

**5200.1030 BASIS FOR HIGHWAY AND HEAVY CONSTRUCTION DETERMINATIONS.**

Subpart 1. **Areas.** Prevailing wage rates for highway and heavy construction projects must be based on work performed within distinct areas. The counties included in each area are listed in items A to J.

- A. Area 1: Carlton, Cook, Itasca, Koochiching, Lake, Pine, and Saint Louis.
- B. Area 2: Beltrami, Clearwater, Hubbard, Kittson, Lake of the Woods, Marshall, Norman, Pennington, Polk, Red Lake, and Roseau.
- C. Area 3: Aitkin, Cass, Crow Wing, Kanabec, Mille Lacs, Morrison, Todd, and Wadena.
- D. Area 4: Becker, Big Stone, Clay, Douglas, Grant, Mahnommen, Otter Tail, Pope, Stevens, Swift, Traverse, and Wilkin.
- E. Area 5: Benton, Isanti, Sherburne, Stearns, and Wright.
- F. Area 6: Dodge, Fillmore, Freeborn, Goodhue, Houston, Mower, Olmsted, Steele, Rice, Wabasha, and Winona.
- G. Area 7: Blue Earth, Faribault, Le Sueur, Nicollet, Sibley, and Waseca.
- H. Area 8: Chippewa, Kandiyohi, Lac Qui Parle, Lincoln, Lyon, Meeker, McLeod, Murray, Pipestone, Redwood, Renville, and Yellow Medicine.
- I. Area 9: Anoka, Carver, Chisago, Dakota, Hennepin, Ramsey, Scott, and Washington.
- J. Area 10: Brown, Cottonwood, Jackson, Martin, Nobles, Rock, and Watonwan.

Subp. 2. **Labor classes.** Prevailing wage rates must be determined on an area basis and each prevailing wage rate must be based upon work performed solely within the applicable class of labor. For each area surveyed, the department shall issue wage determinations for all classes of labor commonly or customarily used in highway and heavy construction projects.

Subp. 2a. **Projects to be surveyed, criteria.** The determinations shall be made from projects on which construction work was done in the 12 months preceding the survey which are located in the area and where the estimated total cost of completing the project is \$25,000 or more.

A. A minimum of two projects in an area must be reported in order to issue a wage determination for the area.

B. A wage determination must be made for all classifications of labor utilized on a project. Where classes of labor expected to be utilized on a project for which the area

prevailing wage determination is being made are not all represented in the projects in item A, the most recent rate determined for the class of labor is applicable.

C. If work is performed by a class of labor not defined by part 5200.1100, Master Job Classifications, the contracting agency shall assign a wage rate and the commissioner of labor and industry shall review and certify the assigned wage rate based on the most similar trade or occupation from the area wage determination. Within 90 days, the Commissioner of Labor and Industry must initiate the rulemaking procedure so that the classification will be defined in the Master Job Classifications in part 5200.1100.

Subp. 3. [Repealed, 21 SR 1107]

**Statutory Authority:** *MS s 175.171; 177.28 ;177.41 to 177.44*

**History:** *8 SR 2274; 21 SR 1107; 33 SR 1598*

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