

Amendment No. 527

Assembly Amendment to Assembly Bill No. 83	(BDR 28-759)
Proposed by: Committee on Commerce and Labor	
Amendment Box:	
Resolves Conflicts with: N/A	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend sec. 2, page 3, by deleting lines 20 and 21 and inserting:

“be discharged ~~by the making of payments in cash, or~~ *in part* by making contributions to a third”.

JCB/LJM

Date: 4/20/2005

A.B. No. 83—Revises provisions governing compensation of workmen on public works.

**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law requires that the hourly and daily wage paid to a workman or mechanic on a public work must be no less than the prevailing wage applicable to the class of the workman or mechanic in the county where the public work is located, as established by the Labor Commissioner. Existing law requires payment of not less than one and one-half times the prevailing rate of wages or, if applicable, one and one-half times the rate of wages set forth in a collective bargaining agreement, if the workman or mechanic works more than 8 hours in a day or more than 40 hours in a week. (NRS 338.020)

This bill clarifies that a contractor or subcontractor on a public work is only required to pay a workman or mechanic who is not subject to a collective bargaining agreement overtime compensation at the rate of one and one-half times the prevailing rate of wages for each overtime hour worked by the workman or mechanic on the public work. For overtime hours worked by the worker or mechanic for the contractor or subcontractor on work other than the public work, the rate of overtime compensation to be paid to the workman or mechanic is one and one-half times the regular wage rate for that work.

Existing law provides that a contractor or subcontractor may discharge his obligation to pay a workman's or mechanic's wages by making payments in cash or by making contributions to a fund, plan or program in the name of the workman. (NRS 338.035)

This bill provides that a contractor or subcontractor on a public work may discharge his obligation to pay the wages of the workmen on the public work in part by making contributions to a third person pursuant to a fund, plan or program in the name of the workman.