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February 18, 2021

Michael D. Hurley  
Clerk of the Senate  
State House, Room 335  
Boston, MA 02133

Steven T. James  
Clerk of the House of Representatives  
State House, Room 145  
Boston, MA 02133

Dear Clerks Hurley and James:

The Attorney General's Fair Labor Division is pleased to submit this report on enforcement actions and violation trends within the construction industry, pursuant to our Wage Enforcement line item 0810-0045 of the FY21 General Appropriations Act.

**Enforcement Actions & Violation Trends**

In calendar year 2020, the Division issued 182 citations against 76 construction companies for violating state wage and hour and prevailing wage laws. As a part of these and other enforcement actions, more than 590 employees will receive nearly \$1.4 million in restitution and the companies will pay \$876,000 in penalties to the General Fund. Construction was the second most cited industry in 2020, representing 27 percent of all enforcement. The violations with the highest assessments were failure to pay the prevailing wage (\$1,334,267), failure to pay overtime (\$334,425), nonpayment of wages (\$208,480) and violation of the earned sick time law (\$32,634). Employers were assessed \$304,100 for records violations, which include failure to maintain and failure to furnish true and accurate records.

The Division debarred 14 companies and individuals that failed to comply with citations. These companies will be barred from obtaining public construction contracts in Massachusetts. The Division also issued letters to state and local awarding authorities, notifying them of prevailing wage violations that occurred on their construction projects. The Division of Capital Asset Management and Maintenance's Certification Unit was copied on each letter.

Additionally, the Division made 113 payroll fraud referrals to the Massachusetts Council on the Underground Economy and other agencies to investigate and combat insurance fraud and tax evasion by unscrupulous employers.

Please contact Alicia Rebello-Pradas in the Policy & Government Division at (617) 963-2057 with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lauren Moran". The signature is fluid and cursive, with the first name "Lauren" and last name "Moran" clearly distinguishable.

Lauren Moran  
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