
Emergency Rules

**Title 8—DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules**

EMERGENCY AMENDMENT

8 CSR 30-3.050 Posting of Prevailing Wage Rates. The division proposes to amend section (1).

PURPOSE: This amendment implements statutory changes to the Missouri Prevailing Wage Law enacted by the passage of HB 1729 (2018).

EMERGENCY STATEMENT: This emergency amendment incorporates and implements changes to the Missouri Prevailing Wage Law effected by House Bill 1729 (2018), effective August 28, 2018. Emergency amendment of this rule is necessary to preserve the compelling governmental interest of successfully implementing the changes to sections 290.210–290.340, RSMo made by House Bill 1729 (2018) regarding the applicable wage rates for public works within the state of Missouri and ensuring consistent implementation of law. Provisions of the existing rule are inconsistent with the provisions of sections 290.210–290.340, RSMo, effective August 28, 2018, and must be amended early to avoid confusion on the part of contractors, workers, and public entities. Emergency amendment of the rule will also assist contractors in avoiding potential civil liabilities and assist officers, officials, members, agents, and representatives of contractors and public entities in avoiding potential criminal penalties. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The Department of Labor and Industrial Relations believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed November 21, 2018, becomes effective December 1, 2018, and expires May 29, 2019.

(1) Contractors and subcontractors engaged in public works projects shall post the *[prevailing]* **applicable** hourly rate of wages (**the prevailing wage or the public works contracting minimum wage as provided in section 290.257, RSMo**) in a dry, accessible place within the field office at the site of the building or construction job. On public works projects for which no field office is needed or established, such as road construction, sewer lines, pipelines and the like, a contractor/subcontractor may post the *[prevailing]* **applicable** hourly rates of wages at the contractor/subcontractor's local office or batch plant, so long as the contractor/subcontractor provides a copy of the prevailing hourly wage rates to any worker upon request. *[Prevailing]* **Applicable** hourly wage rates must be posted and maintained in a clearly legible condition for the duration of the public works project as provided by law.

AUTHORITY: section 290.240, RSMo [1986] **Supp. 2018**. Original rule filed Aug. 24, 1990, effective April 29, 1991. Emergency amendment filed Nov. 21, 2018, effective Dec. 1, 2018, expires May 29, 2019. An emergency amendment and a proposed amendment covering this same material will be published in the January 2, 2019, issue of the *Missouri Register*.