

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1782 Session of
1991

INTRODUCED BY VEON, GIGLIOTTI, COLAFELLA, FEE, LAUGHLIN, MELIO,
KOSINSKI, MCGEEHAN, VAN HORNE, KRUSZEWSKI, BELFANTI, JAMES,
BELARDI, HARPER, DALEY, TRELLO, BILLOW, RICHARDSON, RITTER,
RAYMOND, ADOLPH, CIVERA, DURHAM AND GANNON, JUNE 25, 1991

AS REPORTED FROM COMMITTEE ON LABOR RELATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 31, 1992

AN ACT

1 Providing for the establishment of prevailing wages for certain
2 airport employees.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Pennsylvania
7 Airports Prevailing Wage Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "AIRPORT." AN AIRPORT OF ENTRY AND DEPARTURE FOR
13 INTERNATIONAL AIR TRAFFIC WHERE THE FORMALITIES INCIDENT TO
14 CUSTOMS, IMMIGRATION, PUBLIC HEALTH, ANIMAL AND PLANT QUARANTINE
15 AND SIMILAR PROCEDURES ARE CARRIED OUT AND WHICH IS LOCATED IN A
16 COUNTY OF THE FIRST OR SECOND CLASS.

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1 "Fixed-base or in-flight services." Services, including, but
2 not limited to, the following types of work: fueling and oiling
3 aircraft, cleaning aircraft, baggage handling, catering, FOOD <—
4 AND BEVERAGE SERVICE, terminal facilities work, mechanical work
5 related to the maintenance of fuel and ground equipment,
6 maintenance and operation of tank farms, underground systems,
7 unloading fuel from overland transports or barges, and other
8 related work.

9 "Ground employees." All individuals employed by fixed-base
10 or in-flight service companies performing types of work,
11 including, but not limited to, the following: fueling and oiling
12 aircraft, cleaning aircraft, baggage handling, catering, FOOD <—
13 AND BEVERAGE SERVICE, terminal facilities work, mechanical work
14 related to the maintenance of fuel and ground equipment,
15 maintenance and operation of tank farms, underground systems,
16 unloading fuel from overland transports or barges, and other
17 related work.

18 "Prevailing wage." The wage determined by the Secretary of
19 Labor and Industry to be normal and customary for the various
20 classes of ground employees at the airports.

21 "Secretary." The Secretary of Labor and Industry of the
22 Commonwealth, or his designee.

23 "Wage." The basic hourly rate of pay and supplements. The
24 term "supplements" means fringe benefits, including medical or
25 hospital care, pensions, compensation for injuries or illness
26 resulting from occupational activity or insurance to provide any
27 of the foregoing, unemployment benefits, life insurance,
28 disability and sickness insurance, accident insurance, vacation
29 and holiday pay, costs of apprenticeship or other similar
30 programs, and other bona fide fringe benefits not otherwise

1 required by Federal, State or local law.

2 Section 3. Prevailing wage.

3 The rate of wages for all ground employees employed under a
4 contract for fixed-base or in-flight services to aircraft at
5 international airports in counties of the first class and second
6 class shall not be less than the prevailing rate of wages for
7 work of a similar nature performed at the international
8 airports.

9 Section 4. Specifications.

10 The specifications for every contract for fixed-base or in-
11 flight services to aircraft to be performed at international
12 airports in counties of the first class and second class shall
13 contain a provision stating the minimum wage rate that must be
14 paid to the ground employees in the performance of the contract.

15 Section 5. Predecessor contracts.

16 No contractor or subcontractor under a contract which
17 succeeds a contract subject to the provisions of this act and
18 under which substantially the same services are furnished shall
19 pay any ground employee under such contract less than the wages
20 and fringe benefits, including accrued wages and fringe
21 benefits, and any prospective increases in wages and fringe
22 benefits provided for in a collective bargaining agreement as a
23 result of arm's-length negotiations, to which such ground
24 employees would have been entitled if they were employed under
25 the predecessor contracts.

26 Section 6. Dispute resolution.

27 In case any dispute arises as to what are the prevailing
28 rates of wages for work of a similar nature applicable to a
29 contract for fixed-base or in-flight services to aircraft, the
30 matter shall be referred to the secretary, and his decision

1 shall be conclusive on all parties to the contract.

2 Section 7. Failure to comply; termination.

3 In any case where the secretary determines that any person or
4 firm has failed to pay the prevailing wages in accordance with
5 this act, he may direct the termination of the contractor's
6 right to perform fixed-base or in-flight services to aircraft at
7 the international airports.

8 Section 8. Effective date.

9 This act shall take effect in ~~180~~ 60 days.

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