

**Pre-Construction Conference**

## Labor Standards Regulations Information

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

CDBG Grant Number: \_\_\_\_\_

Date: \_\_\_\_\_

The following Labor Standards requirements were discussed and reviewed with \_\_\_\_\_ representing \_\_\_\_\_ who will undertake this project.

- Prevailing wages as set forth in the Davis-Bacon Act must be paid on this project. Required wage rates are contained in Wage Determination \_\_\_\_\_ Mod# \_\_\_\_\_ Date \_\_\_\_\_
- Overtime provisions as listed in the Contract Work Hours and Safety Standards Act must be followed. Time and a half must be paid to any worker employed in excess of 40 hours on the job site on all directly-funded prime contracts of \$100,000 or higher.
- The Wage Determination and Wage Poster must be prominently displayed on the job site for the duration of the construction.
- Verify eligibility of all subcontractors and prime contractors via [www.sam.gov](http://www.sam.gov)
- Employees must be paid on a weekly basis.
- All workers on the job site must be eligible to work in the U.S. – either e-verified or I-9 verified.
- Payrolls covering all workers on the project must be submitted to \_\_\_\_\_ on a weekly basis, from the time the work begins until it is completed, and no later than seven days following completion of the workweek. No payroll is needed if no work is performed, but payrolls must be numbered with the last one marked “Final”.
- To ensure cooperation, employees are to be informed that onsite interviews will be conducted by the Labor Standards Compliance Officer, \_\_\_\_\_. Contractors are to ensure workers understand conditions of pay on federally assisted projects and who the Standards Compliance contact is if needed.
- Proper certification from the U.S. Department of Labor, Bureau of Apprenticeship and Training, will be required whenever apprentices are employed.
- Written contract(s) with all subcontractors to include amount of contract, HUD Form 4010, Federal Labor Standards (such as wage determinations), and all CDBG requirements.
- Withholding of payments may occur if all applicable provisions are not followed.
- Underpaid workers must be paid proper wages through restitution.
- Liquidated damages \$10/per day/per worker/per violation may be assessed for each violation of the Contract Work Hours and Safety Standards Act.
- Federal Labor Standards provisions apply to the general contractor and to all subcontractors on the project. The prime contractor is responsible for payment of employees of the subcontractors in compliance with labor standards provisions.
- Wage restitution may be due to employees for failure to observe the proper ratio of journeymen to apprentices, or for allowing apprentices to work alone or for misclassification of workers.

- Written authorizations for signature on the statement of compliance is required from owner, president, or authorized officer as documented in writing by the owner/president.
- Written, dated, and signed authorizations from workers are required for all “other” payroll deductions.
- The Labor Standards Compliance Officer must be informed of the construction start and end dates on the project.
- Subcontractors must have contracts with independent contractors – scope of work, payment amount, and wage decision.
- Only trades indicated in the General Wage Determination can be utilized on the project. Additional classifications will be needed for any non-listed trades.
- Davis-Bacon language (HUD Form 4010) and the wage decision must be included in all project contracts including lower tier contracts.
- The Labor Standards Compliance Officer needs to review the prime contract for inclusion of Labor Standards Provisions.

The following material was provided to the General Contractor on this project

- Wage Determination # NE \_\_\_\_\_ Mod# \_\_\_\_\_ Dated \_\_\_\_\_
- Appropriate Posters to be Posted at the Job Site (State & Federal)
- Payroll Form Template
- Federal Labor Standards Provisions HUD Form 4010
- Sample Payrolls
- HUD-11, Record of Employee Interview (Spanish and English)
- Making Davis-Bacon Work: A Contractor’s Guide to Prevailing Wage Requirements for Federally-Assisted Construction Projects

It is acknowledged that the above mentioned Labor Standards Regulations information was discussed and the related documents were transmitted to \_\_\_\_\_ of \_\_\_\_\_.

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*Pre-Award Official* *Date*

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*Contractor* *Title* *Date*