



## OREGON BUREAU OF LABOR AND INDUSTRIES

# PREVAILING WAGE RATE COMPLAINT FORM

The Oregon Bureau of Labor and Industries accepts complaints involving non-payment of prevailing wages for work performed on a public works project from employees or non-employees, including contractors, trade unions and/or other interested parties. If you suspect that a contractor has failed to pay prevailing wages to its workers, complete the Prevailing Wage Complaint Form (WH-168) and submit it, with your evidence, to our office.

Pursuant to the Public Records Law, the information provided on this complaint form, including the name of the complainant may be provided upon request to the business against which the complaint is filed. You are not required to include your name on the complaint form. However, be advised that if the information provided is not sufficient or there are any questions regarding the complaint and we are unable to contact you, no further action may be taken.

### Instructions

1. **Form submission guideline:**

- If your complaint involves more than one employer on the same project, *submit a form for each employer.*
- If your complaint involves more than one project, *submit a form for each project.*

**Note: Forms that list multiple employers or projects, or that are not properly completed and/or signed will be returned to you for additional information.**

2. **Answer questions as completely as possible.** You do not have to provide an answer to every question. If you do not have a response, mark "unknown" in the space provided. If you cannot be specific, give a general or an estimated response. If you need more space, attach additional sheets.
3. **You must provide evidence** such as time cards, check stubs, certified payroll reports, statements from witnesses, photos, or any other documents that substantiate your complaint. **Keep your original records.**
4. **If you are an employee on a public works project and have a claim for unpaid prevailing wages or fringe benefits you MUST complete a wage claim form in addition to the complaint form.** The Wage Claim form is available on line at [www.oregon.gov/boli/whd/docs/wageclaim.pdf](http://www.oregon.gov/boli/whd/docs/wageclaim.pdf) or at any BOLI office. Please read the cover page, "How to File a Wage Claim," for directions on completing the Wage Claim form.
5. Complaints and claims for unpaid prevailing wages or benefits must be filed **as soon as possible** to ensure BOLI's ability to enforce the law.
6. **Keep a copy of your complaint for your own records and send completed complaints to:**  
**Oregon Bureau of Labor and Industries**  
**Attn: Prevailing Wage Rate Unit**  
**800 NE Oregon Street, Suite 1045**  
**Portland, OR 97232**
7. If you need assistance or have any questions regarding this form, contact Mike Kern at (971) 673-0839.



**OREGON BUREAU OF LABOR AND INDUSTRIES**  
**Wage and Hour Division**  
**PREVAILING WAGE RATE UNIT**

**For Office Use Only:**  
 Received by: \_\_\_\_\_ Date Received: \_\_\_\_\_

File No: \_\_\_\_\_

**PREVAILING WAGE RATE COMPLAINT FORM**

**NOTE:** Pursuant to the Public Records Law, the information provided on this complaint form, including the name of the complainant, may be provided upon request to the business against which the complaint is filed. You are not required to include your name on the complaint form. However, be advised that if the information provided is not sufficient or there are any questions regarding the complaint and we are unable to contact you, no further action may be taken.

**PLEASE PRINT**

<b>COMPLAINANT INFORMATION</b>			
Name:			
Address:			City:
State:	Zip:	Email Address:	
Home Telephone:	Work Telephone:	Cell Telephone:	Other Telephone:
<b>PROJECT INFORMATION</b>			
Name of Project:		Project Number:	Date Project was first advertised:
Name of Contracting Agency:		Prime Contractor:	
Type of Construction: <input type="checkbox"/> Road <input type="checkbox"/> Bridge <input type="checkbox"/> Building <input type="checkbox"/> Park <input type="checkbox"/> Other		Is the Project Complete? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Project Location: Highway or Street:			
City:		County:	
Crossroad or Intersection:			
<b>EMPLOYER INFORMATION (CONTRACTOR/SUBCONTRACTOR YOU ARE COMPLAINING ABOUT)</b>			
Name:		Address:	
City:	State:	Zip:	Telephone:
Were you employed by this employer? <input type="checkbox"/> Yes <input type="checkbox"/> No	Date this employer first started work on the project:	Date this employer stopped work on the project:	How many workers worked for this employer?
<b>COMPLAINT INFORMATION</b>			
Nature of Complaint (more than one may apply): <input type="checkbox"/> Wage Rate <input type="checkbox"/> Overtime <input type="checkbox"/> Fringes <input type="checkbox"/> Classification		Work Performed:	
Please briefly describe your complaint.			
Dates worked on this project: From: _____ To: _____		Total hours worked on this project: REG: _____ OT: _____	How often were employees paid? <input type="checkbox"/> Weekly <input type="checkbox"/> Bi-weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Other _____

Complaint Continued on Back of Form

<b>Hourly Rate of Pay for:</b> REG      OT Project Work?      \$      \$ Non-Project work?      \$      \$		<b>Did you work on a shift schedule?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, which shift? <input type="checkbox"/> day <input type="checkbox"/> night		<b>Were you paid overtime at 1½ times your hourly rate of pay after:</b> 8 hrs/day? <input type="checkbox"/> Yes <input type="checkbox"/> No 10 hrs/day? <input type="checkbox"/> Yes <input type="checkbox"/> No 40 hrs/wk? <input type="checkbox"/> Yes <input type="checkbox"/> No Other? _____	
<b>How were you paid?</b> <input type="checkbox"/> Check <input type="checkbox"/> Cash <input type="checkbox"/> Check and cash <input type="checkbox"/> Other _____		<b>Hours were recorded by:</b> <input type="checkbox"/> Time card/sheet <input type="checkbox"/> Called into office <input type="checkbox"/> Recorded by foreman <input type="checkbox"/> Other _____		<b>Were the prevailing wage rates posted on the job site?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, where? _____	
<b>Did you receive any fringe benefits?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, select: <input type="checkbox"/> Health Insurance <input type="checkbox"/> Training <input type="checkbox"/> Vacation <input type="checkbox"/> Sick Leave <input type="checkbox"/> Holidays <input type="checkbox"/> Pension <input type="checkbox"/> Life Insurance <input type="checkbox"/> Other _____			<b>Were you a registered apprentice?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Which trade? _____ Training % level: _____		<b>Are you covered by a collective bargaining agreement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Trade and Local #? _____
<b>Did you receive cash payment for fringes?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No. If yes, how much \$ _____			<b>Did you receive a regular meal period?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No What was the length of your meal period? _____ When were they provided? _____		
<b>Did you receive regular rest breaks?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If so, how many per day? _____ What was the length of your breaks? _____ When were they provided? _____			<b>Are there any inspector(s), other employee(s) or supervisor(s) who can verify your work performed on this project?</b> Include name(s), title(s) and phone number(s) or address(es): _____		
<b>Have any deductions been made without your written agreement?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No Explain: _____					
<b>List type and amount of hourly deductions taken by the employer from the total hourly rate of pay:</b> _____					
<b>Additional Comments:</b> _____					

To the best of my knowledge, the information that I have provided is true and accurate.

Complainant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Provide as many of the following records as possible (submit **COPIES** only):

- |                         |                   |                            |                     |
|-------------------------|-------------------|----------------------------|---------------------|
| -Written wage agreement | -Shift schedules  | -Log books                 | -Attendance roster  |
| -Personal time records  | -Time cards       | -Payroll check stubs       | -Foreman's employee |
| -Benefit handbook       | -Work site photos | -Certified payroll records | -Records/diaries    |

**Return to:**  
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**Wage and Hour Division**  
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