

TITLE 40 - PUBLIC BUILDINGS, PROPERTY, AND WORKS
SUBTITLE II - PUBLIC BUILDINGS AND WORKS
PART A - GENERAL
CHAPTER 31 - GENERAL
SUBCHAPTER IV - WAGE RATE REQUIREMENTS

§ 3141. Definitions

In this subchapter, the following definitions apply:

- (1) **Federal government.**— The term “Federal Government” has the same meaning that the term “United States” had in the Act of March 3, 1931 (ch. 411, 46 Stat. 1494) (known as the Davis-Bacon Act).
- (2) **Wages, scale of wages, wage rates, minimum wages, and prevailing wages.**— The terms “wages”, “scale of wages”, “wage rates”, “minimum wages”, and “prevailing wages” include—
- (A) the basic hourly rate of pay; and
 - (B) for medical or hospital care, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the forgoing, for unemployment benefits, life insurance, disability and sickness insurance, or accident insurance, for vacation and holiday pay, for defraying the costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other federal, state, or local law to provide any of those benefits, the amount of—
 - (i) the rate of contribution irrevocably made by a contractor or subcontractor to a trustee or to a third person under a fund, plan, or program; and
 - (ii) the rate of costs to the contractor or subcontractor that may be reasonably anticipated in providing benefits to laborers and mechanics pursuant to an enforceable commitment to carry out a financially responsible plan or program which was communicated in writing to the laborers and mechanics affected.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1150; Pub. L. 109–284, § 6(11), Sept. 27, 2006, 120 Stat. 1213.)

Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3141(1)	(no source).	
3141(2)	40:276a(b) (1st par. words before proviso).	Mar. 3, 1931, ch. 411, § 1(b) (1st par. words before proviso), as added Pub. L. 88–349, § 1, July 2, 1964, 78 Stat. 239.

Clause (1) is added for clarity.

References in Text

The Davis-Bacon Act, referred to in par. (1), is act of Mar. 3, 1931, ch. 411, 46 Stat. 1494, as amended, which was classified generally to sections 276a to 276a–5 of former Title 40, Public Buildings, Property, and Works, and was repealed and reenacted as sections 3141–3144, 3146, and 3147 of this title by Pub. L. 107–217, §§ 1, 6 (b), Aug. 21, 2002, 116 Stat. 1062, 1304. For complete classification of this Act to the Code, see Tables.

Amendments

2006—Par. (1). Pub. L. 109–284 substituted “1494” for “1494”.