

BEFORE FILING A PREVAILING WAGE CLAIM,
PLEASE READ THESE INSTRUCTIONS CAREFULLY!

Do Not Fill Out The Prevailing Wage Complaint Form If:

- You acted as an "independent contractor" and not as an "employee" of the business.
- You are self-employed or an owner/operator.
- You have filed suit against your employer for the same prevailing wage claim.
- You already have a civil court judgment involving this claim.
- You are trying to obtain a W-2 or 1099. If so, you should contact the Internal Revenue Service at 1-800-829-1040.
- Your employer has filed bankruptcy or has been determined bankrupt. If so, you will need to contact the Bankruptcy Court for further instructions.
- You do not know your employer's address or location.
- You intend to file against more than one business. Use a separate prevailing wage claim form for each business against whom you wish to file a claim. Also, each claimant intending to file against an employer must use a separate claim form.
- The statute of limitations for your claim has expired. A 3-year statute of limitations applies when filing a complaint for prevailing wages.

FILING A PREVAILING WAGE CLAIM

IF THE CLAIM FORM IS NOT COMPLETED AS INDICATED IN THESE INSTRUCTIONS, IT MAY BE RETURNED TO YOU.

Read all questions on the claim form carefully before answering. Fill out the claim form completely, legibly and accurately, providing as much of the requested information as possible. In order for your claim to be processed the following information must be provided:

- Name and address of the complainant.
- Provide a telephone number where you may be reached during the day. ***If your address or telephone number changes, it is your responsibility to notify the Department immediately or your claim may be closed.***
- Name and address of contractor alleged to have committed the violation. Your claim will be returned if a complete address is not provided.
- Contracting agent name and address, project name and description, location where the work was performed; and construction dates.

- Description of the complaint.
- Identify each classification alleged to be underpaid.
- Attach copies of any documents that you have, which support your claim such as an employment contract, time records, check stubs, fringe benefit policies, etc.

A prevailing wage claim may be filed in person from 8 a.m. to 5 p.m., Monday through Friday, or by mailing to:

**Department of Labor & Economic Growth
Wage & Hour Division
6546 Mercantile Way, Suite 5, PO Box 30476
Lansing, Michigan 48909-7976**

When the Wage & Hour Division receives your claim form the following steps are taken:

1. The claim form is given to an investigator to review. The investigator determines if all of the required information is on the claim form and whether investigation of the claim is within the division's authority.
2. The claim is then opened and a notification letter sent by the division to the employer requesting a written response within 14 working days. The letter requests documentation regarding the claim that has been filed and/or a check for any portion of the claim not disputed. Any monies received will be forwarded to you. You do not need to contact the Wage & Hour Division to receive payment.
3. All investigators work on a first-in, first-out basis. This means that you will not be contacted by the investigator assigned to your claim until the claim comes up in rotation on his/her caseload. This may take a while. An investigation usually begins 30-60 days after a complaint is received. The time required to complete an investigation depends on the cooperation of the parties involved and the complexity of the claim. In the interim, you should obtain whatever records or documentation you have to support your claim and (have it available when the investigator contacts you) forward it to the division.
4. It is important that you notify the Wage & Hour Division of any change in your address or daytime phone number. Failure to report this information will delay the investigation of your complaint. In addition, the division cannot mail any monies received without a current address.

By filing this claim with the Wage & Hour Division, you are electing a remedy which may prevent you from pursuing this claim elsewhere, including civil court.

