

Bill No. 1709

Page 1 of 4

Referred to Committee on LABOR AND INDUSTRIAL RELATIONS

LCO No. 2112

Introduced by SEN. ODEGARD - 4TH DIST.

General Assembly,

January Session, A.D., 1971

AN ACT CONCERNING WAGE RATES IN STATE OR MUNICIPAL CONSTRUCTION CONTRACTS.

CONNECTICUT  
STATE LIBRARY  
LEGISLATIVE REFERENCE  
SECTION

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

Section 31-53 of the 1969 supplement to the general statutes is repealed and the following is substituted in lieu thereof:

(a) Each contract for the construction, alteration or repair of any public works project by the state or any of its agents, or by any political subdivision of the state or any of its agents, shall contain the following provision: "The wages paid on an hourly basis to any mechanic, laborer or workman employed upon the work herein contracted to be done and the amount of payment or contribution paid or payable on behalf of each such employee to any employee welfare fund, as defined in subsection (h) of this section, shall be at a rate equal to the rate customary or prevailing for the same work in the same trade or occupation in the town in which such public works project is being constructed.

Any contractor who is not obligated by agreement to make payment or contribution on behalf of such employees to any such employee welfare fund shall pay to each employee as part of his wages the amount of payment or contribution for his classification on each pay day." (b) Any person who knowingly or wilfully employs any

mechanic, laborer or workman in the construction, alteration or repair of any public works project for or on behalf of the state or any of its agents, or any political subdivision of the state or any of its agents, at a rate of wage on an hourly basis which

is less than the rate customary or prevailing for the same work 39  
in the same trade or occupation in the town in which such public 40  
works project is being constructed, altered or repaired, or who 41  
fails to pay the amount of payment or contributions paid or 42  
payable on behalf of each such employee to any employee welfare 43  
fund, or in lieu thereof to the employee, as provided by 44  
subsection (a), shall be fined not more than one hundred dollars 46  
for each offense. (c) The labor commissioner may make complaint 47  
to the proper prosecuting authorities for the violation of any 48  
provision of subsection (b). (d) For the purpose of predetermining 49  
the prevailing rate of wage on an hourly basis and the amount of 50  
payment or contributions paid or payable on behalf of each 51  
employee to any employee welfare fund, as defined in subsection 52  
(h), in each town where such contract is to be performed, the 53  
labor commissioner shall hold a hearing at any required time to 54  
determine the prevailing rate of wages on an hourly basis and the 55  
amount of payment or contributions paid or payable on behalf of 56  
each employee to any employee welfare fund, as defined in 57  
subsection (h), upon any public work within any specified area, 58  
and shall establish classifications of skilled, semi-skilled and 59  
ordinary labor. (e) The labor commissioner shall determine the 60  
prevailing rate of wages on an hourly basis and the amount of 61  
payment or contributions paid or payable on behalf of such 62  
employee to any employee welfare fund, as defined in subsection 63  
(h), in each locality where any such public work is to be 64  
constructed, and the agent empowered to let such contract shall 65  
include such rate of wage on an hourly basis and the amount of 66  
payment or contributions paid or payable on behalf of each 67  
employee to any employee welfare fund, as defined in subsection 68  
(h), or in lieu thereof the amount to be paid directly to each 69  
employee for such payment or contributions as provided in 70  
subsection (a) for all classifications of labor in the proposal  
for the contract. The rate of wage on an hourly basis and the  
amount of payment or contributions to any employee welfare fund,  
as defined in subsection (h), or cash in lieu thereof, as

provided in subsection (a), shall, at all times, be considered as 71  
the minimum rate for the classification for which it was 72  
established. (f) Each employer subject to the provisions of this 73  
section or section 31-54 shall keep, maintain and preserve such 74  
records relating to the wages and hours worked by each employee 75  
and a schedule of the occupation or work classification at which 76  
each mechanic, laborer or workman on the project is employed 77  
during each work day and week in such manner and form as the 78  
labor commissioner establishes to assure the proper payments due 79  
to such employees or employee welfare funds under this section or 80  
section 31-54. The provisions of sections 31-59 (a), 31-59 (b), 81  
31-66 and 31-69 which are not inconsistent with the provisions of 82  
this section or section 31-54 shall apply to this section. (g) 83  
The provisions of this section shall not apply where the total 84  
cost of all work to be performed by contractors and 85  
subcontractors in connection with any construction, remodeling, 86  
alteration or repair of any public works project is less than 87  
five HUNDRED thousand dollars. (h) As used in this section, 88  
section 31-54 and section 31-89a, "employee welfare fund" means 89  
any trust fund established by one or more employers and one or 90  
more labor organizations to provide from moneys in the fund, 91  
whether through the purchase of insurance or annuity contracts or 92  
otherwise, benefits under an employee welfare plan; provided such 93  
term shall not include any such fund where the trustee, or all of 94  
the trustees, are subject to supervision by the bank commissioner 95  
of this state or any other state or the comptroller of the 96  
currency of the United States or the board of governors of the 97  
federal reserve system, and "benefits under an employee welfare 98  
plan" means one or more benefits or services under any plan 99  
established or maintained for employees or their families or 100  
dependents, or for both, including, but not limited to, medical, 101  
surgical or hospital care benefits; benefits in the event of 102  
sickness, accident, disability or death; benefits in the event of 103  
unemployment, or retirement benefits. 104

STATEMENT OF PURPOSE: To increase the maximum contract costs 102  
which will exclude state or municipal contracts from the 103  
provisions of section 31-53 of the 1969 supplement to the general 104  
statutes.

[Proposed deletions are enclosed in brackets and proposed 106  
additions are all capitalized, or underlined where appropriate.] 108

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