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February 15, 2022

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 FY22 General Appropriations Act.

Enforcement Actions & Violation Trends

In calendar year 2021, the Division issued 160 citations against 72 construction companies for violating state wage and hour, misclassification, and prevailing wage laws. As a part of these and other enforcement actions, more than 565 employees will receive over \$760,000 in restitution and the companies will pay \$510,000 in penalties to the General Fund.

Construction was the second most cited industry in 2021, representing 19 percent of all enforcement. The violations with the highest assessments were failure to pay the prevailing wage (\$705,488), records violations (\$192,000), nonpayment of wages (\$178,833), and failure to pay overtime (\$105,278).

The Division debarred 3 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 81 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
Chief, Fair Labor Division
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