

LEGAL ALERT BULLETIN

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presented by

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Welby, Brady & Greenblatt, LLP periodically publishes its Legal Alert Bulletin to notify its clients and others in the construction industry about court decisions and changes in the law in the Tri-State area that may affect their businesses or the way they do business. We urge you to regularly visit our website, www.wbglp.com, to keep abreast of what is happening in the courts and law that may affect your business.

WORKER NOTIFICATION – WAGE RATES

If you do public works contracting in New York, be aware of the new wage rate notification requirement under section 220 of the Labor Law, which became effective on February 24, 2008, even though it was not approved until April 23, 2008.

The new law requires contractors and subcontractors on public works projects to provide their workers with written notice of the prevailing wage rate for their particular job classification on each pay stub. If the information will not fit on the pay stub, an accompanying sheet or attachment of the information will suffice.

Contractors and subcontractors whose contracts are for more than \$25,000 and who do not maintain a place of business in New York State, must keep a copy of their certified accurate payroll records at the project site. All other contractors and subcontractors who have a place of business in New York State must produce their certified accurate payroll records at the project site within 5 days after receiving notice from the Commissioner of Labor.

In addition, contractors and subcontractors must post a notice at the beginning of performance of every public works contract, on each job site, that includes the telephone number and address for the Department of Labor and a statement informing their workers of their right to contact the Department of Labor if they are not receiving the proper prevailing wages and/or supplements for their particular job classification. The notice can be downloaded from the Department of Labor's website www.labor.state.ny.us, or by contacting the Bureau of Public Work at 518-457-5589.

If you have any questions about the information set forth in this Legal Alert, call us at 914-428-2100. Please understand that this alert provides general information only. It is not intended to provide legal advice. We encourage you to contact an attorney should you desire to discuss specific situations for which you may need legal advice. Under the ethical rules that govern the practice of law, this communication may be considered as attorney advertising.