

# NOTICE OF PUBLIC HEARING

Notice is hereby given that the Ohio Department of Commerce in accordance with Ohio Revised Code § 119.03 intends to rescind one rule and amend 21 rules governing Prevailing Wage Regulations found in Ohio Administrative Code § 4101:9-4 et seq.

The following rules are being amended for the reasons set forth below:

4101:9-4-01 through 4101:9-4-10; 4101:9-4-12 through 4101:9-4-18; 4101:9-4-20, 4101:9-4-21 and 4101:9-4-23 through 41019-4-28:

This rule package implements the prevailing wage requirements established in Chapter 4115. of the Revised Code dealing with wage and hour regulations on public works projects. The Law requires a minimum wage to be paid to laborers, workers, or mechanics that are employed on public improvement construction projects. Prevailing wages are the sum of the employees' hourly rate of pay and other verified fringe benefits like health insurance, vacation pay, and retirement contributions. The wage rates are primarily tied to local collective bargaining agreements that are negotiated between employers and bona fide organizations of labor.

Prevailing wages only apply when there is a public interest in the construction and the project costs exceed thresholds established by law. While there are a number of exceptions to the law, like the exclusion of K-12 construction, the law generally applies to construction undertaken by or for most public entities.

The package contains only grammatical or stylistic changes and is being submitted as part of the five-year rule-review process.

**The Department will conduct a public hearing on the proposed rules on September 17, 2024, at 1:30 p.m. at the offices of the Division of Industrial Compliance, 6606 Tussing Road, Training Room 3, Reynoldsburg, Ohio 43068-9009.**

The proposed rules are available by contacting the Ohio Department of Commerce, Division of Industrial Compliance, Office of Division Counsel, 6606 Tussing Road, Reynoldsburg, OH 43068, by calling (614) 752-7124. The proposed rules are also available at the following website: [www.registerofohio.state.oh.us](http://www.registerofohio.state.oh.us).

At the public hearing, any person affected by the proposed actions may appear and be heard in person, by the person's attorney, or both, may present the person's position, arguments, or contentions, orally or in writing, offer and examine witnesses, and present evidence tending to show that the proposed rule or amendments, if adopted or effectuated, will be unreasonable or unlawful.

Any person who wishes to present his or her position, arguments or contentions in writing may do so by mailing his or her written comments to the Ohio Department of Commerce, Division of Industrial Compliance, Office of Division Counsel, 6606 Tussing Road, Reynoldsburg, OH 43068.

Written comments may also be submitted at the hearing. All written comments must be submitted to the Department no later than 5:00 p.m. September 17, 2024. Written comments submitted after this date may be considered as time and circumstances permit.

**The Ohio Department of Commerce is an equal opportunity service provider.**