

Register \_\_\_\_\_, \_\_\_\_\_ 2018 LABOR AND WORKFORCE DEV.

8 AAC 30.050(a) is amended to read:

(a) The department will determine the prevailing wage rate to be paid laborers, mechanics, and field surveyors. **The department will publish this** [THIS] determination [WILL BE PUBLISHED BY THE DEPARTMENT] in the pamphlet *Laborers' and Mechanics' Minimum Rates of Pay*. **The department will periodically revise the prevailing** [Prevailing] wage rates [WILL BE PERIODICALLY REVISED BY THE DEPARTMENT], on a regional basis, to correspond with the prevailing wage rate for similar work. (Eff. 7/8/73, Register 47; am 7/30/82, Register 83; am 8/9/2001, Register 159; am 3/2/2008, Register 185; am \_\_/\_\_/\_\_\_\_, Register \_\_)

**Authority:** AS 36.05.010 AS 36.05.030 AS 36.05.070

8 AAC 30 is amended by adding a new section to read:

**8 AAC 30.052. Board and lodging.** (a) To ensure that the wages paid to laborers, mechanics, and field surveyors do not fall below the prevailing rate of pay, a contractor on a public construction project that is 65 road miles or more from the international airport in either Fairbanks, Juneau, or Anchorage, or that is inaccessible by road in a 2-wheel drive vehicle, shall provide adequate board and lodging to each laborer, mechanic, or field surveyor while the person is employed on the project. If commercial lodging facilities are not available, the contractor shall provide temporary facilities. Lodging facilities shall comply with all applicable state and federal laws.

(b) A contractor is not required to provide board and lodging:

(1) to a laborer, mechanic, or field surveyor who is a domiciled resident of the project area; or

(2) on a laborer, mechanic, or field surveyor's scheduled days off, when the person can reasonably travel between the project and the person's permanent residence. For the purposes of this paragraph, a scheduled day off is a day in which a person does not perform work on-site, is not required to remain at or near the job location for the benefit of the contractor, and is informed of the day off at least seven days before the day off.

(c) Upon a contractor's written request, the commissioner may waive the requirements of (a) of this section where:

(1) the project is inaccessible by road in a 2-wheel drive vehicle, but the laborer, mechanic, or field surveyor can reasonably travel between the project and the person's permanent residence within one hour; or

(2) a laborer, mechanic, or field surveyor is not a domiciled resident of the project area, but has established permanent residency within 65 road miles of the project, or in the case of a highway project, the mid-point of the project, with the intent to remain indefinitely. (Eff.

/ \_\_\_/ \_\_\_, Register \_\_\_)

**Authority:** AS 23.05.060 AS 36.05.030 AS 36.10.075  
AS 36.05.010

8 AAC 30 is amended by adding a new section to read:

**8 AAC 30.054. Per diem instead of board and lodging.** (a) A contractor may pay a laborer, mechanic, or field surveyor per diem instead of providing board and lodging, if the following conditions are met:

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(1) the department determines that per diem instead of board and lodging is an established practice for the work classification; the department shall publish and periodically revise its determinations in the pamphlet *Laborers' and Mechanics' Minimum Rates of Pay*;

(2) the contractor pays each laborer, mechanic, or field surveyor the appropriate per diem rate as published and periodically revised in the pamphlet *Laborers' and Mechanics' Minimum Rates of Pay*; and

(3) the contractor pays the per diem to each laborer, mechanic, or field surveyor on the same day that wages are paid.

(b) Per diem instead of board and lodging is not permitted on highway projects located:

(1) west of Livengood on the Elliot Highway, AK-2;

(2) on the Dalton Highway, AK-11;

(3) north of milepost 20 on the Taylor Highway, AK-5;

(4) east of Chicken on the Top of the World Highway; or

(5) south of Tetlin Junction to the Alaska-Canada border on the Alaska Highway.

AK-2. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_\_\_)

**Authority:** AS 23.05.060 AS 36.05.030 AS 36.10.075

AS 36.05.010

8 AAC 30 is amended by adding a new section to read:

**8 AAC 30.056. Alternative arrangement.** Upon a contractor's written request, the commissioner may approve an alternative board and lodging or per diem arrangement, provided:

(1) the arrangement does not reduce the laborer, mechanic, or field surveyor's wages below the prevailing wage rate; and

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(2) the laborer, mechanic, or field surveyor voluntarily enters into and signs the written arrangement. (Eff. \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 23.05.060 AS 36.05.030 AS 36.10.075  
AS 36.05.010

8 AAC 30.900 is amended by adding a new paragraph to read:

(22) “domiciled resident” means a person living within 65 road miles of a public construction project, or in the case of a highway project, the mid-point of the project, for at least 12 consecutive months prior to the award of the public construction project;

8 AAC 30.900 is amended by adding a new paragraph to read:

(23) “employed on the project” means the time period from the date the laborer, mechanic, or field surveyor first reports on-site to the project through the final date the person reports on-site to the project. (Eff. 7/8/73, Register 47; am 12/4/76, Register 60; am 7/30/82, Register 83; am 9/27/87, Register 103; am 1/2/91, Register 116; am 8/9/01, Register 159; am \_\_\_/\_\_\_/\_\_\_\_, Register \_\_\_)

**Authority:** AS 23.05.060 AS 36.10.075 AS 36.95.010  
AS 36.05.030 AS 36.10.140