

HOUSE No. 1749

The Commonwealth of Massachusetts

PRESENTED BY:

Leonard Mirra and Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act providing for increased transparency in the prevailing wage.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|------------------------------|----------------------------------|
| <i>Leonard Mirra</i> | <i>2nd Essex</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> |
| <i>Keiko M. Orrall</i> | <i>12th Bristol</i> |
| <i>Shawn Dooley</i> | <i>9th Norfolk</i> |
| <i>Peter J. Durant</i> | <i>6th Worcester</i> |
| <i>Steven S. Howitt</i> | <i>4th Bristol</i> |
| <i>Kimberly N. Ferguson</i> | <i>1st Worcester</i> |
| <i>David F. DeCoste</i> | <i>5th Plymouth</i> |
| <i>Angelo L. D'Emilia</i> | <i>8th Plymouth</i> |
| <i>Ryan C. Fattman</i> | <i>Worcester and Norfolk</i> |
| <i>Randy Hunt</i> | <i>5th Barnstable</i> |
| <i>Bradley H. Jones, Jr.</i> | <i>20th Middlesex</i> |
| <i>Kevin J. Kuros</i> | <i>8th Worcester</i> |
| <i>James J. Lyons, Jr.</i> | <i>18th Essex</i> |

HOUSE No. 1749

By Representative Mirra of West Newbury and Senator Tarr, a joint petition (accompanied by bill, House, No. 1749) of Leonard Mirra and others for legislation to provide for increased transparency in the prevailing wage. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 896 OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**
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An Act providing for increased transparency in the prevailing wage.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. There is hereby established a Prevailing Wage Commission, the purpose of
2 which shall be to determine the effectiveness, practicality and usefulness in establishing fair
3 wage rates of Massachusetts Prevailing Wage Law, so-called, as contained in Chapters 149, 5,
4 71, and 121B of the general laws. In making such determinations the commission shall consider,
5 at a minimum, whether the provisions of the current law result in wage rates which accurately
6 reflect the actual market wage rates in the specific categories and geographic areas to which they
7 apply, and whether other methodologies, including but not limited to those employed by the
8 federal government, may yield rates which more accurately reflect prevailing market rates. Said
9 commission shall consist of the Commissioner of Labor and Industries, whom shall serve as its
10 chair, two members appointed by the Speaker of the House, one of which shall represent the

11 minority party, two members appointed by the Senate President, one of whom shall represent the
12 minority party, and seven members appointed by the governor, three of whom shall represent
13 organized labor, three of whom shall represent employers of union and non-union employees in
14 the commonwealth, and one member from a list of three names submitted by the Massachusetts
15 Municipal Association.

16 SECTION 2. The Department of Labor Standards within the Executive Office of Labor
17 and Workforce Development is hereby authorized and directed to provide information on its
18 website that details the current prevailing wage rates, the methodology by which the rates are
19 determines, and any actions that have been taken within the last twelve months to modify one or
20 more rates.

21 SECTION 3. The Department of Labor Standards within the Executive Office of Labor
22 and Workforce Development shall conduct at least one public hearing per year on issues relating
23 to the prevailing wage law, notice of which shall be promulgated as extensively as possible, and
24 specifically provided to the municipalities and other political subdivisions of the commonwealth,
25 and to the extent possible, organizations representing employers engaged in public projects and
26 organizations representing organized labor in the commonwealth.