

U. S. DEPARTMENT OF LABOR

OFFICE OF THE SOLICITOR

WASHINGTON 25

JUN 22 1961

MEMORANDUM # 21

TO: AGENCIES ADMINISTERING STATUTES REFERRED TO IN 29 CFR,
SUBTITLE A, PART 5.

FROM: James M. Miller
Assistant Solicitor

SUBJECT: Wage Computation and Transcription Sheet
(Form SOL-164)

To facilitate the work of the contracting agencies in computing underpayments (and, where applicable, Eight Hour Laws penalties) in investigation reports involving apparent violations of the Davis-Bacon and related Acts, this Office has developed a new "Wage Computation and Transcription Sheet" (Form SOL-164), sample copies of which are enclosed.

While we realize that some agencies have developed their own forms for this purpose, and while the adoption and use of the new Form SOL-164 would be on a voluntary basis, we believe that the enclosed Form SOL-164 warrants your careful review and consideration. Proper use of this Wage Computation and Transcription Sheet, or of a form adapted from it, would not only substantially facilitate the computation work of the investigator, but would likewise facilitate our review of investigation reports submitted under the requirements of Regulations, Part 5.

If additional copies of the enclosed Form SOL-164 are desired, they will be furnished on request subsequent to July 1, 1961, when our supply will be adequate.

Enclosures

This was not sent to field offices.

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INSTRUCTIONS

Although Form SOL-164 is generally self-explanatory, the following instructions are provided to clarify the use of the column marked "Line":

1. Where an employee for whom computations are being made is found to have been misclassified only (i.e. no apparent falsification is indicated), and the misclassification pertains to only one craft, no entry need be made under the "Line" column. One full line across will suffice for each such workweek, with a notation being made in the "Remarks" column as to the proper classification in which the employee worked. If the misclassification involves more than one classification, the same procedure as above specified should be followed, using additional lines to show the time worked in the workweek in each such classification, together with the resultant underpayments and, if applicable, Eight Hour Laws penalties.

2. Where, however, apparent falsification of records is involved (basic records differ from certified payrolls submitted to agency), show appropriate comparisons and computations for each workweek by using 3 separate lines designated under the "Line" column as follows:
 - "a" - Relevant data based on certified payrolls submitted to agency;
 - "b" - Relevant data based on employer's basic records;
 - "c" - Relevant data as to proper classification, actual hours worked, rates paid, restitution and penalties due, based on the investigation made.

If the employee is found to have actually worked in more than one classification in a workweek, additional lines "c" should be used for such other proper classifications.

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