
House Bill 513

Date: February 16, 2023
Committee: House Economic Matters Committee
Bill Title: Investor-Owned Utilities - Prevailing Wage - Enforcement
Re: **Letter of Information**

House Bill 513 - *Investor-Owned Utilities - Prevailing Wage - Enforcement*, seeks to clarify the roles and responsibilities of the Public Service Commission (PSC) and Maryland Department of Labor (MDL) as it relates to the application of the Prevailing Wage Law to underground utility projects conducted by investor owned utility companies.

MDL is working with the bill sponsor to address concerns with the existing bill language. Namely, MDL would need statutory language that provides the necessary authority to the Commissioner of Labor and Industry to survey the necessary employers and job categories to be able to issue an appropriate rate table for these projects. Currently, the Commissioner's authority only extends to building and highway construction job classifications on certain state funded public works projects with a value greater than \$250,000 and the State has provided 25% or more of the funding.

Using existing job classifications and job categories currently surveyed by the Commissioner for state funded projects for the purposes of this bill may not be sufficient and could cause existing wage rates issued by the Commissioner to be skewed. MDL advises that it would need to collect the necessary data from the utilities to ensure the proper job classifications are being surveyed and the wage rates reflect the work being done on these projects.

MDL has no concern with the PSC retaining the enforcement authority for this proposal as they currently have the existing statutory responsibility to enforce its laws and regulations pursuant to its supervisory authority over public service companies.

Of note, MDL does have a Wage Enforcement Unit, under the Commissioner of Labor and Industry, that receives and handles complaints. Under existing authority, the Wage Enforcement Unit can investigate if there are reported instances of non-compliance with wage requirements and has the necessary tools to compel compliance and rectify disputes.