

AGENDA

STATE LABOR COMMISSIONER'S OFFICE • FOUNDATION FOR FAIR CONTRACTING

PRESENT

PREVAILING WAGE/LABOR COMPLIANCE WEBINAR

Thursday • February 12, 2026 • 8:30 a.m. – 3:00 p.m.

Time	Item	Speaker(s)
8:30 AM – 8:35 AM	FOUNDATION FOR FAIR CONTRACTING Welcome and Opening Remarks	Jesse Jimenez/Darbi Griffin
8:35 AM – 9:15 AM	DEPARTMENT OF INDUSTRIAL RELATIONS State Labor Commissioner's Office Awarding Body Responsibilities/Pre-Qualification of Contractors	Leticia Altamirano/Catalina Arceo
9:15 AM – 10:05 AM	DEPARTMENT OF INDUSTRIAL RELATIONS State Labor Commissioner's Office Contractor Responsibilities	Patricia Rangel/Linda Dinh/Antonio Almanza
10:05 AM – 10:20 AM	<i>Break</i>	
10:20 AM – 10:45 AM	DEPARTMENT OF INDUSTRIAL RELATIONS State Labor Commissioner's Office Skilled and Trained Workforce Enforcement	Jeyde Cardenas
10:45 AM – 12:00 PM	<i>Q & A</i>	Panel
12:00 PM – 1:00 PM	<i>Lunch</i>	
1:00 PM – 1:15 PM	DEPARTMENT OF INDUSTRIAL RELATIONS Labor Enforcement Task Force PW Strategic Enforcement Presentation	Dominic Forrest
1:15 PM – 1:45 PM	OFFICE OF THE DIRECTOR - LEGAL Upcoming Bills/Legislation	Isaac Nicholson
1:45 PM – 2:30 PM	US DEPARTMENT OF LABOR Federal Requirements Davis-Bacon Compliance Principles	Rebecca Clark/Santiago Orona
2:30 PM – 3:00 PM	<i>Q & A</i>	Panel
3:00 PM	Closing Remarks – Evaluations	Jesse Jimenez





PUBLIC WORKS LABOR COMPLIANCE SEMINAR Awarding Body Responsibilities

California Labor Commissioner's Office
Department of Industrial Relations



Disclaimer

California Labor Commissioner's Office

The following presentation is intended to summarize relevant portions of existing law in the Labor Code and California Code of Regulations, but those code sections, as interpreted by the courts, will govern actual enforcement. The information contained in this presentation is a general overview of existing law or regulation. Any opinions expressed are solely those of the author/speaker and are not necessarily the official position of the Department of Industrial Relations (DIR), its Director, or any related public entity. The information in this presentation is not intended as legal advice, and does not guarantee any outcome in specific enforcement or coverage proceedings within the jurisdiction of DIR.





State of California
Department of
Industrial Relations

Compliance Requirements

Labor Code &
Title 8, CCR § 16000



Who qualifies as an Awarding Body?

An awarding body is the entity that awards a contract for public works and is sometimes known as the **project owner**.

The awarding body can be any kind of public agency or official (state, county, city, school board, water district, etc.) **OR** a private entity using public funds.



Labor Code(s) 1720(1) and 1722.1



Monetary Thresholds

Prevailing Wage

>\$1,000

Project Registration

>\$15,000

M

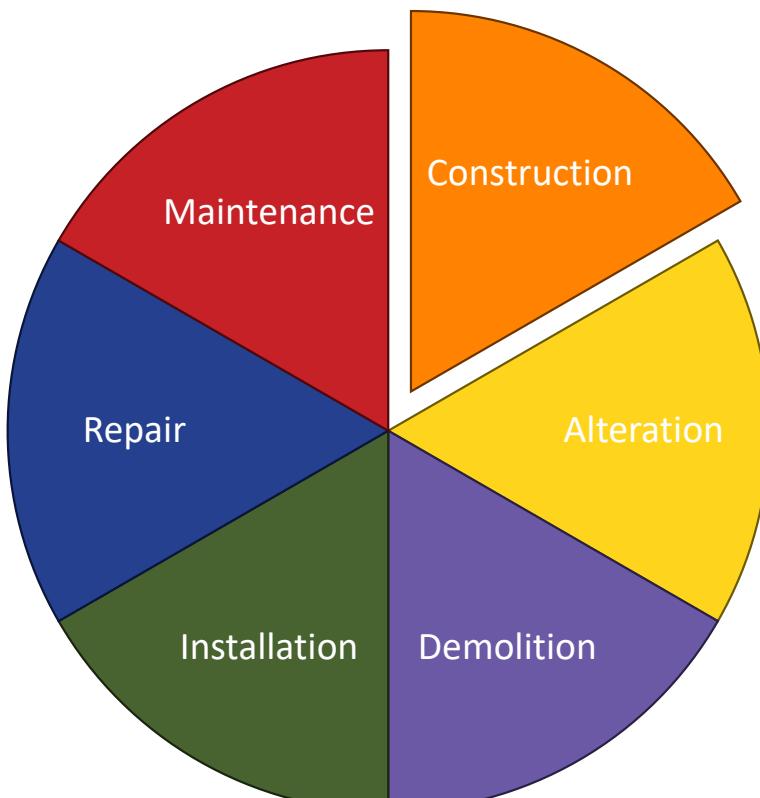
>\$25,000

CADIR

Labor Code 1771, 1725.5



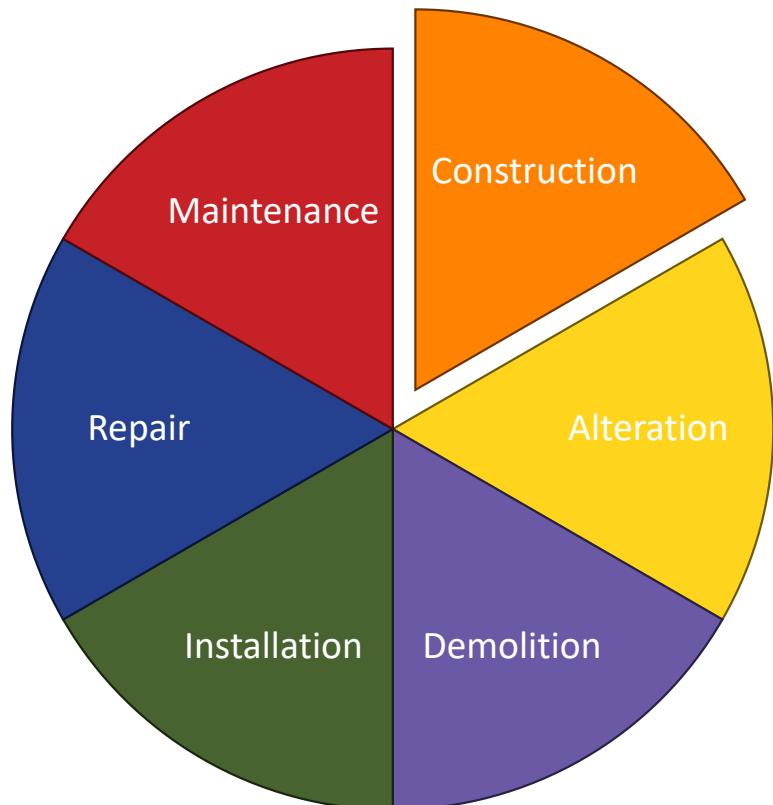
Public Works Project



Labor Code 1720



Public Works Project



Preconstruction

- Design
- Site Assessment
- Feasibility Study
- Inspection
- Land Surveying

Postconstruction

- Cleanup

Labor Code 1720



Project registration

Provide electronic notice to DIR of all public works contracts within 30 days of the award, but in no event later than the first day in which a contractor has workers employed upon the public work. (LC §1773.3) *

* Does not apply to projects of \$25,000 or less when the project is for construction, alteration, demolition, installation, or repair work or for projects of \$15,000 or less when the project is for maintenance work



<https://www.dir.ca.gov/Public-Works/PublicWorks.html>

Public Works / Public Works



Public Works

Public works in general means:

- Construction, alteration, demolition, installation, or repair work done under contract and paid in whole or in part out of public funds.
- It can include preconstruction and post-construction activities related to a public works project.
- For a full definition of public works refer to [Labor Code section 1720](#).

Anyone working on a public works project must be paid prevailing wages as determined by DIR. Projects of \$30,000 or more must meet DIR's apprenticeship requirements. Failure to comply with public works requirements can result in civil penalties, criminal prosecution, or both.

DIR Service Portal
for Contractors, Awarding
Bodies & Developer Proponents

DIR Support Center
for latest training and FAQs

Resources

- [Awarding Bodies](#)
- [Contractors](#)
- [Summary of Skilled and Trained Workforce \("STW"\) Statutes](#)
- [Frequently Asked Questions on Skilled and Trained Workforce \("STW"\) Requirements](#)
- [Public Works Pre-Qualification of Contractors](#)
- [Apprenticeship Requirements](#)
- [Certified Payroll Reporting](#)



<https://services.dir.ca.gov/gsp>

CA.GOV

DIR State of California
Department of
Industrial Relations
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eCPR Public Search Public Works Support Contractors Projects **Register** Log in

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 10



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Industrial Relations
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eCPR Public Search

Public Works Support

Contractors

Projects

Services

Your information ▾

Notifications 6

JD John Doe



Associated Accounts

Welcome, John Doe

Demo Awarding Body

New Project Registration

≡ My Projects

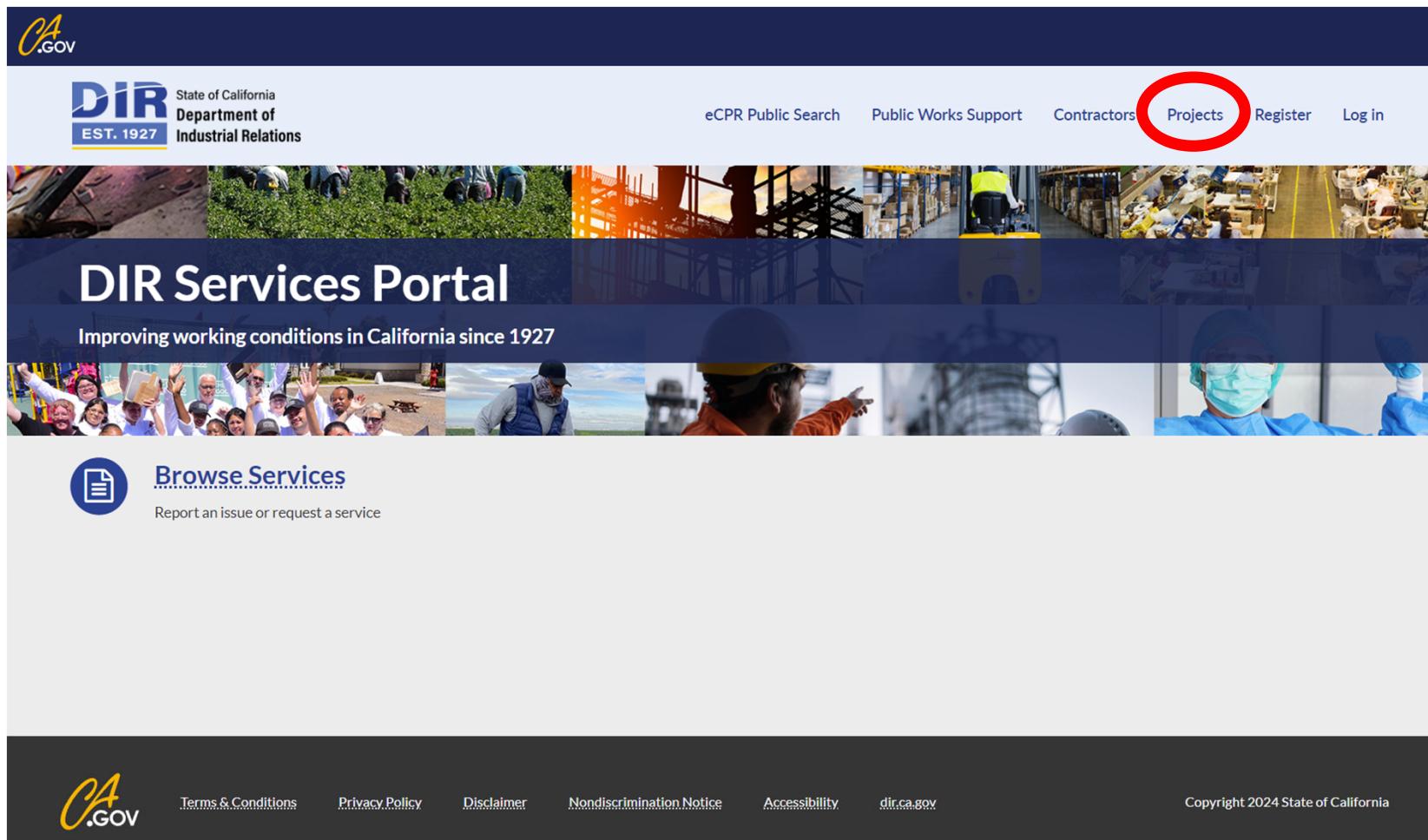
Search My Projects



Name	Project Number	State	Stage	Awarding Body
Bridge Construction	123456789	Approved		Demo Awarding Body
Bridge Modifications Fiscal year 24/25	123456789	Approved		Demo Awarding Body
Demo Project 6/24/2024	1234	Approved		Demo Awarding Body



SEARCHING FOR A PUBLIC WORKS PROJECT



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eCPR Public Search Public Works Support Contractors Projects Register Log in

Home > Project

Project Filters

Approved Projects

Completed Projects

Projects

Keyword Search



Number	Project Number	Contract Number	Project ID	Awarding Body	Name	State	Description
20240002263	60412	60412	328821	TREATMENT PLANT REPLACEMENT	Approved	SAN DIEGO SAFARI PAR MODERNIZ. ...	
20240002286	33130	F21AP01583-00	398835	USFWS Recovery Challenge Grant- Condor B	Approved	Facility Improvemen the Condor E	
20240002279	N-A	N-A	489198	Condor Grant 2023-2024	Approved	Upgrades an refurbishme the Condo...	
20240002269	NA	F20AP00365	345613	USFWS RECOVERY CHALLENGE GRANT- CONDOR B	Approved	FACILITY IMPROVEM AT THE CON RELE...	
20240002275	35625	F20AP00365-2022	440659	USFWS	Approved	Facility	



Project registration

Ensure that public works projects are not split or separated into smaller work orders or projects for the purpose of evading the applicable provisions of LC §1771. (Title 8, CCR § 16100)



Ensure contractors are registered

A contractor or subcontractor must be registered when bidding, listed in a bid proposal, or engaged in the performance of any contract for public work. (LC §§1725.5 &1771.1) *

* Does not apply to projects of \$25,000 or less when the project is for construction, alteration, demolition, installation, or repair work or for projects of \$15,000 or less when the project is for maintenance work





eCPR Public Search

Public Works Support

Contractors

Projects

Register

Log in

Home > Contractors

Contractor Filters

> .Name.is.not.Empty

> .Updated.This.Week

Contractors

Keyword Search



Updated	Contractor dba name	Contractor first name	Contractor last name	Contractor mailing city	Contractor mailing state
2024-06-22 14:20:47	ZWORLD GIS	Zacharias	Hunt	Santa Barbara	CA
2024-06-25 22:09:05	ZUSSER COMPANY, INC.	Larisa	Sass	LOS ANGELES	CA
2024-06-22 14:13:08	ZURTECH INC	Eleonora	Shavit	WEST HILLS	CA
2024-06-22 14:14:11	Zurita Trucking	Shannon	Griego	Sylmar	CA
2024-06-22 14:14:11	Zurita Trucking	Miguel	Zurita	Sylmar	CA
2024-06-22	ZUNIGASCAPES	Cornelio	Zuniga	MORENO VALLEY	CA



THUY PHAM

Contractor

Contractor business email

Contractor dba name

Contractor creation eff date

Contractor entity number

Contractor first name

Contractor ID

Contractor mailing city

Contractor last name

Contractor mailing state

Contractor mailing address2

Contractor mailing zip

Contractor physical address1

Contractor physical city

Contractor physical address2

Contractor physical state

Contractor source



And a new Support Center for an easy transition



Cal/OSHA -
Labor Law ▾ Safety & Health ▾ Workers' Comp ▾ Self Insurance ▾ Apprenticeship ▾ D

Public Works / Support Center

Support Center

Not sure how to do something? See our how-to guides.
Got a question? Explore our Frequently Asked Questions.
Need to get in touch? Reach out to DIR Public Works.
Need updates? Sign up for our communications.

Go to How-To Guides

Upcoming Trainings

The Labor Commissioner's Office offers educational seminars across the state to provide an overview of prevailing wage and apprenticeship standards compliance and public works enforcement. Discussions will include awarding body responsibilities, coverage determinations, and prequalification of contractors, contractor registration and Project Registration (formerly known as PWC-100). Some seminars are focused on requirements for specific groups such as contractors or public agencies.

Subject	Date and Time	Location	Audience	Notes	Registration

Search

How to Submit a Manual Payroll Record

- 1 Log in to your contractor landing page. Click "View eCPRs" for the project to which you would like to submit a manual payroll record.

The screenshot shows the DIR contractor landing page. At the top, there is a navigation bar with links for Contractors, Projects, Services, Your Information, and a Test User button. Below the navigation, a welcome message reads "Welcome, test User" and "Example Contractor for Testing". A "DIR Approved" badge is displayed. Under the "My Projects" section, there is a table with two rows of data. The first row is for "Example Project" (Project Number: 123456789, State: Approved, Awarding Body: Demo Awarding Body). The second row is for "Painting" (Project Number: 1234567, State: Approved, Awarding Body: Example Awarding Body for Testing). For each row, there are "Submit" and "View eCPRs" buttons. The "View eCPRs" button for the "Example Project" row is highlighted with a red oval. The bottom of the page includes links for Terms & Conditions, Privacy Policy, Disclaimer, Non-discrimination Notice, Accessibility, and a copyright notice for the State of California.

PARTICIPATION QUESTION #1

CONTRACTOR REGISTRATION

As an awarding body member, you know that contractors must be registered when bidding, being awarded, and working on public works projects.

Using the contractor registration histories and provided dates on the next slide, which contractor was correctly registered through the entire process?



PARTICIPATION QUESTION #1

Registration History – Contractor A	
Effective Date	Expiration Date
8/10/2021	6/30/2022
7/1/2020	6/30/2021
1/1/2020	6/30/2020

Registration History – Contractor B	
Effective Date	Expiration Date
7/1/2021	6/30/2022
9/1/2020	6/30/2021
10/15/2019	6/30/2020

Registration History – Contractor C	
Effective Date	Expiration Date
7/15/2021	6/30/2022
6/25/2021	6/30/2021
6/1/2020	6/30/2020

- Bid Date: 6/20/2021
- Award Date: 7/10/2021
- Project Dates: 8/1/2021 - 4/30/2022



PARTICIPATION QUESTION - ANSWER

Registration History – Contractor A	
Effective Date	Expiration Date
8/10/2021	6/30/2022
<u>7/1/2020</u>	<u>6/30/2021</u>
1/1/2020	6/30/2020

Registration History – Contractor B	
Effective Date	Expiration Date
7/1/2021	6/30/2022
<u>9/1/2020</u>	<u>6/30/2021</u>
10/15/2019	6/30/2020

Registration History – Contractor C	
Effective Date	Expiration Date
7/15/2021	6/30/2022
<u>6/25/2020</u>	<u>6/30/2020</u>
6/1/2020	6/30/2020

- Bid Date: 6/20/2021
- Award Date: 7/10/2021
- Project Dates: 8/1/2021 - 4/30/2022



PARTICIPATION QUESTION - ANSWER

Registration History – Contractor A	
Effective Date	Expiration Date
8/10/2021	6/30/2022
7/1/2021	6/30/2021
1/1/2020	6/30/2020

Registration History – Contractor B	
Effective Date	Expiration Date
7/1/2021	6/30/2022
9/1/2020	6/30/2021
10/15/2019	6/30/2020

Registration History – Contractor C	
Effective Date	Expiration Date
7/15/2021	6/30/2022
6/25/2021	6/30/2021
6/1/2021	6/30/2020

- Bid Date: 6/20/2021
- Award Date: 7/10/2021
- Project Dates: 8/1/2021 - 4/30/2022



PARTICIPATION QUESTION - ANSWER

Registration History – Contractor A	
Effective Date	Expiration Date
8/10/2021	6/30/2022
7/1/2021	6/30/2021
1/1/2020	6/30/2020

Registration History – Contractor B	
Effective Date	Expiration Date
7/1/2021	6/30/2022
9/1/2020	6/30/2021
10/15/2019	6/30/2020

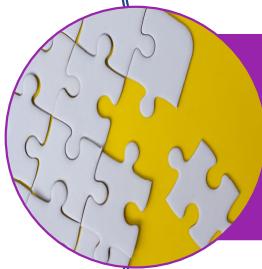
Registration History – Contractor C	
Effective Date	Expiration Date
7/15/2021	6/30/2022
6/25/2021	6/30/2021
6/1/2021	6/30/2020

- Bid Date: 6/20/2021
- Award Date: 7/10/2021
- Project Dates: 8/1/2021 - 4/30/2022





Register projects within 30 days of contract award, no later than the first day the contractor has workers employed upon the public works



Ensure projects are not split or separated into smaller work orders for the purpose of evading registration



Only work with contractors who are registered to bid on, be listed on bids for, or perform work on public works projects



Notice Requirements

Include the notice of the requirements described in LC §1771.1(a) & LC §1771.4(a)(1) in all bid invitations and public works contracts.

- A bid shall not be accepted, nor any contract or subcontract entered into without proof of the contractor or subcontractor's current registration to perform public work. (LC §1771.1(b))



Notice Requirements

Include the notice of the requirements described in LC §1771.1(a) & LC §1771.4(a)(1) in all bid invitations and public works contracts.

- The call for bids and contract documents shall specify that the project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. (LC §1771.4(a)(1))



Notice Requirements

Post or require contractors to post jobsite notices on public works requirements (LC §1771.4(a)(2))





Include required information about contractor registration in bid invitations, contracts, and subcontracts



Specify in bid and contract language that projects are subject to oversight by DIR



Require contractors to post jobsite notices on public works requirements



Monetary Thresholds

Prevailing Wage

>\$1,000

Project Registration

>\$15,000

M

>\$25,000

CADIR

Labor Code 1771, 1725.5



Prevailing Wage Rates

Obtain prevailing wage rates from DIR
(LC sections 1773, 1773.2, and 1773.4)



Awarding Body Cognizance

Ensure that public works contractors pay prevailing wages and are in compliance with public works laws, and report any suspected violations to the Labor Commissioner
(LC §1726; Title 8, CCR §16100)

***Except for public works projects of one thousand dollars (\$1,000) or less
(LC §1771)**



Withholding and Retention

Withhold and retain all amounts required to satisfy the civil wage and penalty assessment (LC §1727(a))





Obtain prevailing wage rates from DIR (or request a wage or coverage determination)



Ensure contractors and subcontractors are paying prevailing wage, and report violations to the Labor Commissioner's Office



Withhold and retain all amounts required to satisfy civil wage and penalty assessment





State of California
Department of
Industrial Relations

Enforcement

Labor Code §1773.3, §1771.1(j)



Labor code §1773.3

Penalties shall be assessed against awarding bodies for the following (LC § 1773.3(c)(1)):

- Failing to timely submit project registration information;
- Entering into a contract with an unregistered contractor; or
- Allowing an unregistered contractor to engage in the performance of any public work



Civil Penalty

Subject to penalties of \$100 for each day in violation of either requirement, not to exceed an aggregate penalty of \$10,000 per project



Labor code §1773.3

Penalties shall also be assessed against an awarding body when final payment was made, and it is later discovered that an unregistered contractor worked on the project. (LC §1773.3(d))



Civil Penalty

Subject to penalties of \$100 for each full calendar day of noncompliance, for a period of up to 100 days, for each unregistered contractor or subcontractor.



PARTICIPATION QUESTION #2

PENALTY CALCULATION

The Labor Commissioner's Office investigates a project and determines that there were two subcontractors, Contractor A and Contractor B, who performed work for ten days each without being registered.

According to Labor Code 1773.3, how much in penalties can be assessed against the awarding body?



PARTICIPATION QUESTION - ANSWER

PENALTY CALCULATION

2 unregistered subcontractors x 10 days x \$100 = \$2000

LC 1773.3: Subject to penalties of \$100 for each full calendar day of noncompliance, for a period of up to 100 days, for each unregistered contractor or subcontractor.



Awarding Body "Debarment" (LC §1773.3(f)):

“Whenever the labor commissioner determines that an awarding agency has willfully violated the requirements of this section or chapter with respect to two or more public works contracts or projects in any 12-month period, the awarding agency shall be ineligible to receive state funding or financial assistance for any construction project undertaken by or on behalf of the awarding agency for one year...”



Stop Order (LC §1771.1(j))

Labor commissioner shall issue a **stop order** when unregistered contractor performs work

- Stop order prohibits use of unregistered contractor or subcontractor until registered
- Affected workers of unregistered contractor entitled to regular hourly pay of prevailing wage rate (not to exceed 10 days) for work stoppage
- Does not apply to other registered contractors or subcontractors on same public works project



Contractor's failure to observe stop order is a misdemeanor. (LC §1771.1(k))



AWARDING BODY RESPONSIBILITIES LETTER

STATE OF CALIFORNIA

DEPARTMENT OF INDUSTRIAL RELATIONS Division of Labor Standards Enforcement

Headquarters Office
1515 Clay Street, Ste. 1302
Oakland, CA 94612
Tel: (510) 285-2118 Fax: (510) 285-1365

Lilia García-Brower
California Labor Commissioner

Gavin Newsom, Governor

MAILING ADDRESS:
P. O. Box 420603
San Francisco, CA 94142-0603



AWARDING BODY RESPONSIBILITIES

Sent via email only

Dear Awarding Body,

The Labor Commissioner's Office (LCO) is statutorily obligated to ensure compliance with Public Works laws. This letter is a tool to ensure that awarding bodies understand their legal obligations and potential consequences when awarding a project subject to California's Prevailing Wage Laws ("PWL") (*Lab. Code* §§ 1720 – 1861). For all projects which require the payment of prevailing wages awarding bodies¹ must do the following²:



Thank you for attending!

New system issues?

Labor Commissioner's Office - publicworks@dir.ca.gov

- Provide screenshots and contact information for user experiencing the issues
- Identify using the issues in the subject line
 - Project Registration
 - Contractor Registration
 - ECPR
 - Signing in issue
 - Password issue
 - other



The work we are contracting out requires prevailing wages, what is the applicable craft?

Office of the Director – Research Unit - statistics@dir.ca.gov

Request a wage determination. Provide county, bid date, and scope of work

Is my specific project a public work? The work we have contracted is innovative and not found in any





Prevailing Wage Labor Compliance Seminar Prequalification of Contractors for Awarding Bodies

Public Works
California Labor Commissioner's Office
Department of Industrial Relations-2025

Disclaimer

California Labor Commissioner's Office

The following presentation is intended to summarize relevant portions of existing law in the Labor Code and California Code of Regulations, but those code sections, as interpreted by the courts, will govern actual enforcement. The information contained in this presentation is a general overview of existing law or regulation. Any opinions expressed are solely those of the author/speaker and are not necessarily the official position of the Department of Industrial Relations (DIR), its Director, or any related public entity. The information in this presentation is not intended as legal advice, and does not guarantee any outcome in specific enforcement or coverage proceedings within the jurisdiction of DIR.

Our Goals

- PRE-QUALIFICATION OF CONTRACTORS
- LABOR COMMISSIONER MODEL QUESTIONNAIRE



State of California
Department of
Industrial Relations



“Individual commitment to a group effort - that is what makes a team work, a company work, a society work, a civilization work.”
– Vince Lombardi

Why Pre-Qualify Contractors?



Purpose

- Contractors seeking to BID on Public Works Projects can be Pre-Qualified (PCC 20101)
- Stops Bad Actors BEFORE a contract is awarded and stops repeat violators from continuing to profit from wage theft

IMPORTANCE

Levels the Playing Field for Law Abiding Contractors

Value

- Allows Awarding Bodies to be Proactive
- Contracts are awarded only to Responsible Bidders
- Avoids Awarding Body Citations and Debarment

Labor Commissioner's Model Questionnaire

EASY AS 1-2-3

I. IMPORTANT PROVISIONS OF THE 1999 LAW

In 1999, the Legislature enacted a law that allows many public agencies to require licensed contractors with to bid for public works jobs to "pre-qualify" for the right to bid on a specific project. This is a change from the past, when contractors had to bid on a project to be considered for the job.

Section D. PRE-QUALIFICATION CRITERIA

QUESTIONS AND SCORING CRITERIA

Factor #2: Multiplying Factor

In 1999, the Legislature
contractors that wish to bid for
public works project, or on a
period of time. Public Contr.
part of Assembly Bill 574.

The law applies to all
metrics (which have similar
code section 2011)

The law does not require every public agency to meet (described by

In fact, the 1999 law
qualification procedures for pu-
qualification procedure linked:
procedure by which a contra-
agency for a period of one year
quires every

- (1) use a "standardized public entity" (Sect 1)
- (2) adopt and apply a v of the completed qu
- (3) create an appeal pr seek a reversal of t

II. ROLE OF THE DE

From January through
representatives of public agency
than 25 representatives of inter-
Community College Districts also
Code section 20651.5, enacted
specifically exempt

Community College Districts also
Code section 20651.5, and
specifically ex-

Questions Type: Questions (x2)

Questions Type:
Questions (x2)

Actions Type:
Red Flag Questions (x2)
Notes: the awarding body will review additional documents
response to the questions in Section D to calculate a final
score on a scale of 1 to 5 assigned to each factor.

Factor #1: A score of 1 is assigned where the incident is
and a score of 5 is assigned where the incident is
Contractor is culpable.

Factor #2: A score of 1 is assigned where only a
where five or more incidents of that kind are in.

A contractor is PRE-QUALIFIED if the total score above
A contractor is DISQUALIFIED if the total score above

- Factor #1: A score of 1 is assigned where the contractor is culpable.
- Factor #2: A score of 1 is assigned where five or more incidents of that kind are reported.

A contractor is PRE-QUALIFIED if the total score above is 10 or less.

A contractor is DISQUALIFIED if the total score above is 11 or more.

INSTRUCTIONS FOR AWARDING BODIES

Contractors who wish to be pre-qualified must submit a completed pre-qualification questionnaire to the awarding body for review. Contractors are required to provide any additional information and/or documentation as instructed on the questionnaire. The Model Pre-qualification Questionnaire can be found on pages 10 to 27.

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Labor Commissioner's Model Questionnaire

CONTRACTOR

Completes the Pre-Qualification questionnaire
Submits the Pre-Qualification Questionnaire and financial statements
Provides any additional information/documentation

AWARDING BODY

Awarding Body reviews the “Essential Criteria”
Contractor is immediately disqualified if:
Any answer to questions 1-6 is “NO”
Any answer to questions 7-13 is “YES”

REVIEW

Prequalification Criteria Questions are reviewed located in Section D
Contractor is Pre-Qualified if:
All of the Contractors responses to questions 1-21 are “0”

DISQUALIFIED

C. ESSENTIAL CRITERIA QUESTIONS

Circle Answer

1. Does your firm possess a valid and current California Contractor's or other professional license as required by law for the project or projects for which it intends to submit a bid?
Yes No
2. Is your firm registered with DIR as a Public Works Contractor for the current fiscal year?
Yes **No**
3. Does your firm have a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate?
Yes No
4. Does your firm have current workers' compensation insurance policy as required by the Labor Code or is your firm legally self-insured pursuant to Labor Code section 3700 et. seq?
Yes No
5. Have you attached your firm's latest copy of reviewed or audited financial statements with accompanying notes and supplemental information? *
Yes No

NOTE: Financial statements that are not either reviewed or audited are not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statements.

6. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) authorized to issue bonds in the State of California, which states that: (a) your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or valid for a year if you are seeking pre-qualification valid for a year; and (b) your current available bonding capacity? **
Yes No

NOTE: Notarized statement must be from the surety company, not an agent or broker.

Important Notes

Be Proactive

- Purpose of pre-qualifying is to make sure bad actors are stopped BEFORE a contract is awarded and repeat violators do not profit from wage theft

Level the Playing Field for Law Abiding Contractors

- Labor Commissioner Model Questionnaire is a complete pre-qualification packet that can be easily adopted and customized to an Awarding Bodies needs AND can be used to enhance whatever system an Awarding Body already has in place

Avoid Awarding Body Citations and Debarment

www.dir.ca.gov

Public Works



Public Works

Public works in general means:

- Construction, alteration, demolition, installation, or repair work done under contract and paid in whole or in part out of public funds.
- It can include preconstruction and post-construction activities related to a public works project.
- For a full definition of public works refer to [Labor Code section 1720](#).

Anyone working on a public works project must be paid prevailing wages as determined by DIR. Projects of \$30,000 or more must meet DIR's apprenticeship requirements. Failure to comply with public works requirements can result in civil penalties, criminal prosecution, or both.

DIR Service Portal
for Contractors, Awarding
Bodies & Developer Proponents

DIR Support Center
for latest training and FAQs

Resources

- [Awarding Bodies](#)
- [Contractors](#)
- [Summary of Skilled and Trained Workforce \("STW"\) Statutes](#)
- [Frequently Asked Questions on Skilled and Trained Workforce \("STW"\) Requirements](#)
- [Public Works Pre-Qualification of Contractors](#)
- [Apprenticeship Requirements](#)
- [Certified Payroll Reporting](#)
- [Enforcement of Public Works Law](#)
- [File a Public Works Complaint](#)
- [Labor Compliance Programs](#)
- [Prevailing Wage Requirements](#)
- [More Resources](#)

Search

[Find Public Works Projects](#)
[Find Public Works Contractors](#)
[Find Payroll Records](#)

Registration

Have Questions?

Contact Us:

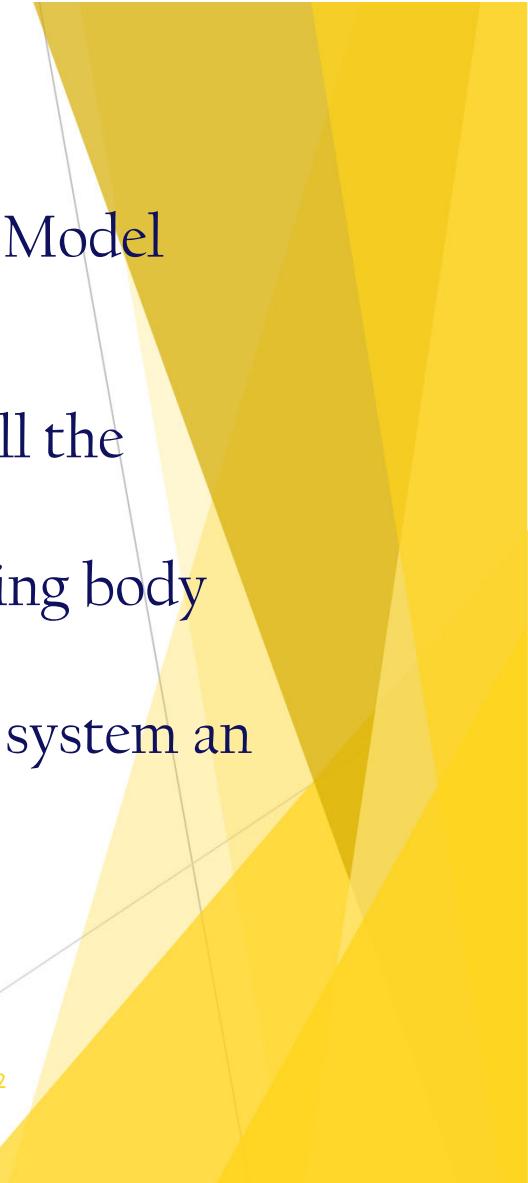
publicworks@dir.ca.gov

Subject Line:

Pre-Qualification of Contractors

QUESTIONS...

1. As an Awarding Body, do you currently have a Pre-Qualification of Contractors system in place?
 - a) Yes
 - b) No



2. What is the benefit of using the Labor Commissioner Model Questionnaire?

- a) It is a complete pre-qualification packet that meets all the requirements of the law.
- b) It can be easily adopted and customized to an awarding body needs.
- c) It can be used to enhance whatever pre-qualification system an awarding body already has in place.
- d) All of the above.

3. Can a contractor that is not registered with DIR as a public works contractor for the current fiscal year be pre-qualified?

- a) Yes
- b) No



Thank you!



PUBLIC WORKS LABOR COMPLIANCE SEMINAR

Contractor Responsibilities

California Labor Commissioner's Office
Department of Industrial Relations



Disclaimer

California Labor Commissioner's Office

The following presentation is intended to summarize relevant portions of existing law in the Labor Code and California Code of Regulations, but those code sections, as interpreted by the courts, will govern actual enforcement. The information contained in this presentation is a general overview of existing law or regulation. Any opinions expressed are solely those of the author/speaker and are not necessarily the official position of the Department of Industrial Relations (DIR), its Director, or any related public entity. The information in this presentation is not intended as legal advice, and does not guarantee any outcome in specific enforcement or coverage proceedings within the jurisdiction of DIR.



Contractor Responsibilities

Prevailing Wage

>\$1,000

Contractor Registration

>\$15,000

M

>\$25,000

CADIR

Apprenticeship

≥\$30,000

Labor Code 1771, 1725.5, and 1777.5



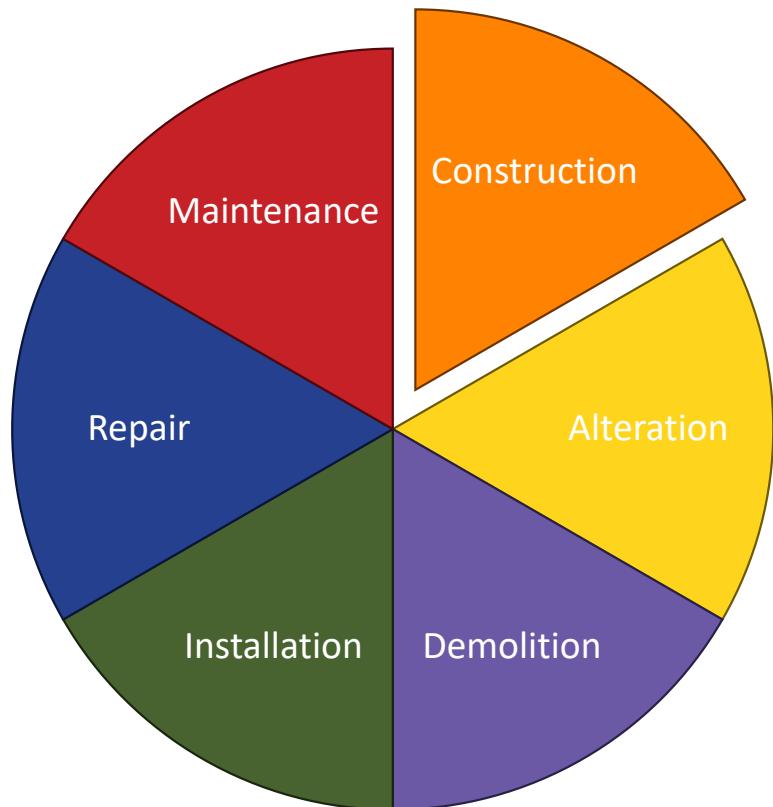
Who is a Public Works Contractor?



Labor Code(s) 1720(1) and 1722.1



Public Works Project



Preconstruction

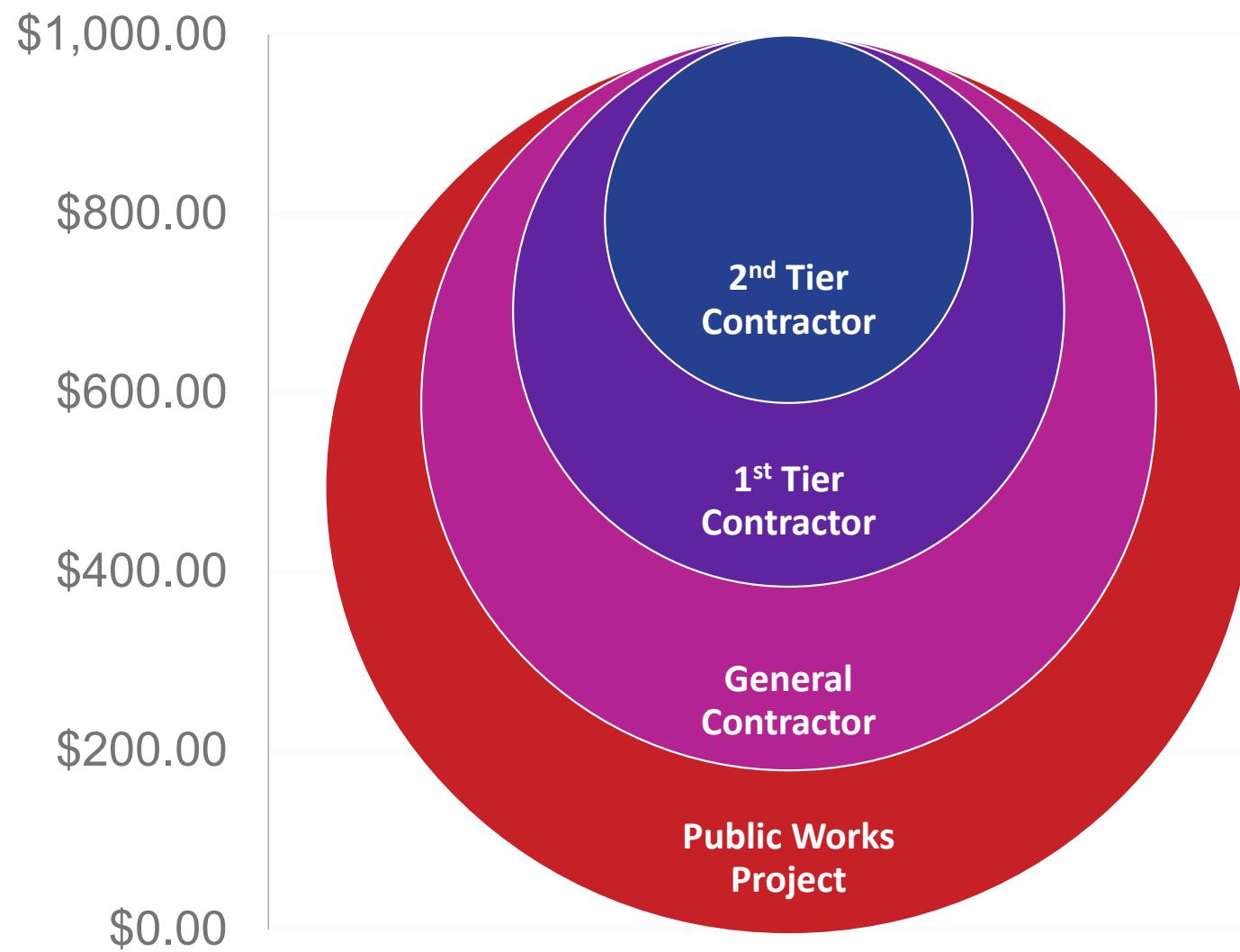
- Design
- Site Assessment
- Feasibility Study
- Inspection
- Land Surveying

Postconstruction

- Cleanup

Labor Code 1720

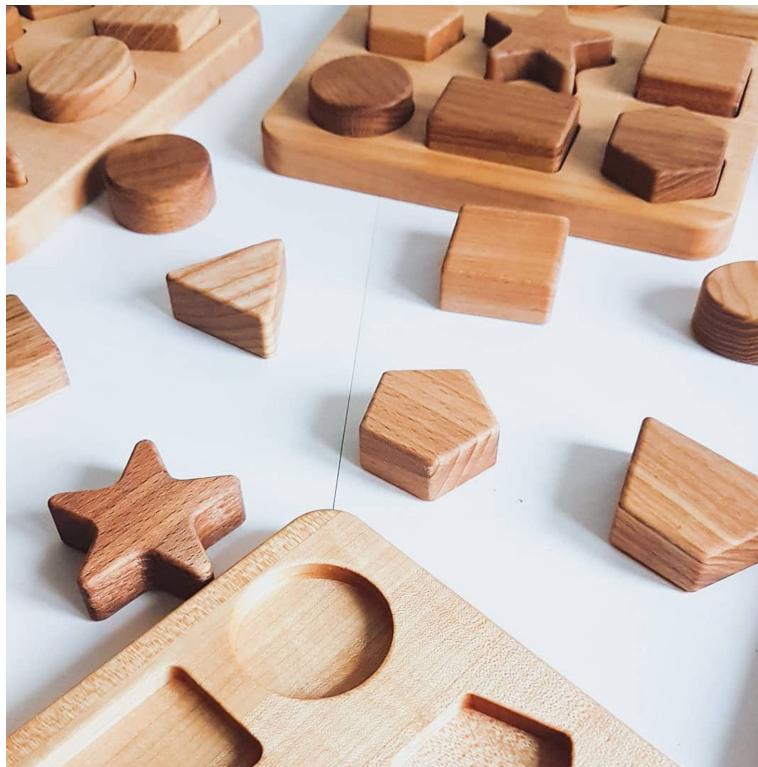




Labor Code 1771



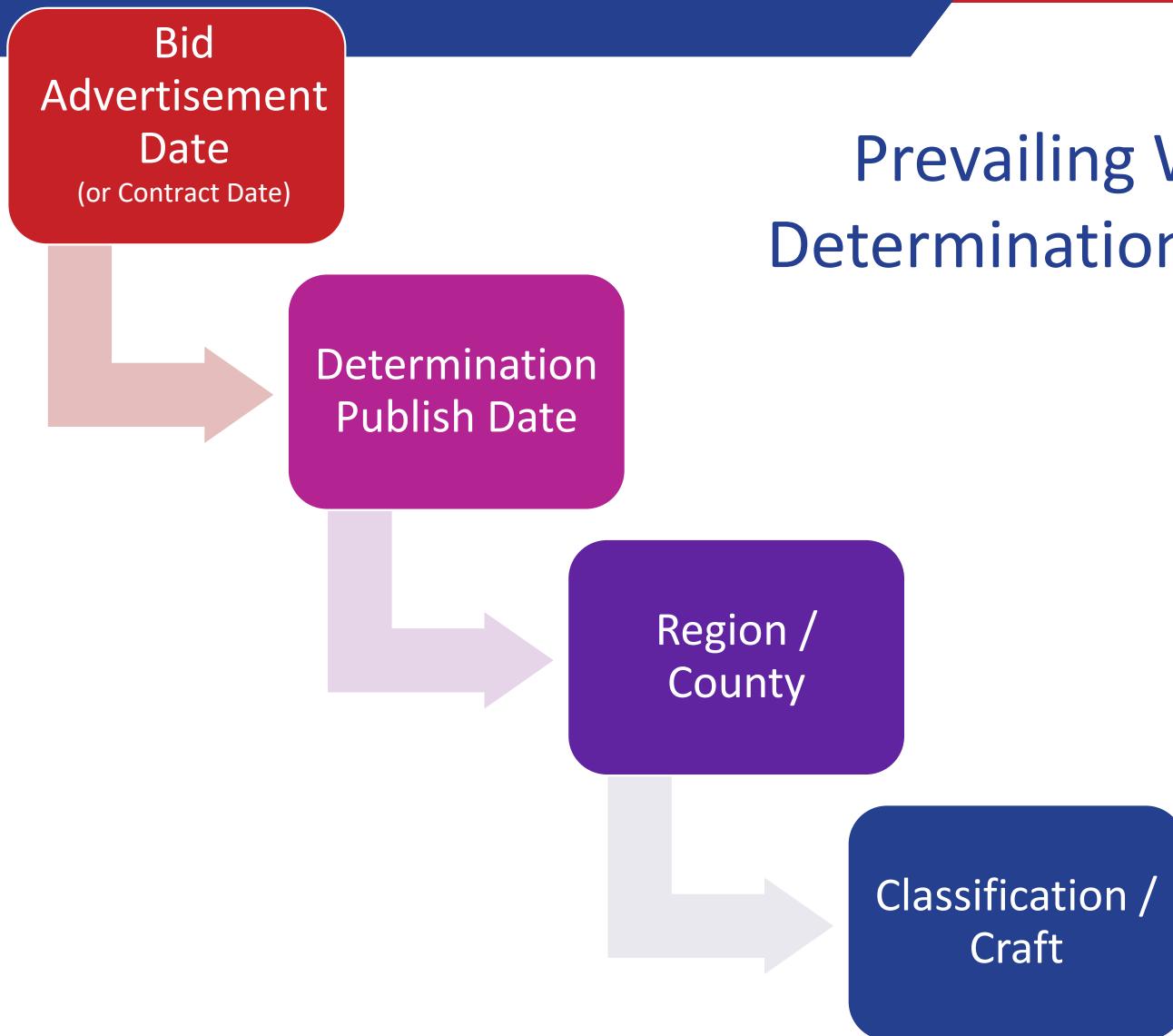
Pay Prevailing Wages



Labor Codes 1771, 1774 and 1813



Prevailing Wage Determination Search





State of California
Department of
Industrial Relations
EST. 1927

Search



Cal/OSHA -
Labor Law ▾ Safety & Health ▾ Workers' Comp ▾ Self Insurance ▾ Apprenticeship ▾ Director's Office ▾ Boards ▾

Office of the Director / Research (OD-Research)

Office of the Director - Research (OD-Research)

Programs and Initiatives

Research and Statistics

The Office of the Director - Research conducts research and prepares and maintains databases on alternative workweek programs, the California Consumer Price Index, occupational injuries & illnesses, and public works projects.

Prevailing Wage Determinations, Statistics, and Databases

Public Works Projects

Determinations

- List of Charter Cities That Meet Requirements of Senate Bills 7, 829, and 922
- **Prevailing wage determinations, general** 
- Prevailing wage determinations, residential
- Prevailing wage rates below the California minimum wage, 12/16/2022

Office of the Director - Research

Quick Links

▪ Alternative workweek

▪ **Office of the Director - Research**

▪ Office of Legislative and Regulatory Affairs

▪ **Office of the Director - Research**

▪ Office of the Director - Determinations



Request a DIR Specialist



Labor Law FAQs



Fraud Prevention

C-19 Information

Plans and Forms

Public Participation

Navigating Website Wage Determination

Office of the Director / Director's General Prevailing Wage Determinations

Director's General Prevailing Wage Determinations

- [Public Works Modernization Project Case for Change](#) NEW
- [Upgrades to DIR's Public Works Website Services](#) NEW
- [2024-1 General prevailing wage determinations menu \(journeyman\)](#)

Most recent journeyman wage determination published

Most recent apprentice wage determination published

Journeyman wage determinations published in prior periods

Residential wage determinations (current and prior periods)

- [Frequently asked questions - Hauling under Labor Code Section 1720.3](#)
- [Still have questions on prevailing wage?](#)

March 2024



Navigating Website Wage Determination

Superseded prevailing wage determinations

General prevailing wage determinations
made by the Director of Industrial Relations

Pursuant to California Labor Code Part 7,
Chapter 1, Article 2, Sections 1770, 1773, and 1773.1

Index: 2023-2 (Superseded)

Applies to projects advertised for bid: 9/1/2023 – 3/2/2024

[General prevailing wage determinations](#)

[General prevailing apprentice schedules](#)

Index: 2023-1 (Superseded)

Applies to projects advertised for bid: 3/4/2023 – 8/31/2023

[General prevailing wage determinations](#)

[General prevailing apprentice schedules](#)

Index: 2022-2 (Superseded)

Applies to projects advertised for bid: 9/1/2022 – 3/3/2023

[General prevailing wage determinations](#)

[General prevailing apprentice schedules](#)

Index: 2022-1 (Superseded)

Applies to projects advertised for bid: 3/4/2022 – 8/31/2022

[General prevailing wage determinations](#)

[General prevailing apprentice schedules](#)



J Journeyman Wage Determinations

Index 2023-1 general prevailing wage journeyman determinations

General prevailing wage determinations made by the director of industrial relations

Pursuant to California Labor Code part 7, chapter 1, article 2, sections 1770, 1773, and 1773.1

The effective date of each determination is ten (10) days after the issue date. (8 CCR § 16000). The general determinations are issued twice a year (February 22nd and August 22nd) and go into effect ten days thereafter (March 3rd in a leap year and March 4th in a non-leap year for determinations issued on February 22nd, and September 1st for determinations issued on August 22nd).

To locate a particular journeyman craft or classification's prevailing wage determination, holiday, advisory scope of work, or travel and subsistence provision, please follow the six steps in the table below:

Step one	<u>Statewide</u>	First examine if your craft's determination is among the basic trades that apply to most counties in California.
Step two (A)	<u>Northern California</u>	If you have not found your craft in step one, check this area to see if your craft's determination is one of Northern California's basic trades.
Step two (B)	<u>Southern California</u>	If you have not found your craft in step one, check this area to see if your craft's determination is one of Southern California's basic trades.
Step three	<u>San Diego</u>	After following steps one and two (B), examine this area if your project is in San Diego County.
Step four	<u>County Determinations (subtrades)</u>	If you have not found your craft in steps 1, 2, or 3, choose the county where work is being performed to examine the subtrades.

Index 2023-1 Statewide basic trade journeyman rates

General prevailing wage determinations made by the director of industrial relations

Pursuant to California Labor Code part 7, chapter 1, article 2, sections 1770, 1773, and 1773.1

Determination	Holidays, scope of work, travel & subsistence	Predetermined increase
Boilermaker-Blacksmith	Select One	No increase *
Driver (On/Off-Hauling To/From Construction Site)	Select One	Increase
Electrical Utility Lineman (a)	Select One	Increase
Electrical Utility Lineman (b)	Select One	No increase *
Electrical Utility Lineman (c)	Select One	No increase *
Iron Worker	Select One	Increase
Metal Roofing +	Select One	Increase
Stator Rewinder	Select One	No increase *
Telecommunications Technician	Select One	Increase
Telecommunications Technician (d)	Select One	Increase
Tree Trimmer (High Voltage Line Clearance)	Select One	Increase
Tree Trimmer (High Voltage Line Clearance) (b)	Select One	No increase *
Operating Engineer (Highway and Highway Towing)	Select One	Increase
Operating Engineer (Building Construction) +	Select One	Increase

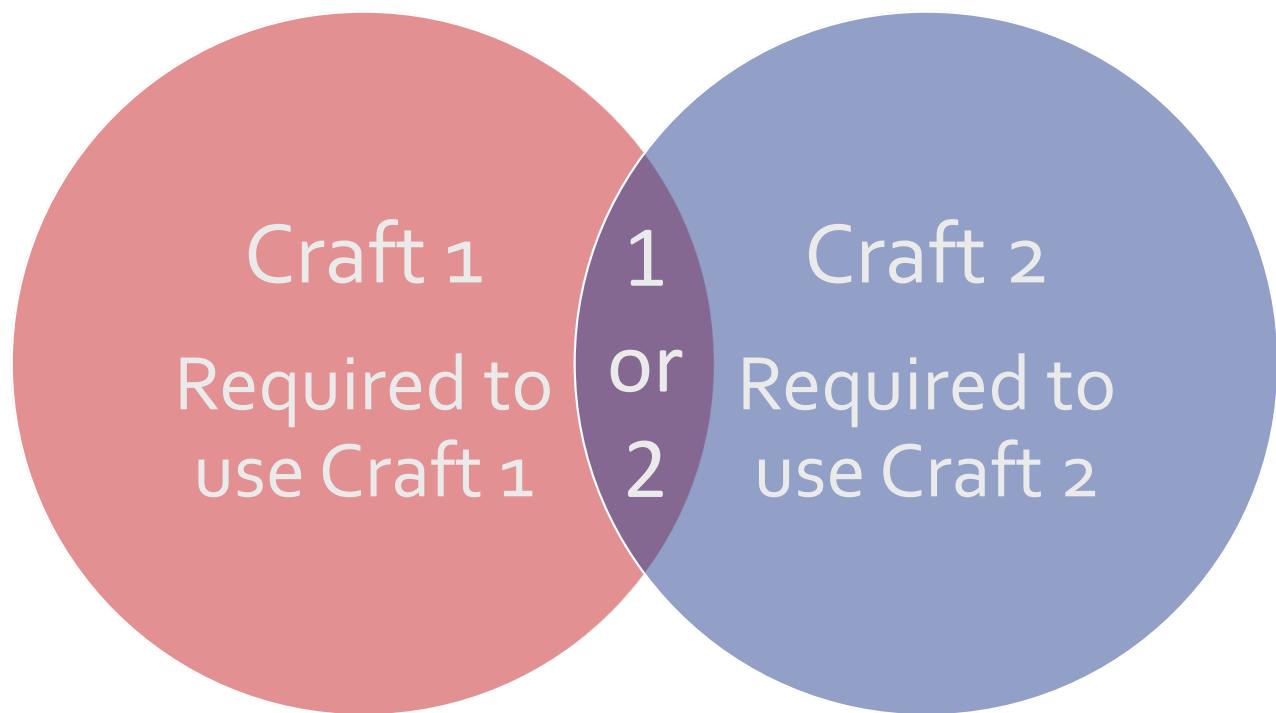


Scope, Holiday, Travel, Increases

COUNTY

REGION	Holidays, scope of work, travel & subsistence	Predetermined increase	County	Predetermined increase										
Blacksmith (Hauling To/From Site)	<div style="border: 1px solid green; padding: 5px;"> Select One Select One Holidays Scope Travel </div>	No increase * Increase	Alameda	Increase										
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>CRAFT</th><th>CLASSIFICATION</th><th>HOLIDAY PROVISIONS</th><th>SCOPE OF WORK PROVISIONS</th><th>TRAVEL & SUBSISTENCE PROVISIONS</th></tr> </thead> <tbody> <tr> <td>#BRICKLAYER, BLOCKLAYER:</td><td>BRICKLAYER, BLOCKLAYER, STONEMASON</td><td>Holidays</td><td>Scope of Work</td><td>Travel & Subsistence</td></tr> </tbody> </table>					CRAFT	CLASSIFICATION	HOLIDAY PROVISIONS	SCOPE OF WORK PROVISIONS	TRAVEL & SUBSISTENCE PROVISIONS	#BRICKLAYER, BLOCKLAYER:	BRICKLAYER, BLOCKLAYER, STONEMASON	Holidays	Scope of Work	Travel & Subsistence
CRAFT	CLASSIFICATION	HOLIDAY PROVISIONS	SCOPE OF WORK PROVISIONS	TRAVEL & SUBSISTENCE PROVISIONS										
#BRICKLAYER, BLOCKLAYER:	BRICKLAYER, BLOCKLAYER, STONEMASON	Holidays	Scope of Work	Travel & Subsistence										

Work Classification Overlap (Incidental Work)



Wage Determination Examined

GENERAL PREVAILING WAGE DETERMINATION MADE BY THE DIRECTOR OF INDUSTRIAL RELATIONS
PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 1, ARTICLE 2, SECTIONS 1770, 1773 AND 1773.1
FOR COMMERCIAL BUILDING, HIGHWAY, HEAVY CONSTRUCTION AND DREDGING PROJECTS

Craft: Drywall Installer/Lather (Carpenter)[#]

Determination:

Issue Date:
August 22, 2022

Effective Date:
September 1, 2022

On:
aid for work performed after this date has been determined. If work will extend past this date, the new rate
is incorporated in contracts entered into now. Contact the Office of the Director - Research Unit for specific rates at

Localities:
All localities within Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura counties.

Wages and Employer Payments:

Classification (Journeyperson)	Basic Hourly Rate	Health and Welfare	Pension	Vacation and Holiday ^a	Training	Other ^b	Hours	Total Hourly Rate	Daily Overtime Hourly Rate (1 1/2 X) ^c	Saturday Overtime Hourly Rate (1 1/2 X) ^c	Sunday/ Holiday Overtime Hourly Rate (2 X)
Drywall Installer/Lather	\$47.24	\$8.00	\$5.66	\$7.31	\$0.67	\$2.77	8.0	\$71.65	\$95.27	\$95.27	\$118.89



Wage Determination Examined

GENERAL PREVAILING WAGE DETERMINATION MADE BY THE DIRECTOR OF INDUSTRIAL RELATIONS
PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 1, ARTICLE 2, SECTIONS 1770, 1773 AND 1773.1
FOR COMMERCIAL BUILDING, HIGHWAY, HEAVY CONSTRUCTION AND DREDGING PROJECTS

Craft: Drywall Installer/Lather (Carpenter)[#]

Determination:
SC-31-X-41-2022-1

Issue Date:
August 22, 2022

Expiration date of determination:
June 30, 2023**

Work performed after this date has been determined. If work will extend past this date, the new rate will be determined based on contracts entered into now. Contact the Office of the Director - Research Unit for specific rates at (916) 653-6444.

Localities:
All localities within Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura counties.

Wages and Employer Payments:

Classification (Journeyperson)	Basic Hourly Rate	Health and Welfare	Pension	Vacation and Holiday ^a	Training	Other ^b	Hours	Total Hourly Rate	Daily Overtime Hourly Rate (1 1/2 X) ^c	Saturday Overtime Hourly Rate (1 1/2 X) ^c	Sunday/ Holiday Overtime Hourly Rate (2 X)
Drywall Installer/Lather	\$47.24	\$8.00	\$5.66	\$7.31	\$0.67	\$2.77	8.0	\$71.65	\$95.27	\$95.27	\$118.89



Wage Determination Examined

GENERAL PREVAILING WAGE DETERMINATION MADE BY THE DIRECTOR OF INDUSTRIAL RELATIONS
PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 1, ARTICLE 2, SECTIONS 1770, 1773 AND 1773.1
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Craft: Drywall Installer/Lather (Carpenter)[#]

Determination:
SC-31-X-41-2022-1

Issue Date:
August 22, 2022

Expiration date of determination:
June 30, 2023** The rate to be paid for work performed after this date has been determined. If work will extend past this date, the new rate must be paid and should be incorporated in contracts entered into now. Contact the Office of the Director - Research Unit for specific rates at (415) 703-4774.

Localities:
All localities within Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura counties.

Wages and Employer Payment	Basic Hour Rate	Health and Welfare	Pension	Vacation and Holiday^a	Training	Other^b	Daily Overtime Hourly Rate (1 1/2 X)^c	Saturday Overtime Hourly Rate (1 1/2 X)^c	Sunday/ Holiday Overtime Hourly Rate (2 X)
Classification (Journeyperson)									
Drywall Installer/Lather	\$47.2	\$8.00	\$5.66	\$7.31	-\$0.67	\$2.77	\$95.27	\$95.27	\$118.89



Basic Hourly Rates

Wages and Employer Payments:

Classification (Journeyperson)	Basic Hourly Rate	Health and Welfare	Pension	Vacation and Holiday ^a	Training	Other ^b	Hours	Total Hourly Rate	Daily Overtime Hourly Rate (1 1/2 X) ^c	Saturday Overtime Hourly Rate (1 1/2 X) ^c	Sunday/ Holiday Overtime Hourly Rate (2 X)
Drywall Installer/Lather	\$47.24	\$8.00	\$5.66	\$7.31	\$0.67	\$2.77	8.0	\$71.65	\$95.27	\$95.27	\$118.89

Basic Hourly Rate		Basic Hourly Rates	Employer Payments				
47.24		47.24	+ 24.41 =	71.65	Total Hourly Rate		
47.24	X 1.5 =	70.86	+ 24.41 =	95.27	Daily Overtime Hourly Rate (1 1/2 X) Saturday Overtime Hourly Rate (1 1/2 X)		
47.24	X 2.0 =	94.48	+ 24.41 =	118.89	Sunday / Holiday Overtime Hourly Rate (2 X)		

$$24.41 = 8.00 + 5.66 + 7.31 + 0.67 + 2.77$$



Predetermined Increase

DRYWALL INSTALLER/LATHER (CARPENTER)

Determination SC-31-X-41-2022-1 is currently in effect and expires on June 30, 2023**.

Effective July 1, 2023, there will be a \$3.25 increase to be allocated to wages and/or employer payments.

Effective July 1, 2024, there will be a \$3.25 increase to be allocated to wages and/or employer payments.

Effective July 1, 2025, there will be a \$3.50 increase to be allocated to wages and/or employer payments.

There will be no further increases applicable to this determination.

Issued 8/22/2022, Effective 9/1/2022 until superseded.

This page will be updated when wage rate breakdown becomes available.

Last Updated: September 1, 2022

DRYWALL INSTALLER/LATHER (CARPENTER)

Determination SC-31-X-41-2022-1 is currently in effect and expires on June 30, 2023**.

Effective July 1, 2023, there will be a \$3.25 increase to be allocated as follows: \$1.62 to Basic Hourly Rate, \$0.25 to Health & Welfare, \$0.25 to Pension, \$0.08 to Vacation/Holiday, \$0.05 to Training and \$1.00 to Other Payments.

Effective July 1, 2024, there will be a \$3.25 increase to be allocated to wages and/or employer payments.

Effective July 1, 2025, there will be a \$3.50 increase to be allocated to wages and/or employer payments.

There will be no further increases applicable to this determination.

Issued 8/22/2022, Effective 9/1/2022 until superseded.

This page will be updated when wage rate breakdown becomes available.

Last Updated: June 23, 2023



Pay prevailing wage on any project receiving >\$1,000 in public funds



Find prevailing wage determinations, set by the Director's Office, on the web for each craft/classification



Be sure to include any predetermined increases to the rate, fringe benefits, and overtime rates as required by law



Contractor Responsibilities

Prevailing Wage

>\$1,000

Contractor Registration

>\$15,000

M

>\$25,000

CADIR

Apprenticeship

≥\$30,000

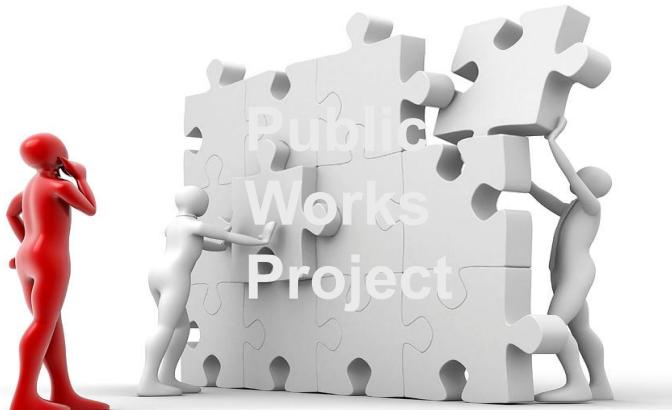
Labor Code 1771, 1725.5, and 1777.5



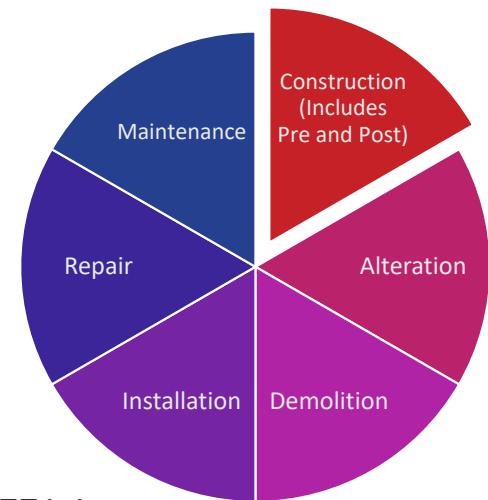
Register as a Public Works Contractor



BID	AMT
General Contractor	\$\$\$
Subcontractor 1	\$\$
Subcontractor 2	\$\$
Total	\$\$\$\$



Labor Codes(s) 1725.5 & 1771.1

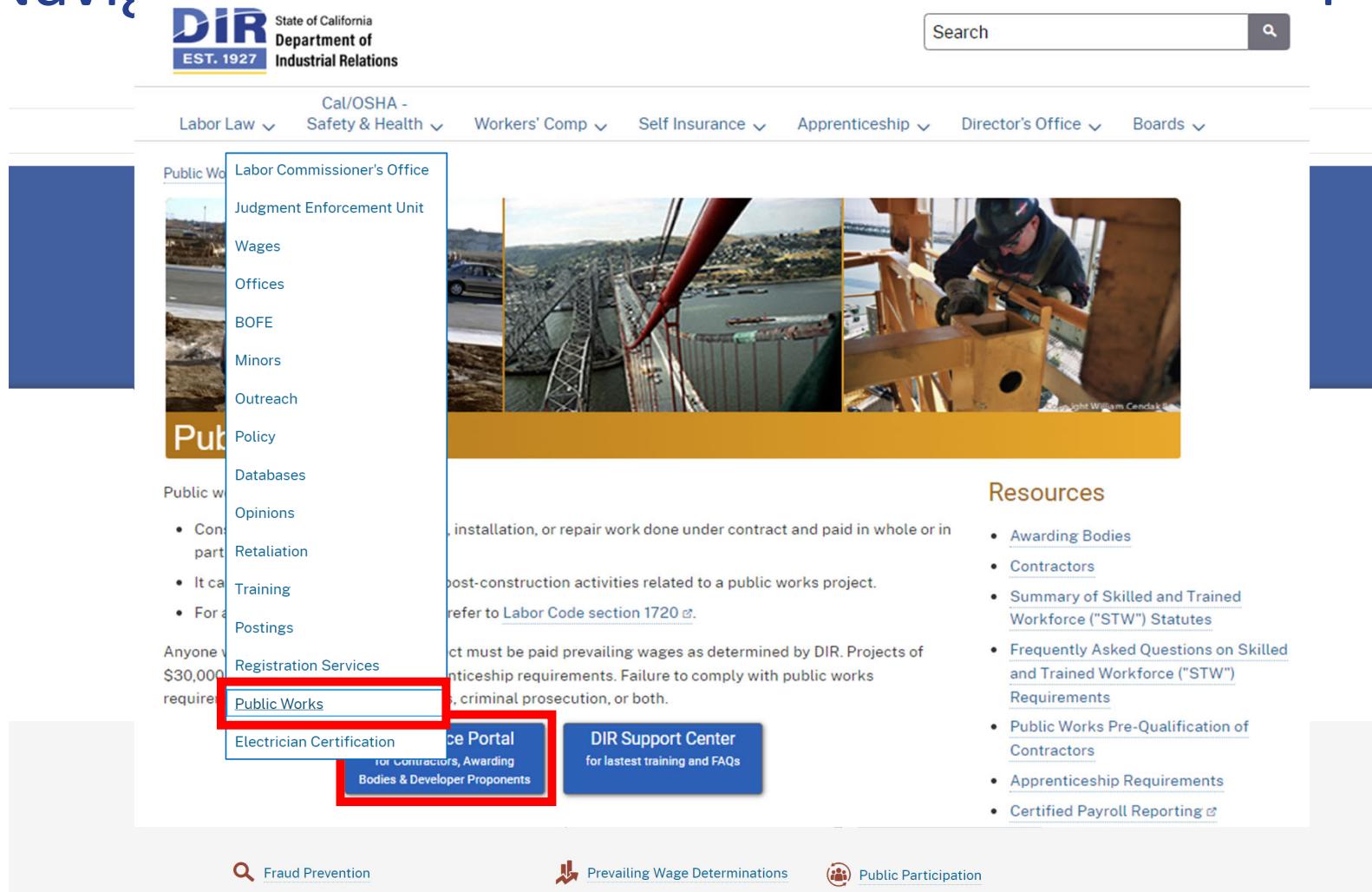


Fiscal Periods for Registrations

- *Users can register/renew to be active during **one, two, or three fiscal periods***
 - *Fiscal periods cover periods from **July 1** thru **June 30***
 - **\$400 non-refundable fee per fiscal period**



Navigating Website Contractor Registration



ifornia
t of
elations

Contractors

Projects

Register

Log in



Services Portal

conditions in California since 1927



Services



Associate your User Account with an entity

Select the entity type you want to associate your account with.



Awarding Body or Development Proponent

If you work for an entity that awards a contract for public works.

The awarding body can be any kind of public agency, department, board, official or a private entity using public funds, and is sometimes known as the project owner.

Or if you are a the developer who submits an application for streamlined approval.

A Development proponent approval allows to submit projects and award contractors.

Recommended based on your email

No Recommendations Found.



Contractor

If you work or bid on a public works project or a contract that requires the payment of prevailing wages.

It includes subcontractors who have entered into a contract with another contractor to perform a portion of the work.

As a Public Works Contractor you must have a CSLB license or SOS number.

A Contractor registration allows to submit payroll to the projects you are working on.

Recommended based on your email

No Recommendations Found.



[Back](#)

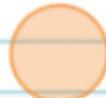
Register a new Contractor

• Indicates required

Legal Information

PWCR Number (numbers only)

Please Enter the PWCR Number



• Legal Entity Type

DBA (Doing Business As)

Please select a legal entity type

Please enter a value

• Legal Entity Name

• President Name

Please enter the Legal Entity Name

Please enter the president's name

CLSB Number

SOS Number

Please enter the CLSB

Please Enter the SOS Number

• Business Email

Approved Domains



conditions in California since 1927



Associated Accounts

Contractor Registrations in Progress

Registration Status

Registration In-Progress

Complete registration application

Requested: 2024-06-24 16:02:11

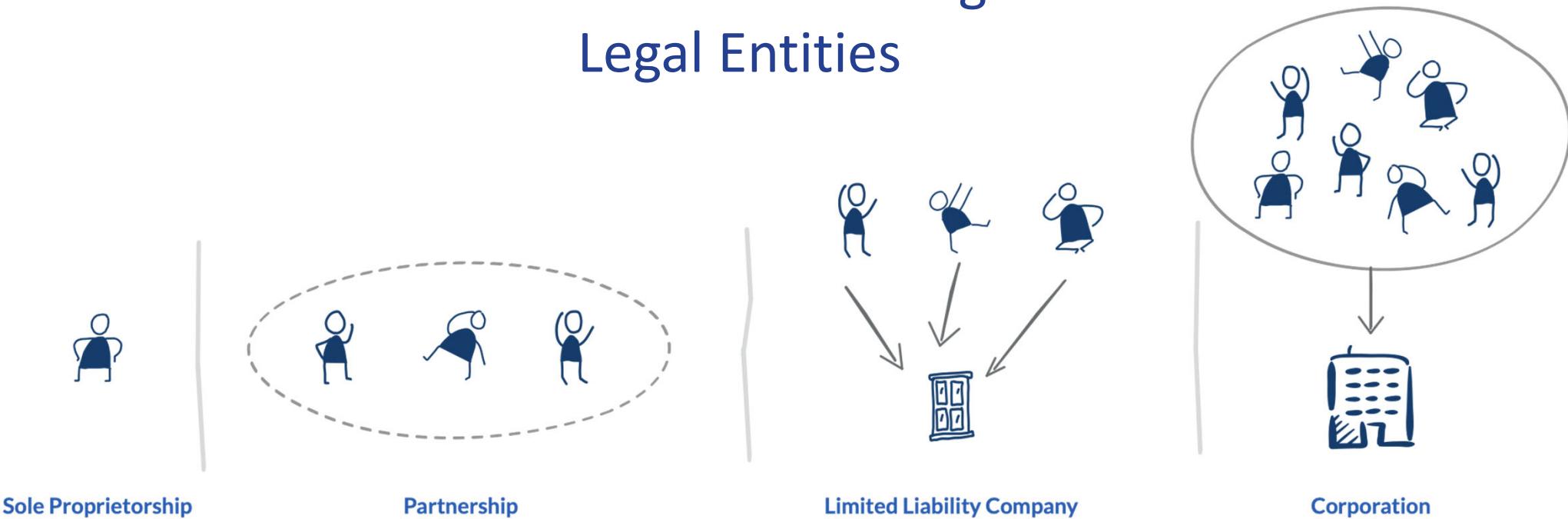
Provide additional information and pay the fee to complete registration.

Jane DEF
DEF Contracting 2000001261



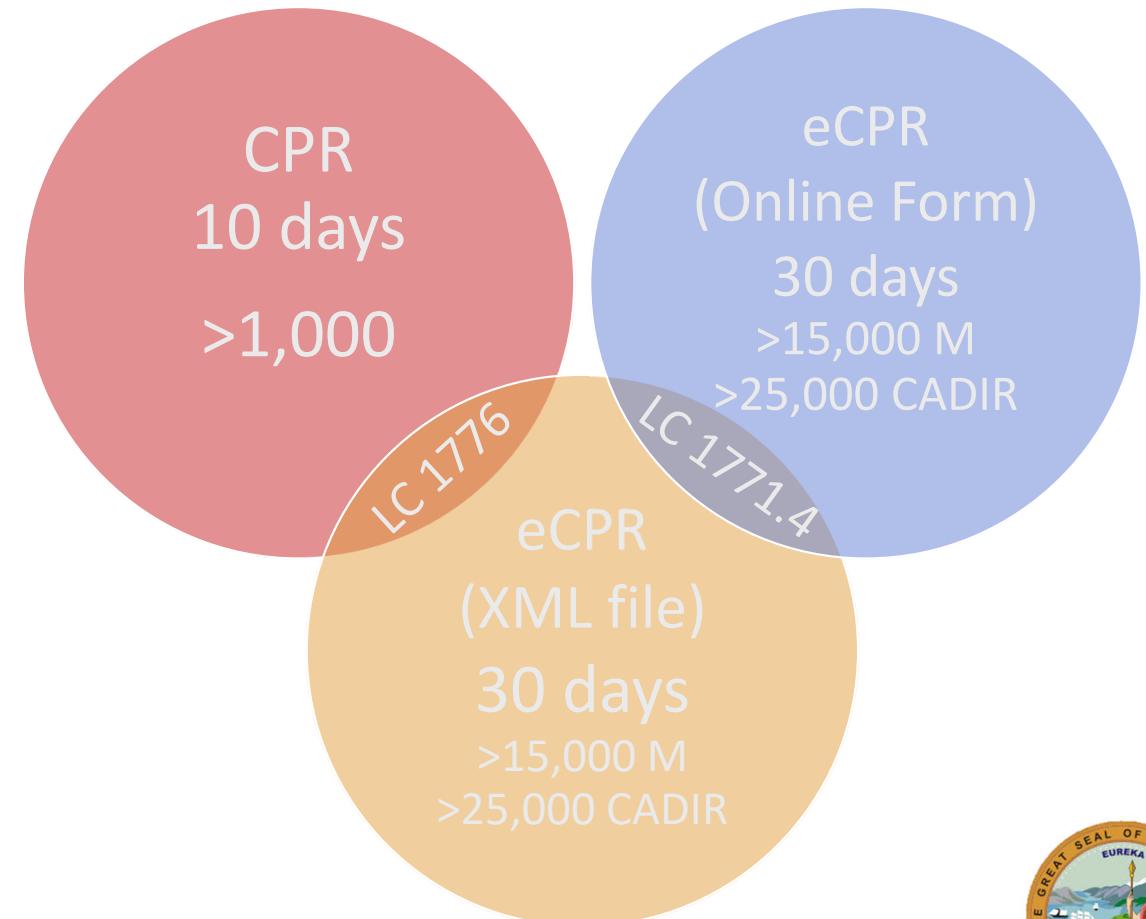
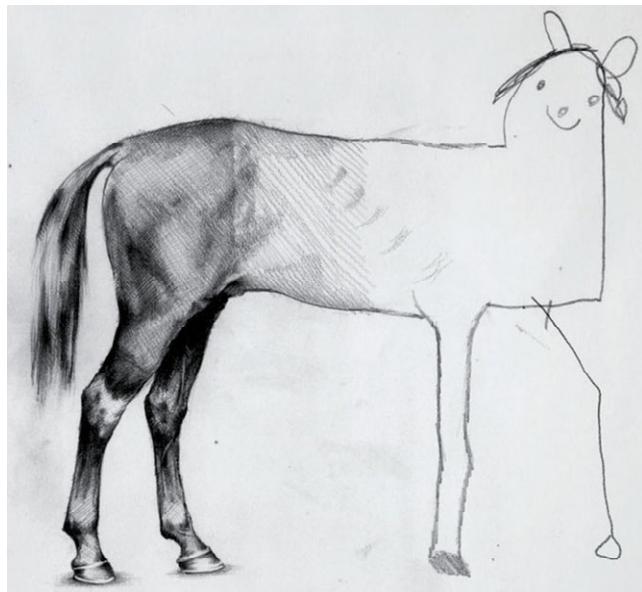
Public Works Contractor Registration

Legal Entities



- Public Works Contractor Registrations are valid *per* legal entity
- A transition to different legal entity type will require a new registration

Maintain and Furnish Payroll Records



Labor Code(s) 1776 and 1771.4



Form A-1-131

NOTICE TO PUBLIC ENTITY

For Privacy Considerations

Fold back along dotted line prior to copying for release to general public (private persons).

(Paper Size then 8-1/2 x 11 inches)

I, _____, the undersigned, am the
(Name – print)

_____ with the authority to act for and on behalf of
(Position in business)

_____, certify under penalty of perjury
(Name of business and/or contractor)

that the records or copies thereof submitted and consisting of _____
(Description, number of pages)

are the originals or true, full, and correct copies of the originals which depict the payroll record(s)
of the actual disbursements by way of cash, check, or whatever form to the individual or
individuals named.

Date: _____

Signature: _____



Form A-1-131



California
Department of
Industrial Relations

PUBLIC WORKS PAYROLL REPORTING FORM

Page _____ of _____

 California Department of Industrial Relations		PUBLIC WORKS PAYROLL REPORTING FORM																			
												Page _____ of _____									
NAME OF CONTRACTOR: OR SUBCONTRACTOR:						CONTRACTOR'S LICENSE NO.: SPECIALITY LICENSE NO.:				ADDRESS:											
PAYROLL NO.:			FOR WEEK ENDING:				SELF-INSURED CERTIFICATE NO.: WORKERS' COMPENSATION POLICY NO.:				PROJECT OR CONTRACT NO.: PROJECT AND LOCATION:										
		(4)	DAY			(5)					(6)										
(1) NAME, ADDRESS AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) NO. OF WITH- HOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	M T W TH F S S	DATE						TOTAL HOURS	HOURLY RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS, CONTRIBUTIONS AND PAYMENTS				(9) NET WGS PAID FOR WEEK				
				HOURS WORKED EACH DAY																	
													THIS PROJECT	ALL PROJECTS	FED. TAX	FICA (SOC. SEC.)	STATE TAX	SDI	VAC/ HOLIDAY	HEALTH & WELF.	PENSION
															TRAING.	FUND ADMIN	DUES	TRAV/ SUBS.	SAVINGS	OTHER*	TOTAL DEDUC- TIONS

S – STRAIGHT TIME

O = OVERTIME

SDI = STATE DISABILITY INSURANCE

*OTHER – Any other deductions, contributions and/or payments whether or not included or required by prevailing wage determinations must be separately listed. Use extra sheet(s) if necessary

**CERTIFICATION MUST be completed
(See reverse side)**





Contractors Projects Services Your information ▾ Test User

Welcome, Test User

Example Contractor for Testing

DIR Approved

Registration valid from to

[Manage Contractor Employees](#) [Manage Contractor Users](#) [Manage Contractor Information](#)

My Projects

Search My Projects

All

Name	Project Number	State	Stage	Awarding Body	Submit new ECPR	View eCPRs
Example.Project	123456789	Approved		Demo Awarding Body		(circled in orange)
Painting	1234567	Approved		Example.Awarding.Body.for.Testing		



Rows 1 - 2 of 2



Project Name: Example Project

[Update Subcontractors List](#)

project status: Approved

[See Project Information](#)

DIR Project ID 123456789

Example Contractor for Testing

[Submit New eCPR](#)[Upload New eCPR](#)

☰ Payroll Runs

Payroll Number	Start Date	End Date	Payroll Type	Created	Amendments	Submitted	State	Open eCPR	Amend
PRRUN0002172	2024-06-14	2024-06-20	Regular	2024-06-14 14:41:13	1		Draft	Open eCPR	Amend
PRRUN0002141	2024-06-01	2024-06-07	Regular	2024-06-13 10:24:27	0	2024-06-13	Submitted	Open eCPR	Amend
PRRUN0002173			Regular	2024-06-14 14:43:47	0		Draft	Open eCPR	Amend



Rows 1 - 3 of 3



-  Payroll Setup
Action required
-  Employee Selection
Action required
-  Payroll Information
Action required
-  Review and Submit
Action required

Payroll Setup

Select Payroll type

Regular

Work was performed during the payroll period

Non-Performance

No work was performed during the payroll period

Is this the Final Payroll for this project?

Yes No

Select reporting type

Weekly Bi-weekly Semi-monthly

7 days

14 days

From 1st to 15th OR from 16th to last day of the month

From Date

mm/dd/yyyy 

To Date

mm/dd/yyyy





Support Contractors Projects Services Your information ▾  Test User

Project Name: Painting

[Update Subcontractors List](#)

project status: Approved

[See Project Information](#)

DIR Project ID

Example Contractor for Testing

[Submit New eCPR](#)

[Upload New eCPR](#)



☰ Payroll Runs

Payroll Number	Start Date	End Date	Payroll Type	Created	Amendments	Submitted	State	Open eCPR	Amend
PRRUN0002230	2024-06-20	2024-06-26	Regular	2024-06-19 12:07:16	0		Draft	Open eCPR	Amend
PRRUN0002222	2024-06-19	2024-06-25	Regular	2024-06-19 09:00:29	0		Draft	Open eCPR	Amend
PRRUN0002221	2024-06-19	2024-06-25	Regular	2024-06-19 08:47:18	0		Draft	Open eCPR	Amend
PRRUN0002220	2024-06-12	2024-06-18	Regular	2024-06-19 08:32:58	0		Draft	Open eCPR	Amend



Rows 1 - 4 of 4



-  Upload eCPR XML
Action required
-  Sign and Submit eCPR
Action required

Upload ECPR XML

Upload ECPR XML File

* Indicates required

* Contractor

 Example Contractor for Testing x ▼

* Project

 "Emergency Main Feed Water Line Repair" x ▼

* Upload XML File

 Required - Upload

Next Step



Support Center



Cal/OSHA -
Labor Law ▾ Safety & Health ▾ Workers' Comp ▾ Self Insurance ▾ Apprenticeship ▾ Director

[Public Works](#) / [Support Center](#)

Support Center

Not sure how to do something? See our [how-to guides](#).
Got a question? Explore our [Frequently Asked Questions](#).
Need to get in touch? [Reach out to DIR Public Works](#).
Need updates? [Sign up for our communications](#).

Go to How-To Guides

Upcoming Trainings

The Labor Commissioner's Office offers educational seminars across the state to provide an overview of prevailing wage and apprenticeship standards compliance and public works enforcement. Discussions will include awarding body responsibilities, coverage determinations, and prequalification of contractors, contractor registration and Project Registration (formerly known as PWC-100). Some seminars are focused on requirements for specific groups such as contractors or public agencies.

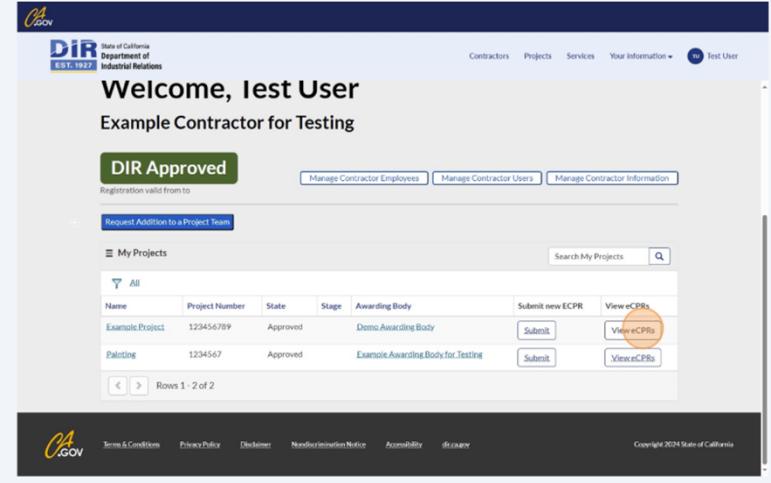
Subject	Date and Time	Location	Audience	Notes	Registration

Search

How to Submit a Manual Payroll Record

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- 1 Log in to your contractor landing page. Click "View eCPRs" for the project to which you would like to submit a manual payroll record.





Register your company with DIR to bid on, be listed on bids for, or perform work on public works projects



Maintain active registration for every fiscal period you will engage in any of the above activities



Comply with all certified payroll record requirements



Contractor Responsibilities

Prevailing Wage

>\$1,000

Contractor Registration

>\$15,000

M

>\$25,000

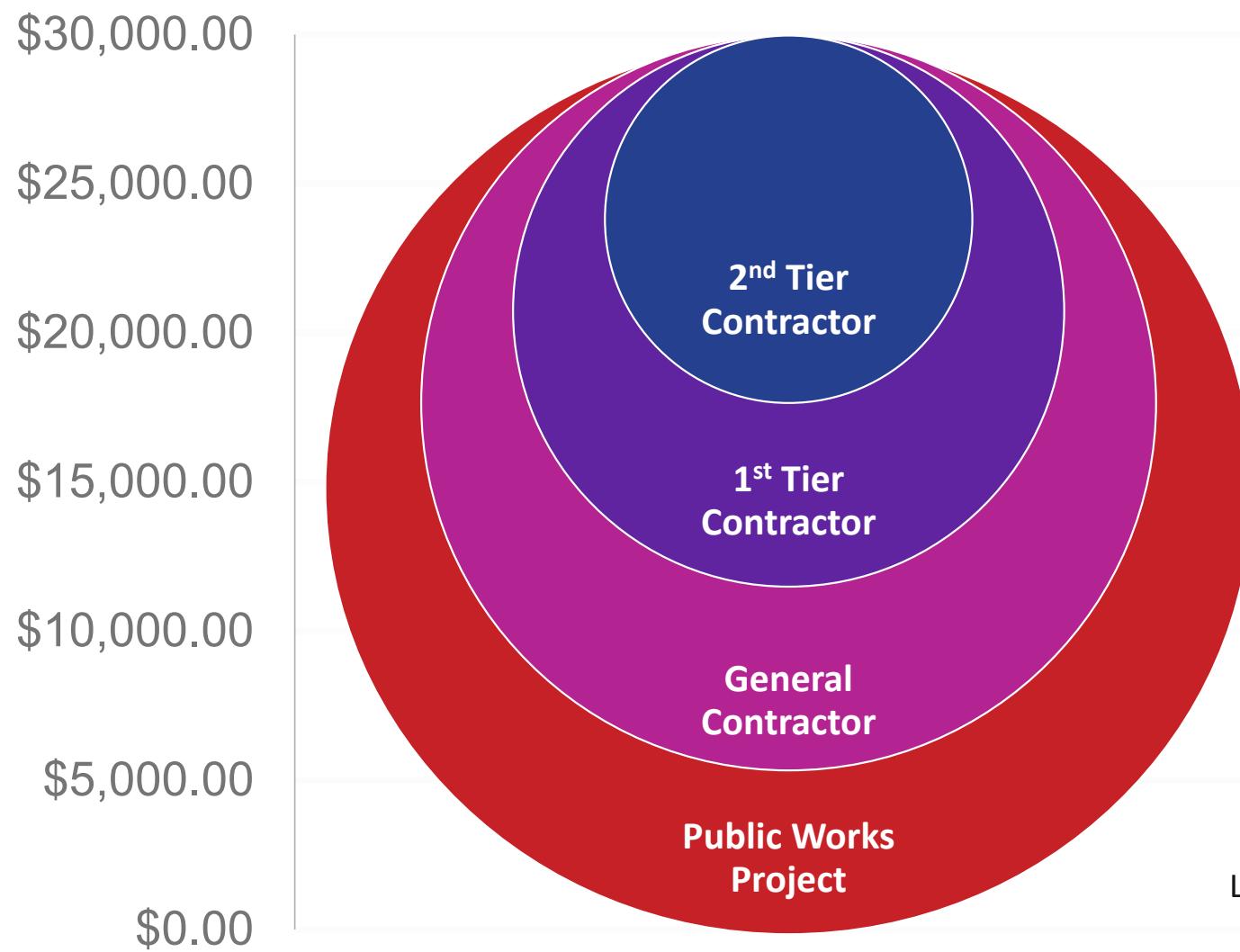
CADIR

Apprenticeship

≥\$30,000

Labor Code 1771, 1725.5, and 1777.5





Labor Code 1777.5
≥\$30,000



Wage Determination Examined

GENERAL PREVAILING WAGE DETERMINATION MADE BY THE DIRECTOR OF INDUSTRIAL RELATIONS
PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 1, ARTICLE 2, SECTIONS 1770, 1773 AND 1773.1
FOR COMMERCIAL BUILDING, HIGHWAY, HEAVY CONSTRUCTION AND DREDGING PROJECTS

Craft: Drywall Installer/Lather (Carpenter)[#]

Determination:
SC-31-X-41-2022-1

Issue Date:
August 22, 2022

Expiration date of determination:
June 30, 2023** The rate to be paid for work performed after this date has been determined. If work will extend past this date, the new rate must be paid and should be incorporated in contracts entered into now. Contact the Office of the Director - Research Unit for specific rates at (415) 703-4774.

Localities:
All localities within Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura counties.

Wages and Employer Payments:

Classification (Journeyperson)	Basic Hourly Rate	Health and Welfare	Pension	Vacation and Holiday ^a	Training	Other ^b	Hours	Total Hourly Rate	Daily Overtime Hourly Rate (1 1/2 X) ^c	Saturday Overtime Hourly Rate (1 1/2 X) ^c	Sunday/ Holiday Overtime Hourly Rate (2 X)
Drywall Installer/Lather	\$47.24	\$8.00	\$5.66	\$7.31	\$0.67	\$2.77	8.0	\$71.65	\$95.27	\$95.27	\$118.89



Contract Award Information

PUBLIC WORKS CONTRACT AWARD INFORMATION

Contract award information must be sent to your Apprenticeship Committee if you are approved to train. If you are not approved to train, you must send the information (which may be this form) to ALL applicable Apprenticeship Committees in your craft or trade in the area of the site of the public work. Go to: <http://www.dir.ca.gov/databases/das/pwaddrstart.asp> for information about programs in your area and trade. You may also consult your local Division of Apprenticeship Standards (DAS) office whose telephone number may be found in your local directory under California, State of, Industrial Relations, Division of Apprenticeship Standards.

Do not send this form to the Division of Apprenticeship Standards.

NAME OF YOUR COMPANY	CONTRACTOR'S STATE LICENSE NO
MAILING ADDRESS- NUMBER & STREET, CITY, ZIP CODE	AREA CODE & TELEPHONE NO.
NAME & ADDRESS OF PUBLIC WORKS PROJECT	DATE YOUR CONTRACT EXECUTED
	DATE OF EXPECTED OR ACTUAL START OF PROJECT
NAME & ADDRESS OF PUBLIC AGENCY AWARDING CONTRACT	ESTIMATED NUMBER OF JOURNEYMAN HOURS
	OCCUPATION OF APPRENTICE
THIS FORM IS BEING SENT TO: (NAME & ADDRESS OF APPRENTICESHIP PROGRAM(S))	ESTIMATED NUMBER OF APPRENTICE HOURS
	APPROXIMATE DATES TO BE EMPLOYED



This is not a request for dispatch of apprentices.

Contractors must make a separate request for actual dispatch, in accordance with Section 230.1(a) California Code of Regulations

Check One Of The Boxes Below

1. We are already approved to train apprentices by the Apprenticeship Committee. We will employ and train under their Standards. Enter name of the Committee
2. We will comply with the standards of Apprenticeship Committee for the duration of this job only. Enter name of the Committee
3. We will employ and train apprentices in accordance with the California Apprenticeship Council regulations, including § 230.1 (c) which requires that apprentices employed on public projects can only be assigned to perform work of the craft or trade to which the apprentice is registered and that the apprentices must at all times work with or under the direct supervision of journeyman/men.

Signature

Date

Typed Name

Title

**State of California - Department of Industrial Relations DIVISION
OF APPRENTICESHIP STANDARDS**

DAS 140 (REV. 1/04)



	Minimum Ratio	Contract Award Information	Maximum Ratio	J Journeyman On Duty
Box 1		May be sent only to apprenticeship committee that approved the contractor	May be found in the apprenticeship standards under which the contractor has agreed to be bound by.	Not a CAC Regulation but will enforce DAS approved apprenticeship standards
Box 2	One apprentice hour for every five journeyman hours	Must be sent to all applicable apprenticeship committees	Calculated at the end of the project and not on a daily basis.	
Box 3			Not Applicable Not a CAC Regulation	Apprentices must work with or under a journeyman at all times.



Public Works Apprenticeship Requirements

All public works contracts valued at \$30,000 or more carry an obligation to hire apprentices, unless the craft or trade does not require the use of apprentices, as indicated in the corresponding prevailing wage determination. This duty applies to all contractors and subcontractors on a project, even if their part of the project is less than \$30,000.

The Division of Apprenticeship Standards (DAS) provides assistance to contractors who need to



State of California
Department of
Industrial Relations

Labor Law ▾

Cal/OSHA -
Safety & Health ▾

Workers' Comp ▾

Self Insurance ▾

Apprenticeship ▾

Director's Office ▾

Boards ▾



Paid Sick Leave



Minimum Wage



File a Claim or
Complaint

Ratios.

Provide worker's compensation benefits to apprentices.

• Plaster Tender

<https://www.dir.ca.gov/databases/das/pwaddrstart.asp>

Division of Apprenticeship
Standards

Funding

- [Funding Resources](#)
- [Equal Representation in Construction Apprenticeship Grant](#)

Search

[Apprenticeship Home](#)

[Apprenticeship Search](#)

[Public Works](#)

[Sponsors](#)

[Overview](#)

[Educators](#)

[Employers](#)

[Veterans](#)



COVID-19
Guidance and
Resources



Minimum Apprenticeship Ratio

Straight
Time
Journeyman
Hours
Worked



20%



Minimum
Apprentice
Hours
Required

LC 1777.5
CCR 230.1



Minimum Apprentice Hours Required Example

	#Craft 1	#Craft 2
J Journeyman ST Hours Worked	1000	500
J Journeyman OT Hours Worked	500	200

Minimum Apprentice Hours Required

	#Craft 1	#Craft 2
J Journeyman ST Hours Worked x 20%	200	100

All apprentice hours count towards
the minimum ratio requirement



Request for Dispatch of an Apprentice



REQUEST FOR DISPATCH OF AN APPRENTICE – DAS 142 FORM

DO NOT SEND THIS FORM TO DAS

You may use this form to request dispatch of an apprentice from the Apprenticeship Committee in the craft or trade in the area of the public work. Go to: <http://www.dir.ca.gov/databases/das/pwaddrstart.asp> for information about programs in your area and trade. You may also consult your local Division Apprenticeship Standards (DAS) office whose telephone number may be found in your local directory under California, State of, Industrial Relations, Division of Apprenticeship Standards. **Except for projects with less than 40 hours of journeymen work, you must request and employ apprentices in no less than 8 hour increments.**

List one occupation/craft per form

Date:

Contractor Requesting Dispatch:

To Applicable Apprenticeship Committee:

Name: _____

Name: _____

Address: _____

Address: _____

Tel. No. _____ Fax No. _____

License No. _____

PWC Registration Number: _____

Tel. No. _____ Fax No. _____



Project Information: PWC Project Number _____ Contract Number _____

Total Contract Amount. _____ Sub-Contract Amount _____

Name of the Project: _____

Address: _____

Dispatch Request Information:

Number of Apprentice(s) Needed: _____ Craft or Trade: _____

Date Apprentice(s) to Report: _____ (72 hrs. notice required) Time to Report: _____

Name of Person to Report to: _____

Address to Report to: _____

You may use this form to make your written request for the dispatch of an apprentice. Requests for dispatch must be in writing and submitted at least 72 hours in advance (excluding weekends and holidays) via first class mail, fax or email. **Proof of submission may be required.** Please take note of California Code of Regulations, Title 8, § 230.1 (a) for all applicable requirements regarding apprenticeship requests and/or

visit <https://www.dir.ca.gov/das/PublicWorksForms.htm>

DAS 142 (Revised 10/18)



At Least 72 Hours' Notice Required



CCR 230.1



Apprenticeship Status and Safety Training Certification

Apprenticeship status certification for public works

Enter search string (LLLL9999) here

SmitM1234

Search



How to compile the search string:

The search string is a total of nine letters and numbers (no characters ', - , etc): the first four letters of the last name (use spaces to make four letters if the last name is shorter than four letters), the first letter of the first name and the last four digits of the social security number (LLLLF9999). Letters can be entered as lower or upper case.

Examples:

Uncle Sam ssn 123-45-6789 would be entered as Sam U6789

Goddess Minerva ssn 123-45-5555 would be entered as MineG5555

Richard Al-Ham ssn 111-44-1111 would be entered as AlhaR1111

Robert O'Brian ssn 111-22-3333 would be entered as OBriR3333

James McHenry ssn 555-66-1234 might be entered as McHeJ1234 or Mc HJ1234

<https://www.dir.ca.gov/das/appcertpw/AppCertSearch.asp>



**DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF APPRENTICESHIP STANDARDS**

P.O. Box 420603
San Francisco, CA 94142-0603



To whom it may concern:

The Division of Apprenticeship Standards hereby certifies that, according to transactions recorded as of August 25, 2019, the below named individual is registered with the State of California as an apprentice in the occupation during the period between the start date and the end date or completion (comp) date listed below. If there is no end date for an occupation, the Apprentice is currently registered in that occupation. Occupations marked with an asterisk (*) are certified as apprenticeable occupations for Public Works projects. For individuals who have completed an approved 20 hour safety training, the course and the date completed are listed below.

Name
Mason Smith
Mason Smith

Occupation	Action	Effective Date	Cert. id
* Cement Mason	Start	03-02-2016	SmitMI234
* Cement Mason	Comp	12-25-2017	SmitMI234

If you have any questions please contact your local Division of Apprenticeship Standards office.

A handwritten signature in black ink, appearing to read "Glen Forman".

Glen Forman
Deputy Chief



Wage Determination Examined

GENERAL PREVAILING WAGE DETERMINATION MADE BY THE DIRECTOR OF INDUSTRIAL RELATIONS
PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 1, ARTICLE 2, SECTIONS 1770, 1773 AND 1773.1
FOR COMMERCIAL BUILDING, HIGHWAY, HEAVY CONSTRUCTION AND DREDGING PROJECTS

Craft: Drywall Installer/Lather (Carpenter)[#]

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Issue Date:
August 22, 2022

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Localities:
All localities within Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura counties.

Wages and Employer Payments:

Classification (Journeyperson)	Basic Hourly Rate	Health and Welfare	Pension	Vacatio n and Holidai a	Training		ther ^b	Hours	Total Hourly Rate	Daily Overtime Hourly Rate (1 ½ X) ^c	Saturday Overtime Hourly Rate (1 ½ X) ^c	Sunday/ Holiday Overtime Hourly Rate (2 X)	
Drywall Installer/Lather	\$47.24	\$8.00	\$5.66	\$7.31		\$0.67	2.77	8.0	\$71.65	\$95.27	\$95.27	\$118.89	



CAC - Public works Training Fund Search

Training Fund Search

This search function allows awarding agencies, labor and contract compliance organizations, contractors, and other interested parties to view and print a specific contractor's Training Fund contribution paid to the California Apprenticeship Council for the previous 48 months. The payment of the training funds is regulated by California Labor Code 1777.5(m)(1)

Please enter the contractor's license number to begin search.

If you do not know the contractor's license number you may search for it at this site: www.cslb.ca.gov

For employers without a Contractor's license you may look up the id number that was assigned

Don't see your recent training fund contribution in the payment history?

Possible reasons:

1) Wrong Remit address, our current remit address is as follows:

Department of Industrial Relations
California Apprenticeship Council
P. O. Box 511283
Los Angeles, CA 90051-7838

dir.ca.gov/CAC/trainingfund/Tfsearch.html



**CALIFORNIA APPRENTICESHIP COUNCIL**

P.O. Box 420603
San Francisco, CA 94142-0603
(415) 703-4920

Re: Training Fund Contribution Inquiry for:

ACME, Inc.
9876 Ocean Blvd
Long Beach, CA 90802

Lic. # 987654

To whom it may concern:

The California Apprenticeship Council hereby certifies that, according to transactions recorded as of August 25, 2019, the training fund contributions shown below have been received from the contractor above during the last four years. The contributions are sorted by County, Check date, Project and Occupation.

County Project	Occupation	Check date	Amount in \$
Los Angeles SP-98765	Cement Masons	04/05/2017	97.92
Los Angeles SP-98765	Laborers	04/05/2017	142.14

If you have any questions please contact the Division of Apprenticeship Standards. trainingfund@dir.ca.gov

A handwritten signature in black ink, appearing to read "Glen Forman".

Glen Forman
for the Secretary, California Apprenticeship Council





Notify apprenticeship committees of contract award information



Employ apprentices in at least the minimum ratio, requesting dispatch if needed



Pay required training fund rate to the applicable committee(s) or CAC



Contractor Responsibilities

Prevailing Wage

>\$1,000

Contractor Registration

>\$15,000

M

>\$25,000

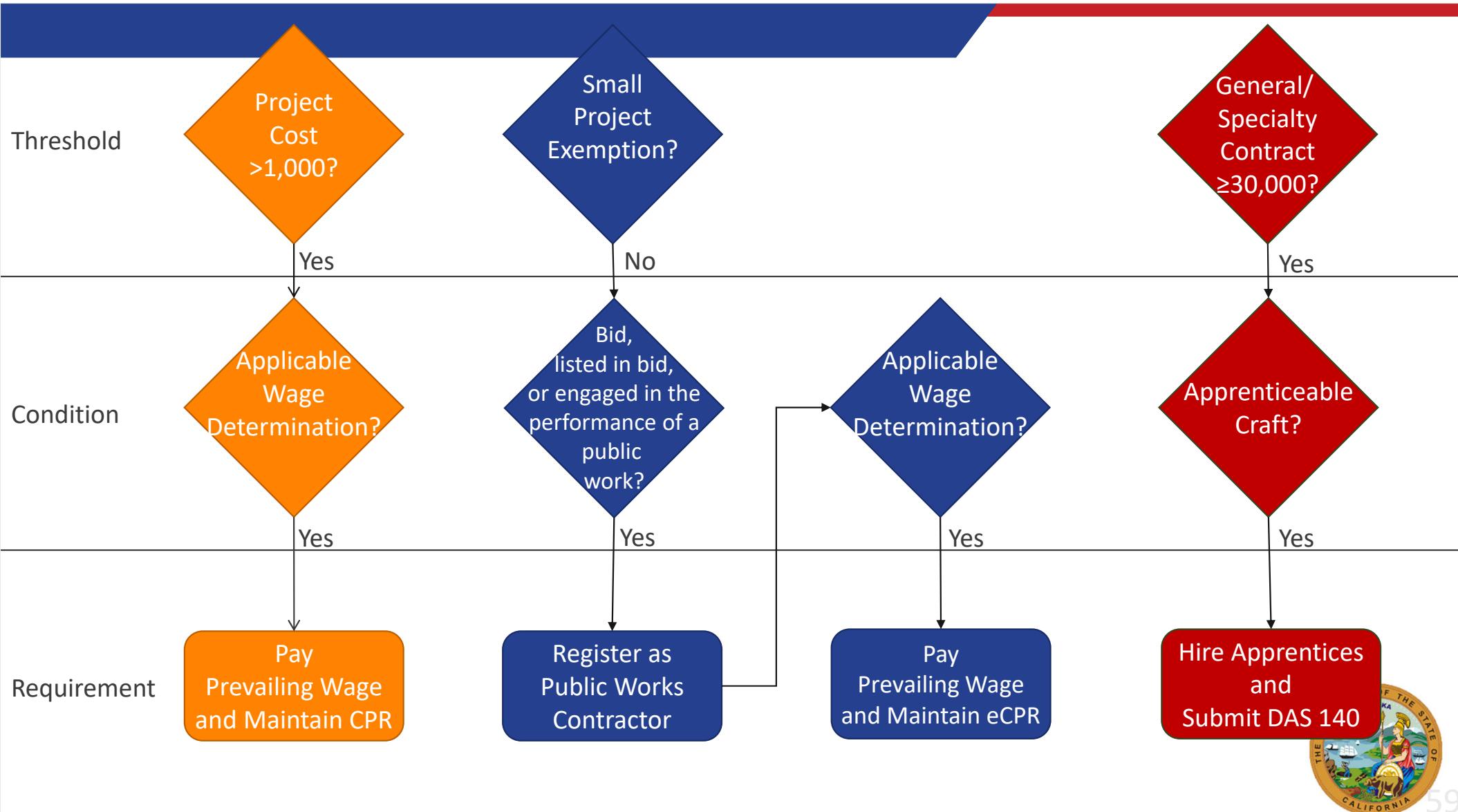
CADIR

Apprenticeship

≥\$30,000

Labor Code 1771, 1725.5, and 1777.5





Contractor Responsibilities

Prevailing Wage

≤\$200 Per
Calendar Day of
Noncompliance
Per Worker

Contractor Registration

Subcontracting With
Unregistered Contractor
\$100/day 10,000/project

Engaged in Performance
of Public Work Contract
\$100/day \$8,000/project

Apprenticeship

≤\$300 Per
Calendar Day of
Noncompliance

Labor Code 1771, 1725.5, and 1777.5



STATE OF CALIFORNIA

DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Labor Standards Enforcement

Headquarters Office
1515 Clay Street, Ste. 1302
Oakland, CA 94612
Tel: (510) 285-2118 Fax: (510) 285-1365

Gavin Newsom, Governor

MAILING ADDRESS:
P. O. Box 420603
San Francisco, CA 94142-0603



Lilia García-Brower
California Labor Commissioner

October 28, 2022

Sent Only Via E-Mail

Contractors' Responsibilities, Statutory Obligations

Re : Successful Bidding and Work on California Public Works Projects

Dear Contractor,

The State Labor Commissioner's Office (LCO) is mandated under law to ensure compliance with Public Works Laws (PWL). This letter seeks to inform and ensure potential and successful contractors understand the legal requirements and potential consequences when bidding or working on a project under California's PWL. (*Lab. Code* §§ 1720 – 1861.) For all projects requiring payment of prevailing wages, all contractors¹ must:

- [Register](#) as a public works contractor with the Department of Industrial Relations (DIR) and remit an application fee. (*Lab. Code* § 1725.5(a).)
- Pay prevailing wages to all workers employed on public works projects. (*Lab. Code* §§ 1770, 1771.)
- Follow apprenticeship standards, more information found [here](#). (*Lab. Code* § 1777.5.)
- For certain projects, comply with California's Skilled and Trained Workforce Requirements. (*Pub. Contract Code* §§ 2600-2603.)
- Maintain and properly submit certified payroll records. More information can be found [here](#). (*Lab. Code* §§ 1771.4, 1776.)

Failing to register as a public works contractor can subject a contractor to civil penalties, accruing at \$100.00 for each day of violation, not to exceed \$8,000.00. A higher tiered public works contractor who contracts with an unregistered lower tier subcontractor is subject to a civil penalty of \$100.00 for each day of violation, not to exceed \$10,000.00. (*Lab. Code* § 1771.1(g), (h).)

A contractor's failure to pay prevailing wage may lead to costly consequences. Recently, a contractor was found liable for **\$1.3 million** in kickbacks and wage theft by its crew leader, covering 27 workers. The LCO

also recovered **\$2.6 million** in wages on behalf of 120 workers from the surety and awarding body in another enforcement action. Those violations involved kickbacks and failing to report all workers on the certified payroll. A third contractor recently was fined **\$200,000** for not paying overtime on a public works project.

With some exceptions, all public works contracts valued at \$30,000 or more carry a duty to hire apprentices. This duty applies to all contractors and subcontractors on a project, even if their part of the project totals less than \$30,000. Contractors who fail to follow apprenticeship standards are liable for civil penalties of up to \$300 for each full calendar day of noncompliance.

Recent changes to the *Public Contract Code* require employment of a Skilled and Trained Workforce (STW) on certain projects. With few exceptions, all workers employed on STW projects must be skilled journeypersons or registered apprentices; and 30-60% of all skilled journeypersons must be graduates of an apprenticeship program. Contractors and subcontractors who violate STW rules can face civil penalties of up to \$10,000 per month of work performed and debarment. More information on STW may be found [here](#).

Contractors must submit certified payroll records to the LCO using DIR's electronic certified payroll system. If not submitted, penalties accrue of \$100 per day, limited to \$5,000 per project. Submission of eCPRs is a separate and distinct reporting requirement from the statutorily required maintenance of certified payroll records.

In addition, contractors who fail to timely submit certified payroll records following a written request of the LCO are subject to a different and additional penalty of \$100 per worker per day.

A contractor's failure to adhere to these requirements compromises the important goals of the PWL, the state, its workers and employers. A contractor who willfully ignores these requirements may be subject to debarment from bidding or working on public works projects. (*Lab. Code* § 1777.1.)

Please refer to the [FAQs](#) on our website for more information regarding PWL requirements. Contact our Public Works Unit at publicworks@dir.ca.gov if you have questions regarding your obligations when awarded a project subject to PWL. For general information on the laws enforced by the LCO you may call 833-LCO-INFO (833-526-4636).

My office is committed to promoting compliance with workplace protections for vulnerable workers, which also levels the playing field and supports law-abiding contractors. We hope to continue in strong partnership with your company toward these worthy goals.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lilia García-Brower".

Lilia García-Brower
California Labor Commissioner

¹ A contractor is any person or company who bids or contracts to work on a public works job. A contractor includes a subcontractor and owner/operator. (*Lab. Code* § 1722.1.)

Thank you for attending!

General questions or system issues?

Labor Commissioner's Office - publicworks@dir.ca.gov

- Provide screenshots and contact information for user experiencing the issues
- Identify details in the subject line
 - PWCR (Public Works Contractor Registration)
 - eCPR (Electronic Certified Payroll Reporting)
 - Awarding Body (Project Registration)



The work I am engaged in requires prevailing wages, what is the applicable craft?

Office of the Director – Research Unit - statistics@dir.ca.gov

Request a wage determination. Provide county, bid date, and scope of work

Is my specific project a public work? The work I am engaged in is innovative and not found in any scope of work provision, am I required to pay prevailing wages?

Office of the Director – Legal Unit - pwcoverage@dir.ca.gov

Request a coverage determination. Provide as much documentation as possible (contract, funding source, lease information, scope of work, etc.)





Prevailing wage LABOR COMPLIANCE SEMINAR Skilled & Trained Workforce Requirements

Public Works

California Labor Commissioner's Office

Department of Industrial Relations

March 13, 2025

Disclaimer

California Labor Commissioner's Office

The following presentation is intended to summarize relevant portions of existing law in the Labor Code and California Code of Regulations, but those code sections, as interpreted by the courts, will govern actual enforcement. The information contained in this presentation is a general overview of existing law or regulation. Any opinions expressed are solely those of the author/speaker and are not necessarily the official position of the Department of Industrial Relations (DIR), its Director, or any related public entity. The information in this presentation is not intended as legal advice, and does not guarantee any outcome in specific enforcement or coverage proceedings within the jurisdiction of DIR.

Additional Disclaimers

California Labor Commissioner's Office

- Presentation WILL NOT cover statutes and regulations that require use of Skilled and Trained Workforce.
 - Public Contract code 2600 does not require STW, but it provides the definition, compliance guidelines and enforcement measures.
 - Awarding Bodies/Public Entities should be aware which government code is applicable to agency.
- Apprenticeship requirements & STW requirements are separate requirements.
- Please bid on STW requirement projects only if confident compliance will be met.

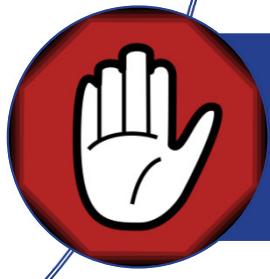
Objectives



Understand STW requirements including bidding, workforce composition, graduation percentage calculation, exceptions



Understand awarding body and contractor compliance and reporting obligations



Be aware of LCO enforcement, including penalties and debarment for noncompliance





State of California
Department of
Industrial Relations

Skilled & Trained Workforce Requirement

Public Contract Code §2600

Skilled & Trained Workforce Requirements

Public Contract Code §2600(a) & §2600(b)

Chapter applies when a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project.

- Awarding Bodies and public entities should be aware of which statutes and regulations apply to their agency. (EDC, HSC, PCC, PUC or any other government codes)

A public entity may require a bidder or contractor to use a skilled and trained workforce to complete a contract or project regardless of whether the public entity is required to do so by a statute or regulation.





State of California
Department of
Industrial Relations

Bidding Requirements & Enforceable Agreements

Public Contract Codes §2600,
§2600.5 & §2602

Bid Requirements

Public Contract Code §2600(c) & §2600.5

When a skilled and trained workforce is required by statute or regulation or by requirement of a public entity, the public entity shall include in all bid documents and construction contracts a notice that the project is subject to the skilled and trained workforce requirement.

The failure of a public entity to provide a notice pursuant to subdivision (c) of Section 2600 shall not excuse either of the following:

- The public entity from the **requirement to obtain an enforceable commitment** that a contractor will use a skilled and trained workforce to complete a contract or project.
- A contractor from the obligation to use a skilled or trained workforce if such a requirement is imposed by a statute or regulation.



Enforceable Agreements

Public Contract Code §2602

Whenever a contractor is subject to the STW requirements, the commitment shall be made in an enforceable agreement with the public entity or other awarding body that provides **BOTH** of the following:

- Contractor and subcontractors at every tier will comply with the STW requirements.
- Contractor and subcontractors will provide a report demonstrating compliance with the STW requirements to the public entity or awarding body on a monthly basis while the project or contract is being performed.
 - Subcontractors should supply monthly reports to prime contractor and prime contractor will supply awarding body or public entity with report for all contractors.





State of California
Department of
Industrial Relations

What is a Skilled & Trained Workforce? ("STW")

Public Contract Code §2601

What is a “Skilled & Trained Workforce”?

Public Contract Code §2601

A STW meets **ALL** of the following conditions:

- ALL workers performing work in an apprenticeable occupation in the building and construction trades are EITHER:
 - Skilled Journeypersons **OR**
 - DAS-Registered Apprentices
- Graduation Percentage Requirement:
 - 30% - 60% of ALL Skilled Journeypersons must be graduates of apprenticeship program.
 - Graduation percentage requirement varies depending on specific craft.
 - Graduation percentage requirement can be met by counting EITHER:
 - Number of Skilled Journeypersons employed (head count) **OR**
 - Number of hours worked by Skilled Journeypersons (hours worked by trade)



Who is a “Skilled Journeyperson”?

Public Contract Code §2601(e)

A Skilled Journeyperson is a worker who EITHER:

- Graduated from a DAS-approved apprenticeship program for the applicable occupation or a DOL-approved apprenticeship program outside California OR
- Has at least as many hours of on-the-job experience in the applicable occupation as would be required to graduate from a DAS-approved apprenticeship program

*Workers that have not graduated from an approved apprenticeship program or do not have the required on the job training hours are not considered skilled journeypersons and should not be allowed to work on skilled and trained workforce requirement projects.



Skilled Journeyperson

Graduated DAS-approved apprenticeship program
OR
Graduated DOL-approved apprenticeship program

On the job (OJT) experience equal to number of hours required to graduate DAS-approved apprenticeship program

Count toward the 30-60% requirement





State of California
Department of
Industrial Relations

STW

Apprenticeship Graduation Requirement

Public Contract Code §2601

Graduation Percentage Requirement

<u>Applies to work performed on or after:</u>	% of journeypersons who must be graduates of apprenticeship program:	Not applicable to work performed by the following trades/occupations:	Authority
January 1, 2017	30%	Teamster	Pub. Contract Code §2601 (d)(2)(A)
January 1, 2018	40%	Acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster , terrazzo worker or finisher, and tile layer, setter, or finisher.	Pub. Contract Code §2601 (d)(2)(B)
January 1, 2019	50%	Same as above. (Including Teamster)	Pub. Contract Code §2601 (d)(2)(C)
January 1, 2020	60%	Same as above. (Including Teamster)	Pub. Contract Code §2601 (d)(2)(D)



Graduation Percentage Requirement

Period Beginning	Period Ending	Classification	Minimum Graduation Percentage Required
1/1/2017	12/31/2017	Teamster	0.00%
		All Others	30.00%
1/1/2018	12/31/2018	Teamster	0.00%
		Acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher	30.00%
		All Others	40.00%
1/1/2019	12/31/2019	Teamster	0.00%
		Acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher	30.00%
		All Others	50.00%
1/1/2020	N/A	Teamster	0.00%
		Acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher	30.00%
		All Others	60.00%



Apprenticeship Graduation Percentage Requirement

The graduation percentage requirement may be satisfied by **EITHER** using the head count of apprenticeship program graduates **OR** percentage of hours worked by apprenticeship program graduates in a particular calendar month.

- The method used to calculate the graduation percentage can be changed month to month based on the contractor's workforce that month, and which calculation will allow them to meet the graduation percentage requirement.



Head Count Method

At least the required percentage of the Skilled Journeypersons employed by the contractor or subcontractor to perform work on the contract or project meet the graduation percentage requirement.

- Example: Graduation percentage requirement - 60%
- Contractor employs 10 Skilled Journeypersons:
 - 6 skilled journeypersons must be graduates of apprenticeship program.
 - 4 skilled journeypersons may have on the job hours.
 - 6 apprenticeship program graduates out of 10 skilled journeypersons = 60% graduation requirement met

$$\frac{\text{Total number of Graduated J/M}}{\text{Total number of J/M (Graduates+OJT)}} = \% \text{ of Graduated J/M}$$



Hours Worked Percentage Count Method

The percentage of hours of work performed by Skilled Journeypersons employed by the contractor or subcontractor on the project, who met the graduation requirement is at least equal to the required graduation percentage.

- Example: Graduation percentage requirement - 60%
- Hours worked in a month: 100 hours
 - At least 60 hours must be worked by graduates of apprenticeship program to meet requirement.
 - 40 hours may be worked by skilled journeypersons with on the job hours.
 - $60 \text{ hours worked by apprenticeship graduates} / 100 \text{hrs worked in total} = 0.6 \times 100 = 60\% \text{ graduation requirement met.}$

$$\frac{\text{Total hours performed by Graduated J/M}}{\text{Total hours performed by J/M (Graduates+OJT)}} = \text{\% of hours performed by Graduated J/M}$$



Exceptions to the Apprenticeship Graduation Percentage Requirement

If no DAS-approved apprenticeship program existed before January 1, 1995 for any apprenticeable craft:

- **Up to one-half (1/2) of the graduation percentage requirements may be satisfied** by Skilled Journeypersons who commenced working in the apprenticeable craft before DAS approved an apprenticeship program for that craft in the county in which the project is located.
- A contractor or subcontractor does not need to meet the graduation percentage requirements for any apprenticeable craft in which it **performs less than 10 hours of work** during that calendar month.



Exceptions to the Apprenticeship Graduation Percentage Requirement

A subcontractor does not need to meet the graduation percentage requirements (for all crafts it employs) if **BOTH** of the following requirements are met:

- Subcontractor **was not a listed on the bid** pursuant to Public Contract Code §4104* or performing work as a substitute for a subcontractor that was listed.
- Subcontract does not exceed **one-half of 1 percent (0.5%)** of the price of the prime contract.

*NOTE: These exceptions apply only to the graduation percentage requirements– NOT to the STW requirements generally.





State of California
Department of
Industrial Relations

Monthly Reports & Awarding Body Obligations

Public Contract Code §2600

Failure to Provide or Incomplete Monthly Report

Public Contract Code §2602(b)

- If the prime contractor fails to provide the monthly report, or provides an incomplete one, the awarding body (AB) shall withhold further payments until a complete report is provided.
- If a monthly report is incomplete because a subcontractor failed to timely submit the required information to the contractor:
 - AB shall withhold an amount only equal to 150 percent (150%) of the value of the monthly billing for the relevant subcontractor.
 - The prime contractor may withhold the same amount from the subcontractor until the subcontractor provides a complete report and the AB pays the contractor the withheld payments.
- AB required to immediately resume making payments to the contractor (including all previously withheld payments) if the contractor substitutes a subcontractor for its failure to provide a complete report and replaces it with one that provides an enforceable commitment to use a STW to complete the work.



Monthly Report Failing to Demonstrate Compliance

Public Contract Code §2602(c)

- If a **monthly report does not demonstrate compliance** with the STW requirements the **AB** is required to do ALL of the following:
 - **Withhold further payments** until the contractor provides a plan to achieve “substantial compliance” with regard to the relevant trade/craft prior to contract completion.
 - Withholding amount equal to 150 percent (150%) of the value of the monthly billing for the contractor or subcontractor that failed to comply with the STW requirements.
 - Contractor may withhold the same amount from the subcontractor.
 - AB required to immediately resume making payments to the contractor (including all previously withheld payments) if the contractor substitutes a subcontractor for its failure to demonstrate compliance.
 - AB required to immediately resume making payments to the contractor (including all previously withheld payments) if a plan to achieve substantial compliance with the STW requirement is submitted
 - AB may reject the plan as insufficient and explains the reasons for the rejection within a reasonable time.



Monthly Report Failing to Demonstrate Compliance

Public Contract Code §2602(c)

- If a **monthly report does not demonstrate compliance** with the STW requirements or the **plan for substantial compliance submitted is rejected** by the awarding body, then **AB is required** to do the following:
 - **Forward** a copy of the monthly report to the Labor Commissioner for issuance of a Civil Wage and Penalty Assessment.
 - **Forward** a copy of the plan to achieve “substantial compliance” (if any), and its response to that plan (if any) to the Labor Commissioner.





State of California
Department of
Industrial Relations

Labor Commissioner's Enforcement Process

Under Public Contract Code §2603

Penalties Under Contract Code §2603

Penalties of **up to \$5,000 per month of work performed** in violation of the STW requirements assessed against contractor or subcontractor that failed to use a STW.

- Increased penalties **up to \$10,000 per month for a second or subsequent violation within a three-year period.**

Factors considered by the Labor Commissioner in determining penalty amount:

1. Whether the violation was intentional;
2. Whether the contractor or subcontractor has committed other violations of this chapter or of the Labor Code;
3. Whether, upon notice of the violation, the contractor or subcontractor took steps to voluntarily remedy the violation;
4. The extent or severity of the violation; and
5. Whether a contractor or subcontractor submitted and followed a plan to achieve substantial compliance.



Penalties Under Contract Code §2603

- Prime contractors are not liable for penalties for violations of subcontractor unless the prime contractor **had knowledge of the subcontractor's failure to comply OR fails to comply with ANY of the following requirements:**
 - For contracts entered into on or after January 1, 2019, the **contract** executed between the contractor and the subcontractor for the performance of work on the project **included a copy of chapter 2.9 of the Public Contract Code**;
 - The **contractor periodically monitored** the subcontractor's use of a STW;
 - Upon becoming aware of a failure of the subcontractor to use a STW, the **contractor took corrective action**, including, but not limited to, retaining 150% of the amount due to the subcontractor for work performed on the project until the failure is corrected; AND
 - Prior to making the final payment to the subcontractor for work performed on the project, the contractor shall **obtain a declaration signed under penalty of perjury** from the subcontractor that the subcontractor has met the requirements of chapter 2.9 of the Public Contract Code.



Labor Commissioner's Enforcement Process

Violations of the STW requirement are enforced by the Labor Commissioner using the same process set forth in Labor Code §§ 1741 & 1742 currently used for prevailing wage and apprenticeship requirements.

Up to three years of debarment when the Labor Commissioner finds a contractor or subcontractor to have:

- Violated the STW requirements **with the intent to defraud** OR
- Committed **two or more separate willful violations** of the STW requirements **within a 3-year period**.



Skilled and Trained Workforce Statute & FAQs

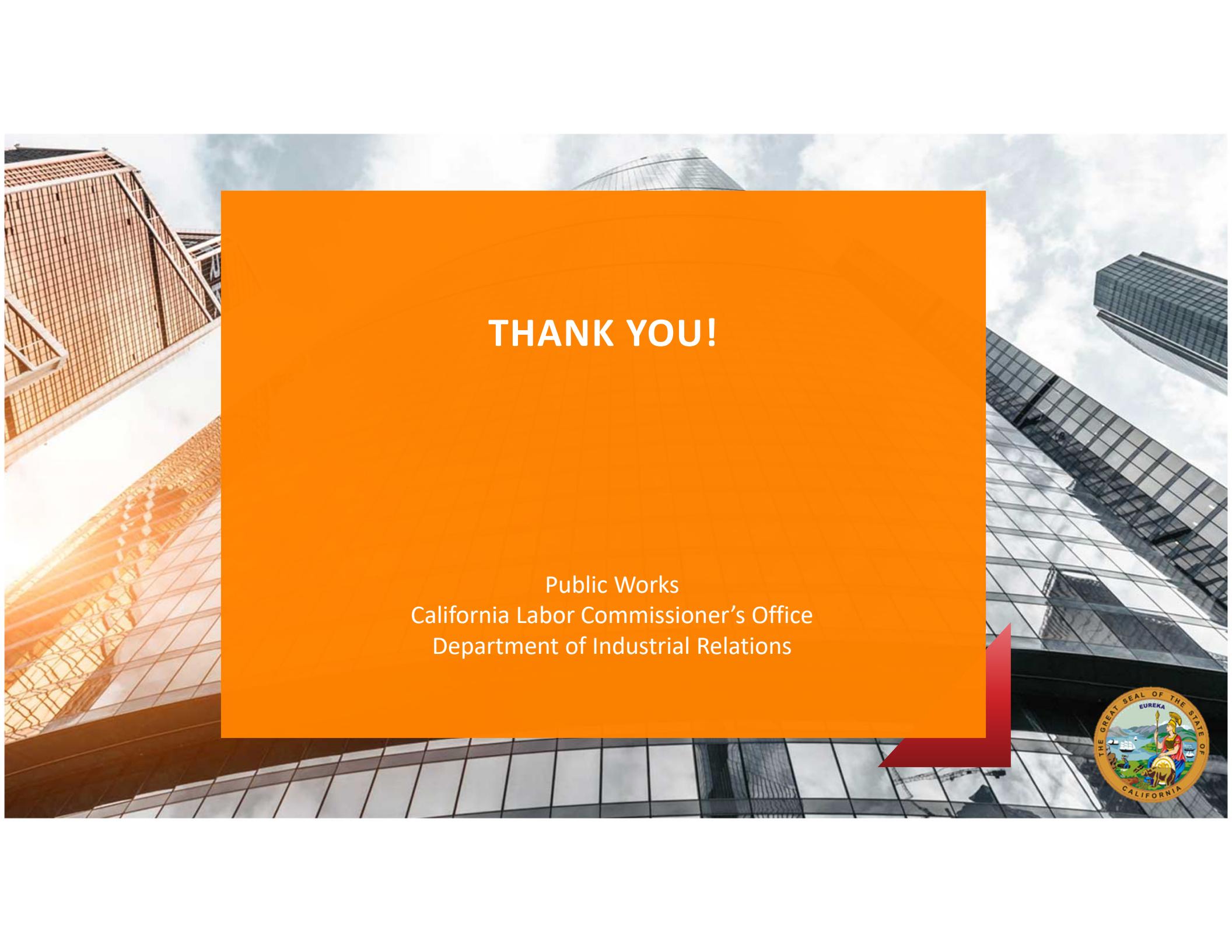
Summary of Skilled and Trained Workforce Statutes:

<https://www.dir.ca.gov/Public-Works/ADA-Compliant-STW-Chart-without-New-PRC-Provision.pdf>

Skilled and Trained Workforce Frequently Asked Questions:

<https://www.dir.ca.gov/Public-Works/ADA-Compliant-STW-FAQ.pdf>





THANK YOU!

Public Works
California Labor Commissioner's Office
Department of Industrial Relations



POLL QUESTION #1

A skilled and trained workforce includes all of the following except...?

- A. DAS registered apprentices
- B. Journeymen who have graduated from an approved apprenticeship program
- C. Journeymen who have the number of on the job hours needed to graduate from an apprenticeship program
- D. Unregistered apprentices or Journeymen with no on the job training

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- D. Unregistered apprentices or Journeymen with no on the job training

POLL QUESTION #2

A skilled journeyperson who has worked the number of on the job hours required to graduate from an approved apprenticeship program may be counted in the graduation percentage requirement?

- A. Yes
- B. No
- C. Not sure

POLL QUESTION #2

A skilled journeyperson who has worked the number of on the job hours required to graduate from an approved apprenticeship program may be counted in the graduation percentage requirement?

- A. Yes
- B. No
- C. Not sure

POLL QUESTION #3

<u>Applies to work performed on or after:</u>	<u>% of journeypersons who must be graduates of apprenticeship program</u>	Not applicable to work performed by the following trades/occupations:
January 1, 2017	30%	Teamster
January 1, 2018	40%	Acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.
January 1, 2019	50%	Same as above. (Including Teamster.)
January 1, 2020	60%	Same as above. (Including Teamster.)

Looking at this chart, what would be the graduation percentage requirement for carpenters? Work was performed in June 2019.

- A. 50%
- B. 30%
- C. 40%
- D. 60%

POLL QUESTION #3

<u>Applies to work performed on or after:</u>	<u>% of journeypersons who must be graduates of apprenticeship program</u>	Not applicable to work performed by the following trades/occupations:
January 1, 2017	30%	Teamster
January 1, 2018	40%	Acoustical installer, bricklayer, <u>carpenter</u> , cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.
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Looking at this chart, what would be the graduation percentage requirement for carpenters? Work was performed in June 2019.

- A. 50%
- B. 30%
- C. 40%
- D. 60%

POLL QUESTION #4

Classification	Total Number of Skilled Journeypersons	Number of Skilled Journeypersons Graduated From Apprenticeship Program	Number of Skilled Journeypersons With On The Job Training	Graduation Percentage Requirement
Laborer	13	6	7	60%

Does this workforce meet the skilled and trained workforce graduation percentage requirement for the month?

- A. Yes
- B. No
- C. Not sure

POLL QUESTION #4

Classification	Total Number of Skilled Journeypersons	Number of Skilled Journeypersons Graduated From Apprenticeship Program	Number of Skilled Journeypersons With On The Job Training	Graduation Percentage Requirement
Laborer	13	6	7	60%

Does this workforce meet the skilled and trained workforce graduation percentage requirement for the month?

- A. Yes
- B. No – $6 / 13 = 46\%$
- C. Not sure

Strategic Enforcement of Public Works Construction

Labor Enforcement Task Force (LETF)



State of California
Department of
Industrial Relations



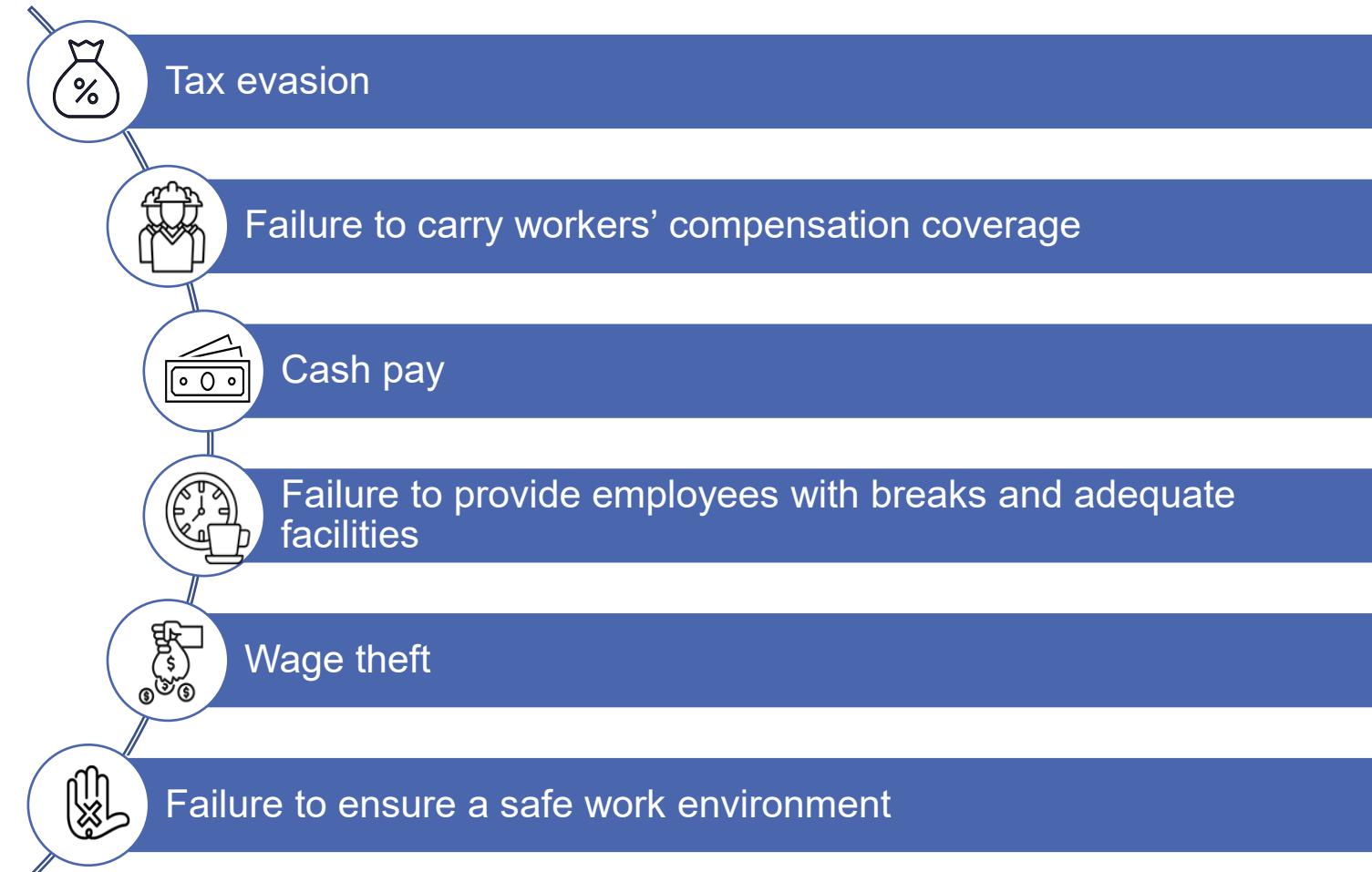
State of California
Gavin Newsom
Governor



The Labor Enforcement Task Force (LETF), under the direction of the Department of Industrial Relations (DIR), is a coalition of California State government enforcement agencies that work together and in partnership with local agencies to combat the underground economy. In this joint effort, information and resources are shared to ensure employees are paid properly and have safe work conditions and honest, law-abiding businesses have the opportunity for healthy competition.

Underground Economy

The term “underground economy” refers to any business which operates without the necessary licensing, does not pay taxes or carry the required insurance or worker's compensation coverage, forces its employees to work in unsafe conditions, or otherwise attempts to gain an unfair economic advantage by avoiding its tax and labor responsibilities.



Strategic Enforcement of Public Works Projects



Starting in 2021, LETF has been leading an initiative to inspect publicly funded residential housing construction sites. The enforcement effort includes teams from DIR's Divisions of Occupational Safety and Health (Cal/OSHA) and Labor Standards Enforcement (Labor Commissioner's Office), in collaboration with other enforcement partners.

Homekey Program

Homekey

A statewide effort to sustain and rapidly expand housing for persons experiencing homelessness or at risk of homelessness.

Bringing California Home

Homekey is an opportunity for state, regional, and local public entities to develop a broad range of housing types, including but not limited to hotels, motels, hostels, single-family homes and multifamily apartments, adult residential facilities, manufactured housing, and to convert commercial properties and other existing buildings to permanent or interim housing for the target population.

Homekey Round 3 Overview

 **Homekey**
Bringing California Home

Homekey Awards Dashboard - Overview

Submit Feedback
Data as of: 11/22/2024



Projects Awarded: 116 **Funds Awarded: \$1,954,851,054** **Homes Created: 6,863**

— Pages —

-  Overview
-  Geography
-  Projects
-  Progress
-  User Guide

— Filters —

- Region:
- Project Type:
-

The first round of Homekey funding allocated \$800 million for nearly 6,000 homes, projected to serve over 8,000 individuals. This dashboard provides information about the second round of Homekey program funding.

"Homekey continues to change lives for the better in communities all across California by placing individuals on a path to long-term stable housing with services."

— Governor Gavin Newsom

Projects	Homes	People
Jurisdictions with Homekey Award: 60	Homes: 6,863	Chronically Homeless Households Served: 2,457
Projects Serving Homeless Youth: 25	Homes with 50+ Years of Affordability: 5,396	Homeless Youth Households Served: 535
Tribal Projects: 6	Family-Sized Homes: 602	Households Served over Project Lifetime: 75,411

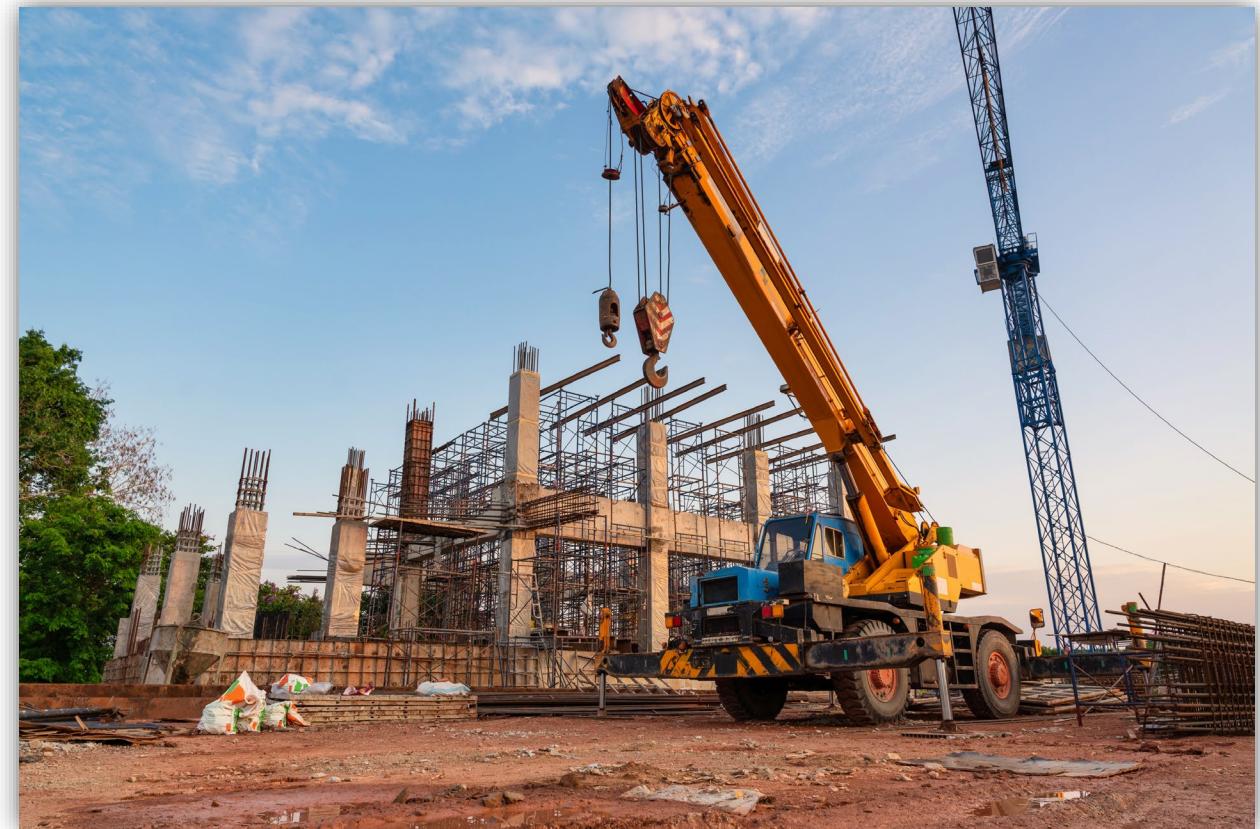
Homekey+ Program



NOFA	DESCRIPTION	ESTIMATED NOFA AMOUNT
GENERAL NOFA	Veteran-serving projects	TOTAL \$1.033 billion (Proposition 1)
	All Projects (includes Prop 1 and HHAP Homekey supplemental funds)	\$805 million (Proposition 1) <u>\$291 million</u> HHAP Homekey Supplemental (General Fund) TOTAL \$1.096 billion to include: homeless or at-risk youth target (age 18-25) of approximately \$74 million
TRIBAL NOFA	Tribal Applicants (includes Prop 1 and HHAP Homekey supplemental funds)	\$89 million (Proposition 1) <u>\$32 million</u> HHAP Homekey Supplemental TOTAL \$121 million
	Total Funds Available	\$2.250 billion

LETF Strategic Enforcement: Non-Homekey

LCO PW and Cal/OSHA are reviewing all current and new complaints and leads to determine if they meet the criteria for joint enforcement operations at active on-site residential construction projects.



Contact LETF

Hotline: 855-297-5322

Email: LETF@dir.ca.gov

www.dir.ca.gov/letf



State of California
Department of
Industrial Relations



State of California
Gavin Newsom
Governor



Public Works

State of California

Department of Industrial Relations



DISCLAIMER

The following presentation is intended to summarize relevant portions of existing law in the Labor Code and California Code of Regulations, but those code sections, as interpreted by the courts, will govern actual enforcement. The information contained in this presentation is a general overview of existing law, and is not intended to amend, interpret, or make specific any existing law or regulation. Any opinions expressed are solely those of the author/speaker and are not necessarily the official position of the Department of Industrial Relations (DIR), its Director, or any related public entity. The information in this presentation is not intended as legal advice, and does not guarantee any outcome in specific enforcement or coverage proceedings within the jurisdiction of DIR.

Department of Industrial Relations (DIR)

Divisions, Boards and Commissions at DIR

➤ Office of the Director – Legal Unit (OD Legal)

- Assists the Director with drafting coverage determinations
- Acts as hearing officers for appeals of wage/penalty assessments

➤ Office of Policy, Research and Legislation (OPRL)

- Issues Prevailing Wage Determinations

➤ Division of Labor Standards Enforcement (DLSE)

("Labor Commissioner's Office")

- Enforces prevailing wage and apprenticeship laws

➤ Division of Apprenticeship Standards (DAS)

- Administers apprenticeship laws, programs, and standards
- Approves apprenticeship programs

Department of Industrial Relations

Quick Links

- [LETF Home](#)
- [Report a labor law violation](#)
- [Report a workplace hazard to Cal/OSHA](#)
- [File a wage claim](#)
- [Know my employment rights](#)
- [Know my rights as an injured worker](#)
- [Get workplace postings](#)
- [Find prevailing wage determinations](#)

Also of Interest

- [Industrial Relations databases](#)
- [Subscribe to a distribution list](#)
- [Work for DIR](#)
- [Do business with DIR](#)

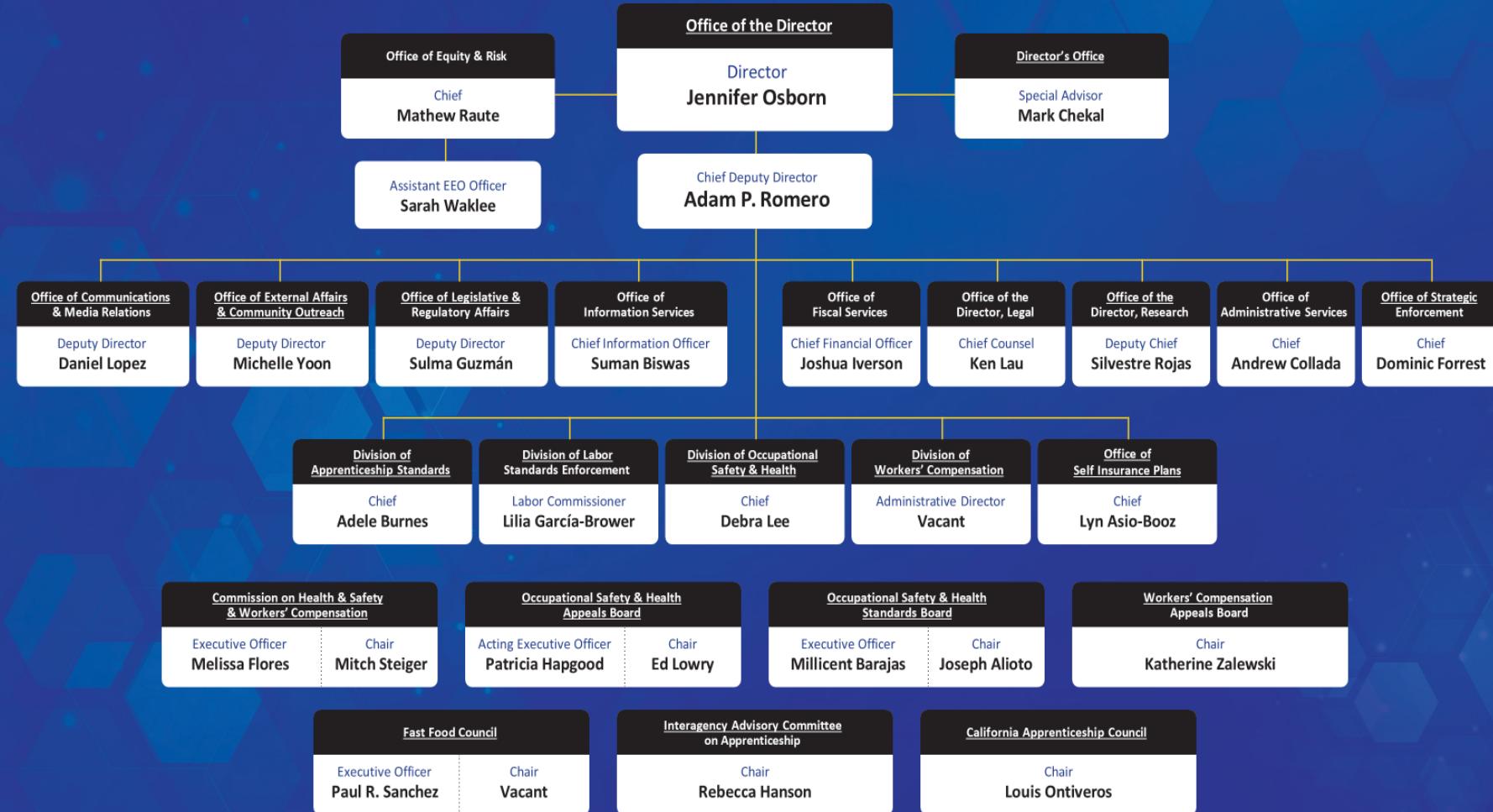
Other Resources

- [California Labor & Workforce Development Agency](#)
- [Employment Development Department](#)
- [U.S. Dept. of Labor](#)

Department of Industrial Relations | Org Chart

Department of Industrial Relations reports to California Labor and Workforce Development Agency
Secretary Stewart Knox who in turn reports to Governor Gavin Newsom.

Updated 2/2/26





Labor Code Section 1771

Except for public works projects of one thousand dollars (\$1,000) or less, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in this chapter, shall be paid to all workers employed on public works.

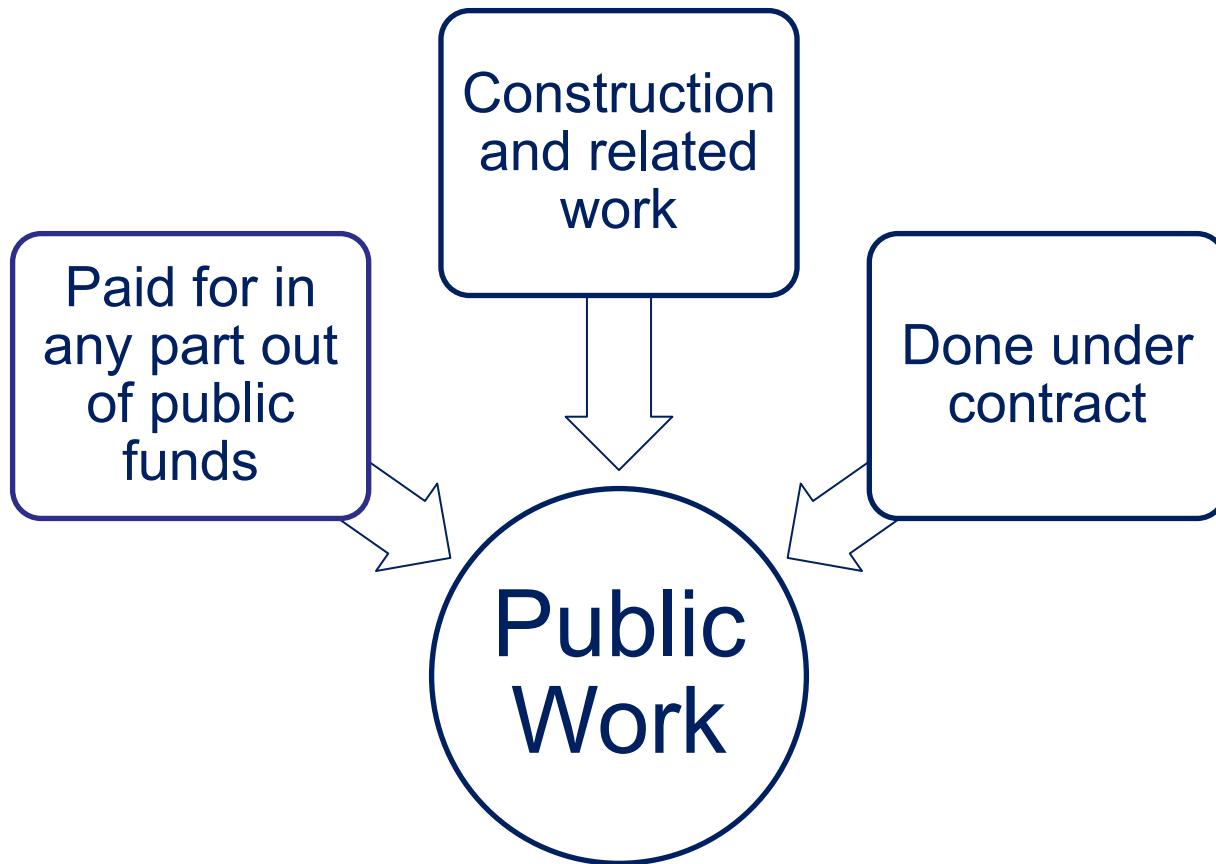
This section is applicable only to work performed under contract, and is not applicable to work carried out by a public agency with its own forces. This section is applicable to contracts let for maintenance work.

**Prevailing wages apply to all public works over \$1,000,
unless there's an exception.**



What exactly is the prevailing wage?







Labor Code Section 1720

(Labor Code 1720(a)(1))

(a) As used in this chapter, “public works” means:

(1) Construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds...

- Construction (includes preconstruction *and* post construction)
- Alteration
- Demolition
- Installation
- Repair
- Maintenance (Labor Code section 1771, and 8 CCR 16000)



Other definitions of “public work”

- Section 1720(e) [Work on electric transmission system]
- Section 1720.2 [Private construction leased to public entity]
- Section 1720.3 [On-haul of PGF/Off-haul of refuse]
- Section 1720.6 [Private renewable energy projects on public property]
- Section 1720.7 [Work done on general acute care hospitals]
- Section 1720.8 [Work done on charter schools]
- Section 1720.9 [Hauling of ready-mixed concrete]
- PUC 769.2 [renewable electrical generation facilities]



PUC § 769.2 [renewable electrical generation facilities]

- 1) Construction of any renewable electrical generation facility, and
- 2) Any associated battery storage
- 3) Receives NEM or NBT tariffs
- 4) Interconnection application submitted on or after 1/1/24

Except:

- 1) A residential facility that has a maximum generating capacity of 15 kilowatts or less of electricity;
- 2) A residential facility installed on a single-family home;
- 3) A facility that serves only a modular home, a modular home community, or multiunit housing that has two or fewer stories;
- 4) Already public work.



PUC 769.2 [renewable electrical generation facilities]

Contractor responsibilities:

- 1) Maintain and verify CPRs
- 2) Submit digital copies of CPRs to CPUC twice a year (7/1 and 12/31)
- 3) All other public works requirements:
 - a) Project registration
 - b) Contractor registration
 - c) eCPR submission
 - d) Employment of apprentices

Paid for in whole or in part out of public funds

(Labor Code 1720(b))

1. The payment of money or the equivalent of money . . . directly to or on behalf of the public works contractor, subcontractor, or developer.
2. Performance of construction work . . . in execution of the project.
3. Transfer . . . of an asset of value for less than fair market price.



Paid for in whole or in part out of public funds

(Labor Code 1720(b))

4. Fees, costs, rents, insurance or bond premiums, loans, interest rates, or other obligations that would normally be required in the execution of the contract, that are paid, reduced, charged at less than fair market value, waived, or forgiven

5. Money loaned . . . that is to be repaid on a contingent basis.

6. Credits that are applied . . . against repayment obligations



Public Work without direct public funding

- Section 1720.2
 - Private construction leased to public entity
 - Upon completion of construction more than half of assignable square feet leased to public entity
 - Lease entered into prior to construction, OR
 - Construction is performed according to plans, specifications or criteria furnished by the public entity



Tenant Improvements Paid for by Private Landlord

Private Office Building
with 100,000 total sq. ft.

City Leases
60,000 sq. ft.

Tenant improvements done by the
private landlord before the City
even signs a lease.

Tenant improvements are done
according to the City's specs.

(Section 1720.2)

Public Funding – partial coverage of work on project

Section 1720(c)(2) exception

- 1) the public improvement work is required as a condition of regulatory approval;
- 2) the project is an otherwise private development;
- 3) the public entity must not contribute more money, or the equivalent of money, to the overall project than is required to construct the public improvement work; and
- 4) the public entity must not maintain any proprietary interest in the overall project.



GIANTCORP DEVELOPMENT

Private

Development

Project

\$200M Project – City requires Sidewalks and Traffic
Signals as a Condition of Regulatory Approval
Cost of Sidewalk and Signals \$10M, Public Subsidy, \$8M



Section 1720(c)(3)(A) exception

- So-called “de minimis exception” applies when a public entity provides a public subsidy to an otherwise private development project that is “de minimis” in the context of the project.

Section 1720(c)(3)(B) exception

- De minimis if it is both less than \$600,000 and less than 2 percent of the total project cost.
- For projects that consist entirely of single-family dwellings, de minimis is merely less than 2 percent of total project cost.
- Not applicable to projects advertised for bid/awarded before 7/1/21



What is a coverage determination?

Section 1773.5 and Cal. Code Regs., title 8, sections 16001-16002.5

- The Director has the power to determine that a project or a type of work is public work through issuing what is known as a coverage determination.
- The administrative process consists of an initial coverage determination and a final determination on administrative appeal.
- Depending on when the parties make their submissions, the entire process can take many months.



New Laws 2025

SB 1162

- Full name of, and identify the apprenticeship program name, location, and graduation date of, each worker relied upon to satisfy the apprenticeship graduation percentage requirements for STW. (Monthly report/PCC 2602)
- 7/1/25 – DAS apprentice database searchable by first name, last name, and graduation date. (PCC 2604)



New Laws 2025

SB 1303 (New Section 1771.8)

- Private entity cannot provide services for AB and contractor bidding work for AB. Must sign declaration.
- Before withholding, must confer w/ negotiating parties
- Within 20 days after request for review, “provide a venue for a public works contractor or subcontractor to review and respond to evidence of alleged violations.”



New Laws 2026

- AB 889 (Ends annualization exemptions) Lab. Code § 1773.1
- AB 1104 (Change to AB 2143) PUC § 769.2 net energy metering
- AB 538 (Clarify CPR requirements) Lab. Code § 1776
- AB 1445 (Expands comm. to res. conversion) Gov. Code § 62460
- SB 272 (SamTrans Job Order Contract) Gov. Code § 103399.5...
- AB 338 (Fuel Reduction) Effective 7/1/26 PRC § 80200 et seq.
“...including, but not limited to, residential chipping, rural road fuel breaks, and firebreaks...” applies to post 7/1 contracts/+\$500k



Pending Bills 2026

AB 1198 – prevailing wage determination applicable to project when work is performed v. bid ad. date – not applicable to some affordable housing projects

AB 1439 - PERS/STRS funded development – PW/STW

SB 909 – Increases: (a) contractor registration from \$400 and (b); penalties for violations of public works requirements



Recent Cal. Supreme Court Decisions

- *Kaanaana v. Barrett Business Services* (March 29, 2021)
- *Busker v. Wabtec Corp., et al.* (August 16, 2021)
- *Mendoza v. Fonseca* (August 16, 2021)



Office of the Director – Legal Unit Public Works Inquiries

PWCoverage@dir.ca.gov



Department of Industrial Relations (DIR)

Public Works

Useful Links

- DIR's Public Works Home Page
 - <http://www.dir.ca.gov/Public-Works/PublicWorks.html>
- The Director's Public Works Coverage Determinations
 - <http://www.dir.ca.gov/OPRL/PubWorkDecision.htm>
- The Director's General Prevailing Wage Determinations
 - <http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>
- DLSE's Public Works Manual
 - <http://www.dir.ca.gov/dlse/PWManualCombined.pdf>
- California Labor Code
 - <http://leginfo.legislature.ca.gov/faces/codes.xhtml>
- California Code of Regulations
 - <http://www.oal.ca.gov/>



Davis-Bacon and Related Acts Final Rule Provisions

Revisions to 29 CFR Parts 1, 3, and 5



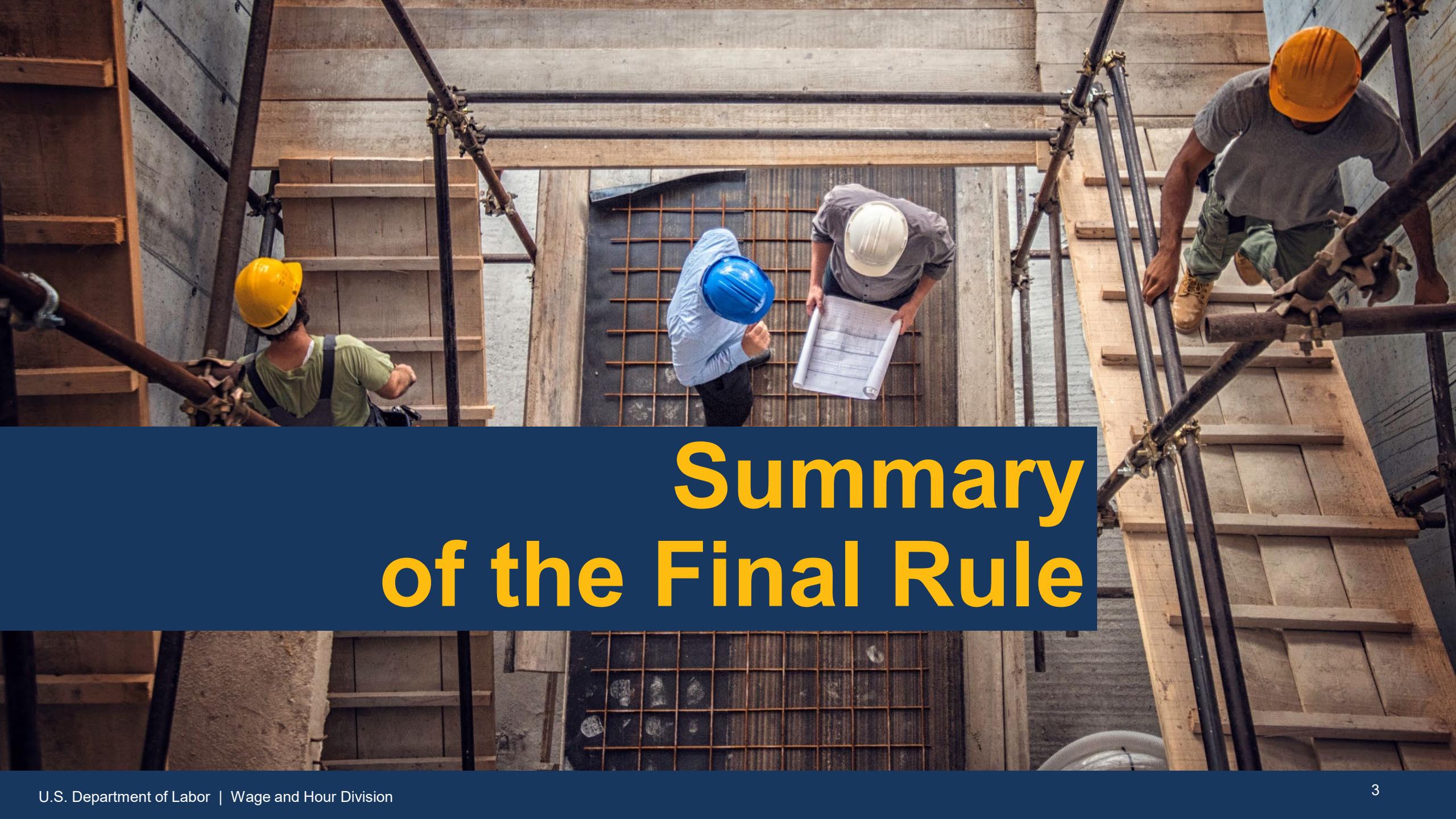
WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

dol.gov/agencies/whd
1-866-4-US-WAGE

Disclaimer

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A photograph of a construction site. In the center, two workers wearing hard hats (one blue, one white) are looking down at a set of blueprints spread out on a metal rebar grid. To the left, a worker in a yellow hard hat and green shirt is working on a vertical concrete wall. To the right, a worker in an orange hard hat and grey shirt is working on a wooden scaffolding structure. The background shows more concrete walls and wooden formwork. The overall image has a slightly grainy, high-contrast look.

Summary of the Final Rule

Davis-Bacon Act Coverage

- Applies to contracts in excess of \$2,000 to which the Federal Government or the District of Columbia is a party for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works.

Davis-Bacon Related Acts

- Davis-Bacon (DB) requirements extended to numerous “Related Acts” that provide federal assistance by, for example
 - Grants
 - Loans
 - Loan guarantees
 - Insurance

Overview of Major Changes

- Determining applicable prevailing wage rates
- Coverage
- Incorporation of contract clauses and wage determinations
- Payment of prevailing wages
- Recordkeeping
- Anti-Retaliation
- Enforcement mechanisms

Important Dates

- Effective Date - October 23, 2023
- Applicability Dates
 - Part 1 provisions relating to wage determination methodologies apply to wage determinations completed and published after October 23, 2023
 - 29 CFR 1.6(c)(2)(iii) provisions relating to updating wage determinations after contract award apply to new and existing contracts as of October 23, 2023
 - All other provisions apply to contracts awarded after October 23, 2023

A blurred background image of a construction site. In the center, a worker wearing an orange shirt and a hard hat is working on a structure. Other workers and construction equipment are visible in the distance under a clear sky.

Determining Applicable Prevailing Wage Rates

Definition of Prevailing Wage Rate

- Wage paid to the majority (at least 50%),
- If the majority wage is not paid, then prevailing wage will be the wage paid to the greatest number, *provided* at least 30%, or
- If no wage rate is paid to 30%, the prevailing wage will be the average.

Functionally Equivalent Rates

- Variable wage rates paid by contractor(s) may be treated as the same wage rate where the rates are functionally equivalent, as explained by:
 - One or more collective bargaining agreements or
 - Written policies maintained by contractor(s)

Scope of Consideration - Area

- The *area* from which wage data will be drawn will typically be the county
- If data is insufficient at the county level, data from groups of counties can be used to determine craft sufficiency in the following progression:
 - Surrounding counties may be considered
 - Comparable counties or groups of counties may be considered
 - All counties statewide may be considered

Updating Wage Determinations in Revised Contracts

- After contract award, the contracting agency must include the most recent applicable wage determination modification(s) when:
 - a contract or order is changed to include additional and substantial work not within the scope of work of the original contract, or to require the contractor to perform work for an additional time period.
 - an option to extend the term of a contract is exercised.

Updating Wage Determinations in Ongoing Contracts

- Where contracts require a general commitment to perform necessary construction as the need arises, over a period of time that is not tied to the completion of any particular project, the contracting agency must incorporate the most recent applicable wage determination modification(s) on each anniversary date of the contract's award.

Periodic Rate Adjustments

- Adjustments to non-collectively bargained prevailing wage and fringe benefit rates on general wage determinations based on U.S. Bureau of Labor Statistics Employment Cost Index (ECI) data or its successor data.
- Such rates may be adjusted based on ECI data no more frequently than once every 3 years, and no sooner than 3 years after the date of the rate's publication.
- WHD will issue modifications to general wage determinations with such adjusted rates.

Coverage

Site of the Work – Secondary Sites

- Any site where a significant portion of a building or work is constructed for specific use in that building or work, as long as the site is either:
 - established specifically for the performance of the contract or project, or
 - is dedicated exclusively, or nearly so, to the performance of the contract or project for a specific period of time.

Site of the Work – Flaggers

- Workers engaged in traffic control and related activities adjacent or virtually adjacent to the primary construction site are working on the site of the work.

Site of the Work – Drivers

- Drivers who work for construction contractors are covered for any non de minimis time when their work requires them to come on and offsite.

Material Suppliers Exception

- Exception applies if:
 - The firm's only obligation is to deliver supplies or equipment, and
 - Its facilities are not located on the project's primary or secondary construction site, and
 - were either established before opening of bids or contract award, or
 - are not dedicated exclusively, or nearly so, to the performance of the contract.

Portion of a Building or Work

- *Building or work* includes not only construction involving an entire building, structure, or improvement, but also construction activity involving just a portion of a building, structure, or improvement, including the installation of equipment or components.

Public Building Or Public Work

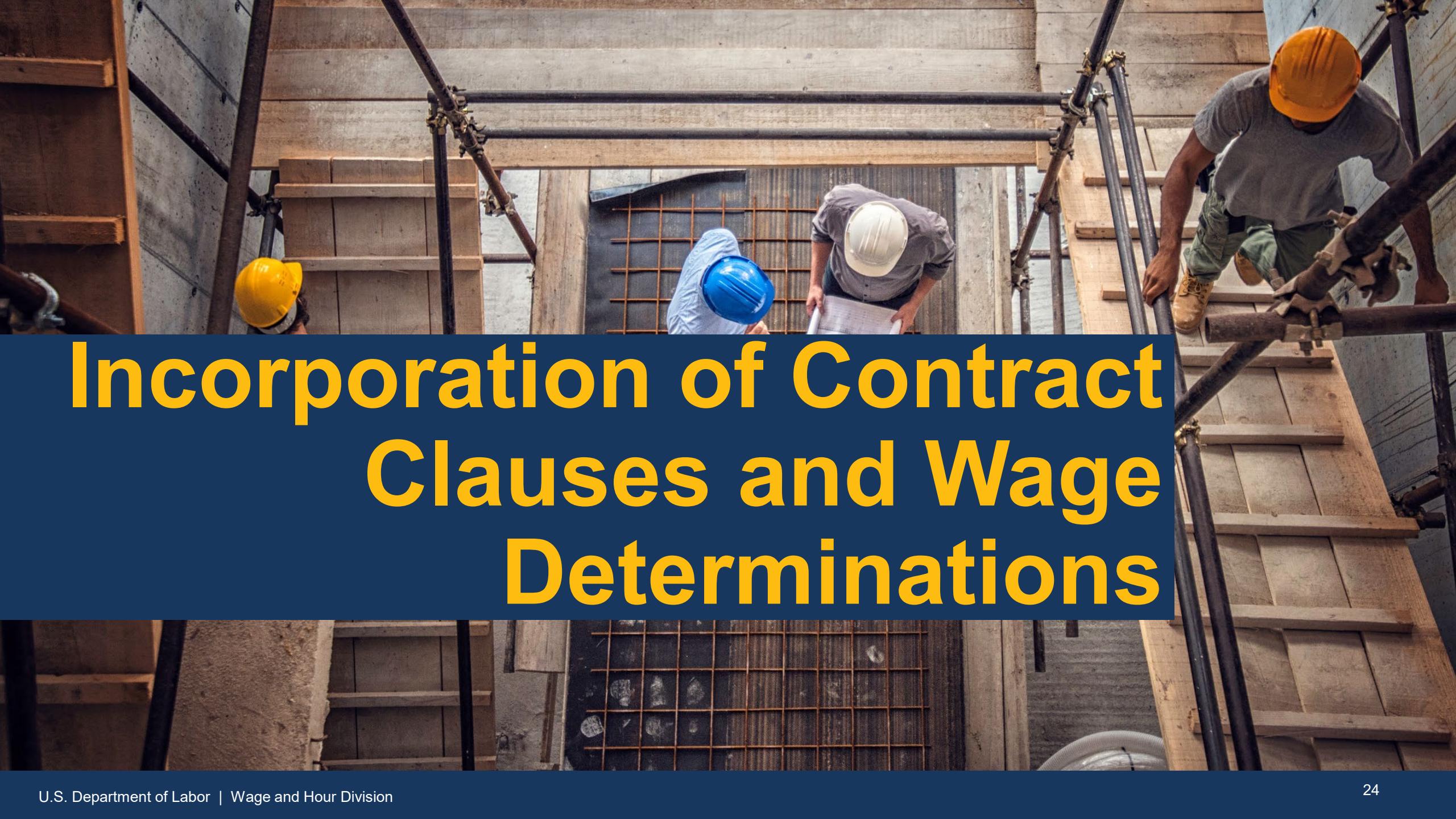
- Construction of a portion of a building or work carried on directly by authority of or with funds of a Federal agency to serve the interest of the general public is still considered a public building or public work, even when the entire building or work would not be considered a public building or work.

Prime Contractor

- *Prime contractor* is broadly defined as any person or entity that enters into a covered contract with an agency, including non-profit organizations, owners/developers, borrowers or recipients, project managers, or single-purpose entities.
- *Prime contractor* also includes the controlling shareholder or member of any entity holding a prime contract, the joint venturers or partners in any entity holding a prime contract, and any contractor that has been delegated the responsibility for overseeing all or substantially all of the construction anticipated by the prime contract.

Other Coverage Provisions

- Demolition
- Green energy projects
- Survey crews

A photograph of a construction site. In the foreground, a worker in a yellow hard hat is visible. In the middle ground, two workers are looking at a blueprint; one wears a blue hard hat and the other a white hard hat. In the background, a worker in an orange hard hat is working on a metal structure. The site is surrounded by wooden scaffolding and concrete walls.

Incorporation of Contract Clauses and Wage Determinations

Incorporation by Reference

- Contract clauses and wage determinations are equally effective if they are incorporated by reference, although agencies are still required to insert the contract clauses in full for any contract not subject to the FAR.

Clauses Included by Operation of Law

- Regardless if the contracting agency fails to incorporate the contract clauses and wage determination(s) into a prime contract, the clauses and wage determination(s) will still be considered part of that contract and will be effective as a matter of law.
- Where the clauses and applicable wage determinations are effective by operation of law, contracting agencies must compensate the prime contractor for any increase in wages in accordance with applicable law.

Flow-Down of Clauses – Prime Contractors

- Prime contractors are responsible for flowing down both the contract clauses and the applicable wage determinations to their subcontracts.
- The prime contractor must cover any unpaid wages or other liability for any subcontractor violations.
- Prime contractors may be debarred for disregarding their obligations.

Flow-Down – Upper Tier Contractors

- Upper-tier subcontractors may also be held liable for back wages owed to the workers.
- Upper-tier subcontractors may also be debarred for disregarding their obligations.

Payment of Prevailing Wages



Apprentices

- The required ratio and rates have changed when a contractor is working in a locality other than the locality in which its apprentices' program(s) is registered.
- The ratios and wage rates applicable in the approved apprenticeship program for the locality in which the construction is being performed will apply.
- If there is no approved program in the locality, the ratio and wage rate specified in the contractor's registered program must be observed.

Annualization

- The annualization requirement is now included in the regulations.
- An exception will be granted for benefits that are not continuous in nature and do not compensate both private and DBRA-covered work.
- Defined contribution pension plans are not required to seek an exception if they meet the required criteria and provide for immediate participation and essentially immediate vesting.

Administrative Fees

- A contractor may take credit for payments made to third parties for costs that are directly related to the administration and delivery of bona fide fringe benefits.
- A contractor cannot take credit for its own administrative expenses incurred in connection with the provision of fringe benefits, even when the contractor pays another entity to perform such tasks in whole or in part.

A photograph of three construction workers in hard hats and safety vests silhouetted against a bright, orange sunset. One worker on the left has their arm raised. In the background, a bridge structure is visible against the sky.

Recordkeeping

Basic Records Requirements

- Contractors must now maintain workers' last known phone numbers and email addresses as part of their required records.
- Contractors are also required to maintain contracts, subcontracts, and related documents.

Length of Record Retentions

- All required records must be maintained for at least 3 years after all work on the prime contract has been completed.
- This requirement also applies to subcontractors, even though the subcontractor's work may be finished prior to the completion of the prime contract.

Certified Payrolls - Signatures

- Must be signed with a handwritten signature or a legally valid electronic signature.
- Valid electronic signatures include any electronic process that indicates acceptance of the certified payroll record and includes an electronic method of verifying the signer's identity.

Certified Payrolls – Submission Methods

- Contracting agencies and prime contractors can permit or require contractors to submit their certified payrolls through an electronic system, if:
 - the electronic system requires a legally valid electronic signature;
 - other methods are permitted where a contractor may not be able to use or access the electronic system; and
 - the electronic system allows the contractor, the contracting agency, and the Department to access the certified payrolls upon request for at least 3 years after the work on the prime contract has been completed.

Required Record Disclosures

- A contractor's failure to make the required records available to WHD within the requested timeframe will prevent that contractor from using those records as evidence in a hearing under 29 CFR part 6.
- A reasonable request from the contractor or person for an extension of the time to submit records will be considered.

A blurred background image of a construction site. In the center, a worker wearing an orange shirt and blue jeans is working on a structure. Other workers and construction equipment are visible in the background under a clear sky.

Anti-Retaliation

Prohibited Actions

- It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for engaging in protected activity.

Protected Activities

- Workers or job applicants are protected from retaliation for:
 - notifying any contractor of any conduct which the worker reasonably believes constitutes a DBRA violation;
 - filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting on behalf of themselves or others any DBRA right or protection;
 - cooperating in any investigation or other compliance action, or testifying in any DBRA proceeding, or;
 - informing any other person about their rights under the DBA, Related Acts, or 29 CFR parts 1, 3, or 5.

Retaliation Remedies

- WHD may require contractors to provide appropriate relief to affected worker(s) and job applicant(s) or take appropriate remedial action, or both.

Retaliation Remedies - Examples

- Examples of such remedies include, but are not limited to:
 - employment, reinstatement or front pay in lieu of reinstatement, and promotion, together with back pay and interest;
 - restoration of prior conditions and privileges of the worker's employment or former employment;
 - removal of warnings, reprimands, or similar references; or
 - the provision of a neutral employment reference.

A wide-angle photograph of a construction site. In the foreground, a worker in a yellow hard hat and green shirt is working on a vertical concrete wall. In the middle ground, two workers are standing on a wooden platform, one in a blue hard hat and the other in a white hard hat, both looking down at a set of blueprints. In the background, another worker in an orange hard hat and grey shirt is working on a metal structure. The site is surrounded by wooden scaffolding and concrete walls.

Enforcement Mechanisms

Withholding

- Ability to cross-withhold is strengthened
- Cross-withholding even when the contract is not with the same agency that awarded or assisted the prime contract on which the violations occurred
- Funds withheld for DBRA wage underpayments have priority over other competing claims

Debarment

- The standard for DBA and Related Act debarments is now the same.
- Debarment is for 3 years with no early removal from the exclusion list for both DBA and Related Act.

Resources



WHD Resources

- DBRA Final Rule webpage - <https://www.dol.gov/agencies/whd/government-contracts/construction/rulemaking-davis-bacon>
- Wage and Hour Division: <http://www.dol.gov/agencies/whd/government-contracts>
- WHD Protections for Workers in Construction under the Bipartisan Infrastructure Law: <https://www.dol.gov/agencies/whd/government-contracts/protections-for-workers-in-construction>
- Resource Book: <http://www.dol.gov/agencies/whd/prevailing-wage-resource-book>
- Office of the Administrative Law Judges Law Library: <https://www.dol.gov/agencies/oajj/topics/libraries/LIBDBA>
- Prevailing Wage Topic videos: <https://www.dol.gov/agencies/whd/government-contracts/construction/presentations>

OFCCP Resources

- OFCCP holds those who do business with the federal government (contractors and subcontractors) responsible for complying with the legal requirement to take affirmative action and not discriminate on the basis of race, color, sex, sexual orientation, gender identity, religion, national origin, disability, or status as a protected veteran. In addition, contractors and subcontractors are prohibited from discharging or otherwise discriminating against applicants or employees who inquire about, discuss or disclose their compensation or that of others, subject to certain limitations.
- Further information on OFCCP is available at https://www.dol.gov/sites/dolgov/files/ofccp/regs/compliance/factsheets/FACT_Workplace_Aug2016_ENGESQA508c.pdf.

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- Visit dol.gov/newsroom/digital
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- DOL Blog: blog.dol.gov



DISCLAIMER

The following presentation is intended to summarize relevant portions of existing law in the Labor Code and California Code of Regulations, but those code sections, as interpreted by the courts, will govern actual enforcement. The information contained in this presentation is a general overview of existing law, and is not intended to amend, interpret, or make specific any existing law or regulation. Any opinions expressed are solely those of the author/speaker and are not necessarily the official position of the Department of Industrial Relations (DIR), its Director, or any related public entity. The information in this presentation is not intended as legal advice, and does not guarantee any outcome in specific enforcement or coverage proceedings within the jurisdiction of DIR.

Department of Industrial Relations (DIR)

Divisions, Boards and Commissions at DIR

- Office of the Director – Legal Unit (OD Legal)
 - Assists the Director with drafting coverage determinations
 - Acts as hearing officers for appeals of wage/penalty assessments
- Office of Policy, Research and Legislation (OPRL)
 - Issues Prevailing Wage Determinations
- Division of Labor Standards Enforcement (DLSE)
("Labor Commissioner's Office")
 - Enforces prevailing wage and apprenticeship laws
- Division of Apprenticeship Standards (DAS)
 - Administers apprenticeship laws, programs, and standards
 - Approves apprenticeship programs

Department of Industrial Relations

Quick Links

- [LETF Home](#)
- [Report a labor law violation](#)
- [Report a workplace hazard to Cal/OSHA](#)
- [File a wage claim](#)
- [Know my employment rights](#)
- [Know my rights as an injured worker](#)
- [Get workplace postings](#)
- [Find prevailing wage determinations](#)

Also of Interest

- [Industrial Relations databases](#)
- [Subscribe to a distribution list](#)
- [Work for DIR](#)
- [Do business with DIR](#)

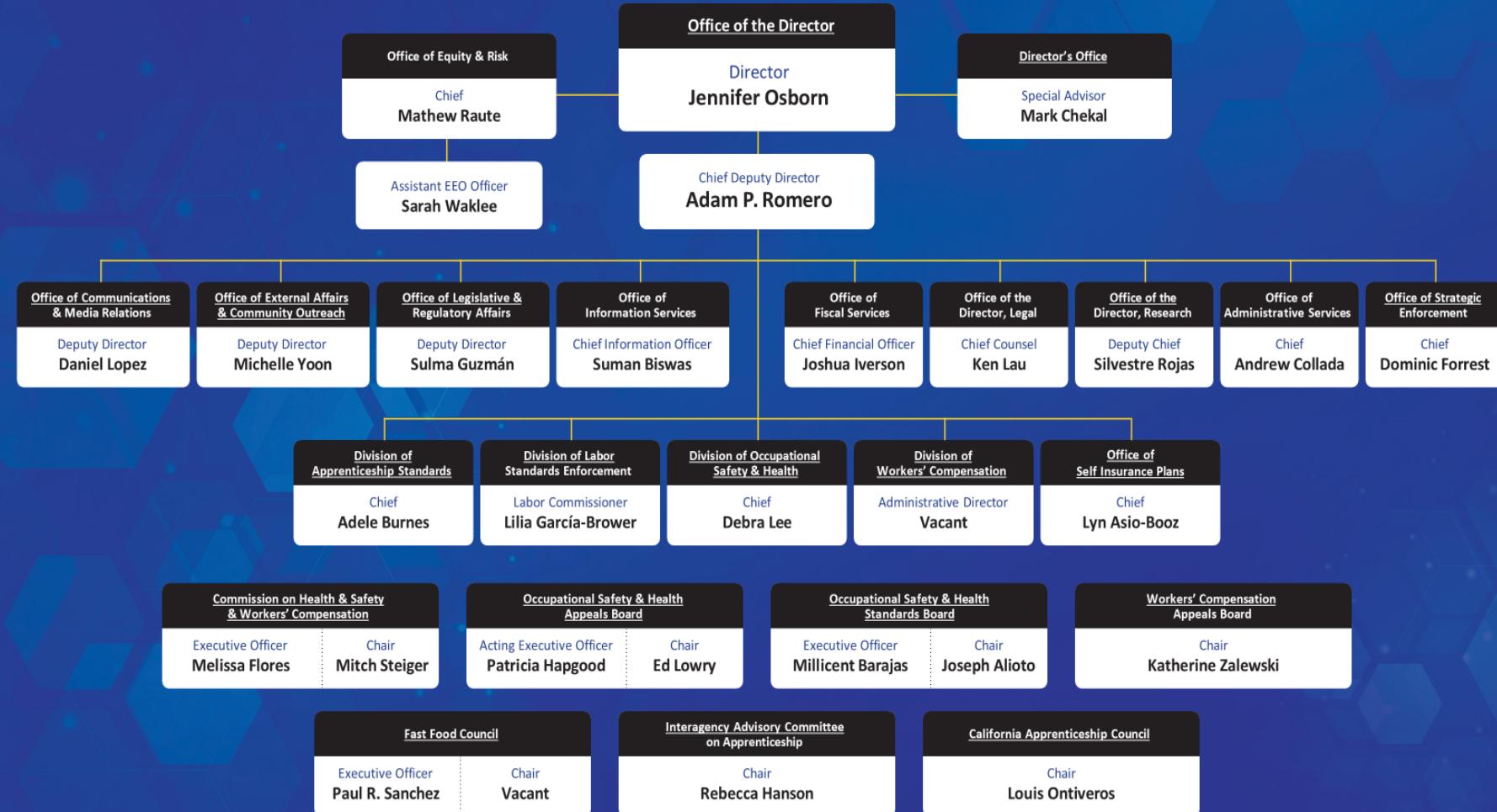
Other Resources

- [California Labor & Workforce Development Agency](#)
- [Employment Development Department](#)
- [U.S. Dept. of Labor](#)

Department of Industrial Relations | Org Chart

Department of Industrial Relations reports to California Labor and Workforce Development Agency
Secretary Stewart Knox who in turn reports to Governor Gavin Newsom.

Updated 2/2/26





Labor Code Section 1771

Except for public works projects of one thousand dollars (\$1,000) or less, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in this chapter, shall be paid to all workers employed on public works.

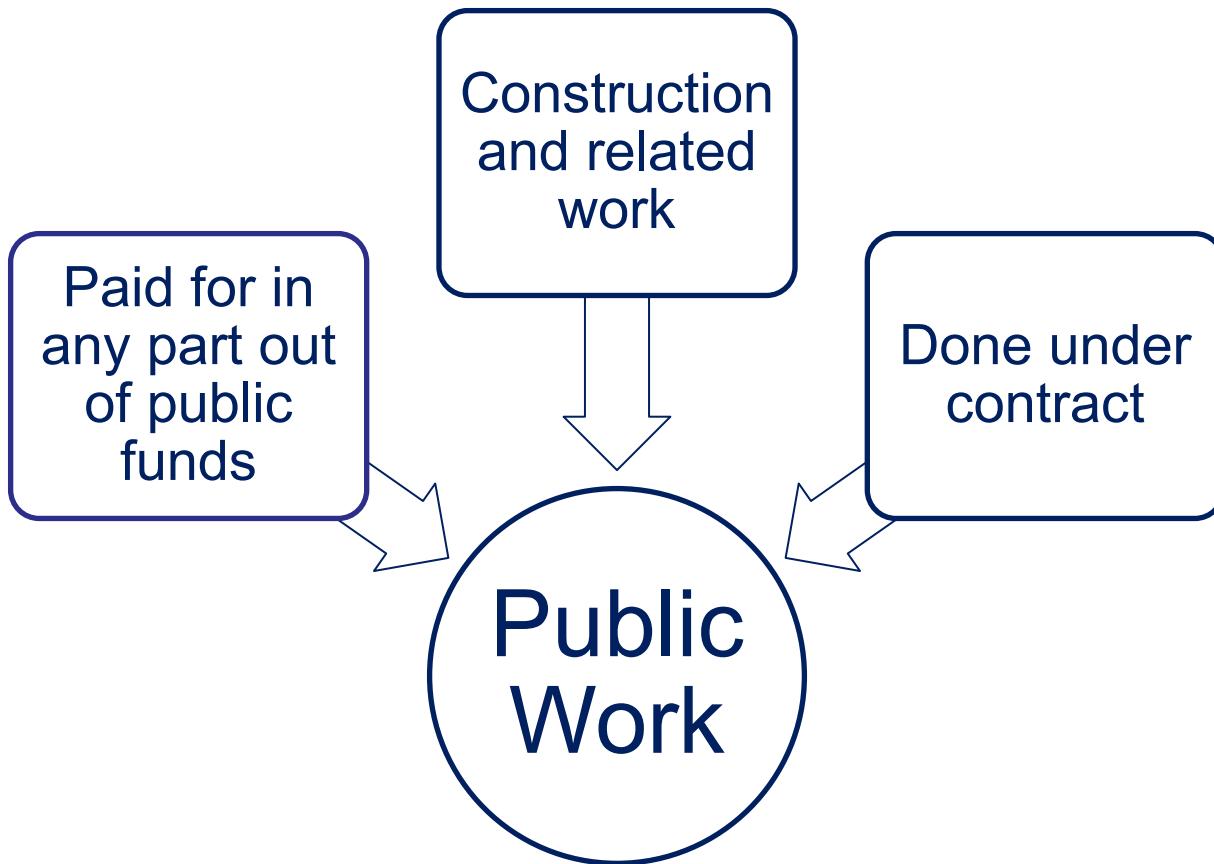
This section is applicable only to work performed under contract, and is not applicable to work carried out by a public agency with its own forces. This section is applicable to contracts let for maintenance work.

**Prevailing wages apply to all public works over \$1,000,
unless there's an exception.**



What exactly is the prevailing wage?







Labor Code Section 1720

(Labor Code 1720(a)(1))

(a) As used in this chapter, “public works” means:

(1) Construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds...

- Construction (includes preconstruction *and* post construction)
- Alteration
- Demolition
- Installation
- Repair
- Maintenance (Labor Code section 1771, and 8 CCR 16000)



Other definitions of “public work”

- Section 1720(e) [Work on electric transmission system]
- Section 1720.2 [Private construction leased to public entity]
- Section 1720.3 [On-haul of PGF/Off-haul of refuse]
- Section 1720.6 [Private renewable energy projects on public property]
- Section 1720.7 [Work done on general acute care hospitals]
- Section 1720.8 [Work done on charter schools]
- Section 1720.9 [Hauling of ready-mixed concrete]
- PUC 769.2 [renewable electrical generation facilities]



PUC § 769.2 [renewable electrical generation facilities]

- 1) Construction of any renewable electrical generation facility, and
- 2) Any associated battery storage
- 3) Receives NEM or NBT tariffs
- 4) Interconnection application submitted on or after 1/1/24

Except:

- 1) A residential facility that has a maximum generating capacity of 15 kilowatts or less of electricity;
- 2) A residential facility installed on a single-family home;
- 3) A facility that serves only a modular home, a modular home community, or multiunit housing that has two or fewer stories;
- 4) Already public work.



PUC 769.2 [renewable electrical generation facilities]

Contractor responsibilities:

- 1) Maintain and verify CPRs
- 2) Submit digital copies of CPRs to CPUC twice a year (7/1 and 12/31)
- 3) All other public works requirements:
 - a) Project registration
 - b) Contractor registration
 - c) eCPR submission
 - d) Employment of apprentices

Paid for in whole or in part out of public funds

(Labor Code 1720(b))

1. The payment of money or the equivalent of money . . . directly to or on behalf of the public works contractor, subcontractor, or developer.
2. Performance of construction work . . . in execution of the project.
3. Transfer . . . of an asset of value for less than fair market price.



Paid for in whole or in part out of public funds

(Labor Code 1720(b))

4. Fees, costs, rents, insurance or bond premiums, loans, interest rates, or other obligations that would normally be required in the execution of the contract, that are paid, reduced, charged at less than fair market value, waived, or forgiven

5. Money loaned . . . that is to be repaid on a contingent basis.

6. Credits that are applied . . . against repayment obligations



Public Work without direct public funding

- Section 1720.2
 - Private construction leased to public entity
 - Upon completion of construction more than half of assignable square feet leased to public entity
 - Lease entered into prior to construction, OR
 - Construction is performed according to plans, specifications or criteria furnished by the public entity



Tenant Improvements Paid for by Private Landlord

Private Office Building
with 100,000 total sq. ft.

City Leases
60,000 sq. ft.

Tenant improvements done by the
private landlord before the City
even signs a lease.

Tenant improvements are done
according to the City's specs.

(Section 1720.2)

Public Funding – partial coverage of work on project

Section 1720(c)(2) exception

- 1) the public improvement work is required as a condition of regulatory approval;
- 2) the project is an otherwise private development;
- 3) the public entity must not contribute more money, or the equivalent of money, to the overall project than is required to construct the public improvement work; and
- 4) the public entity must not maintain any proprietary interest in the overall project.



GIANTCORP DEVELOPMENT

Private

Development

Project

\$200M Project – City requires Sidewalks and Traffic
Signals as a Condition of Regulatory Approval
Cost of Sidewalk and Signals \$10M, Public Subsidy, \$8M



Section 1720(c)(3)(A) exception

- So-called “de minimis exception” applies when a public entity provides a public subsidy to an otherwise private development project that is “de minimis” in the context of the project.

Section 1720(c)(3)(B) exception

- De minimis if it is both less than \$600,000 and less than 2 percent of the total project cost.
- For projects that consist entirely of single-family dwellings, de minimis is merely less than 2 percent of total project cost.
- Not applicable to projects advertised for bid/awarded before 7/1/21



What is a coverage determination?

Section 1773.5 and Cal. Code Regs., title 8, sections 16001-16002.5

- The Director has the power to determine that a project or a type of work is public work through issuing what is known as a coverage determination.
- The administrative process consists of an initial coverage determination and a final determination on administrative appeal.
- Depending on when the parties make their submissions, the entire process can take many months.



New Laws 2025

SB 1162

- Full name of, and identify the apprenticeship program name, location, and graduation date of, each worker relied upon to satisfy the apprenticeship graduation percentage requirements for STW. (Monthly report/PCC 2602)
- 7/1/25 – DAS apprentice database searchable by first name, last name, and graduation date. (PCC 2604)



New Laws 2025

SB 1303 (New Section 1771.8)

- Private entity cannot provide services for AB and contractor bidding work for AB. Must sign declaration.
- Before withholding, must confer w/ negotiating parties
- Within 20 days after request for review, “provide a venue for a public works contractor or subcontractor to review and respond to evidence of alleged violations.”



New Laws 2026

- AB 889 (Ends annualization exemptions) Lab. Code § 1773.1
- AB 1104 (Change to AB 2143) PUC § 769.2 net energy metering
- AB 538 (Clarify CPR requirements) Lab. Code § 1776
- AB 1445 (Expands comm. to res. conversion) Gov. Code § 62460
- SB 272 (SamTrans Job Order Contract) Gov. Code § 103399.5...
- AB 338 (Fuel Reduction) Effective 7/1/26 PRC § 80200 et seq.
“...including, but not limited to, residential chipping, rural road fuel breaks, and firebreaks...” applies to post 7/1 contracts/+\$500k



Pending Bills 2026

AB 1198 – prevailing wage determination applicable to project when work is performed v. bid ad. date – not applicable to some affordable housing projects

AB 1439 - PERS/STRS funded development – PW/STW

SB 909 – Increases: (a) contractor registration from \$400 and (b); penalties for violations of public works requirements



Recent Cal. Supreme Court Decisions

- *Kaanaana v. Barrett Business Services* (March 29, 2021)
- *Busker v. Wabtec Corp., et al.* (August 16, 2021)
- *Mendoza v. Fonseca* (August 16, 2021)



Office of the Director – Legal Unit Public Works Inquiries

PWCoverage@dir.ca.gov



Department of Industrial Relations (DIR)

Public Works

Useful Links

- DIR's Public Works Home Page
 - <http://www.dir.ca.gov/Public-Works/PublicWorks.html>
- The Director's Public Works Coverage Determinations
 - <http://www.dir.ca.gov/OPRL/PubWorkDecision.htm>
- The Director's General Prevailing Wage Determinations
 - <http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>
- DLSE's Public Works Manual
 - <http://www.dir.ca.gov/dlse/PWManualCombined.pdf>
- California Labor Code
 - <http://leginfo.legislature.ca.gov/faces/codes.xhtml>
- California Code of Regulations
 - <http://www.oal.ca.gov/>