When is an Employer Required to Pay the Prevailing Wage Rate?

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The Massachusetts Prevailing Wage Law sets the minimum wage that an employer must pay its employees on public works projects. The Prevailing Wage Law allows the Secretary of the Massachusetts Department of Labor and Workforce Development to set the rates for each type of occupation that an employer must compensate its employees. These rates change year to year, and are different for different projects in different counties. The employer must compensate its employees with at least the rate set by the Secretary.

Jobs that fall under the Prevailing Wage Law

Different employees are entitled to be compensated under the Prevailing Wage Law. If you work on public construction projects, school bus transportation, operation of vehicles and equipment used by public entities for public workers purposes, janitorial services for state buildings, office moving services, and certain work for the housing authority your employer may be required to compensate you at the prevailing wage for your job classification. Regardless of union status, the employer must comply especially on any project where the government funds the project for $2,000.00 or more, or it is a municipal contract. The employer, typically a contractor or a subcontractor, must comply with law or face substantial fines for its noncompliance. Employees who are not properly compensated have the possibility to recover substantial damages as if the proper procedures are followed, employers may have to pay triple damages to the employee for failure to pay the proper wages timely.

Are you properly compensated?

If you believe that you are entitled to compensation at the prevailing wage and your employer is failing to properly compensate you, it is in your best interest to retain an attorney with experience in prevailing wage cases. The attorney's here at Cohen Cleary, P.C. have experience navigating the required procedural hurdles that you as an employee must complete before being able to bring suit for unpaid wages against their employer. If you, as the employee, fail to complete one of the required hurdles, it could prevent you from bringing suit against your employer.

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