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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1453 Session of  
2015

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INTRODUCED BY REGAN, PICKETT, MILLARD, BAKER, TALLMAN, HELM,  
KAUFFMAN, MENTZER, FEE, BLOOM, STAATS, DUSH, ZIMMERMAN,  
IRVIN, DELOZIER, WARD, M. K. KELLER, GROVE, A. HARRIS, KLUNK,  
ROSS, METCALFE, MARSICO, LAWRENCE AND COX, JULY 16, 2015

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, JULY 16, 2015

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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 threshold for public work.

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)] five hundred thousand dollars (\$500,000) as adjusted  
17 on March 1 of each year to conform to increases or decreases in  
18 the Consumer Price Index as published by the United States  
19 Department of Labor, Bureau of Labor Statistics for the previous  
20 calendar year for urban wage earners in the Pennsylvania, New  
21 Jersey, Delaware and Maryland area combined, but shall not  
22 include work performed under a rehabilitation or manpower  
23 training program.

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

26 (7) "Workman" includes laborer, mechanic, skilled and semi-  
27 skilled laborer and apprentices employed by any contractor or  
28 subcontractor and engaged in the performance of services  
29 directly upon the public work project, regardless of whether  
30 their work becomes a component part thereof, but does not

1 include material suppliers or their employes who do not perform  
2 services at the job site.

3 (8) "Work performed under a rehabilitation program," means  
4 work arranged by and at a State institution primarily for  
5 teaching and upgrading the skills and employment opportunities  
6 of the inmates of such institutions.

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

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

11 Section 2. The amendment of section 2 of the act shall apply  
12 to contracts entered into on or after the effective date of this  
13 section.

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