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| **LABOR STANDARDS ENFORCEMENT REPORT** | | | | | | | |
| Required when any contractor has restitution of $1,000 or more. | | | | | | | |
| 1. Grantee Name & CEA # | | | |  | | | |
| 2. Report Number | | | |  | | | |
| 3. Prime Contractor | | | |  | | | |
| 4. Project Type | | | |  | | | |
| 5. Effective Wage Decision(s) | | | |  | | | |
| 6. Restitution Paid under Davis-Bacon | | | |  | | | |
| 7. Restitution Paid under CWHSSA | | | |  | | | |
| 8. Liquidated Damages Paid | | | |  | | | |
| 9. How was underpayment(s)  discovered? | | | |  | | | |
| 10. Were any violations willful?  If yes, explain. | | | |  | | | |
| 11. Current status of corrective actions  taken or in progress. Explain briefly. | | | |  | | | |
| 12. Prepared by Whom & Date Prepared | | | |  | | | |
| **ATTACHMENTS**  13. If Liquidated Damages were calculated, provide the following attachments:  (a) copy of the communication from the grantee’s Labor Compliance Officer to the contractor(s) explaining the calculation of Liquidated Damages and the contractor’s responsibility to pay or request a waiver.  Attached? \_\_\_\_ Yes \_\_\_\_No \_\_\_\_Not applicable  (b) copy of the contractor(s) response. If the contractor’s response involves a wire transfer, a statement on the progress of the wire transfer should be included.  Attached? \_\_\_\_Yes \_\_\_\_No \_\_\_\_Not Applicable | | | | | | | |
| 14. Attach a Schedule of Restitution due or paid and a calculation of Liquidated Damages, if any. A sample format providing column headings is shown by items 15-21. The preparer must add rows as necessary. (A separate wider page layout in “landscape” view would allow more room for data entry). | | | | | | | |
| **15.**  **Contractor**  **Prime or Sub** | **16.**  **Employee**  **Name** | **17.**  **Date** | **18.**  **Payroll**  **#** | | **19.**  **Davis-Bacon**  **Restitution** | **20.**  **CWHSSA**  **Restitution** | **21.**  **Liquidated**  **Damages** | |
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| **INSTRUCTIONS FOR THE LABOR STANDARDS ENFORCEMENT REPORT** | |
| **ITEM # and DESCRIPTION** | **INSTRUCTIONS** |
| 1. Name, CEA # | Name of local government, CDBG Contract Number. |
| 2. Report Number | Sequentially numbered under the CDBG Contract. Begin with #1. |
| 3. Prime Contractor | Name of one prime contractor only. Do not list any subcontractor in item 4. If there is more than one prime, then prepare multiple reports. |
| 4. Project Type | Examples: fire station, water well, sewer lines. |
| 5. Effective Wage Decision(s) | The locked in wage decision that governed the project.  Example: LA 08-06, dated 2/8/08, Mod 0 |
| 6. Restitution Paid Under Davis-Bacon | Amount associated with this report actually paid. Example: 52 hours worked, underpaid $1.00 per hour, Restitution of $52 paid under Davis Bacon. |
| 7. Restitution Paid Under CWHSSA | Amount associated with this report actually paid. Example: 52 hours worked, underpaid $1.00 per hour, Restitution of $6 paid under CWHSSA. |
| 8. Liquidated Damages paid | Total of amounts paid (not just calculated but paid) by wire transfer. ($10 per person, per day, for each day with overtime underpayments) |
| 9. How was the under-- payment(s) discovered? | Indicate who found the underpayment and a description of the occasion(s). Example: John Doe during routine payroll review. |
| 10. Were any violations willful?  If yes, explain. | Check “yes” or “no” and explain any yes answer. This answer will be from the point of view of the person preparing this report who will often be the grantee’s Labor Compliance Officer (LCO) |
| 11. Current status of corrective actions… | Whether completed or in progress. Example: Restitution complete. Liquidated Damages in progress. |
| 12. Prepared by Whom  & Date Prepared | Preparer is usually the grantee’s LCO. Date is when wage restitution and action for Liquidated Damages has been completed or nearly completed. |
| 13. (a)—Attachment: Communication to the Contractor | If Liquidated Damages are involved, a written communication must be sent from the grantee’s LCO to the prime and may be copied to any relevant sub containing the following: calculation Liquidated Damages and an explanation calling for the contractor to pay or request a waiver of Liquidated Damages. |
| 13. (b)—Attachment:  Contractor’s Response | If Liquidated Damages are involved, the contractor who underpaid, whether a prime or a sub, is the preferred respondent. The response will be a letter requesting a waiver or agreeing to pay. If “pay” is the choice the current status of the wire transfer process should be stated on the attachment. |
| 14. Attachment—Schedule | Schedule of Restitution (for any wage underpayment) and any Liquidated Damage (regarding overtime) calculation. This schedule pertains to all relevant amounts whether paid or unpaid. |
| 15. Contractor | Contractor who underpaid—whether prime or sub. |
| 16. Employee Name | Employee name as listed on the payroll. |
| 17. Date(s) | Each date on which an underpayment occurred. |
| 18. Payroll # | Payroll number covering the date(s) listed under 19. |
| 19. Davis-Bacon Restitution | Amount(s) of DB restitution due for the date(s) listed under 19. |
| 20. CWHSSA Restitution | Amount(s) of CWHSSA restitution due for date(s) listed under 19. |
| 21. Liquidated Damages Calculation | Corresponding to the date(s) listed under 17. Liquidated Damages Calculation: $10 per person, per day, for each day of deficiency. |