

In Depth Examinations

In-Depth Examination

When an apparent prevailing wage compliance violation arises and an in-depth examination of the certified payroll records becomes necessary, the engineer is to contact the region coordinator for prevailing wage compliance for guidance and assistance. It is imperative that during any examination the identity and privacy of all individuals be protected. DBRA regulations require strict confidentiality for individuals. All discussions and communications with contractors and others must be general and all encompassing so individuals can not be singled out. Examinations may be required due to a number of reasons including, but not limited to, the following:

- Wage rate interview issues
- Employee complaint
- Certified payroll discrepancies
- Fraud and Abuse Hot Line calls
- Laborer's Council requests
- Contractor requests
- Inspector observations
- Other issues

Depending on the nature of the issue, a number of avenues may be pursued. Examinations will need to utilize, but will not be limited to, the following:

- Information in the project files which may include: IDRs, certified payrolls, payroll status records, wage rate interviews, diaries, force account records, delivery tickets, progress reports or other sources from the files and other readily available project information.
- Interviews with present and former employees of the contractor.
- Documentation from employees such as time cards and check stubs.
- Information from the contractor or subcontractor(s).

The examination may require detailed observation of the contractor's activity on the job and documenting the number of workers, hours on the project and equipment in use. It is important that any information gathered and used in any examination be factual and accurate, as it may have to withstand the scrutiny of a court proceeding. The information from these and any other sources should be reviewed and analyzed to either support the existence of a violation, that no violation has occurred, or that there is not enough evidence to make a determination and further investigation is needed.

When it is determined that an investigation will need to go beyond what is readily available to the engineer in the project files and other sources, the C&T Division's prevailing wage compliance specialist is to be contacted. The situation will be reviewed and a determination made whether to pursue the issue further and turn it over to others to perform the investigation.