

“Site of Work” Foreman / Superintendents

- **Question: What wage rates must be paid to supervisory employees (foremen, superintendents, etc.) employed on a covered project?**
- The wage rates for bona fide supervisory employees are not regulated under the [Davis-Bacon and Related Acts](#) because their duties are primarily administrative or executive in nature rather than those of laborers or mechanics.
- Employees who are bona fide executive, administrative, or professional employees as defined under the Fair Labor Standards Act at [29 CFR Part 541](#) are not covered by the Davis-Bacon Act.
- **However, such employees who devote more than 20 percent of their time during a workweek to mechanic or laborer duties are laborers and mechanics for the time so spent and must be paid at least the appropriate wage rates specified in the wage determination.**

“Site of Work” Foreman / Superintendents

- **“Site of Work” Working Foreman**

- Working foremen or supervisors that spend more than 20 percent of their time performing construction work of a Laborer or Mechanic are covered under prevailing wage provisions for the time spent performing the construction work.
- All working foremen performing work on the “site of work” are required to be shown on a certified payroll.
- Certified payroll “work classification” requirements:
 - Foreman “Exempt”
 - Foreman- “WD Identifier”
 - (appropriate wage Identifier in wage decision)

“Site of Work” Foreman / Superintendents

Working Foreman: Certified Payroll

- Foreman “Exempt”

Working foreman may qualify for the 29 CFR 541-exemption due to the matter of fact that they have not performed laborer and/or mechanic work on the “site of work” more than 20% of their time.

Foreman “Exempt” - certified payroll requirement:

- Working foreman on the “site of work” are required to be shown on the certified payroll with the “exempt” work classification.
 - All work hours on the “site of work” that are covered by laborer and/or mechanics are required to be listed on the certified payroll.
 - Due to the “exempt” status, payment information is not required.

“Site of Work” Foreman / Superintendents

Working Foreman: Certified Payroll

- Foreman “WD Identifier”

Working foreman who perform the work of a laborer and/or mechanic on the “site of work”.

Foreman “WD Identifier” - certified payroll requirement:

- Foreman- “work classification” examples below:
 - Foreman- ENGI0324-006, Foreman- ENGI0324-005, Foreman- LABO0465-001, Foreman- LABO0334-001
 - Foreman- “WD Identifier”
 - » (appropriate wage Identifier in Wage Decision)
- All work hours on the “site of work” and the corresponding payment information for the work covered by laborers and/or mechanics are required to be listed on the certified payroll. 4