



Department
of Labor

WORKING FOR YOU

THE BUREAU OF PUBLIC WORK & PREVAILING WAGE ENFORCEMENT

COMPLIANCE AND ENFORCEMENT GUIDANCE

MARCH 25, 2026

**THE BUREAU OF PUBLIC WORK &
PREVAILING WAGE ENFORCEMENT**

**ENFORCES THE PROVISIONS OF NYS LABOR LAW
ARTICLES 8 & 9**

AS WELL AS ARTICLE 6 FOR CONSTRUCTION WORK

TABLE OF CONTENTS:

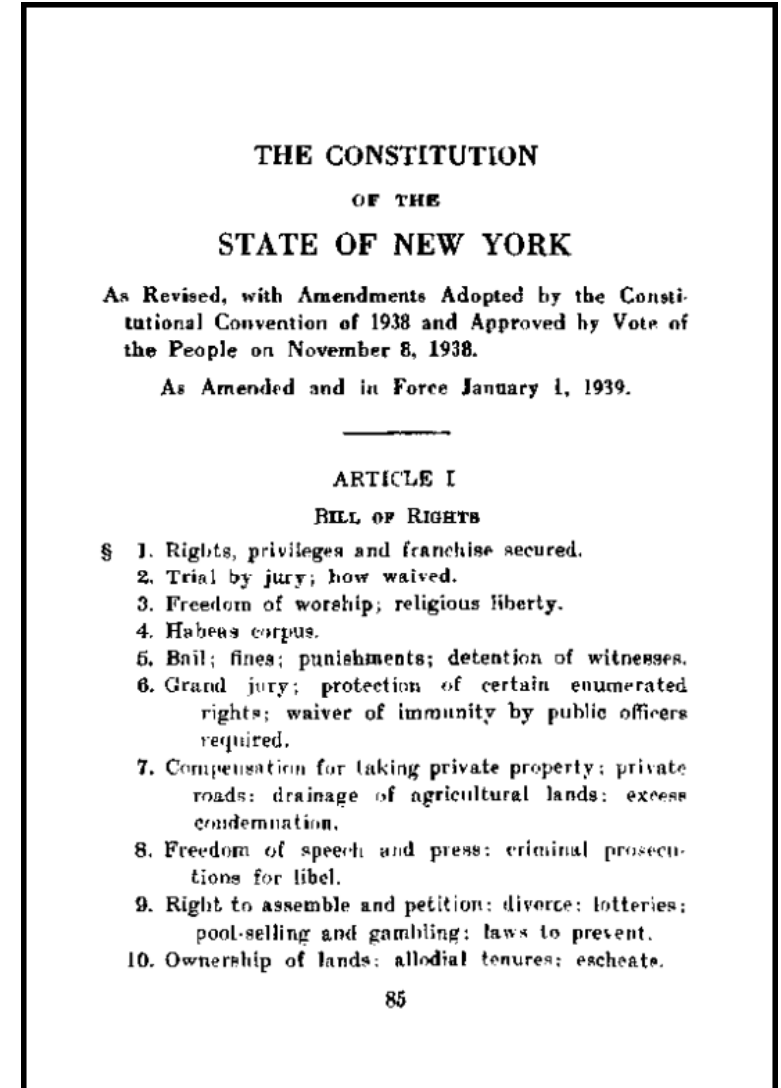
• The Prevailing Wage	(4)	• Private Construction	(80)
○ Setting The Wage Schedule	(7)	○ Bureau Role	(81)
○ Article 9	(12)	• The Bureau	(84)
▪ Building Service Work	(13)	○ Structure	(85)
○ Article 8	(15)	○ Enforcement	(88)
▪ Public Work	(18)	▪ Investigations	(90)
▪ Covered Private Work	(20)	▪ Resolutions	(91)
▪ Contractor Registry	(37)	○ Compliance & Education	(101)
▪ Electronic Certified Payrolls	(48)	▪ Website	(102)
▪ Departments of Jurisdiction	(60)	▪ Required Postings	(104)
▪ Apprentices Rates	(62)	▪ Fair Play Act	(105)
▪ Dispensations for Hours	(74)	▪ Educational Visits	(106)
▪ WICKS Law	(76)	○ Statistics	(107)
▪ OSHA	(79)	○ Contact Information	(108)

THE PREVAILING WAGE

THE RATE OF WAGES AND SUPPLEMENTS THAT MUST BE PAID TO LABORERS, WORKMEN OR MECHANICS ON PUBLIC WORK AND COVERED PRIVATE PROJECTS, AS WELL AS BUILDING SERVICE WORKERS FOR SERVICE CONTRACTS WITH PUBLIC ENTITIES

THE PREVAILING WAGE

- Created by legislation in 1894
- Enshrined in the NYS Constitution in 1938
- Articles 8 & 9 of the NYS Labor Law constitute the current NYS prevailing wage laws
- Article 8 covers “Public Work” (§ 220) and Covered Private Construction (§§ 224-a thru 224-f)
- Article 9 covers Building Service Work (§ 231)



THE PREVAILING WAGE

§17. Labor of human beings is not a commodity nor an article of commerce and shall never be so considered or construed.

No laborer, worker or mechanic, in the employ of a contractor of sub-contractor engaged in the performance of any public work, shall be permitted to work more than eight hours in any day or more than five days in any week, except in case of extraordinary emergency, nor shall he or she be paid less than the rate of wages prevailing in the same trade or occupation in the locality within the state where such public work is to be situated, erected or used.

Employees shall have the right to organize and to bargain collectively through representatives of their own choosing.

THE CONSTITUTION
OF THE
STATE OF NEW YORK

As Revised, with Amendments Adopted by the Constitutional Convention of 1938 and Approved by Vote of the People on November 8, 1938.

As Amended and in Force January 1, 1939.

ARTICLE I
BILL OF RIGHTS

- § 1. Rights, privileges and franchise secured.
2. Trial by jury; how waived.
3. Freedom of worship; religious liberty.
4. Habeas corpus.
5. Bail; fines; punishments; detention of witnesses.
6. Grand jury; protection of certain enumerated rights; waiver of immunity by public officers required.
7. Compensation for taking private property; private roads; drainage of agricultural lands; excess condemnation.
8. Freedom of speech and press; criminal prosecutions for libel.
9. Right to assemble and petition; divorce; lotteries; pool-selling and gambling; laws to prevent.
10. Ownership of lands; allodial tenures; escheate.

85

HOW IS THE PREVAILING WAGE SET?

For Article 8:

The "prevailing rate of wage," for the intents and purposes of this article, shall be the rate of wage paid in the locality, as hereinafter defined, by virtue of collective bargaining agreements between bona fide labor organizations and employers of the private sector, performing public or private work provided that said employers employ at least thirty per centum of workers, laborers or mechanics in the same trade or occupation in the locality where the work is being performed.

For Article 9:

"Prevailing wage," means the wage determined by the fiscal officer to be prevailing for the various classes of building service employees in the locality. In no event shall the basic hourly cash rate of pay be less than the statutory minimum wage established by article nineteen of this chapter, or, in a city with a local law requiring a higher minimum wage on city contract work, less than the minimum wages specified in such local law.

The rates are set annually by the Commissioner of Labor and the NYC Comptroller and are effective July 1st through the following June 30th.

HOW IS THE PREVAILING WAGE SET?

For Article 8:

The majority of prevailing wage rates are derived from collective bargaining agreements (CBAs) of bona fide labor organizations and employers in the private sector.

Each spring the Bureau of Public Work & Prevailing Wage Enforcement (“The Bureau”) obtains the updated CBAs from the union whose rate is currently posted in the wage schedule and updates the prevailing wage schedule for the July 1st posting.

For Article 9:

The majority of prevailing wage rates are derived from the use of research and statistics.

The reason for this is that there are not many CBAs that cover thirty per centum or more of building service workers in the locality where the work is being performed

HOW IS THE PREVAILING WAGE SET?

Collective Bargaining Agreements vs. Research and Statistics

When using CBAs, the Bureau extracts the prevailing wage and supplemental benefit rates for both Journeymen and Apprentices, along with other relevant criteria including but not limited to paid holidays, overtime rates, and shift differentials. The supplemental benefit rate is the hourly sum of all the individual qualifying benefit amounts from the CBA that are of direct benefit to the worker.

When using Research and Statistics, the Bureau utilizes the mean wage for the particular trades, as determined by the Office of Research and Statistics within the NYS Department of Labor, which utilizes the work categories set by the US Bureau of Labor Statistics.

HOW IS THE PREVAILING WAGE SET?

Challenges to the Posted Prevailing Wage Schedule

Does the Bureau ever adopt the rate from a different CBA than it had been using in years past?

It may. The party challenging the posted rate must allege and prove by competent evidence, that the actual percentage of workers, laborers or mechanics is below the required thirty per centum of workers, laborers or mechanics in the same trade or occupation in the locality where the work is being performed.

During the pendency of any such contest and until final determination thereof, the work in question shall proceed under the rate established in the current wage schedule.

HOW IS THE PREVAILING WAGE SET?

Is the Bureau Required to Conduct Surveys to Determine the Applicable CBA?

No. A 1983 amendment to NYS Labor Law § 220 dispensed with the requirement that the Department of Labor conduct surveys to classify work and set the prevailing wage rates.

To determine the applicable rate, the Bureau of Public Work and Prevailing Wage Enforcement looks at all factors, including but not limited to:

- Nature of the work
- Collective bargaining agreements
- Jurisdictional agreements
- Jurisdictional decisions
- Historical practice
- Past DOL recognition
- Case law precedents

WHAT IS SUBJECT TO PREVAILING WAGE?

Article 9:

Building Service Work

ARTICLE 9: BUILDING SERVICE WORK

NYS Labor Law Article 9; Sections 230 – 239-A

- Covers building service contracts with a public agency in excess of \$1500
- The Bureau has jurisdiction on contracts let by the state and political subdivisions with the exception of cities, for which the enforcement falls to the comptroller or analogous officer
- At the start of the 2022 fiscal year, large NYC condominiums and cooperatives seeking a tax abatement under real property tax law § 467-a will be required to pay their building service workers the Article 9 prevailing wage

ARTICLE 9: BUILDING SERVICE WORK

Covered Trades

- Exterminators, Fumigators
- Fuel Delivery
- Security Guards
- Janitors, Porters, Cleaners
- Landscape Maintenance Around Buildings
- Moving Furniture and Equipment
- Stationary Engineers
- Trash and Refuse Removal
- Window Cleaners

WHAT IS SUBJECT TO PREVAILING WAGE?

Article 8:

Public Work Projects

Covered Private Projects

ARTICLE 8

NYS Labor Law Article 8; Sections 220 – 224-f*

Commissioner of Labor enforces the prevailing wage requirements on contracts let by the state and its political sub-divisions except for contracts let by the City of New York, for which the New York City Comptroller is responsible for enforcement.

Applies to public work contracts and covered private projects that involve construction, reconstruction, renovations, maintenance, abatement and repair. This can include inspections, surveying and heavy cleanup as well.

Covered private construction projects include projects in excess of \$5 million dollars with 30% public subsidy funding, certain renewable energy projects, certain ConnectAll funded broadband projects, certain climate risk related projects, certain utility roadway excavation projects, and certain parking structure EV charging station projects.

*there are two subsections titled 224-f

PUBLIC WORK

What is Public Work?

- Pursuant to Labor Law § 220, prevailing wage applies to:

"Each contract to which the state or a public benefit corporation or a municipal corporation or a commission appointed pursuant to law is a party, and **any contract for public work entered into by a third party acting in place of, on behalf of and for the benefit of such public entity pursuant to any lease, permit or other agreement between such third party and the public entity**, and which may involve the employment of laborers, workers or mechanics shall contain a stipulation that no laborer, worker or mechanic in the employ of the contractor, sub-contractor or other person doing or contracting to do the whole or a part of the work contemplated by the contract shall be permitted or required to work more than eight hours in any one calendar day or more than five days in any one week except in cases of extraordinary emergency including fire, flood or danger to life or property."

PUBLIC WORK

Generally, a three-prong test is applied to determine whether a particular project is “public work” and subject to the prevailing wage requirements of Labor Law § 220 and article I, § 17 of the State Constitution.

- 1) A public agency must be a party to a contract involving the employment of laborers, workmen, or mechanics.
- 2) The contract must concern a project that primarily involves construction-like labor and is paid for by public funds.
- 3) The primary objective or function of the work product must be the use or other benefit of the general public.

PUBLIC WORK

Can a Public Work project be on private land?

Yes. Private ownership of the land or structures on which the work is being performed is a consideration in determining whether the contract is subject to prevailing wage requirements, but it is not a dispositive factor.

PUBLIC WORK ON PRIVATE LAND

For example: When the Department of Environmental Conservation enters into a contract for environmental remediation on privately-owned land. Generally, the first two prongs of the three-prong test are met. The question then becomes whether the project is primarily for the benefit of the general public?

If the remediation project is on private land, but the primary purpose is to remediate or prevent the spread of toxic chemicals to public land, it will generally meet the third prong as well and be considered “public work.”

If the clean-up is on private land, but the sole or primary purpose is to remediate a single homeowner’s private drinking water well, it likely fails the third prong.

All matters are determined on a case-by-case basis.

COVERED PRIVATE WORK

The provisions of Labor Law sections 224-a thru 224-f* subject certain private construction projects to the prevailing wage requirements of Article 8.

*there are two subsections titled 224-f

COVERED PUBLIC SUBSIDY PROJECTS

NYS Labor Law Section 224-a

Deems certain private projects as “covered projects” subject to the prevailing wage requirements of LL § 220.

With certain exceptions, “Covered projects” are defined as construction work done under a contract which is paid for in whole or in part out of *public funds*, where:

- The aggregate amount of all such public funds is 30% or more of total construction projects costs, and
- Total project costs are over \$5 million dollars
- In effect for all contracts signed on or after 1/1/22.

COVERED PUBLIC SUBSIDY PROJECTS

Public Funds are:

- Payment of money by a public entity, or third-party to the contractor, subcontractor, developer or owner that is not subject to repayment
- Savings from fees, rents, interest rates, or other loan costs or insurance costs that are lower than market rate
- Savings from reduced taxes as a result of credits, abatements, exemptions or increment financing
- Savings from payments in lieu of taxes
- Savings from reduced, waived or forgiven costs due to public entity
- Money loaned by public entity to be repaid on contingent basis
- Credits applied by public entity against repayment of obligations

COVERED PUBLIC SUBSIDY PROJECTS

Public Funds that are *exempt* from counting towards the 30% threshold:

- Direct Federal Funding
- Benefits under Real Property Tax Law 421-a
- Funds that are not provided primarily to promote, incentivize, or ensure that construction work is performed, which would otherwise be covered by § 224-a
- Funds used to incentivize or ensure the development of a comprehensive sewer system
- Tax benefits, the length and value of which cannot be determined at the time work is performed
- Tax benefits related to brownfield remediation
- Funds provided pursuant to Education Law 2853(3) (Charter Schools)
- Any other sources the Public Subsidy Board exempts

COVERED PUBLIC SUBSIDY PROJECTS

Projects that are *exempt* from the definition of “covered projects” under § 224-a:

- Contracts with a not-for-profit as defined in Not-For-Profit Corporation Law 102, with two exceptions:
 - NFP formed exclusively to hold title to property and collect income thereof
 - NFP has gross annual revenue and support of less than \$5 million
- Construction work performed under a pre-hire collective bargaining agreement with a bona fide building and construction trade labor organization, labor peace agreement, or project labor agreement

COVERED PUBLIC SUBSIDY PROJECTS

Projects that are exempt from the definition of “covered projects” under § 224-a:

- Installation of renewable energy, heating or cooling, or energy storage systems with capacity of 5MW or less.* (Labor Law § 224-d may still subject such projects to Prevailing Wage)
- Construction work on space to be used as a school under 60,000 sq/ft pursuant to a lease from private owner to NYC Dept. of Education and School Construction Authority
- Projects that receive Tax Law benefits related to Historic Rehabilitation
- Projects funded by the Downtown Revitalization Initiative (§ 16-n Urban Development Corporation Act)

THE PUBLIC SUBSIDY BOARD

Established by Labor Law § 224-c:

- Oversight for the expansion of prevailing wage to covered private projects will be vested in a public subsidy board comprised of 13 members appointed by the Governor with the Commissioner as the chairperson.
- The Board may issue binding determinations as to whether a project is in fact covered by the new requirements and will have the power to hold hearings, take testimony and make recommendations regarding the law's thresholds and exemptions.
- The Bureau will support the Board in the execution of its duties, investigate underpayment allegations and enforce the prevailing wage requirements of Article 8 on covered projects.
- Regular quarterly meetings are open to the public.

THE PUBLIC SUBSIDY BOARD

Board Procedure:

- A project potentially covered by Labor Law section 224-a is identified via:
 - Certification Form Submission (Due from owner/developer within 5 days of construction commencing)
 - Self Reporting
 - Third Party Referral
 - Worker Complaint

THE PUBLIC SUBSIDY BOARD

Board Procedure:

- And Prevailing Wage Enforcement conducts preliminary investigation into the project's funding and delivers a report to the Public Subsidy Board.
- The Board discusses the project during an executive session at the next Board meeting and issues a determination or schedules. The Board may also conduct a hearing to gather additional information.
- Once a Board determination is made, the Board Secretary sends notifications of the determination to the owners/developers of the project and any public entities involved in the project (own the land or provided funding), which is binding upon the owner/developer and upon the Bureau in its enforcement of 224-a.

PROJECT CERTIFICATION/DETERMINATION REQUEST FORM

Bureau of Public Work
State Office Building Campus
Building 12 – Room 130
Albany, New York 12226

WE ARE YOUR DOL



Official Use Only

Date received: _____

PRC No. previously issued: _____

Certification For Covered Project

Request For Wage and Supplement Information

Submit this form to certify if a project is covered by LL 224-a or to request a Public Subsidy Board covered project determination. May be mailed to above address or emailed to: labor.sm.5184851870Fax@labor.ny.gov

Complete Fillable Fields or Form Must be Typewritten Submitted By: Owner Developer

A. Contract to be let by:

- Name: _____
Complete Address: _____
Telephone: _____ Fax: _____
Email: _____
- Send Reply to: _____
Complete Address: _____
Telephone: _____ Fax: _____
Email: _____
- Contract Date: _____
Construction Start Date: _____
(may be approximate if no specific date)
- Contract Name or ID Number: _____
Prime Contractor(s): _____
List Known Sub-contractors: _____

B. Project Particulars

- Project Name: _____
Description of Work: _____
- Location of Project: _____
Address: _____
- Nature of the Project (check all that apply):
 New Construction Heavy/Highway
 Addition to Existing Structure Sewer/Water Line
 Demolition, Abatement Renewable Energy
 Reconstruction, Maintenance, Repair, Alteration Thermal Energy Network
 Other: _____
- List All Subsidies and Source: _____

Total Project Cost: \$ _____ Total Amount of Subsidies: \$ _____

Subsidies Equate to _____ Percent(%) of Total Project Costs

- Name and Title: _____

Signature: _____

REQUIREMENTS OF ARTICLE 8 SECTION 224-a OF THE NEW YORK STATE LABOR LAW

Each owner and developer subject to the requirements of this section shall comply with the objectives and goals of minority and women-owned business enterprises pursuant to article fifteen-A of the executive law and service-disabled veteran-owned businesses pursuant to article seventeen-B of the executive law.

- Is the Owner a minority, women, and/or service-disabled veteran owned business? _____
- Is the Developer (if different from owner) a minority, women, and/or service-disabled veteran owned business? _____
- List all Contractors and Sub-Contractors who are minority, women, and/or service-disabled veteran owned business: _____

CERTIFICATION / REQUEST FOR DETERMINATION

As of _____ and for a certain project, entitled _____,
(Date) (Project Title) (Name of Certifier)
_____, certifies under penalty of perjury pursuant to NYS Labor Law 224-a.8.a. that:
(Title of Certifier)

- It is unknown if this project is subject to the provisions of NYS Labor Law 224-a and a binding determination from the Public Subsidy Board is hereby requested.
- This project is subject to the provisions of NYS Labor Law 224-a
- This project is not subject to the provisions of NYS Labor Law 224-a
(if not subject, check all that apply)
 - Total construction project costs are under \$5 million dollars.
 - Total aggregate public funding equates to less than 30% of total construction project Costs.
 - The project is exempted by one of the provisions of Subdivision 4 of NYS Labor Law 224-a.
Please specify: _____
 - The public funding is exempted by one of provisions of Subdivision 3 of NYS Labor Law 224-a.
Please specify: _____

Signature: _____ Address of Certifier: _____

Date: _____

The certification should be signed by members of management who are responsible for and knowledgeable, directly or through others in the organization, about the matters covered by the assertion.

Available at:
<https://dol.ny.gov/public-work-and-prevailing-wage-forms>

THE PUBLIC SUBSIDY BOARD

Public Subsidy Board



Board Webpage:

<https://dol.ny.gov/public-subsidy-board>

There you can find:

- Meetings Schedule and Agendas
- Information on How to Attend Meetings
- Recordings of Past Meetings
- Board Procedures
- Prior Board Determinations

COVERED RENEWABLE ENERGY PROJECTS

Labor Law § 224-d:

“Covered Renewable Energy Systems” subject to prevailing wage:

- Renewable Energy Systems (as defined in Public Service Law § 66-p) with:
 - A capacity of one or more Megawatts, and
 - Involves the purchase of renewable energy credits by a public entity, or third-party acting on behalf of and for the benefit of the public entity
- Any Thermal Energy Network (as defined by PSL § 2.29)
- Exempts projects performed under a pre-hire CBA with a bona fide building and construction trade labor organization, labor peace agreement, or project labor agreement

COVERED RENEWABLE ENERGY PROJECTS

Labor Law § 224-d:

Bureau of Public Work and Prevailing Wage Enforcement shall enforce prevailing wage requirements on “covered renewable energy system” projects when:

- The project involves the procurement of renewable energy credits (RECs) by a public entity, or a third party acting on behalf of and for the benefit of a public entity. (This will include all projects solicited / procurement issued on or after July 1, 2024, that transfer renewable energy credits to Investor-Owned-Utilities.)

COVERED RENEWABLE ENERGY PROJECTS

Labor Law § 224-d:

AND, either of the following:

- The system has a capacity of more than 5 megawatts and the project was solicited/procurement issued on or after October 1, 2021 through July 4, 2022, or
- The system has a capacity of 1 or more megawatts or is a thermal energy network and the project was solicited/procurement issued on or after July 5, 2022.

COVERED RENEWABLE ENERGY PROJECTS

Many solar projects are reported by NYSERDA (New York State Energy Research and Development Authority) on Open.NY.Gov at:

[Solar Electric Programs Reported by NYSERDA: Beginning 2000 | State of New York](#)

https://data.ny.gov/Energy-Environment/Solar-Electric-Programs-Reported-by-NYSERDA-Beginn/3x8r-34rs/data_preview

COVERED CONNECTALL BROADBAND PROJECTS

Labor Law § 224-e:

- “Covered broadband projects” subject to prevailing wage include
 - Projects funded by ConnectAll Deployment Program (UDCA § 16-gg(7))
 - Projects funded by ConnectAll Municipal Assistance Program (UDCA § 16-gg(8))
- Where the contract was entered into on or after April 9, 2022

COVERED CLIMATE RISK-RELATED AND ENERGY TRANSITION PROJECTS

Labor Law § 224-f:

A “Covered Climate Risk-Related and Energy Transition Project” subject to prevailing wage means a construction project that receives at least \$100,000 of funds from the New York Climate action fund climate investment account.

Excludes:

- Privately owned construction work performed under a pre-hire collective bargaining agreement with a bona fide building and construction trades labor organization
- A private one or two-family residential dwelling
- Construction work on a privately owned multiple residence where at least 25% of the units are affordable housing or at least 35% of units involve supportive housing services for vulnerable populations

COVERED ROADWAY EXCAVATION PROJECTS

Labor Law § 224-f*:

This law subjects certain roadway construction work by utility company contractors and subcontractors to the prevailing wage requirements of Article 8. Covered work, defined as a “covered excavation project,” means construction work for which a permit may be issued to a contractor or subcontractor of a utility company by the state, a county, or a municipality to use, excavate, or open a street. The law does not cover direct employees of a utility company.

COVERED ROADWAY EXCAVATION PROJECTS

Labor Law § 224-f*:

This law also imposes certain requirements upon government entities before they may issue permits for covered excavation projects. Such permits may not be issued until an agreement confirming the payment of prevailing wages has been contractually mandated and filed with the department of jurisdiction. All such permits issued after the effective date of shall include a copy of this law.

Effective on all contracts for construction solicited on or after September 15, 2023

COVERED ROADWAY EXCAVATION PROJECTS

Extended FAQ available on Public Work Website:

<https://dol.ny.gov/system/files/documents/2023/09/enforcement-guidance-update-2-roadway-excavation-quality-assurance-act.pdf>

- For assistance in determining what wage rates should be applied to the specific work involved in the different types of utility projects, please consult with the nearest Public Work District Office. Contact information is provided at the end of the slideshow.

COVERED EV CHARGING STATIONS IN PARKING STRUCTURES

Effective December 28, 2023:

- The State Finance Law mandates that private parking facilities with 50 or more spaces must include Electric Vehicle (EV) charging stations.
- The installation of these EV charging stations and their associated infrastructure requires payment of prevailing wages as outlined in Section 220.
- For projects where private parking facilities are built under a contract paid for, in whole or in part, with public funds (as defined by the public subsidy law, section 224-a), the rest of the project will be subject to the prevailing wage rules of Article 8.
- Projects already exempt from prevailing wage requirements under section 224-a are also exempt from this law.

MODERNIZATION

Contractor Registry

Electronic Certified Payroll

ONLINE REGISTRY AND PAYROLL REPORTING

A NY.gov account is required for Contractor Registration and for submitting Certified Payrolls Electronically.

Don't have a NY.gov account?

Learn how to get set up with a guide at:

[Setting up a NY.gov Account](#)

<https://dol.ny.gov/setting-nygov-account>

CONTRACTOR REGISTRY

NYS Labor Law § 220-I:

Effective December 30, 2024, all contractors and subcontractors must be registered online with the Department of Labor in order to:

- Bid on Public Work Projects
- Perform work on Public Work or Covered Private Projects

Registration is \$200 for two years. Discounted fee for MWBE and Veteran Owned Businesses.

CONTRACTOR REGISTRY

Go to: [Log In - Management System for Protecting Workers' Rights](#)

Welcome to the Department of Labor!

Your single access point to NYS Department of Labor services and support for all your labor and employment needs.



Application & Licenses

Start a new request or renew your existing licenses.



Certified Payroll Reports

Submit a new certified payroll or manage past payroll reports.



Apprenticeship Training

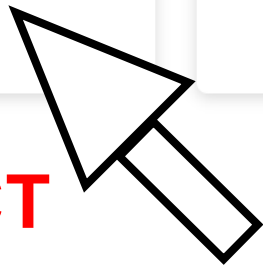
Manage your registered apprenticeship program and apprentice information.



Violations

Make a payment for any violations to ensure full compliance with state law.

SELECT



<https://mpwr-public.labor.ny.gov/en/login>

CONTRACTOR REGISTRY

Required Information for Registration:

- Legal business name
- Principal business address and telephone number
- Whether the contractor is a person, partnership, association, joint stock company, trust, corporation, or another form of a business entity
- Name and address of each person with an ownership interest and their percentage of ownership interest
- The names and addresses of the owners or officers
- If the company is a publicly traded corporation
- Tax identification number, unemployment insurance registration number, and worker's compensation board employer number and proof of coverage
- Apprenticeship program (if applicable)
- Proof of Minority or Women-Owned Business status (if applicable)

CONTRACTOR REGISTRY

Required Disclosures for Registration

Contractors and Subcontractors must also provide the following information:

- Whether they have any outstanding wage assessments against them
- Whether they have been debarred federally or within New York State within the last eight years
- Whether they have been found to have violated any labor laws or employment tax laws surrounding:
 - Worker's compensation coverage
 - Payment of workers compensation premiums
 - Income tax
 - Unemployment insurance contributions
 - Payment of wages
- If they have violated any OSHA safety standards

CONTRACTOR REGISTRY

Once the application has been approved the contractor will receive an official registration certificate. This certificate will be valid for two (2) years from the date of registration.

Contractors will be required to renew their registration no less than ninety (90) days before the expiration date of their original registration. A renewal reminder will be forwarded to them prior to the expiration date.

CONTRACTOR REGISTRY

Departments of Jurisdiction (Contracting Agencies) and the public will have the ability to search the Contractor Registry for registered contractors using New Yorks open data portal Data.NY.Gov

[DATA.NY.GOV - Contractor Registry Certificate](#)

https://data.ny.gov/Government-Finance/Contractor-Registry-Certificate/i4jv-zkey/about_data

CONTRACTOR REGISTRY DASHBOARD

This dashboard provides information on registered public work contractors and subcontractors in New York State.

The dashboard displays a map of registered public work contractors and subcontractors by zip code and allows the user to see specific information about each registered contractor or subcontractor.

United States Map- Use the drop-down filters to search by geography or search by business name or certificate number. Click on a zip code to see a list of registered public work contractors and subcontractors based in that zip code. From the list, click on a business name to see more information about the business.

New York Map- Provides a zoomed-in view of the data that focuses only on registered public work contractors and subcontractors in New York State. Use the drop-down filters to search by geography or search by business name or certificate number. Click on a zip code to see a list of registered public work contractors and subcontractors based in that zip code. From the list, click on a business name to see more information about the business.

*This dashboard is updated daily by 10:00 AM, Monday-Friday.

CONTRACTOR REGISTRY DASHBOARD

Public Work Contractor and Subcontractor Registry



United States Map

New York Map

Search by Geography:

1. Select State or Province:

2. Select City/Town:

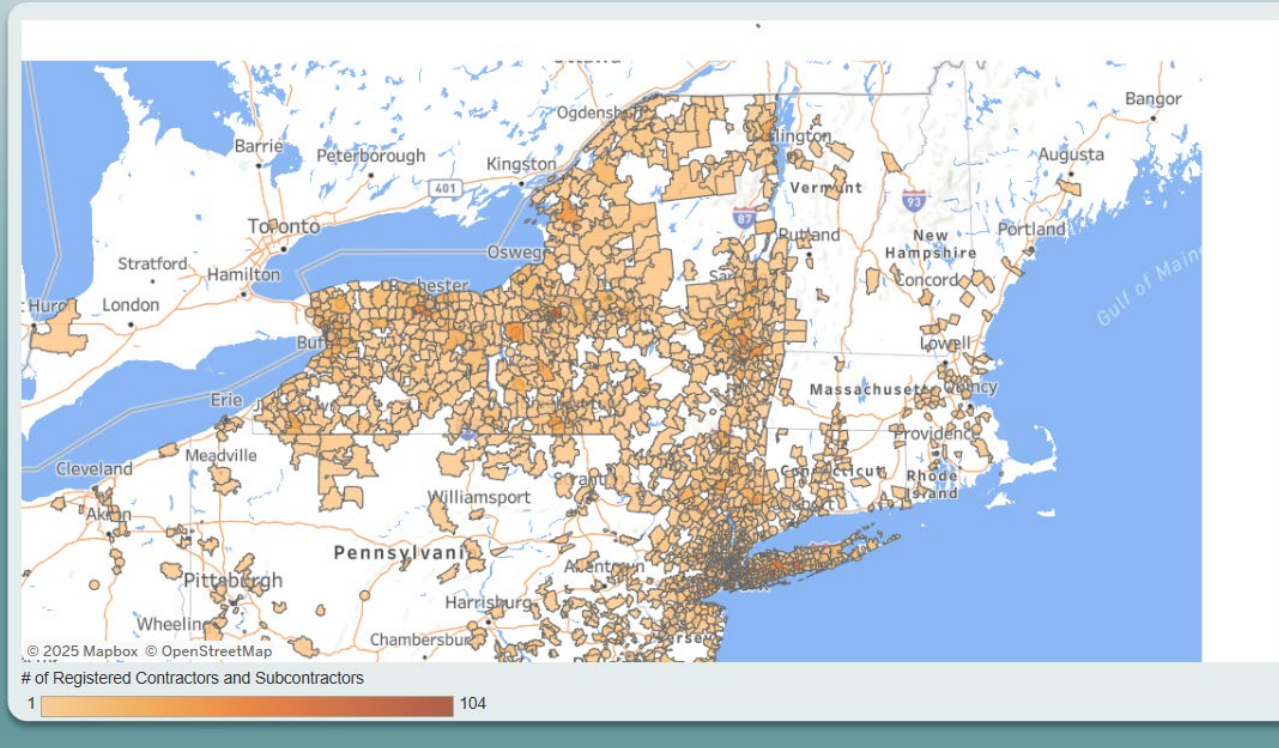
11,829

Active Certificates

Search by Business Name or Certificate Number:

Search by Business Name:

Search by Certificate Number:



CONTRACTOR REGISTRY

More information can be found at:

[Public Work Contractor and Subcontractor Registry Landing | Department of Labor](https://dol.ny.gov/public-work-contractor-and-subcontractor-registry-landing)

<https://dol.ny.gov/public-work-contractor-and-subcontractor-registry-landing>

WHAT IS YOUR INTEREST IN THE CONTRACTOR AND SUBCONTRACTOR REGISTRY?

I Need to Register

All of the information that contractors and subcontractors need to register.

[Registry Information](#)

I Want to View the Dashboard

View Contractor and Subcontractor Registry Dashboard

[Dashboard](#)

ELECTRONIC CERTIFIED PAYROLL REPORTING

NYS Labor Law § 220-j:

Effective December 31, 2025, all contractors and subcontractors must submit all certified payrolls online with the Department of Labor for all:

- Public Work Projects
- Covered Private Projects

ELECTRONIC CERTIFIED PAYROLL REPORTING

Go to: [Log In - Management System for Protecting Workers' Rights](#)

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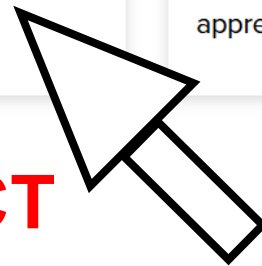
Manage your registered apprenticeship program and apprentice information.



Violations

Make a payment for any violations to ensure full compliance with state law.

SELECT



<https://mpwr-public.labor.ny.gov/en/login>

ELECTRONIC CERTIFIED PAYROLL REPORTING

< MAIN MENU | Dashboard > Certified Payroll Reports

ⓘ This system is for submitting certified payrolls to the New York State Department of Labor only. NYS Labor Law section 220-j requires electronic filing of certified payrolls for all public work and covered private construction projects unless the construction project falls under the jurisdiction of the New York City Comptroller. The New York City Comptroller has jurisdiction over public work and covered private construction projects performed by or on behalf of New York City.

If you are unsure where to submit a certified payroll, please inquire with the entity that let the project to determine if the Commissioner of Labor or New York City Comptroller is the fiscal officer.

Identification Information

Begin by entering your FEIN and Certificate of Contractor Registration Number below.

If you do not have an FEIN, you can [apply online on the IRS website](#).

If you do not have the Certificate of Contractor Registration, apply from your dashboard or [click here to start your application](#).

FEIN

Certificate of Contractor Registration Number

BACK

NEXT

To set up a new project, you'll need:

- Your business' employer identification number (FEIN) from the IRS
- Your NYS contractor registration number (found on your Certificate of Contractor Registration)
- Your prevailing wage case number (PRC Number) for the project
- A copy of your payment bond (for public improvement projects only)

ELECTRONIC CERTIFIED PAYROLL REPORTING

< MAIN MENU | Project

1

Business Information

2

3

Business Information

Review the business information provided below. If any details are incorrect or need updating, please contact the Bureau of Public Work at labor.sm.pwask@labor.ny.gov or call (518) 457-5589 during business hours.

Legal Name	ABC Construction
DBA	—
Type of Business Organization	Limited Liability Company
FEIN	09-8765432
Primary Phone Number	(555) 555-5555
Business Address	123 Main St. Albany, New York 12205 United States

NEXT

ELECTRONIC CERTIFIED PAYROLL REPORTING

^ Project Information

Please select which agency you are submitting payrolls to
New York State Department of Labor

Project Name

Project Name

Prevalling Rate Case Number

2025081123

Project Address

123 Main St.
Albany, New York 12205
United States

County

Albany, Rensselaer

ELECTRONIC CERTIFIED PAYROLL REPORTING

Start Date

09/01/2025

Projected End Date

05/25/2026

Is this a public work or covered private project?

Public Work (LL § 220)

Contracting Agency (Department of Jurisdiction)

NYS Department of Labor

Are you the prime contractor or subcontractor for this project?

Prime Contractor

What day of the week does your payroll usually start?

Thursday

^ **Document Upload**

Do you have a payment bond or a waiver of the bond requirement for this project?

Yes

Copy of Payment Bond required by SFL 137

[Payment Bond.docx](#) 

BACK

SAVE & ADD THE PROJECT

ELECTRONIC CERTIFIED PAYROLL REPORTING

< MAIN MENU | Dashboard

Certified Payroll Reports

Below is a list of your projects. To submit your payroll, click on 'Add Payroll.' Please note that payroll submissions are due every 30 days from the project start date. If you need to skip a payroll or mark the last week of work, you can do so by clicking 'Add Payroll' to access the payroll entry screen.

NEW PROJECT

If you have any questions or need further assistance, please contact the Bureau of Public Work at labor.sm.pwask@labor.ny.gov or call (518) 457-5589 during business hours.

ABC Construction

Project Name

Prevailing Rate Case Number: 2025081123

VIEW PROJECT →

Due next

^ Payroll due December 29

Week ending: 12/10/25

ADD PAYROLL

Week ending: 12/3/25

ADD PAYROLL

ELECTRONIC CERTIFIED PAYROLL REPORTING

[< MAIN MENU](#) | [Dashboard >](#) [Project >](#) [Payroll](#)

Project Name

ABC Construction | Time frame: 9/1/25 - 5/25/26

Address: 123 Main St., Albany, New York 12205

County: Albany, Rensselaer

Date 

No Work Week ⓘ

[<](#) **Week ending December 3, 2025** [>](#)

[Due December 29](#)

No employees have been added yet. You can begin by adding an employee manually, or upload a payroll XML file if you already have one with employee information.
If no work was completed this week, please check the appropriate box above.

ELECTRONIC CERTIFIED PAYROLL REPORTING

< MAIN MENU | Dashboard >

Proj
ABC Co
Address:
County:
Date:
12/03
 N
+ A
FILE

Add Employee

Personal Information

First Name 4/45

Middle Name (optional) 0/45

Last Name 5/45

Social Security Number (last 4 digits) 4/4

Employee does not have a SSN

Check this box if employee is a NYS Registered Apprentice

Home Address

CONTINUE

ELECTRONIC CERTIFIED PAYROLL REPORTING

< MAIN MENU | Dashboard > Project > Payroll

^ John Smith



Hours Worked

For multiple overtime rates, please add the work category again for each additional rate. Only include the hours worked under that specific rate in the overtime row.

Work Category	ST Hourly Rate	OT Hourly Rate
<input type="text" value=""/>	\$ 0.00	\$ 0.00

If no hours worked, please enter *0*.

	TH	F	S	SU	M	T	W	Total
ST	<input type="text" value="11/27"/>	<input type="text" value="11/28"/>	<input type="text" value="11/29"/>	<input type="text" value="11/30"/>	<input type="text" value="12/01"/>	<input type="text" value="12/02"/>	<input type="text" value="12/03"/>	0
OT	<input type="text" value="11/27"/>	<input type="text" value="11/28"/>	<input type="text" value="11/29"/>	<input type="text" value="11/30"/>	<input type="text" value="12/01"/>	<input type="text" value="12/02"/>	<input type="text" value="12/03"/>	0

+ ADD A WORK CATEGORY

Deductions

Are there any deductions other than Tax withholdings? Examples: charging employees for uniforms, tools, travel costs, provided meals, use of company equipment, vehicles, and gas.

Yes	No
-----	----

ELECTRONIC CERTIFIED PAYROLL REPORTING

Supplemental Benefits

Are supplemental benefits provided?

In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above-referenced payroll, payments of supplemental or fringe benefits have been or will be made when due to appropriate programs for the benefit of such employees.

Yes

No

Any cash payments in lieu of providing supplemental/fringe benefits are to be included in the hourly rate reported above.

Net Wages

\$

0.00

+ ADD AN EMPLOYEE/SELF

📎 UPLOAD PAYROLL XML FILE

CONTINUE

ELECTRONIC CERTIFIED PAYROLL REPORTING

< MAIN MENU | Dashboard > Project > Payroll

11/27
OT 1

+ ADD AN

Supplemental

Are supplement
In addition to the
referenced pay
due to appropri

Yes

Any cash paym
hourly rate rep

Net Wages

+ ADD AN

20.00

CTION

r Deductions
20.00

1,625.00

605.00

L XML FILE

Acknowledgement and Declaration

I pay or supervise the payment of the employees listed on this payroll, or otherwise have the authority to complete this report, and I affirm as true under penalties of perjury, that all persons employed on the related project have been listed on the payroll and have been paid the full weekly wages earned. Furthermore, I certify that the payrolls are true and accurate, and that any apprentices are duly registered in a bona fide apprentice program recognized by the New York State Department of Labor Office of Apprenticeship and Training.

Each employee listed in the payroll has been paid an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required supplemental fringe benefit as a cash wage, or, payment of the supplemental fringe benefits have been or will be made to the appropriate programs for the benefit of such employees.

Final Work Week - Select this box if this is the final week and no further payroll will be submitted. This will automatically update the projected project end date in your dashboard.

Please upload the Supplemental Benefits Documentation. Note: Only upload files of format PDF, DOC or JPG.

Supplemental Benefits Documentation
(Provide documentation of each fund, plan or program where any supplement has been paid or provided for.)

CHOOSE FILE

CANCEL SUBMIT

CONTINUE

DEPARTMENTS OF JURISDICTION

The Contracting Agency of a Public Work Project can be a:

- State department, agency, board, commission
- County, city, town or village
- School district, board of education or board of cooperative educational services
- Sewer, water, fire, improvement and other district corporation
- Public benefit corporation
- Public authority awarding a public work contract

DEPARTMENTS OF JURISDICTION RESPONSIBILITIES

- Request PRC# and wage schedule (Online at: [Obtain a Wage Schedule | Department of Labor](#))
- Include project wage schedule in bid packet and awarded contract
- Verify contractors who bid on or commence work on a prevailing wage project are registered with the NYS Contractor Registry. Bids submitted by unregistered contractors are considered non-responsive. Submit a notice of award (PW-16 form) to BPW
- Notify BPW in writing of who will be responsible for collecting and reviewing certified payrolls and post said designation in a conspicuous location at the project site.
- Review certified payrolls
- Submit a notice of completion/cancellation (PW-200 form) to BPW when project is completed or cancelled

APPRENTICE RATES

NYS Labor Law Section 220.3(a)

“Serving laborers, helpers, assistants, and apprentices shall not be classified as common labor and shall be paid not less than the prevailing rate of wages as hereinafter defined.”

“No employee shall be deemed to be an apprentice unless he is individually registered in an apprenticeship program which is duly registered with the commissioner of labor...”

APPRENTICE RATES

NYS Labor Law Section 220.3-e

“Apprentices will be permitted to work as such only when they are **registered**, individually, under a bona fide program registered with the NYS Department of Labor.” (Emphasis added)

“The allowable ratio of apprentices to journeymen in any craft classification shall not be greater than the ratio permitted to the contractor as to his work force on any job under the registered program.”

APPRENTICE RATES

NYS Labor Law Section 220.3-e

“Any employee listed on a payroll at an apprentice wage rate, who is not registered as above, shall be paid the wage rate determined by the NYS Department of Labor for the classification of work he actually performed.” i.e. as a journeyman

“The contractor or subcontractor will be required to furnish written evidence of the registration of his program and apprentices as well as of the appropriate ratios and wage rates, for the area of construction prior to using any apprentices on the contract work.”

APPRENTICE RATES

Q: What are pre-apprentices, interns, informal/unregistered apprentices, and direct-entry program participants?

A: Not registered apprentices

Q: Can pre-apprentices, interns, informal/unregistered apprentices, direct-entry program participants, or “helpers” be paid apprentice rates on a prevailing wage job?

A: No.

APPRENTICE RATES

	Internship	Pre-Apprenticeship	Direct-Entry Program	Informal Apprenticeship	Registered Apprenticeship
Description	A work experience tied to a student's area of study or career interests	Designed to prepare individuals for entry into Registered Apprenticeship Programs or other job opportunities	A type of pre-apprenticeship program used often as a way to reach underrepresented populations and to meet a company's EEO goals.	Informal or unregistered apprenticeship programs include on-the-job training experience to learn a trade.	Learning a skilled trade through on-the-job training (hands-on experience) plus related outside academic instruction.
Length of Time	Varies	Varies from one week to 6 months	Varies from several weeks up to 6 months	Varies from 6 months to several years	1-5 years
Pay	Paid or Unpaid	Paid or Unpaid	Paid or Unpaid	Paid	Paid with built-in wage increases
Minimum Participant Age	Depends on industry	Depends on industry	Depends on industry	Depends on industry	16
Nationally recognized credential received upon completion?	Generally, none	Varies	Varies	None	Nationally recognized certificate
Instruction is standardized	Generally, no	No	Yes	No	Yes
Program is regulated	Varies	Varies	No	No	Yes
Is funding available to support this program?	For some programs	Yes	Yes	No	Yes
Is there a cost to the participant?	No	No	No	No	Generally, no
Who can operate the program?	Employers and CBOs	Employers and CBOs	Must be approved by NYSDOL	Any employer	Must be approved by NYSDOL
Curriculum is standardized	No	Not across all programs	No	No	Yes
Can training be counted as prior credit and experience as part of a Registered Apprenticeship program?	Varies	Yes	Yes	Varies	--

Only group eligible to be paid prevailing wage apprentice rates.

APPRENTICE RATES

When is an Apprentice Registered?

When the original Apprentice Agreement form is received by NYSDOL, entered into the database, and signed by a NYSDOL representative.

The form must be received within 30 days of requested start date.

This is Statutory: Apprentices must be registered in accordance with Article 23 of NYS Labor Law.

APPRENTICE RATES

Can apprentices work for and be paid as apprentices by anyone?

No, if a properly registered apprentice is performing work for a contractor who is not a sponsor or registered signatory of a sponsor's properly registered apprenticeship program, then that contractor cannot provide proper journey worker supervision for apprentices.

[List of Active Sponsors | Department of Labor](#)

APPRENTICE RATES

Can an apprentice be retroactively paid the lower rate once registered?

No, if a worker performs labor prior to an apprenticeship registration being approved, they must be paid timely in accordance with NYS payroll laws.

If the registration is subsequently approved with a starting date that predates the work already compensated for, the journey worker wages cannot be clawed back by the employer.

APPRENTICE RATIOS

The following are the allowable ratios of registered Apprentices to Journey-workers.

The ratio 1:1,1:3 indicates the allowable ratio is one Apprentice to one Journey worker.

The Journey worker must be in place on the project before an Apprentice is allowed to work. Then three additional Journey workers are needed before a second Apprentice is allowed to work.

The last ratio repeats indefinitely. Therefore, three more Journey workers must be present before a third Apprentice can be hired, and so on.

Title (Trade)	Ratio
Boilermaker (Construction)	1:1,1:4
Boilermaker (Shop)	1:1,1:3
Carpenter (Bldg.,H&H, Pile Driver/Dockbuilder)	1:1,1:4
Carpenter (Residential)	1:1,1:3
Electrical (Outside) Lineman	1:1,1:2
Electrician (Inside)	1:1,1:3
Elevator/Escalator Construction & Modernizer	1:1,1:2
Glazier	1:1,1:3
Insulation & Asbestos Worker	1:1,1:3
Iron Worker	1:1,1:4
Laborer	1:1,1:3
Mason	1:1,1:4
Millwright	1:1,1:4
Op Engineer	1:1,1:5
Painter	1:1,1:3
Plumber & Steamfitter	1:1,1:3
Roofer	1:1,1:2
Sheet Metal Worker	1:1,1:3
Sprinkler Fitter	1:1,1:2

APPRENTICE RATIOS

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Glazier	1:1,1:3
Insulation & Asbestos Worker	1:1,1:3
Iron Worker	1:1,1:4
Laborer	1:1,1:3
Mason	1:1,1:4
Millwright	1:1,1:4
Op Engineer	1:1,1:5
Painter	1:1,1:3
Plumber & Steamfitter	1:1,1:3
Roofer	1:1,1:2
Sheet Metal Worker	1:1,1:3
Sprinkler Fitter	1:1,1:2

Apprentice rates can only be paid so long as the journey workers are employed and paid as the same trade as the apprentices.

Thus, one painter paid at journey worker rate lets you pay one painter as an apprentice.

Four painters paid at journey worker rate lets you pay two painters as apprentices.

Seven painters paid at journey worker rate lets you pay three painters as an apprentice...

This applies on a per jobsite basis.

APPRENTICE RATIOS

TOP Apprenticeship Trades

SECTIONS

Overview

Trade List

Changes of Approach

Trades Pending Approval

Trade Reactivations Pending Approval

Trade Updates

How To Submit Comments

Contact

Changes of Approach

Trades Pending Approval

Trade Reactivations Pending Approval

Trade Updates

How To Submit Comments

Contact

Trade List

Search:

Apprenticeship Trades

Trade Title	Term (In Months)	Ratio*	Outlines
Aircraft Refinishing Paint Technician	Hybrid	1:1, 1:1	Outline
Airframe & Powerplant Mechanic	Hybrid	1:1, 1:1	Outline
Alcoholism & Substance Abuse Counselor Aide	12	1:1, 1:1	Outline
Art Operations Associate	12	1:1, 1:1	Outline
Auto Body Repairer & Painter	48	1:1, 1:1	Outline
Automobile Mechanic	36	1:1, 1:1	Outline
Automotive Service Technician	48	1:1, 1:1	Outline
Baker, Retail	36	1:1, 1:1	Outline
Behavior Technician	12	1:1, 1:1	Outline
Bench Jeweler (Production)	27	1:1, 1:1	Outline
Biological Technician	24	1:1, 1:1	Outline
Boilermaker (Construction)	48	1:1, 1:1	Outline
Brewer/Distiller	20	1:1, 1:1	Outline
Bricklayer, Mason	27-36	1:1, 1:4	Outline
Bricklayer Mason & Plasterer	48	1:1, 1:4	Outline
Building Maintenance Mechanic	24	1:1, 1:1	Outline
Business Operations Associate	Competency	1:1, 1:1	Outline
Cabinetmaker	32-48	1:1, 1:3	Outline
Calibration Technician (Electrical/Electronic)	48	1:1, 1:1	Outline
Carpenter	32-48	1:1, 1:4	Outline
Carpenter	Hybrid	1:1, 1:4	Outline
Carpenter (Heavy/Highway)	36	1:1, 1:4	Outline
Carpenter (Pile Driver/Dockbuilder)	32-48	1:1, 1:4	Outline
Carpenter (Residential)	32	1:1, 1:3	Outline
Cement Finisher or Cement Mason	27-36	1:1, 1:4	Outline

Previous 1 2 3 4 5 ... 10 Next

*Ratios are established to ensure the proper safety, training and supervision of apprentices. A ratio establishes the number of journeymen required for each apprentice in a program and on a job site. Ratios are interpreted as follows: in the case of a 1:1, 1:4, there must be one journeyman for the first apprentice, and four additional journeymen for each subsequent apprentice.

These Ratios are established by the Apprenticeship Council on a statewide basis and cannot be altered by an employer or individual CBA.

[Apprenticeship Trades | Department of Labor](#)

The only possible exception, with respect to the payment of prevailing wages, is when there is a Project Labor Agreement in place for a specific project.

APPRENTICE RATES

What if multiple trades claim the ability to do the same work and that it's part of the training for their apprentices?

If different trades claim the same work and say it is part of their apprentice training, only the apprentice rate for the journeyworker rate enforced by BPWE for that specific work can be paid.

DISPENSATIONS FOR HOURS WORKED

NYS Labor Law § 220.2

No worker may be made to work more than eight hours in a day or more than five days per week.

However, upon application, the Bureau may issue a dispensation on behalf of the Commissioner where it is determined:

- That there are not sufficient workers, laborers and mechanics of any or all classifications to complete the work if limited to eight hours a day and five days per week; and
- The immediate commencement or completion of the work without delay is necessary for the preservation of the contract site and for the protection of the life and limb of the person using the same.

DISPENSATIONS FOR HOURS WORKED

Any dispensation issued is meant for the entirety of the project during the application period, and not to be used ad hoc by the employer for convenience.

The Bureau does not issue dispensations for the use of “four tens,” or for employing laborers, workmen, and mechanics for ten hours a day, four days a week.

WICKS LAW

NYS General Municipal Law § 101 and State Finance Law § 135; Separate Specifications For Certain Public Work

Departments of Jurisdiction contracting for Public Work in excess of:

\$3 Million Dollars in NYC,

\$1.5 Million Dollars in Nassau, Suffolk & Westchester Counties, and

\$500 Thousand Dollars in all other Counties

Shall prepare separate specifications for independent bidding on the following work:

Plumbing & Gas

HVAC

Electrical

WICKS LAW

NYS General Municipal Law § 101.5

Each bidder on a public work contract (subject to WICKs Law) shall submit with its bid a separate sealed list that names each subcontractor that the bidder will use to perform work on the contract, and the agreed-upon amount to be paid to each, for Plumbing & Gas, HVAC, and Electrical work.

After the low bid is announced, the sealed list of subcontractors submitted with such low bid shall be opened and the names of such subcontractors shall be announced, and thereafter any change of subcontractor or agreed-upon amount to be paid to each shall require the approval of the public owner, upon a showing presented to the public owner of legitimate construction need for such change, which shall be open to public inspection.

WICKS LAW

NYS Labor Law § 224

If the provisions of WICKs law are not complied with, the Commissioner has the authority to issue a stop-bid order upon the department of jurisdiction.

Such order shall remain in effect until the Commissioner directs it be removed upon a determination that the department of jurisdiction has complied with the separate bid specifications requirements of WICKs

NYS Labor Law § 220-h

All workers on a Public Work contract over \$250,000 must be certified as having completed a course in Construction Safety and Health as approved by OSHA that is at least ten hours in duration.

PRIVATE CONSTRUCTION WORK

Article 6

Bureau Enforcement Role

PRIVATE CONSTRUCTION WORK

To further advance the overall mission of the Department and Worker Protection, the Bureau of Public Work & Prevailing Wage Enforcement is working with the Division of Labor Standards to assist with the investigation and enforcement of underpayments on non-prevailing wage construction work.

PRIVATE CONSTRUCTION WORK

Public Work & Prevailing Wage Enforcement Investigators may:

- Visit Jobsites
- Contact employees and employers/project owners via phone or email
- Conduct Audits
- Resolve matters with a Wage Settlement Proposal
- Resolve matters with a violation, including interest, penalties, and damages

PRIVATE CONSTRUCTION WORK

Wage Settlement Proposal:

- Employer agrees to remit any wages, overtime pay, or unlawful deductions owed to any workers within seven business days.
- Employer pays workers directly and provides proof of payments to the Bureau.

**THE BUREAU OF
PUBLIC WORK &
PREVAILING WAGE
ENFORCEMENT**

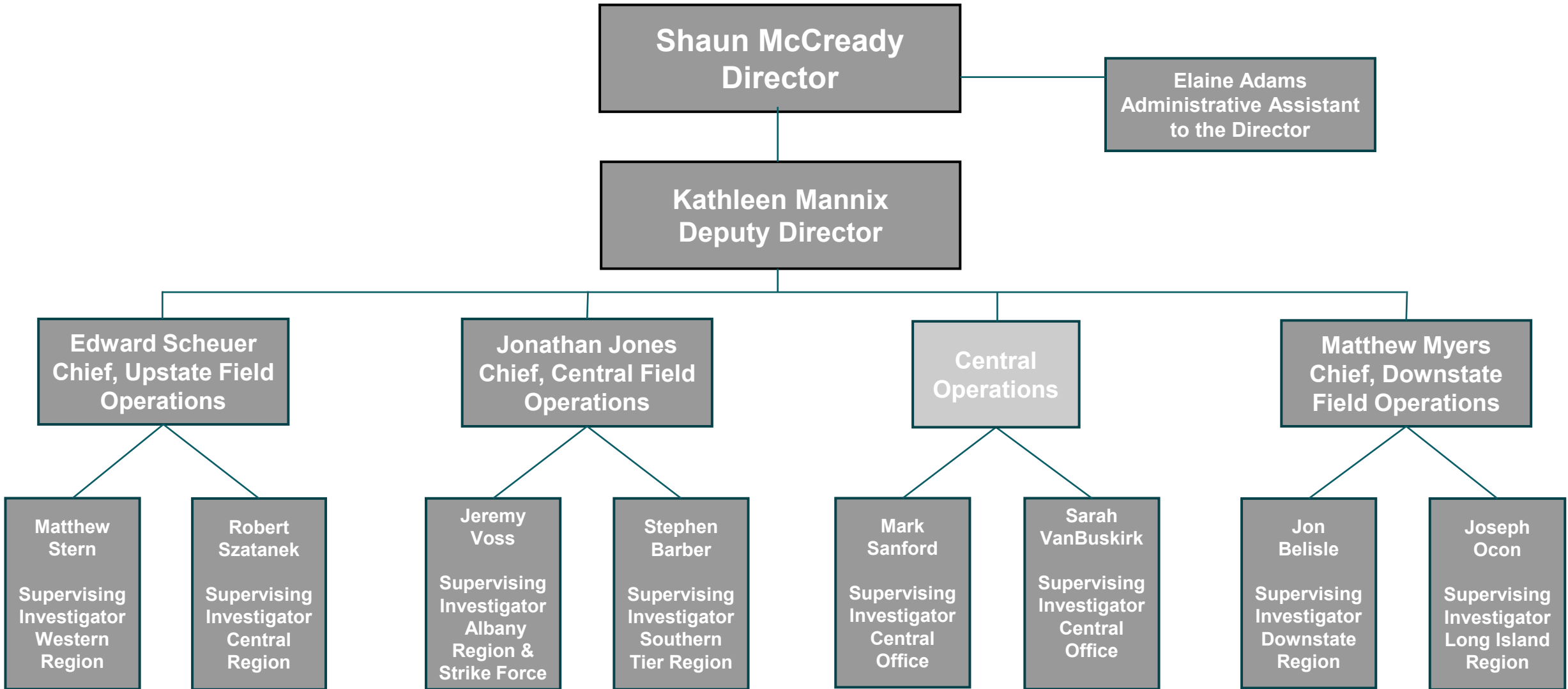
THE BUREAU

Acting on behalf of the Commissioner, the Bureau of Public Work & Prevailing Wage Enforcement (BPWE) consists of the Central Administration Office and Strike Force Unit based in Building 12 on the State Campus in Albany, as well as eleven District Offices located in the following cities:

- Albany
- Binghamton
- Buffalo
- Garden City
- Newburgh
- New York City
- Patchogue
- Rochester
- Syracuse
- Utica
- White Plains

The Bureau is the largest state sponsored prevailing wage enforcement unit in the nation.

THE BUREAU



THE BUREAU

DUTIES AND RESPONSIBILITIES:

- Check for compliance with Article's 6, 8, 9, 25-B (Fair Play Act), and WICKS Law
- Visit work sites/interview workers
- Conduct investigations
- Assist in enforcement proceedings, both administratively and criminally
- Collect and disburse wage underpayments to workers
- Assess and collect interest and civil penalties from violators
- Bar egregious violators from being awarded public contracts
- Prepare the Prevailing Wage Schedules
- Educate public owners, employers, workers, labor organizations and other involved parties on the law

THE BUREAU

Enforcement:

- Commissioner (or Comptroller) has the authority to conduct compliance investigations
- Acting in a judicial capacity, has the right to issue subpoenas, administer oaths, and examine witnesses
- May issue withholdings
- May issue stop bid and stop work orders (with a right to a hearing)
- Issue orders and determinations after hearing and may enter settlements/stipulations

THE BUREAU

Enforcement:

- Unannounced jobsite inspections
- Investigations of possible violations of Articles 8 and 9 may be opened by any interested party filing a claim or by Bureau staff
- The Bureau may negotiate resolutions with contractors who acknowledge a willful or non-willful violation and agree to repay owed wages and penalties.
- Cases that cannot be resolved may be referred to Counsel's Office for administrative hearing and/or a prosecuting agency for the filing of criminal charges

THE BUREAU

Investigations:

- Conducted by Prevailing Wage Investigators
 - Carries a badge; empowered to enter public work jobsites to inspect for required postings and interview workers
 - Ability to subpoena payroll and project records
 - May issue notices of withholding to departments of jurisdiction
 - Audits underpayments of prevailing wages and supplements
 - May negotiate resolutions with employers directly

INVESTIGATIONS

Possible Resolutions:

- Compliance Agreement Program (CAP) Settlement
- Stipulation & Order
 - Willful
 - Non-Willful
- Referral to Counsel's Office for Adjudication Hearing
- Criminal Referral

CAPS

- Negotiated with employer directly (or their counsel)
- Utilized for non-willful violations / honest mistakes
- Employer self audits all public work projects performed in past two years
- Direct restitution of underpayments from employer to workers with proof of payment
- No interest or penalties assessed
- No official finding of violation (willful or non-willful)

STIPULATIONS

- Negotiated with employer directly (or their counsel)
- Contractor consents to a willful or non-willful finding
- Underpayments, interest and penalties are agreed upon
- Willfulness and restitution may both be stipulated to, or only one with the other determined at a hearing

ADMINISTRATIVE HEARINGS

- DOL Counsel's Office represents the Bureau of Public Work at an administrative hearing
- Hearing conducted by Administrative Law Judge with preponderance of the evidence as the burden
- May result in a willful or non-willful violation with interest up to 16% on any underpayments and civil penalty up to 25%

DEBARMENT

Contractors (corporation and/or owner in their individual capacity) may be barred from bidding on any public work project for a period of five years if any of the following occurs:

- Two willful violations within a six-year period
- One willful violation that involves the falsification of payrolls or the kickback of wages or supplements
- Felony conviction for a charge directly related to underpayment of wages and/or falsification of records on a public work project
- Felony conviction or violation of discrimination provisions of the Workers Compensation Law
- Second offense of the Fair Play Act

DEBARMENT

One year ban for:

- Misdemeanor conviction under the Workers Compensation Law
- First offense under the Fair Play Act

DEBARMENT

Debarment will also result in the revocation of a Certificate of Contractor Registration, so a debarred contractor may not bid or work on any public work projects until the debarment is over and they obtain a new Certificate of Registration.

CRIMINAL PROSECUTIONS

- Criminal prosecutions may be brought by the Attorney General's Office or the appropriate District Attorney's Office
- Can result in Misdemeanor or Felony Conviction against owner(s) and/or corporation
- Can occur in addition to or in lieu of administrative hearing process
 - Referral based on facts and merits of the case, never done or threatened to force civil settlement
 - Global settlements with criminal plea agreement and stipulation and Order may be considered

CRIMINAL VIOLATIONS RELATED TO PREVAILING WAGE LAWS

Potential Charges:

- Wage Theft as Larceny under the NYS Penal Law
- Submitting a false NYS-45 to the DOL or Workers Compensation policy application to NYSIF is a class E felony; Offering a False Instrument for Filing in the First Degree (PL § 175.30)
- Submitting a false certified payroll to a public entity (the department of jurisdiction on public work project) is a class E felony; Offering a False Instrument for Filing in the First Degree

CRIMINAL VIOLATIONS RELATED TO PREVAILING WAGE LAWS

Potential Charges:

- Any contractor or subcontractor who verifies under oath any statement required to be filed under Article 8 that he or she knows to be false shall be guilty of Perjury. LL § 220-c. Perjury in the Second Degree (PL § 210.10) is a class E felony
- A Willful failure to file a certified payroll by a contractor or sub-contractor with the department of jurisdiction within thirty days of issuing the first payroll on a project is a class E felony under Labor Law § 220.3-a(a)(iii)

CRIMINAL VIOLATIONS RELATED TO PREVAILING WAGE LAWS

Potential Charges:

- Labor Law § 220.3(d)(i): Any person that participates in a public works project in the capacity of a contractor or subcontractor and who willfully fails to pay or provide the prevailing rate of wage or supplements and:
 - 1) such failure results in underpayments, which in the aggregate amount to all workers employed by such person, results in an amount less than twenty-five thousand dollars, shall be guilty of a **class A misdemeanor**;

CRIMINAL VIOLATIONS RELATED TO PREVAILING WAGE LAWS

Potential Charges:

- 2) such failure results in underpayments, which in the aggregate amount to all workers employed by such person, result in an amount greater than twenty-five thousand dollars, that person shall be guilty of a **class E felony**;
- 3) such failure results in underpayments, which in the aggregate amount to all workers employed by such person, result in an amount greater than one hundred thousand dollars, that person shall be guilty of a **class D felony**; or

CRIMINAL VIOLATIONS RELATED TO PREVAILING WAGE LAWS

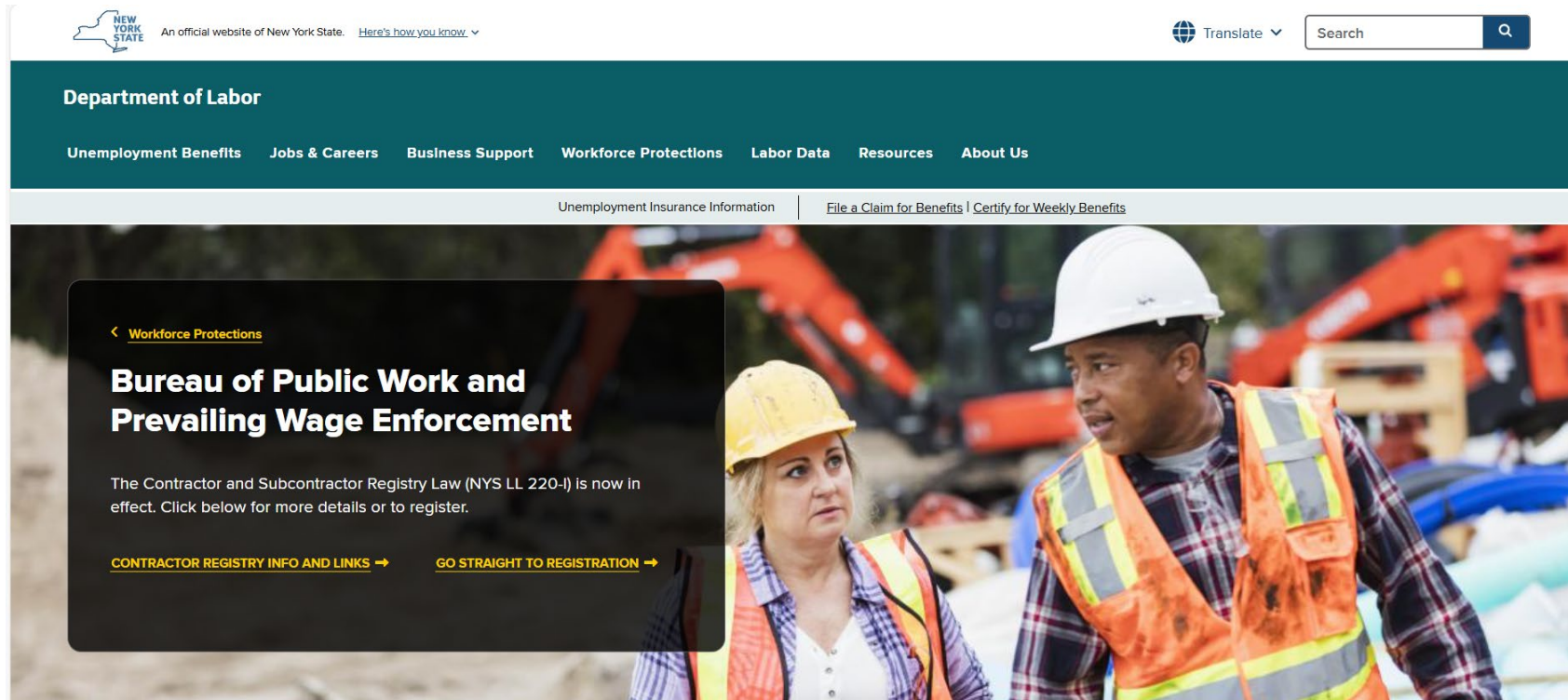
Potential Charges:

- 4) Such failure results in underpayments, which in the aggregate amount to all workers employed by such person, result in an amount greater than five hundred thousand dollars, that person shall be guilty of a **class C felony**.

COMPLIANCE AND EDUCATION

Part of the Bureau's Mission is to Educate all Contractors, Public Entities, and Workers to Know the Law, Their Rights, and Responsibilities in Order to Foster Compliance with all Provisions of the Labor Law.

COMPLIANCE AND EDUCATION



The Bureau's Website: [Bureau of Public Work and Prevailing Wage Enforcement | Department of Labor](#) is where the public can access wage schedules, enforcement guidance, forms, contact information, and other useful resources.

COMPLIANCE AND EDUCATION

HOW CAN WE HELP?

[View Wage Schedules](#)

[File a Complaint](#)

[Frequently Asked Questions](#)

[Public Subsidy Board](#)

[Debarment Information](#)

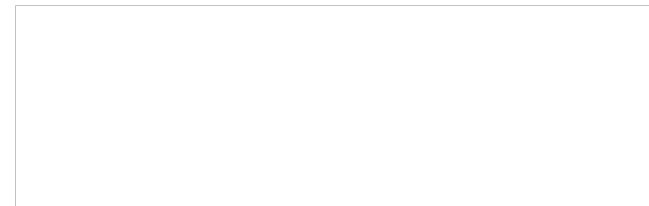
[Contracting Agency / Obtain a New Wage Schedule](#)

[Dispensation of Hours](#)

[Public Work and Prevailing Wage Forms](#)


[Required Postings](#)

[Enforcement Guidance](#)



REQUIRED POSTINGS

These must be posed at the worksite:

- Wage Schedule
- Public Work Poster 
- Workers Compensation Poster
- Disability Benefits Poster
- Unemployment Insurance Poster
- Fair Play Act Poster

[Public Work and Prevailing Wage Enforcement
Required Postings | Department of Labor](#)



THIS IS A: **PUBLIC WORK PROJECT**

If you are employed on this project as a worker, laborer, or mechanic you are entitled to receive the prevailing wage and supplements rate for the classification at which you are working.

Your pay stub and wage notice received upon hire must clearly state your wage rate and supplement rate.

Chapter 629 of the Labor Laws of 2007:

These wages are set by law and must be posted at the work site. They can also be found at: www.labor.ny.gov

If you feel that you have not received proper wages or benefits, please call our nearest office.*

Albany	(518) 457-2744	Patchogue	(631) 687-4886
Binghamton	(607) 721-8005	Rochester	(585) 258-4505
Buffalo	(716) 847-7159	Syracuse	(315) 428-4056
Garden City	(516) 228-3915	Utica	(315) 793-2314
New York City	(212) 775-3588	White Plains	(914) 997-9507
Newburgh	(845) 568-5398		

* For New York City government agency construction projects, please contact the Office of the NYC Comptroller at (212) 669-4443, or www.comptroller.nyc.gov – click on Bureau of Labor Law.

Contractor Name:

Project Location:

PW 101 (06/20)

FAIR PLAY ACT

NYS Labor Law Article 25-B §§ 861 to 861-g:

To prevent misclassification, a worker is an employee unless:

- They are free from direction and control in performing their job, AND
- They perform work that is not part of the usual work done by the business;
AND
- They have an independently established business

All three must be met to classify someone as an independent contractor.

EDUCATIONAL VISITS

Bureau Investigators are available to discuss the rules and regulations of NYS prevailing wage laws with employers, agencies and workers upon request. This can be done via:

- Phone call
- Video conference
- In-person meeting at a jobsite
- In-person meeting at employer or agency place of business
- In-person meeting at DOL facility

BUREAU STATISTICS

Year	Wages & Interest Recovered	Civil Penalties Assessed	Number of Workers Recovered For	Wage Schedules Issued
2020	\$5,081,571	\$297,535	1,737	14,594
2021	\$6,605,439	\$353,538	2,233	15,340
2022	\$5,262,652	\$244,737	2,026	16,011
2023	\$5,838,850	\$232,068	2,315	16,948
2024	\$4,542,649	\$296,481	3,325	19,378
2025* (as of 12/2/25)	\$6,897,334	\$479,374	2,624	17,344

BUREAU CONTACT INFORMATION

Albany Office (01)	State Office Bldg. Campus Bldg. 12, Rm. 134B Albany, NY 12226 Tel. (518) 457-2744 Fax (518) 485-0240	Albany, Clinton, Columbia, Dutchess, Essex, Greene, Rensselaer, Saratoga, Schenectady, Schoharie, Ulster, Warren, Washington
Binghamton Office (02)	State Office Bldg. 44 Hawley St., Rm. 908 Binghamton, NY 13901 Tel. (607) 721-8005 Fax (607) 721-8004	Broome, Chemung, Chenango, Delaware, Otsego, Schuyler, Steuben, Sullivan, Tioga
Buffalo Office (03)	284 Main Street Buffalo, NY 14202 Tel. (716) 847-7159 Fax (716) 847-7650	Allegany, Cattaraugus, Chautauqua, Erie, Niagara
Garden City Office (04)	400 Oak St., Suite 101 Garden City, NY 11530 Tel. (516) 228-3915 Fax (516) 794-3518	Nassau

BUREAU CONTACT INFORMATION

Rochester Office (05)	109 So. Union St.. Rm. 312 Rochester, NY 14607 Tel. (585) 258-4505 Fax (585) 258-4708	Genesee, Livingston, Monroe, Ontario, Orleans, Wayne, Wyoming, Yates
Syracuse Office (06)	333 East Washington St., Rm.419 Syracuse, NY 13202 Tel. (315) 428-4056 Fax (315) 428-4671	Cayuga, Cortland, Jefferson, Onondaga, Oswego, Seneca, Tompkins
Utica Office (07)	207 Genesee St., Rm. 603B Utica, NY 13501 Tel. (315) 793-2314 Fax (315) 793-2514	Franklin, Fulton, Hamilton, Herkimer, Lewis, Madison, Montgomery, Oneida, St. Lawrence
White Plains Office (08)	120 Bloomingdale Rd. , Rm. 204 White Plains, NY 10605 Tel. (914) 997-9507 Fax (914) 997-9523	Putnam, Westchester

BUREAU CONTACT INFORMATION

New York City Office (09) Adam Clayton Powell Jr. SOB
163 W. 125th St., Rm. 1307
New York, NY 10027
Tel. (212) 932-2419
Fax (212) 775-3579
Bronx, Kings, New York, Queens, Richmond

Central Office (10) State Office Bldg. Campus
Bldg. 12, Rm. 130
Albany, NY 12226
Tel. (518) 457-5589
Fax (518) 485-1870
(General Information / Wage Schedules)

Newburgh Office (11) The Maple Bldg.
3 Washington Ctr., 4th Floor
Newburgh, NY 12550
Tel. (845) 568-5287
Fax (845) 568-5332
Orange, Rockland

Patchogue Office (12) 160 South Ocean Ave. 2nd Floor
Patchogue, NY 11772
Tel. (631) 687-4882
Fax (631) 687-4902
Suffolk



**Department
of Labor**

WORKING FOR YOU