

LABOR COMPLIANCE REPORT

North Dakota Department of Transportation, Civil Rights Division

SFN 13082 (Rev. 08-2006)

Name of Complainant			
Address	City	State	Zip Code
Home Phone No.		Office Phone No.	
Project No.	Prime Contractor	Subcontractor (where applicable)	

Nature of complaint (improper job classification, overtime, incorrect wages or fringe benefits, kickback, etc.):

Outcome:

Amount of wages due:

1. Use additional paper where necessary.
2. Fill out one form for each individual filing a complaint.
3. Return this form, canceled check, and supplemental payroll to:

CIVIL RIGHTS DIVISION
ND DEPARTMENT OF TRANSPORTATION
608 E BOULEVARD AVE
BISMARCK ND 58505-0700

PROCEDURES FOR PROCESSING LABOR COMPLIANCE COMPLAINTS

1. Notify the Civil Rights Office **IMMEDIATELY** when a problem arises.
2. The employee or complainant **MUST** establish, in writing:
 - a. The nature of the complaint (improper job classification or wage rate, computation and payment of overtime hours, fringe benefit payments, etc.);
 - b. Actual wages paid;
 - c. Dates and times involved;
 - d. Number of hours worked, including overtime;
 - e. Type of work involved, including tools used or equipment operated;
 - f. Project number and location;
 - g. Name of prime contractor and subcontractor, where applicable;
 - h. Names of individuals involved; and
 - i. Any other pertinent information.
3. The employee or complainant should provide documentation wherever possible (time cards, check stubs, etc.).
4. If the situation is readily adjustable (minor payroll discrepancies or routine errors), make a recommendation for corrective action to the Civil Rights Division. Upon concurrence from the Civil Rights Division, notify the prime contractor and subcontractor, where applicable, of the findings in writing. Withhold, from any pending progress payments to the prime contractor, an amount sufficient to cover the claim.
5. If there is reason to believe that violations exist that are of a serious nature, or may be willful or criminal in nature, refer the matter to the Civil Rights Division for resolution.
6. After restitution has been made, forward this form, copies of the canceled checks (front and back), and copies of the supplementary payrolls to the Civil Rights Division.
7. Release any remaining funds being withheld pending the outcome of the complaint.