

The following priorities will reduce the prevalence of wage theft and payroll tax fraud in the industry while securing a path to the middle class for Virginia residents by ensuring that bids reflect prevailing wages and the work is performed under project labor agreements that reflect a commitment to training, safety, and quality.

1. Prevailing Wages for Public Projects at the State and Local Level

Prevailing wage legislation would require that government-funded projects be subject to prevailing wage standards that ensure fair wages and high quality of construction. Studies show that prevailing wages increase productivity, raise wages, help local contractors, prevent wage theft, and do not increase the cost of construction. This is an essential tool that should be available to local governments as well as the state in procurement.

2. Repeal the “Comstock Rule” Prohibiting the State and Localities from Adopting Project Labor Agreements (“PLAs”) and Adopt a Threshold for Requiring PLAs

PLAs ensure participation in state-approved apprenticeship programs, robust safety standards, local hiring requirements, minority contractor participation, and a grievance procedure to reduce litigation. Standards that ensure quality and safety should be available to both the state and localities.

3. Provide workers with a right to sue in court for wage theft under the Payment of Wage Act, including liability of construction general contractors for non-payment of wages by their sub-contractors.

Currently the workers’ only remedy under the Payment of Wage Act is to file a complaint with the understaffed Department of Labor and Industry. Workers should be able to go to court and if there is willful non-payment of wages, workers should be able to recover their attorneys’ fees and treble damages. General contractors should be accountable if they use sub-contractors who cheat their workers.

4. Best Value Procurement

Both the state and localities should be able to use best value procurement for construction services in order to ensure quality and value, rather than the current low bid standard. In addition to these four priorities for the building trades, we share the view of the entire labor movement that the so-called Right to Work law is an anti-worker, anti-union law that lowers standards and protections for workers.