

effectuate the purposes of this subtitle, including, but not limited to, the authority to make a determination as to the amount of restitution and the amount of liquidated damages to be assessed for violations of the provisions of this subtitle. In no event shall such determination of restitution preclude an employee from instituting suit to recover any payments due him.

(e) It shall be lawful for any contractor to withhold from any subcontractor under him sufficient sums to cover any amounts of money withheld from him pursuant to this section by the awarding body on account of said subcontractor's failure to comply with the provisions of this subtitle, and if payment has already been made to him, the contractor may recover said sums from him in a suit at law.

[18-508.] 12-308. SUIT FOR WAGES; FORCE AND EFFECT OF JUDGMENTS; RECEIPT OF WAGES WITHOUT PROTEST NO DEFENSE.

Any workman or apprentice employed by the contractor or any subcontractor who is paid in a sum less than the stipulated prevailing hourly wage rates for work done under the contract, shall have a right of action to recover the difference between the amounts so paid and the wage rates provided by the contract, and an action brought to recover same shall be deemed to be a suit for wages, and any and all judgments entered therein shall have the same force and effect as other judgments for wages. It shall not be a defense to such an action that the underpayments were received by said workman or apprentice without protests, either oral or in writing, against the amount thereof, and the lack or failure of protest shall not be a bar to recovery of the difference between the amounts paid and the wage rates provided by the contract.

[18-509.] 12-309. VIOLATIONS BY EMPLOYER, EMPLOYEE, OR OTHER PERSON PROHIBITED; WAGES TO BE PAID UNCONDITIONALLY WITHOUT REBATES OR DEDUCTIONS; EXCEPTIONS.

(a) No person, firm, or corporation shall violate the wage provisions of any contract contemplated herein or suffer, or require any employee to work for less than the rate of wages so fixed, or violate any of the provisions contained herein. Where workmen are employed and their rate of wages has been determined as provided herein, no person, either for himself or any other person, shall request, demand, or receive, either before or after the workman is engaged, that the workman pay back, return, donate, contribute, or give any part or all of the workman's wages, salary, or things of value, to any person, upon the statement, representation, or understanding that failure to comply with the request or demand will prevent the workman from procuring or retaining employment; and no person, directly or indirectly, shall pay, request, or authorize any other person to violate this section. This subsection does not apply to any agent of a collective bargaining organization acting in collection of sums as permitted by the National Labor Relations Act.