

ALERTS**Labor And Employment And Construction Law Alert
- Indiana Repeals Common Construction Wage Act**

May 12, 2015 | [Atlanta](#) | [Chicago](#) | [Columbus](#) | [Delaware](#) | [Elkhart](#) | [Fort Wayne](#) | [Grand Rapids](#) | [Indianapolis](#) | [Los Angeles](#) | [Minneapolis](#) | [South Bend](#)

Indiana Governor Mike Pence has ended Indiana's reliance on the Common Construction Wage Act (CCWA), a system that Indiana's state and local governments have used for eight decades for most publicly funded construction projects.

Last week, Gov. Pence signed into law [House Enrolled Act 1019](#) which repeals the CCWA.

The statute provides that, unless required by federal or state law, public agencies are prohibited from establishing, mandating, or otherwise requiring a wage scale or wage schedule for a public works project.

Under the old system, boards in each county set the hourly wage rates for each job classification for publicly financed projects in that county in excess of \$350,000. The repeal of the CCWA eliminates these local boards and modifies public project bidding to be more similar to bidding in private sector projects.

Proponents of the act say that wages on public projects should be set by the marketplace and not by the government. In addition, proponents predict significant savings to taxpayers under the new system. Opponents of the act contend that repealing the act will not result in the predicted savings and will instead expose Indiana projects to underpaid and untrained out-of-state construction workers.

In response to those criticisms, the act includes provisions on apprenticeships and the use of the E-Verify system.

Indiana joins West Virginia and Nevada in recently repealing state prevailing wage acts.

For more information, please contact Clifford Shapiro, Chair of the Construction Law Practice Group at clifford.shapiro@btlaw.com or 312-214-4836, Tim Abeska, Vice-Chair, at tim.abeska@btlaw.com or 574-237-1119, or Scott Murphy, Vice-Chair, at scott.murphy@btlaw.com or 616-742-3938 or another member of our Construction Law Practice Group or a leader of the firm's Labor and Employment Department in the following offices:

Kenneth J. Yerkes
Department Chair
(317) 231-7513

John T.L. Koenig
Atlanta
(404) 264-4018

RELATED PEOPLE

Clifford J. Shapiro
Of Counsel (Retired)
Chicago

P 312-214-4836
F 312-759-5646
clifford.shapiro@btlaw.com



Scott R. Murphy
Partner
Grand Rapids

P 616-742-3938
F 616-742-3999
scott.murphy@btlaw.com



Kenneth J. Yerkes
Partner
Indianapolis

P 317-231-7513
F 317-231-7433
ken.yerkes@btlaw.com



William A. Nolan
Partner
Columbus

P 614-628-1401
F 614-628-1433
bill.nolan@btlaw.com

David B. Ritter
Chicago
(312) 214-4862

William A. Nolan
Columbus
(614) 628-1401

Mark S. Kittaka
Fort Wayne
(260) 425-4616

Robert W. Sikkel
Grand Rapids
616-742-3978

Peter A. Morse
Indianapolis
(317) 231-7794

Scott J. Witlin
Los Angeles
(310) 284-3777

Teresa L. Jakubowski
Washington, D.C.
(202) 371-6366

Janilyn Brouwer Daub
South Bend/Elkhart
(574) 237-1130

© 2015 Barnes & Thornburg LLP. All Rights Reserved. This page, and all information on it, is proprietary and the property of Barnes & Thornburg LLP. It may not be reproduced, in any form, without the express written consent of Barnes & Thornburg LLP.

This Barnes & Thornburg LLP publication should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult your own lawyer on any specific legal questions you may have concerning your situation.



Mark S. Kittaka
Partner
Fort Wayne, Columbus

P 260-425-4616
F 260-424-8316
mark.kittaka@btlaw.com



Robert W. Sikkel
Of Counsel (Retired)

P 616-742-3978
robert.sikkel@btlaw.com



John T.L. Koenig
Partner
Atlanta

P 404-264-4018
F 404-264-4033
john.koenig@btlaw.com



Peter A. Morse, Jr.
Partner
Indianapolis, Washington, D.C.

P 317-231-7794
F 317-231-7433
pete.morse@btlaw.com



Scott J. Witlin

Partner
Los Angeles

P 310-284-3777
F 310-284-3894
scott.witlin@btlaw.com



David B. Ritter

Partner
Chicago

P 312-214-4862
F 312-759-5646
david.ritter@btlaw.com



Teresa L. Jakubowski

Partner
Washington, D.C.

P 202-371-6366
F 202-289-1330
teresa.jakubowski@btlaw.com



Janilyn Brouwer Daub

Partner
South Bend, Elkhart

P 574-237-1139
F 574-237-1125
janilyn.daub@btlaw.com

RELATED PRACTICE AREAS

Construction
Labor and Employment
Wage and Hour