

Resolutions

RESOLUTION #11

Support Prevailing Wage and Misclassification Enforcement

Submitted by Delegate Ralph Affrunti, Chicago & Cook County Building and Construction Trades Council

WHEREAS, the federal Davis-Bacon Act was signed into law on March 3, 1931 by President Herbert Hoover, with Senator James Davis (R-PA) as the senate sponsor, and Representative Robert L. Bacon (R-NY) as the House sponsor; and

WHEREAS, the Illinois Prevailing Wage Act was codified into law in 1941, it was modeled off the federal Davis-Bacon Act and requires contractors and subcontractors to pay workers on public works projects no less than the prevailing rate of wages for similar work in the county where the work is to be carried out; and

WHEREAS, the modern-day prevailing wage law is a basic foundation of the construction industry, ensuring that any public tax dollars used for the project will benefit local contractors, workers, and communities; and

WHEREAS, workers continue to be “misclassified” as independent contractors, without workers’ compensation coverage, insurance or proper payment of Social Security and other taxes; and

WHEREAS, many immigrant workers find themselves the victim of independent contractor scams, depriving these vulnerable workers of proper wage payment and benefits; and

WHEREAS, in 2007 the employee classification act was passed into law in Illinois, seeking to protect workers in the construction industry from being “misclassified”; and

WHEREAS, enforcement of the prevailing wage and employee classification laws is dependent on the federal and state governments providing adequate funding and oversight to enforce them; and

WHEREAS, Governor Pritzker has strongly supported the enforcement of prevailing wage and employee classification laws; and

WHEREAS, in 2019 the Illinois General Assembly passed and Governor Pritzker signed SB 161, which created a worker protection unit in the office of the Illinois Attorney General; and

WHEREAS, the worker protection unit gives the Attorney General’s Office the ability to initiate, intervene in, and enforce criminal and civil violations of a host of labor laws: The Employee Misclassification Act, the Minimum Wage Act, the Prevailing Wage Act, the Day and Temporary Labor Services Act, and the Wage Payment and Collection Act; and therefore, be it

RESOLVED, that this Illinois AFL-CIO convention goes on record in support of the prevailing wage and the employee classification laws and their strong and thorough enforcement; and be it further

RESOLVED, that the Illinois AFL-CIO will continue to work legislatively in Springfield for appropriate and proper funding of the Illinois Department of Labor; and be it finally

RESOLVED, that the Illinois AFL-CIO and its affiliates will fight back against any attacks to diminish the prevailing wage and be ever vigilant in guarding the prevailing wage at the local level.