

DAVIS-BACON ACT

**EMPLOYEE RIGHTS
UNDER THE DAVIS-BACON ACT**

**FOR LABORERS AND MECHANICS
EMPLOYED ON FEDERAL OR FEDERALLY
ASSISTED CONSTRUCTION PROJECTS**

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

PREVAILING WAGES You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.

OVERTIME You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

ENFORCEMENT Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

APPRENTICES Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.

PROPER PAY If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

or contact the U.S. Department of Labor's Wage and Hour Division.

For additional information:
1-866-4-USWAGE
(1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Employment Standards Administration | Wage and Hour Division

889-1001 (Revised April 2006)

CPC AccuPost Compliance Poster Company™
170 BUSINESS HALL | 1-800-837-7828
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Why Do We Care?

- It's the law.
- Our federal funding depends on compliance from contractors and subcontractors.

What Is Davis Bacon Act (DBA)?

Laborers and mechanics working on federally funded construction projects must be paid prevailing wage rates.

General Decision (Wage Rates)

- A list of classifications and wages must be placed in the contract book for a project, showing the prevailing wage to be paid for each classification in each county.
- Components of prevailing wage are:
 - Base Rate – hourly rate to be paid.
 - Fringe (benefits) – can be paid in cash.

Identify & Request Additional Classifications

- General Decision does not always have all classifications and rates for a project.
- Contractor must request missing classifications in Elations – a web-based payroll system that contractors must use on federally funded projects.

Additional Classifications

- MaineDOT staff will review/approve the contractor's request in Elations, allowing use of that Classification & Rate pending approval by the U.S. Department of Labor.
- Approval will be emailed to the contractor and project resident and must be posted to the contractor's bulletin board immediately.

Project Resident Responsibilities

- Review General Decision (Wage Rates)
- Have contractors request rates for missing classifications - through Elations.
- Check contractor's bulletin board for accuracy and completeness.
- Review Certified Payrolls Reports (CPRs) for missing/appropriate classifications and other compliance issues

Review Certified Payroll Reports

- Certified Payroll Reports (CPRs) must be reviewed for completeness, accuracy and approval.
- Elations will perform basic compliance checks, there is no substitute for on-site observations.
- Duties performed and hours worked by all covered workers must be consistent with what is on the CPRs as well as the payroll interviews.



Payroll | Payments | Reports | Configuration | Audit | Certifications | EEO

Home | Programs | Categories | Projects | Add Projects | Correspondence | Messages | CPR Status | CPR Report | Upload Projects | Wage Survey | Ad Hoc R

My Project

- As Owner
- 016750.00 SOUTH BRISTOL ✔
 - Edit Project
 - Assign Contractor
 - Project Specific Rates
 - Apprentice & Certificates
 - Deduction Authorization
 - Project Specific Document
 - Inactivate Project / Archive
 - Comments

- All A B C D E F G H I J ... Z
- Activated Project(s) (1)
 - Draft Project(s) (3)
 - Inactivated Project(s) (4)
 - Archived Project(s) (403)
- Preference

Home

Legend: Draft Submitted Accepted Rejected No Work Per

Report(s) for:016750.00 SOUTH BRISTOL All Contractors Pending For Review

Project Manager: **Not Set** Resident Engineer: **Not Set**

1	2	3	4			
Week Ending	To .xls	CPR	Accept	Submitted Date	Action	Issues
02/20/2016				02/24/2016		
02/13/2016				02/17/2016		
02/06/2016				02/09/2016		
01/30/2016				02/02/2016		
01/23/2016				01/27/2016		
01/16/2016				01/22/2016		
01/09/2016				01/12/2016		
01/02/2016				01/05/2016		
12/26/2015				12/29/2015		
12/19/2015				12/22/2015		
12/12/2015				12/17/2015		
12/05/2015				12/10/2015		
11/28/2015				12/03/2015		

Payroll Interviews

- Conducted every 90 days with 2 employees from Prime Contractor and all Subcontractors on site 5 or more days during each 90 day period.
- Interviews are confidential & voluntary. They must be conducted in person - on the job site.
- Every effort should be made to cause as little disruption as possible to ongoing work.
- Both parties must sign Standard Interview Form (form #1445) at the end of the interview.

Payroll Interview Comparisons

- Interview form is found in Elations and the information must be compared with the data from the payroll report for that week.
- Any apparent discrepancies should be addressed by the project resident immediately.
- Contact the MaineDOT Civil Rights Office for assistance or clarification if needed.

Home Legend: Draft Submitted Accepted Rejected No Work Performed Flagged Certificate Reminder Withdraw Conformance

Report(s) for:004270.10 AUGUSTA WESTERN AVENUE All Contractors Pending For Review Pending For Correction Display by ascending alpha
 Project Manager: Shawn Smith Resident Engineer: Seth Wills Last Login: 02/12/2016 Site Interview Cursory Review Summary

Project Team

R J Grondin & Sons (Prime Contractor)

Activity Started: 08/24/13 Most Recent Activity: 08/29/15 Last login Date: 02/25/16 by Michelle Millette
 Total Payroll Reports: 83 Total No Work Performed: 0 Outstanding Issues: 0

Fringe Benefits Apprenticeship Certificate Print Messages Change Completion Status Stop Payment Cursory Review Summary Labor Activity

Filter by status: All Status New Draft Flagged Void Filter by period: Show all 5 most recent weeks In month 08 / 15 -- Select Contract --

Week Ending	To .xls	CPR: Accept	Submitted Date	Action	Issues	Contract/Subcontract	Payroll NO.
08/29/2015			09/03/2015			004270.10	83
08/15/2015			08/20/2015			004270.10	82
07/18/2015			08/06/2015			004270.10	81
07/11/2015			07/23/2015			004270.10	80
07/04/2015			07/10/2015			004270.10	79

A.D. Electric Co. Inc

Activity Started: 11/30/13 Most Recent Activity: 07/25/15 Last login Date: 02/19/16 by Nicole Brule
 Total Payroll Reports: 87 Total No Work Performed: 59 Outstanding Issues: 0

Coastal Road Repair, LLC

Activity Started: 05/09/15 Most Recent Activity: 05/09/15 Last login Date: 01/29/16 by Cheri Despins
 Total Payroll Reports: 1 Total No Work Performed: 0 Outstanding Issues: 0



My Project

As Owner

1 2

004270.10 AUGU..WESTERN AVENUE

- Edit Project
- Assign Contractor
- Project Specific Rates
- Apprentice & Certificates
- Deduction Authorization
- Project Specific Document
- Inactivate Project / Archive
- Comments

All A B C D E F G H I J ... Z

- Activated Project(s) (334)
- Draft Project(s) (3)
- Inactivated Project(s) (4)
- Archived Project(s) (403)
- Preference

Field Report/Site Visit

Search

Project Name: Contractor Name: Assign by Me Assign

Reset

New Legend: FR Pending Draft Submitted Finished Voided

LABOR STANDARDS INTERVIEW	Contractor Na...	# Employee	Report Date	Report By	Inter...
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NO DATA

All A B C D E F G H I J K L M N O P Q





My Project

As Owner

◀ 1 2 ▶

- 022680.00-SCARBOROUGH
- 022685.00-WINTHROP
- 022688.00-0226...ADISON-NEWPORT
- 022803.00-MATINICUS
- 20268.00-DURHAM
- 20553.00-WESTBROOK
- HILLOCK WELL DRILLING
- Z TEST ENVIRONMENT

All A B C D E F G H I J ... Z

- Activated Project(s) (334)
- Draft Project(s) (3)
- Inactivated Project(s) (4)
- Archived Project(s) (403)

Preference

Field Report/Site Visit **New** X

Save as Draft Submit Site Interview Delete Site Interview Add Employee Print Go Back

Status: **New** Created by: **Tompkins, Sherry**

LABOR STANDARDS INTERVIEW

Contract Number And Location		Employee Int	
<input type="text"/>		<input type="text"/>	
Name Of Prime Contractor		Street Address	
<input type="text"/>		<input type="text"/>	
Name Of Employer		City	
<input type="text"/>		<input type="text"/>	
Supervisor's Name		Work Classification	
Last Name	First Name	MI	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>



Labor Standards Bulletin Board

- Contractor's bulletin board must be displayed on the first day of construction activity.
- Must be in an area accessible to all employees and the general public, 24/7.
- Board is usually placed outside the field office and must remain readable for the duration of the project.
- MaineDOT has developed a diagram and checklist. See page 10-20 of the LPA Manual.

Contractor Guide to DBA

You can find the Contractors Guide to DBA
at our website:

- <http://www.maine.gov/mdot/civilrights/>

MaineDOT CONTACTS

For Elations Questions:

Michael Babb - 207-624-3519

michael.babb@maine.gov

For Payroll Questions:

Sherry Tompkins - 207-624-3066

sherry.tompkins@maine.gov

or

Gigi Ottmann-Deeves – 207-624-3036

gigi.ottman-deeves@maine.gov