

EXHIBIT VIII-W

PRECONSTRUCTION CHECKLIST FOR CONTRACTORS: MEETING LABOR STANDARDS CONTRACT REQUIREMENTS

INTRODUCTION. The following checklist has been prepared to assist contractors and subcontractors in meeting contractual labor standards responsibilities. All major administrative and procedural activities have been covered in the sequence they will occur as the construction project proceeds. Careful attention to and use of the checklist should result in a minimum number of problems with respect to labor standards.

EXPLANATORY NOTES. The word "employer" as used below refers to the project contractor, each subcontractor, or each lower-tier subcontractor. Payrolls and other documentary evidence of compliance **MARKED WITH ASTERISK ARE REQUIRED TO BE SENT TO THE RECIPIENT FOR REVIEW (ALL TO BE SUBMITTED THROUGH THE PROJECT CONTRACTOR).** The delivery procedure is as follows:

- Each **LOWER-TIER SUBCONTRACTOR**, after careful review, submits required documents to the respective subcontractor.
- Each **SUBCONTRACTOR**, after checking his own and those of each lower-tier subcontractor he may have, submits required documents to the contractor.
- The **CONTRACTOR**, after reviewing all payrolls and other documentation, including his own, and correcting violations where necessary, submits all to the recipient.

ALL EMPLOYERS SHOULD CHECK EACH OF THE FOLLOWING STATEMENTS AS BEING TRUE. IF ANY STATEMENT IS NOT TRUE, THE CONTRACTOR OR HIS REPRESENTATIVE SHOULD CONTACT THE RECIPIENT FOR SPECIAL GUIDANCE.

BEFORE CONSTRUCTION BEGINS EACH EMPLOYER HAS:

- _____ Not been debarred or otherwise made ineligible to participate in any Federal or Federally-assisted project.
- _____ Received appropriate contract provisions covering labor standards requirements.
- _____ Reviewed and understands all labor standards contract provisions.
- _____ Received the wage decision as part of the contract.
- _____ Requested through the recipient and received the minimum wage for each classification to be worked on the project which was not included on the wage decision by the ADDITIONAL CLASSIFICATION process and before allowing any such trade(s) to work on the project.
- _____ Requested and received certification of his apprentice program from the State's Bureau of Apprenticeship and Training (recognized by USBAT) and submitted copy thereof to the recipient prior to employment on the project. Likewise, "trainee" program certification from U.S.B.A.T. if applicable, must be submitted.

EXHIBIT VIII-W, Cont.

AT CONSTRUCTION START THE CONTRACTOR HAS:

- _____ Notified recipient of construction start date in writing.
- _____ Has placed each of the following on a bulletin board prominently located on the project site which can be seen easily by the workers (and replaced if lost or unreadable any time during construction):
 - ___ Wage Decision
 - ___ Notice to Employees (**EXHIBIT VIII-U-2**)
 - ___ Safety and Health Protection on the Job (DOL)
- _____ Before assigning each project worker to work, has obtained worker's name, best mailing address, and Social Security Number (for payroll purposes).
- _____ Has obtained a copy of each apprentice's certificate with the apprentice's registration number and his year of apprenticeship from the State BAT.
- _____ Has informed each worker of:
 - ___ His work classification (journeyman or job title) as it will appear on the payroll.
 - ___ His duties of work.
- _____ Understands the requirements that each laborer or mechanic who performs work on the project in more than one classification within the same work week shall be classified and paid at the highest wage rate applicable to any of the work which he performs UNLESS the following requirements are met:
 - ___ Accurate daily time records shall be maintained. These records must show the time worked in each classification and the rate of pay for each classification, and must be signed by the workman.
 - ___ The payroll shall show the hours worked in each classification and the wage rate paid for each classification.
 - ___ The payroll shall be signed by the workmen or signed copy of the daily time record shall be attached thereto.
- _____ Has informed each worker of his hourly wages (not less than the minimum wage rate for his work which is stated in the Wage Decision).
 - ___ Time and a half for all work over 40 hours any work week (see Contract Work Hours Safety Standards Act).
 - ___ Fringe benefits, if any (see Wage Decision for any required). Deductions from his pay.
- _____ Has informed each worker that he is subject to being interviewed on the job by the recipient or a State monitor, or a HUD, Department of Labor, or other U.S. Government inspector, to confirm that his employer is complying with all labor requirements.

EXHIBIT VIII-W, Cont.

_____ Has informed each journeyman and each apprentice that journeyman must be on the job at all times when an apprentice is working.

DURING CONSTRUCTION

Each Contractor:

_____ Has 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.

_____ Will maintain basic employment record accessible to inspection by the recipient or U.S. Government representatives.

_____ Is complying with all health and safety standards.

_____ Has paid all workers weekly.

_____ Has submitted weekly or bi-weekly payrolls. (Agree at the beginning as to weekly or bi-weekly payrolls. Both are acceptable)

Form WH-347 (**EXHIBIT VIII-S**) may be used and is available from:

Superintendent of Documents
Government Printing Office
Washington, D.C. 20402

Contractors who wish to purchase the forms shall be urged to enter their orders promptly because the Superintendent of Documents takes six weeks to fill orders. IT IS PERMISSIBLE FOR CONTRACTORS TO REPRODUCE THE FORMS IF THEY WISH.

Payroll Forms should include:

_____ **NAME OF EMPLOYER.** Name of employer is stated showing whether contractor or subcontractor.

_____ **ADDRESS.** Street address or P.O. Box, City, State, and Zip Code of Employer is stated.

_____ **PAYROLL NUMBER.** Each weekly payroll is numbered in sequential order (starting with Payroll No. "1").

(If employer's workers perform no physical work on the project during workweek, he may submit a "no work" payroll form for that workweek.)

Payroll of employer's final workweek on the project (completion of his work) should be marked "Final."

_____ **FOR WEEK ENDING.** The last date of the workweek is stated in this "block."

_____ **PROJECT AND LOCATION.** Name of project and city in which located is stated.

_____ **WORKER'S NAME,** as it appears on his paycheck is stated.

Worker's best mailing address and social security number is stated on Payroll No. 1 or the payroll on which his name first appears.

EXHIBIT VIII-W, Cont.

_____ If worker changed his residential address while working on the project, his new address is stated on next applicable payroll.

_____ **NUMBER OF WITHHOLDING EXEMPTIONS** is for employer's convenience - not required to be completed.

_____ **THE WORK CLASSIFICATION** (job title) for the worker is included in the Wage Decision and denotes the work that worker actually performed. **NOTE: If the applicable classification is not included in the Wage Decision, the contractor should call the recipient immediately, and request classification by Additional Classification.**

_____ **APPRENTICE.** If worker is an apprentice, his State BAT registration number and year of apprenticeship is included in this column the first time the apprentice's name appears on the payroll.

_____ **SPLIT CLASSIFICATION.** If worker has performed more than one class of work during the workweek, such as carpenter and laborer, the division of work will be shown on separate lines of the payroll.

_____ Accurate daily time records show the exact hours of work performed daily in each class of work, and are signed by the affected workman.

_____ Each class of work he performed is stated in separate "blocks."

_____ The breakdown of hours worked daily under each work classification is stated.

_____ The applicable wage rate for each classification of work is stated.

_____ The payroll is signed by the workman in the related "blocks" or a signed copy of the daily time records are attached to the payroll.

_____ If the above is not done, the worker is paid at least the highest minimum wage rate of all the classes of work performed for all hours worked.

NOTES: AVERAGE PAY OF TWO CLASSES OF WORK NOT ACCEPTED. The employer shall not pay a "semi-journeyman" or semi-skilled laborer the average of journeyman's and laborer's rates. The actual hours each worker uses tools of trade (journeyman) and each hour he does not use tools of the trade (laborer) must be recorded separately on the payroll.

_____ **HOURS WORKED, EACH DAY AND DATE,** for workweek are stated.

_____ **TOTAL HOURS** worked during the workweek are stated. Straight and overtime hours recorded separately.

_____ **RATE OF PAY,** not less than the minimum wage rate for the work classification (see Wage Decision) is stated.

_____ **THE OVERTIME RATE OF PAY** is not less than 1-1/2 times the worker's basic (straight) hourly rate of pay (Contract Work Hours Safety Standards Act).

_____ **GROSS AMOUNT EARNED** equal straight hours shown times straight rate of pay shown plus overtime hours (if any) shown times overtime rate of pay shown.

EXHIBIT VIII-W, Cont.

_____ **DEDUCTIONS.** Each deduction made is required by law; voluntarily authorized by the worker in writing before the workweek began, or provided in a bargaining agreement to be deducted from the respective worker's pay.

_____ **NET WAGES** stated are gross amount earned minus total deductions shown.

BACK OF PAYROLL Form WH-347) (**EXHIBIT VIII-S**

Each Employer has:

_____ Completed all blank spaces and understands the penalties for falsification.

_____ Checked Item 4 if fringe benefits are included in the Wage Decision for any of his workers.

_____ ___ 4(a) if fringe benefits are paid to approved fund(s), or

_____ ___ 4(b) paid directly to each affected worker included in paycheck for the workweek his paycheck representing at least the pay of the applicable minimum wage rate plus the amount of required fringe benefits.

_____ Manually signed the payroll in the "block" marked signature, and stated his title.

_____ The person who signed the payroll is the employer or an official of the employer who legally is authorized to act for the employer.

_____ WEEKLY PAYROLL REVIEW. Each employer has promptly: reviewed the weekly payroll for compliance with all labor requirements (using this Check List) and made necessary corrections.

_____ Contractor must submit his weekly payroll and all subcontractor's weekly payroll within 7 days of the last date of the respective work week to the recipient.

AFTER PROJECT COMPLETION

_____ Each Employer will keep all weekly payrolls on the project for 3 years after the contractor's project completion date.