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**Written Testimony of Laura Wallace, Senior Organizer for Montgomery County,  
Jews United for Justice, on Montgomery County Council Bill 35-21:  
Prevailing Wage – Construction Contracts – Amendments**

**Position: Support with Amendments**

Thank you for the opportunity to submit written testimony in support of Bill 35-21: Prevailing Wage Requirements – Construction Contracts – Amendments. My name is Laura Wallace, and I am the Montgomery County Senior Organizer for Jews United for Justice (JUFJ).

Jews United for Justice’s mission is to advance economic, racial, and social justice in Maryland and DC by educating and mobilizing our local Jewish community and allies to action. We have helped win a higher minimum wage, paid family and medical leave, police accountability, affordable housing, and many other progressive policies. We are committed to moving resources and power into the hands of people of color who have been systematically blocked from the political process.

Jewish tradition teaches us the value of laborers’ work, stating in the book of Deuteronomy that employers “must pay [workers] their wages on the same day, before the sun sets, for they are needy and urgently depend on it; else they will cry to God against you and you will incur guilt” [Deuteronomy 24:15]. Workers deserve full compensation for their work. And in Montgomery County, we have the opportunity to ensure more workers receive their fair share.

JUFJ supports Bill 35-21 because it broadens and clarifies the County’s prevailing wage ordinance, and lowers its threshold. Bill 35-21 brings Montgomery County’s prevailing wage threshold into line with recent prevailing wage legislation enacted by Baltimore County in 2020 and by Anne Arundel County in October 2021. Montgomery County’s threshold is currently \$500,000; Baltimore County’s is \$300,000 and Anne Arundel County’s is \$250,000. In addition, earlier this year the state dropped its threshold to \$250,000. **Because the state could raise its threshold in the future, we support an amendment that sets the threshold at \$250,000 or the state’s threshold, whichever is lower, rather than linking the County’s threshold completely to the state threshold.**

As we continue to recover from the COVID-19 pandemic, now is the right time to align with Baltimore County’s practices and broaden the types of public works projects covered by prevailing wage. We therefore support applying the Montgomery County prevailing wage law to “routine operation, repair, and service contracts for maintenance of existing structures, buildings, or real property that will significantly restore, change, increase, or extend service life.” This expansion will improve workers’ wages and level the playing field for more types of construction contractors. In the absence of prevailing wage, low-road contractors cut wages to try and win work – to the detriment of workers.

Montgomery County must articulate policies with regard to economic development subsidies and prevailing wage. Last year, the Council introduced Bill 29-20 to provide a *payment in lieu of taxes* (PILOT) to support private development on WMATA properties located in the County. We were disappointed that the bill did not address whether prevailing wage should apply, and an amendment to require it failed to pass on a 4-5 vote. The current Bill 35-21 identifies that prevailing wage applies to PILOTs, with certain exceptions related to the construction of affordable housing. **Because in the future, Montgomery County might use tax increment financing (TIFs) or public private partnerships (P3s,) JUFJ believes Bill 35-21 must be amended to apply prevailing wage to TIFs and P3s, and include a definition of each, or include references to the state's definitions.**

Bill 35-21 includes a local hiring component, similar to both Baltimore County and Anne Arundel County, which requires County contractors to use best efforts to fill at least 51% of new jobs that are required for construction projects financed by the County with County residents. It is important that taxpayer dollars create taxpayer jobs. **JUFJ supports an amendment so that Bill 35-21 specifies a “best efforts” reporting requirement, and a process for withholding County payments for contractors who violate those requirements.**

Thank you for the opportunity to testify to this very important bill. We urge you to move quickly to pass Bill 35-21 with the detailed amendments.