

337.548 Injunction of violation of prevailing wage law.

If it is found that a public authority has not complied with KRS 337.505 to 337.550, the commissioner shall give notice thereof in writing to such public authority. Sufficient time may be allowed for compliance therewith as the commissioner deems necessary. After the expiration of the time prescribed in the notice, the department shall at the earliest possible time bring suit in the Circuit Court of the county in which such public body is located to enjoin the award of such contract for a public works or any further work or payments thereunder if the contract has been awarded until the requirements of such notice are complied with. The court may issue a temporary restraining order without notice to the defendant in such action. Upon final hearing thereof, if the court is satisfied that the requirements of the notice by the department to the defendant were not unreasonable or arbitrary, it shall issue an order enjoining the defendant from awarding such contract for a public works or any further work or payments thereunder if the contract has been awarded until the notice is complied with. Such injunction shall continue operative until the court is satisfied that the requirements of the notice have been complied with and the court shall have and exercise with respect to the enforcement of such injunctions all the power invested in it in other similar cases. Both the plaintiff and the defendant in such action have the same rights of appeal as are provided by law in other injunction actions.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1748, effective July 15, 2010. -- Created 1970 Ky. Acts ch. 33, sec. 9.