

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1367 Session of 2011

INTRODUCED BY MILLER, AUMENT, BEAR, BENNINGHOFF, BLOOM, BOYD, CLYMER, CREIGHTON, CUTLER, DENLINGER, EVERETT, GILLESPIE, GINGRICH, GRELL, GROVE, HARRIS, HICKERNELL, HUTCHINSON, KAUFFMAN, M. K. KELLER, KNOWLES, MAHER, MARSICO, MILLARD, MILNE, MOUL, OBERLANDER, PERRY, PICKETT, RAPP, REICHLEY, ROSS, SAYLOR, TALLMAN AND WATSON, APRIL 25, 2011

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 25, 2011

AN ACT

1 Amending the act of August 15, 1961 (P.L.987, No.442), entitled  
 2 "An act relating to public works contracts; providing for  
 3 prevailing wages; imposing duties upon the Secretary of Labor  
 4 and Industry; providing remedies, penalties and repealing  
 5 existing laws," further providing for administration.

6 The General Assembly of the Commonwealth of Pennsylvania  
 7 hereby enacts as follows:

8 Section 1. Section 7 of the act of August 15, 1961 (P.L.987,  
 9 No.442), known as the Pennsylvania Prevailing Wage Act, amended  
 10 August 9, 1963 (P.L.653, No.342), is amended to read:

11 Section 7. Duty of Secretary.--The secretary shall determine  
 12 the prevailing wage rate for each county, utilizing occupational  
 13 wage rate data determined by the Center for Workforce and  
 14 Analysis of the department as the basis for the determination,  
 15 and shall, after consultation with the advisory board, determine  
 16 the general prevailing minimum wage rate in the locality in  
 17 which the public work is to be performed for each craft or

1 classification of all workmen needed to perform public work  
2 contracts during the anticipated term thereof: Provided,  
3 however, That employer and employe contributions for employe  
4 benefits pursuant to a bona fide collective bargaining agreement  
5 shall be considered an integral part of the wage rate for the  
6 purpose of determining the minimum wage rate under this act.  
7 Nothing in this act, however, shall prohibit the payment of more  
8 than the general prevailing minimum wage rate to any workman  
9 employed on public work. The secretary shall forthwith give  
10 notice by mail of all determinations of general prevailing  
11 minimum wage rates made pursuant to this section to any  
12 representative of any craft, any employer or any representative  
13 of any group of employers, who shall in writing request the  
14 secretary so to do.

15 Section 2. This act shall take effect in 60 days.