Prevailing Wage Compliance 2022

Prevailing Wage Components

Contract Documents

Wage Decisions

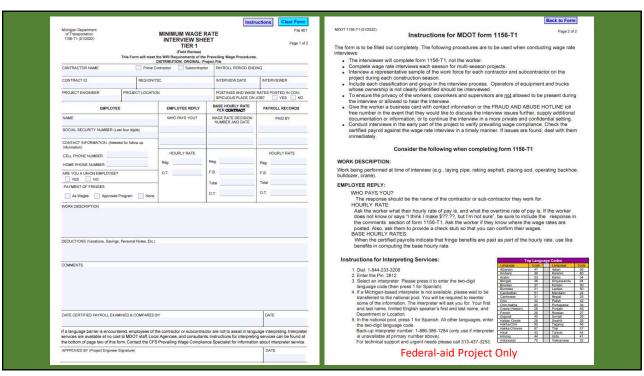
Wage Rate Interviews

Overtime Certified Payrolls Truck Drivers

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Form 1156-T1

MDOT 1156-T1 (01/2022)

Instructions for MDOT form 1156-T1

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The form is to be filled out completely. The following procedures are to be used when conducting wage rate interviews:

- The interviewer will complete form 1156-T1, not the worker.
- Complete wage rate interviews each season for multi-season projects.
- Interview a representative sample of the work force for each contractor and subcontractor on the project during each construction season.
- Include each classification and group in the interview process. Operators of equipment and trucks whose ownership is not clearly identified should be interviewed.
- To ensure the privacy of the workers, coworkers and supervisors are <u>not</u> allowed to be present during the interview or allowed to hear the interview.
- Give the worker a business card with contact information or the FRAUD AND ABUSE HOTLINE toll
 free number in the event that they would like to discuss the interview issues further, supply additional
 documentation or information, or to continue the interview in a more private and confidential setting.
- Conduct interviews in the early part of the project to verify prevailing wage compliance. Check the
 certified payroll against the wage rate interview in a timely manner. If issues are found, deal with them
 immediately.

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Form 1156-T1

Consider the following when completing form 1156-T1

WORK DESCRIPTION:

Work being performed at time of interview (e.g., laying pipe, raking asphalt, placing sod, operating backhoe, bulldozer, crane).

EMPLOYEE REPLY:

WHO PAYS YOU?

The response should be the name of the contractor or sub-contractor they work for HOURLY RATE:

Ask the worker what their hourly rate of pay is, and what the overtime rate of pay is. If the worker does not know or says "I think I make \$??.??, but I'm not sure", be sure to include the response in the comments section of form 1156-T1. Ask the worker if they know where the wage rates are posted. Also, ask them to provide a check stub so that you can confirm their wages. BASE HOURLY RATES:

When the certified payrolls indicate that fringe benefits are paid as part of the hourly rate, use like benefits in computing the base hourly rate.

Wage Rate Interviews

- Interviews must be performed at least once for each craft of worker employed by each contractor/subcontractor on-site for federally funded projects.
- Conduct interviews in the early stages of the project to verify PW compliance.
- For multi-year projects, wage rate interviews are to be conducted with all contractor/subcontractors each season that they perform work.
- · Complete interviews electronically when possible.
- Ensure completed interviews are submitted to office tech.
- Check the certified payroll against the wage rate interview in a timely manner so issues may be resolved quickly.

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Wage Rate Interviews

Describe the tasks you observed the worker performing

- DO NOT classify as 'laborer' or 'operator' only.
- There are many classes of laborer with different pay rates. Are they setting forms, raking HMA, or installing sprinklers?

Determine the worker's pay rate:

- Project rate of pay
- 'Open Shop' rate of pay (private work)
- If the worker does not know their rate of pay:
 - A comment on the wage rate interview is <u>required</u>.
 - The worker should be encouraged to review the required jobsite postings.
 - Additional concerns can be directed to the Fraud & Abuse hotline if the worker is uncomfortable discussing with project staff.

Wage Rate Interviews

Determine the type of <u>fringe benefits</u> the worker may receive.

• Health, 401k, vacation, sick days, etc.

Determine number of weekly hours worked.

- Normal weekly hours paid on a weekly check from employer.
- Are they paid overtime for hours worked after 40 weekly hours.

Document contact information (cell or home phone).

- This is not required.
- It is encouraged to conduct a follow up interview if there are certified payroll discrepancies.

Information collected verifies the accuracy of the certified payroll.

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Wage Rate Interviews

- It is the employer's responsibility to inform <u>their employees</u> about prevailing wage and the proper pay rates.
- Interviewers are not expected to be wage experts.
- Workers must cooperate during the wage rate interview process
 - Some times are better than others.
- Worker may respond that they're paid a salary.
 - Method of compensation does not circumvent the prevailing wage requirements
 - Nonexempt (i.e., 29 CFR 541) salaried employees are only due the applicable prevailing wage rate for time spent performing covered work on-site.
 - Consider adding additional observations where appropriate.