

2019

Labor Compliance Payroll Training



DISCLAIMER

This presentation is intended as general information only and does not carry the force of legal opinion.



Today's Presenters

xxxxxx Region Labor Compliance Specialists

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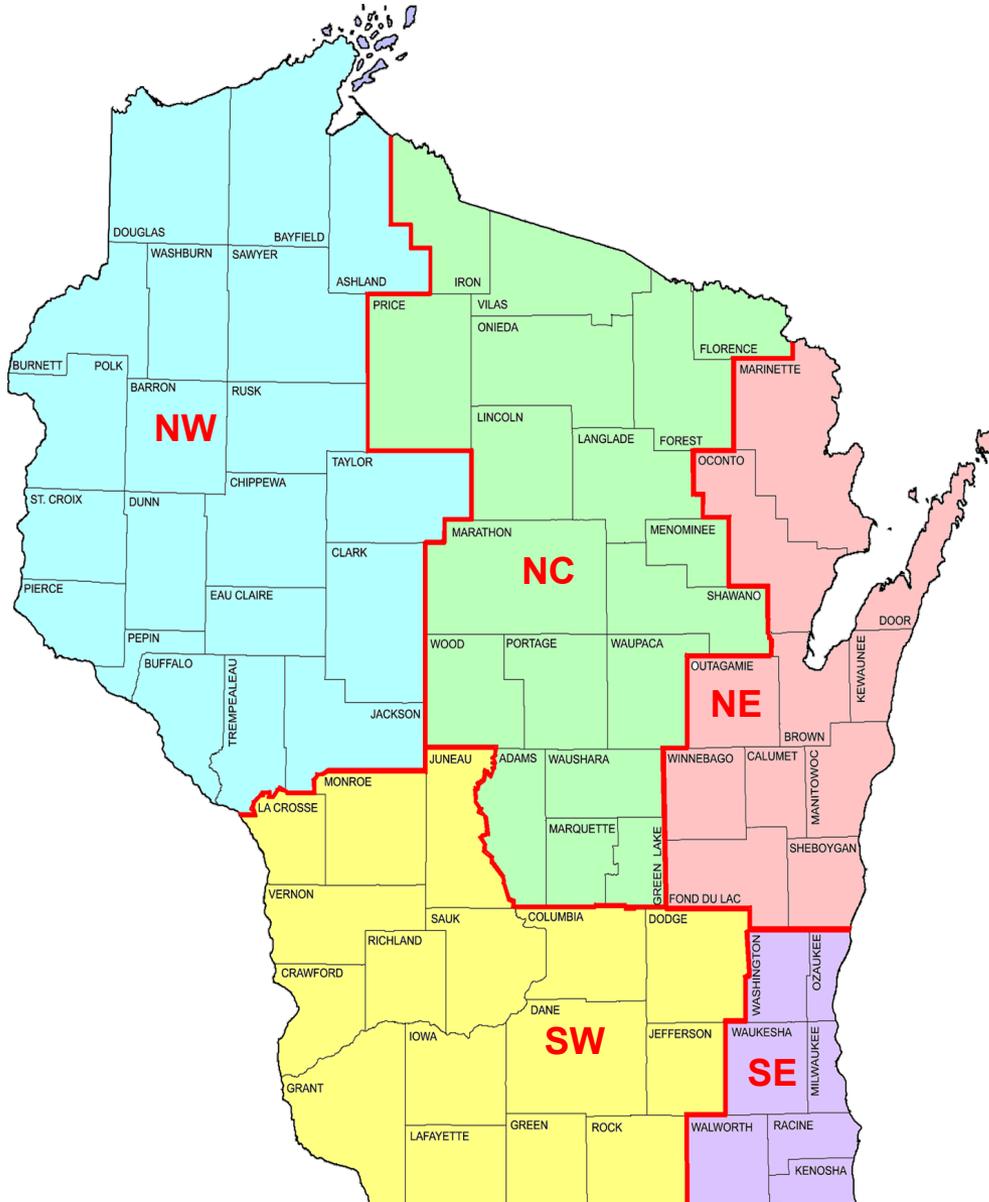


Welcome

- ▶ Introductions
- ▶ Housekeeping
- ▶ Breaks and Lunch
- ▶ Today's Training—Payroll Basics/Refresher
- ▶ Civil Rights Compliance System (CRCS) Training in the Afternoon
- ▶ Training Materials Online
- ▶ Q&A Call In
- ▶ Feedback and Survey



WisDOT Labor Compliance Specialists



Eastern Team

Lead - Jason Johnson (920) 492-5728 (NE)
 Teresa Rademacher (920) 492-5657 (NE Mega)
 Jennifer Lubinski (262) 548-5634 (SE)
 Margaret Powers (262) 521-5337 (SE Mega)
 Janice Sindic (262) 548-5923 (SE Mega)

Western Team

Lead - Laurie Dolsen (715) 392-7977 (NW)
 Stephanie Jaecks (715) 365-5732 (NC)
 Tim Alston (608) 242-8040 (SW-Madison)
 Rebecca Porter (608) 245-2648 (SW)
 Deb Henning (608) 884-1178 (SW Mega)
 Julie Harkinson (608) 772-5169 (SW Mega)
 Diane Zimmer (608) 884-1179 (SW Mega)
 Crystal Wilson (608) 264-8700 (SW Mega)

Labor Compliance Investigations (Statewide)

Lead - Natalia Vega (262) 521-5358 (SE)
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Disclaimer

- ▶ This presentation is information only—LCS’s do not make the rules and/or laws. Contact your legislative representative/senator with questions or concerns regarding the laws.
- ▶ The information provided is guidance only and **is not** intended as legal advice.



Disclaimer

- ▶ WisDOT will continue working with our internal and external partners responding to changes due to the repeal:
 - State agencies
 - Federal agencies
 - Industry partners (WTBA and contractors)



Agenda

- ▶ Ongoing Challenges
- ▶ Payroll Refresher
- ▶ Contract Additional Special Provisions (ASP's)
- ▶ Federal Law Prevailing Wage
- ▶ Federal Law Overtime
- ▶ Fringe Benefits
- ▶ Deductions
- ▶ Trucking
- ▶ Roles & Responsibilities
- ▶ Questions



Ongoing Challenges...

- ▶ **Three** sets of laws will be in effect for projects during the 2019 construction season (refer to the Prevailing Wage Law handout):
 - **State Statute 103.50 and Davis-Bacon Act** (carryover projects let January 10, 2017, and prior)
 - **State Statute 84.062 and Davis-Bacon Act** (carryover projects let February 14, 2017, to November 13, 2017)
 - **Repealed Wisconsin PW Law and Davis-Bacon Act** (projects let November 14, 2017, and forward)



Prevailing Wage Laws

Effective Date	Prior to January 1, 2017		January 1, 2017		September 23, 2017	
Effective Let Date	Let Date of January 10, 2017 or Before		Let Date of February 14, 2017 thru November 13, 2017		Let Date of November 14, 2017 and After	
Funding	State Funding Only	Both State and Federal Funding	State Funding Only	Both State and Federal Funding	State Funding Only	Both State and Federal Funding
Prevailing Wage Laws that Apply	WI State Statute 103.50	WI State Statute 103.50 and Federal Davis-Bacon and Related Acts	WI State Statute 84.062	WI State Statute 84.062 and Federal Davis-Bacon and Related Acts	No state prevailing wage law - WI State Statute 84.062 was repealed	Federal Davis-Bacon and Related Acts
Prevailing Wage Rates in Contract	State wage rates issued by Department of Workforce Development (DWD).	State wage rates issued by DWD and Federal wage rate determinations issued by U.S. Department of Labor.	Wisconsin began using Federal prevailing wage rate determinations issued by U.S. Department of Labor.	Wisconsin began using Federal prevailing wage rate determinations issued by U.S. Department of Labor.	No prevailing wage rates apply.	Federal prevailing wage rate determinations issued by U.S. Department of Labor.
Overtime	Paid at 1.5 times basic hourly rate for: <ul style="list-style-type: none"> • Hours worked over 10 in a day or 40 in a week • Work performed on Saturday, Sunday and Holidays 		Same as prior to January 1, 2017.		No prevailing wage overtime requirements for state funded only projects but Wisconsin state overtime law applies to all hours worked more than 40 in the workweek. Wis. Stat. § 103.01-03	Wisconsin state overtime law applies to all hours worked more than 40 in the workweek. Wis. Stat. § 103.01-03
Covered Employees	All laborers, workers, mechanics and truck drivers employed on the site of the project.		Same as prior to January 1, 2017.		No covered employees.	All laborers, workers, mechanics and truck drivers employed on the site of the project.
Trucking	Hauls requiring prevailing wage: <ul style="list-style-type: none"> • Mineral aggregate, all sources, delivered in final place • Non-mineral aggregate and manufactured or processed material from a dedicated or nearly so source • Hauling of materials/supplies from within the site of work • Hauling spoil or excavated material from the site work 		Hauls requiring prevailing wage: <ul style="list-style-type: none"> • Material from a dedicated source • Hauling materials/supplies from one location on the site of the work to another location on site of work • For time spent loading and unloading materials on the site of work if such time is more than de minimus 		No hauls require prevailing wage.	Hauls requiring prevailing wage: <ul style="list-style-type: none"> • Material from a dedicated AND virtually adjacent source • Hauling materials or supplies from one location on site of work to another location on site of work • For time spent loading and unloading materials on site of work if time is more than de minimus • Excavated material or spoil hauled to a site indicated in contract.
CPR Required	For trucking see above. All other contractors = Yes.		For trucking see above. All other contractors = Yes.		No.	For trucking see above. All other contractors = Yes.

Payroll Refresher



The Davis Bacon Act

United States Department of Labor (USDOL)

Applies to contractors and subcontractors performing work on federally funded or assisted contracts in excess of \$2,000

► Prevailing Wage Requirements

- Pay no less than the prevailing wage rates and fringe benefits listed in the contract's Davis-Bacon wage determination
- Apprentices – qualifications and pay
- Pay employees weekly and submit certified payroll records within seven calendar days from the close of the pay period.



Davis Bacon Act

Record Keeping Requirements

- ▶ **Record Keeping Requirements:**
 - Contractors must maintain detailed employee payroll and basic records for all laborers and mechanics during the course of the work and for a period of three years thereafter
 - Employee info, hours of work for each day and week, classifications, rates of pay for each payroll period, reasons for deductions, fringes, etc.
 - Provide records and information to prime and WisDOT upon request



Good Paystub Example



- ✓ Shows project id
- ✓ Shows classification
- ✓ Shows hours
- ✓ Shows hourly rates
- ✓ Shows hourly adjustment
- ✓ Shows cash fringe
- ✓ Provided weekly

Typ Job	Occupation	Wks	Sun Jul30	Mon Jul31	Tue Aug01	Wed Aug02	Thu Aug03	Fri Aug04	Sat Aug05
R-T 2019-004	LABR-Unskilled	1-2			8.00				
T-H 2019-004	LABR-Unskilled	1-2			4.50				
R-T 2017-104	LABR-Unskilled	1-2				8.00	4.50	8.00	
T-H 2017-104	LABR-Unskilled	1-2				2.50		2.50	
R-T 2017-105	LABR-Unskilled	1-2		8.00					
T-H 2017-105	LABR-Unskilled	1-2		4.50					
Total hours				12.50	12.50	10.50	4.50	10.50	

Current		Year-To-Date		
36.50	R-T Hours at	30.71	1,120.02	
14.00	T-H Hours at	46.07	644.90	
50.50	Total		\$ 1,765.82	
105	Hourly Adjustment		10.17	
104	Cash in Lieu of Fringes		32.95	
Total Earnings			\$ 1,808.55	
Fed Tax			339.66-	
Soc Sec			112.13-	
WI State Tax			107.31-	
Medicare			26.22-	
309	Work Dues		59.59-	
Total Deductions			\$ 644.91-	
Net Pay			\$ 1,163.64	
Gross Earnings		1,808.55	Gross Earnings 17,857.48	
Tax Income		1,808.55	Tax Income 17,857.48	
WI State Tax		107.31-	WI State Tax 1,025.54-	
WI State taxable		1,808.55	WI State taxable 17,857.48	
Work Dues		59.59-	Work Dues 548.70-	
Hours	Reg	36.50	Hours	Reg 393.00
	T-H	14.00		T-H 124.00
Taxable Income for Period		1,808.55		
Deposit BIG-00352	Dated	Aug 09,17	for the amount of	\$1,163.64



Incomplete Paystub Example



DELUXE CORP 1+800-328-0304
1330

DATE 4.28.18

TO LL Hwy

DEPOSITS

FOR <u>LL Hwy</u>	TOTAL		
	THIS CHECK	<u>912</u>	<u>57</u>
<u>19.00 Hours</u>	OTHER		
TAX DEDUCTIBLE	BALANCE		

FFC224 CHIKDKO2 09/02/2016 18:15 -07-

- ▶ Rate of pay missing
- ▶ Hours worked missing
- ▶ Deductions missing
- ▶ Pay period missing
- ▶ YTD data missing



Davis Bacon Act - Penalties

▶ Penalties

- May be subject to contract termination and debarment from future contracts for up to three years
 - Contract payments may be withheld
 - Each day that a violation continues is a separate offense
 - Falsification of certified payroll records or the required kickback of wages may subject a contractor or subcontractor to civil or criminal prosecution, the penalty for which may be fines and/or imprisonment
- ▶ **See website for applicable laws, executive orders, and regulations**

<http://www.dol.gov/whd/contracts/dbra.htm>



FHWA-1273 (federally funded projects only)

Federal Highway Administration

- ▶ Flow down - FHWA-1273 must be physically incorporated in ALL tiers of subcontracts and trucking agreements
- ▶ References Davis-Bacon and Related Act Provisions
- ▶ Covers compliance regarding: Nondiscrimination (EEO), reporting, recruitment, apprentices, on-the-job-training, overtime, wages, withholding, subletting and more
- ▶ Non-compliance / Penalties
 - Subject to civil or criminal penalties for falsification of the certification
 - May be subject to contract termination and debarment from future contracts for up to three years
 - Each day that a violation continues is a separate offense

<http://www.fhwa.dot.gov/programadmin/contracts/1273/1273.pdf>

Contract Additional Special Provisions



ASP 1 (federally funded projects only)

TrANS (Transportation Alliance for New Solutions)

- ▶ Reimbursement of **\$5.00** per hour for utilizing eligible TrANS graduates and TrANS apprentices
 - Identify eligibility in the employee's profile in the Civil Rights Compliance System (CRCS)
 - The reimbursement for an eligible TrANS graduate is for a maximum of 2,000 hours
 - The reimbursement for an eligible TrANS apprentice is for the entire length of their apprenticeship



ASP 1 (federally funded projects only) continued

- ▶ Reimbursement would occur via WisDOT to the prime contractor, and the prime disburses reimbursement

- ▶ TrANS providers:

<http://wisconsindot.gov/Pages/doing-bus/civil-rights/labornwage/trans-provider.aspx>



TrANS Program Presentation

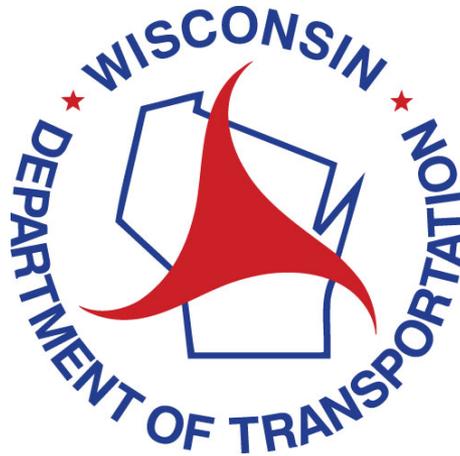
xxxxxxx, Name of TrANS Provider

xxxxxxx@xxx.com

or xxx-xxx-xxxx



15 Minute Break



ASP 3 (for federally funded projects only)

Disadvantaged Business Enterprise (DBE) Program



DBE Requirements and contractual goals on federally funded WisDOT projects.

▶ Program Goals

- To increase participation of firms owned by disadvantaged individuals.
- The DBE goal for a contract is listed on the cover of the Highway Work Proposal



ASP 3 DBE Tracking

▶ Tracking

- DBE's on the approved DBE Commitment form must appear on the Sublet request form (DT 1925) or Attachment A.
- DBEs must be assigned in CRCS – DBE payments are tracked.
- Goals – The prime must make a good faith effort to meet assigned goals on a project.

<http://wisconsindot.gov/Pages/doing-bus/civil-rights/dbe/cntrcting-with-dbe.aspx>



DBE Replacement Policy

- ▶ Contractor must have **good cause**
- ▶ Prime contractor must provide written notification to DBE with reason for termination
- ▶ Prime contractor must give the DBE five days to respond to the prime contractor's notice



Good Cause...

- Fail/refuse to execute contract
- Fail to perform work that meets industry standards
- Fail to meet reasonable bond requirement
- Bankruptcy/insolvent/credit unworthiness
- Suspended or debarred
- Voluntarily withdraws (in writing)
- Ineligible to receive DBE credit for type of work required
- Other documented good cause that you determine compels the termination of the DBE subcontractor.

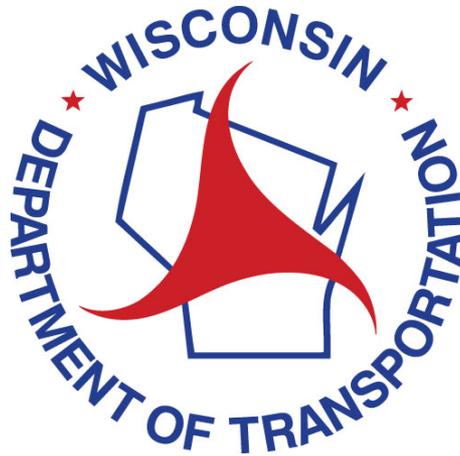


DBE Replacement Policy

- Good cause does not exist if the prime contractor seeks to terminate a DBE it relied upon to obtain the contract so that the prime contractor can self-perform the work for which the DBE contractor was engaged
- Prime contractor required to make good faith effort to find another DBE to perform at least the same amount of work to meet contract goals
- Section 16 under ASP3 provides more details on DBE replacement.



15 Minute Break



ASP 4 - Prompt Payment



▶ Payment to Subcontractors (all tiers)

- Pay subs within 10 calendar days of receiving a progress payment for acceptably completed work.
- Primes - at semi-final estimate, within 30 calendar days all tiers are to be paid in full for acceptably completed work and no routine retainage should be withheld, unless there is a dispute in quantities or pay.



ASP 4 - Prompt Payment

▶ Withholding Payments

- Prime contractor may withhold payment if, within 10 calendar days of receipt of that payment from WisDOT, the prime provides written notification to the subcontractor and to the department documenting “just cause” for withholding.
- May withhold routine retainage.



ASP 4 – Prompt Payment

▶ Payment Issues:

- Your first attempt to resolve an issue is between the subcontractors and the prime.
- Contact the Prime Contractor before contacting WisDOT.
- If the issue remains unresolved, inform WisDOT project staff.

<http://wisconsindot.gov/hcciDocs/contracting-info/asp-4.pdf>



Construction Contract Payment Viewing System (CCPMS)

- ▶ Access the HCCI website
- ▶ <https://wisconsindot.gov/Pages/doing-business/contractors/hcci/default.aspx>
- ▶ Click on Doing Business
- ▶ Click on Contractors
- ▶ Click on Contract Payments
- ▶ Register for a user id and password



Construction Contract Payment Viewing System (CCPMS)

WISCONSIN DEPARTMENT OF TRANSPORTATION

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CONSTRUCTION CONTRACT PAYMENT VIEWING SYSTEM

Please Select one of the following:

- By Contractor -- Enter at least first 2 letters of the contractor's name and Show all contracts, which have at least one payment within the last
- By Contract Id -- Enter contract number
- By Project Id -- Enter project number (Use format 1234-03-75)
- By Region -- Select Region and Show all contracts, which have at least one payment within the last

Continue



ASP 3 Contractual Requirements

▶ Contractual Requirements

- Prime Contractor submits the DBE Commitment form (DT1506) detailing the DBE firms they are committing to use to meet the DBE goal within 5 business days after project let
 - Prime is responsible for meeting the commitment
 - Contractors must submit their documentation via email at DBE_Alert@dot.wi.gov
- Projects with discretionary goals also require the submittal of a DBE Commitment form.
- Elimination or termination of any kind to a DBE needs to be placed in writing and receive prior approval from the DBE office



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Vouchers for Contract: 20170509010

[Return to Initial Selection Page](#)

Contractor: LALONDE CONTRACTORS INCORPORATED			
Surety: PHILADELPHIA INDEMNITY INS CO			
Location: Loc Str, Milwaukee County			
Description: South 60th Street W Cold Spring RD TO W Morgan Ave			
Time charged:	495	Total Earnings:	\$3,469,368.71
Time Allowed:	10/16/2019	Material Allowance:	\$0.00
Percent Time:	61.64	Gross Earnings:	\$3,469,368.71
Current Contract Amount:	\$3,811,720.87	Retainage:	\$39,441.21
Awarded Contract Amount:	\$3,779,729.96	Net Earnings:	\$3,429,927.50
Percent Complete Work:	91.02	Liquidated damages:	\$0.00
Projects:		Payments:	3,429,927.50
2415-00-70			

Note: This report is for informational purposes only.
It is not an actual payment document.

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[CSV Export](#)
[Glossary of Terms](#)

Voucher	Type	Pay Period	Total Earnings (\$)	Material Allowance (\$)	Retainage (\$)	Liquidated Damages (\$)	Payment (\$)	% Paid
0000	SM	00/00/0000	0.00	0.00	0.00	0.00	0.00	0.00
0001	SM	08/11/2017	23,365.66	0.00	0.00	0.00	23,365.66	0.61
0002	SM	08/21/2017	29,897.34	0.00	0.00	0.00	29,897.34	0.78
0003	SM	09/04/2017	61,741.90	0.00	0.00	0.00	61,741.90	1.62



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VOUCHER DETAILS

[Return to Initial Selection Page](#)

Contract Id: 20170509010
Location: Loc Str, Milwaukee County
Description: South 60th Street W Cold Spring RD TO W Morgan Ave

Total Earnings:	\$0.00	Retainage:	\$0.00
Voucher no: 0000	Material Allowance: \$0.00	Net Earnings:	\$0.00
Pay Period: 00/00/0000	Gross Earnings: \$0.00	Liquidated damages:	\$0.00
Projects:		Payment:	\$0.00

2415-00-70 no payment this period

Note: This report is for informational purposes only.

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It is not an actual payment document.

[CSV Export](#)

[Glossary of Terms](#)

Cont Line	Item No	Item Descr	Units	Current Qty	Qty Paid	Unit Price (\$)	Cumulative Amount (\$)	Qty Placed	Current %Cpt	Material Allowance (\$)	Qty this period	Amount this period (\$)
0010	201.0105	Clearing	STA	4.00	4.00	239.00	956.00	4.00	100	0.00	0	0.00
0020	201.0120	Clearing	ID	240.00	381.00	6.00	2,286.00	381.00	158.75	0.00	0	0.00
0030	201.0205	Grubbing	STA	4.00	4.00	239.00	956.00	4.00	100	0.00	0	0.00
0040	201.0220	Grubbing	ID	240.00	381.00	13.85	5,276.85	381.00	158.75	0.00	0	0.00
0050	204.0100	Removing Pavement	SY	45,381.00	45,124.47	1.00	45,124.47	45,124.47	99.43	0.00	0	0.00
0060	204.0110	Removing Asphaltic Surface	SY	131.00	0.00	2.00	0.00	0.00	0	0.00	0	0.00



ASP 7 – Reporting Payments



▶ Report Payments

- Report all 1st tier and all DBE payments in CRCS within 10 calendar days of receipt of a progress payment
 - Important to do this timely

▶ Payment Confirmations

- Confirm all payments in CRCS within 10 days of receipt
- If there is a dispute please flag the payroll as “disputed payment” and notify the prime first
 - Unresolved issues – notify WisDOT project staff



Reports within CRCS



Commitment v. Actual Payment Report

Print

Commitment v. Actual Payments Report

Project Name:	ILLINOIS SL - MADISON, STH 11 - CTH O; Illinois State Line - Madison,	Project Start Date:	7/11/2017
State Project ID:	1003-10-84	Project Finish Date:	5/20/2020
Federal Project ID:	WISC 2017 326	Total Contract Value:	\$54,483,394.79
Report Period:	7/11/2017 - 1/23/2019	Percentage Paid This Period:	53.85%

Firm (Parent Co.)	ContractAmount	Net Payment	Retainage	Percent Paid This Period (%)
Antigo Construction, Inc. (Rock Road Companies, Inc.)	\$118,256.50	\$59,589.85	\$6,621.12	50.39
BULLET TRANSIT CO, INC -DBE (Rock Road Companies, Inc.)	\$358,667.25	\$75,033.50	\$0.00	20.92
B and R Trucking & Repair (BULLET TRANSIT CO, INC-0001)	\$100.00	\$0.00	\$0.00	0.00
Dr. Detail (BULLET TRANSIT CO, INC-0001)	\$100.00	\$0.00	\$0.00	0.00
Gin-nique Ridge Trucking LLC (BULLET TRANSIT CO, INC)	\$100.00	\$0.00	\$0.00	0.00



Unconfirmed Payment Report

UnconfirmedPaymentReportByRegionView - Internet Explorer

https://wisdot.ecomply.us/Reports/UnconfirmedPaymentReportByRegionView.aspx?RegionID=0&ProjectID=4258&StartDate=7/11/2017&

Find... 1 of 1 100%

Main Report

Unconfirmed Payment Report

Region: All Regions **Period:** 07/11/2017 - 01/31/2019

Project: VERONA RD, Mount Horeb- Madison, CTH PD - Raymond Road / STG 2 / Phase 2; Mount (1206-07-75)

Region: Southwest

ProjectID: 1206-07-75

Project Name: VERONA RD, Mount Horeb- Madison, CTH PD - Raymond Road / STG 2 / Phase 2; Mount

Project Cost: 29,601,639.85

Payment By Company	Payment To Company	Net Amount	IssueDate	Disputed
LUNDA CONSTRUCTION COMPANY	GESTRA ENGINEERING, INC (DBE)	1,744.00	01/18/2019	N
LUNDA CONSTRUCTION COMPANY	Eide Painting & Sandblasting, LLC	131.05	01/18/2019	N
Integrity Grading and Excavating, Inc. (Prime)	LUNDA CONSTRUCTION COMPANY	487,791.00	01/25/2019	N
Integrity Grading and Excavating, Inc. (Prime)	TRIERWEILER CONSTRUCTION & SUPPLY COMPANY, INC.	51,206.50	01/25/2019	N
Integrity Grading and Excavating, Inc. (Prime)	VIBRA-TECH ENGINEERS, INC	8,811.25	01/04/2019	N
Integrity Grading and Excavating, Inc. (Prime)	West-Land Restoration, Inc.	1,717.38	01/29/2019	N



ASP 7 – Reporting Payments continued...

▶ Mega Project DBE Reporting

- Payment reports are supplied to the Secretary's Office, FHWA, DBE office, and stakeholders
- Need all payments reported and confirmed in CRCS in the specified timeframes

<http://wisconsindot.gov/hcciDocs/contracting-info/asp-7.pdf>



ASP 9 (federally funded only projects) Electronic Certified Payroll Submittal



- ▶ All tiers of subcontractors, as well as all trucking firms, must submit Certified Payroll Reports (CPRs) each week electronically through CRCS.
- ▶ Certified payrolls must be reported weekly.
 - Bi-weekly is not acceptable.
- ▶ Submit CPRs within 7 calendar days of the close of the payroll period.
- ▶ Signing the Statement of Compliance certifies the information reported is true and accurate.



ASP9-S (State-Funded Only Projects)

- WisDOT must still report labor data to other agencies, Wisconsin's Native American Tribes, and various stakeholders.
- Projects with ASP9-S will continue to submit labor data through an excel spreadsheet.
- Labor data is submitted to WisDOT quarterly for all subcontractors that worked on the project.
- Trucking firms that would have been paid Prevailing wage on a Federal job will be required to submit the labor data for their firm.



Update: ASP9-S (State funded only labor reporting)

- ▶ Effective January 2019 Contractors will submit the labor data through CRCS by entering weekly payroll reports.
- ▶ Trucking firms: If the hauls you performed on a state-funded only project would have been considered a covered haul on a project with federal funds (i.e., a CPR was required to be submitted), then submit your labor data on the required spread sheets for projects with state-only funds



Additional Contract Requirements

▶ Affirmative Action

- Equal Opportunity Clause, Executive Order 11246
- Goals for minority participation for each Trade (by county)
- Goals for female participation for each trade (6.9%)
- Equal Employment Opportunity is THE LAW posters and supplements

<http://wisconsindot.gov/hcciDocs/contracting-info/affirmative-action.pdf>



Federal Law Prevailing Wages



Wage Determinations

Issued by United States Department of Labor (USDOL):

- ▶ Referred to as WI08, WI10, WI12 and WI15
- ▶ Issues several new determinations throughout the year
- ▶ Issues a specific determination number with each one



Wage Determinations

- ▶ WI 10 wages are inserted in every contract with federal funding (applies to all work except work over a navigable waterway)
- ▶ WI 15 wages are inserted into a contract if there is a bridge or structure located over a navigable waterway as defined by USDOL and the US Coast Guard (applies to all work occurring on the bridge/structure from bank to bank).



Wage Determinations

- ▶ Wage determinations included in your contract remain in effect for the life of the contract
- ▶ Wage determinations for multiple counties can apply - use rates for the county in which the work is being performed



Federal Law Overtime



Overtime Regulations

- ▶ Overtime is paid at least 1.5 x the **basic hourly rate** of pay
 - The higher of the two must be paid (if applicable):
 - Employee's actual basic rate vs. the prevailing basic rate
- ▶ Paid on all hours worked in excess of **40 hours in one week**



Overtime Example

Over 40 hours in a week

<u>INCORRECT</u>	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Straight Time	10	10	11	9	5	5	
Overtime	0 OT	0 OT	0 OT	0 OT	0 OT	0 OT	

<u>CORRECT</u>	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Straight Time	10	10	11	9	0	0	0
Overtime	0 OT	0 OT	0 OT	0 OT	5 OT	5 OT	



Paying Correctly

Identifying the Correct Classification and Rate of Pay

- ▶ Type of Work performed
- ▶ Equipment and tools
- ▶ Multiple classifications and time spent
- ▶ Apply pay increases if applicable

Tips:

- ▶ Report multiple classifications for an employee separately in CRCS.
- ▶ Have a system to track the time and type of work your employees perform
- ▶ DWD has a dictionary description of classifications
 - http://dwd.wisconsin.gov/er/prevaling_wage_rate/Dictionary/dictionary_main.htm



Job Site Postings Board

- ▶ Still required for **ALL** WisDOT projects.
- ▶ Checklist is given to the prime at a preconstruction meeting.
- ▶ Per FHWA, federal wage determination pages can be “stacked” if laminated and located below a sign saying “Wage Rates”.



Job Site Posting Boards



NOT ACCEPTABLE



PERFECT



NOT ACCEPTABLE

- ▶ Prime contractor must maintain
- ▶ Must be weatherproof, readable, accessible to the public at all times (or it may be required to be moved), and complete and accurate
- ▶ WisDOT provides a courtesy copy of the posters
- ▶ All employees need to know the location of the board

Apprentices



Qualified Apprentices

- ▶ An employee must be registered in a bona fide apprenticeship program recognized by USDOL or DWD, to be classified as an apprentice on WisDOT projects
- ▶ Prior to the apprentice working on a WisDOT project, you must provide the regional LCS with a copy of the apprentice's contract
- ▶ Other info needed:
 - Percentage or level the apprentice is employed at
 - Full social security number
 - Employee's ethnicity



Apprentice Contract

Apprentice Contract

This contract was prepared by Nicholas G Abbott on the date of June 28, 2018, between the Wisconsin Department of Workforce Development (the Department) and:

Apprentice

██████████
██████████
██████████
SSN: ██████████
DOB: ██████████

Sponsor

SE WI Construction Craft Laborers JAC
4633 LIUNA Way #100
DeForest WI 53532

The Apprenticeship term begins on May 11, 2018, and terminates upon the successful completion of the apprenticeship program provisions of the Construction Craft Laborer trade, which are incorporated as part of this contract as Exhibit A, Program Provisions. The provisions included in this contract are binding on the parties.

The Department will issue a **CERTIFICATE OF APPRENTICESHIP** to the apprentice upon satisfactory completion of the provisions of this Apprentice Contract.

This contract may be terminated or cancelled by the apprentice, or may be suspended or cancelled by the sponsor, for good cause, with due notice to the apprentice and a reasonable opportunity for corrective action, and with written notice to the apprentice and to the Department.

The apprentice's signature authorizes the assigned provider(s) of paid and unpaid related instruction to release progress, grades, and attendance reports to the Department, sponsor, and employer while this contract is in effect.

The program sponsor and apprentice agree to the terms of the Apprenticeship Standards incorporated as part of this document and identified as Exhibit A. The sponsor will not discriminate in the selection and training of the apprentice and will accord the apprentice equal opportunity in all phases of apprenticeship employment and training, without discrimination because of race, color, religion, national origin, sex, age, creed, handicap, marital status, ancestry, sexual orientation, arrest record, conviction record, or membership in the military forces of the United States or this state.

The apprentice, sponsor, and employer agree to fulfill all the obligations of this Apprentice Contract. The parties have signed this contract, as required by Chapter 106.01 of the laws of Wisconsin. Personal information provided herein may be used for secondary purposes [Privacy Law, s. 15.04(1)(m) Wisconsin Statutes].

██████████
Apprentice Signature _____ June 21, 2018
Date

██████████
Sponsor Signature _____ May 21, 2018
Date

Karen P Morgan
Department Approval _____ June 27, 2018
Date

The Registration Agency is the authority to receive and resolve controversies or differences arising out of this contract when they cannot be resolved locally in accordance with established procedures or collective bargaining provisions.

Registration Agency:
Department of Workforce Development
Division of Employment and Training
Bureau of Apprenticeship Standards
PO Box 7972, Madison, WI 53707
Phone: 608-266-3332

- ▶ Shows name
- ▶ Shows classification
- ▶ Shows full SSN
- ▶ Shows start date



Apprentice Contract

SE WI Construction Craft Laborers JAC • DeForest WI
 Construction Craft Laborer • 1-899463580-01-T
 Exhibit A - Program Provisions

B. Building Construction
 -concrete (tending, placement, removal)
 -landscaping
 -mason/plasterer tending
 -pipe laying

C. Heavy/Highway Construction
 -asphalt
 -drilling and blasting
 -pipe laying for work traditionally performed by Construction Craft Laborers
 -tunnel and shaft
 -concrete (tending, placement, removal)
 -bridges

Paid Related Instruction	400
TOTAL	4400

The above schedule is to include all operations and such other work as is customary in the trade.

MINIMUM COMPENSATION TO BE PAID: (Per collective bargaining agreement)

First pay period of 1,000 work hours 70% of skilled wage rate + 10% wage add-on
 Second pay period of 1,000 work hours 75% of skilled wage rate + 10% wage add-on
 Third pay period of 1,000 work hours 80% of skilled wage rate + 10% wage add-on
 Fourth pay period of 1,000 work hours 85% of skilled wage rate + 10% wage add-on

10% is being added on to the base wage rate to pay for the time apprentices spend in block related instruction. The compensation for school hours will be paid by the employer as an additional 10% of the basic wage rate for all hours of on-the-job training, as listed under Minimum Compensation to Be Paid.

Base skilled wage rate \$26.57 per hour.

If at any time the base skilled wage rate rises or falls, the apprentice's wage shall be adjusted proportionately. The wage rate of apprentices employed in this trade and this firm shall be based on the base skilled wage rate stated above.

All apprentices are covered by State and Federal Wage and Hour Standard requirements. All apprentices shall be paid no less than the minimum wage established under regulations.

CREDIT PROVISIONS: The apprentice, granted credit at the start or during the term of the apprenticeship, shall be paid the wage rate of the pay period to which such credit advanced the apprentice.

Work credit hours approved:	None
School credit hours approved:	
Paid related instruction:	None
Unpaid related instruction:	

DETA-10408-E (R, 12/2010)

Exhibit A – Page 2 of 3

- ▶ Shows the basic rate of pay.
- ▶ Shows the percentage of apprentice contract.



Enforcing Apprenticeship Wages

- ▶ Apprentices are paid according to their contract:
 - Applicable Journey Rate x Percentage Stated in the Contract
 - Fringes
 - Under Federal regulations, provisions of the apprentice program take precedence and when not outlined in the apprentice contract, the apprentice is due the full amount of fringe benefits listed on the wage determination.
 - Under state law, when apprenticeship papers provide the applicable percentage, “Apprentices shall be paid a percentage of the applicable journey person’s hourly basic rate of pay and hourly fringe benefit contributions specified in the prevailing wage rate determination for the project”.



Enforcing Apprenticeship Wages

- ▶ Unverified apprentices must be paid full prevailing wage—no exceptions!
- ▶ Identify the employee as an apprentice in CRCS.
 - Trainees, helpers, LTEs, interns, etc., are not apprentices



View by Project Name View by Project ID

Sort Alphabetically Sort Start Date

Hide Completed Active Projects

[Advanced Search](#)

Active Projects

Southwest

Archived Projects

Employee ID:

Salutation: <-- Select an Salutation -->

First Name:

Middle Initial:

Last Name:

Suffix:

Title:

Date of Birth:

SSN:

Marital Status:

Ethnicity:

Gender: Male Female

Job Groups and Job Classes:

Please check the box next to the crafts that you would like to be available for this employee. You also pick the default craft for this employee by selecting the button next to the checkbox.

Available?	Default	Available Crafts and Classes	Journeyman Apprenticeship
<input checked="" type="checkbox"/>	<input checked="" type="radio"/>	Truck Drivers 3 Or More Axles	<input type="radio"/> <input checked="" type="radio"/>
<input type="checkbox"/>	<input type="radio"/>	Truck Drivers Off-Road/Material Hauler (Night Shift)	<input type="radio"/> <input type="radio"/>

Address:

Country: USA Canada

State:

City:

Zip:

Contact Phone Number:

Office Phone Number:

Union Name:

Hire Date:

Trans Grad: Yes No

Is Prevailing Wage: Non Prevailing Wage Only
 Non Prevailing Wage & Prevailing Wage
 Prevailing Wage Only

Trucker Employed By: <-- Select Trucker Employer -->

Employee Status: Enabled Disabled

1. First Name & Last Name are required and must match apprenticeship document
2. All 9 digits of SSN # must be entered for apprentices and TRANS Grads in the format XXX-XX-XXXX
3. Ethnicity is required and must match apprenticeship document
4. Job Groups and Classes must be marked Available and match apprenticeship document. Apprentice bubble must be selected.



Contacts for Apprenticeship Contracts

Department of Workforce Development (DWD)

Bureau of Apprenticeship Standards

201 E Washington Ave, Room E100

PO Box 7972

Madison, WI 53707

(608)266-3332 - Phone

(608)266-0766 - Fax

[Karen Morgan](mailto:karen.morgan@dwd.wisconsin.gov), *Director karen.morgan@dwd.wisconsin.gov*

[Joshua Johnson](mailto:joshua.johnson@dwd.wisconsin.gov), *Chief of Field Operations*

joshua.johnson@dwd.wisconsin.gov



Fringe Benefits



Fringe Benefits

- ▶ Payments made or costs incurred by the contractor for “bona fide” fringe benefits may be creditable towards fulfilling the prevailing wage requirement.
- ▶ The credit is based on the effective annual rate of contributions for all hours worked in a year (both prevailing wage and non-prevailing wage hours).
- ▶ Total package may be met by any combination of cash wages and creditable “bona fide” fringe benefits.



Fringe Benefits Continued...

Wage Determination

Basic Hourly Rate \$25.00

Fringe Benefit \$10.00

Total Package \$35.00

The Contractor can achieve compliance by paying:

- ▶ \$35.00 in cash wages; or
- ▶ \$25.00 in cash wages plus \$10.00 in Fringe Benefits; or
- ▶ \$20.00 in cash wages plus \$15.00 in Fringe Benefits



Cash in Lieu of Fringe

- ▶ If fringe benefits provided to an employee are not enough to meet the total package, the difference must be paid as a cash payment (aka cash fringe).
- ▶ Cash payment in lieu of fringes must be paid to the employee weekly on their paycheck and the paycheck should show the breakdown.
- ▶ Employees excluded from a fringe benefit plan must be paid the fringe rate as a cash payment.
- ▶ The hourly cash payment in lieu of fringe benefits should be recorded in the cash payment column in CRCS.



WEEKLY PAYROLL REPORT Wisconsin Department of Transportation	The weekly submittal of this form is required by 29 CFR Part 3.
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Contractor Name: Hired By:	State Project ID:	Federal Project ID:	County:	Payroll Period Week Ending:
----------------------------------	-------------------	---------------------	---------	-----------------------------

	JOB CLASSIFICATION	Daily Hours Worked S=Straight Time, O=Overtime, D=Doubletime							Total Weekly Hours Worked	(A) Basic Hourly Rate	(B) Benefits Hourly Rate		(A)+(B) Total Hourly Rate	Project Wages		Deductions				Other Payment	Net Paid	Check #
		MON	TUE	WED	THU	FRI	SAT	SUN			FUND PAYMENT	CASH PAYMENT		Gross Wages	FICA	FED WH	STWH	OTHER (Specify)				
		REFERENCED PROJECT																				
	JOB CLASSIFICATION	REFERENCED PROJECT																				
		S																				
		O																				
		D																				
	JOB CLASSIFICATION	OTHERPROJECTS (Include private work)							S													
		OTHERPROJECTS (Include private work)							O													
		REFERENCED PROJECT																				
		S																				
	JOB CLASSIFICATION	REFERENCED PROJECT																				
		O																				
		D																				
		OTHERPROJECTS (Include private work)							S													
	OTHERPROJECTS (Include private work)							O														



**COMPLIANCE STATEMENT TO ACCOMPANY
CONTRACTOR'S WEEKLY PAYROLL**

Wisconsin Department of Transportation

DT1816 4/2004 (Replaces EC673)

The willful falsification of any of the statements on this form may subject the contractor or subcontractor to civil or criminal prosecution. See Section 1001 of the Title 18 and Section 231 of Title 31 of the United States Code.

Adapted from U.S.Department of Labor Form WH-348(1)(68).

No. State Project ID: Federal Project ID: County: Payroll Period:

Contractor Name:

Prime Contractor / Subcontractor Hired By:

Authorized Agent Name:

Authorized Agent Title:

I, the undersigned, do state that:

1) I pay, or supervise the payment of the persons employed by the above contractor or project. During subcontractor on the above the payroll period designated above all persons employed on said project have been paid the full weekly wages earned, excepted as noted in Section 1(a) below. No rebates have been or will be made either directly to or indirectly on behalf of said contractor or subcontractor from the full weekly wages earned by any person. No deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat.948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. 276c), and described below in Section 1(b).

1 a) Exceptions

Name	Craft	Explanation	When will this person be paid?

Signature:

Date:

1 b) Description of Deductions

(2) Any payrolls otherwise under this contract required to be submitted for the above period are correct and complete. The wage rates for laborers or mechanics contained are not less than the applicable wage rates contained in any wage determination incorporated in to the contract. The classifications set forth for each laborer or mechanic conform with the work performed.

(3) Any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a state, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

4) (a) Where fringe benefits are paid to approved plans, fund, or programs.

In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above-referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section

b) Where fringe benefits are paid in cash.

Each laborer or mechanic listed in the above -referenced payroll has been paid, as indicated on the payroll an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) below.

(c) Exceptions

Craft	Explanation

Remarks:



Fringe Benefit Funds

APPROVED

- ☺ Health & Welfare
- ☺ Vacation
- ☺ Pension
- ☺ Skill Improvement
- ☺ Labor Management
- ☺ Education,
Apprenticeship,
& Training

NOT APPROVED

- ☹ Food, Lodging, Mileage,
Riding Time, Call-In Time
- ☹ Overtime
- ☹ Worker's Comp
- ☹ Contractor's Transportation
Education Fund (TEF)
- ☹ Vehicle Use
- ☹ Uniforms
- ☹ Payment for Tools



Fringe Benefit Requirements

- ▶ Contributions to fringe benefit plans must be made no less than quarterly.
- ▶ Fringe benefits must be “bona fide”.
- ▶ Fringe benefits must be credited to include all hours worked (public and private work).
- ▶ Must be irrevocable (cannot be taken back).



Fringe Benefit Requirements

- ▶ Fringe Benefits must be calculated individually for each employee. Do not use an “average” for all employees.
- ▶ Only the employer paid portion may be used to calculate the hourly value of fringe benefits.
- ▶ Employees must be notified of benefits and explained how to obtain them in writing.
- ▶ More Information:
<http://www.dol.gov/whd/recovery/pwrb/toc.htm>



How To Calculate Fringe Benefits:

Annual Cost of Benefits (employer paid portion) divided by total hours worked per year.

Health Insurance: \$200/month X 8 months =	\$1,600/year
9 Holidays: 9 days X 8 hours X \$20/hour =	\$1,440/year
<u>2 weeks vacation: 10 days X 8 hours X \$20/hour =</u>	<u>\$1,600/year</u>
Annual cost of benefit	\$4,640/year

Employee works (include all hours)

8 months out of a year : 8 months X 173 hrs/month = **1,384 hours**

The Calculation

$\$4,640 / 1,384 \text{ hours} = \mathbf{\$3.35 \text{ (per hour credit)}}$



Recommendations

- ▶ Review Prevailing Wage Resource Book-Section 9 DBA/DBRA Compliance Principles-Fringe Benefits:
<http://www.dol.gov/whd/recovery/pwrp/toc.htm>
- ▶ Review calculations annually for accuracy.
- ▶ Review and update fringe benefit templates annually in CRCS to ensure current rates are reflected (i.e. health insurance premium increase).
- ▶ Review payments to funds to ensure they are an approved/bona fide fringe benefit.



Deductions



Authorized Deductions:

ACCEPTABLE

- ☺ Charitable Contributions
- ☺ Court-ordered Wage Garnishments
- ☺ FICA
- ☺ Pension Plans
- ☺ Savings Bonds
- ☺ Union Dues

NOT ACCEPTABLE

- ☹ Clothing required by Employer
- ☹ Damage to Company Property
- ☹ Disciplinary Penalties
- ☹ Lodging
- ☹ Loss of Tools



Be Prepared to Verify Deductions

- ▶ Have a dated written agreement with the employee for all deductions
- ▶ A deduction cannot be taken as credit toward fringe benefits
- ▶ Itemize the deductions in CRCS under “OTHER” Deductions
- ▶ Provide details on the Statement of Compliance



Trucking



Trucking – Prevailing Wage Applies

- ▶ Contracts with federal funding:
 - Material from a Dedicated **AND** Virtually Adjacent Source (round trip)
 - Hauling materials or supplies from one location on the site of work to another location on the site of work
 - Time spent loading/unloading materials on the site of work if such time is more than de minimis
 - Excavated material or spoil hauled to a site indicated in the contract (round trip)



Trucking – Prevailing Wage Does Not Apply

- ▶ Hauls from a Non-Dedicated Source
- ▶ Time spent loading/unloading material on the site of work if such time is de minimis or less
- ▶ Delivery of materials by employees of a bona fide material supplier
- ▶ Excavated material or spoil hauled off the site of work





**Applies Only to Federally Aided Contracts/Projects
Let on or after November 14, 2017**

Prevailing Wages Required

- Hauls from a Dedicated AND Virtually Adjacent Source (round trip)
- Hauling materials or supplies from one location on the site of work to another location on the site of work
- Time spent loading/unloading materials on the site of work if such time is more than de minimis
- Excavated material or spoil hauled to a site indicated in contract (round trip)

No Prevailing Wages Required

- Hauls from a Non-Dedicated Source if such time is de minimis or less
- Time spent loading/unloading materials on the site of work if such time is de minimis or less
- Delivery of materials by employees of a bona fide material supplier if such time is de minimis or less
- Excavated material or spoil hauled off site of work if such time is de minimis or less





Wisconsin Department of Transportation Prevailing Wage Guidelines for Trucking

Applies Only to Federally Aided Contracts/Projects
Let on or after November 14, 2017



1. Dedicated AND adjacent or virtually adjacent: Borrow pit, stockpile site, concrete or asphalt batch plant source, etc., that has NOT been open and making sales of that material to the general public within the previous twelve months of the day the project was let to contract (bid opening date - not awarded), AND adjacent or virtually adjacent to the site of the work. Generally, WisDOT will consider any borrow pit, stockpile site, concrete or asphalt batch plant source whose boundary is located a half mile or less (as the crow flies) of the closest right of way boundary or termini to the project as adjacent or virtually adjacent. US DOL Field Operations Handbook, Chapter 15; https://www.dol.gov/whd/FOH/FOH_Ch15.pdf

2. Time spent on site: Drivers of a contractor or subcontractor (including trucking companies) for time spent working on the site of work. This includes: a) Drivers of a contractor or subcontractor for time spent loading and/or unloading materials and supplies on the site of the work. b) Truck drivers who haul materials or supplies from one location on the site of the work to another location on the site of the work are “mechanics and laborers employed directly upon the site of the work,” and therefore, entitled to prevailing wages. U.S. Department of Labor Prevailing Wage Resource Book, DBA/DBRA Compliance Principles; <https://www.dol.gov/whd/recovery/pwrb/Tab9.pdf>

3. Exception: Truck drivers whose time spent on the site of the work is de minimis, such as only a few minutes at a time merely to pick up or drop off materials or supplies. There is no commonly accepted percentage of time used to determine de minimis. WisDOT will not determine or approve a percentage. In determining whether a truck driver's time spent on the site of the work is more than de minimis, USDOL recommends basing the percent of time spent on the site of the work on all of the hours the truck driver works in any given workweek rather than the truck driver's daily hours. US DOL Field Operations Handbook, Chapter 15; https://www.dol.gov/whd/FOH/FOH_Ch15.pdf

4. Bona fide material suppliers: the manufacture and delivery to the work site of supply items such as sand, gravel, and ready-mixed concrete, when accomplished by a bona fide material suppliers operating facilities serving the public in general. US DOL Field Operations Handbook, Chapter 15; https://www.dol.gov/whd/FOH/FOH_Ch15.pdf

This document is intended to be a guideline for contractors in complying with Davis-Bacon and Related Act and other labor laws. It is not meant to replace or preclude any law. If any conflict exists between this guide and federal and state law, the federal or state law will prevail.



Trucking in brief...

- ▶ Prevailing wages are owed to truck drivers for:
 - Work on the site of the project
 - Work at a dedicated site
 - Hauls from a site that is dedicated AND adjacent or virtually adjacent
 - Hauls of spoil to a site specifically indicated in the contract (i.e., usually hazardous materials, etc.)



Common Trucking Issues

Issues that create the greatest number of payroll problems include:

- ▶ Record keeping - incomplete or lack of records regarding hauls, the material being hauled, employee work hours, and project information
- ▶ Misinterpreting or not following WisDOT trucking guidelines



Common Trucking Issues (continued)

- ▶ Not providing contract requirements to subcontractors at all tiers – FHWA 1273 and prevailing wage rates
- ▶ Owner Operators reported as employees
- ▶ Employees misclassified as Independent Contractor/ Owner Operator.
- ▶ Not assigning trucking firms as subcontractors in CRCS
- ▶ Not submitting certified payrolls within 7 days



Trucking Recommendations

- ▶ Inform your subs when a haul requires prevailing wage and make sure they have the correct wage rates.
- ▶ Establish good record keeping:
 - Create a way to track trucks, trucking tickets, hours, materials, source of material, destination, etc.
- ▶ Verify payrolls are submitted by your subs prior to issuing progress payments.
- ▶ Refer to the trucking guidelines – if you have a question ask the regional LCS.



NAHP Compliance

- ▶ New Role: Labor Compliance Specialists will be working with WisDOT's Tribal Affairs staff to implement the changes to the provision and monitor compliance. LCS participation will include:
 - Attendance at the Pre-Advertising Meeting
 - Pre-bid monitoring
 - Attendance at the Tribal Coordination Meeting
 - Report monitoring during and after the project
 - Withholding payment for non-compliance with the provision.



Roles and Responsibilities



Contractor's Responsibilities

- ▶ Chain of Command - Hiring sub, Prime, WisDOT
- ▶ Provide your subcontractor with the prevailing wage rates and any addendums (if applicable) and any contract requirements such as FHWA 1273, etc.
 - Flow-down
- ▶ Ensure that CRCS reporting requirements are met for all subs (payrolls if applicable, payments, etc.)
- ▶ The Prime contractor is required to monitor and ensure that the DBE Commitment is met



Contractor's Responsibilities Continued...

- ▶ See that your subs have an acceptable accounting and reporting practice.
- ▶ Stay in contact with your Labor Compliance Specialist (LCS) regarding issues and follow up with subcontractors regarding non-compliance.
- ▶ Review the wage determinations to ensure all applicable classifications are listed (if applicable).
- ▶ Prime Contractor Responsibility:
 - Talk to your subcontractors and enforce that your subs do the same.



Before You Bid:

- ▶ Look for addendums on the Highway Construction Contract Information (HCCI) website (plan changes, wage rates if applicable, etc.).
- ▶ On HCCI, go to Construction bid letting-General process overview: <http://wisconsindot.gov/Pages/doing-bus/contractors/hcci/bid-let.aspx>
- ▶ Verify that all required classifications that are needed to complete the work are listed in the wage rates if applicable. If not, contact your Labor Compliance Specialist.



Resources for WisDOT Highway Contracts

HCCI

- ▶ Proposals
- ▶ LC and DBE contacts
- ▶ Contract Schedule
- ▶ Contract Payments
- ▶ CRCS Manual
- ▶ CMM

<http://wisconsindot.gov/Pages/doing-business/contractors/hcci/default.aspx>

CRCS

- ▶ Project info
- ▶ Wage rates
- ▶ Contact info

<https://wisdot.ecomply.us/default.aspx?ReturnUrl=%2flogout.aspx>



Labor Compliance Specialist

- ▶ New projects
 - Will do an initial overview and share vital information with the prime and subcontractors at the preconstruction meeting
- ▶ Will utilize CRCS to manage the project
 - Payroll reviews (if applicable)
 - Payment reports
- ▶ When you'll hear from or see us:
 - In the field at wage/EEO interviews or at a weekly meeting
 - Call or letter regarding a LC issue or a rejection notice
 - When the project is substantially complete
- ▶ Communications
 - Will typically work directly with the prime contractor



Labor Compliance Investigations

- ▶ Sources of Investigations
 - ▶ Internal Referral
 - ▶ Formal Complaint
 - ▶ Follow up Compliance Review

- ▶ Notification is sent to prime contractor, and includes contractor in question, WisDOT project staff
 - Prime contractor's responsibility to ensure WisDOT receives all requested information by the deadline



Investigations Continued...

- ▶ WisDOT may withhold payments for non-compliance with deadlines and will not make a final payment until an investigation is closed.
- ▶ Failure to provide full, accurate, and timely information can lead to or result in suspension or debarment and referral to another agency

http://docs.legis.wisconsin.gov/code/admin_code/trans/504.pdf



Please keep in mind...

- ▶ **Numerous prevailing wage law changes have occurred** these last few years and careful attention should be paid to the rules your contract was let under—when in doubt, contact us!
- ▶ **Education** of agencies, industry, truckers, and workers is on-going and we must continue to work together to stay informed and up to date.



In Summary...

- ▶ **Communication with WisDOT** will be essential to address any concerns as they arise. We have tried to anticipate, update, review, and address everything that is affected by law changes; however, there will always be situations that come up or things that have been inadvertently missed that will need to be addressed. When in doubt, contact us—we are your partners to assist you with compliance.



Question & Answer Session

