

## **BASIC PRINCIPLES FOR PREVAILING WAGES**

**FRINGE BENEFITS** must be paid for each hour worked, including any overtime hours. The ½ time premium is not paid for fringe benefits. Fringe benefits must be bona-fide, and, if not paid in cash, must be paid to a 3rd party plan.

**EMPLOYEE INFORMATION ON PAYROLLS.** No employee home addresses or social security numbers are allowed on payrolls.

**IDENTIFY FEDERAL WORKER CLASSIFICATION.** Payrolls must clearly identify the work classification for each employee. If a classification is missing from the State or Federal wage determinations contact the appropriate agency to secure the classification required.

Federal Request for Additional Classification and Rate U. S. DOL – Wage and Hour Division: <http://www.wdol.gov/docs/sf1444.pdf>. Complete form and send to [WHD-CBACONFORMANCE.INCOMING@dol.gov](mailto:WHD-CBACONFORMANCE.INCOMING@dol.gov). **The e-mail must come from the Borrower and not engineer or consultant.**

**STATEMENT OF COMPLIANCE.** A Statement of Compliance is required with each weekly payroll submittal.

**TRACKING FORMS** can aid in efficient payroll review and compliance monitoring. It is suggested that the labor standards officer prepare a matrix which identifies all project job classifications which are expected to be utilized during construction and compares each classification under the Federal and State wage decisions referenced in the Notice of Contract Award. Such a matrix will help demonstrate that the highest wage rate was paid for the classification being reviewed. Maintain tracking sheets and matrixes in your labor standards compliance files. Contact PFA if you want to see examples of tracking forms.

**LABOR STANDARDS RECORDS.** All prevailing wage records (certified payrolls, correspondence, employee interviews, debarment search results, etc.) will need to be on file and maintained by the loan recipient at project conclusion.

## FEDERAL AND STATE PREVAILING WAGE LINKS AND RESOURCES

### FEDERAL DAVIS BACON RESOURCES

- U. S. DOL Library of Links and Related information, including implementing regulations at 29 CFR Part 1, 29 CFR Part 3 and 29 CFR Part 5: <http://www.dol.gov/whd/reg-library.htm>
- Guidance on selecting the proper federal wage determination:
  - <http://www.dol.gov/whd/programs/dbra/docs/memo-131.pdf>
  - <http://www.dol.gov/whd/programs/dbra/faqs/page19.htm>
  - <http://www.dol.gov/whd/recovery/pwr/Tab13DBWageDetermin.pdf>
- Federal Register Notice Vol. 73, No 245, Friday December 19, 2008 Page 77511-77512 amending 29 CFR Part 3 and Part 5 (no social security numbers or home addresses on payroll forms)
- U. S. DOL – Wage & Hour Division Home Page: <http://www.dol.gov/whd/>
- U. S. DOL – Wage and Hour Division – **Request for Additional Classification and Rate:** <http://www.wdol.gov/docs/sf1444.pdf>
- U. S. DOL – Wage & Hour Division Davis Bacon & Related Acts <http://www.dol.gov/whd/contracts/dbra.htm> . This link provides access to many Davis Bacon compliance, guides and reference materials. Scroll down to o Link to Prevailing Wage Resource Book – October 2010 version
- o Other helpful links in Compliance Assistance: [http://www.dol.gov/whd/regs/compliance/ca\\_main.htm](http://www.dol.gov/whd/regs/compliance/ca_main.htm)
- U. S. DOL FAQ – Davis Bacon <http://www.dol.gov/whd/programs/dbra/faqs.htm>
- U. S. DOL FAQ – Davis Bacon – Is it possible for more than one wage determination to apply to a project? <http://www.dol.gov/whd/programs/dbra/faqs/page19.htm> o U. S DOL Memorandum #130 and 131 <http://www.dol.gov/whd/programs/dbra/docs/memo-131.pdf>

### FEDERAL DAVIS BACON POSTERS/FORMS

- Federal Poster (WH 1321): <http://www.dol.gov/whd/regs/compliance/posters/davis.htm>
- Federal employee interview Form: [SF1445](http://www.dol.gov/whd/forms/sf1445)
- U. S. Department of Labor Payroll Form WH347 and instructions: <http://www.dol.gov/whd/forms/wh347.pdf> , <http://www.dol.gov/whd/forms/wh347instr.htm>