

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2026 Legislative Session

Bill No. CB-062-2026

Chapter No. _____

Proposed and Presented by Council Member Burroughs

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Prevailing Hours and Wage Rates on Public Works – Employment – Apprenticiable Trades

3 For the purpose of generally requiring contractors and subcontractors on certain public works to

4 employ workers from apprenticeable trades who are either apprentices participating in an

5 apprenticeship program registered with the Maryland Apprenticeship and Training Council or

6 who have completed a registered apprenticeship program; adding a certain definition; increasing

7 the amount of damages for violations of the law; and generally relating to prevailing hours and

8 wage rates on public works.

9 BY repealing and reenacting with amendments:

10 SUBTITLE 2. ADMINISTRATION.

11 Sections 2-247, 2-251, 2-252, 2-253.01,

12 The Prince George's County Code

13 (2023 Edition; 2025 Supplement).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
15 Maryland, that Sections 2-247, 2-251, 2-252, and 2-253.01 of the Prince George's County Code
16 be and the same are hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 2. ADMINISTRATION.**

18 **DIVISION 14. PREVAILING HOURS AND WAGE RATES ON PUBLIC [WORKERS]**
19 **WORKS.**

20 **Sec. 2-247. - Definitions.**

21 (a) **Apprentice** means a person at least sixteen (16) years of age who has entered into a

1 written agreement with an employer or his agent, an association of employers or an organization
 2 of employees, or a joint committee representing both, which states the trade, craft, or occupation
 3 which the apprentice is to be taught and the time at which the apprenticeship begins and ends,
 4 and who is registered in a program of the Maryland Apprenticeship and Training Council or the
 5 Bureau of Apprenticeship and Training of the U.S. Department of Labor.

6 (b) **Apprenticeable trade** means a trade recognized as an apprenticeable trade and with a
 7 program registered by the Maryland Apprenticeship and Training Council.

8 (c) **Board** means the Wage Determination Board.

9 [(c)](d) **Construction** includes all construction, reconstruction, improvement,
 10 enlargement, painting and decorating, alteration, demolition, maintenance, rehabbing,
 11 resurfacing, pavement milling, mechanical systems service contracts or repair.

12 [(d)](e) **Locality** means Prince George's County, Maryland.

13 [(e)](f) **Mechanical Systems Service Contracts** means a contract for service of the
 14 following systems:

15 (1) HVAC systems, including heating, ventilation, and cooling/air conditioning
 16 equipment; HVAC systems, including heating, ventilation, and cooling/air conditioning
 17 equipment; or

18 (2) refrigeration systems; or

19 (3) plumbing systems, including pipes, tanks, fittings, and other elements that
 20 control the water and gas supply, heating, and sanitation of a building; or

21 (4) electrical systems, including any electrical power and overhead and
 22 underground lines, poles, transformers, and other related equipment; or

23 (5) elevator systems, including escalators, moving walkways, and other related
 24 conveyances.

25 [(f)](g) **Prevailing hourly rate of wages, prevailing hourly wage rate, prevailing rate
 26 of wages, prevailing wage rate, prevailing hourly wage, prevailing wage, rate of wages, and
 27 wage rates** include:

28 (1) The basic hourly rate of pay; and

29 (2) The amount of:

30 (A) The rate of contribution irrevocably made by a contractor,
 31 subcontractor, or third person pursuant to a fund, plan, or program which provides for medical,

1 surgical, or hospital care or benefits or pensions on retirement, disability, or death, including any
2 profit sharing plan which provides benefits at or after retirement, compensation for injuries or
3 illness resulting from occupational activity, or insurance to provide any of the foregoing; for
4 unemployment benefits, life insurance, or accident insurance; for vacation and holiday pay; for
5 defraying costs of apprenticeship or other similar programs; or for other bona fide fringe
6 benefits, but only if the contractor is not required by Federal, State, or local law to provide any of
7 such benefits; and

8 (B) The rate of costs to the contractor or subcontractor which may be
9 reasonably anticipated in providing the fringe benefits specified in paragraph (2)(A) to workmen
10 and apprentices pursuant to an enforceable commitment to carry out a financially responsible
11 plan or program which is communicated in writing to the workmen and apprentices affected.

12 [(g)](h) **Public body** means Prince George's County or any department, officer, board,
13 commission, or agency of the County.

14 [(h)](i) **Public funds** means any funds directly appropriated by the County.

15 [(i)](j) **Public works** includes all buildings, bridges, dams, airports, highways, tunnels,
16 roads, streets, alleys, ditches, sewers, sewage disposal plants, waterworks, land clearing, and
17 excavation and all other structures or works, constructed for public use or benefit or paid for
18 wholly or in part out of public funds, except work done by any public utility company subject to
19 the jurisdiction of the Public Service Commission or other public authority, whether or not done
20 under public supervision or direction or paid for wholly or in part out of public funds, unless let
21 to contract. Public works also includes a mechanical systems service contract with a contract
22 value in excess of the threshold amount codified at 41 U.S.C. 6702(A)(2), the McNamara O'Hara
23 Service Contract Act of 1965, as amended.

24 [(j)](k) **Workman** means laborer, workman, and mechanic. High School students
25 registered in work study programs approved by the Prince George's County Board of Education
26 are exempt from the provisions of this Division.

27 * * * * *

28 **Sec. 2-251. Payment of prevailing wages.**

29 * * * * *

30 (d) If any workman or apprentice is paid less than the compensation to which he is entitled
31 hereunder, the contractor shall make restitution to the affected employee for the amount due

1 within five (5) working days after notice thereof by the public body or employee and shall
2 thereafter be liable to the public body for liquidated damages at the rate of [Ten Dollars
3 (\$10.00)] Two Hundred and Fifty Dollars (\$250.00) per day for each employee so underpaid.
4 Each day of violation shall constitute a separate violation.

5 * * * * *

6 **Sec. 2-252. Payrolls and basic records.**

7 (a) A copy of the prevailing hourly rate of wages shall be kept posted by the contractor at
8 the site of the work in a prominent place where it can easily be seen and read by the workers. In
9 the event a copy of such prevailing hourly rate of wages shall not be so posted, the contractor
10 may be liable to the public body for liquidated damages at the rate of [Ten Dollars (\$10.00)] Two
11 Hundred and Fifty Dollars (\$250.00) per day for each day on which the rates are not posted.
12 Each day of violation shall constitute a separate violation.

13 * * * * *

14 (d) If the contractor is delinquent in submitting his or any of his subcontractors' payroll
15 records which shall be submitted within fourteen (14) working days after the end of each payroll
16 period, processing of partial payment estimates may be held in abeyance pending receipt of the
17 payroll records. In addition, if the contractor is delinquent in submitting his or any of his
18 subcontractors' payroll records, the contractor shall be liable to the public body for liquidated
19 damages in the amount of [Ten Dollars (\$10.00)] Two Hundred and Fifty Dollars (\$250.00) for
20 each calendar day that the payroll records are late.

21 * * * * *

22 **Sec. 2-253.01. - Use of competent workmen and apprentices.**

23 (a) On any public works to which this Division applies[,] a contractor or subcontractor
24 shall:

25 (1) only employ competent workmen and apprentices of the trades, crafts, and
26 occupations [shall be employed by the contractor and all subcontractors on the public works],
27 provided that the use of apprentices and the ratio of journeymen to apprentices for each craft
28 involved, shall conform to the apprenticeship programs approved by the Bureau of
29 Apprenticeship Training of the U.S. Department of Labor, and as registered with the Maryland
30 Apprenticeship and Training Council, Department of Labor and Industry[.]; and

31 (2) for apprenticeable trades, only employ workmen who are either an apprentice

1 participating in an apprenticeship program registered with the Maryland Apprenticeship and
2 Training Council, or who have completed a registered apprenticeship program.

3 (b) Nothing in this Division prevents the employment of laborers to perform work not
4 ordinarily performed by a skilled mechanic or his apprentice of the trade, craft, or occupation,
5 but no person receiving a rate of pay which is the prevailing rate of wages for skilled mechanic
6 or apprentice of such trade, craft, or occupation.

7 (c) Where a laborer performs the work ordinarily performed by any skilled mechanic or
8 his apprentice, he shall be paid for the entire time he has performed such work at the rate of
9 wages applicable to a skilled mechanic; and in the event of such underpayment, restitution shall
10 be made by the contractor to said employee within five (5) working days after notice by the
11 public body or employee, and thereafter, the contractor may be liable to the public body for
12 liquidated damages in an amount not to exceed [Ten Dollars (\$10.00)] Two Hundred and Fifty
13 Dollars (\$250.00) per day for each such violation. Each day of violation shall constitute a
14 separate violation.

15 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
16 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
17 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
18 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
19 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
20 Act, since the same would have been enacted without the incorporation in this Act of any such
21 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
22 or section.

23 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on forty-five (45)
24 calendar days after it becomes law.

Adopted this ____ day of _____, 2026.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Krystal Oriadha
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Aisha N. Braveboy
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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