

Prince George's County, Maryland
Wage Determination Board
Quarterly Meeting
VIA Zoom
(301)883-6255 TTY (301)883-5167 Fax (301)883-6464

Meeting Minutes
June 1, 2023

Attendees:

Joy Anderson, Wage Determination Board Member

Orlando Bonilla, Wage Determination Board Member

Tisa J.D. Clark, Wage Determination Board Member

Demetrius Coffey, Compliance Analyst, Office of Central Services (OCS)

Lino Cressotti, Wage Determination Board Member

Leslie Jackson-Jenkins, Interim Deputy Director (Associate Director), OCS

Cory Jefferson, Compliance Manager, OCS

Rayann Otto-Anderson, Wage Board Administrator, OCS

Bruk Solomon, Compliance Analyst, OCS

The meeting was called to order at 11:09 a.m. by Rayann Otto-Anderson, Wage Board Administrator. Ms. Otto-Anderson welcomed the Board and all participants from the Office of Central Services (OCS) and called for introductions from the members the Prince George's County Wage Determination Board (Board).

Ms. Otto-Anderson provided an update on the Prevailing Wage software automation tool. She stated that she has started working with the Office of Information Technology (OIT) to have a portal created to capture and receive surveys automatically with notifications to be sent from GovDelivery. She recognized that the intention is to have the automated tool ready and available for use on June 20th when the survey open period begins, and to move away from the current manual process of distributing and receiving submissions by email. Ms. Otto-Anderson explained that OIT is very confident that they can have the automation tool ready for use by the survey start date. Cory Jefferson, Compliance Manager, also expressed confidence that the system would be in place for

use in the upcoming survey period and explained that the survey questions and responses will imitate the current survey form, in response to Mr. Cressotti's question.

Mr. Cressotti asked if the data would be captured on spreadsheets once the online form is completed. Mr. Jefferson explained that when the data is received, it will be calculated automatically by classification and reports would then be generated for the Board's decision making. Mr. Cressotti also asked if the system would generate a receipt once the data is submitted. Ms. Otto-Anderson explained that once a submission is made, an automated reply will be provided to the respondent. Mr. Cressotti further asked if a unique submission number will be provided when each submission is made. Ms. Otto-Anderson explained that she would contact OIT to get an answer regarding whether a receipt number could be provided for each submission and follow-up with the Board.

Mr. Jefferson provided an update on the status of two outstanding questions submitted to the Office of Law from the May 2022 Board meeting. Mr. Jefferson explained that since the meeting where the Board presented questions to the Office of Law (OOL) representative, Joseph Ruddy, the Compliance Unit has followed up several times with OOL, however, to date a response to the questions have not been received.

Ms. Anderson explained that she specifically has concerns regarding the County Employees Appreciation Day holiday. Ms. Otto-Anderson explained that the request to OOL was for a review of the County's construction holidays compared to the State of Maryland and the Federal Government (Davis-Bacon established prevailing wage holidays). Ms. Otto-Anderson provided a visual comparison of construction holidays recognized by each of the three entities, highlighting the similarities and differences and summarizing the total number of holidays recognized by each entity.

Ms. Clark asked if the intent is to have prime contractors and subcontractors follow the holiday schedule and pay workers performing work on those recognized holidays for the purpose of overtime pay. Mr. Jefferson explained that this question is the genesis of one of the questions posed to OOL. Leslie Jackson-Jenkins stated that the County holidays in the solicitations are there as a mechanism of notifying the vendors that those holidays

are recognized by the County and so that they can decide whether they want to account for overtime for those holidays if they decide to work. She stated that Compliance staff do and should notify vendors of the recognized holidays during Pre-bids, Pre-construction, and Work Initiation meetings. She also stated that she would again reach out to Mr. Ruddy, OOL.

Ms. Anderson stated that the State of Maryland holidays are clearly indicated on their Prevailing Wage Determination, however, the County's holidays do not state that they must be paid. Ms. Jackson-Jenkins stated that she agrees with Ms. Anderson and indicated that the decision would be left up to the business to decide if they want to work on those recognized holidays. The Board agreed not to include the County holidays in the solicitation until OOL provides guidance on the subject.

Mr. Jefferson stated that since OOL did not provide guidance on how to proceed with projects located outside of the County where fabrication work was done in the County, the Compliance Unit will continue to reject those surveys per the action taken for the most recent determination.

Ms. Otto-Anderson explained the Survey Notice, highlighting those areas where new and changed classifications are listed. She explained the differences between information from last year's notice and how that information changed in this year's survey because of the automation tool to be utilized for capturing this year's survey. She brought attention to the Skilled Laborer classification and asked Mr. Bonilla whether he had comments on how the Laborer sub-classifications would appear on the Wage Determination.

Mr. Bonilla stated that after his review of the Survey Notice, he contacted the LiUNA Business Manager, who requested that the County consolidate the classifications. He stated that he is glad to see the County moving in the direction that the state and federal governments have in consolidating the Laborer classifications. Mr. Cressotti reminded Mr. Bonilla that the Laborer organizations need to ensure that they provide data for the various existing and new Laborer classifications.

Mr. Jefferson expressed concern that one organization can skew the overall rate on any classification and drive that rate for an entire year. Ms. Clark stated that when the Board has seen the concern Mr. Jefferson raised, the Board considers any dramatic changes in wage rates proposed by the County and makes a decision on whether to make adjustments. Mr. Cressotti agreed that the Board routinely seeks to protect wages to be paid to employees under the County's Prevailing Wage Determination.

Mr. Bonilla asked if the County's intent is to have an overall Skilled Laborer classification with different wage rates for the subclassifications. He prefaced his question with the observation that the federal government consolidates all subclassifications under the same wage rate.

Following a discussion regarding the differences in rates for prime and subclassifications, Ms. Clark recommended that the Board submit the survey with the rates as indicated on the existing rate sheets (Determinations revised) for Building and Highway, compare the data received from the survey and at the next meeting, determine if adjustments should be made. She indicated that there are large differences between the primary classifications and subclassifications. She asked Ms. Otto-Anderson to remind the Board that they agreed to use the new data to set the new Skilled Laborer rate and Fringe based on the data and align the classifications to the Skilled Laborer rate determined.

Mr. Cressotti reiterated that respondents would need to submit rates for each Laborer classification. The Board agreed with Ms. Clark's recommendation.

Ms. Otto-Anderson asked the Board to clarify whether a Paver is the same as Asphalt Paver. The Board had a brief discussion on the topic and indicated that they would follow-up after researching the question further.

Ms. Otto-Anderson updated the Board on the status of the wage monitoring procurement indicating that the new contract is pending issuance and ratification.

Mr. Bonilla made the motion to adjourn. Seconded by Ms. Clark. All were in favor. The meeting was adjourned at 12:08 p.m.