

1 STATE OF TENNESSEE  
2 DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
3 PREVAILING WAGE COMMISSION MEETING  
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10 November 20, 2023  
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23 CASSANDRA M. BEILING, LCR# 371  
24 STONE & GEORGE COURT REPORTING  
25 2020 Fieldstone Parkway  
Suite 900 - PMB 234  
Franklin, Tennessee 37069  
615.268.1244

## 1 APPEARANCES:

2 Deputy Commissioner DeWayne Scott, Chairman

3 Gwendolyn Whittaker, TDOT Designee  
4 TDOT Construction Resources Manager5 Ann McGauran, State Architect (not present)  
6 Tennessee Department of Treasury7 Stephen Wright  
8 Wright Brothers Construction Co.9 Scott Thompson  
10 Talley Construction Company

11 Chance Deason, Legal Counsel

12 Melissa Owens, Legal Counsel

13 Tom Herrod, Assistant Commissioner

14 Kenneth Nealy, Assistant Administrator

15 Lisa Watson, Director

16 Rachel Tate, Administrative Services Assistant 4

17 Jamie Diefenbach, Executive Administrative  
18 Assistant 319 Stamatia XiXis, Chief of Staff  
20 Tennessee Department of Labor & Workforce  
21 Development22 Brian Eagan  
23 Tennessee Department of Transportation24 Kent D. Starwalt, Executive Vice  
25 Tennessee Road Builders Association

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AGENDA

- I. Call to Order and Roll Call
- II. Introductions and Announcements  
Conflict of Interest Declaration
- III. Adoption of Agenda
- IV. Approval of the previous Prevailing Wage Commission Minutes  
\* September 7, 2023
- V. Review of the Prevailing Wage Survey Data  
\* Propose new rates
- VI. Announcements
- VII. Adjournment

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2 CHAIRMAN SCOTT: I want to  
3 mention conflicts of interest, everyone.  
4 Hopefully, you have those forms completed and  
5 they're on file. If you do not, please see Rachel  
6 Hagan, and she will be glad to get those completed  
7 for you if you have not done so.

8 I want to move toward adoption of our  
9 agenda. I would like to entertain a motion to  
10 adopt the agenda for this meeting.

11 MR. THOMPSON: So moved.

12 MR. WRIGHT: Second.

13 CHAIRMAN SCOTT: First and a  
14 second.

15 Are there any questions regarding the  
16 agenda?

17 (No verbal response.)

18 CHAIRMAN SCOTT: All in favor,  
19 let it be known by stating "aye."

20 (Affirmative response.)

21 CHAIRMAN SCOTT: Any opposed?

22 (No verbal response.)

23 CHAIRMAN SCOTT: Motion  
24 carries. The agenda is adopted.

25 Next, let's move toward the approval

1 of the minutes and transcript from September the  
2 7th, 2023. I hope you have had a chance to see  
3 that ahead of time. If not, we'll ask for a  
4 motion to approve the labor standards summary of  
5 the September 2023 meeting.

6 MR. THOMPSON: So moved.

7 CHAIRMAN SCOTT: I have a  
8 first. Do I have a second?

9 MS. WHITTAKER: Second.

10 CHAIRMAN SCOTT: All right.

11 Any questions regarding the minutes and the  
12 transcript from September '23? If not, all in  
13 favor of accepting those, please let it be known  
14 by stating "aye."

15 (Affirmative response.)

16 CHAIRMAN SCOTT: Any opposed?

17 (No verbal response.)

18 CHAIRMAN SCOTT: Motion  
19 carries. The approval of the minutes are  
20 accepted.

21 Next, we're going to turn our  
22 discussion over to Tom Herrod, who will lead the  
23 discussion on prevailing wage survey data.

24 Tom Herrod.

25 MR. HERROD: Thank you, Deputy

1 Scott.

2 I appreciate everyone's understanding  
3 of the cancellation of last week. We had some  
4 erroneous data that was spotted by folks at TDOT,  
5 and after we deleted that data and made phone  
6 calls, we got the data corrected and the  
7 calculations are accurate. There are no  
8 duplications of entries.

9 And we will be working off -- you've  
10 got a lot of handouts here, but if you go to the  
11 smaller 8 1/2 by 11, we'll be working off of this  
12 one to make it easier to view. And Jamie  
13 Diefenbach will be going down, adding each of  
14 these crafts as we go through it. So it will show  
15 up one at a time on the screen here.

16 We had a 17 percent increase in  
17 number of responses over last year. And  
18 participation rate went up from 35 percent up to  
19 52 percent, number of companies that participated  
20 in the survey.

21 I have here on the prevailing wage  
22 sheet not only the survey rates and the prevailing  
23 wage rate, I have the contractor wages that were  
24 given to me by TDOT for the third quarter, kind of  
25 give us a reality check to make sure the surveys

1 are in range. We can't use that data, but we can  
2 use it to at least look at it and make sure things  
3 are correct.

4 I will remind you that those  
5 responses, those crafts, there were two of them  
6 that have zero responses. We have to work off of  
7 the '23 prevailing wage survey and subtract  
8 6 percent. That is per statute. Any responses  
9 for the crafts that were between 1 and 4, we can  
10 use the survey rate or the 2023 prevailing wage  
11 rate and adjust that by 6 percent of the 2023  
12 prevailing wage rate.

13 So what I have done, the overall  
14 increase from last year's prevailing wage rate on  
15 the wages of the surveys came up to around  
16 1.58 percent. And I've gone down and put in the  
17 Suggested column, you'll see -- on the right-hand  
18 side, you'll see 2024 Prevailing Wage, and you'll  
19 see a Suggested column, and then the next one is  
20 Proposed, and the third one is Approved.

21 Today we will be looking at the  
22 suggested and then going down and proposing if you  
23 want to take the increase that's suggested or a  
24 different rate. We can put that in there. But we  
25 do want to look at each one of these and then have

1 you discuss, and then -- today we'll give the  
2 proposals and then come back next Tuesday for the  
3 final approval.

4           Craft Number 1, the Blaster, we had  
5 four responses. And the survey rate was  
6 considerably higher, 65 percent over last year's  
7 prevailing wage rate. Based upon past  
8 experiences, what we've done in the past, we've  
9 taken -- since we've had such a huge increase like  
10 that, we've gone off the prevailing wage from last  
11 year since we had that option with only four  
12 responses on that. With a 1.5 percent -- or  
13 almost 1.6 percent increase, the suggested is  
14 \$26.71.

15           We can go by line and go down by each  
16 craft if you want to talk about each one  
17 individually and come up with a proposal and  
18 review them. I would suggest doing that.

19           For members of the board, I sent you  
20 a spreadsheet that has a lot of calculations on  
21 it. And if we want to take something other than  
22 the suggested, which we can, if you want to adjust  
23 that by 2 percent or 6 percent, we can put the --  
24 we can do the calculation and come up with a  
25 proposal.

1           For the Bricklayer, we had zero  
2 responses, so we had to work off of the survey  
3 rate from last year.

4           The Carpenter and the Class A, B, C,  
5 and D Operators, we had a sufficient number of  
6 responses for those that the survey rate looks  
7 accurate and we can work off of that.

8           Concrete Finisher, same thing.

9           Drill Operator (Caisson), we had one  
10 response for that. And that will be the survey  
11 rate or the prevailing wage rate from last year.

12           The Electrician had an adequate  
13 number and we'll work off the survey rate for  
14 that.

15           Farm Tractor, Craft 11. Ironworkers,  
16 12. Ironworkers, 13. Had fewer responses, but  
17 we'll have to work off the survey for 11 and 12.  
18 And for the -- I mean, work off the survey. And  
19 then for Item 13, off either one of the survey or  
20 the prevailing wage from last year.

21           14, 15, Large Crane Operator and  
22 Mechanic, had enough to work off of the survey, as  
23 well as the Mechanic Light Duty.

24           Painter had zero responses, and so  
25 we'll have to work off of the prevailing wage from

1 last year.

2 Skilled Laborer, the largest number  
3 of responses, we'll work off the survey.

4 And then Instrument Operator, we'll  
5 work off either the survey or prevailing wage.

6 Crafts 20 through 25, we'll work off  
7 of the survey.

8 The highest number of responses for  
9 all the crafts submitted was Unskilled Laborer.  
10 We'll work off the survey for that.

11 As I said, I adjusted based upon the  
12 overall increase over the current year survey rate  
13 and came up with a suggested number.

14 You also have with you a second  
15 spreadsheet here in color, and it will tell you  
16 exactly what the increase or decrease in the  
17 survey was from the current number. And that's  
18 how the numbers were adjusted up or adjusted back  
19 down to meet the 1.6 percent.

20 So we can start -- does anybody have  
21 any questions on any of the survey data that was  
22 sent to us? If you had a chance -- did you have a  
23 chance to review it? I made sure this time there  
24 were no duplications. So I promise there are no  
25 duplications on that, any of the survey there.

1 Any questions?

2 (No verbal response.)

3 MR. HERROD: Okay. Craft  
4 Number 1, the Blaster. The total responses, 4.  
5 So we can work off the survey or the prevailing  
6 wage rate. And since the difference is  
7 65 percent, what we've done in the past is work  
8 off the current prevailing wage rate and adjusted  
9 that up to the appropriate number. The smaller  
10 8 1/2 by 11 sheet, that number, \$26.71, is the  
11 correct number. What would you like to have?

12 (No verbal response.)

13 MR. HERROD: I will tell you  
14 that the third-quarter TDOT contractor wages had  
15 400 hours and it was more in line with the survey  
16 rate that we got back, the higher number. So we  
17 have a range there you can choose from.

18 MR. WRIGHT: I would suggest  
19 that the people that are doing -- my personal  
20 belief is that this has become almost a specialty  
21 item. Some of the people are highly paid. They  
22 may even be taking their 40-hour salary rate,  
23 turning it in as -- I shouldn't say it that way.

24 So I would suggest on this  
25 occurrence, use the prevailing wage plus the

1 6 percent. Because I can only speak for my  
2 company, but we're still experiencing wage  
3 pressure everywhere. And just to -- as I said  
4 before, to keep this relevant and -- wage scale  
5 and not be insignificant, I do think we probably  
6 need more than a 1 1/2 percent raise for most of  
7 these crafts.

8           There are two or three down here that  
9 have always looked backwards to me that I would  
10 suggest it might be an opportunity for us to kind  
11 of clean up. The B and C Operators seem  
12 backwards.

13           But personally, I would suggest a 3  
14 to 4 percent raise across the board since we are  
15 seeing some reduction in the -- you know, you've  
16 got inflation hitting everybody pretty hard too.  
17 So we want to make it a desirable skill set.

18                   MR. HERROD: Okay. We have --

19                   MR. THOMPSON: You're  
20 recommending like a 4?

21                   MR. WRIGHT: If I could just  
22 pick a number, I would put 4 all the way down it,  
23 4 percent.

24                   MR. HERROD: Well, that makes  
25 it easier. For that particular craft, that would

1 bring it to \$27.34 with a 4 percent.

2 MR. WRIGHT: I'm just one  
3 member of this panel, sir.

4 MR. HERROD: Pardon me?

5 MR. WRIGHT: I'm just one  
6 member.

7 MR. HERROD: I know. I'm just  
8 saying, with 4 percent, it takes it up. 6 percent  
9 would be \$27.87. So you can see there in the  
10 column, plus or minus 6 percent. \$27.87 is the  
11 max you could take it with the current prevailing  
12 wage. Is that your recommendation at this point?  
13 We can always come back and come down.

14 Anybody else have a --

15 MR. THOMPSON: Yes.

16 MR. HERROD: 4 percent, or  
17 5 --

18 MR. WRIGHT: Yes.

19 MR. HERROD: 4 percent? Okay.

20 MR. THOMPSON: Yes.

21 MR. WRIGHT: Works for me.

22 MR. HERROD: 4 percent. All  
23 right. That makes it \$27.34.

24 MR. WRIGHT: The guy that's  
25 making 43 is not going to be happy with that.

1 MR. THOMPSON: But he's still  
2 going to be making 43.

3 MR. WRIGHT: That's right.

4 MR. HERROD: \$27.34 on Craft  
5 Number 1.

6 The Bricklayer, if we want to go to a  
7 4 percent there, it makes it \$19.71. Is that  
8 good?

9 MR. THOMPSON: Yes.

10 MR. HERROD: 4 percent on the  
11 Carpenter -- this is just the initial pass-thru,  
12 and then we'll come back.

13 4 percent on Craft Number 3 would be  
14 \$25.07.

15 For Class 4 -- for Class 5. I'm  
16 sorry. I'll get it in a minute. \$26.21.

17 MR. WRIGHT: Is that 5?

18 MR. HERROD: Wait a minute.  
19 I'm sorry.

20 CHAIRMAN SCOTT: Are you  
21 looking at Class A?

22 MR. HERROD: I'm looking at  
23 the wrong -- I'm sorry. Give me a second. Give  
24 me a second.

25 Okay. Yeah. I skipped one. Yeah.

1 Okay. I'm sorry. Thank you.

2 Class A Operator would be \$28.96.

3 For Class B Operator, would be

4 \$26.21.

5 For Class C Operator, would be

6 \$27.79.

7 Class D Operator would be \$26.60.

8 Concrete Finisher, \$24.30.

9 Drill Operator (Caisson), would be

10 \$40.10.

11 Electrician, Craft Number 10, \$36.54.

12 Class 11, Farm Tractor Operator,

13 \$21.05.

14 Ironworkers Reinforcing would be

15 \$26.93.

16 For Ironworkers (Structural), that

17 would be \$23.35.

18 Craft Number 14, Large Crane

19 Operator, \$31.55.

20 Mechanic (Class I), \$30.88.

21 CHAIRMAN SCOTT: Tom --

22 MR. WRIGHT: That don't look

23 right.

24 CHAIRMAN SCOTT: Tom, it

25 didn't -- yeah.

1 MR. HERROD: Excuse me a  
2 minute.

3 CHAIRMAN SCOTT: It's \$30.93  
4 starting.

5 MR. HERROD: I'm sorry.  
6 Which?

7 MR. THOMPSON: Number 15.

8 MR. HERROD: Number 15? I  
9 messed up here, Number 15. Second. Survey rate  
10 was \$29.66. Give me a second. Okay. \$29.66  
11 survey rate calculated would be \$30.88. Does that  
12 look --

13 CHAIRMAN SCOTT: The suggested  
14 is \$30.93.

15 MR. HERROD: Well, that's  
16 because the --

17 MR. THOMPSON: It's  
18 .26 percent higher.

19 MR. HERROD: That's because  
20 the survey was less. Yeah. The survey rate was  
21 lower than the overall increase. Now, we can take  
22 it to 6 percent on that. If the overall -- the  
23 survey rate for 15 was 2.68 below last year's  
24 prevailing wage rate, and we have an upper limit  
25 of \$31.49 that we could go to, which would be --

1 6 percent would be \$31.49. We can do that.

2 MR. WRIGHT: It's okay with  
3 me.

4 MR. HERROD: Okay.

5 MR. WRIGHT: We have to hire  
6 all of ours from a dealer anyway, which is \$140 an  
7 hour.

8 CHAIRMAN SCOTT: \$31.49?

9 MR. HERROD: \$31.49, yes, sir.  
10 Number 15 -- or 16, excuse me. We're  
11 on 16, right? All right.

12 MR. WRIGHT: What did you say?  
13 30 what? \$31.39?

14 MR. HERROD: \$31.49.

15 MR. WRIGHT: Thank you, sir.

16 MR. HERROD: Uh-huh. Yes.

17 Number 16, there was a slight  
18 decrease over last year's survey. We can take it  
19 to the full 6 percent or to the -- anything less  
20 than that. The 6 percent would be \$29.79 on that,  
21 Craft Number 16.

22 MR. THOMPSON: I say we stay  
23 with the 4.

24 MR. HERROD: Okay. Overall  
25 increase would be -- okay. 4.43. I have to do it

1 that way if you want to bump it up over last  
2 year's prevailing wage. So that would make it  
3 \$29.35. If you bring it back to -- the survey  
4 rate was lower than last year's. If you bring it  
5 back up, adjust it for that, add another  
6 4 percent -- I assume that's what you're talking  
7 about doing -- it would bring it to \$29.35.

8 Are we okay with that one for the  
9 time being?

10 MR. WRIGHT: Yes, sir.

11 MR. HERROD: Painter,  
12 Number 17. That would be if we take 4 percent  
13 since there were no entries for that, \$36.45.

14 Skill Number 18, Skilled Laborer, if  
15 we take it up over the survey rate, the survey  
16 rate was 2 1/2 percent higher than last year. Do  
17 you want to adjust it the difference of 4 percent  
18 of 1 1/2, or do you want to take it the full  
19 4 percent over the -- we have to use the survey  
20 rate. We can take it -- which would mean that it  
21 wouldn't get the full -- it's already  
22 2 1/2 percent higher than last year's prevailing  
23 wage. If you want to keep it in that range, it  
24 would be \$24.01. Now, that's 4 percent higher  
25 than last year's prevailing wage. But it's in the

1 range for this year's survey.

2 MR. WRIGHT: It's okay with  
3 me.

4 MR. HERROD: Okay. Item  
5 Number 19, with two responses, we can go with  
6 the -- since the survey rate is greater than  
7 6 percent more, we can go with a 4 percent over  
8 last year's, and we had fewer than 21 and 4  
9 responses. We can go with 4 percent and make that  
10 \$30.62, \$30.62.

11 Number 20, Item Number 20, the survey  
12 rate was quite a bit higher than last year's  
13 survey rate -- prevailing wage rate. We can keep  
14 it at the survey rate since it was 26 percent  
15 higher than last year's prevailing wage rate.

16 MR. WRIGHT: This is the one  
17 that always confuses.

18 MR. THOMPSON: Isn't this the  
19 one where the trucks -- it's the snooper trucks,  
20 right? I mean, the ones that are doing the  
21 tunnels.

22 MS. WHITTAKER: The  
23 tunnel-cleaning trucks.

24 MR. THOMPSON: They were  
25 really skewing.

1 MS. WHITTAKER: Yeah.

2 MR. HERROD: Well, if we look  
3 at Craft Number 20 -- Jamie, if you have the  
4 opportunity to take it over to Craft Number 20,  
5 and look at the data. Do you have your --

6 MR. WRIGHT: May I ask a  
7 question of Gwen?

8 MR. HERROD: Yes.

9 MR. WRIGHT: Gwen, do you know  
10 if this gets interpreted to like a regular sweeper  
11 machine behind the millings?

12 MR. THOMPSON: Yes. I mean,  
13 that's the problem.

14 MS. WHITTAKER: I think it  
15 does. Yeah.

16 MR. THOMPSON: Yeah, it does.

17 MR. WRIGHT: We may need to  
18 split these categories.

19 MS. WHITTAKER: Yeah. I would  
20 say if you take out the tunnel-cleaning  
21 contractor, it gets your rate down to about  
22 \$24.97. That's probably closer to where you want  
23 to be.

24 MR. WRIGHT: Four or  
25 five years ago, we did some realignment of the

1 classes, and I don't exactly know what to do  
2 today, but I think we should -- this difference  
3 between cleaning that tunnel and sweeping up a  
4 windrow of gravel in the road is two different  
5 skill sets. We probably need two different codes,  
6 or we need to take the asphalt sweeping machine  
7 and move it down to a skilled laborer or something  
8 like that.

9 MS. WHITTAKER: What about the  
10 contractors who are using like the vac trucks now  
11 and not just using a rig?

12 MR. THOMPSON: That's what  
13 we're talking about.

14 MR. WRIGHT: Yeah. That's  
15 the -- well, if I don't --

16 MS. WHITTAKER: So this  
17 probably includes just a regular broom too,  
18 doesn't it?

19 MR. THOMPSON: No.

20 MS. WHITTAKER: Or is it  
21 under --

22 MR. THOMPSON: The broom  
23 goes -- it goes up under the operators, I think.

24 MR. WRIGHT: If that's the  
25 case, then that's already done. My apologies.

1                   MR. HERROD: I will tell you  
2 that all of the submissions, responses we have,  
3 the surface preparation technologies is one. They  
4 were in the \$24 range. Protek Coatings was \$22  
5 surface. Diamond Specialized, Inc., is that the  
6 one we're talking about? They were --

7                   MS. WHITTAKER: Yes, that is  
8 the cleaning.

9                   MR. THOMPSON: That's the  
10 tunnel people.

11                  MS. WHITTAKER: Uh-huh.

12                  MR. HERROD: Well, it was  
13 32 1/2 per hour. So it did take it up. It did  
14 skew it up, like you say. Now, if there's some  
15 reason that we need to -- you can -- if we see a  
16 problem with some data and you want to exclude it,  
17 you can do that, if you want to.

18                  MR. WRIGHT: So what is  
19 surface preparation technologies doing?

20                   Gwen, do you have any idea? Are they  
21 potholing or -- with the vacuum trucks?

22                  MR. HERROD: Brian?

23                  MR. EAGAN: I think they're  
24 doing scored shoulders.

25                  MR. THOMPSON: Yeah. I was

1 going to say, they're doing shoulder work.

2 MR. EAGAN: Scored shoulders.  
3 So they're probably building up their milling,  
4 clipping from the scoring of shoulders.

5 MR. WRIGHT: So they're a  
6 gypsy crew, in a different state every week.

7 MR. THOMPSON: Yes. They're  
8 all over the place.

9 MS. WHITTAKER: So you did  
10 have civil constructors that submitted survey too,  
11 and they were \$26 an hour.

12 MR. THOMPSON: Did Jones  
13 submit anything for that?

14 MR. HERROD: Who? Jones?

15 MR. THOMPSON: Jones Brothers.  
16 I mean, ours was a salaried person.

17 MR. HERROD: No, sir.

18 MR. THOMPSON: I already know  
19 that. We have them, but we have a salaried  
20 person.

21 Oh, there it is.

22 MR. HERROD: If you would like  
23 to exclude the Diamond Specialties Incorporated  
24 data, we can do that, if you think it's skewing  
25 that particular craft. The largest portion --

1 MR. THOMPSON: That's what we  
2 did last year. We excluded them, and that's how  
3 we came up with a number that was in the 20s.

4 MR. HERROD: Right.

5 MR. THOMPSON: So I think we  
6 ought to do that again.

7 MR. HERROD: Okay.

8 MR. WRIGHT: Diamond  
9 Specialized is not paying attention to the scale  
10 anyway.

11 That column that said location, is  
12 that the location of the company? Because there  
13 was a Salt Lake City, Utah.

14 MR. HERROD: That's the  
15 company.

16 MR. WRIGHT: Okay. So there's  
17 only one from Tennessee?

18 MR. HERROD: We can utilize  
19 the \$24.50 hourly rate. We can exclude that data.  
20 When we come back next Tuesday, I'll have that  
21 updated, make sure everything is correct there.  
22 And then we can get that particular craft -- but  
23 it will be in the \$26 range based upon the numbers  
24 that we have here -- \$24 range.

25 CHAIRMAN SCOTT: What number

1 do you want to use for the sake of that?

2 MR. HERROD: For the sake of  
3 that, let's use \$24.50 and adjust it by --

4 CHAIRMAN SCOTT: \$24.50?

5 MR. HERROD: \$24.50 and adjust  
6 it. \$25.50, that rate.

7 Jamie, it will show up in red, maybe,  
8 but put \$25.50 for that, for Sweeping Machine  
9 item. Okay.

10 Craft Number 21, there was an overall  
11 increase of, for the Truck Driver, 2 axle,  
12 4.82 percent. Since that was already increased,  
13 we can take the survey and leave it like it is or  
14 adjust it by 4 percent, your choice. If we take  
15 it 4 percent above the current survey rate, it  
16 takes it to \$24.63. Is that okay, \$24.63?

17 (No verbal response.)

18 MR. HERROD: Craft Number 22,  
19 we take it up 4 percent, \$24.29.

20 MR. EAGAN: Can you check that  
21 22, please? 21.

22 MR. HERROD: 21?

23 MR. EAGAN: \$22.63 times  
24 4 percent? Did I hear that correct?

25 MR. HERROD: Craft Number 21,

1 I have a survey rate of \$23.72. 4 percent would  
2 be \$24.63.

3 MR. EAGAN: Okay.

4 MR. HERROD: Is that okay?

5 MR. EAGAN: I'm sorry. Okay.

6 MR. HERROD: We're good.

7 Okay. I think the calculations look right now.

8 22 was \$24.29.

9 23, Truck Driver, 5 axle, it was  
10 actually -- the survey rate was lower than last  
11 year by 80 cents, an overall decrease of 2.85. I  
12 suggest that we take it up 6 percent to keep the  
13 differential between the -- is that okay?

14 MR. THOMPSON: Yes.

15 MR. HERROD: All right. That  
16 makes it \$28.85.

17 Unskilled Laborer was just a  
18 0.2 percent increase over last year's rate. So if  
19 we go up 4 percent over the survey, takes it to  
20 \$21.84.

21 Worksite Traffic Coordinator is  
22 decreased over last year's rate by 4.39 percent.  
23 So the most we can go up is -- we only give it  
24 about a 1 1/2 percent increase. But that's the  
25 max we can do overall. So 6 percent increase will

1 take it to \$28.04.

2 Let's go back over it one more time  
3 to go down these numbers again to validate.

4 Item Number 21, Blaster, was \$27.34;  
5 Bricklayer was \$19.71; Carpenter, \$25.07; Class A  
6 Operator was \$28.96; Class B Operator, \$26.21;  
7 Class C, \$27.79; Class D was \$26.60; Concrete  
8 Finisher, \$24.30; Drill, Caisson, Operator, we'll  
9 have to go with the survey rate. We'll go \$40.01.

10 CHAIRMAN SCOTT: You had  
11 40.10.

12 MR. HERROD: 40.10? I'm  
13 sorry.

14 Electrician, Craft 10, \$36.54; item  
15 Number 11, \$21.05; Number 12, \$26.93; 13, \$23.35;  
16 14, \$31.55; 15, \$31.49; 16, \$29.35; Item 17,  
17 \$36.45; Item 18 was \$24.01; Survey Instrument  
18 Operator was \$30.62; Number 20, Sweeping Machine,  
19 we said we would -- it will be in that --

20 What did I say, Jamie? Or did I say  
21 anything or did I put it up there? \$25.50 range.

22 I can't give an exact number. I want  
23 to go flip back through there, make sure I have  
24 all the hours corrected. We'll have to come back  
25 at the next meeting and -- with an updated

1 spreadsheet anyway, and we can go over it at that  
2 time.

3                   21, Truck Driver, \$24.63; 3-to-4  
4 axle, \$24.29; 5-or-more axle driver, \$28.85;  
5 Unskilled Laborer, \$21.84; Worksite Traffic  
6 Coordinator, \$28.04.

7                   CHAIRMAN SCOTT: Tom, are you  
8 ready for a motion to approve the proposed  
9 numbers?

10                   MR. HERROD: Well, yes, sir.  
11 What I just went over, I'm assuming that you want  
12 to, but you tell me. I would assume that those  
13 would be the proposed numbers, that we just went  
14 over a second time there. Is that good? Knowing  
15 that Number 20, come up with the right figure on  
16 that, give you a ballpark range, it would be  
17 around \$25.50. At the next meeting, we'll do a  
18 final approval for everything and get everybody's  
19 agreement on that. Is that good?

20                   MS. WHITTAKER: I had a couple  
21 of questions, if I may.

22                   MR. HERROD: Okay.

23                   MS. WHITTAKER: On Craft 11,  
24 on that Farm Tractor Operator, since we talked  
25 about some of the description. The description in

1 the rules is a little bit different than what's on  
2 the survey.

3 MR. HERROD: Okay. Can you  
4 tell us --

5 MS. WHITTAKER: So I'm just  
6 wondering if we're all clear on what that's  
7 supposed to be.

8 MR. HERROD: Okay.

9 MR. THOMPSON: I take it as a  
10 self-propelled broom or hoist.

11 MS. WHITTAKER: So when I'm  
12 thinking about that 11, I'm thinking about like an  
13 agricultural tractor --

14 MR. THOMPSON: It could be.

15 MS. WHITTAKER: -- with bush  
16 hogs and stuff like that on it --

17 MR. THOMPSON: Well, but it  
18 could also have a broom on it. You can have a PTM  
19 with a broom on the back of it.

20 MS. WHITTAKER: Yeah. But if  
21 you look at -- it's just a little bit confusing  
22 because it's got the same description in the  
23 survey as it has on that Class D Operator.

24 MR. WRIGHT: I know which one  
25 I would want to get paid by.

1 MS. WHITTAKER: I mean, it may  
2 be fine, but it's a little bit confusing.

3 MR. WRIGHT: Do you mind  
4 reading the description?

5 MS. WHITTAKER: Sure.

6 So for 11, the Farm Tractor Operator  
7 (Power Broom) means one who operates a small  
8 gasoline- or diesel-powered, four-wheel,  
9 rubber-tired tractor with a farm tie. May oil,  
10 grease, or otherwise service and make necessary  
11 adjustments to equipment as needed and may perform  
12 other related duties. Note, the tractor is used  
13 to pull pneumatic rollers and is operated by  
14 steering with the wheel and brake clutch.

15 And if you go back up to the Class D  
16 Operator, Number 19, it talks about tractor  
17 operator, boom and hoist. It means one who  
18 operates a rubber-tired crawler tractor with an  
19 attached boom and hoist, moves levers to raise and  
20 lower materials and miscellaneous items in  
21 trenches and excavations, may oil, grease, or  
22 otherwise service and make necessary adjustments  
23 to equipment as needed and may perform other  
24 related duties.

25 And that's the description that's in

1 the survey.

2 MR. HERROD: Are you saying  
3 the survey that went out to everybody was  
4 mismatched?

5 MS. WHITTAKER: Looks like it.  
6 Now, did that change the survey data? I don't  
7 know. Probably not, but --

8 MR. EAGAN: This is Brian  
9 Eagan with TDOT. Why this is important is we just  
10 had our mowing lettings, and we've instructed our  
11 mowing contractors that the mower operators will  
12 operate the farm plate tractor for pulling bush  
13 hogs, mowing our grass, use that classification  
14 for the mowers to cut our grass in our  
15 right-of-way.

16 MR. THOMPSON: Which  
17 classification?

18 MS. WHITTAKER: 11.

19 MR. EAGAN: 11, Farm Tractor  
20 Operator.

21 MR. HERROD: That's the  
22 companies that submitted data, was Caudill Mowing,  
23 Lehman-Roberts, M&M Contract Mowing. So  
24 apparently, the people that submitted the survey  
25 is correct.

1 MR. THOMPSON: Lehman-Roberts  
2 is a broom.

3 MR. HERROD: Lehman-Roberts is  
4 a broom operator?

5 MR. THOMPSON: Yeah. So is  
6 Mill It Up, LLC.

7 MS. WHITTAKER: Yes. We had  
8 two mowers submit, M&M and Caudill.

9 MR. HERROD: So we had those  
10 two -- the Mill It Up and Lehman Brothers should  
11 have been over in the broom?

12 MR. WRIGHT: I don't think so.

13 MR. THOMPSON: See, I don't  
14 either.

15 MR. WRIGHT: I think they're  
16 in the right place.

17 MR. THOMPSON: Yeah, because  
18 they're two different machines. Like, when I  
19 think of the -- when I look at 20, I mean, the  
20 word "vacuum" is the keyword for me that triggers  
21 it. And that means it's a truck that's not only  
22 brooming, but it's also sucking it up and you're  
23 dumping. Whereas, you know, when you go back up  
24 to 11, I mean, it talks about being an attached  
25 boom or -- I mean, I just -- I mean, they're two

1 totally different machines.

2 I mean, if you want to put them in  
3 different spots, you can, but you can't have them  
4 in the same because they're -- I mean, the vacuum  
5 truck is subject to -- they're probably going to  
6 have to be a CDL. Whereas, somebody who's running  
7 a broom, per se, is not. That's almost a  
8 skilled-labor position, almost.

9 MR. WRIGHT: A broom is a  
10 \$100,000 piece of equipment, one of those  
11 high-tech vacuum trucks. Maybe half a million,  
12 probably.

13 MR. THOMPSON: It's 2-, 300,  
14 350, maybe.

15 MR. WRIGHT: If you don't  
16 mind, Tom, could we see who reported on Number 7,  
17 if you would, in that D Operators...

18 MR. HERROD: Yes.

19 Jamie, do you want to go to the  
20 company drag-down and just go A to Z on Number 7?  
21 And maybe that will help see who's in there.

22 Is there anybody in there that  
23 shouldn't be in there?

24 MR. WRIGHT: I don't know what  
25 else is in the Class D Operator.

1                   MR. THOMPSON: Well, that  
2 could be a bobcat. That could be a skid steer.  
3 It could be, I mean --

4                   MR. WRIGHT: I don't see  
5 anything that stands out wrong.

6                   MR. HERROD: Okay. Is there  
7 anything we need to adjust on this data for --

8                   MR. THOMPSON: What if we  
9 put -- is there an argument to say that the  
10 broom -- not the boom, not the tractor -- the  
11 broom go under D? You're trying to get it away  
12 from -- I mean, it doesn't need to be in the same  
13 thing as a vacuum truck.

14                  MR. EAGAN: I ask the question  
15 is the boom a hoist? Those old tractors, those  
16 bulldozer tractors, got the boom off to the side  
17 and it's picking and dropping plate or something  
18 into the trench. And that type of a tractor  
19 versus a farm-type tractor or a Caterpillar-type  
20 tractor, heavy steel --

21                  MR. WRIGHT: A side boom?

22                  MR. THOMPSON: What year are  
23 we talking? I think that's the problem here.

24                  MR. EAGAN: It says, operates  
25 a rubber -- the tractor type under Class D is a

1 rubber tire or crawler-type tractor. Again, going  
2 back to the old crawler-type bulldozer tractor  
3 with the boom and hoist used for installing  
4 pipeline systems.

5 MR. WRIGHT: I think this kind  
6 of goes way back, because when I was a child, most  
7 every compactor was pulled by a farm tractor and  
8 it was the old sheepsfooter. What do you call  
9 them? Pneumatic rubber tire ones.

10 MR. HERROD: I can tell you  
11 that if you look at the sheet with this header  
12 right here, the brown header, and you look at the  
13 contractor wages, apparently what they're  
14 sending -- these companies are sending to TDOT are  
15 consistent with what the survey says. So I don't  
16 know if this is being looked at by TDOT on a  
17 quarterly basis or weekly basis. All I can do is  
18 verify that this is consistent with TDOT wages.  
19 If there's something in there you want to exclude  
20 or take out and have reason to do so, we can do  
21 that again for that class.

22 MR. WRIGHT: We just had to do  
23 our 10 minutes of memory lane. We're good to go.

24 MR. HERROD: War stories.

25 MR. THOMPSON: I think what

1 you're basically saying, though, Gwen, is the  
2 description of the craft classification does not  
3 match with the longhand verbiage.

4 MS. WHITTAKER: On the survey.

5 MR. THOMPSON: Yes.

6 MS. WHITTAKER: On the survey,  
7 yeah.

8 MR. THOMPSON: And  
9 everybody -- well, I should say, a lot of people  
10 look over and they see, oh, it's a farm tractor or  
11 a power broom -- boom.

12 MR. HERROD: Okay. I'll make  
13 sure that that is updated, corrected. And then  
14 we'll have you look at it, or send that to you  
15 before the next one.

16 MR. THOMPSON: Where is the  
17 power broom supposed to go?

18 (No verbal response.)

19 MR. HERROD: I couldn't tell  
20 you that. I don't know anything. Perhaps if we  
21 have a -- is that another one that we need to  
22 consider as a separate class or better  
23 description?

24 MR. THOMPSON: I would change  
25 the description. Leave it in there but just add

1 to the description.

2 MR. HERROD: Okay. Could I  
3 get one of you three to send me what the  
4 description ought to read? And we can work on  
5 that next time.

6 MR. THOMPSON: Does TDOT agree  
7 with that? I mean, that's the...

8 CHAIRMAN SCOTT: Who's going  
9 to agree to do that?

10 MS. WHITTAKER: Sure.

11 Well, I just think it needs to be  
12 clarified. It's just confusing, especially like  
13 for our mowers, where they fall in.

14 MR. HERROD: Okay.

15 MR. WRIGHT: Agree.

16 CHAIRMAN SCOTT: We're in  
17 agreement with that? Okay.

18 MR. HERROD: Was there any  
19 other questions, comments?

20 (No verbal response.)

21 MR. HERROD: Okay. When we  
22 gather back together next time, I'll have the data  
23 cleaned up for those -- the correction we need to  
24 make on Craft Number 20 and give you the exact  
25 rate that we can put in for next year's rate.

1 Deputy Scott, that's all I have.

2 CHAIRMAN SCOTT: Let me get a  
3 motion to approve the 25 different proposed  
4 classifications for 2024.

5 MR. WRIGHT: I would make that  
6 motion.

7 CHAIRMAN SCOTT: A second?

8 MR. THOMPSON: Second.

9 CHAIRMAN SCOTT: All in favor  
10 of accepting the 25 classifications' proposed  
11 rates, let it be known by stating "aye."

12 (Affirmative Response.)

13 CHAIRMAN SCOTT: Any opposed?

14 (No verbal response.)

15 CHAIRMAN SCOTT: Passed,  
16 proposed rates.

17 Thank you, Tom.

18 MR. HERROD: Thank you. Yes,  
19 sir.

20 CHAIRMAN SCOTT: Our next  
21 future prevailing wage meeting date is November  
22 the 28. That will be to finalize and approve 2024  
23 prevailing wage rates.

24 If there's no other questions, can I  
25 have a motion to adjourn.

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MS. WHITTAKER: So moved.

CHAIRMAN SCOTT: Second?

MR. WRIGHT: Second.

CHAIRMAN SCOTT: All in favor?

(Affirmative response.)

CHAIRMAN SCOTT: Opposed?

(No verbal response.)

CHAIRMAN SCOTT: Meeting is  
adjourned. Thank you.

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C E R T I F I C A T E

STATE OF TENNESSEE )  
COUNTY OF WILLIAMSON )

I, Cassandra M. Beiling, a Notary Public  
in the State of Tennessee, do hereby certify:

That the within is a true and accurate  
transcript of the Prevailing Wage Commission  
Meeting taken on the 20th day of December, 2023.

I further certify that I am not related to  
any of the parties to this action, by blood or  
marriage, and that I am in no way interested in  
the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my  
hand this 7th day of December, 2023.

-----  
Cassandra M. Beiling, LCR# 371  
Notary Public State at Large  
My commission expires: 3/10/2024