



***An Act to Prevent Wage Theft, Promote Employer Accountability,
and Enhance Public Enforcement (SD 1464, HD 3789)***

Lead Sponsors: Senator Sal DiDomenico & Representative Dan Donahue

Wage theft has become business-as-usual. In our modern economy, where employers increasingly subcontract or outsource core parts of their business to other companies, the epidemic of wage theft has overwhelmed the capacity of our existing labor laws and enforcement mechanisms.

Nearly \$700 million in wages are stolen from about 350,000 low-wage workers each year in Massachusetts. *An Act to Prevent Wage Theft, Promote Employer Accountability, and Enhance Public Enforcement* addresses this growing crisis.

WHAT DOES THE BILL DO?

- **INCREASES RESPONSIBILITY:** Holds “lead contractors” accountable for the wage theft violations of their subcontractors, as long as there is a significant connection to their business activities or operations.
- **PROTECTS WAGE RIGHTS:** Protects workers from wage theft violations such as failure to make wage payments; failure to abide by minimum wage, prevailing wage and overtime laws; and independent contractor misclassification. Strengthens workers’ protection against retaliation.
- **LEVELS THE PLAYING FIELD:** Promotes fair competition by ensuring that all businesses, including lead contractors, play by the rules and give their workers an honest day’s pay for an honest day’s work.

HOW DOES THE BILL ACCOMPLISH THESE GOALS?

- **LEAD CONTRACTOR LIABILITY:** Provides “lead contractors” with notice when their subcontractors fail to obey the law. Allows them an opportunity to ensure that wage problems are corrected without enforcement action or establishment of lead contractor liability.
- **ENHANCED PUBLIC ENFORCEMENT:** Allows the Attorney General’s Office to bring civil wage theft cases directly to court. Clarifies that criminal penalties for wage theft violations do not apply to lead contractors, only to employers with respect to their own employees. Allows for aggrieved employees and other whistleblowers to bring public enforcement actions on behalf of and supervised by the AG’s Office.
- **STOP WORK ORDER:** Allows the AG’s Office to issue a “stop work order” if it has determined that certain types of wage theft or unemployment insurance violations have occurred. Provides employers an opportunity to correct violations and resume work, or to request a hearing.

MASSACHUSETTS COALITION TO STOP WAGE THEFT

Mass. AFL-CIO, Immigrant Worker Center Collaborative, Mass. Building Trades Council, Chelsea Collaborative, NE Regional Council of Carpenters, Brazilian Worker Center, Int. Union of Painters & Allied Trades (DC 35), Community Labor United, Mass. Coalition for Occupational Safety & Health, Metrowest Worker Center/Casa, Metro Boston Building Trades Council, Brazilian Women’s Group, Chinese Progressive Association and others.

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