Chapter 10 Construction Management and Labor Standards
Labor Standards Training, Targets and Objectives

After this training you should understand...

• Statutory Provisions
• General Labor Standards Requirements
• Basic Terminology
• Necessary Forms
• Red Flags
Statutory Provisions

- Davis Bacon Act (DBA) and Davis Bacon Related Acts (DBRA)
- Contract Work Hour Safety Standard Act (CHWSSA)
- Copeland Act (Kickback)
The **Davis-Bacon Act** (DBA) and Related Acts (DBRA), apply to contractors and subcontractors performing on federally funded or assisted **contracts in excess of $2,000** for the construction, alteration, or repair (including painting and decorating) of public buildings or public works.

Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract:

- No less than wages including fringe benefits prevailing in the locality on projects of a similar character as determined by the Department of Labor (DOL)
- Wages not less often than once per week; and
- Post the applicable wage decision at the job site
Copeland (anti-kickback) Act (CA)

Applicable to contracts/projects subject to Davis-Bacon requirements. The Copeland (anti-kickback) Act

- Regulates deductions that may be taken from employee earnings
- Requires certification, submission and retention of weekly certified payroll reports
- Prohibits “kickbacks” from employee earnings
- Applies to contractors and subcontractors
Contract Work Hours and Safety Standards Act (CWHSSA)

- CWHSSA is applicable to prime contracts valued in excess of $100,000. Any subcontracts covered by a prime contract are likewise covered.

- CWHSSA in part, mandates overtime plus fringe benefits for hours worked on site of covered work in excess of 40 hours per week.

- Requires premium overtime pay only when all hours considered under CWHSSA overtime requirements – 40 hours plus (O/T) hours- are performed on CWHSSA-covered site(s) of work.

- Imposes liquidated damages at the rate of $25 per day/per violation (effective August 1, 2016)– any instance where employees work in excess of 40 hours per week on a daily basis in addition to full wage compensation.
General Labor Standards Requirements

There are 3 main requirements that must be included in a CDBG construction contract:

1. Labor Standards Provisions (DBRA Packet, form 4-R)

2. The applicable Wage Determination

3. Contract Special Provisions (form 4-L)

Why are the Labor Standards Provisions (DBRA Packet, Form 4-R in the GAM) important to include in all bids and contracts?

They establish layers of protection related to:

- Minimum wages
- Withholding of funds
- Access to payroll records
- Subcontractor requirements
- Apprentice requirements
- Overtime requirements
Wage Determinations (WD)

A Wage Determination is the listing of wage rates and fringe benefit rates for each classification of laborers and mechanics which the Department of Labor has determined to be prevailing in a given area for a particular type of construction.

- Maintained by DOL research
- Change through updates and modifications
- Lasts the life of the project
- Responsibility of the Community
  - Verified by the CDBG Program Specialist

Failure to include WD does not relieve agency or contractor from liability of restitution or back wages due laborers and mechanics.

Use of incorrect WD; agency shall either terminate and/or re-solicit the contract with the valid wage determination.
Wage Decision “Construction Category”

Wage Decisions are essentially construction categories that are defined by the character of the work being completed.

There are 4 types of Wage Decisions:

1. **Residential** – single family homes and apartment buildings, 4 stories or less
2. **Building** – commercial, and residential buildings greater than 4 stories
3. **Highway** – repair of roads, streets, parking areas and most paving not incidental to residential, building or heavy construction
4. **Heavy** – Catch-all which includes projects not classified as the previous 3, i.e., parks, dredging, sanitary and storm sewers, dams
Construction Category Samples

**SAMPLES OF PROJECTS AND CATEGORIES**

*Excerpt from “Davis Bacon Construction Wage Determinations Manual of Operations”*

<table>
<thead>
<tr>
<th>Building Construction</th>
<th>Heavy</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Apartment buildings 5 stories and above</td>
<td>Bridges</td>
</tr>
<tr>
<td>- Non-Residential use (offices, etc.)</td>
<td>Canals</td>
</tr>
<tr>
<td>- Nursing Homes</td>
<td>Demolition (not incidental to construction)</td>
</tr>
<tr>
<td>- Arena/Auditoriums/Civic Centers</td>
<td>Docks</td>
</tr>
<tr>
<td>- Automobile parking garages</td>
<td>Drainage or dredging projects</td>
</tr>
<tr>
<td>- Hospitals</td>
<td>Electricity projects</td>
</tr>
<tr>
<td>- Industrial/Institutional buildings</td>
<td>Flood control</td>
</tr>
<tr>
<td>- Libraries/Schools</td>
<td>Land leveling/erosion control</td>
</tr>
<tr>
<td>- Cemeteries</td>
<td>Locks, waterways/unsheltered piers</td>
</tr>
<tr>
<td>- Museums</td>
<td>Pipelines</td>
</tr>
<tr>
<td>- Office Buildings</td>
<td>Pumping stations</td>
</tr>
<tr>
<td>- Police Stations</td>
<td>Railroad construction</td>
</tr>
<tr>
<td>- Post Offices</td>
<td>Reservoirs/irrigation dams</td>
</tr>
<tr>
<td>- City Hall/Courthouses</td>
<td>Sewage, collection, and disposal lines</td>
</tr>
<tr>
<td>- Detention Facilities</td>
<td>Water and sewage treatment plants</td>
</tr>
<tr>
<td>- Dormitories</td>
<td>Shoreline maintenance</td>
</tr>
<tr>
<td>- Fire Stations</td>
<td>Swimming pools</td>
</tr>
<tr>
<td>- Restaurants</td>
<td>Subways (not the buildings)</td>
</tr>
<tr>
<td>- Subway Stations</td>
<td>Tunnels</td>
</tr>
<tr>
<td>- Shopping centers</td>
<td>Water mains</td>
</tr>
<tr>
<td>- Theaters</td>
<td>Wells</td>
</tr>
<tr>
<td>- Water and sewage treatment plant (building only)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residential Construction</th>
<th>Highway</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Apartment buildings 4 floors or less:</td>
<td>Alleys</td>
</tr>
<tr>
<td>- Single family homes:</td>
<td>Bituminous treatments</td>
</tr>
<tr>
<td>- Town or row houses:</td>
<td>Concrete pavements</td>
</tr>
<tr>
<td>- Mobile home developments:</td>
<td>Curbs</td>
</tr>
<tr>
<td>- Multifamily houses:</td>
<td>Erosion and embankment</td>
</tr>
<tr>
<td></td>
<td>Fencing (highway)</td>
</tr>
<tr>
<td>1 For Davis Bacon purposes, the exterior height of residential buildings is in terms of stories is a primary consideration. The following criteria will apply in order to determine height.</td>
<td>Grade crossing elimination (over &amp; under passes)</td>
</tr>
<tr>
<td>- Basements - stories below grade used for storage, parking, mechanical systems/ equipment, etc. are considered basement stories are not used in determining height.</td>
<td>Parking lots</td>
</tr>
<tr>
<td>- First story: A lowest most story is considered a story if it contains the main entrance is used for apartment space in a way substantial similar to upper floors; contains at least 50% living accommodations or related non-residential uses</td>
<td>Resurfacing streets and highways/Paving</td>
</tr>
<tr>
<td></td>
<td>Roadways and shoulders</td>
</tr>
<tr>
<td></td>
<td>Guardrails</td>
</tr>
<tr>
<td></td>
<td>Highway signs</td>
</tr>
<tr>
<td></td>
<td>Highway Bridges</td>
</tr>
<tr>
<td></td>
<td>Medians</td>
</tr>
<tr>
<td></td>
<td>Trails</td>
</tr>
</tbody>
</table>

*NOTE: There are some instances in which “LANDSCAPING” is a separate, sub-category.*
Where to Find a Davis Bacon Wage Determination

Wage Determinations can be found at: https://beta.sam.gov/

What Can I Do Here?

Contracting

Contract Data Reports (FPDS Reports)
This website will officially replace FPDS.gov reports.

- Learn About Contract Data Reports
- Run Contract Data Reports

Contract Opportunities (FBO)
This website has officially replaced FBO.gov.

- Learn About Contract Opportunities
- Search Contract Opportunities

Wage Determinations (WDOL)
This website has officially replaced WDOL.gov.

- Learn About Wage Determinations
- Search Wage Determinations
Sample Prevailing Wage Determinations

MI160021 MOD 0 REVISED 07/22/16 – MI21
******** THIS WAGE DETERMINATION WAS REPLACED ON 07/22/16********

General Decision Number: MI160021 01/08/2016

Superseded General Decision Number: MI20150021

State: Michigan

Construction Type: Residential

County: Saginaw County in Michigan.

RESIDENTIAL CONSTRUCTION PROJECTS (consisting of single family homes and apartments up to and including 4 stories).

Note: Under Executive Order (EO) 13658, an hourly minimum wage of $10.15 for calendar year 2016 applies to all contracts subject to the Davis-Bacon Act for which the solicitation was issued on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least $10.15 (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2016. The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcontracts.

Modification Number 0
Publication Date 01/08/2016

MICHIGAN ECONOMIC DEVELOPMENT CORPORATION
<table>
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<tr>
<th>Job Code</th>
<th>Date</th>
<th>Rates Fringes</th>
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<tbody>
<tr>
<td>BRIL0021-012</td>
<td>06/01/2009</td>
<td>Pointer, cleaner and caulkier.</td>
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<tr>
<td></td>
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<td>$39.20 18.51</td>
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<tr>
<td>CARP0555-001</td>
<td>06/01/2012</td>
<td>Carpenter, Lather, Millwright,</td>
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<tr>
<td></td>
<td></td>
<td>Piledriver, and Soft Floor Layer.</td>
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<tr>
<td></td>
<td></td>
<td>$41.52 25.47</td>
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<tr>
<td>CARP0555-002</td>
<td>10/01/2012</td>
<td>Carpenter (Excluding structures</td>
</tr>
<tr>
<td></td>
<td></td>
<td>with elevators and structures</td>
</tr>
<tr>
<td></td>
<td></td>
<td>over 3 1/2 stories)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$32.12 25.47</td>
</tr>
<tr>
<td>ELEC0009-003</td>
<td>06/03/2013</td>
<td>Line Construction Groundman</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$34.98 20.80</td>
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<tr>
<td></td>
<td></td>
<td>Lineman &amp; Equipment Operator</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$44.85 26.67</td>
</tr>
<tr>
<td>ELEC0134-001</td>
<td>06/04/2012</td>
<td>ELECTRICIAN</td>
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<tr>
<td></td>
<td></td>
<td>$42.00 26.75</td>
</tr>
</tbody>
</table>
What do I do if a job classification on my project is missing?

1. Request a letter on letterhead from the contractor that states the classification, job duties, and rate/fringe requested.

2. Complete HUD Form 4230A
   • (Form 10-M in the GAM) ➔ ➔ ➔

3. Save a copy of the Wage Determination being used for the project.

4. Submit an email request to your Program Specialist and attach the 3 items above.

5. Look for email verification from your Program Specialist that the request was submitted to HUD.

6. Wait (DOL has 30 days to respond).
Wage Determination Lock-in Dates

1. **Bid Opening** (10 Day Check)
   - Labor Compliance Officer must verify any change in the wage decision 10 days prior to bid opening.

2. **Contract Award** (Contract Execution)
   - A contract not awarded within **90 days** after bid requires a new wage decision be pulled prior to contract award.
   - Projects where there is **no Prime Contractor** must obtain a wage decision within **10 days** prior to executing individual contracts above $2,000.

3. **Construction Start**
   - Where there is NO bid opening or contract award, the very first day of construction locks the wage determination in.
   - A payroll must be submitted documenting the work done.
   - If construction start does not happen within **90 days** after contract execution contact the Program Specialist to identify if a new wage decision needs to be pulled prior to construction start.
Required Postings

1. The Wage Determination needs to be posted in plain view of all on-site workers.

2. The DOL WH-1321 Notice to Employee poster must also be posted in plain view of all on-site workers.

https://www.dol.gov/whd/programs/dbra/wh1321.htm
Contractor Eligibility

Checking contractor eligible is a regulatory requirement and must be done **PRIOR** to executing any/all Prime or Subcontracts.

The eligibility check is completed by going to the sites listed below and entering the legal business name:

- [www.sam.gov](http://www.sam.gov)

Verification **must** be kept in the file with the contract and submitted to the CDBG Program Specialist.
Common Definitions & Interpretations

• Site of Work
• Labors and Mechanics
• Working Foreman
• Apprentices and Trainees
• Truck Drivers
Site of Work

- The physical place or places where the building or work called for in the contract will remain, and any other site where a significant portion of the building or work is constructed, provided that such site is established specifically for the performance of the contract or project.

- DBA applies only to those laborers and mechanics employed by a contractor or subcontractor on the “site of work”.

- CWHSSA has no “site of work” limitation. An employee performing part of the contract work under a construction contract at the job site who then continues contract work at a shop or other facility located elsewhere is subject to CWHSSA overtime pay for all the hours worked at both locations and travel time between them. (Different wage rates might be paid, as the Davis-Bacon prevailing wage requirements would apply only to activities performed on “the site of the work”).
Laborers, Mechanics, Working Foreman and Apprentices

• Laborers and mechanics include workers whose duties are manual or physical in nature (including workers who use tools or who are performing the work of a trade), as distinguished from mental or managerial duties.

• Working foremen devote more than 20 percent of their time during a workweek to mechanic or laborer duties (must be paid in classification of work performed)

• Apprentices are paid less than a journeyman, must have a certification, must not work alone and are subject to the ratio of laborers to mechanics.
Use of Apprentices

- Apprentices will be permitted to work at less than prevailing wage rate when employed and individually registered in a certified apprenticeship program registered with the Department of Labor (DOL).

- The allowable ratio of apprentices to journeymen in any craft classification shall not be greater than the ratio permitted to the contractor as to his/her entire work force under the registered program.

- An apprentice's pay shall be not less than the specified rate in the registered program for the apprentice's level of progress expressed as a percentage of the journeymen's rate contained in the applicable WD and is determined on a daily, not weekly basis.
Sample Journeyman to Apprentice Ratios

**Apprentice Wage Progression/Schedule:**

- 50%- 1st year (full benefits)
- 75%- 2nd year (full benefits)
- 90%- 3rd year (full benefits)

**Journeymen to Apprentice Ratios:**

One (1) journey worker to one (1) apprentice on a two (2) worker job.
One (1) apprentice to two (2) journey workers on a three (3) worker job*.
Two (2) apprentices to four (4) journey workers on a six (6) worker job.
Three (3) apprentices to nine (9) journey workers on a twelve (12) worker job.
Four (4) apprentices to twenty-five (25) journey workers.
Five (5) apprentices to thirty-five (35) journey workers.
Six (6) apprentices to fifty-five (55) journey workers
One (1) apprentice to every twenty (20) workers thereafter
Truck Drivers

Truck Drivers are covered by the DBA in the following circumstances:

• Drivers of a contractor/subcontractor for time spent working on the site of work.

• Drivers of a contractor/subcontractor for time spent loading and/or unloading materials and supplies on the site of the work, if such time is not de minimis (see FOHe22(b)(3)

• Truck Drivers transporting materials or supplies between a facility that is deemed part of the site of work and the actual construction site.

• Truck Drivers transporting portions of the building or work between a site established specifically for the performance of the contract or project where a significant portion of such building or work is constructed and the physical places(s) where the building or work called for in the contract will remain.
Truck drivers **are not covered** in the following instances:

- Material delivery truck drivers while off the site of work.

- Drivers of a contractor/subcontractor traveling between a DBA job and a commercial supply facility while they are off the site of work.

- Truck drivers whose time spent on the site of work is de minimis, such as only a few minutes at a time to pick up or drop off materials or supplies.
Payroll Administration and Necessary Forms

Employee Interviews
• Form 10-O GAM

Contractor Certified Payroll
• Form 10-L GAM

CGA/Grantee Payroll Review Worksheet
• Form 10-M GAM

Deduction Authorization
• Form 10-N GAM

Complaint Intake and Processing
• Form 10-P GAM
Roles & Responsibilities

Prime & Subcontractors
- Must pay all laborers and mechanics weekly
- Must pay no less than prevailing wage rate (cash+fringe)
- Must submit weekly certified payrolls

Prime Contractor
- Complete responsibility for self, sub-contractors and any lower-tiered contractors
  - Sole Proprietors must complete a Certified Payroll Reports (CPR) and have it signed by the Prime Contractor
- Labor standards must be included in all contracts subject to Davis Bacon regulations

Certified Grant Administrator
- Point of contact for Program Specialist and Grantee
- Review all Certified Payroll Reports, contracts and related project documents
- Ensure that the Grantee maintains a complete project folder at its office
Employee Interview Form

- Employers must ensure Contractors allow all laborers and mechanics to be interviewed

- HUD 11 is the Employee Interview Form. 10-O in the GAM

- CGA/Grantee must take necessary precautions to safeguard sensitive information that may be collected or generated for labor standards purposes

- Must be conducted in person
Certified Payroll Reports

- Payroll Form (WH-347) – Required

- Statement of Compliance (signature page) – signer must be the owner or have written authorization from the owner

- “Initial” and “Final” CPR must be marked as such

- Include “No Work” Payrolls (non-performance)

- Include Fringe Benefit Statement (if paying into a plan)

- Indicate Classification and Wage Rate

- Deductions – all “other” deductions must be authorized by the worker
Look for…

- Dates
- Payroll #
- Wage Rate
- Hours Worked
- Overtime
- Deductions
- Wages Paid
Certified Payroll – Page 2

Look for...

- Signer/Title
- Time Period
- Benefits
- How Fringe is Paid
- Exceptions
- Remarks
- Signer
CGA Payroll Review

- Payroll Review Worksheet is required for every Certified Payroll
- CGA should submit with Certified Payrolls to Program Specialist
- Form 10-L in the GAM

<table>
<thead>
<tr>
<th>Worker Name</th>
<th>Code Label/Group</th>
<th>Wage Rate</th>
<th>DDPA Rate</th>
<th>DDPA Total</th>
<th>Pay Rate</th>
<th>Fringe Pay</th>
<th>Total Pay</th>
<th>Difference</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Smith</td>
<td>Open Con Laborer</td>
<td>$16.51</td>
<td>$17.63</td>
<td>$24.03</td>
<td>$22.53</td>
<td>$7.50</td>
<td>$30.03</td>
<td>0.00</td>
<td></td>
</tr>
</tbody>
</table>
Fringe Benefits (FB)

• Under DBA, FB’s are a component of the “prevailing wage”

• The WD obligation may be satisfied by:
  o Paying the Basic Hourly Rate (BHR) and FB in cash
  o Contributing payments to a defined plan
  o Any combination of the two

• Every employee must be paid for all hours worked, including overtime

• FB do not include employer payments or contributions required by Federal, State or local laws, such as the employer’s contribution to Social Security or some disability insurance payments

• Examples of Fringe Benefits: Life Insurance, Health Insurance, Pension, Vacation, Holiday, Sick Leave, Training Fund contributions
**Fringe Benefit Sample**

**PLUMBERS UNION LOCAL 690**

**WAGE AND FRINGE BENEFIT RATES**

**EFFECTIVE MAY 1, 2007 THROUGH APRIL 30, 2008**

**READING and LEHIGH VALLEY BUILDING TRADES**

**MAY 1, 2007 contract increase of $2.55**

<table>
<thead>
<tr>
<th></th>
<th>04/30/2007</th>
<th>05/01/2007</th>
<th>INCREASE</th>
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<tr>
<td>WAGES</td>
<td>$32.10</td>
<td>$32.85</td>
<td>$0.75</td>
</tr>
<tr>
<td>PENSION PLAN</td>
<td>$ 5.87</td>
<td>$ 6.62</td>
<td>$0.75</td>
</tr>
<tr>
<td>S.R.P.</td>
<td>$ 2.04</td>
<td>$ 2.34</td>
<td>$0.30</td>
</tr>
<tr>
<td>HEALTH PLAN</td>
<td>$ 9.91</td>
<td>$10.66</td>
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<tr>
<td>APPRENTICE PLAN</td>
<td>$ 0.37</td>
<td>$ 0.37</td>
<td>$0.00</td>
</tr>
<tr>
<td>INDUSTRY FUND</td>
<td>$ 0.24</td>
<td>$ 0.24</td>
<td>$0.00</td>
</tr>
<tr>
<td>SCHOLARSHIP FUND</td>
<td>$ 0.05</td>
<td>$ 0.05</td>
<td>$0.00</td>
</tr>
<tr>
<td><strong>TOTAL PACKAGE</strong></td>
<td>$50.58</td>
<td>$53.13</td>
<td>$2.55</td>
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**SUMMARY OF INCREASE:**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>WAGE</td>
<td>$0.75</td>
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<td>PENSION PLAN</td>
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<td>INDUSTRY FUND</td>
<td>NO CHANGE</td>
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<tr>
<td>SCHOLARSHIP FUND</td>
<td>NO CHANGE</td>
</tr>
</tbody>
</table>

**Deduction from Hourly wages:**

Deduct $1.75 for Vacation Fund per hour paid from Net Wages
Deduct $10 cents Political Action and $0.07 cents Social Fund per hour from Net Wages
Deduct 2.52% of the Total Package (gross wages ($32.85) Fringe Benefits ($20.28) = Total Package $53.13
Deduct $30 for Organizational Fund per hour paid from Net Wages for Journeymen
Deduct $15 for Organizational Fund per hour paid from Net Wages for Apprentices

**Foreman Hourly Wage Rates:**

- Foreman (2-5 Journeymen) 107% of Journeymen Rate
- Foreman (2-10 Journeymen) 110% of Journeymen Rate
- Area Foreman 112% of Journeymen Rate
- General Foreman 115% of Journeymen Rate (supervising 2 or more Foremen & 100 Journeymen or less)
- General Foreman 120% of Journeymen Rate (supervising 2 or more Foremen & 101 Journeymen or more)
Fringe Benefit Example

Davis-Bacon wage determination requires:

- Basic hourly rate $10.00
- Fringe benefit 2.00

Total prevailing rate $12.00

1. $12.00 in cash wages or,
2. $10.00 plus $2.00 in pension contributions or other FB, or
3. $9.00 plus $3.00 in pension contributions or any combination of FB

Wages paid in excess BHR may be used as an offset or credit to satisfy FB
Overtime Example

Basic Wage = $10.00

Fringe Benefit = $2.00

Hours worked = 42

- Overtime is 1.5 x $10 x 2 hours = $30
- You would not pay 1.5 of the $2 for fringe benefits
Defined Fringe Benefit Plans

Contractors may take credit for defined FB fund contributions made to third-party trustees or insurers that:

- Are irrevocably paid; and,
- Are made regularly, not less often than quarterly

Credit is for payments made for individual workers eligible to participate in the plan, program, or fund

A description of the approved plan must be submitted to the Program Specialist.

The Program Specialist may also request written approval from the employee to have the funds deducted.
Deductions

• Deductions are permissible for the following:
  o Loans
  o Garnishment
  o 401K, etc.

• Deductions are permissible only if there is signed authorization by the employee that includes the specific dollar amount, and it is received prior to the deduction from the employee’s pay check
  o Use Form 10-N in the GAM “Payroll Deduction Authorization Form”
Red Flags

- Discrepancies in wage computations
- Wages stated in the Employee Interview don’t match the certified payroll
- Extraordinary deductions

Steps to take:

- Request a list of employees working on a site from contractor that includes address and phone number when contract is signed
- Targeted on-site interviews
- Send questionnaires to affected workers (HUD-4730)
- Request additional documentation from contractor (e.g. cancelled checks)
Restitution of Wages

• CGA/Grantee must notify the Prime Contractor in writing of any underpayments

• Allow 30 days to correct underpayments

• Wage restitution is the difference between the wage rate paid and the wage rate required for all hours worked

• Employers must submit a corrected restitution payroll
Restitution Payroll Requirements

- Reflect the period of time for which restitution is due
- Lists employees to whom restitution is paid
- Lists the work classification(s)
- Lists total number of work hours involved
- Lists the adjusted wage rate
- Lists the gross amount of restitution due
- Lists deductions and the net amount paid
- Includes the signed Statement of Compliance by owner or designee
Reports

Required by the Statute 29CFR 5.7 “Reports to the Secretary”

Types of reports:

• 5.7 enforcement report

• Semi-annual Labor Enforcement Reports
5.7 Enforcement Report

- Required if restitution collected is over $1000 per subcontractor
- Required on all willful violations
- Can be used as a tool
Semi-Annual Enforcement Report

• Collected twice a year from each Grantee subject to DBRA in March and September

• This report is a Congressional report

• Information is collected continuously

• Looks at new Prime contracts entered into and restitution paid within the 6 month period
Recommended Resources for CGAs

- GAM Chapter 10, Construction Management and Labor Standards
- DBRA Packet, Form 4-R in GAM
- Contractor’s Guide to Davis Bacon Requirements
- HUD Handbook 1344.1 REV 2
- 29 Code of Federal Regulation Part 5
- DOL Field Operations Handbook
- Practical Guide for States, Tribes, Local Agencies
Gregory C. West, EDFP  
CDBG Program Manager  
Michigan Economic Development Corporation  
300 N. Washington Square, Lansing, MI 48913  
Email: westg2@michigan.org