

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 796 Session of 2013

INTRODUCED BY MILLARD, AUMENT, BAKER, CAUSER, SCHLEGEL CULVER, CUTLER, DENLINGER, EVERETT, FLECK, GINGRICH, GRELL, GROVE, HAHN, C. HARRIS, HICKERNELL, KAUFFMAN, LAWRENCE, MAJOR, MARSICO, MILNE, MOUL, PEIFER, PICKETT, ROCK, ROSS, SAYLOR, STEVENSON, SWANGER AND TALLMAN, FEBRUARY 25, 2013

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 25, 2013

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," raising the threshold for applicability.

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

8 Section 1. Section 2 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 2. Definitions.--As used in this act--

12 (1) "Department" means Department of Labor and Industry of
 13 the Commonwealth of Pennsylvania.

14 (2) "Locality" means any political subdivision, or
 15 combination of the same, within the county in which the public
 16 work is to be performed. When no workmen for which a prevailing
 17 minimum wage is to be determined hereunder are employed in the
 18 locality, the locality may be extended to include adjoining

1 political subdivisions where such workmen are employed in those
2 crafts or trades for which there are no workmen employed in the
3 locality as otherwise herein defined.

4 (3) "Maintenance work" means the repair of existing
5 facilities when the size, type or extent of such facilities is
6 not thereby changed or increased.

7 (4) "Public body" means the Commonwealth of Pennsylvania,
8 any of its political subdivisions, any authority created by the
9 General Assembly of the Commonwealth of Pennsylvania and any
10 instrumentality or agency of the Commonwealth of Pennsylvania.

11 (5) "Public work" means construction, reconstruction,
12 demolition, alteration and/or repair work other than maintenance
13 work, done under contract and paid for in whole or in part out
14 of the funds of a public body where the estimated cost of the
15 total project is in excess of [twenty-five thousand dollars
16 (\$25,000)] seventy-five thousand dollars (\$75,000), but shall
17 not include work performed under a rehabilitation or manpower
18 training program.

19 (6) "Secretary" means the Secretary of Labor and Industry or
20 his duly authorized deputy or representative.

21 (7) "Workman" includes laborer, mechanic, skilled and semi-
22 skilled laborer and apprentices employed by any contractor or
23 subcontractor and engaged in the performance of services
24 directly upon the public work project, regardless of whether
25 their work becomes a component part thereof, but does not
26 include material suppliers or their employes who do not perform
27 services at the job site.

28 (8) "Work performed under a rehabilitation program," means
29 work arranged by and at a State institution primarily for
30 teaching and upgrading the skills and employment opportunities

1 of the inmates of such institutions.

2 (9) "Advisory Board" means the board created by section 2.1
3 of this act.

4 (10) "Appeals Board" means the board created by section 2.2
5 of this act.

6 Section 2. The amendment of section 2 of the act shall apply
7 to contracts entered into on or after the effective date of this
8 section.

9 Section 3. This act shall take effect in 60 days.