



Ohio Legislative Service Commission

Research Memorandum

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PREVAILING WAGE LAW THRESHOLDS IN ALL 50 STATES

SUMMARY

Prevailing Wage Laws require that workers on certain public construction projects be paid a specified minimum wage. Often, there exists a statutory threshold with regard to total cost of a project above which a prevailing wage must be paid. This memorandum charts the adoption date of each state's prevailing wage law (if such a law exists), the threshold value of each law, and the definition of prevailing wage used by each state.

Prevailing wage thresholds

The chart below provides the current prevailing wage threshold in each state that has a Prevailing Wage Law. If there are different thresholds based on type of project (e.g., new construction vs. reconstruction/renovation), those values are indicated separately.

Selected Information about State Prevailing Wage Laws			
State	Year Adopted	Threshold	Definition of "prevailing wage"
Alabama	1969; repealed 1980	NA	NA
Alaska (Alaska Stat. §§ 36.05.010 to 36.05.110.)	1931	\$2,000 (<i>Id.</i> § 36.05.070.)	Wage paid for work of similar nature in region where public work to be done. (<i>Id.</i> § 36.05.010.)
Arizona	1912; repealed 1984	NA	NA
Arkansas (Ark. Code Ann. §§ 22-9-30 to 22-9-315.)	1955	\$75,000 (<i>Id.</i> § 22-9-302.)	Minimum wage rate prevailing in county or locality where work is to be performed, for workers in work of a similar character. (<i>Id.</i> § 22-9-301.)
California (Cal. Lab. Code §§ 1771 to 1781.)	1931	\$1,000 (<i>Id.</i> § 1771.)	Not less than prevailing per diem wages for work of similar character in same locality. (<i>Id.</i>)
Colorado	1933; repealed 1985	NA	NA

Selected Information about State Prevailing Wage Laws

State	Year Adopted	Threshold	Definition of "prevailing wage"
Connecticut (Conn. Gen. Stat. §§ 31-53 to 31-55a.)	1933	\$400,000 new \$100,000 remodeling (<i>Id.</i> § 31-53.)	Customary or prevailing wage for same work in same trade or occupation in town where project is being constructed. (<i>Id.</i>)
Delaware (Del. Code Ann. tit. 29, § 6960.)	1962	\$100,000 new \$15,000 remodeling (<i>Id.</i>)	Wages paid to a majority of employees performing similar work, or in the absence of a majority, the average wages paid to all employees. (<i>Id.</i>)
District of Columbia (Davis-Bacon Act §§ 276a to 276a-7, 40 U.S.C. §§ 3141-3148.)	1931	\$2,000 (<i>Id.</i> § 3142.)	Prevailing wage for corresponding classes of workers (50% rule) employed on projects similar to the work in the area where it is to be performed. (29 C.F.R. § 1.2 (a) (1).)
Florida	1933; repealed 1979	NA	NA
Georgia	NA	NA	NA
Hawaii (Haw. Rev. Stat. §§ 104-1 to 104-34.)	1955	\$2,000 for public work \$500,000 for certain housing projects if bidder or developer is a private, nonprofit corporation. (<i>Id.</i> § 104-2)	Not less than the wages for corresponding classes of laborers and mechanics on projects of similar character in the state and not less than the rate paid under the Davis-Bacon Act. (<i>Id.</i>)
Idaho	1911; repealed 1985	NA	NA
Illinois (820 Ill. Comp. Stat. 130/1 to 130/12.)	1931	None	Prevailing hourly rate including fringe benefits for work of similar character in same locality. (<i>Id.</i> 130/2.)
Indiana (Ind. Code §§ 5-16-7-1 to 5-16-7-5.)	1935	\$150,000 (<i>Id.</i> § 5-16-7-1.)	Not less than the common construction wage for each class of workers in the county. (<i>Id.</i>)
Iowa	NA	NA	NA

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State	Year Adopted	Threshold	Definition of "prevailing wage"
Kansas (Kan. Stat. Ann. §§ 19-1417, 68-110, 68-2317, 17-4748.)	1891; repealed 1987	NA	The Kansas wage-hour law makes no reference to prevailing wages, but the concept of a prevailing wage does appear in several instances under the law that concerns public contracts. (Kansas Construction Law 17.28 (1998).)
Kentucky (Ky. Rev. Stat. Ann. §§ 337.010, 337.505 to 337.550, 337.990.)	1982	\$250,000 (<i>Id.</i> § 337.010.)	Basic hourly rate paid majority of workers employed in each class in locality where work is to be performed; if no majority rate, then the average rate. (<i>Id.</i> § 337.505.)
Louisiana	1968; repealed 1988	NA	NA
Maine (Me. Rev. Stat. Ann. tit. 26, §§ 1303 to 1315.)	1933	\$50,000 (<i>Id.</i> § 1304.)	Hourly wage paid to median number of workers employed in same trade or occupation in the second/third week of September. (<i>Id.</i>)
Maryland (Md. Code Ann. State Fin. & Proc. §§ 17-201 to 17-226.)	1945	\$500,000 (<i>Id.</i> § 17-202.)	Hourly rate, including fringe benefits, paid to 50% or more workers in same class for projects similar to proposed public work in the locality where work is to be performed. (<i>Id.</i> § 17-208.)
Massachusetts (Mass. Gen. Laws ch. §§ 26 to 27H.)	1914	None	For laborers, at least the wages paid to laborers employed by town (or highest of the towns, if applicable) where construction taking place, unless a collective bargaining agreement specifies otherwise. For craftsmen, at least rate under collective bargaining agreement, if any; otherwise wages paid to unspecified plurality or majority by private employers. (<i>Id.</i> § 26.)
Michigan (Mich. Comp. Laws §§ 408.551 to 408.558.)	1965	None	Wages and fringe benefits prevailing in locality where work is to be performed. (<i>Id.</i> § 408.552.)

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Minnesota (Minn. Stat. §§ 177.42 to 177.44.)	1973	\$2,500 if one trade \$25,000 if more than one trade (<i>Id.</i> § 177.43.)	Prevailing hourly rates including fringe benefits paid to largest number of workers in the same class of labor in the area. (<i>Id.</i> § 177.42.)
Mississippi	NA	NA	NA
Missouri (Mo. Rev. Stat. §§ 290.210 to 290.340.)	1957	None	Hourly wages plus fringe benefits prevailing for workers engaged in work of a similar character in the locality where work is to be performed. (<i>Id.</i> § 290.210.)
Montana (Mont. Code Ann. §§ 18-2-401 to 18-2-432.)	1931	\$25,000 (<i>Id.</i> § 18-2-401.)	Prevailing wages including fringe benefits for similar work in district where work is to be performed. (<i>Id.</i>)
Nebraska (Neb. Rev. Stat. §§ 73-101 to 73-106.)	1923	None (except for school districts, \$40,000) (<i>Id.</i> § 73-106.)	Wages paid by at least 50% of contractors in same business or field of endeavor. (<i>Id.</i> § 73-104.)
Nevada (Nev. Rev. Stat. §§ 338.010 to 338.645.)	1937	\$100,000 (<i>Id.</i> § 338.080.)	Hourly or daily rate prevailing in county where work is to be performed. (<i>Id.</i> § 338.020.)
New Hampshire	1941; repealed 1985	NA	NA
New Jersey (N.J. Stat. Ann. §§ 34:11-56.25 to 34:11-56.47.)	1913	\$2,000 \$14,187 for cities (adjusted every five years) (<i>Id.</i> § 34:11-56.26.)	Wage rate determined by collective bargaining agreements paid by employers employing a majority of workers subject to the collective bargaining agreement in the locality where work is to be performed. (<i>Id.</i>)
New Mexico (N.M. Stat. Ann. §§ 13-4-11 to 13-4-17.)	1937	\$60,000 (<i>Id.</i> § 13-4-11.)	Prevailing wages and fringes of those employed on similar projects in state or locality. (<i>Id.</i>)

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New York (N.Y. Lab. §§ 220 to 220-g.)	1897	None	Rates prescribed under collective bargaining agreements if those rates apply to 30% or more of workers in same trade in locality; if less than 30%, average wages paid to trade in locality in last 12 months. (<i>Id.</i> § 220.)
North Carolina	NA	NA	NA
North Dakota	NA	NA	NA
Ohio (Ohio Rev. Code Ann. §§ 4115.03 to 4115.16; 4115.99.)	1931	\$78,258 for new construction \$23,447 for renovations (adjusted biennially) School districts are exempt (<i>Id.</i> § 4115.03.)	Basic hourly wage, including fringe benefits, paid in same trade in same county under collective bargaining agreements; if there is no collective bargaining agreement in the county, the wage described above for the nearest county with a collective bargaining agreement. (<i>Id.</i> § 4115.05.)
Oklahoma	1965; invalidated by court in 1995	NA	NA
Oregon (Or. Rev. Stat. §§ 279C.800 to 279C.870.)	1959; significantly amended and restructured in 2005	\$50,000, contract price \$750,000, public agency funds in private project (<i>Id.</i> § 279C.810)	Hourly wage and fringe benefits paid a majority of workers employed in same trade on similar projects in locality where work is to be performed. (<i>Id.</i> § 279C.800.)
Pennsylvania (43 Pa. Cons. Stat. §§ 165-1 to 165-17.)	1961	\$25,000 (<i>Id.</i> § 165-2.)	Prevailing minimum rate in locality where public work performed for workers in the same class during the term the work is performed, as determined by state labor secretary. (<i>Id.</i> § 165-7.)
Rhode Island (R.I. Gen. Laws §§ 37-13-1 to 37-13-17.)	1935	\$1,000 (<i>Id.</i> § 37-13-3.)	Hourly rate and fringe benefits paid in appropriate political subdivision to corresponding types of employees on similar projects. (<i>Id.</i> § 37-13-6.)
South Carolina	NA	NA	NA

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South Dakota	NA	NA	NA
Tennessee (Tenn. Code Ann. §§ 12-4-401 to 12-4-415.)	1975	\$50,000 (<i>Id.</i> § 12-4-402.)	Prevailing wage for same work in same district. (<i>Id.</i> § 12-4-405.)
Texas (Tex. Gov't Code §§ 2258.001 to 2258.058.)	1933	None	Daily rates for similar work in same locality. (<i>Id.</i> § 2258.021.)
Utah	1933; repealed 1981	NA	NA
Vermont (Vt. Stat. Ann. tit. 29, § 161.)	1973	\$100,000	Mean prevailing wage published periodically by the department of employment and training. (<i>Id.</i>)
Virginia	NA	NA	NA
Washington (Wash. Rev. Code §§ 39.12.010 to 39.12.900.)	1945	None	Hourly rate, benefits, and overtime paid majority of workers in same trade in same locality; if no majority, then the average hourly rate. (<i>Id.</i> § 39.12.010.)
West Virginia (W. Va. Code §§ 21-5A-1 to 21-5A-11.)	1935	None	Prevailing hourly rate for work of similar character in the locality where work is to be performed. (<i>Id.</i> § 21-5A-2.)
Wisconsin (Wis. Stat. § 103.49.)	1931	\$25,000 (<i>Id.</i>)	Hourly wage and fringe benefits paid majority of workers employed in same trade in same area where work is to be performed; if no majority, then average hourly rate. (<i>Id.</i>)
Wyoming (Wyo. Stat. Ann. §§ 27-4-401 to 27-4-413.)	1967	\$100,000 (<i>Id.</i> § 27-4-402.)	Wages and benefits of workers engaged in work of a similar character. (<i>Id.</i> § 27-4-402.)