

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

989-1381 (Revised April 2016)

GPC AccuPost Compliance Poster Company™ TO BUSINESS CALL 1-800-815-2415 PRODUCT # 1000
www.complianceposter.com

Why Do We Care?

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

What Is Davis Bacon Act (DBA)?

DBA requires payment of prevailing wage rates to laborers and mechanics on federally funded construction projects.

General Decision (Wage Rates)

- A list of classifications and wages must be placed in the Contract Book, representing 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

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

Additional Classifications (Cont.)

- MaineDOT staff will review/approve the contractor's request in Elations, allowing use of that Classification & Rate pending approval U.S. Department of Labor.
- Formal approval will be sent to the Contractor and construction Resident by email and must be posted to the bulletin board immediately.

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.



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 Performed Flagged Certificate Reminder Withdraw Conformance

Report(s) for: 016750.00 SOUTH BRISTOL All Contractors Pending For Review Pending For Correction Display by ascending alphabet

Project Manager: Not Set Resident Engineer: Not Set [Site Interview](#) [Cursory Review Summary](#)

Week Ending	To .xls	CPR Accept	Submitted Date	Action	Issues	Contract/Subcontract	Payroll NO.
02/20/2016			02/24/2016			016750.00	79
02/13/2016			02/17/2016			016750.00	78
02/06/2016			02/09/2016			016750.00	77
01/30/2016			02/02/2016			016750.00	76
01/23/2016			01/27/2016			016750.00	75
01/16/2016			01/22/2016			016750.00	74
01/09/2016			01/12/2016			016750.00	73
01/02/2016			01/05/2016			016750.00	72
12/26/2015			12/29/2015			016750.00	71
12/19/2015			12/22/2015			016750.00	70
12/12/2015			12/17/2015			016750.00	69
12/05/2015			12/10/2015			016750.00	68
11/28/2015			12/03/2015			016750.00	67



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.

My Project

As Owner

004270.10 AUGU..WESTERN AVENUE

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

006462.91D-006..D-PRESQUE ISLE

007998.20 WELLS

008850.31-020285.00-LEWISTON

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

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 alphabet

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](#) [Apprentice 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 Accpt	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

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)
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- Archived Project(s) (403)

Preference

Field Report/Site Visit

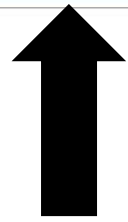
Search

Project Name: Contractor Name: Assign by Me Assign to Me Reconcile Followed

Legend: New FR Pending Draft Submitted Finished Voided

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

All A B C D E F G H I J K L M N O P Q R S T U V W X Y Z





My Project

As Owner

- 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)
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- 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 Information Select Employee		
		Last Name	First Name	MI
Name Of Prime Contractor		Street Address		
Name Of Employer		City	State	Zip Code
Supervisor's Name		Work Classification		Wage Rate
Last Name	First Name	MI		



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.
- It must remain readable throughout the project.

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:

Angela Latno- 207-624-3519

angela.latno@maine.gov

For Payroll Questions:

Sherry Tompkins - 207-624-3066

sherry.tompkins@maine.gov

or

Gigi Ottmann-Deeves – 207-624-3036

gigi.ottmann-deeves@maine.gov