



Responsible Contractor Ordinance Presentation

Mansfield, CT

April 26, 2013

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What is the Responsible Contractor Ordinance?

- Sets minimum requirements which are incorporated into all bid documents

Why is a responsible employer policy needed?

- Reaffirms existing laws and sets the tone
- Industry Recession has increased cheating
- Constrained state and federal budgets result in less enforcement

Is this just a pro-union policy?

- “Union” doesn’t appear anywhere in the policy
- Levels the playing field for all contractors
- Further defines the lowest “**responsible**” bidder law

What are the specific requirements?

- Pay the prevailing wage (already required by state law)
- Provide employer-paid health insurance for all employees
- Be affiliated with a state-certified apprenticeship program
- Classify workers as employees, not as “independent contractors”
- Provide the appropriate workers’ compensation insurance for all employees
- Comply with any residency and/or affirmative action requirements a community may insist on

What is the significance of each of the provisions?

- Prevailing wage
- Health Insurance requirement?
- Education/apprenticeship
- Misclassification
- Residency requirements

What will passage of the responsible employer ordinance cost?

- Essentially nothing

Is the responsible Employer Ordinance Lawful?

- First Ordinance passed in 1995 in Massachusetts. Challenged and upheld by Massachusetts' Attorney General in 1996
- Numerous towns and cities in Massachusetts and Connecticut, including Danbury, Stamford, Middletown, West Haven
- Quincy/Fall River recent court decisions