

SHALL NOT MEAN ANY STATE AGENCY FUNDED PRIMARILY FROM SOURCES OTHER THAN THE STATE, NOR SHALL IT MEAN ANY COUNTY OR MUNICIPAL CORPORATION, OR ANY DEPARTMENT, OFFICER, BOARD, COMMISSION, OR AGENCY THEREOF.

(e) "Prevailing hourly rate of wages," "prevailing hourly wage rate," "prevailing rate of wages," "prevailing wage rate," "prevailing hourly wage," "prevailing wage," "rate of wages" and "wage rates" include:

(1) the basic hourly rate of pay; and

(2) the amount of:

(i) the rate of contribution irrevocably made by a contractor, subcontractor, or third person pursuant to a fund, plan, or program which provides for medical, surgical, or hospital care or benefits or pensions on retirement, disability, or death, including any profit-sharing plan which provides benefits at or after retirement, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing; for unemployment benefits, life insurance or accident insurance; for vacation and holiday pay; for defraying costs of apprenticeship or other similar programs; or for other bona fide fringe benefits, but only if the contractor is not required by federal, state, or local law to provide any of such benefits; and

(ii) the rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing the fringe benefits specified in paragraph (2)(i) to workmen and apprentices pursuant to an enforceable commitment to carry out a financially responsible plan or program which is communicated in writing to the workmen and apprentices affected.

Provided, that the obligation of a contractor or subcontractor to make payment in accordance with the schedules of prevailing hourly wage rates established by the Commissioner and fixed in contracts pursuant to this subtitle may be discharged by the making of payments in cash, by the making of contributions of a type referred to in paragraph (2)(i), or by the assumption of an enforceable commitment to bear the costs of a plan or program of a type referred to in paragraph (2)(ii) or any combination thereof, if the aggregate of any such payments, contributions, and costs is not less than the rate of pay described in paragraph (2)(i) plus the amount referred to in paragraph (2)(ii).

(e) "Workman" means laborer, workman, and mechanic.

(f) "Apprentice" means a person at least sixteen (16) years of age who has entered into a written agreement with an employer or his agent, an association of employers or an organization of employees, or a joint committee representing both, which states the trade, craft, or occupation which the apprentice is to be taught and the time at which the apprenticeship begins and ends, and who is registered in a program of the Maryland Apprenticeship and Training Council or the Bureau of Apprenticeship and Training of the U. S. Department of Labor.

"Commissioner" means the Commissioner of the Department of Labor and Industry or his duly authorized deputy or representative.