

Anne Arundel County Prevailing Wage Frequently Asked Questions (FAQs)

Prevailing Wage Requirements

Q: What is Prevailing Wage?

A: Prevailing Wage Law requires that contractors (both primes & subcontractors) pay their employees performing work at a prevailing wage rate (hourly rate + fringe if applicable) that is established by the Maryland Department of Labor (DOL). Contractors shall pay employees a rate equal to or greater than the prevailing wage rate in effect.

Q: When does this apply?

A: Prevailing wage applies for work performed on County capital contracts valued over \$250,000, or capital contracts to which the County contributes funding valued over \$5,000,000.

Q: How are the Wage Rates and Fringes determined?

A: The Maryland Department of Labor (MD DLLR) determines the prevailing wage rates and fringes annually for certain job classifications in a locality (County). Each fall, the Maryland DOL solicits payroll information from contractors, contractor associations, labor organizations, and other interested parties, seeking data detailing wage rates paid in various classifications in all counties. The rates are determined by considering this information. The wage determination is effective for one year from the date it is issued. However, the prevailing wage rate at the time the work begins remains in effect until the contract is complete.

Q: What is a Wage Determination (WD)?

A: A Wage Determination is a document that lists the wage and fringe benefit rates for each job classification identified by the Maryland Department of Labor as prevailing in a given locality. Each Project Manual includes a Wage Determination, listing the prevailing wage and fringe benefit rates for each job classification in the contract, specific to a given locality, in this case, Anne Arundel County. Prevailing wage rates are issued separately for building and highway contracts on a county-by-county basis.

Q: What should a contractor do if a Wage Determination issued does not include the job classifications the contractor intends to use on the contract?

A: If a Wage Determination issued does not contain all the job classifications of work that the contractor believes will be performed on the contract, the contractor should contact the Anne Arundel County Prevailing Wage Unit Team before commencing work.

Prevailing Wage and Local Hiring Team:

Email: prevailing-wage-and-local-hiring-team@aacounty.org

Phone: (410) 222-1344

Q: What happens if Wage Rates change after the contractor has submitted a bid or started work on the contract?

A: The prevailing wage rate in effect at the time work begins shall remain in effect until the contract is completed.

Q: Do Prevailing Wage Rates apply to employees of subcontractors, and are non-union workers also entitled to those rates?

A: If a contract is subject to prevailing wage law, the prevailing wage rates apply to employees of both the prime and all subcontractors. This includes all workers, regardless of union or non-union status. Anyone performing work on a prevailing wage contract is entitled to prevailing wage rates.

Q: Who is exempt from the Prevailing Wage Law?

A: Some job categories that are not subject to prevailing wage include administrative and management positions. In addition, a contractor who is strictly a supplier of materials and performs no work on the contract is not subject to the prevailing wage law. Similarly, a trucker who hauls materials or supplies to and from a work site is not subject to the Prevailing Wage law. However, if the trucker moves materials around or performs other work on the job site, they are covered by the prevailing wage law.

Q: Is there a requirement to post Prevailing Wage Rates?

A: The prime contractor is responsible for prominently posting the Wage Determination at the jobsite(s) where employees can easily access it. It must remain posted for the duration of the contract.

Q: Who qualifies as an Apprentice, and what is the process for having an Apprentice work on a Prevailing Wage Contract in Anne Arundel County?

A: An Apprentice must be registered in a program of a Council or Bureau of Apprenticeship and Training of the United States Department of Labor, or an approved equivalent in the state of Maryland. The Apprentice must meet the following criteria:

- a) Be at least 16 years old;
- b) Have signed an agreement with the employer that includes a statement of the following;
 - Trade, craft, or occupation that the individual is learning;
 - The beginning and ending dates of the apprenticeship;
- c) The apprentice-to-journeyperson ratio must be 1:1 when performing work on the contract.
- d) As the apprenticeship progresses, these changes must be communicated and updated to ensure the correct phase is recorded.

Prior to an apprentice performing work on a contract, the contractor is required to submit a copy of the apprentice agreement, the phase of the program they are in, and the hourly wage rate and fringe benefits to be paid. This information is required for review and approval by Anne Arundel County's Prevailing Wage section. [Anne Arundel County - Apprentice Information Form PW -02](#)

Q: How and when do contractors submit Certified Payroll Records (CPRs)?

A: Anne Arundel County uses LCPTracker (Labor Compliance Program), through which contractors, both prime and subcontractors, submit their certified payrolls on an assigned contract. Once a contractor has started work on a contract, certified payrolls must be submitted within 14 calendar days of the end of the payroll period.

Q: How long should payroll records be kept after the contract has concluded?

A: Payroll records must be maintained for no less than five (5) years after the work is completed.

Q: What is the Anne Arundel County overtime requirement?

A: Please keep in mind that overtime requirements vary depending on the county in which you are working, as well as on state and federally funded contracts. Anne Arundel County's requirements for prevailing wage contracts are as follows:

Employees must be paid overtime for work performed under the following conditions:

- In excess of eight (8) hours in a day;
- In excess of 40 hours per week;
- For work performed on a Sunday; and
- For work performed on the following holidays: (New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas Day).

Q: What happens if a contractor underpays a worker?

A: If a contractor (prime or sub) underpays a worker, they are required to pay the worker the full wages owed according to the prevailing wage. Failure to do so will result in non-compliance with the prevailing wage law.

Q: How can a contractor employee file a complaint?

A: A complaint can be filed by filling out and submitting the Prevailing Wage Complaint form: [Anne Arundel Prevailing Wage Law Complaint Form](#)

Or by getting in touch with the Anne Arundel County Prevailing Wage Team:

Email: prevailing-wage-and-local-hiring-team@aacounty.org

Phone: Phone: (410) 222-1344

Q: What should contractors expect during the onsite contractor employee interviews?

A: Onsite contractor employee interviews involve employees being asked about their specific wages and fringe benefits. Therefore, we encourage employees to bring copies of their pay stubs, in either electronic or paper form.

Q: What if a contractor employee is unable to speak English during the interview?

A: A language interpreter will be provided when needed.

Anne Arundel County Local Hiring Frequently Asked Questions (FAQs)

Local Hiring Requirements

Q: What is Local Hiring?

A: Prime contractors shall make best efforts to fill at least 51% of new job vacancies required for this contract with Anne Arundel County residents. Local Hiring applies to contractors who have a capital improvement contract with the County valued at more than \$1,000,000, or who have a contract for a capital contract to which the County contributes funding with a value over \$5,000,000.

Q: Who submits the Quarterly Local Hiring Report?

A: Only a prime contractor is required to submit a Quarterly Local Hiring Report; hence they are the only ones subject to this requirement.

Q: How often should the Local Hiring Report be submitted?

A: The Local Hiring Report is required to be submitted quarterly through our Labor Compliance Program (LCPTTracker) or as requested. The Local Hiring Report should be submitted no later than five (5) calendar days after the end of the reporting period.

Q: Do contractors need to submit the Local Hiring Report even if no new employees were interviewed or hired during that reporting period?

A: The Local Hiring Report must be submitted throughout the contract, regardless of whether the contractor has interviewed or hired new employees.

Q: What information is required on the Local Hiring Report?

A: The report includes the following:

- a.) Number of new hires needed for the contract during the reporting period;
- b.) Total number of Anne Arundel County residents hired during the reporting period;
- c.) Total number of all employees hired during the reporting period;
- d.) A description of best efforts made to fill open positions for the contract with Anne Arundel County residents; and

e.) For all new hires during the reporting period, including the following information:

- Name
- Last 4 digits of Social Security Number
- Job Classification
- Hire date
- Address
- Referral Source

Q: Where can I find Anne Arundel County resources for Local Hiring?

A: In addition to other hiring platforms, Anne Arundel County has compiled local hiring employment resources to help connect you with residents seeking job opportunities.

<https://www.aacounty.org/sites/default/files/2024-02/AAC-Local-Hiring-Employment-Resources.pdf>