

IX. Appendix

Appendix B Changes in the Projects Covered by Connecticut's Prevailing Wage Law

Year	Type of Project	Type of Work	Threshold
1933	any public building	construction, remodeling, or repair	no limit
1961	any public building	construction, remodeling, or repair	\$5,000 +
1963	any public works project	construction, remodeling, or repair	\$5,000 +
1975	any public works project	construction, remodeling, refinishing, rehabilitation, refurbishing, alteration, or repair	\$5,000 +
1979	any public works project	new construction remodeling, refinishing, rehabilitation, refurbishing, alteration, or repair	\$50,000 + \$10,000 +
1985	any public works project	new construction remodeling, refinishing, rehabilitation, refurbishing, alteration, or repair	\$200,000 + \$50,000 +
1991	any public works project	new construction remodeling, refinishing, rehabilitation, refurbishing, alteration, or repair	\$400,000 + \$100,000 +

*Note: The 1993 language is the original law; subsequent changes are shown in bold type.
Special Acknowledgment to Legislative Program Review and Investigations Committee
for all data in Appendix B.*

Sources of Data: Connecticut General Statutes and Public Acts

Appendix B-1 Dates Specific Projects First Covered by Connecticut Prevailing Wage Law (C.G.S. 31-53)

C.G.S. Sec.	Entities Affected	Projects Covered by the Law	Effective Date
7-112	any political subdivision of Conn. (or its agents)	construction, remodeling, or repair of any public building	1955
7-502(a)	governmental units, primarily municipalities	construction, reconstruction, or rehabilitation of development property as defined I Chap. 114 (City/Town Development Act)	1975
8-74	eligible developers*	moderate rental housing projects constructed under Chap. 128 Part II	1955
8-94	eligible developers*	homes constructed/rehabilitated under Chap. 128 Part III (if 10 + units)	1950
8-117a	housing authorities*	housing for elderly persons under Chap. 128 Part VI	1959
8-169d(c)(6)	contractors or subcontractors	construction or rehabilitation work for most community development plan programs	1975
10a-255(a)	Univ. of Conn. Health Center Finance Corp. or subsidiary hospital facility	contracts for construction	1987
31-53 re prevailing wage rates	the state or any political subdivision of it (or their agents)	construction, remodeling, refmishing, refixbishing, rehabilitation, alteration or repair of any public works project where total cost of work is: \$400,00 + for new construction \$100,000 + for other categories	1933- the state 1961 - political subdivision

*Terminology of contracting party modified over the years - entity listed is current language.

 Effective date listed is first reference to provisions of Section 31-53.

Appendix B-2 Penalties for Failure to Comply with Components of Connecticut's Prevailing Wage Law

Statutory Section	Nature of Violation	Current Penalty	History
31-53(b) re prevailing wage (hourly rate and employee fund contributions) on public works projects	knowingly and willfully employing persons at wages below customary or prevailing	\$2,500-\$5,000 for each offense; contract can be terminated	established in 1933 as \$100 for each offense; termination option added in 1973; current fines adopted in 1991
31-53 re prevailing wage (hourly rate and employee fund contributions) on state highways/bridges	paying persons at rate of wage lower than customary or prevailing	\$100 for each offense	adopted in 1935
31-69a re state contracts	additional penalties for violation Chap. 557, Part III	\$150 for each violation of chapter	adopted in 1993
31-69b re employee protection	discriminating against employee(s) for providing info re Chap. 557	appropriate relief (job, back wages, benefits, atty. fees, etc.)	adopted in 1993
53a-119 re larceny	knowingly filing a false payroll under Sec. 31-53 and failing to pay welfare fund amount	varies, depending on amount of underpayment involved	adopted in 1993
53a-157a re false statement in first degree	intentionally making false written statement on certified payroll filed under 31-53 with intent to deceive	Class D felony (up to \$5,000 fine and/or 5 years jail)	adopted in 1993

Appendix B-3

Changes in Process for Determining Prevailing Wage Rates

Year	Party Setting Rate	Nature of Responsibility	Tasks
1933	commissioner of labor and factory inspection	in case of dispute as to "customary or prevailing rate of wage in any town ... after proper investigation, determine the customary or prevailing rate of wage in such town"	if "no direct data available," commissioner "make make investigation and obtain data from towns adjoining thereto"
1937	three-person labor board (representing labor, construction employers, and the state)	"predetermining the prevailing rate of wage in each town where such (construction, remodeling, or repair) contract is to be performed"	"hold a hearing any required time to determine the prevailing rate of wages upon any public work within any specified area and, shall establish classifications of skilled, semi-skilled and ordinary labor." "determine the prevailing rate of wages in each locality where any such public work is to be construction."
1950	labor commissioner	same as above	same as above
1961	labor commissioner	<i>"predetermining the prevailing rate of wage on an hourly basis and the amount of payment or contributions paid or payable on behalf of each employee to any employee welfare fund, as defined in section 31-78, in each town where such contract is to be performed.</i>	<i>"hold a hearing at any required time to determine the prevailing rate of wages on an hourly basis and the amount of payment or contributions paid or payable on behalf of each employee to any employee welfare fund, as defined in section 31-78, upon any public work within any specified area, and shall establish classifications of skilled, semi-skilled and ordinary labor." "determine the prevailing rate of wages on an hourly basis and the amount of payment or contributions paid or payable on behalf of each employee to any employee welfare fund, as defined in section 31-78, in each locality where any such public work is to be constructed."</i>
1967	labor commissioner	same as above, except to reference Sec. 31-75 replace with Sec. 31-53(h)	same as above, except to reference Sec. 31-78 replace with Sec. 53-53(h)
1977	labor commissioner	same as above	same as above re holding hearing, but also have option to <i>"adopt and use such appropriate and applicable prevailing wage rate determinations as have been made by the Secretary of Labor of the United States under the provisions of the Davis-Bacon Act, as amended."</i>

Appendix C Status of Prevailing Wage Laws in Individual States

State	Year Adopted	Threshold (Nov. 1995)	Definition of prevailing wage	Penalties
Alabama	1969	repealed 1980	-----	-----
Alaska	1931	\$2,000	wage paid for work of similar nature in region where public work to be done	\$100-\$1,000 fine and/or 90 days jail
Arizona	1912	repealed 1984	-----	-----
Arkansas	1955	\$75,000	minimum wage rate prevailing in county where work to be performed	\$500-\$1,000 fine 56 months jail, and/or 10% of greater of contract value/wages due
California	1931	\$1,000	not less than prevailing per diem wages for work of similar character in same locality	1-3 year ban on bidding public works contracts
Colorado	1933	repealed 1985	-----	-----
Connecticut	1933	\$400,000 new \$100,000 remodel	customary or prevailing for same work in same trade or occupation in town where project being constructed	\$2,500-\$5,000 fine and/or 5 years jail, contract termination; ≤ 3 year ban on bidding
Delaware	1962	\$100,000 new \$15,000 remodel	prevailing minimum for similar work based on average actual wages paid majority of laborers and mechanics on similar construction work in same county	\$500-\$2,000 fine; 3-year ban from working on public works projects

D.C.	1931	\$2,000 (federal Davis-Bacon Act)	prevailing for corresponding classes of workers employed on projects similar to contract work in area where work to be performed	termination of contract; up to 3-year ban on bidding; possible criminal prosecution
Florida	1933	repealed 1979	-----	-----
Georgia	n/a	-----	-----	-----
Hawaii	1955	\$2,000	not less than rate paid under federal Davis Bacon Act	\$1,000 fine, 10% of contract amount, or 3-year suspension (depending on offense number)
Idaho	1911	repealed 1985	-----	-----
Illinois	1931	None	prevailing hourly rate including fringe benefits for work of similar character in same locality	2-yr. ban from public works jobs; class B misdemeanor for records violations
Indiana	1935	\$5,000 (law for \$150,000 in court)	not less than prevailing scale for each class of workers in immediate locality	class B misdemeanor; forfeit contract and payments on second offense
Iowa	n/a	-----	-----	-----
Kansas	1891	repealed 1987	-----	-----
Kentucky	1982	\$398,760 (will be reduced to \$250,000 later in 1996)	basic hourly rate paid majority of workers employed in each class in county where work to be performed (if no majority rate, then the average rate)	\$1 00-\$1,000 fine; 2-year ban from public jobs
Louisiana	1968	repealed 1988	-----	-----

Maine	1933	\$10,000	hourly wage paid median number of workers employed in same trade/occupation in second/third week of Sept.	\$50-\$250 fine
Maryland	1945	\$500,000	hourly rate, including fringe benefits, paid 50% or more workers in same class in locality where work to be performed	restitution; \$10/day underpaid employee fine; 1-year ban from public works jobs
Massachusetts	1914	None	at least rate paid laborers who work for municipality where construction taking place	\$1,000-\$10,000 fine
Michigan	1965	invalidated by court 1994; on appeal	wage and fringe benefits prevailing in locality where work to be performed	misdemeanor
Minnesota	1973	\$2,500 1 trade involved; \$25,000 if > 1	prevailing hourly rates including fringe benefits	< \$700 fine and/or < 90 days jail
Mississippi	n/a	-----	-----	-----
Missouri	1957	None	hourly wages plus fringe benefits prevailing in county where work to be performed	\$10/day underpaid worker; (\$500 fine and/or < 6 months jail
Montana	1931	\$25,000	prevailing wages including fringe benefits paid for similar work in district where work to be performed	\$25/day/underpaid worker + 20% of delinquent wages and other costs
Nebraska	1923	None (except public school district \$40,000)	wages paid by at least 50% of contractors in same business or field	\$25-\$2,000 fine

Nevada	1937	\$100,000	hourly or daily rate prevailing in county where work performed	misdemeanor; restitution; fine < cost of prosecution
New Hampshire	1941	repealed 1985	-----	-----
New Jersey	1913	\$2,000	wage and age benefits prevailing in locality where work performed	\$100-\$1,000 fine, 10-90 days jail and/or admin. penalty; 3-year ban from public works jobs
New Mexico	1937	\$20,000	prevailing wages of those employed in similar projects in state or locality	\$10/day underpaid worker, 3-year ban from public works jobs
New York	1897	None	rates prescribed in union contracts if apply to 30%+ workers in same trade or occupation in locality (if < 30% average wages paid occupation/trade in locality in last 12 months)	\$500 fine and 30 days jail; \$1,000 fine and forfeit contract on second offense
North Carolina	n/a	-----	-----	-----
North Dakota	n/a	-----	-----	-----
Ohio	1931	\$50,000 new \$15,000 remodel (adjusted per construction price deflator +6%)	prevailing wage including fringe benefits payable in same trade or occupation in same locality under union contracts (if no contract, union rate in nearest locality where there is contract)	\$25-\$500 fine
Oklahoma	1965	invalidated by court 1995	[had used federal David-Bacon rates]	-----

Oregon	1959	\$25,000	hourly wage with fringe benefits paid majority of workers employed in same occupation or trade on similar projects in locality where work to be performed	wages
Pennsylvania	1961	\$25,000	determined by labor secretary	3-year ban on public works jobs; damages equal to underpayment
Rhode Island	1935	\$1,000	hourly rate + fringe benefits paid in appropriate political subdivision of state to corresponding types of employees on similar project	\$100/day noncompliance and next lowest bidder may sue for damages
South Carolina	n/a	-----	-----	-----
South Dakota	n/a	-----	-----	-----
Tennessee	1953	\$50,000	prevailing wage for same work in same district	suit by employee or labor commissioner; forfeit contract
Texas	1933	None	daily rates for similar work in same locality	\$60/day employee
Utah	1933	repealed 1981	-----	-----
Vermont	n/a	-----	-----	-----
Virginia	n/a	-----	-----	-----
Washington	1945	None (separate law for higher ed is \$17,500)	hourly rate paid majority of workers in same trade in same locality (if no majority, avg. rate)	\$500 fine; 1-2 year ban from public works jobs (depending on offense #)

West Virginia	1933	None	wage paid workers in same trade or occupation in county where work performed	\$50-\$250 fine
Wisconsin	1931	\$11,000 1 trade & \$110,000 >1 trade for state & munic; none for State. highway	hourly wage including fringe benefits paid majority of workers employed in same occupation/trade in same area where work performed	\$50-\$200 fine and/or <- 18 months jail; employee knowingly accepting less \$20 fine and/or 30 days jail
Wyoming	1967	\$25,000	local prevailing hourly rate paid construction workers	500 fine and/or < 6 months jail

NA = not applicable (because state never had a prevailing wage law)

Appendix D
Public Act 11-63
An Act Concerning Construction Safety
Refresher Training Courses

Substitute Senate Bill No. 480

Public Act No. 11-63

AN ACT CONCERNING CONSTRUCTION SAFETY REFRESHER TRAINING COURSES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 31-53b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each contract for a public works project entered into on or after July 1, 2009, by the state or any of its agents, or by any political subdivision of the state or any of its agents, described in subsection (h) of section 31-53, shall contain a provision requiring that each contractor furnish proof with the weekly certified payroll form for the first week each employee begins work on such project that any person performing the work of a mechanic, laborer or worker pursuant to the classifications of labor under section 31-53 on such public works project, pursuant to such contract, has completed a course of at least ten hours in duration in construction safety and health approved by the federal Occupational Safety and Health Administration or, has completed a new miner training program approved by the Federal Mine Safety and Health Administration in accordance with 30 CFR [48] 46 or, in the case of telecommunications employees, has completed at least ten hours of training in accordance with 29 CFR 1910.268, and, on or after July 1, 2012, that any plumber or electrician subject to the continuing education requirements of section 20-334d, who has completed a course of at least ten hours in duration in construction safety and health approved by the federal Occupational Safety and Health Administration five or more years prior to the date such electrician or plumber begins work on such public works project, has completed a supplemental refresher training course of at least four hours in duration in construction safety and health taught by a federal Occupational Safety and Health Administration authorized trainer.

(b) Any person required to complete a course or program under subsection (a) of this section who has not completed the course or program shall be subject to removal from the worksite if the person does not provide documentation of having completed such course or program by the fifteenth day after the date the person is found to be in

noncompliance. The Labor Commissioner or said commissioner's designee shall enforce this section.

(c) Not later than January 1, [2009] 2012, the Labor Commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to implement the provisions of subsections (a) and (b) of this section. Such regulations shall require that the ten-hour construction safety and health courses required under subsection (a) of this section be conducted in accordance with federal Occupational Safety and Health Administration Training Institute standards, or, in the case of a supplemental refresher training course, shall include, but not be limited to, an update of revised Occupational Safety and Health Administration standards and a review of required construction hazards training, or in accordance with Federal Mine Safety and Health Administration Standards or in accordance with 29 CFR 1910.268, as appropriate. The Labor Commissioner shall accept as sufficient proof of compliance with the provisions of subsection (a) or (b) of this section a student course completion card issued by the federal Occupational Safety and Health Administration Training Institute, or such other proof of compliance said commissioner deems appropriate, dated no earlier than five years before the commencement date of such public works project or, in the case of supplemental refresher training, a student course completion card issued by said Occupational Safety and Health Administration authorized trainer dated not earlier than five years prior to the date such electrician or plumber begins work on such public works project.

(d) This section shall not apply to employees of public service companies, as defined in section 16-1, or drivers of commercial motor vehicles driving the vehicle on the public works project and delivering or picking up cargo from public works projects provided they perform no labor relating to the project other than the loading and unloading of their cargo.

Approved July 1, 2011