



THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

February 9, 2024

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 FY24 General Appropriations Act.

Enforcement Actions & Violation Trends

In calendar year 2023, the Division issued 213 citations against 117 construction companies for violating state wage and hour, misclassification, and prevailing wage laws. As a part of these and other enforcement actions, more than 1,076 employees will receive over \$1.4 million in restitution and the companies will pay \$1.2 million in penalties to the General Fund. Construction was the second most cited industry in 2023, representing 18 percent of all enforcement. The violations with the highest assessments were failure to pay overtime compensation (\$1,003,228), failure to make timely payment (\$571,447), failure to pay prevailing wage (\$311,678), and misclassification as independent contractor (\$253,000).

The Division debarred one company and individual that failed to comply with citations. These companies will be barred from obtaining public construction contracts in Massachusetts. The Division also issued 41 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 217 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.

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Please contact Alexander Gray in the Policy & Government Relations Division at (617) 963-2601 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
Office of Attorney General Andrea Joy Campbell
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