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BUILDING AMERICA WITH DAVIS-BACON

Prevailing Wage Delivers Job Quality, Strong Economies, and Value for Taxpayers

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EXECUTIVE SUMMARY

The Davis-Bacon and Related Acts have applied prevailing wage standards to federally-funded and federally-assisted construction projects since 1931. Prevailing wages are minimum wages for taxpayer-supported construction projects that reflect local market standards for different skilled trades. The Davis-Bacon Act and Related Acts collectively apply to $217 billion in federal and federally-assisted construction spending per year and provide minimum wage rates for 1.2 million blue-collar construction workers. Additionally, 29 states have prevailing wage laws for projects supported by state or local governments. The main purpose of these laws is to establish a wage floor that protects workers and promotes a level playing field by ensuring that contractors compete based on merit, rather than on who can assemble the cheapest workforce.

The Davis-Bacon and Related Acts Level the Playing Field for Local Contractors and Strengthen the Economy

- The Davis-Bacon Act and Related Acts increase hiring of local contractors and local workers by 8 to 16 percent.
- The Davis-Bacon and Related Acts reduce illegal employment practices and combat the underground economy.
- The Davis-Bacon and Related Acts keep more tax dollars, more income, and more spending in U.S. communities—creating jobs across all sectors of the economy.
- The overall level of bid competition is not affected by the Davis-Bacon and Related Acts and similar state laws.

Davis-Bacon Prevailing Wages Boost Apprenticeship Training, Enhance Productivity, and Improve Safety

- The Davis-Bacon Act promotes hiring and retention of higher-skilled workers.
- Apprenticeship enrollments are 8 percent higher when prevailing wage laws apply.
- Worksite productivity is up to 33 percent higher in states with prevailing wage laws.
- States without prevailing wage laws have 12 to 14 percent more injuries and fatalities on construction worksites.
- The Davis-Bacon and Related Acts prevent 76,000 workplace injuries and 675,000 lost workdays every year.

Davis-Bacon Prevailing Wages Promote Job Quality and Create Middle-Class Pathways for All Workers

- The Davis-Bacon Act and related state policies boost construction worker earnings by between 4 and 16 percent.
- Prevailing wage standards expand construction worker health insurance coverage by 8 to 10 percent.
- Prevailing wage standards extend homeownership to more construction workers and their families.
- Veterans are more likely to work in the construction trades than non-veterans due to prevailing wage laws.
- Congressional Black Caucus: “The Davis-Bacon Act has been instrumental in bridging the wage gap for historically marginalized sectors of our society.”

The Davis-Bacon and Related Acts Deliver the Best Value for Taxpayers

- The economic consensus in peer-reviewed studies is that prevailing wage has no effect on total project costs.
- Labor costs represent a low and historically declining fraction of total construction costs—just 23 percent.
- The Davis-Bacon and Related Acts reduce spending on materials, fuel, and equipment on public works projects.
- By boosting incomes, the Davis-Bacon and Related Acts increase state and federal tax revenues by 17 percent.
- The Davis-Bacon Act and Related Acts make construction workers 30 percent less likely to be in poverty and between 8 and 44 percent less likely to rely on government assistance programs like food stamps.

Repeal of the Davis-Bacon Act and Related Acts Would Have Dire Consequences

- The Congressional Budget Office (CBO) estimates that repeal of the Davis-Bacon Act would reduce the cost of federal construction projects by less than 1 percent, *before* accounting for reduced apprenticeship training, higher on-the-job injuries, increased materials and fuel costs, and higher spending on government assistance programs.
- In states that repealed prevailing wage laws from 2015 to 2018, construction worker earnings fell by as much as 8 percent, reliance on government assistance programs rose, and in-state contractors lost market share.
- In states that repealed prevailing wage laws from 1979 to 1988, construction wages and benefits decreased, apprenticeship training plummeted by 40 percent, and workplace injuries rose by 13 percent.

Davis-Bacon Surveys are Transparent, Reliable, Robust, and Reflect Local Market Standards

- By including wages, fringe benefits, and training contributions by job classification where the work is performed, Davis-Bacon wage surveys reflect market rates in more than 3,000 counties across America.
- Davis-Bacon administrative practices and regulations were overhauled in 2023, making surveys more applicable and ensuring that prevailing wages are based on actual worker wages instead of artificial weighted averages paid to no one.
- Replacing Davis-Bacon surveys with data from the *Occupational Employment and Wage Statistics* (OEWS) or other defective procedures would impose significant pay cuts on blue-collar construction workers across the United States.

Research consistently shows that the Davis-Bacon and Related Acts—and similar state laws—deliver a stronger economy, a growing middle class, higher standards of safety and productivity, and top value for taxpayers.

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INTRODUCTION TO THE DAVIS-BACON AND RELATED ACTS

When the United States makes historic infrastructure investments, Congress must support policies that promote job quality for American workers and deliver access to skilled labor supply pools for local businesses. Fortunately, such a policy is already in place, covering 1.2 million blue-collar construction workers on $217 billion in federal and federally-assisted construction projects annually (WHD, 2023). The Davis-Bacon and Related Acts create a level playing field for all federal construction contractors by ensuring that public expenditures maintain and reflect local area standards of compensation and craftsmanship (Duncan & Ormiston, 2018). The Davis-Bacon and Related Acts establish prevailing wages across the United States. Prevailing wages are local minimum wages for different skilled trades that are based on what workers actually earn in their communities. The main purpose of the Davis-Bacon and Related Acts is to support middle-class American families by protecting market-based wages and benefits in the competitive public bidding process.

Federally-funded and federally-assisted construction bidding is not like the private sector. Government procurement agents are typically required to select the lowest bidder for construction projects. In this low-bid model, contractors aim to get their bids as low as possible to win short-term work, including by lowering wages and by reducing funding for apprenticeship training or fringe benefits. The Davis-Bacon Act levels the playing field, allowing local contractors and local workers a fair shot at these projects and incentivizing competition based on core competencies in construction rather than on the lowest pay that employers can get away with (Duncan & Ormiston, 2022). According to the U.S. Department of Labor, the Davis-Bacon Act and its Related Acts "protect local wage standards by preventing contractors from basing their bids on wages lower than those prevailing in the area," addressing a problem when large government contracts in an area attract nonlocal contractors from other areas with lower wages (WHD, 2026). The Davis-Bacon Act and its Related Acts ensure that federal construction expenditures are awarded on merit instead of flowing downhill to standards set by the lowest-paid, least-insured areas of the country.

Bipartisan support for the Davis-Bacon Act and its Related Acts has continued for nearly 100 years. Since 1931, the application of the Davis-Bacon Act on trillions of dollars of federally-supported projects has been central to the modern American procurement system. The Davis-Bacon Act applies prevailing wage standards to direct federal infrastructure construction, and through dozens of related laws, to federally-assisted state, county, and municipal construction projects and others receiving grants, loans, or other financial assistance from the federal government. Taken together, these laws establish an institutional framework for the construction industry that attracts qualified craft workers, enhances productivity, and trains the next generation of skilled tradespeople who are required to build the infrastructure needed for a growing, technologically sophisticated, and competitive national economy. Today, 29 states have their own prevailing wage laws, also referred to as "little Davis-Bacon Acts," and the District of Columbia is subject to the Davis-Bacon Act (WHD, 2024; Michigan Legislature, 2023).

Under both Republican and Democratic Presidents, and with historically bipartisan support in Congress, trillions of dollars have been spent by federal, state, and local governments and agencies to construct highways, streets, bridges, military bases, schools, hospitals, sewage systems, broadband internet systems, energy projects, housing units, and other vital public works projects. During the Eisenhower administration, strong bipartisan support resulted in the extension of the Davis-Bacon Act to the construction of the Interstate Highway System, which laid the basis for unprecedented national growth and development. In the debate at that time, Republican Congressmen highlighted the positive impact of the Davis-Bacon Act in preserving local standards and protecting both workers and contractors, stating that the Act "does not raise wages but it does prevent wage cutting and it is wage cutting and labor standard lowering that we wish to prevent" (Whittaker, 2007). Several members further rebutted the claims of critics, saying that "the argument

that it would greatly increase the cost of building roads is entirely a ghost and a phantom and is not substantiated by the facts" (Whittaker, 2007). Just as in the 1950s, today's critics of the Davis-Bacon Act still make cost claims that are a "ghost and a phantom."

There is evidence of effects on construction market outcomes when the Davis-Bacon Act is not utilized for large-scale infrastructure efforts. In late August 2005, following the devastation of Hurricane Katrina, President George W. Bush temporarily suspended the Act for Gulf Coast areas in Florida, Alabama, Mississippi, and Louisiana. The decision came at the urging of a small faction of U.S. House of Representatives members, who asserted that the Act caused bureaucratic delays and discriminated "against contractor employment of non-union and lower-skilled workers" (Whittaker, 2005). During the next two months, several billion dollars in contracts were awarded that carried no Davis-Bacon standards. Subcontracts which would flow from them for years to come also did not require prevailing wages. The results of investing taxpayer dollars without labor standards were devastating. Reports and later studies documented widespread displacement of local workers by migratory low-wage, low-skill workers who endured significant health and safety depredations.[i] The consequences of the suspension of the Davis-Bacon Act were so calamitous and immediate that a bipartisan group of legislators was summoned to the White House in an October 2005 meeting at which Chief of Staff Andrew Card announced that the President was reversing the suspension and conceded that "there appeared to be no savings garnered from suspending the Davis-Bacon Act" (Whittaker, 2005).

The Davis-Bacon and Related Acts support local economies and deliver great value for American taxpayers. By upholding market-competitive wages, the Davis-Bacon and Related Acts protect work for local contractors and construction workers. When local workers and companies are employed, more of the project funds remain in the community, stimulating economic activity and creating jobs at local businesses. The Davis-Bacon Act and similar state policies also support proper safety and skills training programs, improve economic outcomes for veterans, and provide pathways into the middle class for blue-collar workers—keeping them off government assistance programs. Finally, the survey methodology for ascertaining Davis-Bacon prevailing wage and benefits rates is valid, transparent, reliable, and more robust than ever following reforms in 2023. Repealing or weakening the Davis-Bacon and Related Acts would fail to reduce spending on federal construction projects, would result in substantial pay cuts for working-class Americans, and would increase government spending on social safety net programs like food stamps and Medicaid.

DAVIS-BACON PREVAILING WAGES GROW THE ECONOMY AND STRENGTHEN LOCAL BUSINESSES

By protecting local wage standards and preventing contractors from paying less than the local market rate, the Davis-Bacon and Related Acts boost local economies across the United States (WHD, 2026). Whether evaluating the federal Davis-Bacon Act, state prevailing wage laws, or similar municipal policies, the economic impacts of prevailing wage laws have been clear and consistent. Without prevailing wage standards, nonlocal contractors with lower-paid workers come in, undermine the local market rate, and take taxpayer dollars back with them to their home states or countries upon project completion. Conversely, by maintaining local market standards for construction worker wages and promoting training and productivity, the Davis-Bacon Act has positive effects (Stepick & Manzo, 2021; Manzo & Duncan, 2018a; Ormiston, Belman, & Hinkel, 2017; Kelsay, 2016; Duncan & Lantsberg, 2015; Philips, 2014).

Economic research reveals that prevailing wage standards are associated with more work for local contractors. In-state contractors are 8 percent more likely to be awarded highway projects when they are covered by Davis-Bacon prevailing wage standards (Manzo, 2021). Data from the *Economic*

Census of Construction also indicates that states with prevailing wage laws have 2 percent more of the total value of construction work completed by in-state contractors, although impacts are much larger in certain cases (Census, 2024). For example, local contractors account for at least 10 percent higher market share when prevailing wages are paid on public construction projects—keeping tax dollars in the local economy (Manzo & Duncan, 2018a; Duncan, 2011). Research on public school projects shows that low-wage, out-of-state contractors and submit bids closer to those submitted by in-state contractors that pay higher wage rates on average when prevailing wage standards apply, altering bids in the way intended by the policy (Duncan, Case, & Manzo, 2024)

Economic research has further found that the wage policy supports local contractors but does not reduce bid competition—an important determinant of overall construction costs. Two studies focused on the effect of Davis-Bacon prevailing wage standards on highway resurfacing projects in Colorado and Kentucky compared projects funded by the federal government, which required Davis-Bacon prevailing wages, to state-funded projects, which were not covered by wage policies at the time. After taking project size and complexity into account, the level of bid competition did not vary between state and federal projects in either analysis (Duncan, Gigstad, & Manzo, 2022; Duncan, 2015a).

Economic research on state and local prevailing wage standards corroborates these findings on the federal Davis-Bacon Act. Prevailing wage laws had no statistically significant effect on bidder behavior on school construction projects in Ohio or on municipal projects in five San Francisco Bay-area cities (Onsarigo, Duncan, & Atalah, 2020; Kim, Kuo-Liang, & Philips, 2012). In fact, an analysis of 81 school construction projects in the Las Vegas area found that weakening Nevada's prevailing wage law *reduced* bid competition by 25 percent, with union contractors in particular submitting fewer bids as they exited the market and pursued other opportunities (Duncan & Waddoups, 2020).

Prevailing wage laws perform an important economic development function by reducing the leakage of construction funds and jobs from the local economy. By promoting family-sustaining careers for workers and more work for local contractors, the Davis-Bacon and Related Acts stimulate greater consumer spending and create jobs in communities across the United States.

DAVIS-BACON PREVAILING WAGES BOOST APPRENTICESHIPS AND IMPROVE WORKSITE SAFETY

Construction is the most seasonally and cyclically volatile industry in the United States (Philips, 2022). The construction industry is inherently seasonal in nature, with major projects built and repaired during peak months with desirable weather. Construction work is also cyclical and contingent on both private market conditions and public sector investment. When workers finish projects, there are often periods of unemployment while they look for their next jobs, sometimes with new employers. The turbulence caused by these seasonal, cyclical, and fiscal factors creates strong disincentives for employers and employees to invest in the type of training that leads to a highly-skilled, efficient, and safe workforce. Contractors are afraid of losing the investment if the workers they train decide to leave to go work for their competitors after projects are finished. On the other hand, workers do not have the incentive to pay for training out-of-pocket because the possibility of prolonged spells of unemployment could prevent the investment from paying off. The result is a "market failure" in which insufficient worker training is provided in construction.

The Davis-Bacon and Related Acts correct this market failure by reflecting local market-based standards for wages, benefits, and training contributions in the communities where projects are being built. Registered apprentices may also be paid less than journeyworkers' prevailing wages, which further incentivizes apprenticeship utilization on Davis-Bacon projects. Davis-Bacon prevailing wage

standards ensure that the next generation of construction workers is trained while the current skilled workforce is retained through high job quality.

For decades, Davis-Bacon prevailing wages have helped employers invest in the human capital development of construction workers, promoting a skilled workforce that completes high-quality construction projects on-time and on-budget. The apprenticeship training that is incentivized and supported by the Davis-Bacon and Related Acts spills over to private construction projects; once workers are trained, they hold onto those skills over their careers from project-to-project. Local economies also flourish when construction workers can pay for their own retirement needs and for health care for themselves and their families.

Economic research shows that state-level prevailing wage laws are successful at increasing registered apprenticeship training in the construction industry. Construction apprenticeship enrollments are up to 8 percent higher in states with prevailing wage laws. Apprentices also complete their on-the-job and classroom training at a faster rate in these states (Bilginsoy, 2003). The apprenticeship share of the construction workforce is 14 percent in states with prevailing wage laws compared to just 8 percent in states without the policy (Dickson Quesada et al., 2013). The result is that workers are more productive. Worksite productivity is 14 to 33 percent higher in states with prevailing wage laws (Philips, 2014).

By raising productivity and training standards, the Davis-Bacon Act and related state policies also reduce injury rates. In states without prevailing wage laws, job-related disabilities are 12 percent higher, on-the-job injuries are 14 percent higher, and fatality rates are 12 percent higher (Philips, 2014; Manzo, 2017; Dickson Quesada et al., 2013). The federal Davis-Bacon Act, researchers estimate, is responsible for preventing 76,000 workplace injuries in construction annually and more than 675,000 workdays lost each year (Philips et al., 1995). Put simply, Davis-Bacon prevailing wages ensure that construction employers have access to domestic supply pools of skilled, productive, and safe workers.

DAVIS-BACON PREVAILING WAGES PROMOTE MIDDLE-CLASS PATHWAYS FOR ALL WORKERS

The Davis-Bacon and Related Acts improve job quality and protect workers against exploitation. The laws create construction *careers*, not just seasonal jobs. By upholding family-sustaining wages and benefits, Davis-Bacon prevailing wages entice skilled workers to enter the construction industry and keep experienced tradespeople from exiting the industry, preserving human capital investments. This is true for all workers—regardless of race, ethnicity, gender, age, religion, national origin, ancestry, marital status, veteran status, sexual orientation, or any other characteristic unique to an individual.

Research has found that prevailing wage boosts blue-collar construction worker earnings by between 4 and 16 percent, on average, and expands health insurance coverage by between 8 and 10 percent (Manzo, Bruno, & Petrucci, 2023; Manzo, Lantsberg, & Duncan, 2016; Duncan & Lantsberg, 2016; Philips, 2014). Prevailing wage laws have also been found to reduce worker misclassification and off-the-books employment by 2 percent because employers are held accountable and must submit certified payroll records (Hinkel, 2021). This combats wage theft and helps ensure that all workers are paid what they are legally owed. By promoting and protecting middle-class incomes, prevailing wage standards allow construction workers to live in the communities where they are building vital public infrastructure. Prevailing wage laws extend homeownership to 2 percent more construction workers and their families, improving their housing wealth by 13 percent (Manzo, Gigstad, & Bruno, 2020).

The Davis-Bacon Act and related state policies promote middle-class pathways and protect all workers against exploitation—regardless of racial or ethnic background (Duncan & Ormiston, 2018). There is no empirical evidence that prevailing wage laws deters any underrepresented group from participating in the construction trades or in registered apprenticeship programs (Belman et al., 2019; Bilginsoy, 2003; Bilginsoy, 2017). For example, in six states that repealed prevailing wage laws between 2015 and 2018, there was no change in the racial and ethnic diversity of the construction workforce following repeal (Manzo, Bruno, & Petrucci, 2023). However, prevailing wage standards do reduce racial inequality in the construction industry by between 7 and 53 percent by raising incomes more for low-wage workers than for higher-paid workers (Manzo, Bruno, & Manzo, 2018). Research has also found that state prevailing wage laws boost the homeownership rate of Black construction workers by 8 percent compared with an increase of 3 percent for white construction workers (Manzo, Gigstad, & Bruno, 2020).

For these reasons, members of the Congressional Black Caucus have written resounding endorsements of the Davis-Bacon Act that continue to resonate today (CBC, 2020; CBC, 1995):

> *"By establishing a family-supporting wage floor for construction workers on public works, the Davis-Bacon Act promotes middle-class pathways and protects workers against exploitation, regardless of race, ethnicity, gender or union membership. … Members of the Congressional Black Caucus (CBC) have stood at the forefront of promoting labor and economic rights for minority workers. The Davis-Bacon Act has been instrumental in bridging the wage gap for historically marginalized sectors of our society. … These continued efforts have helped reduce economic inequality for minority construction workers across the nation."*

Prevailing wage standards build career opportunities for military veterans as well. Veterans are statistically more likely to work in construction than non-veterans. This is in part because the United States Military Apprenticeship Program (USMAP) now trains one out of every six registered apprentices in the United States (ApprenticeshipUSA, 2026). It is also because prevailing wage laws attract and retain veterans in the construction trades. Research shows that state prevailing wage laws increase veteran earnings by 7 to 11 percent, improve employer-provided health coverage rates for veterans working in construction by 11 to 15 percent, and reduce rates of poverty by 24 to 31 percent among veterans in blue-collar construction occupations. Weakening or repealing the federal Davis-Bacon Act would reduce the attractiveness of construction employment for veterans and would have disproportionately negative impacts on those who served the country (Manzo, Bruno, & Duncan, 2016; Chowdhury, 2017).

DAVIS-BACON PREVAILING WAGES DELIVER GREAT VALUE FOR TAXPAYERS

The Davis-Bacon and Related Acts foster good, middle-class careers, and there is a significant disparity in wages paid to blue-collar construction workers between states with prevailing wage laws and states without the wage policy (Philips, 2014). Because they earn higher incomes, blue-collar construction workers in states with these laws contribute more towards tax revenues than their counterparts in states without the laws. Research finds that income tax contributions and property tax contributions from construction workers are 17 percent higher in states with prevailing wage laws (Philips & Blatter, 2017). Prevailing wage laws also make construction workers 30 percent less likely to live in poverty and between 8 and 44 percent less likely to rely on government assistance programs, such as Supplemental Nutrition Assistance Program (SNAP) food stamps and the Earned Income Tax Credit (EITC) assistance (Manzo, Lantsberg, & Duncan, 2016). These laws further combat payroll tax fraud and reduce construction employment among undocumented workers (Hinkel,

2021; Philips & Blatter, 2017). Accordingly, prevailing wage standards improve public budgets by increasing tax revenues and reducing government spending on social safety net programs.

Davis-Bacon prevailing wage standards stabilize construction costs. Because prevailing wage laws are associated with stronger workforce supply pools and competitive bidding, the *economic consensus* in peer-reviewed studies is that prevailing wage laws have no effect on public works construction costs. Of the 21 peer-reviewed studies focused on schools, highways, and municipal building projects published since 2000, 18 find that the prevailing wage laws have no effect on total construction costs (86 percent) (Duncan, 2024; Duncan & Ormiston, 2022; Manzo, Bruno, & Petrucci, 2023). This includes 12 of 14 studies that evaluate the impact of prevailing wage laws on school construction costs and find no statistically significant effect (86 percent). It also accounts for three studies that analyze the effect of Davis-Bacon prevailing wages on highway construction costs. Federal highway projects that pay Davis-Bacon prevailing wages are no more costly than similar state projects that do not come with federal contracting standards attached (Manzo, 2021; Duncan, 2015a; Duncan, 2015b). Research also shows that prevailing wage standards have little to no causal impact on affordable housing construction costs because they improve productivity, training, and safety while reducing worker misclassification and illegal, under-the-table employment practices through greater enforcement of labor laws (Hinkel & Belman, 2022).

Peer-reviewed research has overwhelmingly concluded that the Davis-Bacon and Related Acts do not increase project costs for four main reasons. First, labor costs are a low and historically declining share of total costs in the construction industry—approximately 23 percent across the United States (Census, 2024; Duncan, 2024; Manzo, Bruno, & Petrucci, 2023). Second, when wages rise in construction, contractors respond by utilizing more capital equipment and by hiring skilled workers to replace their less-productive counterparts (Balistreri, McDaniel, & Wong, 2003; Blankenau & Cassou, 2011). Third, contractors respond to higher wages by reducing expenditures on materials, fuels, and rental equipment and by accepting marginally lower profit margins (Duncan & Lantsberg, 2015). Finally, prevailing wage standards improve job quality, apprenticeship training, worker productivity, and worksite safety—all of which reduce employee turnover and prevent costly project delays due to labor shortages (McFadden, Santosh, & Shetty, 2022; Manzo, Petrucci, & Bruno, 2022). The Davis-Bacon and Related Acts enhance project efficiency and make it more likely that projects will be completed on time and on budget.

REPEAL OF THE DAVIS-BACON AND RELATED ACTS WOULD HAVE DIRE CONSEQUENCES

Despite the academic consensus which shows that prevailing wage laws lead to enhanced productivity, higher wages for construction workers, and more work for in-state contractors while having no net impact on project costs, the Congressional Budget Office (CBO) periodically includes repealing the Davis-Bacon Act as an option for reducing the federal deficit among a list of "smaller reductions" (CBO, 2024; CBO, 2022; CBO, 2018). Recent reports suggest that the federal government could reduce costs by $24.7 billion from 2025 through 2034, or about $2.5 billion per year, due to "the reduction in wages and benefits [which] would account for most of the savings from repeal" (CBO, 2024; CBO, 2022). In fiscal year 2023, the federal government spent $112 billion on transportation infrastructure, which accounts for about half of all federal-funded or federally-assisted construction (Mallett, 2025; CBO, 2022). This means that the Congressional Budget Office assumes that repeal of the Davis-Bacon Act would only reduce the cost of federal construction projects by 1 percent (CBO, 2018).[ii] This would also represent 0.1 percent of the $2 trillion federal deficit (CBO, 2026). However, these purported savings fail to take into account the downstream effects of repeal, such as reduced investments in registered apprenticeship training, higher on-the-job injury rates, increased materials and fuels costs, and greater expenditures on social safety net programs like Supplemental Nutrition Assistance Program (SNAP) food stamps, Medicaid, and Earned Income Tax

Credit (EITC) assistance. In fact, the Davis-Bacon Act has been estimated to improve the federal budget by more than $250 million annually due solely to higher federal income tax contributions from construction workers and lower government spending on food stamps and EITC assistance for construction workers (Manzo, Lantsberg, & Duncan, 2016).

Research on prevailing wage repeals shows that they have had negative impacts on workers, contractors, and communities. From 2015 through 2018, six states—Indiana, West Virginia, Wisconsin, Kentucky, Arkansas, and Michigan—repealed their prevailing wage laws. In Indiana, repeal decreased the hourly wages of construction workers by more than 8 percent and reduced construction worker productivity. Bid competition was unchanged, resulting in no statistical impact on the average cost to build public schools (Manzo & Duncan, 2018b). In West Virginia, wages fell by as much as 8 percent for construction trades workers, the number of apprentices fell by 28 percent, and the on-the-job construction worker injury rate increased by 26 percent (Kelsay & Manzo, 2019). In Wisconsin, repeal decreased construction worker earnings by 6 percent, increased the share of state highway construction projects being awarded to out-of-state contractors from 9 percent to 14 percent, and had no impact on the average cost per mile to resurface or maintain roads (Manzo et al., 2020). A 2022 peer-reviewed study used 2,155 highway projects built in Kentucky between 2014 and 2020 and found that repeal had no impact on public construction costs (Duncan, Gigstad, & Manzo, 2022). Finally, an analysis of all the states that repealed their laws between 2015 and 2018 revealed that repeal reduced construction worker earnings by between 4 and 13 percent, reduced fringe benefits by between 7 and 10 percent, increased food stamp reliance by 2 percent, produced a 14 percent higher on-the-job fatality rate, and led to a 2 percent drop in the market share of in-state contractors (Manzo, Bruno, & Petrucci, 2023).

Elected officials in Indiana and West Virginia—the first two states to rescind their prevailing wage laws in the 2015 to 2018 wave of repeals—acknowledged that repeal failed to deliver as promised. In 2017, Indiana State Representative Ed Soliday commented that “we got rid of prevailing wage and, so far, it hasn’t saved a penny” while serving as the Assistant Republican Leader in the Indiana House of Representatives (Quinnell, 2017). Representative Soliday’s observation was later confirmed in a June 2021 study by the Indiana Department of Labor, which found that “project costs for similar types of work have continued to increase since the repeal” and that “any effect the repeal may have had on the cost of projects was likely negligible,” leading to the conclusion that repeal had “no significant impact” on project costs (IN DOL, 2021). Furthermore, in 2021, West Virginia Governor Jim Justice, a Republican, stated that “we got rid of prevailing wage… and we’ve run to the windows—and they haven’t come,” referring to a lack of business, job, and population growth following repeal (McElhinny, 2021). Unsurprisingly, in 2023, lawmakers in Michigan decided to reverse course and fully reinstated prevailing wage (Michigan Legislature, 2023).

These outcomes could have been avoided if lawmakers had learned lessons from earlier repeals of prevailing wage laws in nine states between 1979 and 1988. In these states, repeal decreased blue-collar construction worker incomes by as much as 4 percent and voluntary fringe benefits by as much as 16 percent (Fenn et al., 2018). These states also experienced a 40 percent decrease in training, and a 13 percent increase in construction injury rates (Li et al., 2019; Philips et al., 1995). Moreover, people of color “became significantly under-represented in construction apprenticeship programs,” falling from 19 percent of all registered apprentices pre-repeal to just 13 percent post-repeal (Philips et al., 1995).

The scholarship is clear that the absence of prevailing wage standards lowers construction worker wages and benefits, decreases apprenticeship training and productivity, and worsens reliance on government assistance programs. Meanwhile, local contractors lose projects to out-of-state firms—leaking construction funds, jobs, income, and spending out of the local economy—while failing to reduce total construction costs or saving any money for taxpayers.

DAVIS-BACON SURVEYS ARE TRANSPARENT, ROBUST, AND REFLECT LOCAL MARKET WAGES

The Davis-Bacon Act is administered by the United States Department of Labor through the Wage and Hour Division (WHD). The WHD conducts voluntary surveys of the actual compensation paid by private contractors to construction workers on similar projects, by job classification. The survey process results in Davis-Bacon wage determinations that are based on fair market wages paid to construction workers in 3,000 counties and localities across the nation. By including the total value of wages, fringe benefits, and training contributions by job classification where the work is performed, Davis-Bacon surveys reflect basic market standards that ensure the best value for taxpayers.

Davis-Bacon surveys are transparent and valid (Jordan et al., 2006). The Wage and Hour Division communicates with industry stakeholders in each area when conducting a survey, including contractors, trade associations, public agencies, and trade unions. The underlying data for wage determinations are available to the public and survey results can be challenged for reliability or correctness in established procedures. The Davis-Bacon survey process is based upon reliable and transparent procedures:

- ✓ The survey results are published on an accessible federal website and are available for instantaneous access by contractors, agencies, workers, and the public.
- ✓ Surveys are market-specific and conducted in individual states for the heavy, highway, building, and residential construction sectors.
- ✓ Wage determinations accurately reflect conditions in the local labor market because they are based on detailed payroll submissions that account for both hourly wages and benefits.
- ✓ Surveys use clearly specified processes and the survey results can be easily replicated by affected parties to obtain the underlying wage data to determine if they are correct.
- ✓ Affected parties are provided a procedure to petition for the reconsideration of a published rate to ensure its validity and to present additional or corrected data for review.

Davis-Bacon surveys are robust. In 2023, the U.S. Department of Labor updated its administrative practices and regulations to make Davis-Bacon surveys more applicable, timely, and reflective of local market standards, and to ensure better compliance with the law (WHD, 2023). Outdated administrative rules and weakening of Davis-Bacon and Related Acts enforcement mechanisms since the 1980s had led to concerns about the laws' effectiveness and consistency (Philips, 2022; Kelsay & Pleites, 2022).

To address these concerns and restore the original intent of the Acts, the U.S. Department of Labor conducted a comprehensive overhaul of regulations. Core changes included a return to the "three-step" method for determining prevailing wages—a practice last used in 1982 (Kelsay & Pleites, 2022; Philips, 2022). Under this standard, the prevailing wage is the same wage rate paid to a majority of workers in a job classification. If no single wage is paid to a majority of workers, any single wage paid to the greatest number of workers is deemed the prevailing wage. If, however, no single wage is paid to at least 30% of workers, then a weighted average is used as a last resort. This change increases the likelihood that the prevailing wage will reflect actual local wages paid to workers, rather than the widespread utilization of watered-down weighted averages before 2023 that produced artificial rates. Artificial wages paid to no one fail to accomplish the U.S. Department of Labor's stated goal of protecting local wage standards, while the "three-step" method is more effective at capturing local market rates.

The reforms also allow for the adoption of state or local prevailing wages when their determination methods are "substantially similar" to the federal process, as well as for the supplemental rates for key job classifications when insufficient survey data exists. Periodic adjustments to nonunion wage rates using data from the *Employment Cost Index* now ensure they remain up-to-date between surveys (WHD, 2023). Taken together, these reforms boost construction worker earnings across America (Duncan & Ormiston, 2022; NABTU, 2022).

The updates improve enforcement and compliance (WHD, 2023). As examples, an "operation of law" provision requires contractors to adhere to Davis-Bacon standards even if federal agencies mistakenly omit the required clauses in contracts. New anti-retaliation provisions protect workers against reprisal for reporting violations and empower the U.S. Department of Labor to provide "make-whole" relief and other remedial actions. The debarment standard for violations has been harmonized to mandatory three-year terms. Coverage of emerging industries like solar, wind, broadband infrastructure, and electric vehicle charging station installations is clarified. Contractors are also now required to preserve payroll records for a minimum of three years after projects are completed. Employer associations and business groups supported these changes, stating that they increase productivity, reduce labor turnover, and ensure fair competition for law-abiding contractors (CEA, 2022; Gaffney & Brink, 2022; Giamberardino, 2022).

Despite these improvements and the private market-based system for ascertaining Davis-Bacon prevailing wages, some have argued that the methodology should be replaced with the data from the *Occupational Employment and Wage Statistics* (OEWS) produced by the Bureau of Labor Statistics (BLS). This proposed change is based on the incorrect assumption that OEWS data is a better indicator of local construction market rates than Davis-Bacon surveys. However, a Commissioner of the Bureau of Labor Statistics (Groshen, 2013a) has definitively concluded that the:

> *"BLS has no role in establishing prevailing wages or determining what data are appropriate for that purpose. … Because the BLS data are used for so many purposes, we generally don't design them for particular applications, such as the Davis-Bacon wage determinations."*

Switching to OEWS wages would seriously erode the actual prevailing wage paid to construction workers. The specific features of the OEWS data which prevent it from producing a prevailing market wage are described in detail in the testimonies of industry experts, and summarized below (Philips & Duncan, 2015; Duncan, 2015c; Eisenbrey & Belman, 2013). The OEWS data includes the following defects with respect to setting prevailing wages:

- The OEWS data is not transparent. The underlying wage data is not available to the public and it cannot be challenged for reliability or correctness. While the wage survey process encourages and accepts data from all available sources, stakeholder participation is restricted under OEWS.
- OEWS wage rates exclude fringe benefits. Good health and retirement benefits are essential to retaining skilled workers in unstable and dangerous construction sectors. OEWS data, however, do not include any information on training contributions, health insurance payments, or pension payments.
- OEWS overrepresents residential construction. Nearly half of the OEWS wage information comes from residential construction, which is a low-skill, low-wage, low-benefits sector of construction. This severely skews the OEWS wages downward.

- OEWS does not distinguish between journeyworkers and apprentices. A beginning apprentice typically earns about 50 percent of the journeyworker rate. Relying on OEWS data would cut wages for skilled journeyworkers.
- OEWS does not report data by local counties and OEWS does not survey actual construction sites. The OEWS attributes a contractor's work to the contractor's business address regardless of where the worksite is located.
- OEWS does not reflect wage rates actually paid to workers in their communities. Unlike the USDOL's three-step process, OEWS rates are artificial averages paid to no one.
- OEWS data is often based on small sample sizes relative to the number of construction occupations and local construction markets (Groshen, 2013b). Industry surveys and payroll records are better indicators of actual wages and benefits paid to construction workers.

OEWS is not intended to be used to determine prevailing wages, while Davis-Bacon wage surveys are. Utilizing OEWS data would distort wage rates below area market standards and produce less local hiring. This dynamic would ripple out to all sectors of the economy and reduce economic output. OEWS data is not suitable for covered construction projects and would result in a failure to meet the Davis-Bacon and Related Acts's goal of sustaining local market standards.

THE BOTTOM LINE

The Davis-Bacon and related state policies protect local wage rates, boost local economies, promote job quality, and deliver value for taxpayers. Davis-Bacon prevailing wages protect work for local contractors and construction workers, support registered apprenticeship programs, and provide pathways into the middle class for all blue-collar workers—keeping them off government assistance programs. The methodology for ascertaining Davis-Bacon prevailing wage and benefits rates is transparent, reliable, and robust. The Davis-Bacon Act is the best deal for U.S. taxpayers.

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[i] See also Haley Olam and Erin Stamper (2006), "The Suspension of the Davis Bacon Act and the Exploitation of Migrant Workers in the Wake of Hurricane Katrina," *Hofstra Labor & Employment Law Journal*, 24: 145-180; Elizabeth Fussell (2009), "Hurricane Chasers in New Orleans: Latino Immigrants as a Source of a Rapid Response Labor Force," *Hispanic Journal of Behavioral Sciences*, 31: 375-394; and Peter Philips (2005), *Lessons for Post-Katrina Reconstruction: A High-Road vs. Low-Road Recovery*, Economic Policy Institute.

[ii] Mathematically, -$2.5 billion ÷ ($112 billion ÷ ½) = -1.1 percent (Mallett, 2025; CBO, 2022). Similarly, in 2018, Congressional Budget Office itself said that "repealing the Davis-Bacon Act would reduce total federal spending on construction by 0.9 percent" (CBO, 2018).