

SENATE No. 1189

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to compliance with the prevailing wage laws of the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/1/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>2/2/2021</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>3/4/2021</i>
<i>John C. Velis</i>	<i>Second Hampden and Hampshire</i>	<i>3/4/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>3/8/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>3/10/2021</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>3/11/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>3/12/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>3/15/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>3/17/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>4/1/2021</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>4/1/2021</i>
<i>Edward R. Philips</i>	<i>8th Norfolk</i>	<i>4/3/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>4/7/2021</i>

SENATE No. 1189

By Mr. Feeney, a petition (accompanied by bill, Senate, No. 1189) of Paul R. Feeney, Michael D. Brady, Adam G. Hinds, Joan B. Lovely and other members of the General Court for legislation to include offsite fabrication work for qualified projects under the prevailing wage laws of the Commonwealth. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1599 OF 2019-2020.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
—————

An Act relative to compliance with the prevailing wage laws of the Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 27D of chapter 149 of the General Laws is hereby amended by
2 inserting at the end thereof the following new paragraphs:-

3 For the purposes of this section, the words “construction” and “constructed” shall include
4 offsite fabrication work for any project covered by this section. In such cases, the wage required
5 under this chapter shall be paid for such work and the requirements of Section 27B of chapter
6 149 shall apply to such work, including, but not limited to, weekly submission of certified
7 payroll records and an accompanying statement made under penalties of perjury. Penalties
8 provided under Section 27C of chapter 149 shall apply to such work.

9 The term “offsite fabrication” means products or items that are: (a) produced specifically
10 for a qualified project; (b) considered to be non-standard items; and (c) produced at an offsite
11 location, including, but not limited to those made or consisting of fabricated pipe, piping
12 materials or fixtures, electrical wiring, sheet metal materials, or any systems, components or
13 modular units made of any of the foregoing. Nothing in the foregoing definition of “offsite
14 fabrication” is intended to restrict application of Section 26 of chapter 149 of the General Laws
15 or to prevent the Commonwealth, or a county, town, authority or district thereof contracting for
16 the construction of public works from giving preference to offsite fabrication performed at an
17 offsite location within a specific geographical area.

18 SECTION 2. Section 27B of chapter 149 of the General Laws is hereby amended by
19 inserting at the end thereof the following new paragraph:

20 For any offsite fabrication work subject to this section, the contractor, subcontractor or
21 public body shall include a section in their weekly certified prevailing wage records that
22 provides: (a) the name and address of the manufacturer, shop or other type of prefabrication
23 facility where the fabrication work was performed; and (b) the name, address, and occupational
24 classifications of each mechanic, apprentice, laborer or other employee employed in the
25 performance of such work, the hours worked by, and wages paid to, each such employee.

26 SECTION 3. This act shall take effect upon its passage.