

D/L Book

U.S. DEPARTMENT OF LABOR

OFFICE OF THE SOLICITOR

WASHINGTON 25

MEMORANDUM # 58

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

FROM : Charles Donahue
Solicitor of Labor *CD*

SUBJECT : Wage Payment Information

Reference is made to Section 5.3 of Regulations Part 5, issued by the Department of Labor pursuant to Reorganization Plan No. 14 of 1950 (29 CFR, Subtitle A). Section 5.3(a)(3) of Regulations Part 5, provides that the Federal Agency (or State Highway Department under the Federal-Aid Highway Act of 1956) shall submit with its request for wage determinations any pertinent wage payment information which may be available. To date wage rate information received has been negligible. Compliance with Section 5.3(a)(3) and the policy set forth in this memorandum will greatly assist us in our constant effort to serve you better. The problem is especially acute in rural areas and in areas where collectively bargained rates may not prevail. When it becomes necessary to seek payment evidence after receipt of your request, compliance with the request is often delayed, and there is a strong possibility that sufficient information upon which to make a wage determination may not be received in time to meet scheduled bid opening dates. It is therefore requested that the following types of wage payment evidence be furnished for areas where the wage patterns are not clearly established:

1. Recent payrolls or payroll summaries from public contracts presently in progress or recently completed in the area (see Section 1.2(b) of Regulations Part 1, for definition of "area"). If these payrolls are not representative of the contractor's activities, earlier payrolls or data therefrom (not over one year old) will be furnished. Reasons for not using recent payrolls will be explained.

2. Wage rates paid on private projects in the area.

3. Signed collective bargaining agreements. (The Solicitor may request that parties to such agreements submit statements certifying to their scope and application.)

58

4. Wage rates determined for public construction by State and local officers pursuant to State or local prevailing wage legislation.

5. Any other information pertinent to the determination of prevailing wage rates.

NOTE: If no local construction work of a similar nature has been performed within the past year, information on nearest current or recent construction work (within one year) will be helpful.

For Federally assisted projects, local authorities such as county sewer commissions, housing authorities, etc., are often a valuable source of wage information.

The above wage data should indicate the name and address of contractors, subcontractors, location, name of projects, approximate cost, description of work, dates of construction (beginning and completion; or percentage of completion), types of projects, number of workers employed in each classification on each project, and the respective wage rates paid to such workers.

If wage data cannot be obtained, it is requested that at least names and addresses of contractors working in the locality of the proposed construction be furnished this office. If the names of contractors are not known but the names of projects are known, please furnish names of projects.

All agencies except State Highway Departments will forward requests on Form DB-11. Highway Departments must use Form DB-11(a). Each Form DB-11 should be typed with a dark ribbon so that the wage determination which you receive will be clear and legible.