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Project Construction and Contract Administration Contract Administration Job Site Posters Compliance

www.fhwa.dot.gov/federal-aidessentials

Contractors must have appropriate Federal and State posters on display at job sites for workers to view



Why Field Checks are Necessary

As employees in the American workforce, we have a right to work in an environment that is a fair and safe workplace for us. As such, employers are required by Federal law to make sure that their employees are *aware* of the legal protections available to them by physically displaying several Federal and State posters on the job site.



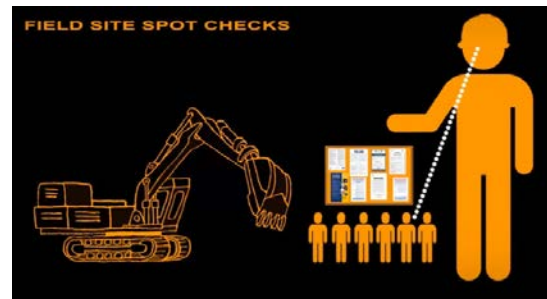
As the local public agency, LPA, your role is to verify that your contractors as employers on Federal-aid funded construction projects are in compliance with the requirement to display employment-related posters on the job sites. As a suggested good practice, provide a list of the required job site posters to your contractors prior to the actual start of work on your construction contract. This will allow the contractors to have their worksites ready in advance of the workers reporting to the worksite.

Field Site Spot Checks

To verify that your contractors on federally funded construction projects are in compliance with this requirement, perform detailed spot

checks on the worksite as part of your contract administration responsibilities.

The purpose of the spot checks is to confirm that the posters are properly displayed and are serving the intended purpose of providing accurate information to the employees.



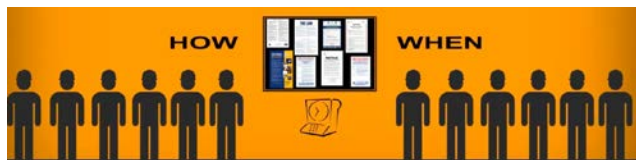
While your contractors may meet the initial requirement of displaying the posters, they must understand this is not a “one-and-done” requirement. The contractors should maintain their poster boards to ensure the posters remain current, legible, and reflect accurate information. Regardless of when you choose to conduct a spot check, the job site poster boards at your contractor’s worksites should be in compliance.

How to Conduct Field Site Review

If you provided the contractor a list of required posters, use that list as a checklist to answer the following questions while visiting the contractor’s worksite:

- Are all posters visibly displayed, easily seen, and readily accessible to all of your contractor's employees at the worksite?
- Is the poster board located where their employees are most likely to gather, such as the contractor's field office or carpool location?
- Are employees able to freely look at the information, without question, suspicion or influence?
- Are the posters legible and properly completed to include current contact names and telephone numbers?

Upon completion of your job site review, make sure you document and communicate your findings to your contractors. If deficiencies are found, let your contractor know how and when the deficiencies must be corrected and place documentation in the contract administration records.



Bottom line, make sure your contractors and their employees are aware of the workplace protections available to them by means of properly displayed posters.

Summary

As employers, contractors on federally funded projects are required to make their employees aware of the protections available to them as American workers, without question, suspicion or influence. For you, the LPA, this means confirming that contractors on Federal-aid projects have properly displayed the required posters to make employees aware of the workplace protections available to them.

Additional Resources

- FHWA list of required job-site posters
<http://www.fhwa.dot.gov/programadmin/contracts/poster.cfm>
- Regulations covering form FHWA-1273 dealing with Federal-aid contracts
<http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=2f2ef2bacf77078a9240f766d42ea55e&rgn=div5&view=text&node=23:1.0.1.7.22&idno=23>
- Information on workplace poster requirements for small businesses
<http://www.dol.gov/oasam/programs/osdbu/sbrefa/poster/matrix.htm>
- Information on Federal workplace posting requirements
<http://www.shrm.org/LegalIssues/StateandLocalResources/StateandLocalStatutesandRegulations/Documents/stateposting.pdf>

The content of this document is not a substitute for information obtained from State departments of transportation, appropriate FHWA Division Offices, and applicable laws. Scenarios have been simplified for emphasis and do not necessarily reflect the actual range of requirements applicable to the scenario or this topic. This document was created under contract number DTFH63-11-F-00066 by the Federal Highway Administration, U.S. Department of Transportation, and is offered to the public to heighten and focus awareness of Federal-aid requirements within the local public agencies community and reinforces the importance of these necessary policies, procedures, and practices.

This companion resource is the script content for the video production of the same name.