

SENATE No. 1171

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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 relative to compliance with the prevailing wage laws of the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	
<i>Marc R. Pacheco</i>	<i>Third Bristol and Plymouth</i>	<i>1/30/2023</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>1/30/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/30/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>1/30/2023</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>1/31/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>2/8/2023</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Plymouth and Bristol</i>	<i>2/8/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/8/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/9/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/13/2023</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>2/14/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/16/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/16/2023</i>
<i>Liz Miranda</i>	<i>Second Suffolk</i>	<i>2/22/2023</i>

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By Mr. Feeney, a petition (accompanied by bill, Senate, No. 1171) of Paul R. Feeney, Marc R. Pacheco, Jacob R. Oliveira, Sal N. DiDomenico and other members of the General Court for legislation to include offsite fabrication work for qualified projects under the prevailing wage laws of the Commonwealth. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1189 OF 2021-2022.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Third General Court
(2023-2024)**
—————

An Act relative to compliance with the prevailing wage laws of the Commonwealth.

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. Section 27D of chapter 149 of the General Laws is hereby amended by
2 inserting the following new paragraphs:-

3 For the purposes of this section, the words “construction” and “constructed” shall include
4 offsite fabrication work for any project covered by this section. In such cases, the wage required
5 under this chapter shall be paid for such work and the requirements of Section 27B of chapter
6 149 shall apply to such work, including, but not limited to, weekly submission of certified
7 payroll records and an accompanying statement made under penalties of perjury. Penalties
8 provided under Section 27C of chapter 149 shall apply to such work.

9 The term “offsite fabrication” means products or items that are: (a) produced specifically
10 for a qualified project; (b) considered to be non-standard items; and (c) produced at an offsite
11 location, including, but not limited to those made or consisting of fabricated pipe, piping
12 materials or fixtures, electrical wiring, sheet metal materials, or any systems, components or
13 modular units made of any of the foregoing. Nothing in the foregoing definition of “offsite
14 fabrication” is intended to restrict application of Section 26 of chapter 149 of the General Laws
15 or to prevent the Commonwealth, or a county, town, authority or district thereof contracting for
16 the construction of public works from giving preference to offsite fabrication performed at an
17 offsite location within a specific geographical area.

18 SECTION 2. Section 27B of chapter 149 of the General Laws is hereby amended by
19 inserting the following new paragraph:

20 For any offsite fabrication work subject to this section, the contractor, subcontractor or
21 public body shall include a section in their weekly certified prevailing wage records that
22 provides: (a) the name and address of the manufacturer, shop or other type of prefabrication
23 facility where the fabrication work was performed; and (b) the name, address, and occupational
24 classifications of each mechanic, apprentice, laborer or other employee employed in the
25 performance of such work, the hours worked by, and wages paid to, each such employee.

26 SECTION 3. This act shall take effect upon its passage.