

Labor Standards Contract Requirements For All Contractors

The following has been prepared to assist contractors and subcontractors in meeting contractual labor standards responsibilities. All administrative and procedural activities have been covered in the sequence they will occur as the construction project proceeds.

The word “employer” refers to the project contractor, each subcontractor, or each lower-tier subcontractor. Payrolls and other documentary evidence on compliance are required to be sent to the recipient (agency) for review (all to be submitted through the project contractor)

BEFORE CONSTRUCTION BEGINS EACH EMPLOYER HAS:

1. Not been debarred or otherwise made ineligible to participate in any Federal or Federally-Assisted project.
2. Received appropriate contract provisions covering labor standards requirements.
3. Received the wage determination as part of the contract documents.
4. Requested through the recipient (agency) any minimum wage for classifications to be worked on the project which was not included on the wage determination.

AT CONSTRUCTION START THE CONTRACTOR HAS:

1. Notified recipient (agency) of construction start date in writing.
2. Has posted the following located prominently on the project site.
 - a. Wage Determination
 - b. Notice to Employees (WH-1321)
3. Has informed workers of their hourly wage.
4. Has informed workers that they are subject to being interviewed on the job by a recipient (agency) or HUD, Department of Labor, or other U.S. Government inspector to confirm that the employer is complying with all labor requirements.

DURING CONSTRUCTION EMPLOYER HAS:

1. Not selected, assigned, paid different pay rates to, transferred, upgraded, demoted, laid off, nor dismissed any project worker because of race, color, religion, sex, or national origin.
2. Paid all workers weekly.

3. Submitted weekly payrolls on Form WH-347, or acceptable form providing data shown and required on the front and back of form WH-347 is included.
 - a. Each weekly payroll is numbered sequentially. Last Payroll is marked "Final."
 - b. Full name of employer and address is stated.
 - c. Employer's Federal Identification Number appears on the first payroll.
 - d. Worker's name, mailing address and social security number is on first payroll.
 - e. **Letter #LR-96-01 Labor Standards Compliance Requirements regarding "self-employed", AKA Working Subcontractors" has been reviewed.**
 - f. Workers performing more than one classification during the work week are shown on separate lines with the breakdown of hours worked under each classification. (Average pay of two classes of work not accepted).
 - g. Work classification "helper" is not accepted by the Department of HUD unless included in the Wage Determination issued by Secretary of Labor.
 - h. Copy of an apprentice's registration into a bonafide program is provided. Otherwise, the apprentice is paid journeyman's rate.
 - i. Piece work is stated at an hourly rate (the gross pay for the work week divided by the total number of hours worked on the project during the work week).
 - j. Deductions listed in column marked "other" are identified; i.e., additional insurance, child support, loan, etc. Any voluntary deduction (that is not required by law or an order of a proper authority) is submitted on a "PAYROLL DEDUCTION FORM" with employees signed consent.
 - k. Reverse side of Payroll Form WH-347 is completed and marked to how fringe benefits are handled (paid in cash or to an approved plan).
 - l. Payroll certification is signed manually by the employer or an official of the employer who is authorized to act on his/her behalf.
 - m. All payrolls will be kept for three (3) years after the contractor's project completion date.