

classification must follow the statewide building trade ratios promulgated by the Department of Labor and included with the Prevailing Rate Schedule.

Required Jobsite Postings

Employers must post the current Prevailing Rate Schedule in a prominent and accessible place on the site of the public work project.

Every employer providing workers' compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post the notice furnished by the New York State Department of Labor.

Employee Complaints

Any employee and/or organization may file a complaint for alleged underpayments due for the labor performed on a public improvement project within two years of the occurrence, by contacting the appropriate district office listed on the next panel. Investigators make every effort to keep the name of the complainant confidential. You can get the complaint form through the district office or through the Department of Labor website (www.labor.ny.gov).

Bureau of Public Work Offices:

Central Office
Bureau of Public Work
Bldg. 12, Rm. 130
State Office Campus
Albany, NY 12240
Tel. (518) 457-5589
Fax (518) 485-1870

Albany District
Bldg. 12, Rm. 134B
State Office Campus
Albany, NY 12240
Tel. (518) 457-2744
Fax (518) 485-0240

Binghamton District
State Office Bldg.
44 Hawley St., Rm. 908
Binghamton, NY 13901
Tel. (607) 721-8005
Fax (607) 721-8004

Buffalo District
65 Court St., Rm. 201
Buffalo, NY 14202
Tel. (716) 847-7159
Fax (716) 847-7650

Long Island Districts
400 Oak St., Suite 101
Garden City, NY 11530-6551
Tel. (516) 228-3915
Fax (516) 794-3518

160 So. Ocean Ave., 2nd Fl.
Patchogue, NY 11772
Tel. (631) 687-4886
Fax (631) 687-4902

Rochester District
109 So. Union St., Rm. 312
Rochester, NY 14607
Tel. (585) 258-4505
Fax (585) 258-4708

Syracuse District
333 E. Washington St.
Room 419
Syracuse, NY 13202
Tel. (315) 428-4056
Fax (315) 428-4671

Utica District
207 Genesee St., Rm. 603B
Utica, NY 13501
Tel. (315) 793-2314
Fax (315) 793-2514

White Plains District
120 Bloomingdale Rd.
Room 204
White Plains, NY 10605
Tel. (914) 997-9507
Fax: (914) 997-9523

New York City District
75 Varick St., 7th Fl.
New York, NY 10013
Tel. (212) 775-3568
Fax (212) 775-3579

Newburgh District
The Maple Building
3 Washington Ctr., 4th Fl.
Newburgh, NY 12550
Tel. (845) 568-5398
Fax (845) 568-5332

PROTECT all Workers
ASSIST the Unemployed
CONNECT Employers and Workers

The New York State Department of Labor is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities.

A Guide for Employees



Background

The Bureau of Public Work administers Article 8 and Article 9 of the New York State Labor Law. Article 8 covers the payment of prevailing wages and supplements on public construction projects.

Generally, Article 8 applies to projects for construction or reconstruction done on behalf of a public agency (entity).

Article 9 applies to building service contracts involving:

- the care or maintenance of an existing building,
- the transportation of office furniture or equipment to or from such a building,
- the transportation and delivery of fossil fuel to such a building, or
- for a contractor under a contract with a public agency for more than \$1,500 to furnish services through the use of building service employees.

For questions regarding Article 9, contact the appropriate district office or Central Office listed on the back of the brochure.

Hours

A laborer, worker or mechanic employed by a contractor or subcontractor engaged in the performance of any public work project may not work more than eight hours a day or more than five days a week, except in cases of extraordinary emergency. The contractor and the Department of Jurisdiction may apply to the Bureau of Public Work for a dispensation permitting workers to work additional hours or days per week on a particular public work project.

At a minimum, all work performed on a public work project beyond eight hours a day or more than five days a week is overtime. However, the specific overtime requirements for each trade or occupation on a public work project may differ. The specific overtime requirements for each trade or occupation appear in the prevailing rate schedules issued for public work projects.

Rest periods of twenty consecutive minutes or less are considered as time worked upon a public work project. Rest periods include coffee breaks and time for snacks, but do not include bona fide meal periods.

Wages and Supplements

The wages and supplements paid and/or provided to laborers, workers and mechanics employed on a public work project may not be less than those listed in the current Prevailing Rate Schedule for the locality where the work is performed.

The annual determination appears on the Department of Labor web site (**www.labor.state.ny.us**). The Labor Department issues wage schedules on a county-by-county basis that contain minimum rates of pay for different work classifications.

The Prevailing Rate Schedule provided with an Article 9 contract applies for the duration of the contract for which it was requested.

Supervisors and/or foremen who work with tools must be paid at the prevailing rate for the classification of work being performed. When strictly overseeing workers, supervisors or foremen are not covered under Article 8 or Article 9 prevailing rate requirements.

Apprentices

Employees cannot be paid apprentice rates unless they are individually registered in a program registered with the New York State Commissioner of Labor. The allowable ratio of apprentices to journey workers in any craft