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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 527 Session of  
2017

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INTRODUCED BY COX, BAKER, BLOOM, DIAMOND, DUNBAR, GROVE,  
PHILLIPS-HILL, IRVIN, JAMES, JOZWIAK, KAUFFMAN, KNOWLES,  
LAWRENCE, MCGINNIS, MENTZER, PICKETT, ROTHMAN, SAYLOR,  
STAATS, TALLMAN, WARD, METCALFE, ZIMMERMAN, GREINER, SACCONE,  
MAHER, CAUSER, B. MILLER, DUSH, EVERETT, RADER, RAPP,  
HICKERNELL AND RYAN, FEBRUARY 23, 2017

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 23, 2017

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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, is  
10 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

1 locality, the locality may be extended to include adjoining  
2 political subdivisions where such workmen are employed in those  
3 crafts or trades for which there are no workmen employed in the  
4 locality as otherwise herein defined.

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

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

12 (5) "Public work" means construction, reconstruction,  
13 demolition, alteration and/or repair work other than maintenance  
14 work, done under contract and paid for in whole or in part out  
15 of the funds of a public body where the estimated cost of the  
16 total project is in excess of [twenty-five thousand dollars  
17 (\$25,000)] five hundred thousand dollars (\$500,000) as adjusted  
18 on March 1 of each year to conform to increases or decreases in  
19 the Consumer Price Index for All Urban Wage Earners in the  
20 Pennsylvania, New Jersey, Delaware and Maryland area as  
21 published by the United States Department of Labor, Bureau of  
22 Labor Statistics for the previous calendar year, but shall not  
23 include work performed under a rehabilitation or manpower  
24 training program.

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

27 (7) "Workman" includes laborer, mechanic, skilled and semi-  
28 skilled laborer and apprentices employed by any contractor or  
29 subcontractor and engaged in the performance of services  
30 directly upon the public work project, regardless of whether

1 their work becomes a component part thereof, but does not  
2 include material suppliers or their employes who do not perform  
3 services at the job site.

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

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

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

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

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