

FINALLY! An Administration That Gets It.



The Construction Business Group hosted its 3rd Annual Winter Conference at the Kalahari Resort in the Wisconsin Dells in February. Nearly 150 building trade professionals, contractor association staff, contractor executives, utility representatives, and government officials attended the two-day conference.

We had an amazing line-up of speakers and topics. **Governor Tony Evers** spoke about his vision for Wisconsin, and **WisDOT Secretary Craig Thompson** gave the crowd his transportation funding outlook. **DWD Secretary Caleb Frostman** opened the conference with insight into plans for reprioritizing enforcement at the DWD. **Attorney General Josh Kaul** participated in a panel discussion with other notable guests on combatting payroll fraud in the construction industry, a growing problem that makes it hard for law-abiding signatory contractors to fairly compete for work.

Common themes developed over the two-day conference. The new administration: 1) understands the importance of investment in infrastructure to Wisconsin's economic health; 2) respects the hardworking men and women of the construction trades; and 3) intends to hold contractors who are breaking the law and exploiting workers accountable so that law-abiding contractors can fairly compete. The governor, attorney general, and secretaries were not just giving lip service to these issues during CBG's conference.

Governor Evers announced the same themes to all residents of Wisconsin during his 2019-21 budget address on February 28. Governor Evers proposed \$608 million in new revenue to begin fixing the state's roads and bridges. The increase in revenue derives from an 8 cent gas tax increase and higher heavy truck and titling fees. However, the tax and fee increases are largely offset by Governor Evers' proposal to eliminate the regressive Minimum Markup law on gasoline, which can cost taxpayers 12 cents or more per gallon. Governor Evers' budget also substantially reduces bonding for transportation. Less borrowing is better for Wisconsin's economy and future generations.

In addition to outlining bold and meaningful funding options for funding transportation, Governor Evers clearly signaled his support for working men and

women, as well as the construction industry, by calling for the reinstatement of Wisconsin's Prevailing Wage Laws, the repeal of the "Right to Work" law, return of municipal discretion to use PLAs for their projects, and the implementation of a middle-class tax cut.

Given that the Republicans control both the Senate and Assembly, it seems unlikely that Governor Evers' proposals will survive the budget process intact. However, Governor Evers is keeping his campaign promises. It appears that we *finally* have an administration that understands and respects the construction industry and intends to fight for what is best for all Wisconsin residents.

A handwritten signature in black ink, appearing to read "Robb Kahl".

Robb Kahl,
CBG Executive Director



Third Annual Construction Business Group Conference.

Who Is A Responsible Bidder?

By John Paitl, CBG Wage & Hour Investigator and Cynthia L. Buchko, CBG General Counsel

In our great state, and across the nation, the offer of assistance and the willingness to help a neighbor is a quality that can strengthen a community, a neighborhood, and a family. In times of emergency, mutual assistance is often critical and can save lives and reduce additional property damage. However, when infrastructure projects go wrong, there is a cause for serious concern for everyone.

CBG employs seven wage and hour investigators that work in designated regions throughout the state. These investigators review and often investigate public and private construction projects to ensure project bidding, contract awards, wage rates, work rules, and job classifications are properly followed. Too often, CBG finds itself investigating a project that has gone sideways—over budget, over time, questionable employment practices, and more.

Generally, public works projects must be competitively bid and awarded to the “lowest responsible bidder.” Whether a bidder is “responsible” is left largely to the discretion of a municipality, school district or state agency overseeing the project. However, there are steps that a project owner can take to protect itself.

Bid statutes allow municipalities to require a sworn statement as to the bidder’s “responsibility” prior to submitting a bid. Municipalities can request: verification of a principal place of business; proof of licensure to do business in Wisconsin; disclosure of investigations and law violations; proof of a substance abuse prevention program, required by Wis. Stat. § 103.503; proof of training and safety programs; proof of financial ability to perform; examples of previous similar experience; and much more.

Some municipalities have taken the step of enacting an ordinance setting forth responsible bidder standards and requiring disclosure of information relevant to determining whether a bidder is responsible. Brown County, Douglas County, the City of Superior and the City of Madison are a few examples of municipalities that have codified responsible bidder standards.

Even in the absence of specific bidder prequalification forms or a responsible bidder ordinance, project owners can conduct independent research to verify the responsibility of a bidder. Additionally, general contractors can and should conduct research on subcontractors to ensure that subs being used are responsible and reliable. CBG has a resource that can assist project owners

and general contractors in their independent research.

CBG has compiled publicly available information on over 8,700 contractors. CBG has compiled debarments, state and federal court judgments, wage and hour violations, OSHA violations, and made the information and public documents available to registered users. CBG’s Bidder Database is FREE and accessible through our website, <https://www.cbgwi.com/bidder-database/>.

If you have information about contractors who have failed to responsibly perform public works contracts, let us know! Email us (cbginfo@cbgwi.com) the name of the contractor, the municipality or state agency involved, and the name/location of the project and we will do the rest.

Meet CBG’s New Northeast Investigator, Dave Wesely



CBG is pleased to announce that Dave Wesely has joined the team as the wage and hour investigator for northeast Wisconsin. Dave replaced Neil Strobel, who retired in December. Dave came to CBG from the Green Bay Police Department, where he retired last year after serving 29 years in law enforcement. Over his 29-year law enforcement career, Dave rose through the ranks and held various positions including Patrol Officer, SWAT member, Community Police Officer, Patrol Supervisor, Field Training Coordinator, Training Lieutenant and Professional Standards Lieutenant.

Dave was also one of the police department’s SWAT supervisors, and spent time with the Drug Task Force as a supervisor overseeing investigators. It was Dave’s extensive investigatory experience and outgoing personality that made him such an excellent addition to CBG.

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Dave is married with three kids and lives in the rural Green Bay area on a small farm. His family enjoys all school sporting activities, snowmobiling, hunting, fishing, and any outdoor activity involving horses.

Please help us welcome Dave to CBG!

Everything You Need To Know About Apprenticeship

As we continue to focus on workforce outreach and recruitment, discussions about apprenticeship are commonplace among members, contractors, educators, and students. The Operating Engineer's online pre-apprenticeship program for high school students continues to grow and generate substantial interest. To simplify the different apprenticeship options, here's an apprenticeship overview:



What Is Pre-Apprenticeship?

Pre-apprenticeship prepares individuals for Registered Apprenticeship.

State of Wisconsin Requirements

- Be certified by the Wisconsin Apprenticeship Advisory Council
- Is promoted and supported by the DWD Bureau of Apprenticeship Standards
- Has a partnership with a Registered Apprenticeship program
- Prepares the trainee with the skills and competencies needed to enter apprenticeship
- Complies with the quality standards of best practice models



Operating Engineers Pre-Apprenticeship

Wisconsin Operating Engineers are proud to be partners in Destinations Career Academy of Wisconsin. The pre-apprenticeship program is the first online public charter school to offer Career and Technical Education courses that allow a student to prepare for an apprenticeship with the Wisconsin Operating Engineers. Students can earn high school and technical college credits AND fulfill apprenticeship coursework requirements.

Available Operating Engineers Pre-Apprenticeship Courses

- Operating Engineers Career Exploration
- Basic Equipment Maintenance*
- Basic Grade*
- Commercial Driver's License Preparation
- Math for the Trades**

As a pre-apprenticeship program certified by the State of Wisconsin, the curriculum is directly aligned with the Operating Engineers registered apprenticeship program. To learn more about the online pre-apprenticeship courses through Destinations Career Academy, contact Laura Cataldo at 608-616-2835 or laura.cataldo@bakertilly.com.

* courses dual enrolled through Fox Valley Technical College & required of apprentices

** CTE elective or math credit



What Is Youth Apprenticeship?

Wisconsin's youth apprenticeship program is a school-to-work initiative that combines classroom academic instruction with mentored on-the-job paid training.

Youth Apprenticeship Requirements	Available Construction Trades	Required Skills
<ul style="list-style-type: none">• 450 Hours (minimum) of Paid Workplace Experience• 180 Hours of Classroom Instruction Per Year• One or Two Years in Length	<ul style="list-style-type: none">• Carpentry• Electrical• Masonry/Concrete• Mechanical/HVAC• Plumbing/Sprinkler Fitting	<ul style="list-style-type: none">• Core Skill (Apply Knowledge, Communication Skills, Critical Thinking, Responsibility, Cooperation, etc.)• Certifications (OSHA 10 and First Aid)• Trade Specific Fundamentals• Safety

Work hours vary and can take place during work release from school, before/after school, or during school holidays and breaks.



Rules & Regulations Of Youth Apprenticeship

1. Youth apprentices, employers, and schools have a written Education/Training Agreement that is approved by DWD.
2. Youth apprentices are subject to all state and federal child labor laws. Youth apprentices are allowed to work in some prohibited occupations (example: excavation operation or motor vehicle driver) because they meet the criteria of "student learner" AND the work is incidental (less than 5% of their time) to their training and for intermittent and short periods of time.
3. Youth apprentices are covered by general liability and worker's compensation policies through the employer.
4. Youth apprentices are required to provide their own transportation to and from the workplace and their own insurance coverage.
5. Youth apprentices are not eligible for unemployment compensation.

Full details on the State of Wisconsin Youth Apprenticeship for Construction.

We have heard concerns about youth operating equipment, especially with landscaping companies. If you suspect a contractor in your area is unlawfully employing youth for this work, please contact a wage and hour investigator at Construction Business Group or email us at cbginfo@cbgwi.com.