FOOTNOTE:

a. Employer contributes 4% basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months' to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

LABORERS				
Clark, Esmeralda, Lincoln, Nye County (south half)				
Group 1	$ 8.00	.66	$ 1.53	$1.00
Group 2	8.05	.66	1.53	1.00
Group 3	8.08	.66	1.53	1.00
Group 4	8.10	.66	1.53	1.00
Group 5	8.12	.66	1.53	1.00
Group 6	8.13	.66	1.53	1.00
Group 7	8.15	.66	1.53	1.00
Group 8	8.18	.66	1.53	1.00
Group 9	8.19	.66	1.53	1.00
Group 10	8.21	.66	1.53	1.00
Group 11	8.26	.66	1.53	1.00
Group 12	8.29	.66	1.53	1.00
Group 13	8.31	.66	1.53	1.00
Group 14	8.34	.66	1.53	1.00
Group 15	8.36	.66	1.53	1.00
Group 16	8.425	.66	1.53	1.00
Group 17	8.45	.66	1.53	1.00
Group 18	8.52	.66	1.53	1.00

LABORERS

Clark, Esmeralda, Lincoln and Nye County (South half)

Group 1: Debris Handler; Dry packing of concrete and filling of form-bolt holes; Dumpman; Gas and oil pipeline laborers; Demolition Laborers; General or construction Laborers; Spotter; Window Cleaner; Flagman

Group 2: Cutting Torch Operator (demolition); Tarman and Mortorman

Group 3: Guinea Chaser

Group 4: Fine Grader, highway and street paving, airport, runways and similar type heavy construction; Landscape gardener and nursery-man

Group 5: Laborers - packing rod steel and pans

Group 6: Underground Laborer including caisson bellowers

Group 7: Chucktender (except tunnels); Scaler; Septic tank digger and installer (lead man); Tank scaler and cleaner

Group 8: Cesspool digger and installer

Group 9: Concrete curer - impervious membrane and oiler of all materials; Making and caulking of all non-metallic pipe joints; Riprap stonepaver; Sandblaster (pot tender)

Group 10: Asphalt Ironer, raker, spreader; Buggymobile; Cement Dumper (on 1 yard or larger mixers and handling bulk concrete); Cement grinding machine operator; Concrete core cutter; Concrete saw man, excluding tractor type; Gas and oil pipeline wrapper, pot tender and form man; Tree climber, faller, chain saw operator; Pittsburgh Chipper and similar type; Vibrators and all pneumatic gas, electric and similar mechanical tools not separately classified herein; Roto Scraper

Group 11: Rock Slinger; Scaler, using bosun chair, safety belt or power tools

Group 12: Driller and/or pavement breaker

Group 13: Laying of all non-metallic pipe (including sewer pipe, drain pipe and underground tile)

Group 14: Gas and oil pipeline wrapper - 6 inch pipe and over

Group 15: Cribber or Shorer; Powderman

Group 16: Steel Headerboard Man

Group 17: Driller (core, diamond or wagon) Joy Driller Model TW-M-2A, Gardner-Denver Model DH-163 and similar drills; Sandblaster - Nozzleman

Group 18: Head Rock Slinger

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS*:					
Remaining Counties:					
Building Construction:					
Zone 1: Area within 5 road miles of the following communities - Carson City, Elko, Fallon, Hawthorne, Lovelock, Minden, Tonopah, Winnemucca; also area within 10 road miles of Reno, Nevada; also the area within 2 road miles of Yerington, Nevada, also Washoe Valley between Reno, Nevada and Carson City, Nevada, but not including any area further than the foot of the mountains to the east or west side of Washoe Valley; also the area of Stead Air Force Base; also the Tahoe Basin from the Summit of the Lake:					
Group 1	$ 8.20	.80	.90		.10
Group 2	8.30	.80	.90		.10
Group 3	8.45	.80	.90		.10
Group 4	8.70	.80	.90		.10
Group 5	9.00	.80	.90		.10
Group 6-A	9.00	.80	.90		.10
Group 6-B	8.70	.80	.90		.10
Group 6-C	8.35	.80	.90		.10
Zone 2: Area outside of Zone 1 and not more than 20 road miles from the above communities:					
Group 1	8.80	.80	.90		.10
Group 2	8.90	80	.90		.10
Group 3	9.05	.80	.90		.10
Group 4	9.30	.80	.90		.10
Group 5	9.60	.80	.90		.10
Group 6-A	9.60	.80	.90		.10
Group 6-B	9.30	.80	.90		.10
Group 6-C	8.95	.80	.90		.10

LABORERS: (Cont'd) Remaining Counties (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Building Construction (Cont'd)					
Zone 3: Area over 20 and not more than 40 road miles from the communities named in Zone 1					
Group 1	$ 9.00	.80	.90		.10
Group 2	9.10	.80	.90		.10
Group 3	9.25	.80	.90		.10
Group 4	9.50	.80	.90		.10
Group 5	9.80	.80	.90		.10
Group 6-A	9.80	.80	.90		.10
Group 6-B	9.50	.80	.90		.10
Group 6-C	9.15	.80	.90		.10
Zone 4: Area over 40 road miles from the communties named in Zone 1:					
Group 1	9.70	.80	.90		.10
Group 2	9.80	.80	.90		.10
Group 3	9.95	.80	.90		.10
Group 4	10.20	.80	.90		.10
Group 5	10.50	.80	.90		.10
Group 6-A	10.50	.80	.90		.10
Group 6-B	10.20	.80	.90		.10
Group 6-C	9.85	.80	.90		.10
Heavy and Highway Construction:					
Area 1:					
Group 1	8.20	.80	.90		.10
Group 2	8.30	.80	.90		.10
Group 3	8.45	.80	.90		.10
Group 4	8.70	.80	.90		.10
Group 5	9.00	.80	.90		.10
Group 6-A	9.00	.80	.90		.10
Group 6-B	8.70	.80	.90		.10
Group 6-C	8.35	.80	.90		.10
Area 2:					
Group 1	9.35	.80	.90		.10
Group 2	9.45	.80	.90		.10
Group 3	9.60	.80	.90		.10
Group 4	9.85	.80	.90		.10
Group 5	10.15	.80	.90		.10
Group 6-A	10.15	.80	.90		.10
Group 6-B	9.85	.80	.90		.10
Group 6-C	9.50	.80	.90		.10

*LABORERS - Area Definition - See "Area Definition" following TRUCK DRIVERS

LABORERS
Remaining Counties

Group 1: All cleanup work of debris, grounds and building including windows and tile; Dumpman or spotter (other than asphalt); General laborer; Gardeners and landscape laborers; Limber, brushloader and piler; Flagman

Group 2: Choker setter or rigger (clearing work only); Pittsburgh chipper and similar type brush shredders; Concrete worker (wet or dry) all concrete work not listed in Group 3; Crusher or Grizzle tender; Guinea Chaser (stakeman); Panel forms (wood or metal) handling, cleaning and stripping of; Loading and unloading, carrying and handling of all rods and material for reinforcing concrete; Railroad trackmen (builders); Sloper; Semi-skilled wrecker (salvaging of building materials other than those listed in Group 3); Greasing Dowels

Group 3: Asphalt workers (ironers, shoveler, cutting machine); Buggymobile; Chainsaw, faller, logloader and bucker; Compactor (all types); Concrete mixer under 1/2 yd.; Concrete pan work (breadpan type), (handling, cleaning, stripping); Concrete saw, chipping, grinding, sanding, vibrator; Cribbing, shoring, lagging, trench jacking, hand-guided lagging hammer; Curbing or divider machine; Curb setter (precast or cut); Ditching machine (hand-guided); Driller's helper, chuck tender; Form raiser, slip forms; Grouting of concrete walls, windows and door jams; Headerboardman; Jackhammer, pavement breaker, air spade; Mastic worker (wet or dry); Pipe wrapper, kettleman, potman, and men applying asphalt, creosote and similar type materials; All power tools (air, gas or electric) not listed in Group 5; Pipejacking; Post-hole digger (air, gas or electric); Post driver; Riprap-stonepaver and rock slinger, including placing of sack concrete wet or dry; Rototiller; Rigging and signaling in connection with laborers' work; Sandblaster, potman, gunman or nozzleman; Vibra-screed; Skilled wrecker (removing and salvaging of sash windows, doors, plumbing and electrical fixtures)

Group 4: Burning and welding in connection with laborers' work; Joy Drill Model TWM-2A, Gardner Denver Model DN 143 and similar type drills; Track drillers, Diamond core drillers, Wagon drillers, Mechanical drillers on multiple units; High scalers; Concrete pump; Heavy duty vibrator with stinger 5" diameter or over; Pipelayer, cailker and bander; Pipelayer - waterline, sewerline, gasline, conduit; Asphalt Rakers

Group 5: Blasters and powderman, all work of loading, placing and blasting of all powder and explosives of any type, regardless of method used for such loading and placing

Group 6-A: Nozzleman

Group 6-B: Gunman, Materialman

Group 6-C: Reboundman

POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection) Clark, Esmeralda, Lincoln, Nye Counties:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 10.70	$ 1.00	$ 2.00	.50	.14
Group 2	10.98	1.00	2.00	.50	.14
Group 3	11.27	1.00	2.00	.50	.14
Group 4	11.41	1.00	2.00	.50	.14
Group 5	11.63	1.00	2.00	.50	.14
Group 6	11.74	1.00	2.00	.50	.14
Group 7	11.86	1.00	2.00	.50	.14
Group 8	12.03	1.00	2.00	.50	.14
Group 9	12.16	1.00	2.00	.50	.14

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)
Clark, Esmeralda, Lincoln, Nye Counties

Group 1: Brakeman; Compressor Operator; Engineer Oiler; Generator Operator; Heavy Duty Repairman Helper; Pump; Signalman; Switchman

Group 2: Concrete Mixer Operator, skip type; Conveyor Operator; Fireman; Hydrostatic Pump Operator; Oiler Crusher (asphalt or concrete plant); Plant Operator, generator, pump or compressor; Rotary Drill Helper (oilfield); Skiploader - wheel type up to 3/4 yd. with attachment; Soils Field Technician; Tar Pot Fireman; Temporary Heating Plant Operator; Trenching Machine Oiler; Truck Crane Oiler

Group 3: A-Frame or Winch Truck; Elevator Operator (inside); Equipment Greaser (rack); Ford Ferguson (with dragtype attachments); Helicopter Radioman (ground); Power Concrete Curing Machine; Power Concrete Saw; Power driven Jumbo Form Setter; Ross Carrier; Stationary Pipe Wrapping and Cleaning Machine

Group 4: Asphalt Plant Fireman; Boring Machine; Boxman or Mixerman (asphalt or concrete); Bridge type Unloader and Turntable Operator; Chip Spreading Machine; Concrete Pump (small portable); Dinky Locomotive or Motorman (up to and including 10 tons); Equipment Greaser (grease truck); Helicopter Hoist; Highline Cableway Signalman; Hydra-hammer-Aero Stomper; Power Sweeper; Roller (compacting); Screed (asphalt or concrete); Trenching Machine (up to 6 ft.)

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)
Clark, Esmeralda, Lincoln, Nye Counties

Group 5: Asphalt Plant Engineer; Concrete Batch Plant; Backhoe (up to and including 3/4 yds.); Bit Sharpener; Concrete Joint Machine (canal and similar type); Concrete Planer; Deck Engine; Forklift (under 5 ton capacity); Machine Tool; Maginnis Internal Full Slab Vibrator; Mechanical Berm (curb or gutter concrete or asphalt); Mechanical Finisher (concrete-Clary-Johnson-Bidwell or similar); Pavement Breaker; Road Oil Mixing Machine; Roller (asphalt or finish); Rubber-tired Earth Moving Equipment, (single engine, up to and including 25 yds. struck); Self-propelled Tar Pipelining Machine; Slip Form Pump (power-driven hydraulic lifting device for concrete forms); Tugger Hoist (1 drum); Tunnel Locomotive (over 10 and up to and including 30 tons); Stinger Crane (Austin-Western or similar type); Skiploader Crawler and wheel type (over 3/4 yards and up to and including 1½ yards); Tractor-Bulldozer, Tamper, Scraper (single engine, up to 100 HP, Flywheel and similar types, up to and including D-5 and similar types)

Group 6: Asphalt or Concrete Spreading (tamping or finishing); Asphalt Paving Machine (Barber Greene or similar type); BHL Lima Road Pactor or similar; Bridge Crane; Pipe Laying Machine (cast in place); Combination Mixer and Compressor (gunite work); Concrete Pump (truck mounted); Concrete Mixer; Crane (up to and including 25 tons); Crushing Plant; Elevating Grader; Forklift (over 5 tons); Grade Checker; Gradeall; Grouting Machine; Heading Shield; Heavy Duty Repairman; Hoist (Chicago Boom and similar type); Kolman Belt Loader and similar type; LeTourneau Blob Compactor or similar type; Lift Slab Machine (Vagtborg and similar types); Lift Mobile; Loader-Athey, Euclid, Sierra and similar type); Material Hoist; Mucking Machine 1/4 yd. - rubber-tired, rail or track type); Pneumatic Concrete Placing Machine (Hackley-Presswell or similar type); Pneumatic Heading Shield (tunnel); Pumpcrete gun; Rotary Drill (excluding caisson type); Rubber-tired Earth Moving Equipment Operator (single engine - Caterpillar, Euclid, Athey Wagon and similar types with any and all attachments over 25 yards and up to and including 50 cubic yards struck); Rubber-tired Scraper (self-loading - paddle wheel type - John Deere, 1040 and similar single unit); Skiploader (Crawler and wheel type over 1½ yds., up to and including 6½ yds.); Surface Heaters and Planers; Rubber-tired Earth Moving Equipment, multiple engine (up to and including 25 yds, struck); Trenching Machine (over 6 feet depth capacity, manufacturers rating); Tower Crane; Tractor Compressor Drill Combination; Tractor (any type larger D-5 100 flywheel HP and over or similar)(Bulldozer, Tamper, Scraper and Push Tractor single engine); Tractor (boom attachments); Traveling PIpe Wrapping, Cleaning and Bending; Tunnel Locomotive (over 30 tons); Shovel, Backhoe, Dragline, Clamshell (over 3/4 yd. and up to 5 cu. yds. M.R.C.)

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)
Clark, Esmeralda, Lincoln, Nye Counties

Group 7: Crane (over 25 tons up to and including 100 tons M.R.C.); Derrick Barge, Dual drum mixer; Hoist, stiff legs, guy derrick, or similar type, up to and including 100 tons; Monorail locomotive (diesel, gas or electric); Motor patrol-blade Operator (single engine); Multiple engine tractor operator (Euclid and similar type except Quad 9 cat); Rubber-tired earth moving equipment (single engine over 50 yds. struck); Rubber-tired earth moving equipment (multiple engine, euclid, Caterpillar and similar) (over 25 yds. and up to 50 cu. yds. struck); Tractor loader operator (crawler and wheel type over 6½ yds.); Tower crane repairman; Shovel, backhoe, dragline, clamshell operator (over 5 cu. yds. MRC); Woods mixer and similar pugmill equipment; Heavy duty repairman - welder combination

Group 8: Auto grader; Automatic slip form; Crane (over 100 tons); Hoist stiff legs, guy derricks or similar types (capable of hoisting 100 tons or more); Mass excavator (less than 750 cu.yds.); Mechanical finishing machine; Mobile form traveler; Motor patrol (multi engine); Pipe mobile machine; Rubber-tired earth moving equipment (multiple engine, Euclid, Caterpillar and similar type over 50 cu. yds. struck); Rubber-tired self loading scraper (paddle wheel-auger type self-loading) (2 or more units); Tandem equipment (2 units only); Tandem tractor (quad 9 or similar type); Tunnel mole boring machine; Rubber-tired Scraper (pushing without push cat, push-pull) (50¢ per hour additional)

Group 9: Canal liner; Canal trimmer; Helicopter pilot; Highline cableway; Wheel excavator (over 750 cu. yds.); Remote controlled earth moving equipment ($1.00 per hour additional to base rate)

POWER EQUIPMENT OPERATORS* (Except Piledriving and Steel Erection) Remaining Counties	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
	AREA 1	AREA 2				
Group 1-A	$9.18	$10.33	$1.73	$2.25	$1.02	.10
Group 2	9.58	10.73	1.73	2.25	1.02	.10
Group 3	9.79	10.94	1.73	2.25	1.02	.10
Group 4	10.35	11.50	1.73	2.25	1.02	.10
Group 5	10.58	11.73	1.73	2.25	1.02	.10
Group 6	10.71	11.86	1.73	2.25	1.02	.10
Group 7	10.89	12.04	1.73	2.25	1.02	.10
Group 8	11.31	12.46	1.73	2.25	1.02	.10
Group 9	11.54	12.69	1.73	2.25	1.02	.10
Group 10	11.79	12.94	1.73	2.25	1.02	.10
Group 10-A	11.92	13.07	1.73	2.25	1.02	.10
Group 11	12.10	13.25	1.73	2.25	1.02	.10
Group 11-A	13.27	14.42	1.73	2.25	1.02	.10

*POWER EQUIPMENT OPERATORS-Area Definition-See "Area Definition" following Truck Drivers

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)
Remaining Counties

Group 1-A: Asssistant to Engineer, including brakeman, deckhand, fireman, oiler, partsman (heavy duty repair shop parts room when needed), Switchman, Tar pot fireman; Boiler tender

Group 2: Compressor; Material Loader and/or Conveyor (handling building materials); Pump; Tar Pot fireman (power agitated)

Group 3: Box operator (bunker); Concrete curing machine (streets, highways, airports, canals); Conveyor belt (tunnel); Engineer generating plant (500 K.W.); Fireman hot plant; Hydraulic monitor; Lubrication and service engineer (mobile and grease rack); Mixer box operator (concrete plant); Motorman; Roto-mist; Screedman (except asphaltic or concrete paving); Oiler (truck crane); Rodman or chainman; Bobcat or similar loader, 1/4 cu. yd. or less

Group 4: Ballast jack tamper; Ballast regulator; Ballast tamper multiple-purpose; Boxman (asphalt plant); Concrete mixer, skip type; Dinky; Fork lift (construction job site); Ross carrier; Skip loader (under 1 cu. yd.); Tie Spacer; Line Master

Group 5: Concrete Mixer (over 1 cu. yd.); Concrete pumps or pumpcrete guns; Elevator and material hoist (1 drum); Screedman (Barber-Greene and similar) (asphalt or concrete paving); Shuttle car; Signalman

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)
Remaining Counties

Group 6: Boom truck or dual purpose "A" frame truck; B.L.H. lima road pactor or similar; Chip box spreader (Flaherty type or similar); Concrete batch plant (wet or dry); Concrete saws (highways, streets, airports, canals); Highline cableway signalman; Locomotive (over 30 tons); Maginnis International full slab vibrator (airports, highways, canals, warehouses); Mechanical burn, curb and/or curb gutter machine (concrete or asphalt); Power jumbo (setting slip forms, etc., in tunnels); Roller (except asphalt); Self-propelled compactor (single engine); Slip form pump (power driven by hydraulic, electric, air, gas, etc., lifting device for concrete forms); Stationary pipe wrapping, cleaning and bending machine; Pavement breaker or tamper (with or without compressor combination); Pavement breaker, truck mounted, with compressor combination; Small rubber-tired tractors; Self-propelled tape machine; Auger type drilling equipment up to and including 30 ft. depth drilling capacity m.r.c.

Group 7: Compressor (over 2); Concrete conveyor; Concrete conveyor or concrete pump, truck or equipment mounted (boom length to apply); Crusher plant engineer; Deck engineer; Drilling and boring machinery, vertical and horizontal (not to apply to waterliners, wagon drills or jackhammers); Generators; Grade setters; Grade checker; Kolman loader; Material hoist (2 or more drums); Mechanical finishers or spreader machine (asphalt, Barber-greene and similar); Mine or shaft hoist; Pipe bending machines (pipelines only); Pipe cleaning machines (tractor propelled and support4d); Pipe wrapping machines (tractor propelled and supported); Portable crushing and screening plants; Pumps (over 2); Refrigeration plants; Self-propelled boom type lifting device (center mount) (10 ton capacity or less); Slusher; Soil tester (certified); Surface heater and planer; Trenching machine (maximum digging capacity 3 ft. depth); Truck type loader; Welding machines (gasoline or diesel); Roller (asphalt); Instrumentman; Auger type drilling equipment over 30 ft. depth digging capacity M.R.C.

Group 8: Asphalt plant engineer; Car passer; Cast-in-place pipe laying machine; Combination slusher and motor; Dozer; Concrete batch plant (multiple units); Elevating grader; Grooving and grinding machine (highways); Heavy-duty repairman and/or welder; Ken-seal; Loader (up to and including 2½ cu. yds.); Mechanical trench shield; Mixermobile; Push cats; Road oil mixing machine; Wood-mixer (and other similar pugmill equipment); Rubber-tired earthmoving equipment (up to and including 35 cu. yds. "struck" m.r.c., Euclid, T-pulls, DW's 10, 20, 21 and similar); Self-propelled compactor with dozer; Sheepfoot; Small tractor (with boom); Soil stabilizer (P&H or equal); Timber Skidder (rubber tired) or similar equipment; Tractor; Tractor drawn scraper; Tractor mounted compressor drill combination; Trenching machine (over 3 ft. depth); Tri-batch paver; Tunnel badger or tunnel boring machine; Tunnel mole boring machine; Vermeer T-600B rock cutter

Group 9: Canal finger drain digger; Chicago boom; Combination backhoe and loader (up to and including 3/8 yds.); Combination mixer and compressor (gunite); Lull Hi-lift (20 ft. or over); Mucking machine; Tractor with boom (D6 or larger); Track laying type earth moving machine (single engine with tandem scrapers); Sub-grader (Gurries or other types)

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)
Remaining Counties

Group 10: Boom type backfilling machine; Bridge crane; Cary-lift or similar; Chemical grouting machine; Derricks; Derrick barges (except excavation work); Euclid loader and similar types; Heavy duty rotary drill rigs; Lift-slab (Vagtborg and similar types); Loader (over 2½ cu. yds. up to and including 4 cu. yds.); Locomotive (over 100 tons)(single or multiple units); Multiple engine earth moving machines (Euclid, dozers, etc.); Pre-stress wire-wrapping machine; Rubber-tired scraper, self-loading; Self-propelled reservoir-debris equipment floating (200 HP and over); Shuttle car (reclaim station); Single engine Scraper (over 35 cu. yds.); Train loading station; Vacuum cooling plant; Whirley crane (up to and including 25 tons); Trenching Machine; Multi-engine with sloping attachments (JEFFCO or similar; Chief of Party

Group 10-A: Backhoe (up to and including 1 cu. yd. hydraulic); Backhoe (up to and including 1 cu. yd. cable); Cranes (not over 25 tons) (hammerhead and gantry); Grade-alls (up to and including 1 cu. yd.); Motor patrol; Power shovels, clamshells, Draglines; cranes (up to and including 1 cu. yd.); Rubber-tired scraper, self-loading (twin engine); Self-propelled boom-type lifting device (center mount) (over 10 tons); CMI dual lane auto-grader SP30 or similar

Group 11: Automatic asphalt or concrete slip form paver; Automatic railroad car dumper; Canal finger drain backfiller; Canal trimmer; Cranes (over 25 tons); Highline cableway operator; Loader (over 4 yds. up to and including 12 cu. yds.); Multiple-engine earthmoving equipment (up to and including 75 cu. yds. "struck" M.R.C.); Power shovels, clamshells, draglines, backhoes, grade-alls (over 1 yd. and up to and including 7 cu. yds. m.R.C.); Self-propelled compactor (with multiple propulsion power units); Single engine rubber-tired earth-moving machine (with tandem scraper); Slip form paver (concrete or asphalt); Tandem cats and scrapers; Tower crane mobile; Universal Liebher and tower cranes (and similar types); Wheel excavator (up to and including 750 cu. yds. per hour); Whirley cranes (over 25 tons); Euclid loader when controlled from the pullcat

Group 11-A: Band wagons (in conjunction with wheel excavators); Loader (over 12 cu. yds.); Multi-engine earth moving equipment (over 75 cu. yds. "struck" M.R.C.); Operator of helicopter (when used in construction work); Power shovels and draglines (over 7 cu. yds. M.R.C.); Remote controlled earth moving equipment; Wheel excavator (over 750 cu. yds. per hour)

POWER EQUIPMENT OPERATORS STEEL ERECTION Remaining Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 9.69	$ 1.73	$ 2.25	$1.02	.10
Group 2	10.10	1.73	2.25	1.02	.10
Group 3	11.19	1.73	2.25	1.02	.10
Group 4	11.34	1.73	2.25	1.02	.10
Group 4-A	11.65	1.73	2.25	1.02	.10
Group 5	12.17	1.73	2.25	1.02	.10
Group 6	12.61	1.73	2.25	1.02	.10
Group 6-A	13.22	1.73	2.25	1.02	.10
Group 7	14.31	1.73	2.25	1.02	.10

POWER EQUIPMENT OPERATORS
Steel Erection
Remaining Counties

Group 1: Oiler

Group 2: Compressor Operator; Generator, gasoline or diesel-driven (100 K.W. or over); Truck Crane Oiler

Group 3: Compressors, Generators and/or Welding Machines or Combination (2 to 6) (Structural steel or tank erection only)

Group 4: Heavy duty repairman; Tractor operator

Group 4-A: Combination heavy-duty repairman-welder

Group 5: Boom Truck or Dual Purpose A-frame Truck; Boom Cat; Chicago Boom; Crawler Cranes and Truck Cranes (15 ton m.r.c. or less); Self-propelled Boom-type Lifting Device (center mount) (10 ton capacity or less m.r.c.); Single Drum Hoist; Tugger Hoist

Group 6: Crawler Cranes and Truck Cranes (over 15 tons m.r.c.); Derricks; Gantry Rider (or similar equipment); Highline Cableway; Self-propelled boom-type Lifting Device (center mount) (over 10 tons); Tower Cranes Mobile; Universal Liebher and Tower Cranes (and similar types); Two or more drum hoist

Group 6-A: Cranes (over 125 tons)

Group 7: Operator of Helicopter

POWER EQUIPMENT OPERATORS PILEDRIVING Remaining Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 9.18	$ 1.73	$ 2.25	$1.02	.10
Group 1-A	9.55	1.73	2.25	1.02	.10
Group 1-B	9.78	1.73	2.25	1.02	.10
Group 2-A	9.78	1.73	2.25	1.02	.10
Group 2-B	10.60	1.73	2.25	1.02	.10
Group 3	10.92	1.73	2.25	1.02	.10
Group 3-A	11.36	1.73	2.25	1.02	.10
Group 4	11.93	1.73	2.25	1.02	.10
Group 5	12.11	1.73	2.25	1.02	.10
Group 6	13.27	1.73	2.25	1.02	.10

POWER EQUIPMENT OPERATORS
Piledriving
Remaining Counties

Group 1: Fireman; Oilman; Deckhand

Group 1-A: Compressor Operator

Group 1-B: Truck Crane Oiler

Group 2-A: Operator of Tugger Hoist (hoisting material only)

Group 2-B: Comrpessor Operator (over 2); Generator Operator; Pump Operator (over 2); Welding Machine Operator (powered other than by electricity)

Group 3: Deck Engineer; Fork Lift Operator; A-Frames; Self-propelled boom-type Lifting Device (center mount) (10 ton capacity or less m.r.c.)

Group 3-A: Heavy Duty Repairman and/or Welder

Group 4: Operating Engineer in lieu of Assistant to Engineer tending Boiler or Compressor attached to Crane Piledriver; Operator of Piledriving Rigs, Skid or Floating and Derrick Barges; Operator of diesel or gasoline powered Crane Piledriver (without boiler) (up to and including 1 cu. yd. rating); Self-propelled boom-type Lifting Device (center mount) (over 10 tons); Truck Crane Operator (up to and including 25 tons)

Group 5: Operator of diesel or gasoline powered Crane Piledriver (without boiler) (over 1 cu. yd. rating); Operator of Crane (with steam, flash boiler, pump or compressor attached); Operator of steam powered crawler, or Universal type driver (Raymond or similar type); Truck Crane Operator (over 25 tons) (hoisting material or performing piledriving work)

Group 6: Cranes (over 125 tons)

TRUCK DRIVERS Clark, Esmeralda, Lincoln, Nye Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS Clark, Esmeralda, Lincoln, Nye Counties					
Group 1	$9.97	.51	.70		
Group 2	10.08	.51	.70		
Group 3	10.13	.51	.70		
Group 4	10.29	.51	.70		
Group 5	10.47	.51	.70		
Group 6	10.97	.51	.70		

TRUCK DRIVERS
Clark, Esmeralda, Lincoln, Nye Counties

Group 1: Dump Trucks (less than 12 yds.); Trucks (legal payload capacity less than 15 tons); Water and fuel trucks (under 2500 gals.); Pickups; Service; Repairman helper; Drivers of busses (on jobsite used for transportation of up to 25 passengers); Teamster equipment (highest rate for dual craft operation)

Group 2: Dump trucks (12 yds. but less than 16 yds.); Trucks (legal payload capacity between 15 and 20 tons); Water and fuel trucks (2500 to 4000 gals.); Truck driver working on gas and oil pipeline (including winch truck and all sizes of trucks); Truck greaser and tireman; Drivers of busses (on jobsite used for transportation of more than 25 passengers); Bootman

Group 3: Dumpcrete (less than 6½ yds.); Transit-mix (less than 3 yds); Warehouse Clerk

Group 4: Dump trucks (16 yds. up to and including 22 yds.); Trucks (legal payload capacity 20 tons but less than 30 tons); Water and fuel trucks (4000 gals. but less than 6000 gals.); Dumpcrete (6½ yds. and over); Transit-mix (3 yds. but less than 6 yds.); Euclid-type spreader trucks; Dumpster; Fork lift; Ross carrier - highway; Road oil spreading truck, time spent spreading oil

Group 5: Dump trucks (over 22 yds.); Trucks (legal payload capacity 20 tons and over); Water and fuel trucks (6000 gals. and over); Transit-mix (6 yds. and over); Truck repairman

Group 6: D.W. and similar-type equipment, D.W. and 10 and D.W. 20; Euclid-type equipment, LeTourneau Pulls, Terra Cobras and similar types of equipment; also PB and similar-type trucks when performing work within teamster jurisdiction, regardless of types of attachment including power units pulling off highway belly dumps in tandem

TRUCK DRIVERS* Remaining Counties	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
	AREA 1	AREA 2				
DUMP (single or multiple units including semis, double and transfer units; Dumpcrete and bulk cement Spreaders:						
Under 4 yards	$ 9.20	$10.35	.51	.65		.05
4 yds. and under 8 yds.	9.40	10.55	.51	.65		.05
8 yds. and under 18 yds.	9.60	10.75	.51	.65		.05
18 yds. and under 35 yds.	9.75	10.90	.51	.65		.05
35 yds. and under 60 yds.	10.00	11.15	.51	.65		.05
60 yds. and under 75 yds.	10.15	11.30	.51	.65		.05
75 yds. and under 100 yds.	10.30	11.45	.51	.65		.05
100 yds. and over	10.45	11.60	.51	.65		.05
TRANSIT MIX:						
Under 8 yards	9.60	10.75	.51	.65		.05
8 yds. and including 12 yds.	9.70	10.85	.51	.65		.05
Over 12 yards	9.90	11.05	.51	.65		.05
WATER TRUCKS & Jetting Trucks:						
Up to 2,500 gallons	9.40	10.55	.51	.65		.05
2,500 gals. and over	9.60	10.75	.51	.65		.05
DW 20's and 21's and other similar Cat type; Terra Cobra, LeTourneau Pulls, Tournerocker, Euclid and similar type equipment when pulling Aqua/Pak; Water tank trailers, fuel and/or grease tank, or other misc. trailers (except as defined under dump trucks)	9.85	11.00	.51	.65		.05
FLATRACK; Industrial Lift with Mechanical Tailgate:						
Single unit - 2 axle	9.40	10.55	.51	.65		.05
Single unit - 3 axle	9.50	10.65	.51	.65		.05

TRUCK DRIVERS* (Cont'd) Remaining Counties	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
	AREA 1	AREA 2				
BUS AND MANHAUL DRIVERS, Single unit; Pickup:						
Up to 18,000 pounds	$ 9.25	$10.40	.51	.65		.05
18,000 pounds and over	9.35	10.50	.51	.65		.05
WINCH TRUCKS, A-Frame:						
Under 18,000 pounds	9.35	10.50	.51	.65		.05
18,000 pounds and over	9.45	10.60	.51	.65		.05
HEAVY DUTY TRANSPORT (highbed); Heavy Duty transport (gooseneck lowbed); Tiltbed or flatbed pull trailers	9.75	10.90	.51	.65		.05
BOOTMAN, combination; Bootman and Road Oiler	9.65	10.80	.51	.65		.05
ROAD OIL TRUCKS OR BOOTMEN; Fuel drivers; Fuel man and Fuel Island Man	9.35	10.50	.51	.65		.05
HELICOPTER PILOT (when transporting men or materials	10.15	11.30	.51	.65		.05
LIFT JITNEYS And FORK LIFTS	9.45	10.60	.51	.65		.05
WAREHOUSE CLERK	9.30	10.45	.51	.65		.05
TIRE REPAIRMAN	9.60	10.75	.51	.65		.05
TRUCK REPAIRMAN	9.90	11.05	.51	.65		.05

*TRUCK DRIVERS -Area definition - See "Area Definition" following this page.

AREA DEFINITIONS
Remaining Counties
LABORERS
Heavy and Highway Construction
POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)
TRUCK DRIVERS

AREA 1: All of northern Nevada within the following lines:
Commencing at the N.E. corner of township 22N, range 18E, Mount Diablo Baseline and Meridian at the California-Nevada border;
Thence easterly to the N.E. corner of township 22N, range 22E;
Thence southerly to the N.E. corner of township 20N, range 22E;
Thence easterly to the N.W. corner of township 20N, range 26E;
Thence northerly to the N.W. corner of township 22N, range 26E;
Thence easterly to the N.W. corner of township 22N, range 29E;
Thence northerly to the N.W. corner of township 30N, range 29E;
Thence easterly to the N.E. corner of township 30N, range 33E;
Thence southerly to the S.E. corner of township 24N, range 33E;
Thence westerly to the S.E. corner of township 24N, range 31E;
Thence southerly to the S.E. corner of township 16N, range 31E;
Thense westerly to the S.E. corner of township 16N, range 30E;
Thence southerly to the S.E. corner of township 15N, range 30E;
Thence westerly to the S.E. corner of township 15N, range 27E;
Thence southerly to the S.E. corner of township 14N, range 27E;
Thence westerly to the S.E. corner of township 14N, range 23E;
Thence southerly to the S.E. corner of township 13N, range 23E;
Thence westerly to the S.E. corner of township 13N, range 22E;
Thence southerly to the N.E. corner of township 10N, range 22E;
Thence easterly to the N.E. corner of township 10N, range 23E;
Thence southerly along the easterly line of range 23E to the intersection of the California-Nevada border;
Thence north-westerly, then northerly following the California-Nevada border to the point of beginning.

Area 1 also includes that portion of northern Nevada included within the following lines:
Commencing at the S.W. corner of township 37N, range 52E;
Thence northerly to the N.E. corner of township 37N, range 52E;
Thence easterly to the N.W. corner of township 37N, range 58E;
Thence southerly to the S.W. corner of township 37N, range 58E;
Thence easterly to the S.E. corner of township 37N, range 58E;
Thence southerly to the N.E. corner of township 31N, range 58E;
Thence westerly to the N.W. corner of township 31N, range 58E;
Thence southerly to the S.W. corner of township 31N, range 58E;
Thence westerly to the S.E. corner of township 31N, range 52E;
Tehnce northerly to the N.E. corner of township 31N, range 52E;
Thence westerly to the S.E. corner of township 31N, range 51E;
Thence northerly to the point of beginning.

AREA 2: All areas not included within Area 1 as defined above.

SUPERSEDEAS DECISION

STATE: Nevada

COUNTIES: Nevada Test Site including Tonopah Test Range in Clark and Nye Counties, Nevada

DECISION NUMBER: NV78-5010

DATE: Date of Publication

Supersedes Decision No. NV77-5072 dated July 8, 1977, in 42 FR 35562.

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 13.87	.85	$ 1.20		
BRICKLAYERS	12.27	.70	.60		.06
CARPENTERS:					
Carpenters	11.19	.65	.90	.80	.03
Floor Layers	11.215	.65	.90	.80	.03
Millwrights	11.69	.65	.90	.80	.03
CEMENT MASONS:					
Cement Masons	8.85	1.00	.70	2.00	.08
Floor Finishing Machine	9.20	1.00	.70	2.00	.08
ELECTRICIANS:					
Electricians; Equipment Operators; Linemen	13.22	.73	1%+1.30		.05
Cable Splicers	13.55	.73	1%+1.30		.05
Groundman	10.58	.73	1%+1.30		.05
IRONWORKERS:					
Reinforcing; Ornamental; Structural	11.56	1.24	2.22	1.46	.06
MASON TENDERS	10.02	.65	1.35		
PAINTERS:					
Brush; Roller	9.76	.75	.60	1.50	.06
Paperhangers; Spray; Steel; Sandblasters; Swing Stage; Tapers; Buffing; Sandblasters, Steel	10.11	.75	.60	1.50	.06
PLUMBERS; Steamfitters	11.53	1.25	2.32	1.85	.08
ROOFERS	13.75	.65			
SHEET METAL WORKERS	11.92	.93	1.61	1.00	.05
SPRINKLER FITTERS	15.05	.65	.95		.08

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 8.08	.51	$ 1.25	$ 1.25	
Group 2	8.13	.51	1.25	1.25	
Group 3	8.16	.51	1.25	1.25	
Group 4	8.18	.51	1.25	1.25	
Group 5	8.20	.51	1.25	1.25	
Group 6	8.21	.51	1.25	1.25	
Group 7	8.23	.51	1.25	1.25	
Group 8	8.26	.51	1.25	1.25	
Group 9	8.27	.51	1.25	1.25	
Group 10	8.29	.51	1.25	1.25	
Group 11	8.34	.51	1.25	1.25	
Group 12	8.37	.51	1.25	1.25	
Group 13	8.39	.51	1.25	1.25	
Group 14	8.42	.51	1.25	1.25	
Group 15	8.44	.51	1.25	1.25	
Group 16	8.505	.51	1.25	1.25	
Group 17	8.53	.51	1.25	1.25	
Group 18	8.60	.51	1.25	1.25	

LABORERS

Group 1: Laborer - general; Laborer - demolition (cleaning of bricks, lumber, etc.); Dry packing of concrete and filling of form-bolt holes; Flagman, spotter, debris handler and dumpman; Fence builder; Tool attendant (jobsite only); Gas and oil pipeline laborer

Group 2: Cutting torch operator (demolition); Tarman and Mortarman

Group 3: Guinea Chaser

Group 4: Fine grader; highway and street paving, airport runways and similar work; Landscape gardener, nurseryman and grounds keeper

Group 5: Laborer - packing rod steel and pans

Group 6: Underground laborer including caisson bellowers (except tunnels)

LABORERS (Cont'd)

Group 7: Chucktender (except tunnels); Scaler; Tank scaler and cleaner

Group 8: Cesspool digger and installer

Group 9: Concrete curer - impervious membrane and oiler of all materials and form oiler; Riprap stonepaver; Sandblaster (pot tender); Making and caulking of all non-metallic pipe joints

Group 10: Operators and tenders of pneumatic and electric tools, vibrating machines, and similar mechanical tools not separately classified herein, including hand guided ditch witch and hand type roller; Asphalt raker, ironer, spreader; Buggymobile man; Cement dumper (on 1 yard or larger mixers and handling bulk cement); Concrete saw man excluding tractor type; Concrete core cutter; Gas and oil pipeline wrapper - pot tender and form man; Operator of cement grinding machines; Roto-scraper; Tree climber, faller, chain saw operator; Pittsburgh chipper and similar type brush shredders

Group 11: Rock slinger; Scaler (using bos'ns chair or safety belt or power tools)

Group 12: Driller and/or pavement breaker

Group 13: Laying of all nonmetallic pipe, including sewer pipe, drain pipe and underground tile

Group 14: Gas and oil pipeline wrappers - 6 inch pipe and over

Group 15: Cribber or shorer; Powderman

Group 16: Steel Headerboard Man

Group 17: Driller (Core, Diamond or Wagon), Joy Driller Model TW-M-2A, Gardner-Denver Model DH 143 and similar type drills; Sandblaster (nozzleman)

Group 18: Head Rock Slinger

POWER EQUIPMENT OPERATORS (Except Piledriving and Steel Erection)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 9.98	.95	2.00	.30	.04
Group 2	10.22	.95	2.00	.30	.04
Group 3	10.46	.95	2.00	.30	.04
Group 4	10.57	.95	2.00	.30	.04
Group 5	10.76	.95	2.00	.30	.04
Group 6	10.86	.95	2.00	.30	.04
Group 7	9.56	.95	2.00	.30	
Group 7-A	9.27	.95	2.00	.30	
Group 7-B	9.16	.95	2.00	.30	
Group 7-C	8.92	.95	2.00	.30	

POWER EQUIPMENT OPERATORS
(Except Piledriving and Steel Erection)

Group 1: Air Compressor, pump or generator; Engineer oiler and Signal Man; Heavy duty repairman's helper; Switchman or Brakeman

Group 2: Concrete Mixer, Skip type; Conveyor and Beltman; Fireman; Generator, Pump or Compressor (2-5 units inclusive, over 5 units, $0.10 per hour for each additional unit up to 10 units, portable units); Generator, Pump or Compressor Plant; Rotary Drill Helper (oilfield type); Skiploader, wheeltype, Ford, Ferguson, Jeep or similar type, 3/4 yard or less (w/o drag-type attachments); Temporary Heating Plant; Truck Crane Oiler; Hydrostatic Pump

Group 3: A-Frame or Winch Truck; Dinky Locomotive or Tunnel Motor; Elevator Hoist; Equipment Greaser; Ford, Ferguson or similar type (with drag-type attachments); Hydra-hammer or similar type equipment; Power Concrete Curing Machine; Power Concrete Saw; Power-driven Jumbo Form Setter; Ross Carrier; Self-propelled Tar Pipe-lining Machine; Stationary Pipe Wrapping and Cleaning Machine; Towblade Operator

POWER EQUIPMENT OPERATORS (Cont'd)
(Except Piledriving and Steel Erection)

Group 4: Asphalt Plant Fireman; Boring Machine; Boxman or Mixer Box (concrete or asphalt plant); Derrickman (oilfield type); Drilling Machine (including water wells); Highline Cableway Signalman; Locomotive Engineer; Power Sweeper; Roller, compacting; Screed; Trenching Machine (up to 6 feet depth)

Group 5: Asphalt or concrete Spreading, Mechanical tamping or finishing Machine - Roller (all types and sizes), Soil, cement, asphalt - finish; Asphalt plant engineer; Deck engine; Grade checker; Heavy duty welder; Machine tool; Pavement breaker; Pneumatic heading shield - tunnel; Road oil mixing machine; Forklift, under five tons; Rubber-tired, heavy duty equipment (Oshkosh, DW, Euclid, LeTourneau, LaPlant-Choate, or similar type equipment with any type attachments); Sliploader, wheeltype, over 3/4 yards, up to and including 1½ yards; Slip form pump (power-driven hydraulic lifting device for concrete forms); Tractor operator - drag-type shovel, bulldozer, tamper, scraper and push tractor

Group 6: Combination heavy duty repairman and welder; Concrete mixer - paving; Concrete mobile mixer; Concrete pump or pumpcrete gun; Crushing plant engineer; Elevating Grader; Heavy duty repairman; Highline cableway; Hoist (Chicago boom and mine); Kolman belt loader and similar type; Lift slab machine; Loader operator - Athey, Euclid, Hancock, Sierra or similar type; Motor patrol (any type or sizes); Multiple-engine earth-moving machinery; Pneumatic concrete placing machine - Hackley-Presswell or similar type; Rotary Drill, excluding caisson type; Skiploader, wheel-type, over 1½ yards; Surface heater and planer; Tractor loader - crawler type - all types and sizes; Tractor, with boom attachments; Traveling pipe wrapping, cleaning and bending machine; Trenching machine (over 6 feet depth) Universal equipment (shovel, backhoe, dragline, clamshell, derrick, derrick barge, crane, piledriver and mucking machine); Forklift, over 5 tons

Group 7: Driller Operator; Fishing tool engineer

Group 7-A: Derrickman

Group 7-B: Motorman

Group 7-C: Drill Helper

TRUCK DRIVERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 10.29	.42	.75		
Group 2	10.40	.42	.75		
Group 3	10.45	.42	.75		
Group 4	10.61	.42	.75		
Group 5	10.79	.42	.75		

TRUCK DRIVERS

Group 1: Light duty driver

Group 2: Bootman; Truck Greaser; Light vehicle dispatcher

Group 3: Tireman; Warehouse Clerk

Group 4: Heavy duty driver; Forklift driver; Equipment parts stockroom clerk

Group 5: Extra heavy duty driver

SUPERSEDEAS DECISION

STATE: NEW MEXICO COUNTY: STATEWIDE
DECISION NO. NM78-4021 DATE: Date of Publication
Supersedes Decision No. NM77-4103 dated May 20, 1977 in 42 FR 26169
DESCRIPTION OF WORK: Sewer & Water & Highway Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Carpenters	$5.11	.10	.20	.10	.04
Power saw operator-saw filer	5.26	.10	.20	.10	.04
Millwrights & Piledriver	5.36	.10	.20	.10	.04
CEMENT MASONS	4.94	.26			
IRONWORKERS:					
Reinforcing	4.58	.25	.25		
Structural	7.99	.50	.75		.04
PAINTERS:					
Brush	4.57				
Spray	5.20				
LABORERS:					
Common laborer; carpenter tender concrete buggy operator (hand); concrete workers	2.65	.20	.15		
Wagon, air track, drill & diamond drillers' tender (outside)	2.71	.20	.15		
Air & power tool man; asphalt raker; batching plant scaleman; tenders (to cement masons and plasters); chain sawman; concrete touchup-man; concrete saw man; curbing machine; asphalt or cement; cutting torchman; metal form setter-road; grade setter; hod carrier; mortar mixer and mason tender; powderman or blaster helper; scaler; sand-blaster helper; vibrator compactor (hand type); vibrator-man (hand-type); concrete power buggyman, wagon; air track drill and diamond drillers (outside)	2.86	.20	.15		
Gunite pumpcreteman & nozzleman; multiplate setter; pipelayer	3.16	.20	.15		
Manhole builder	3.36	.20	.15		
Powderman-blaster-make up	3.31	.20	.15		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Group I	$4.88	.15	.10		.01
Group II	5.08	.15	.10		.01
Group III	5.66	.15	.10		.01
Group IV	5.68	.15	.10		.01
Group V	5.68	.15	.10		.01
Group VI	5.83	.15	.10		.01
Group VII	5.88	.15	.10		.01
Group VIII	6.03	.15	.10		.01
Group IX	6.53	.15	.10		.01
Group X	7.33	.15	.10		.01

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITION

GROUP I
Concrete paving curing machine
GROUP II
Belt type conveyors (material & concrete); broom (self propelled); fork lift; grease truck operator; head oiler; hydro lift; tractor (under 50 drawbar HP with or without attachment); Industrial locomotive brakeman; front end loader (2 cy or less); fireman; oiler; screedman; roller (pull type); mulching machine; roller (self-propelled)
GROUP III
Concrete paving form grader; concrete paving gang vibrator; concrete paving joint or saw machine; concrete paving sub grader; tractor with backhoe attachment; subgrade or base finisher; power plant (electric general or welding machine)
GROUP IV
Bulldozer (including self-propelled roller with dozer attachment); batch or continuous mix plant (concrete soil-cement, or asphalt); roller (steel wheel); front end loader (2 cy thru 10 cy); scraper operator; motor grader
GROUP V
Asphalt distributor; asphalt paving or laydown machine; asphalt retort heater; mixer, heavy duty, asphalt or soil cement; trenching machine; clam type shaftmucker; backhoe, clamshell, dragline, gradall, shovel(under 3/4 cy); elevating grader or belt loader; cranes (crawler or mobile) under 20 ton; air compressor (300 CFM & over); crushing screening and washing plants; drilling machine (cable core or rotary); mixer, concrete (1 cy and less); pump (6" intake or over); winch truck; hoist (1 drum); industrial locomotive motorman; lumber stacker; tractor (50 drawbar HP or over)

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITION (CONT'D)

GROUP VI

Concrete paver mixer; hoist (2 drum and over); sideboom; traveling crane; piledriver; backhoe, clamshell, dragline, gradall, shovel (3/4 cy to 3 cy); cranes (crawler or mobile) 20 ton to 40 ton; front end loader (over 10 cy); mixer, concrete (over 1 cy); mechanic and/or welder)

GROUP VII

Concrete slip-form paving machine; concrete paving finishing machine; concrete paving longitudinal float; gunite machine; refrigerator; jumbo form or drilling stage; slusher; concrete paving spreader; pumpcrete machine; grout pump operator

GROUP VIII

Mine hoist; bulldozer (multiple units); scraper (multiple units); mucking machine; backhoe, clamshell, dragline, gradall, shovel (over 3 CY); cranes (crawler or mobile) over 40 tons

GROUP IX

Belt loader (CMI types) operator; derrick, cableway

GROUP X

Pipemobile operator; mole operator

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
Distributor (asphalt)	$4.57	.26			
Dumpster or dumptor	4.65	.26			
Dump or batch truck:					
Under 8 cy	4.36	.26			
8 cy and under 16 cy	4.46	.26			
16 cy and under 20 cy	4.60	.26			
20 cy and over	4.65	.26			
Diesel-powered transport (non-self-loading) 10 yds & over	4.88	.26			
Flatbed:					
1-1/2 ton	4.36	.26			
Over 1-1/2 ton	4.51	.26			
Lumber carrier	4.39	.26			
Lowboy, heavy equipment	4.98	.26			
Lowboy, light equipment	4.60	.26			
Off-highway hauler	4.63	.26			
Pick-up truck 3/4 ton or under	4.21	.26			
Service station attendant	4.25	.26			
Spreader box	4.30	.26			
Spreader box (self-propelled)	4.54	.26			
Swamper or rider helper	4.17	.26			
Tank Truck:					
3,000 gal. or under	4.44	.26			
3,001 gal. to 6,000 gal.	4.54	.26			
6,001 gal. and over	4.64	.26			
Teamster, 2 or 4 or more	4.17	.26			
Trailer or semi-trailer dump	4.73	.26			
Transit mix	4.60	.26			
Warehousemen	4.35	.26			

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION -- AREA I					
AREA I-A					
Lineman-Technician	9.00	.60	3%+.60		1/2%
Cable splicers	9.65	.60	3%+.60		1/2%
Equipment operator, includes helicopter operator	8.58	.60	3%+.60		1/2%
Equipment mechanic, includes helicopter mechanic & powderman	7.88	.60	3%+.60		1/2%
Groundman & Jackhammer operators:					
1st 6 months	4.88	.60	3%+.60		1/2%
2nd 6 months	5.51	.60	3%+.60		1/2%
Experienced	6.36	.60	3%+.60		1/2%
AREA 1-B					
Linemen-Technician	9.82	.60	3%+.60		1/2%
Cable splicers	10.51	.60	3%+.60		1/2%
Equipment operator, includes helicopter operator	9.35	.60	3%+.60		1/2%
Equipment mechanic, includes helicopter mechanic & powderman	8.58	.60	3%+.60		1/2%
Groundman & Jackhammer operators:					
1st 6 months	5.31	.60	3%+.60		1/2%
2nd 6 months	5.99	.60	3%+.60		1/2%
Experienced	6.96	.60	3%+.60		1/2%
LINE CONSTRUCTION -- AREA II					
AREA II-A					
Lineman	10.50	.60	3%+.70		1/2%
Cable splicers	11.55	.60	3%+.70		1/2%
Equipment operator (includes helicopter operator)	9.98	.60	3%+.70		1/2%
Equipment mechanic (includes helicopter mechanic) & powderman	9.14	.60	3%+.70		1/2%
Groundman & Jackhammer operators:					
1st 6 months	5.67	.60	3%+.70		1/2%
2nd 6 months	6.41	.60	3%+.70		1/2%
Experienced	7.46	.60	3%+.70		1/2%
AREA II-B					
Lineman	11.24	.60	3%+.70		1/2%
Cable splicers	12.29	.60	3%+.70		1/2%
Equipment operator (includes helicopter operator)	10.72	.60	3%+.70		1/2%
Equipment mechanic (includes helicopter mechanic) & powderman	9.14	.60	3%+.70		1/2%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION AREA II-B (CONTD):					
Groundman and Jackhammer operator:					
1st 6 months	$ 6.41	.60	3%+.70		1/2%
2nd 6 months	7.15	.60	3%+.70		1/2%
Experienced	8.20	.60	3%+.70		1/2%
AREA II-C					
Lineman	11.87	.60	3%+.70		1/2%
Cable splicers	12.92	.60	3%+.70		1/2%
Equipment operator (includes helicopter operator)	11.35	.60	3%+.70		1/2%
Equipment mechanic (includes helicopter mechanic) & powderman	10.51	.60	3%+.70		1/2%
Groundman & Jackhammer operators:					
1st 6 months	7.04	.60	3%+.70		1/2%
2nd 6 months	7.78	.60	3%+.70		1/2%
Experienced	8.83	.60	3%+.70		1/2%
AREA II-D					
Lineman	12.60	.60	3%+.70		1/2%
Cable splicers	13.65	.60	3%+.70		1/2%
Equipment operator (includes helicopter operator)	11.35	.60	3%+.70		1/2%
Equipment mechanic (includes helicopter mechanic) & powderman	11.24	.60	3%+.70		1/2%
Groundman & Jackhammer operators:					
1st 6 months	7.77	.60	3%+.70		1/2%
2nd 6 months	8.51	.60	3%+.70		1/2%
Experienced	9.56	.60	3%+.70		1/2%

LINE CONSTRUCTION AREA DEFINITIONS

AREA I - Line construction work for electric and telephone utilities, REA Co-ops, railroads and municipalities:
AREA I-A -- BERNALILLO COUNTY
AREA I-B -- STATEWIDE, EXCEPT BERNALILLO COUNTY

AREA II - Other Line construction work including switching stations and sub-stations adjacent to power plants
AREA II-A -- From nearest basing point cities, towns and mileage from main post office
Albuquerque -- 15 miles from main post office
Santa Fe -- 15 miles from main post office
Las Vegas -- 8 miles from main post office
Farmington -- 8 miles from main post office
Raton -- 6 miles from main post office
Tucumari -- 6 miles from main post office
Aztec -- 6 miles from main post office
Roswell -- 12 miles from main post office
Ruidoso -- 12 miles from main post office
Portables -- 12 miles from main post office
Carrizozo -- 12 miles from main post office
Clovis -- 12 miles from main post office
Gallup -- 10 miles from main post office
*Pojoaque - 2 miles from main post office
*All areas adjacent to Pojoaque that are over two miles distant from the main post office in that town will be zoned out of Santa Fe.

AREA II-B - Extending up to 20 miles beyond Area II-A
AREA II-C - Extending up to 30 miles from Area II-A
AREA II-D - Anything beyond 30 miles from Area II-A

All work in Los Alamos County use Area II-C rates.

SUPERSEDEAS DECISION

STATE: NEW YORK

COUNTIES: BRONX, KINGS, QUEENS, NEW YORK AND RICHMOND

DECISION NO.: NY78-3007

DATE: DATE OF PUBLICATION

Supersedes Decision No. NY77-3025 dated June 17, 1977 in 42 FR 31105.

DESCRIPTION OF WORK: Building Construction (does not include single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos Workers	$12.38	1.02	1.82		
Boilermakers	13.19	5%	15%	7%	.02
Bricklayers	11.04	1.48	3.38	.30	.01
Bricklayers (rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use)	9.15	1.13	1.33		
Carpenters, Building: Carpenters, Dock Builders, Millwrights, Piledrivermen, Soft Floor Layers	11.45	1.40	1.78	.70	.04
Carpenters, Heavy: Carpenters, Dock Builders, and Piledrivermen	11.45	1.40	1.78	.70	.04
Carpenters, Millwrights, Piledrivermen, Soft Floor Layers (Rehabilitation work on residential buildings over 4 stories defined to include demolition repair, and alteration on any existing structure which is intended for predominantly residential use)	9.16	1.25	.49		.04
Cement masons	11.40	1.74	1.19		.02
Electricians and Linemen	12.25	7%	3%+ a	5.7%+b	½%
Electricians and Linemen (Rehabilitation work on buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use)	9.50	7%	1%+a	5.365%	½%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Elevator Constructors	11.32	.745	.35+e	c+d	.02
Elevator Constructors helpers	8.44	.745	.35+e	c+d	.02
Elevator Constructors helpers probation	5.66				
Elevator Constructors Modernization	9.35	.495	.32+e	c+d	.02
Elevator Constructors helpers Modernization	7.01	.495	.32+e	c+d	.02
Elevator Constructors Repair	8.50	.495	.32+e	c+m	.02
Elevator Constructors Repair helpers	6.38	.495	.32+e	c+d	.02
Glaziers	11.20	.66	1.66	.67	.01
Ironworkers:					
Ornamental Finisher	10.67	1.18	2.55	.78	.05
Reinforcing	10.41	1.325	1.985	.75+g	.03
Structural	11.50	1.55	3.00	1.60+f	.07
Laborers:					
Asphalt Laborers	9.85	1.10	1.05	h	
Asphalt Rakers	10.11	1.10	1.05	h	
Asphalt Tampers	9.87	1.10	1.05	h	
Cement Concrete Workers	9.40	.8025	1.3525	i	
Masons Tenders	9.40	.687	1.495		
Masons Tenders (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use)	7.52	.79			
Blasters (Heavy)	10.29	1.035	1.775	1.75	
Concrete Breakers, Chippers, Jackhammers, Pneumatic tools, Spades (Heavy)	8.82	1.035	1.775	1.75	
Wagon Drills (heavy)	9.05	1.035	1.775	1.75	
Powder Carriers (heavy)	7.92	1.035	1.775	1.75	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Laborers (cont'd):					
Laborers (Building and Heavy)	9.05	1.35	1.48		
Curb Setters (Highway)	12.26	1.10	1.05	h	
Laborers, Puddlers, Concrete Rakers	9.88	1.10	1.05	h	
Pavers (Highway)	12.26	1.10	1.05	h	
Rammers (Highway)	11.16	1.10	1.05	h	
Demolition:					
Barmen	9.80	8%	10%		
Barmen Helpers	9.50	8%	10%		
Plasterers helpers (Kings)	9.70	2.80		.80	
Plasterers helpers (Queens)	9.60	1.55		1.35	.01
Plasterers helpers (Bronx-NY Richmond)	8.35	.90	1.40	.35	
Lathers, Mettalic	10.41	1.325	1.985	.75+p	.03
Lathers, Nail-on (Kings-Queens)	8.40	.655	1.655	.70	.01
Lathers, Nail-on (Bronx-NY-Richmond)	8.60		.25		.01
Leadburners	10.75	.40	.25	f	.01
Marble setters:					
Carvers	10.15	1.06	1.26	k	
Cutters and Setters	10.00	1.06	1.26	k	
Sawyers, Rubbers, and Polishers	10.28	1.06	1.26	k	
Crane operators and Derrickmen	8.28	1.06	1.26	k	
Painters:					
Brush	9.55	8½%	5%+q	3%	
Brush (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use)	8.50	.90	.50		
Spray, Spray Gun, Scaffold Work	11.38	8½%	5%+q	3%	
Structural Steel	11.68	11%	14%	1%	
Structural Steel Spray	12.68	11%	14%	1%	
Pointers, Caulkers and Cleaners	10.17	1.10	1.87		.05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Plasterers:					
Kings	$10.60	1.10		1.40	.01
Queens	9.60	1.55		1.35	.01
Bronx-NY-Richmond	9.30	1.10	1.54	.90	.01
Bronx-NY-Kings-Queens-NY-Richmond (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use)	7.17	2.30			
Plumbers:					
NY-Bronx	10.55	4.70	s		
NY-Bronx (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structure which is intended for predominantly residential use)	7.92	3.52	r		
Kings-Queens	10.20	1.90	2.14	1.19	.22
Richmond	10.63		1.58	1.05	.30
Roofers:					
Composition, Damp, Waterproofers	9.65	1.79	2.65	.65	
Composition, Damp, Waterproofers (Rehabilitation work on residential buildings over 4 stories defined to include demolition, repair, and alteration on any existing structre which is intended for predominantly residential use)	6.86	1.34	1.84	.49	
Slate-Tile (Kings-Queens)	11.07	.55			
Slate-Tile helpers(Kings-Queens)	5.13	.50	1.40	1.40	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Slate-Tile (Bronx-NY-Richmond)	$ 9.70	.50	1.40	1.60	
Slate-Tile helpers (Bronx-NY-Richmond)	7.90	.50	1.00	1.20	
Sheet Metal Workers	12.57	2.24	1.22	.43	.02
Sprinkler Fitter and Steamfitters	10.97	2.65	1.12	.86	.07
Stonemasons	11.00	.50	1.00		
Stone Derrickmen and Riggers	12.12	.98	1.01		
Terrazzo Workers	11.18	1.21	1.50		
Terrazzo Workers helpers	9.84	1.21	1.50		
Tile Setters	9.15	.85	2.10		
Tile Setters helpers	7.90	.50	1.27		
Timbermen (Heavy)	10.41	1.40	1.78	.70	.04
Tuckpointers:					
Sandblasters	10.02	1.05	1.82	.70	.05
Steamcleaners	9.17	1.05	1.82	.70	.05
Waterproofers	8.92	1.05	1.82	.70	.05
Truckdrivers, Building:					
Ready mix Concrete, Sand, Gravel and Asphalt		.9675	1.8525	n+p	
Euclids and Turnapulls	8.825	.9675	1.8525	n+p	
4-Wheel, Hi-Lo Lift operators	7.525	.9675	1.8525	n+p	
Euclids and Turnapulls (Heavy)	8.825	.9675	1.8525	n+p	
Welder-receive rate prescribed for craft performing the operation to which welding is incidental.					

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes $7.00 per day to an Annuity and Security Benefit fund.

b. Holidays: A through F, Columbus Day, Day after Thanksgiving, Election Day, and Employees Birthday.

c. Holidays: A through F, Columbus Day, Election Day, Lincoln's Birhtday, Washington's Birthday, Armistice Day.

d. Employees with 6 months or more but less than 5 years service receive 2 weeks vacation, 5 or more years of service receive 3 weeks vacation.

e. Employer contributed $8.00 per day to an Annuity Fund.

f. Holidays: New Year's Eve and Christmas Eve provided the employee works a full half day preceeding the holiday.

g. Work on Christmas Eve and New Year's Eve will terminate at Noon, but employee will receive a full days pay.

h. Holidays: B, C, D, E, Election Day, Columbus day, providing the employee works at least 1 day in the week in which the holiday occurs.

i. If men work the last regular work day before Christmas Day or the last reuglar day before New Year's Day, the work day will end at Noon, but men will be paid for a full 7 hour day; However, if men are required to work after Noon they will be paid an additional time and a half for the hours worked.

j. Holidays: A through F, Washington's Birthday, Christmas Eve, Good Friday, providing the employee has worked 30 full days during the 90 calendar days prior to the holiday, and regular scheduled work days immediately preceeding and following the holiday.

k. One half days pay for Labor Day.

l. Employer contributes $6.01 per day to an additional Security Benefit Fund.

m. Employee with 6 months or more but less than 5 years service receive 2 weeks vacation, 5 or more years of service but less than 15 years service receive 3 weeks vacation, 15 or more years of service receive 4 weeks vacation.

n. Holidays: A through F, Lincoln's Birthday, Washington's Birthday, Election Day, Veterans' Day, provided the employee works 2 days in the claendar week in which the holiday falls and each remaining work day during such calendar week.

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FOOTNOTES (CONT'D)

p. For each 15 days worked within the contract year an employee will receive one day's vacation with pay with a maximum vacation of 3 weeks per year.

q. Employer contributes $5.00 per day to an Annuity Fund.

r. Employer contributes $4.50 per day to an Annuity Fund.

s. Employer contributes $6.00 per day to a Security Bebefit Fund.

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS:					
Double Drum Hoist	$11.66	.93	1.95	.70+a	.02
Stone Derrick, Cranes, Cherry Pickers	12.17	.93	1.95	.70+a	.02
Hoists, Fork Lifts, House Cars, Plasterer (platform machine), Plasterer Bucket, Plasterer Pump, Compressors-Welding Machines (cutting concrete-tank work), Paint Spraying, Sandblasting, and All Equipment Used For Hoisting Material	11.74	.93	1.95	.70+a	.02
Cranes: All types-crawler or truck					
100' to 149' Boom	12.67	.93	1.95	.70+a	.02
150' to 249' Boom	12.92	.93	1.95	.70+a	.02
250' to 349' Boom	13.17	.93	1.95	.70+a	.02
350' to 450' Boom	13.67	.93	1.95	.70+a	.02
Steel Erection:					
Three Drum Derricks	12.25	.93	1.95	.70+a	.02
Cranes, 2 Drum Derricks, Cherry Pickers	11.74	.93	1.95	.70+a	.02
Compressors, Welding Machines	10.51	.93	1.95	.70+a	.02
Tower Cranes	12.19	.93	1.95	.70+a	.02

FOOTNOTE:

A. Paid Holidays: New Year's Day, Lincoln's Birthday, Washington's Birthday, Good Friday (Iron League Only), Decoration Day, Independence Day, Labor Day, Columbus Day, Election Day, Armistice Day, Thanksgiving Day and Christmas Day providing the employee is employed during the payroll week in which the holiday occurs.

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POWER EQUIPMENT OPERATORS
HEAVY AND HIGHWAY CONSTRUCTION

Class 1: Backhoes, Power shovels.

Class 2: Mine hoist, Cranes, etc, used as mine hoists.

Class 3: Gradalls, Ketstones, Cranes (with digging buckets including sand dock cranes, bridge cranes), Trenching machines.

Class 4: Rigs (under direction of a dockbuilder foreman), Derrick boats, Tunnel shovels, Piledrivers.

Class 5: Raise Bore Drill.

Class 6: Mucking machines, Back filling machines, Cranes, Paver dual drums.

Class 7: Elevator (manually operated), Concrete pavers, Cableways, Land Derricks, Mixers, Power Houses (which contain low pressure units).

Class 8: Power Houses (other than above), Compressors (3 or more in battery), Stone Crusher, Double Drum Hoist, Concrete pumps, Well point pumps, Tugger machines (caissons), Drilled in caissons, Soil solidification equipment, Welding machines (used for steel erection), Concrete plant, Conveyor attachment, Well Drilling machine.

Class 9: River cofferdam pumps, Welding machines, Boilers, High pressure, Compressors (portable, single or two in a battery), not over 100' apart, Concrete breaking machines, Hoists, Single drum, Load Masters, Locomotives and Dinkies over 10 tons, Mixers (concrete with loading attachment), Push button machines.

Class 10: Long Boom Land Cranes:
a---100' to 149'
b---150' to 249'
c---250' to 450'
d---350' to 450'

Class 11: Junior engineers when operating loaders rubber-tired and/or tractor type with a manufacturer's minimum rated bucket capacity of 6 cubic yards and over.

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POWER EQUIPMENT OPERATORS (CONT'D)
HEAVY AND HIGHWAY CONSTRUCTION

Class 12: Junior engineers when operating the following equipment and attachments: Scrapers, Turnapulls, Tugger hoists used exclusively for handling excavated material, Tractors (rubber tired and/or track type), Hysters and roustabout cranes, Back scratchers, Cherrypickers under 20 tons, Austin Western and machines of a similar nature, Bulldozers, Loaders rubber tired and/or tractor type with a manufacturer's minimum rated bucket capacity or less than 6 cubic yards, Conveyors, Motor Graders, Curb and Gutter Pavers and machines of a similar nature.

Class 13: Junior engineers when operating the flowing pieces of minor equipment: Tractors, Locomotives 10 tons and under, Post hole diggers, Motor Generators, Road Finishing machines, Mixers 16S and under with or without loading devices, Rollers 5 tons and under, Tugger hoists, Dual purpose trucks, Fork lifts, Dempster Dumpsters, Firemen tending to: Steam operated shovels, power boilers, steam operated piledrivers, steam operated derrick boats, steam operated water rigs.

Class 14: Apprentice engineers and oilers (all gasoline, electric, diesel, or air operated), Shovels, Cranes, Draglines, Backhoes, Keystones, Gradalls, Pavers, Trenching machines, Concrete pumps, Gunite machines, Compressors (3 or more in a battery), Power Houses, there duties shall be to assist the engineer in oiling, greasing and repairing of all machines, giving signals when necessary, chaining buckets and scale boxes, driving truck cranes, driving and operating fuel and grease truck.

SUPERSEDEAS DECISION

STATE: North Dakota

COUNTIES: Burleigh, Cass, Grand Fork, Morton, Richland, Steele, Walsh and Ward

DECISION NUMBER: ND78-5019

DATE : Date of Publication

Supersedes Decision No. ND77-5100 dated Decmeber 9, 1977, in 42 FR 62339

DESCRIPTION OF WORK: Building Construction (does not include single family homes and garden type apartments up to and including 4 stories)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
(except Walsh County	$ 10.77	.35	.57		.005
BOILERMAKERS:					
(except Walsh County)	10.30	.85	1.00		.02
BRICKLAYERS; Stonemasons:					
Burleigh and Morton Counties	9.70		.15		
Grand Forks, Steele and Walsh Counties	10.80		.15		
Cass and Richland Counties	10.40	.60	.15		
Ward County	9.60		.15		
CARPENTERS:					
Burleigh and Morton Counties					
Carpenters	9.05	.50			.02
Piledrivermen	9.175	.50			.02
Grand Forks, Steele (Northern Area) and Walsh Counties					
Carpenters	9.11		.20		
Piledrivermen	9.37		.20		
Millwrights	9.86	.50	.50	.50	.02
Cass, Richland and Steele (Southern Area) Counties					
Carpenters	9.36		.30		.02
Ward County					
Carpenters	8.63				.02
Piledrivermen	8.86				.02
Millwrights	9.86	.50	.50	.50	.02
CEMENT MASONS:					
Grand Forks and Steele Counties	7.86		.15		
Cass and Richland Counties	8.41				
ELECTRICIANS:					
Cass, Grand Forks, Richland and Steele Counties					
Zone mileage from main P. O. in the Cities of Grand Forks, Valley City, Fargo and West Fargo					
Zone (A) Within 0-15 miles of each main P. O.					
Electricians	9.97	.40	3%	6%	1½%
Cable Splicers	10.45	.40	3%	6%	1½%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS: (Cont'd)					
Zone (B) 15-30 miles of each main P. O.					
Electricians	$ 10.57	.40	3%	6%	1½%
Cable Splicers	11.18	.40	3%	6%	1½%
Zone (C) Over 30 miles of each main P. O.					
Electricians	11.45	.40	3%	6%	1½%
Cable Splicers	11.95	.40	3%	6%	1½%
Burleigh, Morton and Ward Cos.					
Zone mileage from main P. O. in the Cities of Minot, Bismarck and Manden					
Zone (A) within 0-25 miles of each main P. O.					
Electricians	10.00	.40	3%	6%	1½%
Cable Splicers	10.40	.40	3%	6%	1½%
Zone (B) Over 25 miles from main P. O.					
Electricians	11.75	.40	3%	6%	1½%
Cable Splicers	12.15	.40	3%	6%	1½%
ELEVATOR CONSTRUCTORS:					
(Except Walsh County)	10.87	.745	.56	a	.025
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.745	.56	a	.025
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
IRONWORKERS:					
Ornamental; Structural; Reinforcing	10.35	.52	.70		.05
PAINTERS:					
Cass, Grand Forks, Richland and Steele Counties					
Brush; Roller; Paperhangers	8.85				.02
Sandblasting; Structural Steel Spray	9.60				.02
Burleigh and Morton Counties					
Brush, Roller, Paper and Vinyl hanging	7.70				
Spray painting (more than 20 hours per week or 60 hours per month)	8.20				
Sandblast, swing stage, or chair work, structural steel and bridges, stacks, water towers, storage tanks	8.70				

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Ward County					
Brush	$ 7.70				
Spray	8.05				
PLASTERERS:					
Grand Forks, Walsh & Steele Cos.	8.56		.15		
Ward County	9.40				
Cass and Richland Counties	9.30				
PLUMBERS:					
Cass, Grand Forks, Richland, Steele and Walsh Counties	10.08	.55	.25		.01
Burleigh and Morton Counties	11.15	.65	.55		.02
Ward County	10.20	.50	.55		.04
ROOFERS:					
Cass and Richland Counties	8.70				
Ward County	6.75				
SHEET METAL WORKERS:					
Burleigh, Grand Forks, Morton, Steele and Ward Counties	10.60		.20		
Cass and Richland Counties	9.70	.40	.25		.01
SOFT FLOOR LAYERS:					
Cass and Richland Counties	8.50				
SPRINKLER FITTERS:					
(Except Walsh County)	10.55	.65	.95		.08

FOOTNOTE:

a. Employer credits 6% basic hourly rate for employee with 6 months to 5 years' service; 8% basic hourly rate with over 5 years' service as Vacation Credit Plan. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS					
Building Construction					
Grand Forks and Steel Counties					
Group 1:					
Laborers; Concrete Bucket Dumpman	$ 7.12	.20			
Group 2:					
All power tools (air, gas and electric); Operators or tools that come under the laborers' jurisdiction; Brick, Plaster and finisher tender; Sandblaster and gunnite pot tender; Hose tender where under the laborers' jurisdiction	7.27	.20			
Group 3:					
Hod Carriers; Non-metallic pipelayers; Gas line wrapping or taping; Sand blaster and gunnite nozzleman where under laborers' jurisdiction; Cutting torch for demolition	7.47	.20			
Burleigh and Morton Counties					
Group 1:					
Laborers, Concrete Bucket Man	6.55	.20			
Group 2:					
All Power Tool Operators of tools that come under the Laborers' jurisdiction, Mortar Mixer, brick and plasterer tenders	6.65	.20			
Group 3:					
Hod Carriers, Non-metallic Pipelayers, Gas line wrapping or taping, Cutting torch for demolition	6.75	.20			

LABORERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Cass and Richland Counties					
Group 1: Laborers; Concrete Bucket Dumpman	$ 6.69	.20			
Group 2: All Power Tool Operators of tools that come under the Laborers' jurisdiction; Brick and Plasterer tender; Mortar Mixer	6.79	.20			
Group 3: Hod Carriers; Non-metallic Pipe layer; Gas line wrapping and taping (Distribution Only); Cutting torch for demolition	6.84	.20			
Ward County					
Group 1: Laborers; Concrete bucket dumpman	6.69	.20			
Group 2: All Power Tool Operators of all tools that come under the laborers' jurisdiction; Mortar Mixer; and Plasterer tender	6.79	.20			
Group 3: Non-metallic Pipe layer; Gas line wrapping or taping (Distribution Only); Cutting torch for demolition	6.94	.20			

POWER EQUIPMENT OPERATORS Building Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1: Helicopter operator hoisting material; Truck and crawler cranes over 150 ft. boom, excluding jib; Traveling tower cranes	$ 9.60	.45	.40		
Group 2: Derrick, guy or stiff leg; Tower cranes; Overhead cranes; Hoist operator-2 drums or more; All terrain vehicle cranes (cherry picker, etc.); Tractors with boom attachment; Drill rigs-rotary or churn; Locomotive operators; Hydraulic and cable-type backhoes 3/4 yds. and over; Truck and crawler cranes 150 ft. boom and under, excluding jibs	8.65	.45	.40		
Group 3: Mechanic welder; Hoist operator 1 drum; Boom truck operator; Tractor over 75 HP; Straddle carrier or forklift, 3000 lbs. or over; Concrete batch plant operator; Concrete batch mixer or concrete pump operator; Boiler operator; R.T. tractor backhoe 3/8 to 3/4 yds.; Front end loader operator over 1½ yds.; any air compressed operation over 300; Well points; Power plant engineer; Oiler	8.05	.45	.40		
Group 4: Mechanic helper; Greaser; Forklift under 3000 lbs.; Self-propelled scissor jax; Front end loader 1½ yds. and under; Self-propelled compactors; Tractor 75 HP and under; Pickup sweeper; Pump operator over 3"; Gunite Operator; Brakeman; Air compressor 300 and under	7.05	.45	.40		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Site Preparation Excavation and Incidential Paving (except Walsh County)					
LABORERS:					
Group 1	$ 3.20				
Group 2	3.30				
Group 3	3.40				
Group 4	3.50				
Site Preparation Excavation and Incidential Paving (except Walsh County)					
POWER EQUIPMENT OPERATORS:					
Group 1	8.80	.45	.40		
Group 2	8.65	.45	.40		
Group 3	8.50	.45	.40		
Group 4	8.45	.45	.40		
Group 5	8.20	.45	.40		
Group 6	7.97	.45	.40		
Group 7	7.04	.45	.40		
Group 8	6.89	.45	.40		
Group 9	6.79	.45	.40		
Group 10	6.45	.45	.40		
Site Preparation Excavation and Incidential Paving (except Walsh County					
TRUCK DRIVERS					
Single Axle	6.42	.40	.35		
Tandem	6.52	.40	.35		
Agitator Dumpcrete		.40	.35		
Off road heavy end dumps, 20 yds. and under; Tandem semi, Lowboy	6.77	.40	.35		
Euclid, over 20 yards	7.40	.40	.35		

LABORERS

Site Preparation Excavation and Incidential Paving (except Walsh County)

Group 1: General Contruction Laborer (chip spreader leverman, fine grader, Form grader, Landscaper worker; Pump operator (per-water) Tunnel worker, sign erector); Reinforce steel setter; Sack shaker (cement and mineral filler); Pipe handler; Drill runner helper; Salamander heater and blower tender

Group 2: Semi-Skilled Laborer (Joint Filler Machine Operator, Chip spreader Operator); Bulk Cement Handler; Conduit Layer, telephone of electricial); Form setter (pavement); Gas, electric or penumatic tool operator (chipping hammer, grinders and paving breakers, tamper (dirt); Concrete vibrator operator); Chain saw operator; Concrete curing man (not water); Bituminous worker (shoveler, dumper, raker and floater); Kettleman (bituminous or lead); Concrete bucket signalman; Power buggy operator; Brick and mason tender; Multi-plate pipe layer; Culvert pipe layer

Group 3: Caisson work; Bottom Man, (sanitary sewer, storm sewer, water and gas lines); Concrete mixer operator (one bag capacity); Mortar mixer

Group 4: Pipe layers (sanitary sewer, storm sewer, water and gas lines); Drill runner (including wagon churn or air track); Powderman, gunite and Sandblast, Nozzleman

POWER EQUIPMENT OPERATORS

Site preparation Excavation and Incidential Paving (except Walsh County)

Group 1: Cableway Operator; Crane Operator with over 135' boom, all types; Derrick (Guy and Stiff leg), (power), (Skids and stationary); Front End Loader over 10 cu. yds.; Gantry Crane Operator; Helicopter Operator; Mole Operator, including power supply or tunnel mucking machine; Power Shovel and/or other equipment with shovel type controls 3½ cu. yds.

Group 2: Concrete mixer stationary plant operator over 34E; Dredge operator or engineer; Dredge operator (power and engineer; Elevator Grader operator; Locomotive, crane operator; Master mechanic; Mixer (paving); Concrete paving operator, road; Power shovel and/or other equipment with shovels and/or other equipment with shovel type controls up to 3½ cu. yds.; Scraper tandem; Tandem pusher Quad 9 or similar; Tractor operator (pipeline); Side boom; Truck crane Hydrocrane operator, 15 ton and over

Group 3: Dope machine operator (pipeline); Drill rigs, heavy duty rotary or churn or cable drill; Front end loader operator, 6 cu. yds. and over, Locomotive, all types; Pipeline wrapping, cleaning and bending machine operator; Power actuated horizontal boring machine over 6" operator (pipeline); Pumpcrete operator; Refrigeration plant engineer; Slip form operator (power driven)(paving); Tandem scraper - twin engine, 50 cu. yds. struck and over

POWER EQUIPMENT OPERATORS (Cont'd)

Site Preparation Excavation and Incidential Paving (except Walsh County)

Group 4: Asphalt Paving Machine Operator, Asphalt Plant Operator and Console Board Operator; CMI Grading Operator; Crushing Plant operator (gravel and stone or gravel washing crushing and screening plant operator); Front end Loader Operator, 1 cu. yd. up to 6 cu. yds.; Grader or Motor patrol, finishing earth work and Bituminous; Mechanic or welder (heavy duty); Rubber-tired Industrial Tractor with Backhoe attachment (water main sanitary sewer and storm sewer, truck line construction); Scraper operator; Tractor type or rubber tired dozer, D-6 and over; Trenching machine operator, sewer and water, (except Ditch Witch or similar use oiler rates); Turnapull Operator (or similar type)

Group 5: Concrete Distributor and Spreader Operator, Finishing Machine Longitudinal Float Operator, Ft. Machine Operator and spray operator, concrete Mixer Operator on job site 16S or over, paving breaker or tamping Machine Operation including Machine with power shovel attachments (power driven), power actuated jack operator, power plant engineer, 100 K.W.H. and over (when an engineer is in charge or crushing or blacktop plants with the operation of these plants no power plant engineer shall be required); Push tractor, self-propelled traveling soil cement stabilizer, truck mechanic

Group 6: Bituminous spreader and Bituminous finishing machiner operator (helper(power), concrete saw operator (multiple blade) (power operated), Distributor operator, fine grade machine, roller, steel and self-propelled rubber, on hot mix asphalt paving, sheepsfoot racker with dozer attachment tractor type or rubber tired dozer under D-6 H.P.

Group 7: Brakeman or switchman; Concrete batch plant operator (cement, rock and sand) Electronic; Concrete mixer operator on job site under 16S; Crane truck oiler; Grader operator (motor patrol)(hauling road); Gravel screening plant operator (portable unit crushing or washing); Greaser (truck or tractor); Gunnite operator gunall; Hoist engineer (power); Launchman (tankerman or pilot license); Pick-up sweeper, 1 yd. and over hopper capacity; Shouldering machine operator (power Apsco or similar type); including self-propelled sand chip spreader; Flaherty or similar; Sheepsfoot roller or compactor (self-propelled)

Group 8: Boom truck operator, crawler type and/or steiger or similar tractor pulling compaction or areating equipment, farm type rubber tired tractor with backhoe attachment, off-road self-propelled rubber, on other than hot mix asphalt paving, self-propelled vibrating packer operator pad type (35 hp and over)

Group 9: Concrete batch operator (cement, rock and sand)(manual), Form trench digger (power), Front end loader operator, up to 1 cu. yd., Hyster carrier or forklift, Leverman, Mechanic's helper or greaser helper, Oiler (power shovel, crane, dragline), Pugmill operator, pump operator (well points), self-propelled broom

Group 10: Conveyor operator; Curb machine operator (manual); Dredge deck hand; Farm tractors, rubber-tried for compacting and areating; Front end loader (farm type rubber tired tractor); Paint machine striping operator; Stump chipper operator; Tie tamper and ballast machine operator

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1: Cable Splicer; Lineman; Tractor Dozer operator (D-4 and larger) all rigs erecting steel tower and "H" fixtures, also tension pulling machines	$ 10.53	.45	1%		1/2%
Group 2: Groundman-operating special equipment hole digging machines; Aerial baskets on energized circuits; Tractors (D-4) and larger; Transmission line pole hauling; All fifth wheel trucks and other setting and assembly equipment excluding steel tower and "H" fixture erection	8.46	.45	1%		1/2%
Group 3: Groundman - truck or tractor driver (with winch); Operators of trucks up to and including 2½ tons; Tractor including D-2 and smaller; Including wheel tractors and crawler tractors	7.04	.45	1%		1/2%
Group 4: Groundman - truck or tractor dirver (without winch); Operators of trucks up to and including 2½ tons; D-2 and smaller; including wheel tractors and crawler tractors; Groundmen	6.46	.45	1%		1/2%

SUPERSEDEAS DECISION

STATE: OHIO
COUNTIES: *See below
DECISION NUMBER: OH78-2007
DATE: Date of Publication
Supersedes Decision No.: OH77-2131 dated August 26, 1977 in 42 FR 43341
DESCRIPTION OF WORK: Building Construction (Does not include family homes & garden type apartments up to and including 4 stories)

*ADAMS, BROWN, BUTLER, CHAMPAIGN, CLARK, CLERMONT, CLINTON, DARKE, DELAWARE, FAIRFIELD, FAYETTE, FRANKLIN, GALLIA, GEAUGA, GREENE, HAMILTION, HIGHLAND, LAWRENCE, LICKING, MADISON, MEIGS, MIAMI, MONTGOMERY, MUSKINGUM, PERRY, PICKAWAY, PIKE, PREBLE, ROSS, SCIOTO, SHELBY, UNION, AND WARREN

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Adams, Brown, Butler (excluding Middletown & vic.), Clermont, Hamilton, Highland, & Warren (excluding Twps. of Clear Creek, Franklin, Massie, Turtle Creek, & Wayne) Cos.	$12.16	.75	1.00		.02
Butler (Middletown & vic.), Champaign, Clark, Clinton, Darke, Greene, Miami, Montgomery, Preble, Shelby, & Warren (Twps. of Clear Creek, Franklin, Massie, Turtle Creek, & Wayne) Cos.	11.47	.75	1.00		.02
Delaware, Fairfield, Fayette, Franklin, Licking, Madison, Muskingum, Perry, Pickaway, Ross, & Union Cos.	12.67	.45	.85		.02
Gallia, Lawrence, Meigs, Pike, & Scioto Cos.	11.05	.50	.70		.03
Geauga Co.	13.93				
BOILERMAKERS:					
Darke, Delaware, Shelby & Union Cos.	13.10	.70	1.00		.03
Geauga Co.	12.23	.60	1.10		.03
Remaining Cos.	9.40	.75	1.00	1.40	.02
BRICKLAYERS; Caulkers; Cleaners; Marble setters; Pointers; Stonemasons; Terrazzo workers; & Tile setters:					
Adams & Scioto Cos.:					
Bricklayers; Caulkers; Cleaners; Marble setters; Pointers; & Stonemasons	9.90				
Brown, Butler, Clermont, Hamilton, Preble (Twps. of Dixon, Israel, Lanier, Somers, & Gratis), & Warren Cos.:					
Bricklayers; Caulkers; Cleaners; Pointers; & Stonemasons	12.095	.55	.35		.02
Marble setters	11.485	.55	.35		
Terrazzo workers & Tile setters	11.435	.55	.35		
Champaign & Clark Cos.	10.60				
Clinton & Highland Cos.	8.50				
Darke, Miami, & Shelby Cos.	10.35	.75	.25		.02
Delaware, Franklin, Madison, Pickaway, & Union Cos.:					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
BRICKLAYERS: (Cont'd)					
Bricklayers; Stonemasons	$10.64	.80	.80		.02
Rubble work	10.24	.40	.80		.01
Marble setters; Terrazzo workers; & Tile setters	10.85				
Fairfield & Perry Cos.	9.50	.60	.50		.02
Fayette, Pike, & Ross Cos.:					
Bricklayers; Caulkers; Cleaners; Pointers; & Stonemasons	11.35				
Gallia & Meigs Cos.	11.25	.50			
Geauga Co.	12.37	.60	.80		
Greene, Montgomery, & Preble (Rem. of Co.) Cos.:					
Bricklayers; Caulkers; Cleaners; Pointers; & Stonemasons	10.35	.75	.75		.02
Marble setters; Terrazzo workers; & Tile setters	9.16	.75	.25		
Lawrence Co.	10.70		.50		.05
Licking & Muskingum Cos.	10.33	.60	.50		.02
CARPENTERS; Millwrights; Piledrivermen; & Soft floor layers:					
Adams, Fayette, Gallia, Highland, Lawrence, Meigs, Pike, Ross, & Scioto Cos.:					
Carpenters; Soft floor layers	10.17	.50	.75		.03
Piledrivermen	10.46	.50	.75		.03
Millwrights	10.79	.40	.37		.03
Brown, Butler, Clermont, Clinton, Hamilton & Warren Cos.:					
Carpenters; Piledrivermen	11.55	.60	.65		.075
Millwrights	11.69	.50	.85		.10
Soft floor layers	8.70	.60	.65		.05
Champaign, Clark, Delaware, Fairfield, Franklin, Licking, Madison, Muskingum, Perry, Pickaway, & Union Cos.:					
Carpenters	10.14	.53	.70		.02
Millwrights	10.79	.53	.70		.02
Piledrivermen	10.79	.53	.70		.02
Soft floor layers	10.14	.53	.70		.02
Darke, Greene, Miami, Montgomery, Preble, & Shelby Cos.:					
Carpenters; Piledrivermen	10.35	.65	1.00		.05
Millwrights	10.16	.65	1.00		
Soft floor layers	9.30	.65	.70		.05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Geauga Co.:					
Carpenters; Soft floor layers	$12.10	.77	1.25		.03
Millwrights	11.95	.77	1.40		.03
Piledrivermen	12.10	.77	1.25		.03
CEMENT MASONS:					
Adams, Lawrence (excluding Fayette, Union, & Rome Twps.), Pike, & Scioto Cos.	11.02		.60		
Brown, Butler, Clermont, Hamilton, Highland, & Warren Cos.	11.43	.75	.70		.15
Champaign, Clinton, Darke, Greene, Miami, Montgomery, Preble, & Shelby Cos.	9.78	.50	.60		.07
Clark Co.	10.60				
Delaware, Fairfield, Fayette, Franklin, Licking, Madison, Muskingum, Pickaway, Ross, & Union Cos.	10.15	.50	.20		.03
Geauga Co.	12.37	.60	.80		
Lawrence Co. (Fayette, Union, & Rome Twps.)	10.70		.50		.05
ELECTRICIANS:					
Adams, Pike (S. part), & Scioto Cos.	10.75	.50	3%+.50	1.02	.04
Brown, Clermont & Hamilton Cos.:					
Up to & incl. 18 mi. radius from Hamilton Co. Court House	12.15	.70	3%+.40		½%
18 to 21 mi. radius from Hamilton Co. Court House	12.45	.70	3%+.40		½%
21 to 25 mi. radius from Hamilton Co. Court House	12.55	.70	3%+.40		½%
Over 25 mi. radius from Hamilton Co. Court House	12.70	.70	3%+.40		½%
Butler & Warren (Twps. of Deerfield, Hamilton, Harlan, Massie, Salem, Turtle Creek, Union, & Washington) Cos.:					
W. of Interstate #75:					
Electricians	12.10	.45	3%+.75		½%
Cable splicers	12.60	.45	3%+.75		½%
E. of Interstate #75:					
Electricians	12.65	.45	3%+.75		½%
Cable splicers	13.30	.45	3%+.75		½%
Champaign, Clark, & Madison (Twps. of Paint, Pike, Somerford, Stokes, & Union) Cos.	10.79	.45	3%+.80		.04

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Clinton, Darke, Greene, Miami, Montgomery, Preble, & Warren (Rem. of Co.) Cos.:					
Electrical communications installers within 11 mi. radius of 3rd & Main Street, Dayton	$11.83	.50	3%+1.00		.5%
Electrical communications installers beyond 11 mi. radius of 3rd & Main Street, Dayton	12.06	.50	3%+1.00		.5%
Delaware, Fairfield, Franklin, Madison (E. portion), Pickaway (N. & central portions), & Union Cos.	11.48	.40	3%+.87		.03
Fayette, Highland, Pickaway (S. part), Pike (N. part), & Ross Cos.	11.60	.40	3%		.02
Gallia Co.	11.57	.50	3%+.60	1.00	.04
Geauga Co. (Bainbridge, Chester, & Russell Twps.)	12.15	.50	3%+.43		.02
Geauga Co. (Auburn, Middlefield, Parkman, & Troy Twps.)	12.59	.60	7%		.7%
Geauga Co. (Rem. of Co.)	11.88	.70	3%+.50		.3%
Lawrence Co.	11.32	.50	3%+.60	1.00	.04
Licking Co.	10.80	.40	3%+.62		.03
Meigs Co.	10.65	.50	3%+.77	1.27	.04
Muskingum & Perry Cos.	10.80	.40	3%+.62		.03
Shelby Co.	11.74	.32	3%+.37		.04
ELEVATOR CONSTRUCTORS:					
Adams, Brown, Butler, Clermont, Clinton, Darke, Hamilton, Highland, Miami, Preble, & Warren Cos.:					
Elevator constructors	11.78	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				
Champaign, Clark, Delaware, Fairfield, Fayette, Franklin, Licking, Madison, Muskingum, Perry, Pickaway, Ross, Shelby, & Union Cos.:					
Elevator Constructors	11.705	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Gallia & Meigs Cos.:					
Elevator Constructors	$11.465	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				
Geauga Co.:					
Elevator Constructors	12.79	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				
Greene & Montgomery Cos.:					
Elevator Constructors	11.78	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				
Lawrence, Pike, & Scioto Cos.:					
Elevator Constructors	11.465	.745	.56	4%+a+b	.035
Helpers	70%JR	.745	.56	4%+a+b	.035
Helpers (Prob.)	50%JR				
GLAZIERS:					
Adams, Lawrence & Scioto Cos.	10.00		.50		
Brown, Butler (Hamilton & Vic.), Clermont, Clinton, Hamilton, Highland (Part), & Warren (Lebanon & South) Cos.	10.10		.35		.005
Champaign, Butler (excluding Hamilton & Vic.), Clark, Darke, Fayette, Highland (Part), Miami, Montgomery, Preble, Shelby, & Warren (North of Lebanon) Cos.	9.88		.50		.01
Delaware, Fairfield, Franklin, Licking, Madison, Muskingum, Perry, Pickaway, Pike, Ross, & Union Cos.	10.52		.57		.005
Geauga Co.	12.83	.55	.65		.01
IRONWORKERS:					
Adams (Part), Gallia, Lawrence, Pike (Part), & Scioto Cos.:					
To 10 mi. from Union Hall in Ashland, Kentucky	11.27	.90	1.05		.01
10 to 15 mi. from Union Hall in Ashland, Kentucky	11.42	.90	1.05		.01
15 to 20 mi. from Union Hall in Ashland, Kentucky	11.52	.90	1.05		.01
20 mi. & over from Union Hall in Ashland, Kentucky	11.62	.90	1.05		.01
Adams (Part), Brown, Butler (S. ½ of Co.), Clermont, Hamilton & Warren (S. ½ of Co.) Cos.:					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS: (Cont'd)					
Ornamental; Structural	$11.48	.90	1.05		.03
Reinforcing	10.68	.90	1.85		.02
Butler (N. ½ of Co.), Champaign (W. 2/3 of Co.), Clark (W 3/4), Clinton, Darke, Fayette (Part), Greene, Highland (W 4/5), Miami, Montgomery, Preble, Shelby, & Warren (N. ½) Cos.:					
Within 15 mi. radius of Local Union #290 office	10.96	.90	1.25		.04
Beyond 15 mi. radius of Local Union #290 office	11.11	.90	1.25		.04
Champaign (Rem. of Co.), Clark (E. ½), Fayette (Part), Highland (E. 1/5), Muskingum, Perry, Pike (Part), & Ross Cos.	11.10	.90	1.55		.05
Delaware, Fairfield, Licking, Madison, Pickaway, & Union Cos.	11.00	.90	1.55		.05
Franklin Co.	10.85	.90	1.55		.05
Geauga Co.	12.22	.80	1.10		.03
Meigs Co.	10.92	.75	.85		.01
LATHERS:					
Adams, Brown, Gallia, Pike, & Scioto Cos.	9.315		.10		
Butler, Champaign, Clinton, Darke, Fayette, Greene, Miami, Montgomery, Preble, Shelby, & Warren (N. ½) Cos.	11.04		.20		.01
Clark, Delaware, Fairfield, Franklin, Licking, Madison, Muskingum, Perry, Pickaway, Ross, & Union Cos.	11.05		.10		.01
Clermont, Hamilton, Highland, & Warren (S. ½) Cos.	12.52		.25		.025
Geauga Co.	13.03		1.00		.01
Lawrence Co.	10.925		.10		
LINE CONSTRUCTION:					
Adams, Gallia, Lawrence, Meigs, Pike (Twps. of Camp Creek, Marion, Newton, Scioto, Sunfish, & Union), & Scioto Cos.:					
Linemen; Operators: All mechanized equipment	11.28	.45	3%+.50	1.00	½%
Cable splicers; Linemen welder	12.41	.45	3%+.50	1.00	½%
Groundmen	9.02	.45	3%+.50	1.00	½%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION (Cont'd):					
Brown, Clermont, & Hamilton Cos.:					
Linemen up to & incl. 18 mi. radius from Hamilton Co. Court House, Cincinnati	$11.30	.70	3%+.40		½%
Linemen over 18 to & incl. 21 mi. radius from Hamilton Co. Court House, Cincinnati	11.60	.70	3%+.40		½%
Linemen over 21 to & incl. 25 mi. radius from Hamilton Co. Court House, Cincinnati	11.70	.70	3%+.40		½%
Linemen over 25 mi. radius from Hamilton Co. Court House, Cincinnati	11.85	.70	3%+.40		½%
Butler & Warren (Twps. of Deerfield, Hamilton, Harlem, Massie, Salem, Turtle Creek, Union & Washington Twps.) Cos.:					
E. of Interstate 75:					
Linemen	12.65	.45	3%+.75		½%
Cable splicers	13.15	.45	3%+.75		½%
Groundmen:					
0-1 yr.	6.33	.45	3%+.75		½%
1-2 yrs.	7.59	.45	3%+.75		½%
Over 2 yrs.	8.86	.45	3%+.75		½%
W. of Interstate 75:					
Equipment ops.; Linemen	12.10	.45	3%+.75		½%
Cable splicers	12.60	.45	3%+.75		½%
Groundmen:					
0-1 yr.	6.05	.45	3%+.75		½%
1-2 yrs.	7.26	.45	3%+.75		½%
Over 2 yrs.	8.47	.45	3%+.75		½%
Champaign & Clark Cos.:					
Cable splicers; Linemen	9.11	.35	3%		.25%
Equipment ops.:					
0 to ½ yr.	5.49	.35	3%		.25%
½ to 1 yr.	6.54	.35	3%		.25%
1 yr. or more	7.66	.35	3%		.25%
Groundmen or truck drivers:					
0 to 1 yr.	4.47	.35	3%		.25%
1 yr. or more	5.27	.35	3%		.25%
Clinton, Darke, Greene, Miami, Montgomery, Preble, Warren (Twps. of Wayne, Clear Creek & Franklin) Cos.	11.83	.50	3%+1.00		½%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION (Cont'd):					
Delaware & Madison Cos. (Twps. of Darby, Canaan, Monroe, Deer Creek, Jefferson, Fairfield, Oak Run, Range, & Pleasant), Pickaway Co. (Twps. of Darby, Circleville, Harrison, Jackson, Madison, Monroe, Muhlenberg, Scioto, Walnut, & Washington) & Union Cos.:					
Cable splicers; Equipment ops.; Linemen	$12.41	.35	3%		½%
Groundmen:					
0 to 6 mos.	5.92	.35	3%		½%
After 6 mos.	6.30	.35	3%		½%
After 12 mos.	6.72	.35	3%		½%
After 18 mos.	7.11	.35	3%		½%
Fairfield & Licking Cos.:					
Cable splicers	12.46	.50	3%		½%
Equipment ops.; Linemen	11.73	.50	3%		½%
Groundman; Truck drivers:					
Over 1 yr.	9.31	.50	3%		½%
0 - 1 yr.	8.32	.50	3%		½%
Fayette, Highland, Pickaway (Deer Creek, Perry, Pickaway, Salt Creek, & Wayne Twps.), Pike (excluding Camp Creek, Marion, Newton, Scioto, Sunfish, & Union Twps.), & Ross Cos.:					
Equipment ops.; Linemen	10.95	.28	3%		½%
Truck drivers	6.47	.28	3%		½%
Groundman	6.17	.28	3%		½%
Franklin Co.:					
Cable splicers; Linemen	9.88	.35	3%		½%
Equipment operators:					
0 to ½ yr.	6.30	.35	3%		½%
½ to 1 yr.	7.52	.35	3%		½%
1 yr. or more	8.81	.35	3%		½%
Groundmen or truck drivers:					
0 to 1 yr.	5.13	.35	3%		½%
1 yr. or more	6.06	.35	3%		½%
Geauga (Bainbridge, Chester, & Russell Twps.):					
Linemen; Cable splicers; Equipment ops.; & Welders	12.73	.35	3%		½%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LINE CONSTRUCTION (Cont'd):					
Groundman after 12 mos.	$ 6.72	.35	3%		½%
Groundman after 18 mos.	7.11	.35	3%		½%
Geauga (Auburn, Middlefield, Parkman, & Troy Twps.):					
Linemen; Cable splicers; Operator pole digging equipment	13.23	.45	3%		½%
Groundmen 1st 6 mos.	6.62	.45	3%		½%
Groundmen 2nd 6 mos.	7.94	.45	3%		½%
Groundmen 2nd yr.	9.26	.45	3%		½%
Groundmen 3rd yr.	9.92	.45	3%		½%
Groundmen over 3 yrs.	10.58	.45	3%		½%
Geauga (Rem. of Co.):					
Linemen; Cable splicers; Equipment op.	13.08	.70	3%+.50		½%
Truck drivers	9.16	.70	3%+.50		½%
Groundmen more than 2 yrs.' experience	8.50	.70	3%+.50		½%
Groundmen less than 2 yrs.' experience	7.19	.70	3%+.50		½%
Muskingum & Perry Cos.:					
Cable splicer; Equipment ops.; & Linemen	11.43	.35	3%		½%
Groundmen:					
0 to 6 mos.	5.92	.35	3%		½%
After 6 mos.	6.30	.35	3%		½%
After 12 mos.	6.72	.35	3%		½%
After 18 mos.	7.11	.35	3%		½%
Pickaway (Twps. of Deer Creek, Perry, Pickaway, Salt Creek, & Wayne), Pike (N. part), & Ross Cos.:					
Equipment ops.; & Linemen	10.95	.28	3%		½%
Truck drivers	6.47	.28	3%		½%
Groundmen	6.17	.28	3%		½%
Shelby Co.:					
Linemen	11.93	.50	3%		½%
Groundmen; Truck drivers	7.72	.50	3%		½%
Equipment operators	10.74	.50	3%		½%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
MARBLE SETTERS' FINISHERS; TERRAZZO WORKERS' FINISHERS; & TILE SETTERS' FINISHERS:					
Adams, Brown, Butler, Clermont, Fayette, Gallia, Hamilton, Highland, Lawrence, Meigs, Pike, Ross, Scioto, & Warren Cos.:					
Marble setters' finishers	$10.385				
Marble sanders; Polishers; Stockmen; Waxers; & Sawyers	10.55				
Terrazzo workers' finishers; & grinders	10.335				
Terrazzo base grinders (While operating base grinding machine)	10.755				
Tile setters' finishers	10.285				
Champaign, Clark, Darke, Greene, Miami, Montgomery, Preble, & Shelby Cos.	8.34				
Delaware, Fairfield, Franklin, Madison, Pickaway, & Union Cos.:					
Marble setters' finishers; Terrazzo workers' finishers; & Tile setters' finishers	8.65				
Terrazzo base grinders	9.00				
Terrazzo floor grinders	8.80				
Geauga Co.:					
Marble setters' finishers	11.41		1.00		
Terrazzo workers' finishers	12.12		.85		
Tile setters' finishers	11.94		1.00		
PAINTERS:					
Adams, Highland, Pike, & Scioto Cos.:					
Brush; Paperhangers; Tapers; Wall covering, washing; Exterior buildings under 40'	11.00		.40		
Rollers; Floor sanding; Power tools	11.25		.40		
Sandblasting; Steamcleaning; Hazardous material; & Burning	12.00		.40		
Brown, Clermont, & Hamilton Cos.:					
Commercial:					
Brush	11.55		.25		
Spray	11.95		.25		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Industrial:					
Brush	$11.70		.25		
Spray	12.10		.25		
Butler & Warren Cos.:					
Commercial:					
Brush	10.08				
Spray	10.58				
Industrial:					
Brush	10.23				
Spray	10.73				
Champaign & Clark Cos.:					
Brush; Paperhangers (Tools furnished)	7.80	.10	.25		
Swing stage	8.15	.10	.25		
Spray	8.50	.10	.25		
Structural steel	8.35	.10	.25		
Clinton, Darke, Greene, Miami, Montgomery, & Preble Cos.:					
Brush; Roller	11.05	.40	.40		.02
Scaffolds; Structural steel; & Swing stage	11.45	.40	.40		.02
Sandblasting; Spray; & Steam-cleaning	11.55	.40	.40		.02
Paperhangers	11.30	.40	.40		.02
Spackling & finishing; & Taping	11.05	.40	.40		.02
Steeple jack work	11.80	.40	.40		.02
Delaware, Fairfield, Fayette, Franklin, Madison, Pickaway, & Union Cos.:					
Brush; Paperhangers; Rollers; & Wall washing	10.14	.65	.65		.02
Spray	10.64	.65	.65		.02
Structural steel; & Swing stage	10.44	.65	.65		.02
Sandblasting; Steamcleaning; & Water tanks	10.84	.65	.65		.02
Drywall tapers & finishers	10.54	.65	.65		.02
Gallia, Lawrence, & Meigs Cos.:					
Brush; Roller	8.50			d	
Drywall taping; Paperhanger; & Wall washers	9.05			d	
Spray	9.55			d	
Open Structural steel	9.25			d	
Geauga Co.:					
Brush; Roller; Paperhangers	11.66	.63	.74		.05
Swing stage; Window Jack; & Bos'n chair	11.96	.63	.74		.05
Tapers	12.36	.63	.74		.05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Licking, Muskingum, & Perry Cos.					
Brush; Paperhangers	$7.50				
Structural steel	8.00				
Spray	7.95				
Smoke stacks; Tanks; & Water towers	8.00				
Ross Co.:					
Brush; Roller; & Taping	9.00				
Structural steel	9.25				
Sandblast; & Spray	9.75				
Shelby Co.:					
Brush; Roller; Drywall taping	8.65	.73	.50		.03
Wallcovering; Swing stage; Safety belts; Spiders; Cherry pickers - brush or rollers	8.90	.73	.50		.03
Spray; Sandblasting; Steam-cleaning; Mitts; High pressure water cleaning; & blow down	9.15	.73	.50		.03
Stilts & automatic drywall tools	9.40	.73	.50		.03
Petroleum storage tanks (over 30' high) brush, rollers	9.05	.73	.50		.03
Structural steel (open skeleton) - brush or rollers	8.95	.73	.50		.03
Elevated water tanks & stacks - brush, roller or spray	10.15	.73	.50		.03

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		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS:					
Adams, Lawrence (except Twps. of Fayette, Union, & Rome), Pike, & Scioto Cos.	$11.02		.60		
Brown, Butler, Clermont, Hamilton, Highland, & Warren Cos.	12.295		.50		.02
Champaign, Clark, Clinton, Darke, Greene, Miami, Montgomery, Preble, & Shelby Cos.	11.25				
Delaware, Fairfield, Fayette, Franklin, Licking, Madison, Muskingum, Perry, Pickaway, Ross, & Union Cos.	10.34	.50	.30		.02
Gallia & Meigs Cos.	11.25	.50			
Geauga Co.	12.37	.60	.80		
Lawrence Co. (Twps. of Fayette, Union & Rome Twps.)	10.70		.50		.05
PLUMBERS; Steamfitters:					
Adams, Gallia, Highland, Lawrence, Pike, & Scioto Cos.:					
Within 10 mi. radius of Portsmouth	11.67	.55	.75		
10 - 20 mi. radius of Portsmouth	11.92	.55	.75		
20 - 35 mi. radius of Portsmouth	12.02	.55	.75		
Over 35 mi. radius of Portsmouth	12.27	.55	.75		
Brown, Clermont, Hamilton, & Warren (N. of Rte #63 excl. Lebanon & S. Lebanon) Cos.:					
Plumbers; Gas fitters	12.27	.75	1.05		.05
Pipefitters; Steamfitters	12.20	.90	1.225		.08
Butler Co. (N. ½)	12.35	.60	1.00		.05
Butler (S. ½) & Warren (S. of Rte #63 incl. Lebanon & S. Lebanon) Cos.	12.27	.65	1.10		.02
Champaign, Clark, Greene (Twps. of Cedarville, Ross, Jefferson, Ceasar Creek, & New Jasper), & Madison (W. of Rte #38 incl. city of London) Cos.	11.81	.58	.80		.04
Clinton, Darke, Fayette, Greene (excl. Twps. of Miami, Cedarville, Ross, Jefferson, Ceasar Creek, & New Jasper), Miami, Montgomery, & Preble Cos.	12.21	.55	.70		.03

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		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS; Steamfitters: (Cont'd)					
Delaware, Fairfield, Franklin, Licking, Madison (E. of Rte #38 not incl. city of London), Perry, Pickaway, Ross, & Union Cos.	$12.47	.55	.80		.05
Geauga Co.:					
Pipefitters	11.97	1.05	1.10		.05
Plumbers	12.28	.75	1.00		.02
Meigs Co.	11.43	.52	.55		.045
Muskingum Co.	10.83	.45	.50		.08
Shelby Co.	12.00	.50	.75		.05
ROOFERS:					
Adams, Gallia, Lawrence, Meigs, Muskingum, Pike, & Scioto Cos.	11.00		.45		
Brown, Butler, Clermont, Hamilton, Highland, & Warren Cos.:					
Roofers	12.32		.85		.01
Pitch	12.92		.85		.01
Champaign, Delaware, Fairfield, Fayette, Franklin, Licking, Madison, Perry, Pickaway, Ross, & Union Cos.	11.195	.60	.65		.01
Clark, Clinton, Darke, Greene, Miami, Montgomery, Preble, & Shelby Cos.:					
Slate, Tile, & Asbestos Composition, Damp & Waterproof Workers	10.72	.80	.50		
	10.50	.80	.50		
Geauga Co.	13.18	.25	.50		
SHEET METAL WORKERS:					
Adams, Delaware, Fairfield, Fayette, Franklin, Gallia, Lawrence, Licking, Madison, Meigs, Muskingum, Perry, Pickaway, Pike, Ross, Scioto, & Union Cos.	10.82	.45&e	1.05		.10
Brown, Clermont, Hamilton, & Highland Cos.	12.035	.90	.81		.04
Butler, Champaign, Clark, Clinton, Darke, Greene, Miami, Montgomery, Preble, Shelby, & Warren Cos.	11.24	.55&e	.94		.15
Geauga Co.	12.20	.60	1.13		.04

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		H & W	Pensions	Vacation	Education and/or Appr. Tr.
SPRINKLER FITTERS	$12.30	.65	.95		.08

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; & F-Christmas Day

FOOTNOTES:
a. 7 paid holidays: A through F, & Day after Thanksgiving
b. Employer contributes 8% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 6% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
c. 9 paid holidays: A through F, plus Washington's Birthday, Good Friday, and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.
d. 6 paid holidays: A,C,E,F, Decoration Day & Veterans' Day
e. 3% of gross earnings to SASMI

LABORERS:					
Adams, Gallia, Highland, Lawrence, Meigs, Pike, & Scioto Cos.:					
Common laborers; Signalmen	7.77	.65	.55		.10
Sheeting & Shoring men	7.87	.65	.55		.10
Bottom men; Carpenters' tenders; Mason tenders; Mortar mixers; Plasterers' tenders; & Sewer pipe layers	7.92	.65	.55		.10
Air & machine driven tool op.; Asphalt rakers & smoothers; Burning & cutting torches; Chain saws; & Powered concrete buggies; Hand spikers	8.02	.65	.55		.10
Gunnite machine op.; Gunnite nozzlemen; Powdermen & blasters	8.34	.65	.55		.10
Brown, Clermont, Clinton, & Hamilton Cos.:					
GROUP 1	10.00	.60	.50		.05
GROUP 2	10.10	.60	.50		.05
GROUP 3	10.15	.60	.50		.05
GROUP 4	10.20	.60	.50		.05
GROUP 5	10.35	.60	.50		.05
GROUP 6	10.50	.60	.50		.05
GROUP 7	10.75	.60	.50		.05
GROUP 8	9.47	.60	.50		.05
GROUP 9	9.62	.60	.50		.05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS: (Cont'd)					
GROUP 1: Common laborers; Cement masons' helpers; Hand operated mechanical mule; Mechanical sweeper; Signal man					
GROUP 2: Bottom man; Pipelayer					
GROUP 3: Burning torch operator; Jackhammer; Mechanical & air tamper operator; Mechanical concrete buggies; Power operated mechanical mule; Concrete pump hose man; Vibrator man					
GROUP 4: Plasterers' tender; Mason tender; Stone mason tender; Bottom jackhammer man					
GROUP 5: Plaster mixer pump operator					
GROUP 6: Tunnel laborer					
GROUP 7: Gunnite nozzle operator					
GROUP 8: Demolition Construction - Wrecking laborers					
GROUP 9: Demolition Construction - Jackhammer man; Burner; & wall man					
Butler & Warren Cos.:					
Common laborers	$ 9.44	.55	.40		.05
Asphalt rakers; Tampers; Smoothers hand air pump; Hand air tamper chisel; Vibrator power tamper op.	9.54	.55	.40		.05
Gunnite operators; Sandblaster; Concrete pumps & hose men	9.79	.55	.40		.05
Mason tenders; Mortar mixers; & scaffold builders	9.77	.55	.40		.05
Champaign & Clark Cos.:					
Laborers general; Carpenters' tenders; Waterboy; Flagman; & Signalman	7.60	.55	.40		.05
Plasterers' tenders; Mason tenders; Mortar mixers; Air & machine driven tool ops.; Jackhammer; Barko & chain saw; Sewer pipe layer; Bottom man; Wagon drill; Hand spikers; Asphlat raker & tamper; Power concrete & buggies; Gunnite machine op. & nozzle man	7.85	.55	.40		.05
Miners & muckers for tunnel & caisson; Powder man & blaster	8.10	.55	.40		.05
Darke, Greene, Miami, Montgomery, & Preble Cos.:					
Unskilled	8.44	.55	.40		.05
All machine & Power driven tools; Power buggies; Vibrators; Chipping hammers, & railroad spikers					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS: (Cont'd)					
by hand; Swinging scaffold over 15'	$ 8.59	.55	.40		.05
Jackhammer; Air drill; Sand blaster; Sewer pipe layers; Man-hole builders, & Bottom men	8.64	.55	.40		.05
Caisson work; Scaffold with power tools	8.69	.55	.40		.05
Torch man on wrecking	8.74	.55	.40		.05
Caisson work with jackhammer	8.89	.55	.40		.05
Gunnite op.; Wagon drill op.; & blaster-powder man	8.94	.55	.40		.05
Tenders to bricklayers & masons	9.07	.55	.40		.05
Tenders to lathers & plasterers	9.11	.55	.40		.05
Delaware Co.:					
Building & Construction laborers; Signalman; Flagman; Tool crib-man; Carpenter tender; Finisher tender; Concrete handler; Utility construction laborers; Guardrail erectors	8.41	.65	.55		.10
Bottom men; Scaffold builders; Tunnel laborers; Pipelayers; Air & power driven tools; Burner on demolition work; Swinging scaffold; Mucker; Caisson work; Cofferdam worker; Powder men & dynamite blasters; Creosote worker; Mortar mixer tenders; Plasterers' tenders; Hod carrier; Laser beam set up men	8.61	.65	.55		.10
Gunnite op.	9.01	.65	.55		.10
Fairfield, Fayette, Franklin, Madison, Pickaway, & Union Cos.:					
Common laborers; Carpenter tenders; Pouring of all concrete; Cleaning debris; Cleaning of all material; General clean up; Landscape; Sod layers; Salamander; Flagmen; Wire mesh handlers or setters; Loading & unloading all trucks; Handling & conveying all material; Washing of all					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS: (Cont'd)					
windows; a man on bucket pouring concrete; Conveyor belt	$ 8.34	.55	.40		.05
Brick tender; Stone mason tender; Plasterers' tenders; Mortar mixers & Operator; Cement mason tender; All scaffold builders (swinging scaffolds); Jack hammer op.; Air or electrical pneumatic tool op.; Power driven tools; Power buggy ops.; Power wheelbarrow ops.; Asphalt & blacktop rakers; Wall wrecker & bar man on demolition; Sand & vacuum cleaning; Gunnite nozzle man; Wagon & churn drill ops.; Concrete saw op. & brush feeders on pulverizers; Pipelayers; Bottom man; Laser gun, Burners; Sandblasting of concrete; Vibrator man; Signal man; Caisson bottom man; & Forklift op.	8.54	.55	.40		.05
Geauga Co.:					
Laborers; Equipment replacing wheelbarrow & concrete buggy	9.97	1.27	1.20		
Power driven tools & vibrators; Sewer & Utilities laborers; Fine brick tenders	10.12	1.27	1.20		
Jackhammer; Acetylene burner mucker	10.17	1.27	1.20		
Swinging scaffold; Mason tender handling carbon block & bottom block material; Air track & Wagon drill	10.22	1.27	1.20		
Gunnite op.; Blasters & Shooters; Caisson; Well; Cylinder; Cofferdams; Mine workers w/o air	10.29	1.27	1.20		
Topman on free standing radial stack	10.47	1.27	1.20		
Acid brick tenders	10.37	1.27	1.20		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS: (Cont'd)					
Licking Co.:					
Brick tender; Stonemason tender; Plasterer tender; Mortar mixer & operator; Cement mason tender; All scaffold builders; Swinging scaffolds; Jackhammer ops.; Air or electrical pneumatic tool ops.; Power driven tools; Power buggy ops.; Fork lift ops.; Power wheelbarrow ops.; Asphalt & blacktop rakers; Wall wrecker & bar man on demolition; Sandblasting; Welders on demolitions; Gunnite nozzle man; Wagon & churn drill ops.; Concrete saw ops.; Brush feeders on pulverizers; Pipe layers; Bottom man; Laser gun; Burners; Sandblasting of concrete; Vibrator man	$ 8.49	.55	.40		.05
Common laborers; Carpenter tender; Pouring of all concrete; Cleaning of all material; General clean-up incl. vacuum cleaning; Landscape; Sod layers; All portable heaters; Loading & unloading all trucks; Handling & Conveying all materials; Washing of all windows; A man on bucket pouring concrete; Conveyor belt; Water pumps up to & incl. 4" intake	8.27	.55	.40		.05
Muskingum & Perry Cos.:					
Planters (landscape); Tree trimmers; Plumbers' helpers; Carpenters' tenders; Building & construction laborers	8.42	.55	.40		.05
Air & machine driven tool ops.; Asphalt plant aggremeter ops.; Asphalt plant mixer men; Brick slingers; Car pushers & tunnel laborers; Caulkers; yarners & Wrenchmen; Cement handlers; Concrete puddlers (behind mixers); Curb cutters & setters;					

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS: (Cont'd)					
Hand spikers ops.; Jackhammer ops.; Muckers; Mason tenders; Mortar mixers; Pipe layers: Proportioning plant ops.; Pump men (under 4"); Road form setters; Sewer bottom men; Stone mason tenders; Sheeting & shoring men; Vibrator op.; Plasterers' tenders; Cutting with burning torches; Dumpmen (batch trucks)	$ 8.52	.55	.40		.05
Brick droppers; Lock tenders; Powdermen or blasters	8.67	.55	.40		.05
Ross Co.:					
Brick tenders; Stonemasons' tenders; Plasterers' tenders; Mortar mixer & ops.; Cement masons' tenders; All scaffold builders (Swinging scaffolds), Jackhammer ops.; Air or electrical pneumatic tool ops.; Power driven tools; Power buggy ops.; Fork lift ops.; Power wheelbarrow ops.; Asphalt & blacktop rakers; Wall wrecker & bar man on demolition; Sandblasting; Welders on demolition; Gunnite nozzle man; Wagon & churn drill ops.; Concrete saw ops.; Brush feeders on pulverizers; Pipe layers; Bottom man; Laser gun; Burners; Sandblasting of concrete; Vibrator man; Carpenters' tenders	8.26	.55	.40		.05
Common laborers; Pouring of all concrete; Cleaning debris; Clean-up incl. vacuum cleaning; Landscape; Sod layers; Loading & unloading all trucks; Handling & conveying all materials; Washing of all windows; A man on bucket pouring concrete; Conveyor belt; All water pumps up to & incl. 3" intake	8.06	.55	.40		.05

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS: (Cont'd)					
Shelby Co.:					
Building laborers; Laser beam; Power wheelbarrow or Power buggy	$ 7.85	.55	.40		.05
Vibrators; Spikers by hand (Railroad); Cement finishers' helpers	8.00	.55	.40		.05
All machine driven tools (gas, electric, air); Asphalt rakers; Caisson; Cofferdam; Demolition; Packers; Pot tenders; Pump man under 4" discharge; Tampers; Torch man; Tunnel	8.00	.55	.40		.05
Blaster helper; Cylinder, shaft; Jackhammer; Man-hole builders; Mason tenders; Mortar mixers; Plasterers' tenders; Sewer bottom man; Sewer pipelayer; Sewer, water conduit, gas, oil, pipeline, except mainlines; & Wagon drill helper	8.15	.55	.40		.05
Blaster-Powder man; Gunnite ops.; Muckers & miners (tunnel & caisson) free air; Sandlasters; & Wagon drill/operator	8.35	.55	.40		.05

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POWER EQUIPMENT OPERATORS	Geauga Co.	Remaining Cos.	Fringe Benefits Payments			
			H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP A	$12.37	11.81	.61	1.00		.11
GROUP B	12.22	11.65	.61	1.00		.11
GROUP C	11.87	11.29	.61	1.00		.11
GROUP D	11.09	10.51	.61	1.00		.11
GROUP E	10.77	10.18	.61	1.00		.11
GROUP F	9.09	8.48	.61	1.00		.11

CLASSIFICATION DEFINITIONS

GROUP A: A-frame; All rotary drills used on caisson work for foundations & sub-structure work; Boiler operator or compressor operator (when compressor or boiler is mounted on crane, piggyback op.); Boom trucks; Cableways; Cherry pickers; Combination concrete mixer & tower; Concrete pumps; Cranes; Derricks; Draglines; Elevating grader or Euclid loader; Floating equipment; Gradalls; Helicopter op. hoisting building materials; Helicopter winch opertor hoisting builders material; Hoes; Hoisting engines (2 or more drums); Lift slab or panel jack operators; Locomotives; Maintenance engineer (mechanic or welder); Mixer paving (multiple drum); Mobile concrete pumps w/boom; Panelboard (all types on site); Piledriver; Power shovels; Side booms; Slip form pavers; Straddle carriers (building construction on site); Trench machines (over 24" wide)

GROUP B: Asphalt paver; Bulldozer; CMI type equipment; End loaders; Kohlman type loaders (dirt loading); Mucking machines; Power grader; Power scoops; Power scrapers; Push cats

GROUP C: Air compressor (pressurizing shafts or tunnels); All asphalt rollers; Fork lifts; Hoist (1 drum); House elevators; Man lift; Power boilers (over 15 lbs., pressure); Pump op. installing or operating well points or other type of dewatering system; Pumps (4" & over discharge); Submersible pumps (4" & over discharge); Trenchers (24" & under)

GROUP D: Compressors on building construction; Conveyors (building material); Gunite machines; Mixers (cap. more than 1 bag); Mixers (1 bag cap. side 1 loaders); Post driver; Post hole digger; Pavement breaker (hydraulic or cable); Road widening trencher; Rollers; Welder op.

GROUP E: Back fillers & tampers; Batch plant; Bar & joint installing machine; Bullfloats; Burlap & curing machines; Clefplanes; Concrete spreading machines; Crushers; Drum fireman (asphalt); Farm type tractor (pulling attachments); Finishing machines; Form trenchers; High pressure pumps (over ½' discharge); Hydro seeders; Self-propelled power spreaders; Self-propelled sub-grader; Tire repairman; Tractors pulling sheep foot roller or grader; Vibratory compactors (with integral power)

GROUP F: Oiler; Helper; Signalman; Light plant operator; Power driven heaters (oil fired); Power boilers (less than 15 lbs., pressure); Pumps (under 4" discharge); Submersible pumps (under 4" discharge)

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		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
Adams, Brown, Highland, Lawrence (W. of Coal Grove & W. of St. Rte #75), Pike, Ross, & Scioto Cos.:					
Jeep; Station wagons; Pickups; Fuel trucks; Dumps to & incl. 2 tons; Bus drivers (incl. all equipment used for hauling men & materials)	$8.22	$19.00a			
Dumps over 2 tons; Tandems; Semi-tractor; Lowboys; Fork lifts (incl. mason tending work); Euclids	9.14	19.00a			
Butler Co. (N. ½):					
Tandem axle trucks; Tandem axle dump trucks; Winch trucks; Fork lifts; Truck warehouse men	8.79	23.00b	28.00a		
Single axle trucks; Jeeps; Pickups	8.64	23.00b	28.00a		
Euclid trucks; Mechanics	9.09	23.00b	28.00a		
Lowboys & drags	9.05	23.00b	28.00a		
Semi combination & combination of hauling units	8.89	23.00b	28.00a		
Clinton, Darke, Greene, Miami, Champaign, Montgomery, & Preble Cos.:					
Straight flat & dump truck;			8.00a	c	
Winch truck	6.23	21.50a	8.00a	c&e	
Ready mix & dump crete	6.29	21.50a	8.00a	c&e	
Tandem truck & tractor trailer combination	6.34	21.50a	8.00a	c&e	
Euclid to 12 yds.	6.40	21.50a	8.00a	c&e	
Euclid over 12 yds.	6.76	21.50a	8.00a	c&e	
Delaware, Fayette, Franklin, Madison, & Pickaway Cos.:					
Dump & straight	8.71	17.00a			
Tandem & semi-farm tractor	8.81	17.00a			
Lowboy	8.91	17.00a			

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS (CONT'D):					
Gallia, Lawrence (E. of Ohio St. Rte #75), & Meigs Cos.:					
Truck helpers; Pickups; Station wagons; Panel trucks; Yardmen; Warehousemen; Flatbody material truck (straight job); Greasers; Washers; Tiremen; Gas pump attendants; Dump trucks (up to 5 cubic yards)	$9.15	$82.33d	$52.00d	$1.00	
Tank trucks (straight)	9.25	82.33d	52.00d	1.00	
Dump trucks (5 cubic yds. & over); Semi-dump trucks; Semi-trailers (whether flat, rack or pole & hauled or pushed by truck or tractors); Agitator or mixer trucks (up to 5 cubic yds.); Tank truck (semi)	9.40	82.33d	52.00d	1.00	
Low boy trailers; Winch trucks; Fork trucks; Distributor trucks (front end & back end); Truck crane; Monirail truck	9.45	82.33d	52.00d	1.00	
Material checker & receiver	9.50	82.33d	52.00d	1.00	
Agitator or mixer truck (5 cubic yards & over)	9.55	82.33d	52.00d	1.00	
Mechanic's helper	9.50	82.33d	52.00d	1.00	
Mechanic	9.80	82.33d	52.00d	1.00	
Tri-axle dump trucks; Hydraulic lift tailgate truck & farm type tractors; End dumpsters; Turna-rockers; Ross carriers; Athey wagon or similar equipment; A-frame; Hydrolift; Dual purpose trucks	9.80	82.33d	52.00d	1.00	

FOOTNOTES:

a. per week per employee
b. per week per employee providing employee has been on payroll at least 30 days
c. 1 yr's employment - 1 wk's paid vacation; 7 yrs' employment - 2 wks' paid vacation providing the employee has been on payroll for 8 months during the previous 12 month period.
d. per month per employee
e. an employee who has been on the payroll 30 days or more & has worked his last scheduled workday within 7 calendar days before his next scheduled workday within 7 calendar days after New Yr's Day, Memorial Day, July 4th Labor Day, Thanksgiving Day, & Chirstmas Day shall receive 8 hrs pay for said holidays

STATE: Tennessee COUNTIES: *See below
DECISION NUMBER: TN77-1151 DATE: Date of Publication
Supersedes Decision No.: TN77-1129 dated October 7, 1977 in 42 FR-54734
DESCRIPTION OF WORK: Building Construction (does not include single family homes and garden type apartments or less), and Heavy Construction.

*Counties: Hamilton (Building and Heavy Construction); Marion, Polk & Rhea (Building Construction ONLY).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	10.75	.45	.20		.01
Boilermakers	10.05	.95	1.05		.02
Bricklayers:					
Bricklayers; Stonemasons;					
Blocklayers:					
Polk County	8.25				
All other counties	10.15	.45	.30		
Carpenters:					
Carpenters, soft floor layers	8.88	.50	.50		.03
Piledrivermen	9.505	.50	.50		.03
Millwrights	9.33	.50	.50		.03
Cement masons:					
Polk County	8.25				
All other counties	9.00				
Electricians:					
Electricians	9.65	.70	3%+.45		1%
Cable splicers	9.90	.70	3%+.45		1%
Elevator constructors:					
Mechanics	9.50	.745	.56	4%+a+b	.025
Helpers	6.65	.745	.56	4%+a+b	.025
Probationary helpers	4.75				
Glaziers	8.47			4%	
Ironworkers	9.16	.55	.50		1%
Lathers	9.25				
Leadburners	10.25	.35		d	.01
Marble, Tile, & Terrazzo:					
Hamilton, Marion, & Rhea Counties	10.15	.45	.30		
Painters:					
Commercial	7.75	.35	.30		
Industrial; Paperhanging; & Drywall	8.00	.35	.30		
Sandblasting	8.25	.35	.30		
Plasterers:					
Polk County	8.25				
All other counties	9.35				
Plumbers, pipefitters, steamfitters	10.20	.45	.50	f	.08

TN77-1151 - (Cont'd)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Roofers:					
Composition, damp & waterproofers	8.80		.10		
Slate and tile	9.00		.10		
Kettlemen	8.40		.10		
Sheet metal workers:					
Hamilton County	9.72	.58	.66		.04
All other counties	10.22	.58	.66		.04
Sprinkler fitters	10.35	.65	.95		.08
Truck Drivers:					
Up to 3 tons	6.96	e	g		
3 to 5 tons	7.11	e	g		
5 to 7 tons	7.26	e	g		
Special equipment	7.46	e	g		

PAID HOLIDAYS WHERE APPLICABLE:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F- Christmas Day; G- Washington's Birthday; H-Good Friday; J-Christmas Eve.

FOOTNOTES:

a. Holidays: A through F.

b. Employer contributes 4% of regular hourly rate to vacation pay credit for employer who has worked in business more than 5 years, and 2% for employee who has worked less than 5 years.

d. Holidays, A through J.

e. $21.50 per week for each employee.

f. Paid Holiday: D.

g. $18.00 per week for each employee.

TN77-1151 - (Cont'd)

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP A	6.25	.20	.30		
GROUP B	6.55	.20	.30		
GROUP C	6.45	.20	.30		
GROUP D	6.55	.20	.30		
GROUP E	6.60	.20	.30		
GROUP F	6.90	.20	.30		
GROUP G	6.95	.20	.30		
GROUP H	6.65	.20	.30		
GROUP I	6.80	.20	.30		
GROUP J	6.80	.20	.30		
GROUP K	7.05	.20	.30		

TN77-1151 - (Cont'd)

LABORERS

GROUP A: Concrete laborers, general laborers, carpenter tenders, window and floor cleaners, and flagman on road and street crossings, form strippers, handling of rope to clam bucket, grout men, laborers working on demolition work, handling,cleaning,and pulling of nails from materials

GROUP B: Powder man helpers, vibrator operators, tenders to all trowel trades and terrazzo work, carrying reinforced steel, operating motorized wheel barrows, doping and painting of pipe, railroad track laborers, air spade operators, snake men on pipe work.

GROUP C: Sanitary and storm pipe layers or any other pipe outside of foundation, grade checker, yarner and pot man, steel form setters, mortar mixers by hand or machine, power saw operators, jackhammer operator, pavement breaker operator, air tool operators, regular air tamp operators, wacker tamp operator, chipping hammer operator, hand operated ditching machine operator, concrete grinder, floor sweeping machine operator, concrete buffer and grinder power operator, concrete pumping machine operator.

GROUP D: Asphalt raker, wagon drill operator, sand blasting, track drill operator, concrete saw operator, using cutting torch or burner on demoliton work, flagging of rigs.

GROUP E: Barco tamp operator and specially designed tamp operator, black top or concrete curbing machine operator

GROUP F: Powderman, motorized post hole digger operator and terrazzo machine grinder

GROUP G: Pneumatic concrete gun operator and nozzleman

FREE AIR SHAFTS AND TUNNELS

GROUP H: Tunnel laborers

GROUP I: Chuck Tender; Top lander on shaft work

GROUP J: Tunnel laborer, including men required to go down in pier hole drilled by machines

GROUP K: Head miner

TN77-1151 - (Cont'd)

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP A	8.75	.30	.30		.05
GROUP B	7.95	.30	.30		.05
GROUP C	7.35	.30	.30		.05
GROUP D	7.05	.30	.30		.05

GROUP A: Backhoes; cableways; ross carrier; clamshells; cranes; derricks; draglines; turnapulls; pans; scrapers; scoops; head tower machines; end-loaders; locomotives (over 20 tons); shovels; dozers; fork-lifts (over 8' lift); core drills; foundation drills; graders; mechanics; welders; winch truck with A-Frame; skimmer scoops; locomotive cranes; overhead cranes; skid rigs; piledrivers; side boom tractors; euclid loaders; derrick boat; dredge boats; hoist (any size handling steel or stone); engines used in connection with hoists material; mucking-machines; cherrypickers; tower cranes; skylift; gradall.

GROUP B: Tractors; farm type tractors (with attachments); central compressor plants; elevators (used for hoisting building materials); central mixing plants; hoist; (not handling steel or stone); pump-crete machine; concrete pumps; backfillers (other than cranes); tracmobile; crushing plant; elevating graders; earth augers; forklifts; (6' lift or under); paving machines (Blacktop/concrete); boat operator or engineer (30 tons or over); blacktop rollers; switchman; locomotive (under 20 tons); maintainers.

GROUP C: Asphalt plant; barber-green type loader; engine tender (other than steam) mixers (over 2 bags, not to include central plants); pumps (not more than 3); scrifiers; spreader box (bituminous); asphalt mixers; portable compressors (not more than 3); roller; sub-grader machine; tractors (farm type without attachments); cable head tower engineman; dredge booster pump; boat operator or engineers (under 30 tons); finishing machine; fireman & oiler (Combination); motor crane oiler & driver; welding machines (not more than 3); heaters (stationary or portable, not more than 5); compressors (portable, not more than 3); greaser or fuel truck.

GROUP D: Air compressor (1 portable); fireman; portable crushers; welding machine (1); conveyors; pump (1); oiler; heater (1).

SUPERSEDEAS DECISION

STATE: Texas

COUNTIES: Cameron Hidalgo, Starr & Willacy

DECISION NO.: TX78-4016

DATE: Date of Publication

Supersedes Decision No. TX77-4280, dated September 30, 1977, in 42 FR 53171

DESCRIPTION OF WORK: Building Construction (does not include single family homes & garden type apartments up to & including 4 stories). (See current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.09	.50	.50		
BOILERMAKERS	10.55	.80	1.00		.02
BRICKLAYERS	6.00				
CARPENTERS	5.11				
CEMENT MASONS	3.50				
ELECTRICIANS	6.425				
GLAZIERS	3.55				
IRONWORKERS:					
Structural & ornamental	3.50				
Reinforcing	4.02				
LABORERS:					
Common laborers	2.65				
Air tool operators	2.65				
Mason tenders	2.65				
Mortar mixers	2.65				
Plasterers' tenders	2.65				
PAINTERS	4.19				
PLASTERERS	7.00				
PLUMBERS & PIPEFITTERS	8.40	.40	.20		.05
ROOFERS:					
Roofers	4.06				
Kettlemen	4.40				
SHEET METAL WORKERS	4.23				
SPRINKLER FITTERS	11.15	.65	.95		.08
TILE SETTERS	3.75				
TRUCK DRIVERS	2.65				

WELDERS _ receive rate prescribed for craft performing operation to which welding is incidental.

SUPERSEDEAS DECISION

STATE: Texas COUNTY: Taylor
DECISION NO.: TX78-4017 DATE: Date of Publication
Supersedes Decision No. TX77-4263, dated September 30, 1977, in 42 FR 53167.
DESCRIPTION OF WORK: Building Construction (does not include single family homes & garden type apartments up to & including 4 stories.) (See current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
AIR CONDITIONING MECHANICS	$ 4.00				
ASBESTOS WORKERS	10.03	.40	.76		.025
BOILERMAKERS	10.55	.80	1.00		.02
BRICKLAYERS	7.20				
CARPENTERS	6.00	.25	.30		
CEMENT MASONS	5.41				
ELECTRICIANS:					
Electricians	9.40	.60	3%		1/4%
Cable splicers	9.65	.60	3%		1/4%
GLAZIERS	4.50				
IRONWORKERS	6.65	.55	.50		.10
LABORERS:					
Laborers	3.20				
Mason tenders	3.80				
LINE CONSTRUCTION:					
Lineman	9.40	.60	3%		1/4%
Cable splicers	9.65	.60	3%		1/4%
Groundman (over 1 year of experience)	7.05	.60	3%		1/4%
Groundman (under 1 year of experience)	5.64	.60	3%		1/4%
Equipment operator	7.71	.60	3%		1/4%
Flat bed truck driver	5.89	.60	3%		1/4%
PAINTERS:					
Brush, tape & bedding, paperhanger	7.65		.30		
Spray	8.525		.30		
PLASTERERS	6.60				
PLUMBERS & PIPEFITTERS	8.63	.30	.65		.05
POWER EQUIPMENT OPERATORS:					
Backhoes	4.75				
Cranes, derricks, draglines	5.575				
Drilling	5.575				
Oilers	4.65				
ROOFERS	3.94				
SHEET METAL WORKERS	6.26				
SOFT FLOOR LAYERS	3.75				
TILE SETTERS	4.00				
TRUCK DRIVERS	3.00				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

SUPERSEDEAS DECISION

STATE: Texas COUNTIES: Jefferson & Orange
DECISION NO.: TX78-4018 DATE: Date of Publication
Supersedes Decision No. TX77-4260, dated September 30, 1977, in 42 FR 53162.
DESCRIPTION OF WORK: Building (including Residential) Construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Jefferson County	$10.60	1.30	.80		.06
Orange County	10.595	.525	.90		.04
BOILERMAKERS	10.55	.80	1.00		.02
BRICKLAYERS & STONEMASONS	11.705	.63	.50		.04
CARPENTERS:					
Carpenters:					
Commercial	10.615		.30		.05
Residential construction of not more than two units & condonimium townhouses of not more than 6 units, excluding all apartments construction & multiple buildings for rental purposes	9.25		.30		
Millwrights	11.355				
Piledrivermen	10.96		.30		
CEMENT MASONS	10.20				
ELECTRICIANS	12.40	.50	3%+.285		.06
ELEVATOR CONSTRUCTORS:					
Mechanics	10.35	.745	.35	4%+a+b	.02
Helpers	70%JR	.745	.35	4%+a+b	.02
Helpers (Probationary)	50%JR				
GLAZIERS:					
Northern ½ of Jefferson Co.	9.975				
Southern ½ of Jefferson Co. & all of Orange Co.:					
Commercial	10.25				
Residential	10.10				
IRONWORKERS	9.85	.55	1.00		.10
LABORERS:					
GROUP 1 - Common laborer; asphalt ironer & raker; sand blaster, exclusive of preparation for painters; dumper, spotter & wagon drill; powder-man-blaster; well driller	6.68	.38	.53		.02
GROUP 2 - Carpenter tender	6.83	.38	.53		.02
GROUP 3 - Cement masons tender; air tool op. (jackhammer-vibrator)	6.88	.38	.53		.02
GROUP 4 - Plaster & lather tender; pipelayers, non-metallic pipe, including handling & laying pumpcrete pipe	6.98	.38	.53		.02
GROUP 5 - Mortar mixers, hod carriers & mason tender	7.03	.38	.53		.02
GROUP 6 - Machine man & nozzleman for gunniting 1½" and over	7.155	.38	.53		.02
LATHERS	10.585	.30			.01
LINE CONSTRUCTION:					
Linemen	12.685	.50	3%		1/2%
Groundmen	9.26	.50	3%		1/2%
PAINTERS:					
Southern ½ of Jefferson Co. & all of Orange Co.:					
GROUP 1 - Brush, wood & wall, paperhanger:					
Commercial	10.25				
Residential	10.10				
GROUP 2 - Brush, steel:					
Commercial	10.30				
Residential	10.15				

DECISION NO. TX78-4018

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 3 - Spray:					
Commercial	$10.75				
Residential	10.62				
GROUP 4 - Sandblaster, power cleaning; All time spent rigging:					
Commercial	10.575				
Residential	10.36				
GROUP 5 - Brush, hot paint or creosote:					
Commercial	11.00				
Residential	10.36				
GROUP 6 - Spray, hot paint or creosote:					
Commercial	11.50				
Residential	10.89				
Twenty-five cents (25¢) per hour premium on all work from stage, chair, window jack or ledge in all classifications					
Northern ⅓ of Jefferson Co.:					
GROUP 1 - Brush:					
Commercial	10.075				
Residential	9.825				
GROUP 2 - Paper & vinyl hanger:					
Commercial	10.325				
Residential	10.075				
GROUP 3 - Brush, steel:					
Commercial	10.25				
GROUP 4 - Spray:					
Commercial	10.50				
Residential	10.25				
Twenty-five cents (25¢) per hour above the prevailing wage rate when working on window jacks or ledge, swing stage, bosun chair, cat walks, spider & skates in all classifications					
PIPEFITTERS	10.49	.65	.72		.08
PLASTERERS	10.50	.77	.30		.02
PLUMBERS	11.56	.30			.03
ROOFERS	9.11	.20	.35	.25	.03
SHEET METAL WORKERS:					
Commercial	10.41	3%+.40	.27		.10
Work on a single family dwelling or multiple family housing unit less than 3 stories in height where each individual family apartment is indivudually conditioned by a separate & independent unit or system					
	6.98	3%+.40	.27		.10
SPRINKLER FITTERS	11.15	.65	.95		.08
TILE SETTERS	10.395	.63	.30		.04
TRUCK DRIVERS:					
GROUP 1 - Under 1½ tons & wash, grease, fireman, fuel pump operators when used on construction	4.40				
GROUP 2 - 1½ tons thru 2½ tons, dump truck less than 7 yds., town driver	4.69				
GROUP 3 - Over 2½ tons, farm tractors (when used to transport personnel or material), fork lifts (when used in warehouses, storage yards & when used to transport material), floats, hydraulic tail gate lifts	4.85				
GROUP 4 - Euclids (not self-loading)	4.95				
GROUP 5 - Warehousemen-material checker	4.965				

DECISION NO. TX78-4018

WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:
a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rate
b - Paid Holidays A thru G

PAID HOLIDAYS:
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-the Friday after Thanksgiving Day; G-Christmas Day

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$10.985		.25		
GROUP 2	9.25		.25		
GROUP 3	8.58		.25		
GROUP 4	8.39		.25		

GROUP 1 - Heavy Duty Mechanic; Blade Grade, self-propelled; Bull Clam; Back Filler; Derrick - power operated, all types; Draglines; Push Cat; Bulldozer and all types of Cat Tractors; Cableway; Backhoe; Shovel; Crane-power operated, all types; Elevating Grader, self-propelled; Hoist - motor driven, two drums or more; Mix mobile; Winch Truck; Locomotive Crane; Mixer, 14 cu. ft. or more; Paving Mixer, all sizes; Piledrivers; Scraper - heavy type, over 3 cu. yds.; Trench Machine, all sizes; Gradall; High-Lift; Foundation Boring Machines; Gasoline or diesel driven welding machines - 7 to 12 machines; Pumpcrete Machine; Drill Operator - Water Well; DW-10 Euclid; Tournapulls; Asphalt Plants; Crushing Machines & Batch Plants; Scoopmobiles; Fingerlift Operator; Elevator when used to haul men or material on construction work; Well Point System & operation of similar dewatering devices
GROUP 2 - Air Compressor; Blade Grade - Towed; Flex Plane; Form Grader; Mixer, less than 14 cu. ft.; Pump, Pulsometer; Truck Crane Driver; Gasoline or diesel driven welding machines, 3 to 6 machines; Hoist - Single Drum; Scraper, 3 cu. yds. or less; Conveyors - power operated
GROUP 3 - Fireman
GROUP 4 - Oiler

SUPERSEDEAS DECISION

STATE: Texas COUNTY: Lubbock
DECISION NO.: TX78-4019 DATE: Date of Publication
Supersedes Decision No. TX77-4261, dated September 30, 1977, in 42 FR 53165.
DESCRIPTION OF WORK: Building Construction (does not include single family homes & garden type apartments up to & including 4 stories). (See current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.15	.70	.70		.07
BOILERMAKERS	10.55	.80	1.00		.02
BRICKLAYERS & STONEMASONS	9.60		.30		.03
CARPENTERS	8.97	.48	.40		.01
CEMENT MASONS	7.45				
ELECTRICIANS:					
Electricians	9.95	.60	3%		1/10%
Cable splicers	10.20	.60	3%		1/10%
IRONWORKERS:					
Structural; Ornamental; Reinforcing	8.83	.55	1.00		.10
All ironworkers on jobs 30 miles or more from the city of Lubbock	8.955	.55	1.00		.10
LABORERS:					
GROUP 1 - Construction laborers, including excavation, pouring concrete, carpenter tenders, reinforcing, shoring, digging, loading & unloading materials, wrecking buildings & all structures & all construction laborers except those named below	5.175	.275	.27		
GROUP 2 - Air tool op. (jackhammer, vibrator, tamper, brush hammer, chipping hammer, air or electric), power buggy man, pipelayer (concrete & clay & all non-metallic pipe); handling, laying & cleaning pumpcrete pipe	5.45	.275	.27		
GROUP 3 - Mortar mixers, mason tenders, plasterer tenders, cement finisher tender, lather tenders	5.375	.275	.27		
GROUP 4 - Wagon drill	5.525	.275	.27		
GROUP 5 - Blasters & powder men	5.775	.275	.27		
LATHERS	6.75	.20			.01
LINE CONSTRUCTION:					
Linemen	9.95	.60	3%		
Operators	80%JR	.60	3%		
Groundmen (more than 1 year experience)	55%JR	.60	3%		
Groundmen (less than 1 year experience)	50%JR	.60	3%		
Flat bed truck operator	70%JR	.60	3%		
PAINTERS:					
Brush	7.35	.30	.20		.04
Spray	8.10	.30	.20		.04
PLASTERERS	7.00				
PLUMBERS & STEAMFITTERS	9.66	.39	.45		.04
ROOFERS	3.50				
SHEET METAL WORKERS	10.30	.35	.55		.10
SPRINKLER FITTERS	11.15	.65	.95		.08
TRUCK DRIVERS	3.00				

DECISION NO.TX78-4019

WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$ 7.20	.30	.50		.10
GROUP 2	8.10	.30	.50		.10
GROUP 3	8.50	.30	.50		.10

GROUP 1 - Oiler-Fireman
GROUP 2 - Air Compressors, Pumps, Welding Machines, Throttle Valves, Light Plants (3 to 6 machines); Conveyor; Wagon Drill; Elevators Building; Form Graders; Hoist, Single Drum; Ford Tractor including blade and mower on rear; Mixers less than 14 cubic feet; Screening Plants; Crushing Plants; Fork Lifts (short, under 25 feet); Concrete Pumps (all types); Bobcat type equipment; Ford tractor or like with any attachments (except blade and mower on rear); All other equipment of similar nature coming under the Light Equipment Class, when power operated
GROUP 3 - Backhoe; Drilling Machines (all types); Scoopmobiles; Hoist, two drums or more; Fork Lifts (over 25 feet); Winch Truck; Six Wheel Truck, when used continuously for 5 days; Mixermobile; Locomotives; Mixer, 14 cubic feet or over; Blade Graders, self-propelled; Cableways; Cranes-power operated (to 100 ft. of boom); Derricks, power operated (all types); Gradall; Hy-Ho; Hop-To; Paving Mixer (all types); Pile Drivers; Mobile Concrete Mixers over 14 cu. ft.; Bulldozers, Loaders, Tractorvators; Scrapers and Pulls; Welders; Trenching Machines; Roller, ten tons or over; Air Compressors, Pumps, Welding Machines and Light Plants (7 to 12 machines); Air Compressor & Air Tugger; Boilers, two or more fired by one man; Heavy Duty Mechanic; All other equipment of similar nature coming under the Heavy Equipment Class, when power operated

STATE: Texas COUNTIES: Bee, Kleberg & Nueces
DECISION NO.: TX78-4020 DATE: Date of Publication
Supersedes Decision No. TX77-4254, dated September 30, 1977, in 42 FR 53150.
DESCRIPTION OF WORK: Building Construction (does not include single family homes & garden type apartments up to & including 4 stories). (See current heavy & highway general wage determination for Paving & Utilities Incidenal to Building Construction.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.09	.50	.50		
BOILERMAKERS	10.55	.80	1.00		.02
BRICKLAYERS:					
Bee County	5.50				
Kleberg & Nueces Counties	8.81	.28	.30		.05
CARPENTERS:					
Carpenters	7.74	.51	.30		.05
Millwrights	9.80				1%
CEMENT MASONS	8.50				
ELECTRICIANS:					
Electricians	10.55	.60	3%		1/2%
Cable splicers	10.675	.60	3%		1/2%
GLAZIERS (excluding Kleberg Co.)	6.85		.20		
IRONWORKERS	7.92	.55	1.00		.07
LABORERS:					
GROUP 1 - General laborer (any work not specifically defined herein)	4.80	.28	.10		
GROUP 2 - Craft tenders: Bricklayers, plasterers, tile setters, concrete & mortar mixers, pipelayers, lathers, finish carpenters, slip form ops., scaffolding, water proofers; Cement finishers; Power tool ops. icludes paving buster, jackhammer, chipping gun, air tamper, barie tamper, electric vibrator, air or gasoline driven vibrator or drills, sump pumps & any & all power driven equipment operated by laborers	5.00	.28	.10		
GROUP 3 - Pipe wrappers & dopers	5.15	.28	.10		
GROUP 4 - Gunnite nozzlemen; Powderman or blaster	5.25	.28	.10		
LATHERS	7.75	.30	.20	1.00	.01
LINE CONSTRUCTION:					
Linemen	10.75	.40	3%		1/2%
Cable splicers	10.875	.40	3%		1/2%
Groundmen (1st year)	5.38	.40	3%		1/2%
Groundmen	5.91	.40	3%		1/2%
MARBLE, TILE & TERRAZZO WORKERS	8.18				.02
MARBLE, TILE & TERRAZZO FINISHERS:					
Marble, tile & terrazzo finisher	5.87				
Terrazzo floor machine operator	6.07				
Terrazzo base machine operator	6.22				
PAINTERS:					
Brush	7.75	.40	.25		2/10%
Sign	8.00	.40	.25		2/10%
Spray	8.15	.40	.25		2/10%

DECISION NO. TX78-4020

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLASTERERS	$ 9.90				.01
PLUMBERS & STEAMFITTERS	8.565	.335	.35		.035
ROOFERS:					
Roofers; Kettleman; Waterproofers; Deckmen	6.775		.25		
SHEET METAL WORKERS	8.67	.23	.275		.01
SOFT FLOOR LAYERS	7.74	.51	.30		.05
SPRINKLER FITTERS	11.15	.65	.95		.08
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

DECISION NO. TX78-4020

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP 1	$ 8.35	.32	.55		
GROUP 2	7.225	.32	.55		
GROUP 3	6.425	.32	.55		
GROUP 4	6.575	.32	.55		

GROUP 1 - Air Compressor over 125 CFM, gasoline or diesel powered; Asphalt Plant Mixer; Back Filler; Backhoe; Batch Plant (concrete); Blade Grader; Boring Machine (foundation, horizontal or waterwell); Bull Clam; Bulldozer; Cableway; Clamshell; Crane, power operated (all types); Crusher; Derrick, power operated (all types); Dragline; Elevating Grader; Elevator, outside the building; Euclids and similar type machines; Forklift (on construction except in warehouses); Grade-All; Hi-Lift; Hoist (2 drums or more); Locomotive and Switch Engines; Mixer (paving); Mixer (concrete); Pile Driver; Pumps (2) over 3 inches; Pumpcrete Machine; Push Cat or Pull Cat; Roller (pneumatic, flatwheel); Scraper (all types); Shovel (power); Scoopmobile; Trench Machine; Tugboat (on construction); Turn-a-pulls and similar machines; Welding Machines (7 to 13) other than electric; Wellpoint; Winch Truck; Mechanic; Lubrication Engineer (required on grease racks and service trucks); All other equipment of similar nature coming within the Heavy Equipment Class when power operated

GROUP 2 - Air Compressor (1 or 2) 125 CFM or less, gasoline or diesel powered; Blade Grader (towed); Conveyor; Elevator, inside the building, permanent type; Fireman (required on any boiler, steam locomotive, steam crane, etc.); Flexplane; Form Grader; Generator (gas, diesel over 1500 watts); Hoist (1 drum); Mixer (less than 14 cu. ft.); Pulsometer; Pumps (1) over 3 inches; Pumps (1 or 2) 3 inches or under; Roller (towed); Tractor (wheel type); Driver-oiler (required on tractor or truck cranes on which controls of crane and those of tractor or truck are operated from different seats or stations, mobile type grade all, etc.); Wagon Drill; Welding Machine (3 to 6) other than electric; All other equipment of similar nature coming within the Light Equipment Class when power operated

GROUP 3 - Oilers, 1st year

GROUP 4 - Oilers, 2nd year

SUPERSEDEAS DECISION

STATE: Wyoming COUNTY: Statewide

DECISION NUMBER: WY78-5014 DATE: Date of Publication

Supersedes Decision No. WY78-5008 dated January 27, 1978, in 43 FR 3868.

DESCRIPTION OF WORK: Highway Construction (does not include bridges over navigable waters; tunnels; rest areas which include building structures; and railroad construction)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS	$ 7.49	.60	.60		.15
CEMENT MASONS	7.82	.50	.35		
IRONWORKERS:					
Structural	8.00	.35			
Reinforcing	6.32	.35			
PAINTERS:					
Brush and Spray	6.93				
LINE CONSTRUCTION:					
All work over 34.5 KV all work on steel towers and/or multiple wood structures, all cross country underground communications work, and all motor traffic controlling, streets and highway lighting:					
Cable Splicer	10.42	.35	3%		3/4%
Linemen	9.47	.35	3%		3/4%
Equipment Operators	8.55	.35	3%		3/4%
Groundmen	7.03	.35	3%		3/4%
All work 34.5 KV and under:					
Lineman	9.47	.35	3%		3/4%
Line Equipment Operator	8.19	.35	3%		3/4%
Groundman	7.03	.35	3%		3/4%

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1: Axeman and hand faller; Bin Wall Installer Helpers; Concrete Worker (wet or dry); Concrete Workers (curing and drying); Dumpman; Erector and Installer (including the installation and erection of fences, snow fences, guard rails, median rails, median posts, signs and right-of-way marker); Form Stripper; Form Setter Helper (paving); General Labor; Gunite Helper; Heater Tender; Landscaper Helper; Material Handler (lumber, rods, cement, concrete); Nozzleman, air and water; Pipe Setters' Helpers (non-metallic); Pipe Setters Helpers (corrugated); Pre-watering, pre-wetting and pre-irrigation (all work); Rip rap man; Sandblaster Pot Tender; Signal Men; Grade Concrete, etc. Scissor Man or Hopper Man; Stake Jumper for equipment; Tar and asphalt pot tender; Wrecking and demolition Crews	$ 5.37				
Group 2: Ashpalt Raker and Tamper; Bin Wall Installer; Biutminous Curb Builder; Cement Mason or Finisher; Helper and Tender; Chuck Tender; Form Setter (paving); Hand operated Vibratory Roller; Landscaper; Mortar Man on stone riprap; Operator of pneumatic, electric, gas tamper and similar mechanical tools; Pipe Setter (corrugated culvert pipe sectional, multiplate and similar type) Pipe Setter; Pipelayer (non-metallic); Pipewrapper; Powderman Helper; Power type concrete buggy (push or ride); Power Saw Operator (clearing); Vibrator, concrete	5.47				

LABORERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 3: Concrete Saw; Gunite Nozzleman; High Scaler (using air tools from bos'n chair, swing stage, lift belt, or block and tackle shall receive $.20 per hour more than the classified rate); Jackhammer and Pavement Breaker; Sandblaster Nozzleman; Sewer Pipe Installer (non-metallic), clay, concrete, etc. (Caulker, Collarman, Jointer, Mortarman, Rigger, Jacker)	$ 5.62				
Group 4: Powderman and Blaster; Wagon Drill, Air-trac, Diamond and other drills for blasting powder or grouting	5.89				
Group 5: Tunnel and Underground Work:					
Brakeman; Swamper; Vibrator Man	5.85				
Bull Gang; Dumpman; Mucker; Trackman	5.69				
Miners (drillers) Machine Men; Rimbermen; Steelmen; Drill Doctor; Form Setter and Mover; Spader; Tuggers spilling and/or Caisson Workers; Powdermen; Jackhammermen; Finishers	6.12				
Nipper; Chucktender; Topman; Toplander	5.96				

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 7.01	.35	.35		.02
Group 2	7.06	.35	.35		.02
Group 3	7.11	.35	.35		.02
Group 4	7.15	.35	.35		.02
Group 5	7.18	.35	.35		.02
Group 6	7.23	.35	.35		.02
Group 7	7.27	.35	.35		.02
Group 8	7.29	.35	.35		.02
Group 9	7.40	.35	.35		.02
Group 10	7.46	.35	.35		.02
Group 11	7.48	.35	.35		.02
Group 12	7.66	.35	.35		.02
Group 13	7.70	.35	.35		.02
Group 14	7.77	.35	.35		.02
Group 15	7.83	.35	.35		.02
Group 16	8.00	.35	.35		.02
Group 17	8.34	.35	.35		.02

POWER EQUIPMENT OPERATORS

Group 1: Auger Machine Operator (post holes, etc.); Batch Bin Weighman, Scissorman or Hopperman; Beginner Operator; Brakeman and Helper; Crusher Oiler; Oiler Utility; Screed Operator; Tractor Operators (farm, crawler or wheel type, 60 HSP (drawbar) or less with or without use of power attachments, except for use of back hoe or bucket)

Group 2: Broom Operators, self-propelled; Cableway Signalman (bellboy); Concrete Saw (self-propelled); Fireman; Power Loader, belt and bucket type

Group 3: Air Compressor over 315 cu. ft. capacity; Chip Spreader Operator; Form Grader Operator; Joint Machine Operator; Longitudinal Float Operator; Mixer Operator Concrete (under one yard); Helper (welder or heavy duty); Roller Operators, self-propelled (pneumatic, rubber tired, sheep foot, vibratory or combination type); Tire Repairman

Group 4: Pump Operator (all others)

Group 5: Conveyor Belt Operator; Fork Lift and Lumber Staker; Screening Plant Operator

Group 6: A-Frame Truck; Tractor Operators (farm, crawler or wheel type, over 60 HSP (drawbar) without use of power attachments

Group 7: Oiler, Lead Utility

Group 8: Gunnite and Grout Machine Operator; Mulching Machine Operator; Oil Distributor

Group 9: Front End Loader (up to and including 1½ cu. yds.); Pavement Breakers, Hydro-tamper and similar type machines; Pumps, well points

Group 10: Hoist Operator (one drum)

POWER EQUIPMENT OPERATORS (Cont'd)

Group 11: Haulage Motorman and Industrial type Motormen; Motor Patrol Operator (all others); Pump Operator (in tunnels, shafts, raises); Hydro type Cranes (up to 15 tons)

Group 12: Air Compressor, two or more machines or tunnels, shafts, raises of plant Operator; Asphalt Plant Operator; Bituminous Lay-down Machine Operator; CMI Machine and similar; Concrete Batch Plant; Concrete Finish Machine Operator; Concrete Multi Blade Span Saw (Hunt process or similar); Concrete Spreader and Paver Operator; Crusher Operator; Drilling Machine, integrated (Core, Rotary, Caisson, Diamond); Elevating Grader; Front End Loader (over 1½ cu. yds.); Jumbo Form Operator; Mixer Operator, base course pug mill type; Mixer Bituminous Operator (travel plant); Mixer Operator Concrete (over one yard); Motor Patrol Operator (finish); Mucking Machine Operator (all types); Pneumatic Guns; Pumpcrete Operator; Roller Operator, (tandem steel wheel, three axle or three wheel); Scraper Equipment (all types); Shovels, Draglines, Cranes, Piledrivers, all truck mounted cranes, (manufacturers' rating) up to 3½ yards, all attachments; Hydro type Cranes, (15 ton and over); Shuttle Car Operator; Subgrade Machine Operator (power); Tractor Operator, all with use of power attachments and including Pushcat, Dozer, Tournadozer, etc. (The use power attachment shall not include disking, pulling or rollers, and similar unskilled actions); Trenching Machine Operator; Wash Plant Operator

Group 13: Welder, Machine Doctor

Group 14: Hoist Operator (two or more drums of shafts or raises); Repairman; Mechanics; Machine Doctors, Welders and Helper; Heavy Duty Mechanic, Machine Doctor

Group 15: Cableway Operators; Mixer Dual Drum; Cranes, (Whirley, Gantry, Stiffleg, Overhead traveling)

Group 16: Shovels, Draglines, Cranes, Piledrivers, all truck mounted Cranes (manufacturer's rating) 3½ yards to 7 cu. yds., all attachments; Wheel Excavator Operator

Group 17: Shovels, Draglines, Cranes, Piledrivers, all truck mounted Cranes, (manufacturer's rating) 7 cu. yds. and over, all attachments

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Pick-up Truck Drivers (when used for hauling)	$ 5.72	.35	.35		
Dump Truck Drivers (water level capacity box):					
7 cu. yds. and less	5.77	.35	.35		
Over 7 cu. yds. to and including 10 cu. yds.	5.92	.35	.35		
Over 10 cu. yds. to and including 13 cu. yds.	6.02	.35	.35		
Over 13 cu. yds. to and including 20 cu. yds.	6.52	.35	.35		
Over 20 cu. yds. to and including 25 cu. yds.	6.52	.35	.35		
Over 25 cu. yds. to and including 30 cu. yds.	6.62	.35	.35		
Over 30 cu. yds. to and including 35 cu. yds.	6.67	.35	.35		
Over 35 cu. yds. to and including 40 cu. yds.	6.72	.35	.35		
Over 40 cu. yds. to and including 45 cu. yds.	6.77	.35	.35		
Over 45 cu. yds. (to be negotiated prior to use)					
Snow Plow Truck Drivers (the cu. yd. rate of the truck driver classification):					
Pilot Car Drivers	5.72	.35	.35		
Gravel Spreader	5.77	.35	.35		
Flat Rack Material Truck Drivers:					
Less than 2 tons	5.77	.35	.35		
2 tons to 5 tons	5.92	.35	.35		
Over 5 tons	6.02	.35	.35		
Low Boy and Tandem Axle Float Drivers	6.52	.35	.35		
Gang Truck Drivers	5.77	.35	.35		

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Stringing Truck Drivers:					
Single axle type truck	$ 5.77	.35	.35		
Multiple axle type truck, semi	6.52	.35	.35		
Winch Trailer Truck Drivers (cable and hoist)	6.02	.35	.35		
Utility Winch Truck Drivers	6.02	.35	.35		
"A" Frame Truck Drivers	6.02	.35	.35		
Warehousemen, Partsmen and Helpers	5.77	.35	.35		
Material Checkers	5.92	.35	.35		
Transit Mix or wet mix Truck Drivers:					
Less than 5 cu. yds.; Single axle	6.02	.35	.35		
Over 5 cu. yds. to and including 10 cu. yds.; Tandem axle	6.12	.35	.35		
Over 10 cu. yds.	6.22	.35	.35		
Power Broom Drivers and/or Operator	5.92	.35	.35		
Water Truck Drivers:					
2500 gal. or less (straight truck)	5.77	.35	.35		
2500 gal. or less (semi truck)	5.92	.35	.35		
Over 2500 gal. to and including 3600 gal.	6.02	.35	.35		
Over 3600 gal. (straight truck)	6.12	.35	.35		
Over 3600 gal. (semi truck)	6.22	.35	.35		

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Heavy Duty (Euclids, electric or similar type)	$ 6.52	.35	.35		
Fuel Service Truck Drivers	5.77	.35	.35		
Greasemen, Tiremen, Service Men and Helpers	5.77	.35	.35		
Truck Mechanics and Helpers (shop and field):					
Field Mechanics	6.72	.35	.35		
Helpers - field (welders, mechanics, etc.)	6.28	.35	.35		

SUPERSEDEAS DECISION

STATE: Wyoming

COUNTIES: Converse, Goshen, Laramie, Natrona, Niobrara and Platte

DECISION NUMBER: WY78-5015

DATE: Date of Publication

Supersedes Decision No. WY78-5013 dated February 3, 1978, in 43 FR 4825

DESCRIPTION OF WORK: Building Construction (does not include single family homes and garden type apartments up to and including 4 stories) and heavy construction

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$11.44	.57	$ 1.20		
BOILERMAKERS	11.30	.85	1.00		.02
BRICKLAYERS; Stonemasons:					
Goshen, Laramie and Platte Cos.	9.90		.30		
Converse, Natrona and Niobrara Counties	10.00				
CARPENTERS:					
Carpenrers	9.49	.60	.60	.50	.15
Piledrivermen	9.74	.60	.60	.50	.15
CEMENT MASONS:					
Cement Masons	9.55	.50			.05
Working with composition material; Scaffold, Swing Stage or Temporary platform over 8' high; Operator of power machines	9.80	.50			.05
ELECTRICIANS:					
Goshen, Laramie, Niobrara and Platte Counties					
Electricians	10.85	.62	3%+.25		3/4of1%
Cable Splicers	11.10	.62	3%+.25		3/4of1%
Converse and Natrona Counties					
Contracts $150,000 and under:					
Electricians	9.80	.62	3%+.25		3/4of1%
Contracts over $150,000:					
Electricians	10.15	.62	3%+.25		3/4of1%
ELEVATOR CONSTRUCTORS	11.1%	.745	.56	a	.025
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.745	.56	a	.025
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
IRONWORKERS:					
Structural; Ornamental; Reinforcing	10.60	.65	1.15		.10
MARBLE, TILE & TERRAZZO WORKERS:					
Converse, Natrona and Niobrara Counties	10.00				
MILLWRIGHTS	9.93	.78	.85	6%	.07

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Converse, Natrona and Niobrara Counties					
Painters, Brush and roll; Hardwood finishers; Sandblast; Pot tenders	$ 9.00	.65	.30		
Painters; Spray; Swing stage and Chair	9.80	.65	.30		
Paperhanging; Drywall Finishers (hand)	9.25	.65	.30		
Sandblast (interior); Steeplejack	10.44	.65	.30		
Sandblast (exterior)	10.00	.65	.30		
Hazardous Work	9.75	.65	.30		
PLUMBERS; Steamfitters:					
Goshen, Laramie and Platte Cos.					
Zone 1 (15 miles radius from Cheyenne Post Office)	9.32	.75	.60	1.00	.18
Zone 2 (10 miles radius beyond Zone 1)	10.17	.75	.60	1.00	.18
Zone 3 (15 miles radius beyond Zone 2)	11.09	.75	.60	1.00	.18
Zone 4 (Jurisdiction beyond Zone 3)	12.31	.75	.60	1.00	.18
Zone 5 (Footnote "b")					
General Contracts $700,000.00 or less	9.32	.75	.60	1.00	.18
General contracts over $700,000.00	9.82	.75	.60	1.00	.18
Converse, Natrona and Niobrara Counties					
Zone 1 (10 miles radius from Post Office in Casper)	9.85	.70	1.25	2.00	.15
Zone 2 (10 miles radius beyond Zone 1)	10.50	.70	1.25	2.00	.15
Zone 3 (20 miles radius beyond Zone 2)	11.15	.70	1.25	2.00	.15
Zone 4 (40 miles beyond Zone 3)	12.15	.70	1.25	2.00	.15
Zone 5 (Jurisdiction beyond Zone 4)	12.90	.70	1.25	2.00	.15

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ROOFERS	$ 9.75				
SHEET METAL WORKERS:					
Converse, Natrona and Niobrara Counties	10.37	.41	.80		.02
Goshen, Laramie and Platte Cos.	10.30	.60	.90		.08
SPRINKLER FITTERS	11.05	.65	.95		.08
WELDER: RIGGER: Receive rate prescribed for craft performing operation to which welding or rigging is incidental.					
FOOTNOTES:					
a. Employer contributes 8% basic hourly rate for over 5 years' service and 6% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays: A through F.					
b. Use only in the Cities of Laramie, Torrington, Wheatland, Evanston, Green River and Rock Spring within a 5 mile radius from the Post Office.					
PAID HOLIDAYS:					
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					
LABORERS (Building Construction)					
Group 1	$ 6.52	.33	.40		.05
Group 2	6.74	.33	.40		.05
Group 3	6.80	.33	.40		.05
Group 4	7.02	.33	.40		.05
Group 5	7.02	.33	.40		.05
Group 6	7.27	.33	.40		.05
Group 7	7.11	.33	.40		.05
Group 8	7.00	.33	.40		.05
Group 9	6.84	.33	.40		.05
HEAVY CONSTRUCTION					
Carpenters	7.49	.60	.60		.15
Cement Masons	7.82	.50	.35		
Ironworkers, Structural	8.00	.35			
Ironworkers, Reinforcing	6.32	.35			
Painters, brush and spray	6.93				

LABORERS
(Building Construction)

Group 1: Axeman and hand faller; Concrete worker (wet or dry)(curing and drying); Car and truck loader; Dumpman; Erector and installer (includes the installation and erection of all fences, right-of-way, median fences, snow fence, etc., guard rails, section rails, reference posts, guide posts, sings and right-of-way markers); Form stripper; Form setter helper (paving); General laborer; Gunite helper; Landscaper helper; Material handler (lumber, rods, cement concrete); Nozzleman (air and water); Pipe setter helpers, non-metallic; Pipe setters' helpers, corrugated; All work pertaining to pre-watering, pre-irrigation and pre-wetting; Rodman; Riprap Man; Sandblaster pot tender; Signalman, grade, concrete, etc.; Scissorman or hopper man; Stake jumper for equipment; Tar and asphalt pot tender; Wrecking and demolition crews; Unloading and packing of steel rods and mesh (reinforcing); Heater tender and pilot car operator

Group 2: Asphalt raker and tamper; Bin wall installer; Bituminous curb builder; Carpenter tender; Cement mason tender; Chuck tender; Form setter (paving); Hand operated vibrator roller; Landscaper; Mechanical form cleaner; Mortar man on stone riprap; Operator of pneumatic, electric, gas tamper and similar mechanical tools; Powderman helper; Pipe setter, corrugated; Culvert pipe, meulti-plate, sectional plate and similar type; Pipe wrapper; Power-type concrete buggy (push); Power saw operator (clearing); Vibrator (concrete); Creosote material handler (corrosive enamel or its equal); Burner (cutting torch)

Group 3: Concrete saw; Gunite nozzleman; High scaler (using air tools from bos'n chair, swing stage lift belt, or block and tackle, shall receive $.20 per hour more than the classified rate); Jackhammer and pavement breaker; Sandblaster nozzleman; Sewer pipe installer, non-metallic; Caulker; Collar-man; Jointer; Mortarman; Rigger; Jacker; Power-type concrete buggy (ride); Shoring and lagging of open ditch

Group 4: Powderman and blaster; Wagon drill, air track, diamond and other drills for blasting powder or grouting

Group 5: Hod carriers; Mason tender; Plasterers tenders; Terrazzo tenders; Tile setter tenders, and scaffold builders

Group 6: Tunnel and underground work: Miners (drills) Machine man; Timberman; Steelman; Drill Doctor; Form setter and movers; Spaders; Tuggers; Spilling and/or caisson workers; Jackhammer men; Finishers; Re-bar man; Powderman

Group 7: Nipper; Chuck tender; Top man or toplander

Group 8: Brakeman and vibrator man

Group 9: Mucker and bull gang laborer

LABORERS Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1: Axeman and hand faller; Bin Wall Installer Helpers; Concrete Worker (wet or dry); Concrete Workers (curing and drying); Dumpman; Erector and Installer (including the installation and erection of fences, snow fences, guard rails, median rails, median posts, signs and right-of-way marker); Form Stripper; Form Setter Helper (paving); General Labor; Gunite Helper; Heater Tender; Landscaper Helper; Material Handler (lumber, rods, cement, concrete); Nozzleman, air and water; Pipe Setters' Helpers (non-metallic); Pipe Setters Helpers (corrugated); Pre-watering, pre-wetting and pre-irrigation (all work); Rip rap man; Sandblaster Pot Tender; Signal Men; Grade Concrete, etc. Scissor Man or Hopper Man; Stake Jumper for equipment; Tar and asphalt pot tender; Wrecking and demolition Crews	$ 5.37				
Group 2: Ashpalt Raker and Tamper; Bin Wall Installer; Biutminous Curb Builder; Cement Mason or Finisher; Helper and Tender; Chuck Tender; Form Setter (paving); Hand operated Vibratory Roller; Landscaper; Mortar Man on stone riprap; Operator of pneumatic, electric, gas tamper and similar mechanical tools; Pipe Setter (corrugated culvert pipe sectional, multiplate and similar type); Pipe Setter; Pipelayer (non-metallic); Pipewrapper; Powderman Helper; Power type concrete buggy (push or ride); Power Saw Operator (clearing); Vibrator, concrete	5.47				

LABORERS (Cont'd) Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 3: Concrete Saw; Gunite Nozzleman; High Scaler (using air tools from bos'n chair, swing stage, lift belt, or block and tackle shall receive $.20 per hour more than the classified rate); Jackhammer and Pavement Breaker; Sandblaster Nozzleman; Sewer Pipe Installer (non-metallic), clay, concrete, etc. (Caulker, Collarman, Jointer, Mortarman, Rigger, Jacker)	$ 5.62				
Group 4: Powderman and Blaster; Wagon Drill, Air-trac, Diamond and other drills for blasting powder or grouting	5.89				
Group 5: Tunnel and Underground Work:					
Brakeman; Swamper; Vibrator Man	5.85				
Bull Gang; Dumpman; Mucker; Trackman	5.69				
Miners (drillers) Machine Men; Rimbermen; Steelmen; Drill Doctor; Form Setter and Mover; Spader; Tuggers spilling and/or Caisson Workers; Powdermen; Jackhammermen; Finishers	6.12				
Nipper; Chucktender; Topman; Toplander	5.96				

POWER EQUIPMENT OPERATORS Heavy Construciton	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$ 7.01	.35	.35		.02
Group 2	7.06	.35	.35		.02
Group 3	7.11	.35	.35		.02
Group 4	7.15	.35	.35		.02
Group 5	7.18	.35	.35		.02
Group 6	7.23	.35	.35		.02
Group 7	7.27	.35	.35		.02
Group 8	7.29	.35	.35		.02
Group 9	7.40	.35	.35		.02
Group 10	7.46	.35	.35		.02
Group 11	7.48	.35	.35		.02
Group 12	7.66	.35	.35		.02
Group 13	7.70	.35	.35		.02
Group 14	7.77	.35	.35		.02
Group 15	7.83	.35	.35		.02
Group 16	8.00	.35	.35		.02
Group 17	8.34	.35	.35		.02

POWER EQUIPMENT OPERATORS
Heavy Construction

Group 1: Auger Machine Operator (post holes, etc.); Batch Bin Weighman, Scissorman or Hopperman; Beginner Operator; Brakeman and Helper; Crusher Oiler; Oiler Utility; Screed Operator; Tractor Operators (farm, crawler or wheel type, 60 HSP (drawbar) or less with or without use of power attachments, except for use of back hoe or bucket)

Group 2: Broom Operators, self-propelled; Cableway Signalman (bellboy); Concrete Saw (self-propelled); Fireman; Power Loader, belt and bucket type

Group 3: Air Compressor over 315 cu. ft. capacity; Chip Spreader Operator; Form Grader Operator; Joint Machine Operator; Longitudinal Float Operator; Mixer Operator Concrete (under one yard); Helper (welder or heavy duty); Roller Operators, self-propelled (pneumatic, rubber tired, sheep foot, vibratory or combination type); Tire Repairman

Group 4: Pump Operator (all others)

Group 5: Conveyor Belt Operator; Fork Lift and Lumber Staker; Screening Plant Operator

Group 6: A-Frame Truck; Tractor Operators (farm, crawler or wheel type, over 60 HSP (drawbar) without use of power attachments

Group 7: Oiler, Lead Utility

Group 8: Gunnite and Grout Machine Operator; Mulching Machine Operator; Oil Distributor

Group 9: Front End Loader (up to and including 1½ cu. yds.); Pavement Breakers, Hydro-tamper and similar type machines; Pumps, well points

Group 10: Hoist Operator (one drum)

POWER EQUIPMENT OPERATORS (Cont'd)
Heavy Construction

Group 11: Haulage Motorman and Industrial type Motormen; Motor Patrol Operator (all others); Pump Operator (in tunnels, shafts, raises); Hydro type Cranes (up to 15 tons)

Group 12: Air Compressor, two or more machines or tunnels, shafts, raises of plant Operator; Asphalt Plant Operator; Bituminous Lay-down Machine Operator; CMI Machine and similar; Concrete Batch Plant; Concrete Finish Machine Operator; Concrete Multi Blade Span Saw (Hunt process or similar); Concrete Spreader and Paver Operator; Crusher Operator; Drilling Machine, integrated (Core, Rotary, Caisson, Diamond); Elevating Grader; Front End Loader (over 1½ cu. yds.); Jumbo Form Operator; Mixer Operator, base course pug mill type; Mixer Bituminous Operator (travel plant); Mixer Operator Concrete (over one yard); Motor Patrol Operator (finish); Mucking Machine Operator (all types); Pneumatic Guns; Pumpcrete Operator; Roller Operator, (tandem steel wheel, three axle or three wheel); Scraper Equipment (all types); Shovels, Draglines, Cranes, Piledrivers, all truck mounted cranes, (manufacturers' rating) up to 3½ yards, all attachments; Hydro type Cranes, (15 ton and over); Shuttle Car Operator; Subgrade Machine Operator (power); Tractor Operator, all with use of power attachments and including Pushcat, Dozer, Tournadozer, etc. (The use power attachment shall not include disking, pulling or rollers, and similar unskilled actions); Trenching Machine Operator; Wash Plant Operator

Group 13: Welder, Machine Doctor

Group 14: Hoist Operator (two or more drums of shafts or raises); Repairman; Mechanics; Machine Doctors, Welders and Helper; Heavy Duty Mechanic, Machine Doctor

Group 15: Cableway Operators; Mixer Dual Drum; Cranes, (Whirley, Gantry, Stiffleg, Overhead traveling)

Group 16: Shovels, Draglines, Cranes, Piledrivers, all truck mounted Cranes (manufacturer's rating) 3½ yards to 7 cu. yds., all attachments; Wheel Excavator Operator

Group 17: Shovels, Draglines, Cranes, Piledrivers, all truck mounted Cranes, (manufacturer's rating) 7 cu. yds. and over, all attachments

TRUCK DRIVERS Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Pick-up Truck Drivers (when used for hauling)	$ 5.72	.35	.35		
Dump Truck Drivers (water level capacity box):					
7 cu. yds. and less	5.77	.35	.35		
Over 7 cu. yds. to and including 10 cu. yds.	5.92	.35	.35		
Over 10 cu. yds. to and including 13 cu. yds.	6.02	.35	.35		
Over 13 cu. yds. to and including 20 cu. yds.	6.52	.35	.35		
Over 20 cu. yds. to and including 25 cu. yds.	6.52	.35	.35		
Over 25 cu. yds. to and including 30 cu. yds.	6.62	.35	.35		
Over 30 cu. yds. to and including 35 cu. yds.	6.67	.35	.35		
Over 35 cu. yds. to and including 40 cu. yds.	6.72	.35	.35		
Over 40 cu. yds. to and including 45 cu. yds.	6.77	.35	.35		
Over 45 cu. yds. (to be negotiated prior to use)					
Snow Plow Truck Drivers (the cu. yd. rate of the truck driver classification):					
Pilot Car Drivers	5.72	.35	.35		
Gravel Spreader	5.77	.35	.35		
Flat Rack Material Truck Drivers:					
Less than 2 tons	5.77	.35	.35		
2 tons to 5 tons	5.92	.35	.35		
Over 5 tons	6.02	.35	.35		
Low Boy and Tandem Axle Float Drivers	6.52	.35	.35		
Gang Truck Drivers	5.77	.35	.35		

TRUCK DRIVERS (Cont'd) Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Stringing Truck Drivers:					
Single axle type truck	$ 5.77	.35	.35		
Multiple axle type truck, semi	6.52	.35	.35		
Winch Trailer Truck Drivers (cable and hoist)	6.02	.35	.35		
Utility Winch Truck Drivers	6.02	.35	.35		
"A" Frame Truck Drivers	6.02	.35	.35		
Warehousemen, Partsmen and Helpers	5.77	.35	.35		
Material Checkers	5.92	.35	.35		
Transit Mix or wet mix Truck Drivers:					
Less than 5 cu. yds.; Single axle	6.02	.35	.35		
Over 5 cu. yds. to and including 10 cu. yds.:					
Tandem axle	6.12	.35	.35		
Over 10 cu. yds.	6.22	.35	.35		
Power Broom Drivers and/or Operator	5.92	.35	.35		
Water Truck Drivers:					
2500 gal. or less (straight truck)	5.77	.35	.35		
2500 gal. or less (semi truck)	5.92	.35	.35		
Over 2500 gal. to and including 3600 gal.	6.02	.35	.35		
Over 3600 gal. (straight truck)	6.12	.35	.35		
Over 3600 gal. (semi truck)	6.22	.35	.35		

TRUCK DRIVERS (Cont'd) Heavy Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Heavy Duty (Euclids, electric or similar type)	$ 6.52	.35	.35		
Fuel Service Truck Drivers	5.77	.35	.35		
Greasemen, Tiremen, Service Men and Helpers	5.77	.35	.35		
Truck Mechanics and Helpers (shop and field):					
Field Mechanics	6.72	.35	.35		
Helpers - field (welders, mechanics, etc.)	6.28	.35	.35		

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FRIDAY, MARCH 10, 1978
PART VII

federal register

SECURITIES AND EXCHANGE COMMISSION

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CLEARING AGENCIES

Proposed Registration Standards

[8010-01]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 241]

[Release No. 34-14531; File No. S7-699]

REGULATION OF CLEARING AGENCIES

Proposed Registration Standards

AGENCY: Securities and Exchange Commission.

ACTION: Proposed Registration Standards.

SUMMARY: The Commission today requested comment on revised standards proposed to be applied by the Commission in connection with the registration of clearing agencies. The revised proposed standards are designed to serve as guidelines for clearing agencies to follow in modifying their organization and rules to comply with provisions in the Securities Exchange Act of 1934 applicable to registration.

DATES: Comments on or before April 24, 1978.

ADDRESSES: Written comments, submitted in triplicate, should be addressed to The Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and should refer to File No. S7-699.

FOR FURTHER INFORMATION CONTACT:

Harry Melamed, Assistant Director, Division of Market Regulation, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549, 202-755-7987.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission today requested comment on revised proposed standards that will be used to make the determinations required by Section 17A(b)(3) of the Securities Exchange Act of 1934 (the "Act") in connection with the registration of clearing agencies. The Commission also announced the issuance of an order, pursuant to paragraph (c) of 17 CFR 240.17Ab2-1 under the Act, extending until August 31, 1978, the existing registrations of The Depository Trust Co., Bradford Securities Processing Services, Inc., Stock Clearing Corp. of Philadelphia, Boston Stock Exchange Clearing Corp., Midwest Securities Trust Co., The Options Clearing Corp., Midwest Clearing Corp., Pacific Securities Depository Trust Co., Pacific Clearing Corp., New England Securities Depository Trust Co., and National Securities Clearing Corp., and announced the extension of time to that date for concluding proceedings, pursuant to Sections 17A and 19 of the Act and 17 CFR 240.17Ab2-1 thereunder, to determine whether to grant or deny registration when their existing registrations expire. [1]

Background

Section 17A(b) of the Act makes it unlawful for a clearing agency [2] to perform clearing agency functions with respect to any security (other than an exempted security) unless the clearing agency is registered with the Commission. Section 17A(b)(3) of the Act requires the Commission, before granting registration, to make a number of determinations with respect to a clearing agency's organization, capacity, and rules.[3] On November 3, 1975, pursuant to Section 17A(b) of the Act, the Commission adopted 17 CFR 240.17Ab2-1 and related Form CA-1 for the registration of clearing agencies.[4] Paragraph (c)(1) of 17 CFR 240.17Ab2-1 provides that, if requested by a registrant, the Commission may grant registration for 18 months without making all of the determinations called for by Section 17A(b)(3). This approach to registration was intended to permit clearing agencies to be registered in compliance with the Act upon a finding that their operations were safe, while affording the Commission sufficient time to make the determinations called for by Subparagraphs (A) through (I) after fully considering the issues involved, particularly those pertinent to the establishment of a national clearing and settlement system.

A number of clearing agencies were granted interim registrations in accordance with paragraph (c)(1), and the Commission by order subsequently extended the registrations. The Commission also instituted proceedings to determine whether to make the interim registrations permanent.[5] On June 1, 1977, the Commission proposed standards for measuring clearing agencies' organization, rules and procedures against the required statutory determinations.[6] Thirteen lengthy comment letters were received, and after carefully reviewing those letters, the Commission substantially revised its proposed standards and determined to republish them for comment.

Revised Proposed Standards

The revised proposed standards are intended to facilitate the establishment of a national system for the clearance and settlement of securities transactions in accordance with the objectives of Section 17A of the Act. The standards as revised are now more flexible and will provide greater latitude to each clearing agency and the Commission in accomplishing the objectives.

The revised proposed standards would be applied by the Commission in making the determinations required by Subparagraph (A)-(I) in connection with the registration of clearing agencies.[7]

The Commission recognizes that the determinations are similar in many respects to those which the Commission is required to make in connection with the registration of national securities exchanges and associations pursuant to Sections 6(b) and 15A(b) of the Act. These standards are intended, however, to apply only to the determinations required by Section 17A(b)(3) of the Act and are being proposed primarily in light of the purpose of Section 17A of the Act.

Section 17A of the Act requires the Commission to use its authority under the Act to facilitate the establishment of a national system for the prompt and accurate clearance and settlement of transactions in securities in accordance with the findings, and to carry out the objectives set forth, in Section 17A. In using its authority, the Commission is to have due regard for the public interest, the protection of investors, the safeguarding of securities and funds, and the maintenance of fair competition among brokers and dealers, clearing agencies and transfer agents.

Section 17A(b)(3) of the Act provides, in part, that the Commission shall not grant registration as a clearing agency to an applicant unless the Commission determines that (1) the applicant's rules are designed to foster cooperation and coordination with

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[1] The Commission today, by order, instituted proceedings to determine whether to grant or deny the registration of National Securities Clearing Corp. when its current registration expires. That clearing agency was organized after interim registration was granted to the other entities, and it has not before now been made a subject of such proceedings.

[2] The term "clearing agency" is defined in Section 3(a)(23) of the Act.

[3] The determinations are contained in subparagraphs (A) through (I) of Section 17A(b)(3) of the Act ("Subparagraphs (A)-(I)").

[4] Securities Exchange Act Release No. 11787 (November 3, 1975), 40 FR 52358 (November 10, 1975).

[5] General background information concerning the interim registrations, the extensions of the registrations and the institution of proceedings in contained in Securities Exchange Act Release No. 13584 (June 1, 1977), 42 FR 30065 (June 10, 1977) and Securities Exchange Act Release No. 13664 (June 23, 1977), 42 FR 33394 (June 30, 1977) and Securities Exchange Act Release No. 13911 (August 31, 1977).

[6] *See* Securities Exchange Act Release No. 13584. The comment period expired on July 15, 1977.

[7] The Subparagraphs (A)-(I) determinations are contained in Section 17A(b)(3) of the Act.

persons engaged in securities processing and to remove impediments to and perfect the mechanisms of a national system for the clearance and settlement of securities transactions and (2) the applicant's rules do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

At the time of permanent registration, the Commission will review the rules of clearing agencies not only for compliance with the final standards that will be adopted but also to determine whether the rules impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Thus, rules which provide a tying relationship as well as any other rules which burden competition will be reviewed with a view to eliminating those that do not comport with the Act. In addition, the Commission will determine that the rules of clearing agencies are designed to foster cooperation among clearing agencies as well as other entities involved in securities processing with a view to the establishment of an efficient nationwide system.

The proposed standards must be viewed in the context of the Commission's responsibilities, among other things, to facilitate the establishment of a national market system and a national clearing system and to use its authority to end the physical movement of securities in connection with settlements among broker-dealers. It is possible that accomplishment of the Commission's responsibilities may be impeded if a dominant entity or entities has an access or other requirement which prevents potential participants from using the entity's facilities. Some commenters suggested that dominant entities should be subject to different standards from those applied to other clearing agencies. The Commission requests comments on whether, and how, the standards for a dominant entity or entities should differ from the standards applied to other entities.

It should be noted that while some of the revised proposed standards are stated with particularity, others provide for application by the Commission on a case by case basis. The ensuing description of the Commission's revised proposed standards is organized as follows:

I. Participation Standards.
II. Fair Representation.
A. Governance Procedures.
B. Notice of Proposed Rule Changes.
C. Public Directors.
III. Capacity to Enforce Rules, Disciplinary Actions and Fair Procedures.
IV. Safeguarding of Securities and Funds and Prompt and Accurate Clearance and Settlement of Securities Transactions.
A. Organization.
B. Financial Reports.
C. Internal Accounting Control Reports.
D. Securities, Funds and Data Controls.
V. Obligations to Participants.
A. Clearing Funds.
B. Standard of Care.
VI. Participant Charges.
VII. Equitable Allocation of Reasonable Dues, Fees and Other Clearing Agency Charges.
VIII. The National System.
IX. Other Matters.

I. Participation Standards

Section 17A(b)(3)(B) of the Act states that a clearing agency shall not be registered unless the Commission determines that

> * * * the rules of the clearing agency provide that any (i) registered broker or dealer, (ii) other registered clearing agency, (iii) registered investment company (iv) bank, (v) insurance company, or (vi) other person or class of persons as the Commission, by rule, may from time to time designate as appropriate to the development of a national system for the prompt and accurate clearance and settlement of securities transactions may become a participant in such clearing agency.

This requirement is modified by Section 17A(b)(4)(B) of the Act which provides that a registered clearing agency may deny or condition the participation of any person who does not meet the standards of financial responsibility, operational capability, experience and competence prescribed by the rules of the clearing agency.[8]

A registered clearing agency is empowered to examine and verify the qualifications of an applicant in accordance with procedures established by the rules of the clearing agency. This authority, however, must be viewed in the context of Section 17A(b)(3)(F) of the Act which provides, among other things, that the rules of a clearing agency may not be "designed to permit unfair discrimination in the admission of participants or among participants in the use of the clearing agency * * *", and Section 17A(b)(3)(I) of the Act which provides that the rules of a clearing agency may not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Together the Act's provisions appear to permit discriminations in admission to, or the use of, a clearing agency based on standards of financial responsibility, operational capability, experience and competence provided that the Commission finds the rules embodying the discriminations to be in the public interest and consistent with the other requirements of the Act applicable to registered clearing agencies, including the establishment of a national system. *And provided,* That the rules of a clearing agency not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.[9]

The Commission believes that the rules of a clearing agency should (i) provide the statutory categories of participants access to the clearing agency and its services on a basis which does not discriminate unreasonably or unfairly, (ii) protect the clearing agency's financial and operational intergrity and (iii) carry out the purposes of Section 17A of the Act, including facilitating the establishment of a national system.

In Securities Exchange Act Release No. 13584 (hereinafter referred to as the "Release") in which the Commission announced its proposed standards, the Commission requested comments on whether clearing agency rules must limit the standards for participation by the statutory categories of participants[10] to the statutory and regulatory standards which qualify entities for those categories or whether clearing agencies may set higher or different standards. For example, may a clearing agency impose a higher net capital standard for broker-dealer participants or a higher reserve requirement for bank or insurance company participants than imposed by their respective regulatory authorities? In the Release, the Commission stated that it was "inclined to the view that clearing agencies may not impose participation standards conflicting with those provided by the regulatory structures defining the statutory participant categories but rather must assure clearing agency financial and operational intergrity through clearing agency procedures and internal safeguards." The Commission requested comment on any adverse impact which that approach might have on the safety of clearing agency operations.[11]

A number of commenters indicated that the minimum qualifications necessary for the statutory participant categories should be adequate for participation in a registered clearing agency. One commenter agreed with the Commission that registered clearing agencies need not impose participation standards conflicting with those provided by the regulatory structures defining the statutory participant categories and must assure

[8] The Section 17A(b)(3)(B) requirement is also modified by Section 17A(b)(4)(A) of the Act which provides that a registered clearing agency may, and in cases in which the Commission, by order, directs as appropriate in the public interest shall, deny participation to any person subject to a statutory disqualification.

[9] Sections 19(b), 17A(a)(2) and 17A(b)(3)(A), (F) and (I) of the Act.

[10] The statutory categories of participants are set forth in Section 17A(b)(3)(B) of the Act.

[11] In the Release, the Commission recognized that the statutory participant categories includes entities subject solely to state regulation which may vary from state to state.

clearing agency financial integrity through clearing agency procedures and safeguards such as clearing funds and examination and surveillance programs in cooperation with other self-regulatory organizations.[12] This commenter suggested that not to do so would discriminate unfairly against smaller broker-dealers by precluding them from utilizing the facilities of the national clearing system. This commenter suggested that preclusion of smaller broker-dealers from participation in a national clearing system would be inconsistent with the goal of creating a viable national market system in which broker-dealers would be able to effect the best execution for their customers regardless of their location. These commenters agreed that all parties should be encouraged to participate in registered clearing agencies.

A number of other commenters stated that a clearing agency should be allowed to impose whatever standards it deems necessary in the absence of discrimination or burdens on competition. They noted that the minimum standards for an entity to qualify for inclusion in the statutory participant category were designed for the protection of particular classes of persons such as customers, stockholders, depositors and policyholders, not for the protection of entities such as clearing agencies and that such standards will vary depending on the identity of the regulator.

These commenters indicated that clearing agency management should be allowed to set standards higher than the minimum requirements for that type of participant if deemed necessary. Such standards would be subject to Commission approval. They noted that the decision to adopt any particular standard must remain a matter of management judgment subject to standards of fairness and nondiscrimination. The commenters in general urged a flexible approach in order that a clearing agency be allowed to protect itself against unreasonable risks.

Additionally, a number of commenters stated that Commission limitations on participation requirements to those provided by the regulatory structure defining the statutory participant category would constitute a denial of the specific authority granted under Section 17A(b)(4)(B) of the Act which permits clearing agencies to set standards of financial responsibility, operational capability, experience and competence.

[12] Another commenter stated that in general clearing agencies should accede to the financial responsibility requirements which are imposed on broker-dealers and most banks as a condition to their doing business. However, this commenter did indicate a need for flexibility.

In light of the comments, the Commission believes that it would not be appropriate to limit clearing agencies' standards for participation to the minimum requirements imposed upon the various categories of participants by their respective regulatory authorities. The Commission believes that a clearing agency should be allowed to impose whatever reasonable higher or additional standards it deems necessary to protect the clearing agency and its participants from unreasonable risks.[13] The requirements would have to comply with the Act and would be subject to Commission approval, and a clearing agency would have the obligation to justify any anticompetitive effect of particular requirements. Any anticompetitive effect must be viewed in light of, among other things, the number of entities providing clearance and settlement and depository services, their standards for participation, their fees, the availability of correspondent arrangements to provide indirect access to a clearing agency, the cost and other factors which must be considered in establishing a correspondent relationship, and the national market system. Any person aggrieved by the application of such standards by a clearing agency may apply for relief to the appropriate regulatory agency for the participant.

In the Release, the Commission stated that the statutory categories of participants vary widely in the businesses they conduct and the regulations to which they are subject. The risk of loss to clearing agencies from participant defaults, however, is the same for all participants which avail themselves of similar clearing agency services. In the Release, the Commission indicated that, in view of the vagaries to which a creditor clearing agency would be subject under the variety of specialized liquidation procedures applicable to the entities represented in the statutory participant categories,[14] it was considering a requirement that, with the exception of registered clearing agencies acting as participants, all users of services offered by registered clearing agencies be required to comply fully with the clearing agency internal financial and operational safeguards—such as clearing fund deposits and mark-to-the-market procedures[15]—related to the services used. In the Release, the Commission invited comments on the effects its proposed approach would have on participation in clearing agencies, views on the possible need for alternative approaches and suggestions for their implementation. In particular, the Commission requested comments on whether banks and insurance companies, as clearing agency participants, should be subject to the same internal financial and operational safeguards as broker-dealer participants or whether, because of the peculiarities of banking and insurance and the kinds of risks to which banks and insurance companies might subject a clearing agency, they should be subject to different safeguards.

The Commission also indicated that, unlike other categories of statutory participants, registered clearing agencies[16] should be permitted to participate in or interface with other registered clearing agencies without complying with all of the contra (host) clearing agencies, conditions for participation and without paying the same fees as other participants for services necessary to facilitate participation or establish interfaces.

The Commission also invited comment on what risks participation by a registered clearing agency would present to the contra clearing agency and what, if any, conditions for participation should be complied with by participating clearing agencies in order to minimize such risks.

The comments on these matters varied considerably. A number of commenters indicated that all participants in a clearing agency should be subject to the same standards regardless of whether they were brokers, banks or other registered clearing agencies. They also believed that all participants should be subject to the same clearing agency safeguards, such as clearing fund deposits and mark-to-the-market payments, because the risk of loss from participant default is the same for all participants which use similar clearing agency services, not-

[13] The Commission believes that the standards of financial responsibility applicable to each category of participant might vary according to the traditional methods of measuring the financial responsibility of each category.

[14] For example, liquidations of national banks are governed by the National Bank Act, 12 U.S.C. Section 191 et seq.; liquidations of banks insured by the Federal Deposit Insurance Corporation are governed in part by the Federal Deposit Insurance Act, 12 U.S.C. Section 1811 et seq.; liquidations of state non-insured banks are governed by state law; and liquidations of brokers and dealers may be governed by the Securities Investor Protection Act of 1970, 15 U.S.C. 78aaa et seq.

[15] Mark-to-the-market procedures require payment to a clearing system by any party to a trade guaranteed by the system when the market price of the securities involved in the trade moves away from the contract price for the trade.

[16] In the Release, the Commission indicated that clearing agencies would be subject to a number of regulatory requirements. The Commission also indicated that the ability of clearing agencies freely to participate in or interface with other clearing agencies is essential to the establishment of a national system.

withstanding differences in the types of business conducted by participants. They noted that clearing agencies, when acting as participants, should pay the same fees and be subject to the same requirements as other participants. One commenter suggested that a clearing agency participating in another clearing agency should collateralize its obligations to the other clearing agency by assigning a portion of its clearing fund. While one commenter felt that a registered clearing agency should not be required to comply with all of the contra clearing agency's participation requirements, it did note that an interface may pose risk to another clearing agency and that there should be an agreement defining the risks for each clearing agency.

Other commenters expressed the opinion that, in order to facilitate the establishment of a national clearing system, one registered clearing agency participating in another registered clearing agency should not be subject to any requirements other than registration with the Commision. Many of the commenters reemphasized the need to allow clearing agencies flexibility in setting standards for paticicpation by different categories of participants in different types of services. One commenter suggested that banks should not have to make clearing fund deposits or mark-to-the-market payments.

After reviewing the comments, the Commission believes that the risk of loss to clearing agencies from participant default is the same for all participants which avail themselves of similar clearing agency services. Therefore, it believes that all users of similar clearing agency services, except registered clearing agencies for which specialized requirements are appropriate as discussed below, should be required to comply fully with clearing agency internal financial and operational safeguards, such as clearing fund deposits, mark-to-the-market payments and margin deposits related to the service used.[17]

With respect to participation or interface by one clearing agency in another clearing agency, the Commission believes that registration as a clearing agency should qualify clearing agencies for participation in or interface with other clearing agencies. The Commission does not believe, however, that a clearing agency participant need not assure another clearing agency of its ability to meet its obligations to that clearing agency. For this reason, the Commission believes that clearing agencies may, in a manner which does not discriminate among clearing agencies or burden competition among them and which facilitates the establishment of a national system, asssure themselves of another clearing agency's performance of its obligations.[18] The Commission believes that, based upon the particular type of participation or interface and the applicable facts, clearing agencies should be capable of making suitable arrangements in this area subject to Commission approval. Such arrangements must be entered into expeditiously between the parties and may not impose a burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Section 17A(b)(3)(B) of the Act includes in the enumerated categories of clearing agency participants such "other person or class of persons as the Commission, by rule, may from time to time designate as appropriate to the development of a national system * * *." In the Release, the Commission invited comment on whether there are additional entities whose participation in clearing agencies would contribute meaningfully to the development of a national system. Since only one commenter suggested that the Commission exercise its rulemaking authority to designate additional entities (private trustees and foreign entities), the Commission does not believe it appropriate to exercise its rulemaking authority at this time.

II. Fair Representation

Section 17A(b)(3)(C) of the Act states that a clearing agency shall not be registered unless the Commission determines that

> [t]he rules of the clearing agency assure a fair representation of its shareholders (or members) and participants in the selection of its directors and administration of its affairs. (The Commission may determine that the representation of participants is fair if they are afforded a reasonable opportunity to acquire voting stock of the clearing agency, directly or indirectly, in reasonable proportion to their use of such clearing agency.)

The Act does not define fair representation but reserves to the Commission the authority to determine whether the rules of the clearing agency give fair voice to participants as well as to shareholders or members in the selection of directors and the administration of its affairs.[19]

A. Goverernance Procedures

In the Release, the Commission noted that it did not intend to preclude the operation of clearing agencies for profit and stated that it was contemplating a requirement that the rules of a clearing agency permit its participants, who also may be members or shareholders, to select directly or indirectly, the clearing agency's board of directors. The Commission discussed several procedures for affording clearing agency participants a voice in the nomination and election of clearing agency directors which it believed would be consistent with the fair representation standards of the Act.

These methods include (1) solicitation of board of directors nominations from all participants; (2) selection of candidates for election to the board of directors by a nominating committee which would be composed of, and selected by, the participants or representatives chosen by participants; (3) direct participation of participants in the election of directors through the allocation of voting stock to all participants based on their usage of the clearing agency;[20] and (4) enabling participants to select a slate of nominees and then requiring stockholders of the clearing agency to vote their shares for those nominees.[21]

The Release noted that by referring to "a reasonable opportunity (for participants) to acquire voting stock of

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[17] Of course, if the clearing agency is unable to obtain current and reliable financial information for a particular participant category, higher clearing agency internal financial and operational safeguards may be appropriate for that participant category.

[18] Of course, in an interface between two clearing agencies which use a continuous net settlement system and require mark-to-the-market payments, the latter payments must be made to each other as appropriate.

[19] The fair representation requirement was adopted verbatum from S. 249, the Senate version of the Securities Acts Amendments of 1975 (the "1975 Amendments"). The report of the Senate Committee on Banking, Housing and Urban Affairs to accompany S. 249 states:

"The rules of the clearing agency must assure fair representation of its shareholders (or members) and participants in the decision making process of the clearing agency * * *. The reference to shareholders or members makes it clear that the bill establishes no norm as to whether clearing agencies should or should not be operated for profit. The Bill makes no attempt to set up particular standards of representation or participation. Rather, it provides that the Commission must assure itself that the rules of the clearing agency regarding the manner in which decisions are made give fair voice to participants as well as to shareholders or members. Fair representation of participants may be found if they are afforded an opportunity to acquire voting stock of the clearing agency in proportion to their use of its facilities."

"Securities Acts Amendments of 1975, Report of the Senate Committee on Banking, Housing and Urban Affairs to Accompany S. 249," S. Rep. 94-75, 94th Cong., 1st Sess. 123-24 (1975).

[20] The Release indicated that the voting stock should have to be available to the extent permitted by state corporation laws, gratis or at a nominal cost.

[21] It was suggested in the Release that participant voting in connection with the selection of nominees could be based on the participants' use of the clearing agency.

the clearing agency, directly or indirectly, in reasonable proportion to their use of such clearing agency," the Act appears to contemplate basing fair representation on usage of the clearing agency. In the Release, the Commission requested comment on whether additional factors should be considered in determining the fairness of participant representation in a clearing agency's affairs.

The comments with respect to fair representation of participants in the selection of directors and the administration of a clearing agency's affairs varied considerably. Some commenters agreed with one or another of the approaches suggested by the Commission. Other commenters took issue with the Commission's suggested approaches and suggested that clearing agencies be allowed considerable flexibility in assuring fair representation to participants.

One commenter questioned the concept of user control but stated that it was not oppossed to user representation. Other commenters maintained that instead of direct user control of a clearing agency, a clearing agency should be allowed to develop alternatives to the direct selection of directors. For example, one clearing agency commenter noted that it is a wholly-owned subsidiary of a national securities exchange, which is in turn owned by exchange members. According to the commenter, its participants with one exception are all exchange members who select the exchange's board of directors, who in turn elect the clearing agency's board of directors. The commenter believed that its system gives its participants a fair representation in the selection of directors and the administration of its affairs.

Other commenters suggested that competition among clearing agencies would give participants a fair voice in the affairs of the clearing agency since participants will be able to leave one clearing agency for another.

One commenter stated that user control of the board of directors was inconsistent with the concept of a "for-profit clearing agency" which is expressly permitted by the legislative history of the 1975 Amendments. This commenter maintained that the concept of a participant advisory committee (which would be selected and elected by the participants) meeting with and advising the board of directors would conform to the statutory provisions that participants be given a fair voice in the decision making process of the clearing agency and at the same time provide for the continued existence of for-profit clearing agencies.

Some commenters rejected the proposal that participants should be given the right to purchase stock in the clearing agency in proportion to their usage of the clearing agency. These commenters believed that smaller participants would have insufficient representation because of the great discrepancies which exist in the relative sizes of clearing agency participants. One commenter noted that the large clearing agency participants would be the same ones who have long wished for a single clearing entity and could have an anti-competitive effect on the smaller clearing agency. The proposal that clearing agencies allocate shares of their stock to participants free of charge or at a nominal cost drew sharp criticism from some commenters who stated that it raised serious questions of constitutional law.

The Commission recognizes that the owners of an organization usually have voting and administrative powers over their holdings. The statute, however, provides that a clearing agency must assure a fair representation of its shareholders (or members) and participants in the selection of its directors and the administration of its affairs. The Commission notes that clearing agencies are affiliated with exchanges, profit making entities or user cooperatives. Therefore, the Commission has determined that rather than prescribe a single method of providing fair representation to shareholders (or members) and participants in the selection of clearing agency directors and the administration of its affairs, it should evaluate each clearing agency's procedures in this area on a case by case basis. In addition to the methods described in the Release,[24] the Commission believes that a number of other methods could comply with the fair representation standard. For example, some seats on the board of directors could be devoted to participant directors who would be chosen by, and from among, the users.

B. NOTICE OF PROPOSED RULE CHANGES

In the Release, the Commission made several proposals to ensure that participants will have sufficient information concerning a clearing agency's affairs to participate meaningfully in its administration. For example, the Commission proposed to require clearing agencies to furnish participants with annual and quarterly financial statements, examination reports on the clearing agencies' systems of internal accounting control, and explanations of proposed dues, fees or charges.[25] The Commission also suggested that participants should have notice of, and an opportunity to comment on, proposed rule changes affecting participants' rights or obligations before the changes are submitted to the Commission.[26]

Most commenters did not endorse this proposal. The commenters were concerned that this additional requirement would add further delay and thereby deny clearing agency participants the benefits of prompt rule changes. Some commenters preferred the present procedure under which management determines whether to seek participant comment before submitting a proposed rule change to the Commission. One commenter believed advance notice of rule changes to participants to be unnecessary because most clearing agency rules are noncontroversial, are originally suggested by the participants and are initiated by the clearing agency's staff to benefit all participants or to deal with matters in which participants have no immediate interest. Some commenters pointed out that prior comment on rule submissions was rejected by Congress during its consideration of the predecessor to S. 249, the precursor to the 1975 Amendments. One commenter, however, endorsed the Commission's proposal because it believed that members are more likely to comment on matters brought directly to their attention.

The commenters suggested possible alternatives to the Commission's proposed requirement. One commenter stated that clearing agencies could be required to send out copies of the notice of the proposed rule change appearing in the FEDERAL REGISTER. Another commenter suggested a requirement similar to one contained in its rules which requires it to give participants written notice of each proposed rule change as promptly as practicable after the rule change is filed with the Commission. The commenter noted that it sends a monthly bulletin to participants which gives the text of each proposed rule change filed with the Commission since the press date of the last bulletin.

After considering the comments, the Commission believes that all participants should be kept adequately informed of a clearing agency's proposed rule changes. To meet this standard, the Commission is considering a requirement that clearing agencies, as soon as possible after filing with the Commission, provide participants the text of a proposed rule change or a

[24] In connection with the proposal for allocation of voting stock described in the Release, the Commission would not require that voting stock be made available gratis or at a nominal cost.

[25] For a discussion of the Commission's position on furnishing these statements, reports, and explanations to participants, see pp. 59-73 and 94-99.

[26] To effectuate this, the Commission recommended that the notices contain at least the text and purpose of the proposed rule change and a request for comments and provide participants a reasonable period to review the proposed rule change and submit comments.

brief description of the proposed rule change and its purpose. The Commission believes that the comment process will be more effective if clearing agencies bring proposed rule changes directly to their participants' attention.

C. PUBLIC DIRECTORS

The Commission requested comment as to whether it would be in the public interest to require that clearing agencies have one or more directors who would be representative of issuers and investors and who would not be associated with any participant or self-regulatory organization.

The commenters felt that this requirement could not easily be fulfilled because of the nature of clearing agency operations. They stated that the business of clearing agencies involves highly technical activities as to which non-users have a remote interest. Consequently, it would be difficult for a clearing agency to find non-user directors who would have the expertise effectively to represent issuer or investor interests. The commenters also questioned whether the clearing agency would benefit from investor or issuer representation. One commenter indicated that this requirement would reduce the management benefits available from participant directors from various parts of the financial community who have a more direct understanding of the nature of clearing agency business. Several commenters asserted that Congress made a conscious decision to mandate public representation on an exchange's [27] or association's [28] board of directors but not on a clearing agency's board of directors.[29] Some commenters indicated that the difference in requirements can be explained by the difference between exchange or association responsibilities and clearing agency responsibilities. They noted that exchanges and associations are charged with regulating dealings between their members and the public, whereas the clearing agencies' regulatory functions relate primarily to dealings among their participants or between their participants and the clearing agency. The Commission has determined not to require a clearing agency to seat a representative of issuers and investors on its board at this time. A clearing agency may, however, include such a person on its board if it wishes, and the Commission urges clearing agencies to do so.

III. CAPACITY TO ENFORCE RULES, DISCIPLINARY ACTIONS AND FAIR PROCEDURES

Section 17A(b)(3)(A) of the Act, in pertinent part, provides that a clearing agency shall not be registered unless the Commission determines that:

> The clearing agency is so organized and has the capacity * * * to enforce (subject to any rule or order of the Commission pursuant to section 17(d) or 19(g)(2) of this title) compliance by its participants with the rules of the clearing agency.

The Commission has not exercised its authority under Section 17(d)(1)[30] of the Act to relieve any registered clearing agencies of their responsibility to enforce compliance with their rules. Accordingly, the Commission currently is not prepared to register clearing agencies unless they have the organization and capacity to determine whether their rules are being complied with and, if they are not being complied with, to appropriately discipline non-complying participants.

In reviewing the organization and capacity of clearing agencies, the Commission intends, among other things, to evaluate their procedures for determining whether a participant is experiencing financial or operational difficulties, their arrangements for exchanging information with other self-regulatory organizations and the training and experience of the staff engaged in carrying out self-regulatory responsibilities.

In the Release, the Commission indicated that, in appropriate circumstances, and in accordance with section 17(d) of the Act and 17 CFR 240.17d-2 thereunder, the Commission is prepared to use its authority to relieve registered clearing agencies of certain of their self-regulatory responsibilities and to permit their allocation to other self-regulatory organizations of which clearing agency participants are members or participants. In the Release, the Commission requested comment on the circumstances under which clearing agencies should be relieved of their self-regulatory responsibilities, the responsibilities of which clearing agencies should be relieved and the responsibilities which clearing agencies should retain. A number of commenters suggested that clearing agencies should be able to rely on the staffs of the various self-regulatory organizations to conduct examinations and on-going review and surveillance of the financial condition of clearing agency participants, including their compliance with clearing agency rules and procedures, but that the disciplinary process itself should be conducted by the clearing agency.[31]

[27] See Section 6(b)(3) of the Act.
[28] See Section 15A(b)(4) of the Act.
[29] See Section 17A(b)(3)(C) of the Act.

[30] Section 17(d)(1) of the Act, in pertinent part, provides:

> The Commission, by rule or order, as it deems necessary or appropriate in the public interest and for the protection of investors, to foster cooperation and coordination among self-regulatory organizations, or to remove impediments to and foster the development of a national market system and national system for the clearance and settlement of securities transactions, may—
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> (A) With respect to any person who is a member of or participant in more than one self-regulatory organization, relieve any such self-regulatory organization of any responsibility under this title (i) to receive regulatory reports from such person, (ii) to examine such person for compliance, or to enforce compliance by such person, with specified provisions of this title, the rules and regulations thereunder, and its own rules, or (iii) to carry out other specified regulatory functions with respect to such person, and
>
> (B) Allocate among self-regulatory organizations the authority to adopt rules with respect to matters as to which, in the absence of such allocation, such self-regulatory organizations share authority under this title.
>
> In making any such rule or entering any such order, the Commission shall take into consideration the regulatory capabilities and procedures of the self-regulatory organizations, availability of staff, convenience of location, unnecessary regulatory duplication, and such other factors as the Commission may consider germane to the protection of investors, cooperation and coordination among self-regulatory organizations, and the development of a national market system and a national system for the clearance amd settlement of securities transactions * * *.

On October 28, 1976, the Commission adopted 17 CFR 240.17d-2 under the Act (Securities Exchange Act Release No. 12935), 41 FR 49091 (November 8, 1976), to enable self-regulatory organizations to file with the Commission, and the Commission to declare effective, plans allocating self-regulatory responsibilities among self-regulatory organizations. A number of plans have been filed by self-regulatory organizations, but to date no plans have been declared effective by the Commission.

[31] One commenter indicated that although a clearing agency may have residual regulatory responsibility to ensure compliance with its rules, it should be allowed to rely upon the surveillance activities of regulatory and self-regulatory organizations with respect to general financial and operational capabilities of participants. In instances where a participant is not subject to such oversight, the clearing agency should be allowed, subject to Commission review, to enter into contractual arrangements with other self-regulatory organizations for the performance of such obligations. Another commenter stated that although clearing agencies should cooperate with the primary regulators of their participants to minimize duplicative requirements, the Commission should not make clearing agencies dependent on the regulatory efforts of others for the protection of their financial integrity. Therefore, a clearing agency should be able to continue to monitor the financial condition of participants, to enforce its rules, and to take special protective measures with respect to participants which experience financial difficulties. Another commenter recommended that the Commission encourage the development of a regulatory structure in which the operations and activities of each securities firm should be subject to the primary oversight of a single self-regulatory authority. Commenters generally were concerned there would be duplication if each clearing agency were to develop a full-scale compliance program.

One commenter pointed out that clearing agency rules are unique to the clearing agency, and that the clearing agency is the only party which can observe violations of its rules. Therefore, it saw no reason to give responsibility for enforcement of a clearing agency's rules to anyone else. That commenter, however, indicated that the primary regulator for a participant should make financial information available to the clearing agency.

The Commission supports the concept of avoiding unnecessary duplication of regulatory effort wherever possible so long as the financial and operational integrity of a clearing agency and its participants are not endangered as a result. Therefore, the Commission believes that it is appropriate for clearing agencies to enter into agreements with other self-regulatory organizations to perform examination and surveillance functions respecting clearing agency participants and to determine the extent to which clearing agency rules and procedures are being complied with by such persons. Any clearing agency may join with any other self-regulatory organization in filing in accordance with the provisions of 17 CFR 240.17d-2, a plan regarding the performance of these responsibilities by the other self-regulatory organizations.[32]

The requirement of section 17A(b)(3)(A) of the Act concerning enforcement of clearing agency rules is complemented by section 17A(b)(3)(G) and (H) which requires clearing agency rules to provide that its participants shall be appropriately disciplined for violations of any provision of the rules of the clearing agency and to provide fair procedures for disciplining participants, denying participation in the clearing agency to any person, prohibiting or limiting access to the clearing agency's services and imposing summary suspensions.[33]

The Act contemplates that a clearing agency may "appropriately" discipline its participants through "expulsion, suspension, limitation of activities, functions, and operations, fines, censure, or any other fitting sanction."[34] The Commission believes a clearing agency should have available and should employ an array of sanctions appropriate to the range of violations which the clearing agency may expect to encounter. Also, the clearing agency's rules should establish the agency's authority and procedures respecting interpretation of its rules and the bringing of charges where rule violations appear to have occurred and should describe the manner in which disciplinary authority is to be exercised.[35]

The Commission believes that the fair procedure requirements of section 17A(b)(3)(H) of the Act mandate, at a minimum, that a clearing agency rules comply with section 17A(b)(5) of the Act which outlines the procedures to be followed by a clearing agency in disciplining the participants.[36] In the Release, the Commission solicited comment on the need for clearing agencies to have review procedures for participants aggrieved by clearing agency acts or failures to act which, while not falling into one of the categories contemplated by section 17A(b)(5) of the Act, nevertheless have the effect of permitting "unfair discrimination among participants in the use of a clearing agency's services."[37]

In response thereto, several commenters suggested that such a review procedure whould be of limited utility in view of the broad scope of section 17A(b)(5) of the Act, the impact of competitive forces which would discourage discrimination among participants respecting the use of a clearing agency's services, and because aggrieved participants could rely on the judicial process to redress any violation of a participant's rights. Other commenters favored the adoption of a simplified procedure which would provide aggrieved participants with a right to review respecting matters not otherwise covered by section 17A(b)(5) of the Act.

In view of the comments received, the Commission has determined not, at this time, to require clearing agencies to establish review procedures with respect to matters not otherwise covered by section 17A(b)(5) of the Act. This would not, however, preclude a clearing agency from establishing review procedures which could be used by participants to express grievances arising among participants or between a participant and the clearing agency (such as a petition to have a rule changed) to the extent the review process was not otherwise subject to the procedures set forth in section 17A(b)(5) of the Act. The establishment of such procedures are encouraged. The structure of the review procedure would have to comport with commonly accepted due process standards and should allow a participant to appeal its grievance to the clearing agency board of directors or a committee of the board authorized to act on behalf of the board and, as to disagreements among participants, to avail themselves of an arbitration procedure to settle the dispute.

IV. Safeguarding of Securities and Funds and Prompt and Accurate Clearance and Settlement of Securities Transactions

In determining whether to register a clearing agency, the Commission must consider whether

> [the] clearing agency is so organized and has the capacity to be able to facilitate the prompt and accurate clearance and settlement of securities transactions for which it is responsible [and] to safeguard securities and funds in its custody or control or for which it is responsible * * *.[38]

and whether

> [t]he rules of the clearing agency are designed * * * to promote the prompt and accurate clearance and settlement of securities transactions [and] to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible * * *.[39]

As used in this discussion, the term "safeguards" comprises (i) the organization and capacity to safeguard funds and securities and clear and settle transactions promptly and accurately and (ii) the rules designed to achieve those objectives. Moreover, because

[32] Regardless of whether a clearing agency files a plan pursuant to 17 CFR 240.17d-2, the Commission strongly encourages clearing agencies and other self-regulatory organizations to expand existing arrangements for exchanging relevant information with each other regarding a person who belongs to both organizations.

[33] Section 17A(b)(5)(C) sets forth the specific circumstances under which a clearing agency may summarily suspend a participant and the minimum procedural requirements which must be observed in effecting a summary suspension.

[34] Section 17A(b)(3)(G) of the Act.

[35] With respect to the disciplinary process, the Commission believes that any plan filed by a clearing agency with any self-regulatory organization, pursuant to 17 CFR 240.17d-2, may provide for the performance of disciplinary functions by the other self-regulatory organizations with respect to participants who are members of or participants in more than one self-regulatory organization.

[36] In connection with the imposition of final disciplinary sactions, denials of participation, prohibition or limitation with respect to access and summary suspensions by registered clearing agencies, the Act requires a registered clearing agency to give notice of the action to the appropriate regulatory agency for the clearing agency and the appropriate regulatory agency for the participant and provides for review of the action by the appropriate regulatory agency for the participant, applicant or other person against whom the action was taken. See section 19 (d), (e) and (f) of the Act and Rules 19d-1, 2 and 3 adopted thereunder, Securities Exchange Act Release No. 13726 (July 7, 1977), 42 FR 36409 (July 14, 1977)..

The Federal bank regulatory agencies (the Board of Governors of the Federal Reserve System, the Comptroller of the Currency and the Federal Deposit Insurance Corporation) which under sections 3(a)(34)(B) and (C) of the Act are the appropriate regulatory agencies for certain registered clearing agencies and certain clearing agency participants have adopted rules similar to the Commission's Rules 19d-1, 2 and 3.

[37] Section 17A(b)(3)(F) of the Act.

[38] Section 17A(b)(3)(A) of the Act.

[39] Section 17A(b)(3)(F) of the Act.

significant segments of securities clearance and settlement are carried out and controlled through automatic data processing ("ADP"), the term "safeguards" also comprises the critical clearing agency management function of ensuring the integrity and accuracy of ADP operations.

The Commission believes that clearing agency safeguards should anticipate and be designed to provide protection against the possibility of theft, accidental or malicious destruction or loss of securities or funds, and accidental or intentional, but unauthorized, modification, disclosure or destruction of data.[40]

Although the Commission has previously evaluated clearing agency safeguards in connection with the 18-month registrations of clearing agencies granted pursuant to subsection (c) of 17 CFR 240.17Ab2-1, the increasing interdependence of the components of the national clearing system require that the Commission reexamine those determinations during its current registration proceedings. The ensuing discussion describes the standards which the Commission proposes to apply during its review of clearing agency safeguards.[41] The Commission solicits comment on the appropriateness of the revised proposed standards in achieving their intended goals and on any burdens or expense the proposed standards may occasion.

A. ORGANIZATION

In the Release, the Commission indicated that it believed that clearing agencies should be organized in a manner that effectively establishes operational and audit controls while promoting evolving concepts of director independence. The Commission indicated its belief that the framework for ongoing and independent review of operational and audit actions could be provided by the establishment of an operations committee and audit committee of the board of directors, composed in each case of independent directors, and supported by two staff departments—a security department, reporting to the operations committee, and an internal audit department, reporting to the audit committee. After describing certain desirable characteristics and functions of each committee and its staff,[42] the Commission requested comment on the need for, and desirable characteristics of, operations and audit committees for clearing agencies. Numerous comments were received, and while they were diverse in substance, the overriding theme was a desire for flexibility

OPERATIONS COMMITTEE

Several commenters felt that the operations committee was not needed because it was duplicative of management's responsibilities and because the board evaluates the adequacy of management's performance. While some commenters supported the objectives of the operations committee, virtually all the commenters suggested the need for flexibility in permitting clearing agencies to develop their own organizational structure.[43] The Commission believes that an integral part of a clearing agency board's oversight responsibilities is to assure the operational capabilities of the clearing agency. In order to perform this oversight responsibility, the board must be informed about the clearing agency's operations. The board's oversight responsibility does not mitigate management's responsibilities to assure on an ongoing basis the integrity and operational capabilities of the clearing agency's operations. Therefore, the Commission believes that it is not necessary for a clearing agency to specifically create an operations committee or supporting staff to perform such functions. Rather, the Commission is concerned that the clearing agency's board of directors and management effectively carry out these responsibilities.

The Commission believes, among other things, that management should perform periodic risk assessments of the clearing agency's ADP facilities,[44] and provide the board or its designee, such as a board committee, with the risk assessment reports. Management must supervise the establishment, maintenance and updating of safeguards and report periodically to the board or its designees.

The Commission also believes that a clearing agency must continually consider the impact that new or expanded services would have on the clearing agency's processing capacity.

AUDIT COMMITTEE

In the Release, the Commission indicated that it expected that the clearing agency's audit committee would select the agency's independent public accountant and would meet with it before and after any examination. Generally, the commenters did not raise any objections to the need for an audit committee. However, one commenter indicated that the composition and operation of audit committees are matters of board judgment. Other commenters indicated that the independent public accountants should be selected by the clearing agency's board of directors or shareholders instead of the audit committee. Other commenters were concerned over the frequency with which the committee and the clearing agency's independent public accountant would be expected to meet. Having considered the comments, the Commission believes that clearing agencies should establish an audit committee[45] which either selects the auditor or makes a recommendation to the board regarding the

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[40] See e.g., Courtney, "A Systematic Approach to Data Security," National Bureau of Standards Special Publication 404, "Approaches to Privacy and Security in Computer Systems", 29 (September 1974) [available from Sup. of Doc. U.S. Government Printing Office, Washington, D.C. 20402, SD Cat. No. C13.10.404 ($1.45)].

[41] To the extent that any of the clearing agencies' processing or ADP functions are carried out by a facilities manager, the clearing agency must asssure itself that the facilities manager complies with all of the safeguards, as appropriate, set forth in the section on "Safeguarding of Securities and Funds and Prompt and Accurate Clearance and Settlement of Securities Transactions."

[42] See Securities Exhange Act Release No. 13584, pp. 32-36 for a discussion of the characteristics and functions of each committee and its staff.

[43] Some commenters suggested that only an audit committee having the combined functions of the operations and audit committees is necessary.

[44] See, e.g., S. Reed, "Automatic Data Processing Risk Assessment" (Interim Document—March 1977) [prepared by the Systems Architecture Section, Systems and Software Division, Institute for Computer Sciences & Technology, National Bureau of Standards, Washington, D.C. 20234, available from the National Technical Information Service ("NTIS"), Springfield, Virginia 22151 ($4.00)]; R. Courtney, "Security Risk Assessment in Electronic Data Processing Systems" (Revised ed. December 1975) (available from IBM Corporation, P.O. Box 390, Poughkeepsie, N.Y. 12602), reprinted in Committee on Government Operations, United States Senate, "Problems Associated with Computer Technology in Federal Program and Private Industry", 181 (June 1976).

[45] The Commission has long urged the formation of audit committees, composed of outside directors, to participate in arranging corporate audits. Accounting Series Release No. 19 (December 5, 1940). In 1972, the Commission specifically endorsed the establishment by all publicly-held companies of audit committees composed of outside directors. Securities Exchange Act Release No. 9548 (March 23, 1972), 37 FR 6850 (April 5, 1972). In 1974, the Commission reiterated its support of audit committees by amending its rules to require disclosure in proxy statements of the existence or absence of audit committees. Securities Exchange Act Release No. 11147 (December 20, 1974), 40 FR 1012 (January 6, 1975). The Commission recently supported this concept in its "Report to the President on Regulatory Reform" (October 5, 1976).

On January 6, 1977, the Board of Directors of the New York Stock Exchange Inc. (the "NYSE") adopted Rule 2495H, "Audit Committee Policy" requiring issuers of securities to establish no later than June 30, 1978, and thereafter maintain an audit committee composed of outside directors as a condition to listing and continued listing of

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hiring[46] of the clearing agency's independent public accountant.

With regard to the frequency of meetings, the Commission's principal concern is that there be an open and free-flowing communication between the independent public accountants and the audit committee, as to the scope and results of examinations. Therefore, the Commission does not intend to require the audit committee to meet with its public accountants a prescribed number of times each year. Rather, the Commission expects that such meetings will take place as often as may be necessary to, among other things, establish the scope of all examinations for that year and to discuss the results of all examinations.

With regard to the composition of the audit committee,[47] a number of commenters expressed concern with the Commission's proposed qualifications for membership on the committee.[48] One commenter suggested that only the majority of the audit committee be independent and that a clearing agency officer be included on the committee. Another commenter was concerned that committees of independent directors[49] would have interests inconsistent with that of equity shareholders. One commenter suggested that an audit committee should not be denied the expertise of an individual board member who is affiliated with a self-regulatory organization which owns an interest in the clearing agency. Other commenters indicated that clearing agency directors may not have sufficient time or the technical expertise necessary to adequately discharge the audit committee's responsibilities.

The Commission believes that a board member who is an officer or director of an entity which is affiliated with the clearing agency is in a management related role and cannot serve on a clearing agency's audit committee. Since a principal audit committee responsibility is to advise on a timely basis the full board of directors of any significant matters which come to their attention, the Commission does not feel that there is a demonstrated need for audit committee representation of management related directors.

In view of the comments received, the Commission is inclined to require that clearing agencies have an audit committee which would be composed of non-management directors.[50] Of course, the Commission believes that an audit committee should have members who would devote sufficient time to the work of the committee and who are qualified to discharge effectively the committee's responsibilities.[51]

The Commission anticipates that the clearing agency's internal audit department would be adequately staffed with qualified personnel,[52] would maintain independence and objectivity in the performance of its duties and periodically would report to the audit committee in addition to performing its on-going responsibility to management. The Commission believes an internal audit department's effectiveness would depend on its ability to act as a separate level of control, reviewing during development the clearing agency's system of internal accounting control[53] and, thereafter, in the evaluations of the system in operation.

B. FINANCIAL REPORTS

In the Release, the Commission proposed to require clearing agencies to have available, within 60 days after the close of each fiscal year, unconsolidated audited annual financial statements which would disclose clearing system balances and positions, would be prepared in accordance with generally accepted accounting principles and would be covered by the report of its independent public accountant.[54] The report would also include a management discussion. The clearing agency would also be required to furnish copies of the annual financial statements to participants.

Numerous commenters suggested that annual audited financial statements should not have to be available until 90 days following the close of the clearing agency's fiscal year. They noted that public corporations are required to have available annual financial statements within 90 days. In proposing 60 days, the Commission considered that a clearing agency's operations were more analogous to that of the broker-dealer than the issuer community. Therefore, the 60 day period provided in 17 CFR 240.17a-5(d)(5) under the Act for broker-dealers was used as a guideline, and the Commission continues to believe that 60 days is appropriate.

Some commenters felt that the annual financial statements should be for board use only, while other commenters favored full disclosure to participants. The Commission believes

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the issuers' securities on the Exchange. Subsequently, the Commission wrote the other registered national securities exchanges suggesting that they adopt rules comparable to NYSE Rule 2495H.

[46] In the case of a wholly-owned subsidiary clearing agency of a publicly-held company which has an audit committee composed of outside directors that recommends the selection of the independent public accountant to the board of the parent company and all its subsidiaries, the decision of the parent company will be binding on the subsidiary clearing agency. However, the audit committee of the subsidiary clearing agency should meet with the independent public accountant regarding the scope and results of examinations of the clearing agency.

[47] Since the Commission is not specifically requiring an operations committee, this discussion is limited to the composition of the audit committee.

[48] See p. 36 of Securities Exchange Act Release No. 13584 for a description of the proposed qualifications for membership on the committee.

[49] In this release, the term "non-management directors" will be used in lieu of the term "independent directors" since the former term describes more precisely the characteristic sought.

[50] The Commission is inclined to the view that a director is non-management for the purpose of serving on a clearing agency audit committee if the director is not associated with the clearing agency (in other than a user capacity), any self-regulatory organization affiliated with the clearing agency or any entity which furnishes services to the clearing agency and is free from any other relationship that, in the opinion of the clearing agency's board of directors, would interfere with the director's exercise of independent judgment.

[51] The Commission believes that if a clearing agency's audit committee does not have the prerequisite technical expertise necessary or time to devote to carrying out its responsibility it may form a subcommittee composed of participants who possess the technical expertise, could devote the necessary time and who would meet the non-management criteria described in fn. 50 to advise the audit committee.

[52] The ADP environment of a clearing agency dictates that an internal audit department's staff possess, in addition to sufficient technical training and proficiency in accounting and auditing, expertise in ADP application of accounting and auditing to perform internal audit functions competently. See e.g., Institute of Internal Auditors, Inc. (the "IIA") research project report, "Systems Auditability and Control" (April 1977), which discusses the growing significance of ADP operations to the internal audit function; the report is contained in 3 volumes—"Executive Report, Data Processing Control Practices and Data Processing Audit Practices Report"—(available from William E. Perry, Director of ADP and Research, IIA, Altamonte Springs, Fla. 32701 ($30)).

[53] This would provide assurance that the system would provide for an audit trail and contain adequate controls for the safeguarding of participants' funds and securities. Additionally, early involvement in the development of the clearing agency's system, including ADP systems, provides assurance that the safeguards of securities, funds and data control discussed at pages 73-77 will be functional.

[54] The financial statements would also contain the following additional financial data: (1) A statement of changes in the balance and composition of the clearing agency's clearing or participants' fund, presented in a fashion similar to that commonly used to present changes in equity; (2) a footnote describing any use made of the balance in the clearing or participants' fund during the year; (3) a schedule, covered by the same report of the independent public accountant as the basic financial statements, setting forth revenues by significant fee sources and the direct and indirect expenses related to each fee source; and (4) a footnote describing indirect expenses and methods used in allocating indirect expenses to significant fee sources.

that participants who have made clearing fund contributions, deposited securities, and have money and/or securities in the clearing agency's system should have timely access to audited annual financial statements.

One commenter stated that the annual audited financial statements should be consolidated while another commentor suggested that both consolidated and unconsolidated statements be presented. The Commission believes that presentation of unconsolidated financial statements would be an informative disclosure of the clearing agency's operations. Consolidated statements would only be meaningful if the subsidiary entity's assets could be reached for satisfying the parent creditors or, if the subsidiary's creditors could attach any of the parent's assets. If such is the case, the Commission believes that consolidated financial statements would be meaningful to participants and should be provided to participants along with the unconsolidated financial statements. The Commission has also determined not to require a management discussion in the annual report since the Commission believes that clearing agency management currently informs its participants of changes and developments in its operations.

Several commenters requested clarification of the term "clearing system balances and positions." This term is not meant to include participant securities held in custody by a depository. This term was meant to include the components of a continuous net settlement system short and long valued positions which the Commission believes would be a meaningful disclosure since the clearing agency stands in the middle of such transactions.

Most commenters objected strenously for many reasons to presenting in the annual audited financial statements a schedule of revenues by significant fee sources and the direct and indirect expenses related to each fee source and a footnote describing indirect expenses and methods used in allocating indirect expenses to significant fee sources. The Commission agrees that the annual audited financial statements need not contain this information.

Some commenters suggested that the proposed statement of changes in the balance and composition of the clearing agency's participants fund is redundant since adequate disclosure currently exists in clearing agency financial statements. The Commission is inclined to believe that, to the extent adequate disclosure exists, the proposed statement is unnecessary. Therefore, the Commission will not require such a statement in the audited annual financial statement at this time.

One commenter presumed that the proposed disclosure of any uses made of the balance in the clearing or participants' fund referred only to charges to such fund to cover losses other than to satisfy a loss attributable to a participant solely from that participant's clearing fund deposit. The Commission did not intend that the disclosure be of such a limited scope. Rather, the Commission intends that the disclosure contain information as to any uses for which the clearing agency employs such balances, in addition to any charges to the fund. The Commission believes that such disclosure is appropriate in the financial statements.

Accordingly, a clearing agency should have available, within 60 days following the close of the clearing agency's fiscal year, unconsolidated audited annual financial statements[55] which would be prepared in accordance with generally accepted accounting principles and would be covered by the report of its independent public accountant.

In the Release, the Commission indicated that it proposed to require clearing agencies to have available unaudited quarterly financial statements within 30 days following the close of each fiscal quarter, prepared in accordance with generally accepted accounting principles and subject to a limited review conducted in accordance with generally accepted auditing standards by its independent public accountant who would state the basis of the limited review. The quarterly financial statements would consist of: (i) A statement of financial position as of the end of the most recent fiscal quarter and as of the end of the corresponding period of the preceding fiscal year; (ii) a statement of changes in financial position for the period between the end of the last fiscal year and the end of the most recent fiscal quarter and for the corresponding period of the preceding fiscal year; and (iii) a condensed statement of results of operations for the most recent fiscal quarter and for the period between the end of the last fiscal year and the end of the most recent fiscal quarter, and for corresponding periods of the preceding fiscal year. The quarterly statements would be accompanied by a management's discussion and analysis of significant financial and operating developments during the period reported on. In the Release, the Commission proposed that the quarterly financial statements be furnished to participants.

Many commenters felt that the proposed limited review of quarterly financial statements by an independent public accountant was unnecessary and not cost justified. Based on the comments, the Commission is currently inclined to accept the assertions that a need has not yet been demonstrated.

While one commenter suggested that the quarterly financial statement should not be required to be available until 45 days following the close of each fiscal quarter, one commenter stated that 30 days was appropriate and is now being met by the commenter. One commenter suggested that semi-annual interim financial statements would be sufficiently frequent but several other commentors believed quarterly statements were appropriate. The Commission believes that quarterly financial statements should be made available on as timely a basis as practicable.[56] Currently, the broker-dealer community is required to file financial data within 17 days of the end of each calendar quarter,[57] and the Commission believes that a 30-day requirement appears to be reasonable for clearing agencies.

Some commenters objected to the furnishing of quarterly financial statements to participants. Because participants have clearing fund deposits, cash and/or securities in the clearing agency system, the Commission believes that at a minimum the clearing agency should advise its participants that quarterly statements are available and will be furnished upon request.

In the opinion of the Commission, the preparation and availability of annual and quarterly financial statements are fundamental to the ability of a clearing agency's management and board of directors to remain apprised of the clearing agency's financial condition and the adequacy and accuracy of its records. The availability of financial statements would assist the Commission and other appropriate regulatory agencies in the discharge of their regulatory responsibilities. The Commission believes that annual financial statements prepared by clearing agencies should promptly be furnished and that quarterly financial statements should be made available to the clearing agencies' participants for the reasons discussed earlier.

C. INTERNAL ACCOUNTING CONTROL REPORTS

In the Release, the Commission stated that it believes the establishment and maintenance of an adequate system of internal accounting control is critical to the safety and accuracy of clearing agency operations. Although the objectives of internal accounting control are familiar to the business community and presumably would be

[55] See discussion at pp. 61-62 as to those circumstances in which consolidated financial statements would be appropriate.

[56] The quarterly statements need not contain a management discussion and analysis.

[57] 17 CFR 240.17a-5(a)(2)(ii) and (iii).

viewed by a clearing agency's directors as a fundamental aspect of management's responsibilities,[38] the Commission believes that, in order to evaluate the adequacy of a clearing agency's system of internal accounting control, the agency's board of directors should have available an examination report on the system of internal accounting control rendered by a qualified and independent source.

In the Release, the Commission stated that it was inclined to require that a clearing agency obtain semi-annually an examination report prepared by an independent public accountant on the clearing agency's system of internal accounting control. In the Release, the Commission indicated that the accountant's report should be based on an examination made for the sole purpose of issuing its report on the system of internal accounting control and would consist of a study, including a review of the system and tests of compliance, and an evaluation. The examination would include all procedures necessary under the circumstances to enable the independent public accountant to express an opinion thereon and would be sufficient in scope to provide reasonable assurance that any material weakness existing or found to have existed since the previous semi-annual examination report would be disclosed. The accountant's report would describe any material weaknesses discovered and any corrective action taken, or being taken, by the clearing agency. If the examination did not disclose any material weaknesses, the report would so state.

In the Release, the Commission stated that the availability of such examination reports, in addition to providing an essential tool for clearing agency management, would aid the Commission and other regulatory agencies in discharging their regulatory responsibilities with respect to clearing agencies. Also, because clearing agency participants have a significant interest in the adequacy of the system of internal accounting control which protects their securities and funds, the Commission stated it would require that the examination reports be furnished to all participants promptly after the reports become available to the clearing agency.

Numerous comments were received on the topics of distribution and frequency of internal accounting control reports. Most commenters recommended that the report be prepared only on an annual basis.[39] One commenter assumed that the report would be prepared in accordance with the American Institute of certified Public Accountants ("AICPA") Codification of Statements on Auditing Standards Number 1 to 15 Section 640 entitled "Reports on Internal Control". A number of commenters felt that the report should not be distributed outside the board of directors and the Commission, and one commenter suggested that it be distributed only if material inadequacies exist. Another commenter suggested that material weaknesses should not be disclosed, and still another commenter stated that such reports may be costly and wasteful.

In view of the comprehensive program of safeguards proposed in this release, the Commission has determined to require an internal accounting control report for clearing agencies on an annual basis only, at this time.[40] The Commission believes that an internal accounting control report of the scope described herein is appropriate because of the significant, critical and ever-increasing role which clearing agencies play in the securities processing industry. Additionally, the Commission feels that a national system will not reach full potential until additional participation in clearing agencies is fostered. The Commission believes that one of the most important ways to foster participation in a clearing environment is to accord high visibility to the significant safeguards clearing agencies employ, including an annual internal accounting control examination by an independent public accountant.

This examination would consist of a study, including a review of the system and tests of compliance, and an evaluation. The scope of the examination shall be sufficient to provide reasonable assurance that any material inadequacies existing at the date of the examination or which had existed since the last examination would be disclosed. This scope is broader than that of the examination described in Sections 320 and 640 of the "Codification of Statements on Auditing Standards" of the AICPA. The accountant's report shall describe any material inadequacies found to exist or found to have existed since the date of the previous examination. The report shall indicate any corrective action taken or proposed. If the examination did not disclose any material inadequacies the report shall so state.

The examination report may be issued on any predetermined regular annual basis which the clearing agency may select: *Provided*, The scope of the examination conforms with that set forth above.

Additionally, the Commission believes that the internal accounting control report need not contain all the detailed information which an accountant's management letter may contain except to the extent any material inadequacies are disclosed.

D. SECURITIES, FUNDS AND DATA CONTROLS

The Release noted that the Commission's experience with this aspect of clearing agency controls has led it to conclude that it is useful to analyze safeguards in terms of two principal objectives: (i) Prevention, including physical security, data and software integrity, and internal accounting control, discussed above, and (ii) recovery, including contingency planning and insurance.

PREVENTION

In the Release, the Commission noted that the securities industry has had substantial experience with procedures for the physical safeguarding of securities and funds in vaults, in funds handling areas and while in transit. In the relatively new area of ADP operations, however, the Release noted that a consensus on the necessary elements of physical security is still evolving.[41] The Release stated that while the Commission recognizes the need for flexibility in the design and implementation of security systems, on a more general level, the Commis-

[38] In proposed Rule 13b-2, Securities Exchange Act Release No. 13185 (January 19, 1977) 42 FR 4854 (January 26, 1977), the Commission proposed to adopt as a Commission rule the American Institute of Certified Public Accountants' definition of accounting control, Codification of Statements on Auditing Standards numbers 1 to 15, section 320.28 (1977) (AICPA Professional Standards, AU section 320):

Accounting control comprises the plan of organization and the procedures and records that are concerned with the safeguarding of assets and the reliability of financial records and consequently are designed to provide reasonable assurance that:

(a) Transactions are executed in accordance with management's general or specific authorization.

(b) Transactions are recorded as necessary (1) to permit preparation of financial statements in conformity with criteria applicable to such statements and (2) to maintain accountability for assets.

(c) Access to assets is permitted only in accordance with management's authorization.

(d) The recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action is taken with respect to any difference.

[39] One commenter stated that internal accounting control systems do not lose their validity once established and a review of internal accounting control more frequently than once a year would be costly to smaller clearing agencies.

[40] However, this would not preclude a clearing agency from having reports prepared more frequently.

[41] See e.g., the discussion of ADP physical security contained in the National Bureau of Standards Federal Information Processing Standards Publication 31, "Guidelines for Automatic Data Processing, Physical Security and Risk Management," June 1974, [available from National Technical Information Service, 5285 Port Royal Road, Springfield, Va. 22161 ($3.50)].

sion would expect each clearing agency's plan for physical security to include, both for the maintenance and processing of securities and funds and for the ADP operation, such traditional security measures as: Access control on-site, off-site and in-transit; written procedures detailing steps involved in handling funds and securities; maintenance of an orderly and secure working environment; and early warning systems and disaster procedures responsive to fire, natural disasters, and intrusion.

The Commission noted that it believed the application of conventional prevention measures to ADP operations should be augmented by measures designed to assure software integrity, such as stringent quality assurance procedures (including pre-implementation review and testing of new applications, operating systems and components), full documentation of systems design and modifications, periodic post-implementation systems testing for conformity to latest system design specifications and for determining adequacy of internal accounting controls and data integrity, and requirements for executive approval to modify or update software. In addition, the integrity of data files should be verified periodically.

Some commenters suggested that the standards should not be specific while several commenters suggested minimum standards as appropriate or necessary. One commenter suggested that the Commission set minimum insurance standards, leaving to the insurer the determination of minimum security requirements. The Commission believes that the proposed prevention standards are appropriate as guidelines for clearing agencies to follow and will provide for the safeguarding of funds and securities.

RECOVERY

In the Release, the Commission stated that the recovery objective of funds, securities and data controls, in the Commission's opinion, calls for a written contingency plan, which at a minimum covers: (i) preparation for contingencies through such devices as periodic duplication and off-site storage of data files; (ii) Off-site storage of up-to-date, duplicate software files and critical forms and supplies needed for processing operations; (iii) immediate availability of software modifications, detailed procedures, organization charts and job descriptions for the conduct of operations under a variety of possible contingencies; and (iv) emergency mechanisms for establishing and maintaining communications with participants and other entities participating in the national clearing and settlement system. The Commission would expect contingency plans to be tested periodically to insure their effectiveness and adequacy.

In the Release, the Commission indicated that the recovery component of clearing agency safeguards should include adequate insurance coverage for both the clearing agency's operations and the operations of any sub-custodian, delivery service, or other agent used by a clearing agency. In the Release, the Commission suggested that adequate insurance coverage should be substantially similar to that afforded by Stockbrokers Blanket Bond Standard No. 14 of the Surety Association of America, currently in effect, augmented by errors and omissions insurance, fire insurance, and such additional insurance coverage as may be desirable in view of the kinds of risks involved in the operation of a clearing agency. The Commission requested comment on the kinds and amounts of insurance coverage appropriate to clearing agency operations.

One commenter indicated that the minimum insurance requirements should be related to what is available. A commenter noted that Standard Form No. 14 may become obsolete and that coverage should be stated more generally. Another commenter suggested that Standard Form No. 14 may be inadequate. Most commenters stated that errors and omissions coverage may be available only on a limited basis and is not cost justified. Another commenter suggested that cost and availability of insurance are factors the board should consider in determining adequacy of insurance coverage and amount.

The Commission believes that clearing agency management and board of directors should periodically review the kinds of risks involved in its business and the types and amounts of insurance coverage available, and there should be adequate insurance in both coverage and amount for both the clearing agency's operations and the operations of any sub-custodian, delivery service, or other agent. With respect to the other recovery standards, the Commission continues to believe that they are appropriate guidelines.

V. OBLIGATIONS TO PARTICIPANTS

A. CLEARING FUNDS

In the Release, the Commission expressed the belief that clearing agency rules should limit the use they make of clearing fund contributions, that, generally, contributions to clearing funds may consist, in varying proportions, of cash, U.S. Government obligations, municipal bonds, and open account indebtedness secured by U.S. Government obligations and municipal bonds,[42] and that the cash portions of clearing funds should be invested only in U.S. Government obligations. In addition, the Commission expressed the view that clearing funds should be used to protect clearing agencies against losses to the clearing agency or its participants caused by participant default and only under the circumstances specified in the clearing agencies' rules. The Commission indicated that it is inclined to require that assessments of participants to a clearing agency's clearing fund be limited. This would create the possibility that a clearing agency may become insolvent, without first exhausting the resources of other participants[43] through the assessment mechanism because of a loss caused by, and the subsequent insolvency of, one or more participants.

In the Release, the Commission requested comment of the form which clearing fund contributions should take and, for each form of contribution, the relative proportion of a clearing fund it should represent. The Commission also requested comment and suggestions on methods for determining the appropriate level of clearing fund contributions and for limiting the effects of clearing fund assessments. Furthermore, the Commission requested comment on whether clearing fund contributions should be available for other purposes such as to protect participants against losses resulting from clearing agency operations.

The commenters suggested that the Commission take a flexible approach. A number of commenters suggested: (i) that the forms of contribution to the clearing fund should be liquid, and (ii) that there is no need to fix the relative proportion of a clearing fund which each form of contribution should take.

With respect to the level of clearing fund contributions commenters suggested that it should be determined by the board of directors of each clearing agency in light of the particular functions performed by each clearing agency and the particular risks inherent in its operations. Another commenter indicated that no aboslute standard or single formula should be used for all clearing agencies in calculating the clearing fund contributions because of the varying operating characteristics of clearing agencies.

With respect to the types of investment a clearing agency should be allowed to make with the cash portion of clearing funds, there is a divergence of opinion. Some commenters expressed agreement with respect to the restrictions proposed by the Commis-

[42] In the Release, the Commission expressed the belief that clearing fund contributions should be in a form which permits a clearing agency rapidly to obtain cash equal to the aggregate of all required contributions to the clearing fund.

[43] In the Release, the Commission indicated that it is concerned that through the assessment mechanism an overwhelming loss ultimately might exhaust the resources of a number of clearing agency participants and result in their demise.

sion, with the reservation that clearing agencies should be permitted to enter into repurchase arrangements with banks for U.S. Government obligations. Other commenters maintained that the Commission should allow clearing agencies flexibility in dealing with clearing funds. For example, one commeter stated that the management of a clearing agency should be allowed to make its own decisions after weighing factors such as risk, rate of return, and liquidity.

With respect to the permissible uses of clearing funds, i.e., losses to which they could be applied, the Commission received considerable comment. One commenter stated that each clearing agency should have the flexibility to establish other legitimate uses for the fund, although it should primarily cover losses from participant defaults.

Another commenter believed that restricting the availability of the funds to participant default could have an adverse effect upon the clearing agency's ability to maintain financial stability, since a clearing agency is exposed to risks that go beyond participant default and since losses may occur that either are not insurable or exceed appropriate insurance levels.

Another commenter noted that the dichotomy between limiting the clearing fund to losses caused by participant default and imposing broad liability on a depository for lost securities in excess of insurance coverage could result in the depository having to cover uninsured losses through capital reserves.[44] This commenter stated several reasons why it believed development of capital reserves would be inappropriate and concluded that other losses not caused by participant default, whether they are caused by events beyond the depository's control or by poor depository management, could have a similar impact upon operations of a depository and should be covered by clearing funds.

Another commenter believed that the major purpose of the clearing fund should be to protect against losses caused by participant defaults and that the participant fund, as constituted at the time of any loss and without further assessment, should guarantee the obligations of a clearing agency to third parties.[45]

One commenter maintained that, so long as the funds are properly protected, they should be available for use for certain purposes that facilitate the process of clearing. This commenter stated, however, that the fund should not be applied to operating expenses. In the opinion of one commenter, on the other hand, clearing fund contributions should not be available for purposes other than the specific contingencies for which they were provided. Another commenter indicated that, if the clearing agency is controlled by its participants, the question should be left to the board of directors, acting under its rulemaking authority.

With respect to limitations on assessments, one commenter indicated that banks might not be able to participate in clearing agencies unless a maximum liability for clearing funds and assessments is established. Other commenters suggested that it is inappropriate to establish an assessment limitation since once a loss occurs, such as a loss in excess of insurance coverage and other resources, it must be absorbed by someone and through the assessment mechanism it is absorbed by all participants rather than a limited number of participants who have a position in that security. Another commenter pointed out that if there were an assessment limitation an insolvent clearing agency might settle on certain obligations to participants and default on others, creating a ripple of defaults among participants.

The Commission has carefully reviewed the comments received and has amended its proposals in light thereof. The Commission does not believe that it is appropriate for the Commission to establish an appropriate level of clearing fund contributions. Rather the Commission believes that clearing agencies should establish an appropriate clearing fund contribution based, among other things, on its assessments of the risk to which it is subject. However, the clearing fund contribution must be based on a formula which applies to all users on a uniform, non-discriminatory basis.

The Commission also believes that the forms of contributions should be in cash and open account indebtedness secured by United States government obligations or highly rated municipal bonds or such other securities as the rules of the clearing agency may provide.

In the Release, the Commission sought to emphasize that because participant contributions to clearing funds protect clearing agencies against specified contingencies and are returned when participants withdraw from clearing agencies, the rules of clearing agencies should limit the use that they may make of clearing fund contributions. The Commission continues to believe that a clearing agency should not use the funds in a manner that impairs their liquidity or exposes them to unreasonable risks. Therefore the Commission believes that clearing agency rules should limit the investments which it can make with the cash portions of clearing funds to United States governmental obligations or any securities which provide safety and liquidity of the principal invested in light of clearing agency's fiduciary responsibilities and are provided for in the rules of the clearing agency.

The Commission believes that the rules of the clearing agency should limit the purposes for which a clearing fund may be used to protecting participants and the clearing agency from the defaults of other participants and from losses occurring through clearing agency operations (not including day-to-day operating expenses) such as losses of securities not covered by insurance and other resources of the clearing agency. In addition, whenever the clearing fund is charged for any reason other than to satisfy a clearing loss attributable to a participant solely from that participant's clearing fund deposit, each participant should immediately be given notice of both the amount of, and the reasons for, the charge. The participant should be promptly assessed the amount in order to make good the charge against its clearing fund deposit.

With respect to further assessing a clearing agency participant to cover losses, the Commission is considering requiring that a clearing agency's rules provide for a maximum assessment which is fixed by the clearing agency's rules in order that at any given time a participant can ascertain his maximum potential liability. These limitations must be determined, among other things, in light of the clearing agency's risks in its operations, the size of its clearing fund and other factors.

B. STANDARD OF CARE

The Commission also stated in the Release that the rules of every clearing agency should provide that, except for securities delivered through the clearing agency to a participant for which the participant has not made payment to the clearing agency, or securities pledged by a participant through the clearing agency, the clearing agency must promptly deliver securities in its custody to, or as directed by, the participant for whom they are held. The Commission stated further that, consistent with its rules, a clearing agency should ensure that any sub-custodian holding the clearing agency's securities would deliver the securities to, or as directed by, the clearing agency and otherwise have the financial and operational capability to perform its obligations. However, neither a clearing agency nor its subcustodian would be required to deliver

[44] This commenter indicated that if a clearing fund is not available to cover losses not otherwise covered the depository must cease operation and seek the protection of a bankruptcy proceeding.

[45] That commenter suggested that protection should be afforded to third parties dealing with clearing agencies and non-defaulting participants by means of an industry-government backed fund.

securities in contravention of any notice of levy, seizure, or similar notice, or order or judgement, issued or directed by a governmental agency or court, or officer thereof, having jurisdiction over such clearing agency or sub-custodian, which on its face affects the securities held for the clearing agency's participant or, in the case of a sub-custodian, for the clearing agency.

In addition to providing that the clearing agency may not at any time refrain from delivering a participant's securities to or as directed by the participant, the Commission stated that the rules of a clearing agency should provide that it is liable to the participant for a failure to deliver the participant's securities resulting from: (a) The negligence or misconduct of the clearing agency, the clearing agency's sub-custodian or agent, or any of their respective agents or employees; (b) the placement, on fully-paid for participant's securities or participant's cash balances held by the clearing agency, of any lien or charge of any kind in favor of the clearing agency, the clearing agency's sub-custodian or agent, or any person claiming through any one or more of them; (c) a larceny; (d) a mysterious disappearance or (e) any other cause for which the clearing agency has assumed responsibility.[46] The Commission stated that it would expect clearing agencies to ensure that the obligations of their sub-custodians and agents to return securities held for the clearing agencies would parallel the clearing agencies' obligations to return securities held for participants. Also, the Commission expressed the belief that, in order to encourage indirect participation in a national clearing and settlement system, the clearing agency rules should permit subrogation of any indirect participant to any claims its conduit direct participant might have against a clearing agency arising out of the deposit of the indirect participant's securities.

The Commission requested comment on the level of liability which should attach to a clearing agency's obligation to return securities held for its participants, the appropriateness of requiring that any level of liability assumed by a clearing agency with respect to its participants be paralleled by the level of liability assumed with respect to the clearing agency by its sub-custodian or agent and the need to subrogate indirect participants in clearing agencies to the rights of their conduit direct participants.

[46] In the Release, the Commission noted that while the rules of clearing agencies currently provide, without qualification, for the return to participants of securities held for them by the clearing agencies, the level of liability which a clearing agency would have for failure to return a participant's securities has not been determined to date.

With respect to the Commission's proposed standards relating to the liability of a clearing agency to its participants for securities held by it, one commenter wrote that there was no need for any Commission action with regard to level of liability, because responsibilities of clearing agencies are adequately spelled out under their rules and agreements, and applicable state laws. Another maintained that in a competitive environment liability can be apportioned between the clearing agencies and their users by factors in the marketplace and reflected in the price of services, that management must retain the discretion to make the determinations with respect to subrogation of indirect participants and that the issue of subrogation is not a matter of federal securities laws.

One commenter noted that the proposal requires clearing agencies to assume more liability than any other custodian of which it knew. He added that the standard would not require any showing that participants have sustained any damage as a consequence of common law principles which define the liability of clearing agencies as that of a bailee for hire. In addition, he noted that the proposal did not specifically exclude liability with respect to losses which a typical blanket bond excludes from coverage; thus leaving some question as to whether a clearing agency might become liable without insurance coverage. It was suggested that a balance be struck between the benefits to those participants that might otherwise suffer losses and the additional risks and costs upon all participants that would result from the assumption of greater liability by clearing agencies. According to this commenter, economics do not support the standard nor has a need for it been demonstrated. In addition, the commenter noted that other regulators would possibly adopt similar standards, which could prolong controversy and delay institutional acceptance of depositories. The commenter did not object to the subrogation proposal.

One commenter indicated that clearing agencies should be completely responsible for the delivery of fully-paid securities, with the only exceptions being uninsurable catastrophies such as war or earthquake. He also commented that third parties should be permitted to be subrogated to the claims of direct participants.

One commenter stated that it views its liability to return fully-paid securities as absolute. The commenter, however, stated that extension of a clearing agency's liability to indirect participants regarding the return of fully-paid securities is inappropriate and that there was no purpose in placing the agency in the middle of a dispute between a defaulting participant and his correspondents.

One commenter opposed the standard, commenting that there was no persuasive reason why depositories should assume, as the proposal suggests, a level of responsibility that extends beyond that of a bailee for hire. Another cautioned that such subrogation requirements will encourage litigation and place clearing agencies in a position of having to defend themselves against litigants with whom they have no direct relationship and who could harass them with groundless suits.

Finally, with respect to the proposal that clearing agencies ensure that the obligations of their sub-custodians and agents be parallel to that of the clearing agency to its participants, some clearing agencies questioned the need for such a requirement. One commenter, for example, stated that clearing agencies have limited ability to negotiate such a provision when the sub-custodian/agent has no legal obligation (regulatory or otherwise) to assume that degree of liability, and that as a consequence, the clearing agency could lose important services of its sub-custodians. This commenter added that such a standard could be implemented only after substantial lead time (such as a year) to allow renegotiation of agreements with the sub-custodians.

With respect to the obligations of the clearing agency to return the securities of participants, the Commission continues to believe that except in the circumstances set forth in the Release relating to payment for securities, pledged securities or judicial or government order, the clearing agency must promptly deliver securities in its custody to or as directed by the participant for whom they are held. Furthermore, the clearing agency should ensure that any sub-custodians holding the clearing agencies' securities will deliver the securities to or as directed by the clearing agency. The Commission believes that the clearing agency using such a sub-custodian should require that the sub-custodian have adequate financial and operational capability and insurance to enable it to perform its obligations to the clearing agency.

Additionally, the Commission is considering requiring that the rules of a clearing agency provide that it is liable to the participant for a failure to deliver the participant's securities resulting from: (a) The negligence or misconduct of the clearing agency, the clearing agency's sub-custodian or agent, or any of their respective agents or employees; (b) the placement, on fully-paid for participant's securities or participant's cash balances held by the clearing agency, of any lien or charge of any kind in favor of the clearing agency, the clearing agency's sub-custodian or agent, or

any person claiming through any one or more of them; (c) a larceny; (d) a mysterious disappearance; or (e) any other cause for which the clearing agency has assumed responsibility.

VI. Participant Charges

Section 17A(b)(3)(E) of the Act requires a determination that

[t]he rules of the clearing agency do not impose any schedule of prices, or fix rates or other fees, for services rendered by its participants.

The provision precludes a clearing agency from imposing schedules of prices or fixing minimum rates or charges for services which its participants render to others.

VII. Equitable Allocation of Reasonable Dues, Fees and Other Charges

Section 17A(b)(3)(D) of the Act requires a determination that

[t]he rules of the clearing agency provide for the equitable allocation of reasonable dues, fees, and other charges among its participants.

The Release indicated that currently in determining the fees to be charged to participants for clearing agency services, many clearing agencies consider, in addition to cost of services, the benefits participants receive from services, and the need to subsidize certain services in order to encourage participation in a registered clearing agency. In the Release the Commission stated that it did not believe that a clearing agency fee structure or individual fee may properly be a substantial burden on, or act as a subsidy to, a particular category of participants, and stated further that it was not opposed to considering clearing agency fee schedules as a package in determining whether reasonable fees have been allocated equitably among participants. In the Release, the Commission indicated that it generally believes that fees should be based on costs of services provided.

The Commission stated that it was considering requiring that prior to imposing any dues, fees or other charges for services rendered to participants, clearing agencies advise their participants of (i) the unit cost attributable to the service (ii) the basis and method used in determining the unit cost and (iii) an explanation of determinations made, and justifications used in arriving at the fee.

In the Release, the Commission recognized that the need to develop a national clearing system may in some circumstances warrant clearing agency fee structures under which clearing agency participants in different locations are charged the same fees for clearing agency services regardless of the differences in the clearing agency's costs of providing the service to different locations.[67] Nevertheless, the Commission requested comment as to whether clearing agency participants in different locations should be charged the same fees for the same clearing agency services or whether different categories of clearing agency participants should be charged different fees for the same services. In particular, the Commission asked whether registered clearing agencies participating in other registered clearing agencies should be charged the same fees as other participants, or whether the purposes of the Act, including the establishment of a national system, require that registered clearing agencies pay fees different from those charged other participants or pay no fees at all.

The comments received on these issued generally questioned the Commission's authority to prescribe fees for registered clearing agencies. Likewise, although some commenters expressed general agreement with the concept that fees for services reflect the cost of providing the services, clearing agencies rejected the prospect of the Commission imposing any philosophy as to the setting of fees and insisted that the ultimate judgment as to fees should be exercised by the Board of Directors. While some commenters favored the concept of charging clearing agency participants in different locations the same fee for the same services, others opposed it.

With respect to the Commission's proposal requiring clearing agencies to send their proposed fee changes to participants before submitting them to the Commission, the response was also generally negative. Those who oppose prior submission claimed that such a procedure would impose an unreasonable burden on clearing agencies and result in considerable delays in changing fees. The opponents cited the expedited procedure provided in section 19(b)(3)(A) of the Act for implementing fees and stated that these requirements would destroy the benefits of that section by imposing inordinate delays on fee changes. The commenters expressed the belief that the comment periods provided by Rule 19b-4 will give adequate notice and opportunity for comment by participants. They maintained that the pressures of competition among clearing agencies will serve to regulate fees, and that to the extent a participant feels that fees are inequitable or discriminatory, it may seek review by that clearing agency or the Commission.

The Commission has reviewed the comments received and has determined that at the present time it will not require that clearing agencies send fee changes to their participants before submitting them to the Commission nor will it require a schedule setting forth unit costs and other matters. The Commission expects, however, that in instances of significant fee changes a clearing agency's participants will be apprised of such changes and the underlying reasons therefor, and that participants will be allowed to give their views as to the determinations affecting fees. With respect to fee schedules in general, the Commission has a duty to ensure that fees charged by clearing agencies are reasonable and are allocated among participants on an equitable basis in accordance with the Act, and among other things, do not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. In the exercise of this duty, the Commission intends to respond to any charges that fees violate these principles.[68]

VIII. The National System

In response to the Commission's inquiry concerning what securities issues should be included in the book entry portion of a national clearing and settlement system, some commenters responded that all securities should ultimately become eligible; others indicated eligibility should be determined in part by the volume of trading, number of stockholders and float in a particular security—the greater the volume, the greater should be the need for inclusion in a national clearing system. One commenter indicated that bond transactions should be eligible for inclusion in a national system. Another commenter indicated that all New York Stock Exchange and American Stock Exchange issues, over-the-counter issues currently cleared by National Clearing Corp. in its continuous net settlement system, and all primary securities on regional exchanges should be eligible.

With respect to the Commission's inquiry concerning the extent and manner in which registered clearing agencies should facilitate settlement between brokers and dealers and their institutional customers, several commenters were in favor of developing a national system which could provide settlement among brokers and dealers and their institutional customers.

One commenter indicated it has encouraged institutions to become direct depository members and has established an institutional settlement ser-

[67] See, e.g. "Order Granting Registration and Statement of Reasons In the Matter of the Application of the National Securities Clearing Corporation for Registration as a Clearing Agency," Securities Exchange Act Release No. 13163 (January 13, 1977).

[68] The matter of fees charged by one clearing agency to another clearing agency acting as a participant or interfacing with another clearing agency is not a subject of this release, but will be considered in a separate release.

vice. The commenter noted it has implemented an institutional delivery system which is linked to a continuous net settlement system for institutions which may wish to use it. Another commenter indicated it has persuaded local banks to join its depository and deposit securities for settlement with brokers.

In connection with facilitating settlement between brokers and dealers and their institutional customers, one commenter believed that institutional investors should have access, either directly or through an agent, to the national clearing and settlement system, and that there should be standard delivery hours for security deliveries against payment to banks acting as agent for their institutional customers, after inter-broker deliveries have been made, in order to speed the delivery of securities to the buyer. Another commenter suggested that the national system could be expanded to accommodate institutional transactions by the establishment of a national institutional settlement system.

With respect to the development of a national system, one commenter suggested that: (i) Withdrawal of physical certificates from the national clearing and depository system be prohibited or seriously restricted; (ii) all trades in all active securities be required to be compared through a member of the national system; and (iii) clearing agencies be required to adopt uniform standards and procedures. In this connection, one commenter emphasized that the Commission must encourage cooperation among clearing agencies and maintain a constant vigilance and alertness to potential and actual lack of cooperation. Another commenter emphasized that for a true national system to develop there is a need to eliminate interface fees by New York clearing and depository entities.

The Commission will deal with these comments during the course of the development of a national system, and use its authority to increase the number of eligible securities, encourage institutional and broker-dealer settlement and facilitate interface in a national system.

IX. Other Matters

Section 17A(b)(3)(F) of the Act provides that the rules of the clearing agency must not be designed "to regulate by virtue of any authority conferred by (the Act) matters not related to the purposes of (section 17A of the Act) or the administration of the clearing agency." In connection with the registration of clearing agencies the Commission intends to review all clearing agency rules to ensure that they are in accord with the foregoing objective.

It should be noted that a number of specific matters have been raised by individual clearing agencies which are not addressed in this Release but will be handled with each clearing agency on a case-by-case basis.

Section 17A(b)(1) of the Act gives the Commission authority to exempt any clearing agency or class of clearing agencies from any provision of the Act or the rules thereunder. By using this authority, as necessary, and by exercising reasonable discretion in making the determinations required in section 17A(b)(3) (A)-(I), the Commission will be able to make the statutory determinations, using the standards that finally emerge, in light of the characteristics of each clearing agency, the structure of the clearing agency community and the objectives set forth in section 17A.

The Commission has consulted and requested the views of the other appropriate regulatory agencies involved in the regulation of clearing agencies prior to publishing the proposed standards for the registration of clearing agencies.

All interested persons are invited to submit written data, views and arguments concerning the proposed standards on or before April 24, 1978. Such written data, views and arguments will be considered by the Commission in formulating final standards for review of clearing agency applications for registration. Persons desiring to make written submissions should file three copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to File No. S7-699.

Copies of all written comments will be available for inspection at the Securities and Exchange Commission's Public Reference Room, 1100 L Street NW., Washington, D.C. 20006.

By the Commission.

George A. Fitzsimmons,
Secretary.

March 6, 1978.

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