

COUNTY LOCAL LAWS

DISCRETION.

(E) IN DETERMINING SUCH RATES, THE BOARD SHALL ASCERTAIN AND CONSIDER THE APPLICABLE WAGE RATES ESTABLISHED BY COLLECTIVE BARGAINING AGREEMENTS AND SUCH RATES AS MAY HAVE BEEN PREDETERMINED FOR FEDERAL AND MARYLAND STATE PUBLIC WORKS, WITHIN THE LOCALITY AND IN THE NEAREST LABOR MARKET AREA. WHERE SUCH RATES DO NOT CONSTITUTE THE RATES ACTUALLY PREVAILING IN THE LOCALITY, THE BOARD SHALL OBTAIN AND CONSIDER FURTHER DATA FROM THE LABOR ORGANIZATIONS AND EMPLOYERS OR EMPLOYER ASSOCIATIONS CONCERNED, INCLUDING THE RECOGNIZED COLLECTIVE BARGAINING REPRESENTATIVES FOR THE PARTICULAR CRAFT, CLASSIFICATION OR TYPE OF WORK SHALL BE NOT LESS THAN THE PREVAILING RATE PAID IN SUCH CRAFT, CLASSIFICATION OR TYPE OF WORK.

(F) NOTWITHSTANDING ANY OF THE AFOREGOING PROVISIONS OF THIS SUBSECTION, THE SCHEDULES OF PREVAILING HOURLY RATES OF WAGES TO BE PAID TO WORKMEN AND APPRENTICES EMPLOYED UNDER PUBLIC WORKS CONTRACTS OF FIVE-HUNDRED-THOUSAND DOLLARS (\$500,000.00) OR MORE SHALL BE SUCH CURRENT SCHEDULES OF PREVAILING HOURLY RATES OF WAGES FOR THIS LOCALITY AS ARE ESTABLISHED BY THE COMMISSIONER OF THE DEPARTMENT OF LABOR AND INDUSTRY OF THE STATE OF MARYLAND, PURSUANT TO ARTICLE 100, SECTION 98 OF THE ANNOTATED CODE OF MARYLAND.

7-4 RECONSIDERTION OF WAGE RATE DETERMINATION

(A) ANY EMPLOYER OR GROUP OF EMPLOYERS ENGAGED IN PUBLIC WORKS CONSTRUCTION, ANY LABOR ORGANIZATION WHICH IS THE REPRESENTATIVE OF ANY CLASSIFICATION OF WORKMEN, OR ANY AGENCY OF THE PUBLIC BODY WHICH AUTHORIZES PUBLIC WORK WITHIN TEN (10) DAYS AFTER NOTICE OF THE DETERMINATION OF ANY PREVAILING WAGE RATE OR RATES PURSUANT TO SUBSECTION 7-3 (A) HEREOF, MAY FILE WITH THE BOARD A VERIFIED PETITION, WHICH SETS FORTH THE FACTS UPON WHICH IT IS BASED, TO RECONSIDER THE DETERMINATION OF SUCH PREVAILING WAGE RATE OR RATES. THE BOARD, UPON NOTICE TO THE PETITIONER, THOSE AGENCIES OF THE PUBLIC BODY WHICH AUTHORIZE PUBLIC WORK, AND THE RECOGNIZED COLLECTIVE BARGAINING REPRESENTATIVES FOR THE PARTICULAR CLASSIFICATIONS INVOLVED, AND ALSO TO ALL PERSONS ENTITLED TO RECEIVE NOTICE PURSUANT TO SUBSECTION 7-3 (A) HEREOF, SHALL INSTITUTE AN INVESTIGATION AND HOLD A PUBLIC HEARING WITHIN TWENTY (20) DAYS AFTER THE FILING OF SUCH PETITION. THE BOARD, AT ITS DISCRETION, MAY HEAR EACH PETITION SEPARATELY OR CONSOLIDATE FOR HEARING ANY TWO OR MORE PETITIONS. AT THE HEARING, THE BOARD SHALL INTRODUCE IN EVIDENCE THE INVESTIGATION IT INSTITUTED AND THE OTHER FACTS WHICH WERE CONSIDERED AT THE TIME OF THE ORIGINAL DETERMINATION WHICH FORMED THE BASIS FOR ITS DETERMINATION. THE BOARD OR ANY INTERESTED PARTIES