

# PREVAILING WAGE & ANNUALIZATION HISTORY

## 1996 – 1999

### The Beginnings

GMR was a third-party administrator (TPA) for two prevailing wage Trusts (VEBA) operating in New York State (NYS).

### Industry Expert

Provided support and expertise to the ABC, GBC and AGC regarding the Annualization regulatory changes and issues.

### Health and Welfare Plan & Trust is Born

GMR ended its role as TPA for prevailing wage Trusts and engaged Phillips, Lytle, LLP to begin writing a proprietary Health and Welfare Plan and Trust.

## 2000 – 2003

### Health & Welfare Plan & Trust Goes Live

Writing of the GMR Health and Welfare Plan and Trust was completed, and sales begun.

### Industry Trade Support

Continued to provide support to industry trade associations and their members struggling with NYSDOL Annualization investigations and compliance.

### Legislative Relief Advocacy

Met with ranking member of the NYS Senate Labor Committee seeking legislative relief from the Annualization regulation.

### New York State Advisors

Met with Director of the NYS Bureau of Public Work and Counsel for the NYSDOL to discuss the 1999 "Notice", challenging the logic and effect.

### Improving Customer Experience

Programming of proprietary administrative software for the Trust was begun.

### NYSDOL Annualization Consulting

Consulted with Counsel for the NYSDOL on the drafting of new Annualization regulations.

## 2000–2003 (cont'd)

### 1999 Notice & Interpretation

Met with the Commissioner, Deputy Commissioner, and Counsel for the NYSDOL to question and challenge the “1999 Notice” and the interpretation of the 1992 SAPA regulation.

### NYS Senate & Assembly Meetings

Held regional meetings with NYS Senators and Assemblymen to present Annualization issues and compliance concerns.

### Annualization Regulation Analysis

Meeting with Governor’s Office of Regulatory Reform to review all of the background, court cases and issues concerning Annualization, clearly making the case that the Annualization regulation does not match the law.

### Compliance Strategizing

Worked with contractors struggling with Annualization enforcement and assisting them in establishing compliant strategies.

## 2004–2007

### Annualization Presentation

Met with Commissioner of NYSDOL to present standardized enforcement concerns and the harmful effect of the Annualization regulation on the worker.

### Proposed Annualization Discontinuation

Met with three NYS senators to discuss a bill to end annualization.

### Annualization Compliance Workshops (Fall)

Held five regional Annualization Compliance Workshops in conjunction with the Director of the NYS Bureau of Public Work.

### Annualization Enforcement Review

Met with Deputy Commissioner of NYSDOL to express concerns and ask questions about Annualization enforcement.

### Annualization Compliance Workshops (Spring)

Held five regional Annualization Compliance Workshops in conjunction with the Director of the NYS Bureau of Public Work.

### NYS Annualization Procedure Review

Met with the Commissioner, Deputy Commissioner, Counsel for the NYSDOL and ranking member for the NYS Senate Labor Committee to discuss the writing of clear, concise NYS Annualization procedure manual (similar to the USDOL Field Book).

## 2004–2007 (cont'd)

### **NYS Annualization Procedure Manual**

At the request of the NYSDOL, GMR wrote an Annualization Procedure Manual and submitted for approval.

### **Client Annualization Program**

Met with Director of the NYS Bureau of Public Work to discuss a formal annualization program to be used for GMR Clients.

### **Annualization FAQ Review**

Met twice with Deputy Commissioner of NYSDOL and Director of NYS Bureau of Public Work to discuss inconsistencies in NYSDOL Annualization FAQ.

### **Pay Stub Reporting Accommodations**

Worked with payroll vendor to modify pay stub set up and reporting to accommodate new NYSDOL requirements.

### **NYS Annualization Procedure Manual Approval Received**

GMR received NYSDOL approval of the Annualization Procedure Manual.

### **Adoption of Annualization Manual**

Met with ranking member of NYS Senate Labor Committee regarding adoption of the Annualization Procedure Manual.

### **Annualization Relief**

Met with NYS Assembly Republican Leadership to explain Annualization and the issues surrounding the regulation, asking for legislative relief.

## 2008–2011

### **First Pay Stub Reporting Approval**

First in state to develop NYSDOL-compliant prevailing wage pay stub set up and reporting.

### **Prevailing Wage & Annualization Webinars**

Produced and presented webinars on prevailing wage and annualization.

### **Davis-Bacon Annualization Methodologies**

Worked with Republicans in the NYS Senate and Assembly in crafting a bill that would require the NYSDOL to adopt Davis-Bacon methodologies for Annualization.

### **Industry Association Meetings**

Presented prevailing wage and Annualization programs to industry association meetings.

## 2012 – Present

### Weekly Annualization

Worked with NYSDOL to resolve a long-standing investigation and develop a methodology and software to annualize weekly.

### Industry Association Meetings

GMR continues to present prevailing wage topics and Annualization programs to industry association meetings.

### Prevailing Wage & Annualization Webinars

Produced and presented webinars on prevailing wage and annualization.

### Prevailing Wage & Investigation Guidance

We continue to present programs aimed at helping contractors prepare for NYSDOL and USDOL investigations as well as successfully guide clients through investigations.

## The Future

**WE CONTINUE TO DEVELOP CUTTING EDGE SERVICES, PROVIDING SUPPORT FOR PREVAILING WAGE AND ANNUALIZATION AS A TOOL TO REDUCE LABOR RATE AND BID MORE EFFECTIVELY, ALL WHILE HELPING OUR CLIENTS STAY IN COMPLIANCE.**