

## **Broadband & the Prevailing Wage Act**

### **The Basics, Tips & Tricks**

*As of 7/9/2024*

#### **What is the Prevailing Wage?**

Prevailing Wage is the wages and benefits paid generally to employers engaged in a certain kind of work in a certain locality. It is specific to each trade. The prevailing wage for a lineman is different than the prevailing wage for a laborer. It is also specific to each county. The prevailing wage for a lineman in Cook County is different than it is in Pulaski County.

#### **Who is required to comply with the Prevailing Wage?**

Contractors on “public works” projects are required to pay the prevailing wage to all workers on the project. “Public works” are all fixed works performed by public bodies or paid for (in whole or in part) by public funds. All Connect Illinois projects are public works projects.

#### **How is the Prevailing Wage calculated?**

The wages are calculated by the Illinois Department of Labor (IDOL) via a survey conducted each summer.

#### **How can I find the Prevailing Wage applicable to my project?**

1. Visit [Current Prevailing Rates \(illinois.gov\)](https://www.illinois.gov)
2. Select the relevant date (most likely “current”)
3. Select the relevant county
4. Find the relevant classification

#### **Responsibilities Under the Prevailing Wage Act:**

- **Grantees** must notify everyone working on a project that the Prevailing Wage Act applies. Notification must be included in all bid documents and contracts, including for work performed by the grantee.
- **Contractors** must pay the prevailing wage and notify subcontractors that the Prevailing Wage Act applies. They must also file certified payrolls to the Illinois Department of Labor.
- **Certified Payrolls:** Certified payrolls are records that establish all the workers on a project, when they worked, and how much they were paid. **Contractors on public works projects must file certified payrolls with IDOL every two weeks.** Certified payrolls must be submitted online. [Instructions to access the portal are linked here.](#)

#### **Who enforces Prevailing Wage?**

IDOL is the primary enforcer of the Prevailing Wage Act. IDOL opens formal investigations, subpoenas records, and orders backpay and fines. While IDOL is investigating, the Illinois Comptroller may temporarily halt state payments to a contractor or grantee under IDOL investigation. Investigations can drag on for years, so its very important to get things right up front.

#### **What happens if I don't comply with the Prevailing Wage Act?**

Because Prevailing Wage is incorporated into grant agreements, failure to comply represents a breach of agreement. This could lead to cancelling the grant.

### **Common Classifications on Broadband Deployment Projects**

As we said above, prevailing wage rates are trade specific. IDOL administers this by breaking workers into different classifications. These are roughly based on major trades like electricians, carpenters, etc. There aren't always clear lines between the classifications, and a single worker can work multiple classifications over the course of a project. Every Connect Illinois project is unique and may need to use different classifications. Nonetheless, these are the three we see the most:

- **Electricians** (usually "Electric Power Lineman"): Workers who work with lines - pulling them, splicing them, connecting them, etc.
- **Electric Power Groundman**: Assists Lineman.
- **Laborer**: They perform general manual labor tasks on the job. Digging, lifting, carrying, etc.
- **Operating Engineer**: Workers who operate heavy machinery on projects such as excavators, trenchers, etc.

### **How to Get Support**

- Email DCEO Deputy General Counsel Craig Colbrook at [craig.colbrook@illinois.gov](mailto:craig.colbrook@illinois.gov)
- Join Office Hours with Illinois Department of Labor to identify the correct trade for your project:
  - Every other Thursday, 12-1 pm starting July 18
  - [Join on WebEx](#)
- Broadband & Prevailing Wage Act [website link](#)

**Note:** This document offers guidance for planning purposes, but further analysis should be taken to confirm the accurate trade for your project.