

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 209 Session of 2021

INTRODUCED BY PHILLIPS-HILL, J. WARD, STEFANO, AUMENT AND  
MASTRIANO, FEBRUARY 10, 2021

REFERRED TO LABOR AND INDUSTRY, FEBRUARY 10, 2021

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," providing for optional application of act.

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

8 Section 1. The act of August 15, 1961 (P.L.987, No.442),  
9 known as the Pennsylvania Prevailing Wage Act, is amended by  
10 adding a section to read:

11 Section 15.1. Optional Application of Act.--(a)  
12 Notwithstanding any other provision of this act, as a result of  
13 a significant decline in tax revenue due to the COVID-19  
14 pandemic, a public body, including a school entity, may choose  
15 not to follow the requirements of this act regarding prevailing  
16 minimum wages for workmen employed on public work under a  
17 contract for a project of public work that the public body  
18 enters into on or after the effective date of this subsection.

19 (b) As used in this section, the following words and phrases

1 shall have the meanings given to them in this subsection unless  
2 the context clearly indicates otherwise:

3 "COVID-19." As identified in the proclamation of disaster  
4 emergency issued by the Governor on March 6, 2020, published at  
5 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of  
6 disaster emergency.

7 "School entity." Any of the following:

8 (1) A school district.

9 (2) An intermediate unit.

10 (3) A charter school or regional charter school, as those  
11 terms are defined in section 1703-A of the act of March 10, 1949  
12 (P.L.30, No.14), known as the Public School Code of 1949.

13 (4) An area career and technical school, as defined in  
14 section 1841 of the Public School Code of 1949.

15 (5) An institution of higher education, as defined in  
16 section 1901-F of the Public School Code of 1949.

17 (c) This section shall expire on December 31, 2022.

18 Section 2. This act shall take effect immediately.