

97.

(a) *Eight (8) hours shall constitute a regular day's work for all workmen and apprentices employed on public works. Work in excess of eight (8) hours in any one calendar day and work performed on Sundays and legal holidays shall constitute overtime work. Not less than the prevailing hourly rate of wages for work of the same or a similar character in the locality in which the work is performed and not less than the prevailing hourly rate of wages for overtime work shall be paid to all workmen and apprentices employed on public works. Workmen and apprentices employed by contractors and subcontractors in the execution of any contract for public work are deemed to be employed on public work. Employees of a public body are deemed not to be employed on public work.*

(b) *If any such workman or apprentice is paid less than the compensation to which he is entitled hereunder, the contractor shall make restitution to the affected employee for the amount due, and shall be liable to the contracting public body for liquidated damages at the rate of ten dollars (\$10.00) per day for each employee so underpaid. Each day's violation constitutes a separate offense.*

(c) *On any public works to which this subtitle applies, only competent workmen and apprentices of the trades, crafts, and occupations shall be employed by the contractor and all subcontractors on the public works, provided that for every five mechanics regularly employed by the contractor there may be employed not more than one apprentice; provided, however, that if less than five such mechanics are employed, there may be employed not more than one apprentice.*

(d) (C) *Nothing in this subtitle prevents the employment of laborers to perform work not ordinarily performed by a skilled mechanic or his apprentice of the trade, craft, or occupation, but no person receiving a rate of pay which is the prevailing rate of wages for laborers shall perform work ordinarily performed by any such skilled mechanic or apprentice of such trade, craft, or occupation.*

(e) (D) *Where a laborer performs the work ordinarily performed by any skilled mechanic or his apprentice, he shall be paid for the entire time he has performed such work at the rate of wages applicable to a skilled mechanic; and in the event of such underpayment, restitution shall be made by the contractor to said employee, and in addition, the contractor shall be liable to the contracting public body for liquidated damages in an amount equal to ten dollars (\$10.00) per day for each such violation. Each violation each day constitutes a separate offense.*

98.

(a) *Every public body authorized to contract for public works, before advertising for bids, shall request the Commissioner to determine the prevailing rates of wages for workmen and apprentices for the class or type of work called for by the public works, in the locality the work is to be performed. The Commissioner shall determine the prevailing hourly rate of wages, including the prevailing rate of wages for overtime work which shall in no event be less than time and a half the prevailing hourly rate of wages for straight time, for work of the same or a similar character in the locality in which*