

# SENATE . . . . . No. 2603

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## The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court  
(2023-2024)

SENATE, March 4, 2024.

The committee on Labor and Workforce Development, to whom was referred the petitions (accompanied by bill, Senate, No. 1171) of Paul R. Feeney, Marc R. Pacheco, Jacob R. Oliveira, Sal N. DiDomenico and other members of the General Court for legislation to include offsite fabrication work for qualified projects under the prevailing wage laws of the Commonwealth; and (accompanied by bill, House, No. 1943) of Jeffrey N. Roy and others relative to compliance with prevailing wage laws for offsite fabrication, report the accompanying bill (Senate, No. 2603).

For the committee,  
Patricia D. Jehlen

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to compliance with the prevailing wage laws of the Commonwealth.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 27D of chapter 149 of the General Laws is hereby amended by  
2 inserting at the end thereof the following new paragraphs:-

3           For the purposes of this section, the words “construction” and “constructed” shall include  
4 offsite fabrication work for any project covered by this section. In such cases, the wage required  
5 under this chapter shall be paid for such work and the requirements of Section 27B of chapter  
6 149 shall apply to such work, including, but not limited to, weekly submission of certified  
7 payroll records and an accompanying statement made under penalties of perjury. Penalties  
8 provided under Section 27C of chapter 149 shall apply to such work.

9           The term “offsite fabrication” means products or items that are: (a) produced specifically  
10 for a qualified project; (b) considered to be non-standard, custom fabricated items, not generic  
11 products readily available for any project; and (c) produced at an offsite location that are part of  
12 plumbing, electrical, mechanical and sheet metal systems, including but not limited to piping,  
13 fixtures, equipment, wirings, ductwork and other component or parts of such systems. This

14 provision shall not apply to any other work other than work that is part of plumbing, electrical,  
15 mechanical, and sheet metal systems. Nothing in the foregoing definition of “offsite fabrication”  
16 is intended to restrict application of Section 26 of chapter 149 of the General Laws or to prevent  
17 the Commonwealth, or a county, town, authority or district thereof contracting for the  
18 construction of public works from giving preference to offsite fabrication performed at an offsite  
19 location within a specific geographical area.

20 SECTION 2. Section 27B of chapter 149 of the General Laws is hereby amended by  
21 inserting at the end thereof the following new paragraph:

22 For any offsite fabrication work subject to this section, the contractor, subcontractor or  
23 public body shall include a section in their weekly certified prevailing wage records that  
24 provides: (a) the name and address of the manufacturer, shop or other type of prefabrication  
25 facility where the fabrication work was performed; and (b) the name, address, and occupational  
26 classifications of each mechanic, apprentice, laborer or other employee employed in the  
27 performance of such work, the hours worked by, and wages paid to, each such employee.

28 SECTION 3. This act shall take effect upon its passage.