



**House Bill No. 6378**

**Public Act No. 21-154**

**AN ACT CODIFYING PREVAILING WAGE CONTRACT RATES.**

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

Section 1. Subsection (d) of section 31-53 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(d) For the purpose of predetermining the prevailing rate of wage on an hourly basis and the amount of payment, [or] contributions and member benefits paid or payable on behalf of each person to any employee welfare fund, as defined in subsection (i) of this section, in each town where such contract is to be performed, the Labor Commissioner shall [(1) 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 person to any employee welfare fund, as defined in subsection (i) of this section, upon any public work within any specified area, and shall establish classifications of skilled, semiskilled and ordinary labor, or (2)] adopt the rate of wages on an hourly basis in accordance with the provisions of this section and section 31-76c and the amount of payment, contributions and member benefits, including health, pension, annuity and apprenticeship funds, as recognized by the United States Department of Labor and the Labor Commissioner paid or payable on

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behalf of each person to any employee welfare fund, as defined in subsection (i) of this section, as established in the collective bargaining agreements or understandings between employers or employer associations and bona fide labor organizations for the same work in the same trade or occupation in the town in which the applicable building, heavy or highway works project is being constructed. For each trade or occupation for which more than one collective bargaining agreement is in effect for the town in which such project is being constructed, the collective bargaining agreement of historical jurisdiction shall prevail. For residential project rates and for each trade or occupation for which there is no collective bargaining agreement in effect for the town in which the building, heavy or highway works project is being constructed, the Labor Commissioner shall 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.

Sec. 2. Section 31-54 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

The Labor Commissioner shall [hold a hearing at any required time to] determine the prevailing rate of wages upon any highway contract within any specified area 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 31-53, as amended by this act, upon any classifications of skilled, semiskilled and ordinary labor. Said commissioner shall 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 31-53, as amended by this act, in each locality where any highway or bridge is to be constructed, and the Commissioner of Transportation shall include such rate of wage on an hourly basis and the amount of payment or contributions paid or payable on behalf of

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each employee to any employee welfare fund, as defined in section 31-53, as amended by this act, or in lieu thereof, in cash as part of wages each pay day, for each classification of labor in the proposal for the contract and in the contract. The rate and the amount so established shall, at all times, be considered as the minimum rate of wage on an hourly basis and the amount of payment or contributions to an employee welfare fund, or cash in lieu thereof, for the classification for which it was established. Any contractor who pays any person at a lower rate of wage on an hourly basis or the amount of payment or contributions paid or payable on behalf of each employee to any employee welfare fund, as defined in section 31-53, as amended by this act, or where he is not obligated by any agreement to make payment or contributions to the employee welfare funds, as defined in section 31-53, as amended by this act, and fails to pay the amount of such payment or contributions directly to the employee as a part of his wages each pay day, than that so established for the classifications of work specified in any such contract shall be fined not more than two hundred dollars for each offense. The provisions of this section shall apply only to state highways and bridges on state highways.

Approved July 12, 2021