AGENDA

STATE LABOR COMMISSIONER'S OFFICE • FOUNDATION FOR FAIR CONTRACTING

PRESENT

PREVAILING WAGE/LABOR COMPLIANCE WEBINAR

Thursday • October 15, 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
8:35 AM – 9:15 AM	DEPARTMENT OF INDUSTRIAL RELATIONS (DIR) State Labor Commissioner's Office **Awarding Body Responsibilities/Pre-Qualification of Contractors**	DLSE Staff
9:15 AM – 9:40 AM	DIR - State Labor Commissioner's Office **Skilled and Trained Workforce Enforcement**	Jeyde Cardenas
9:40 AM – 10:30 AM	DIR - State Labor Commissioner's Office **Contractor Responsibilities**	David Girgis
10:30 AM – 10:45 AM	*Break*	
10:45 AM – 11:15 AM	DIR - State Labor Commissioner's Office **eCPRs**	Ana Campos
11:15 AM – 12:00 PM	*Q & A* (DLSE Moderators: Christopher Hightower/Michael Nagtalon)	Panel
12:00 PM – 1:00 PM	*Lunch*	
1:00 PM – 1:15 PM	LABOR ENFORCEMENT TASK FORCE (LETF) **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**	Santiago Orona
2:30 PM – 3:00 PM	*Q & A*	Panel
3:00 PM	**Closing Remarks – Evaluations**	Jesse Jimenez



PUBLIC WORKS
LABOR COMPLIANCE
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

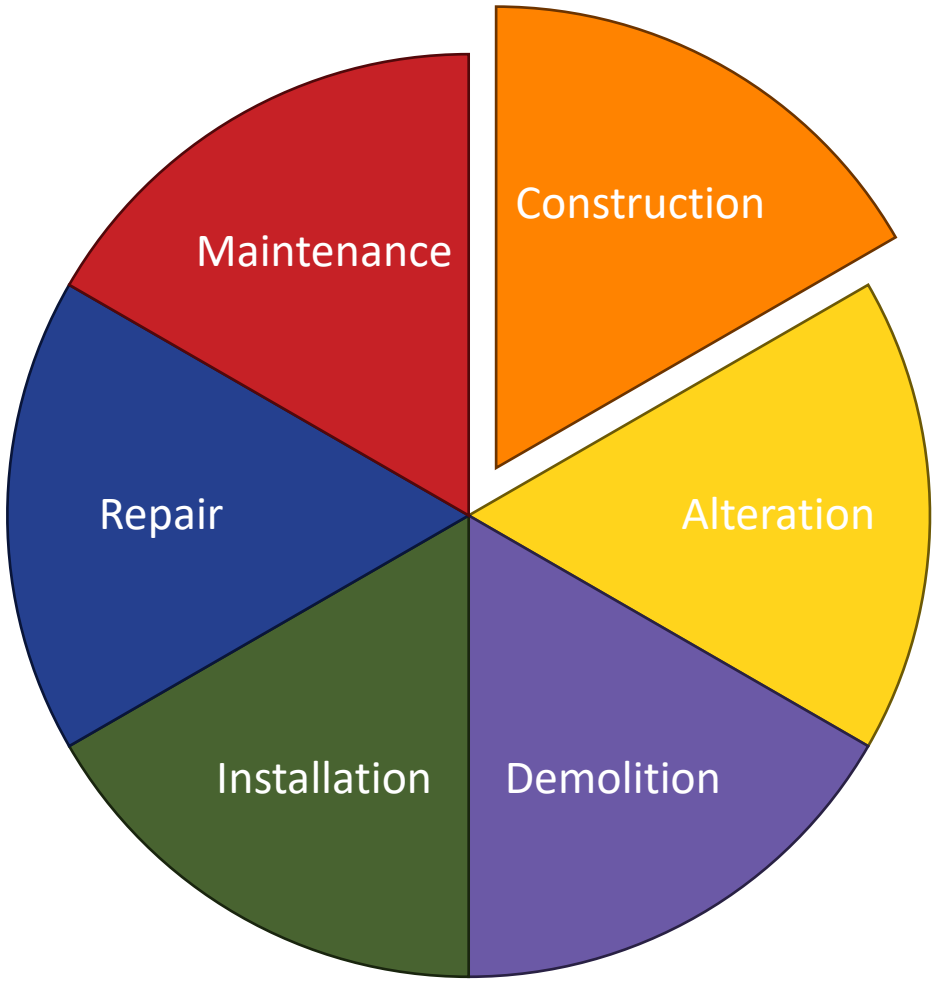
M

>$25,000

CADIR

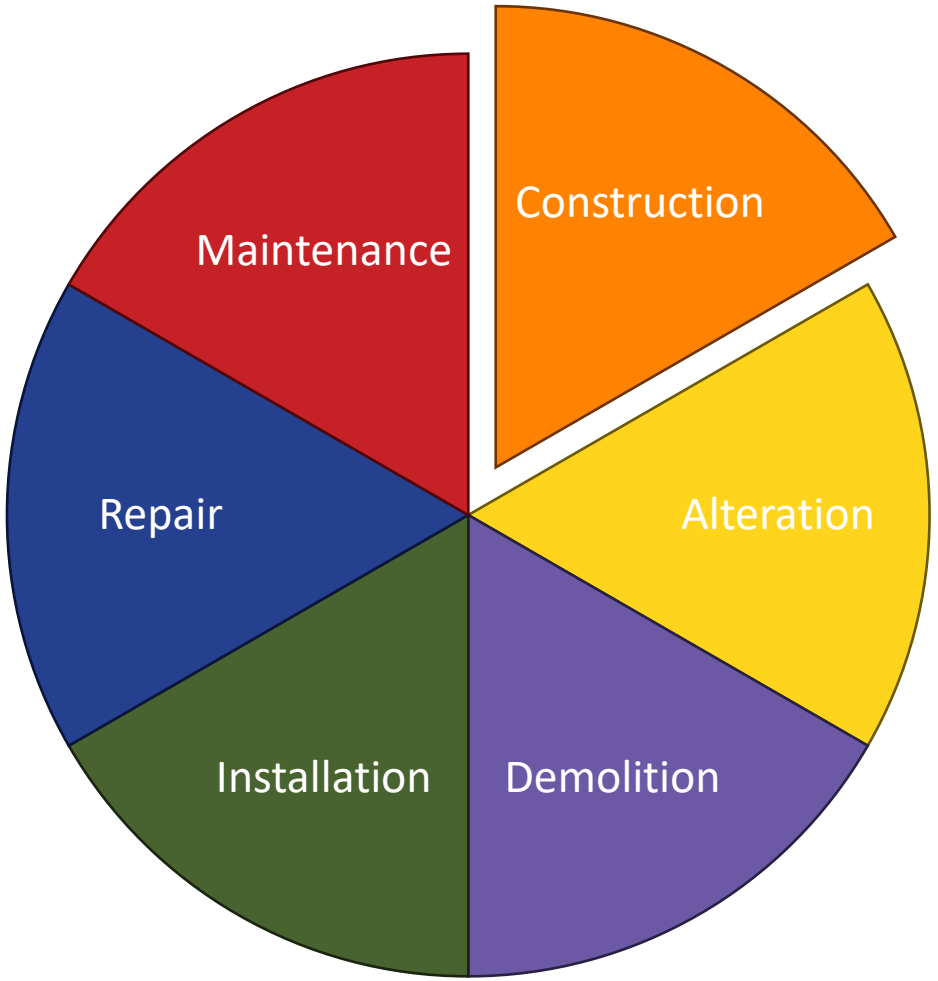
Labor Code 1771, 1725.5

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 lastest 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/pw

DIR State of California Department of Industrial Relations EST. 1927

Home | How-To Guides | Search | Sign up | Log in

Public Works Portal

Sign up | Log in

How to get started on the Public Works Portal

If you are new to the Public Works platform, for first time users of the new Public Works Portal, you will need to start by signing up your email to create an account. You'll then need to verify your email through a link sent to your email address. Lastly, you'll need to link to a newly registered business/organization or an existing business/organization within the Public Works portal.



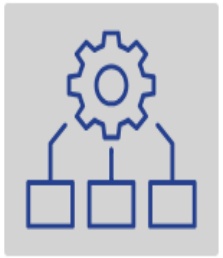
Create a new account

Create a username and password for your new account. Your old logins will not work. Use your business/organization email.



Verify your account

Once you've completed verifying your account via email, you can access the Public Works portal to access services and submit documentation.



Link to a business/organization

You will need to link to a business/organization with a registration code or create a new one during the account creation process.

Ready to get started on the Public Works Portal? Create an account →

Or log in if you have an existing account.

Account type — Account details — Create account — Review

Create an account

Highlight Required Information

• Indicates required

What will this account be used for?

Your selection will customize the next step.



I am an awarding body

I need to submit projects and award contracts for Public Works

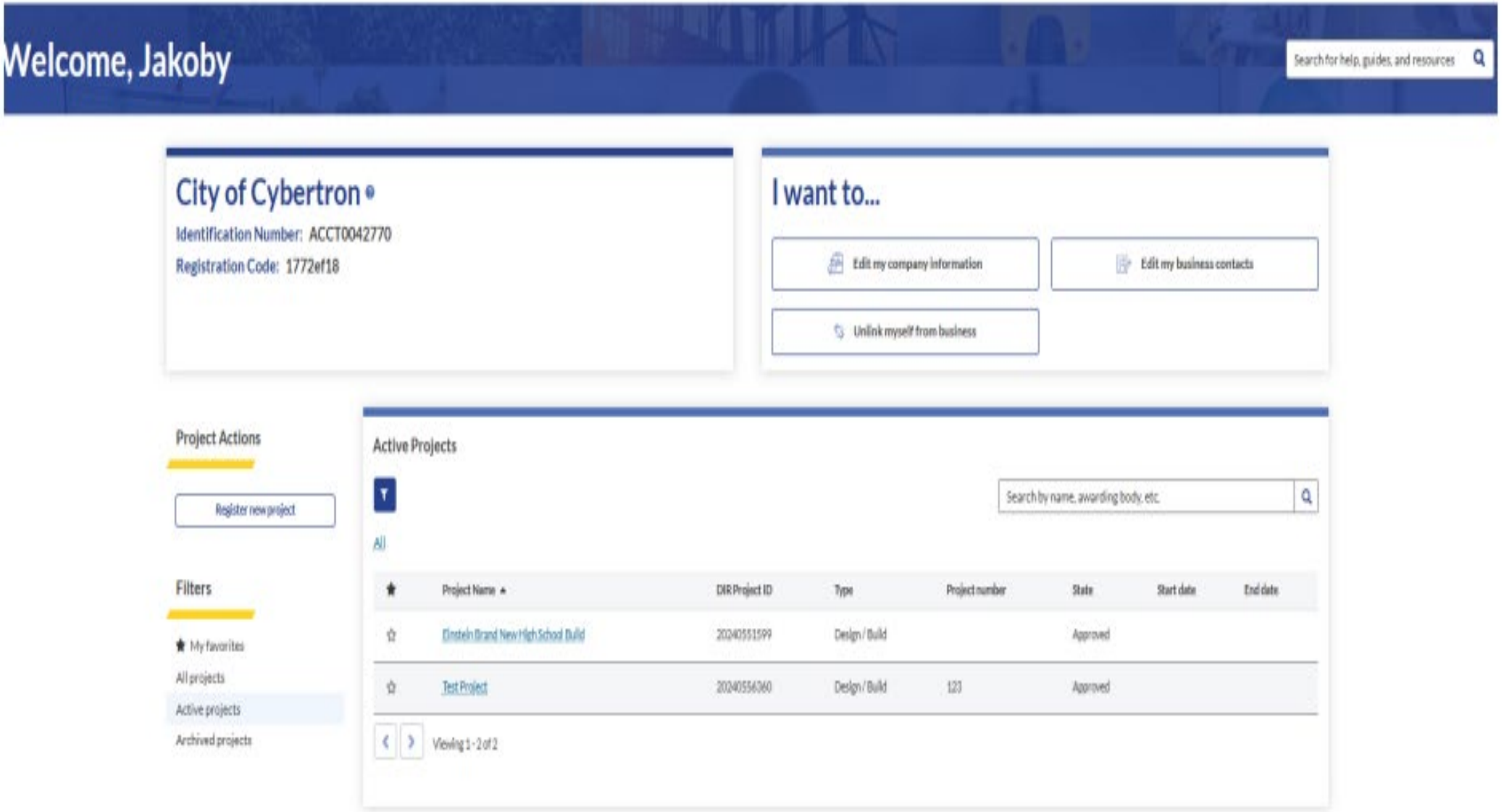


I am a contractor

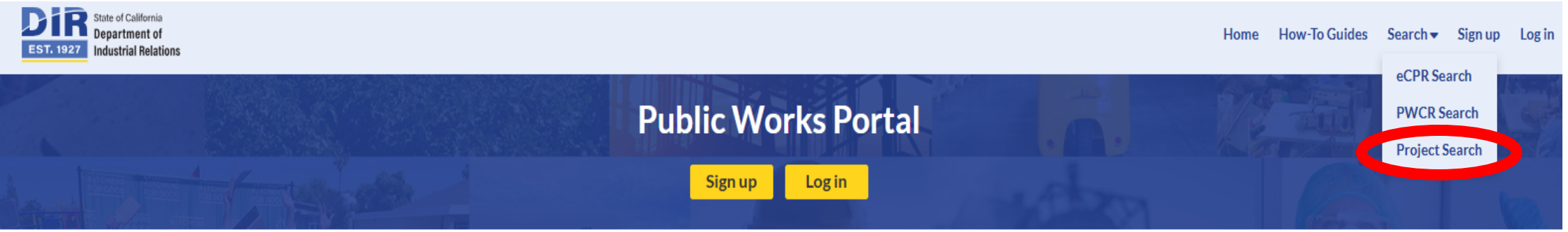
I need to submit payments for prevailing wages and payroll data

Go to next section

PW Portal Dashboard



SEARCHING FOR A PUBLIC WORKS PROJECT



How to get started on the Public Works Portal

If you are new to the Public Works platform, for first time users of the new Public Works Portal, you will need to start by signing up your email to create an account. You'll then need to verify your email through a link sent to your email address. Lastly, you'll need to link to a newly registered business/organization or an existing business/organization within the Public Works portal.

Create a new account

Create a username and password for your new account. Your old logins will not work. Use your business/organization email.

Verify your account

Once you've completed verifying your account via email, you can access the Public Works portal to access services and submit documentation.

Link to a business/organization

You will need to link to a business/organization with a registration code or create a new one during the account creation process.

Ready to get started on the Public Works Portal? Create an account →

Or log in if you have an existing account.

Project Filters

- All Projects
- Approved Projects
- Completed Projects

Projects

Project registration search

Number	Project Number	Contract Number	DIR Project ID	Awarding Body	Project Name	State	Description	[illegible]	[illegible]	Start Date	End Date
20250580261	CA06999	9CA06999	20250580261	CAL FIRE BSO	9CA06999	Approved	Contractor shall provide all materials, ...	2030-06-14	2025-06-15		
20260623790	222435	A-25-405	20260623790	San Joaquin County Public Works	Waverly Road Bridge 29C-368 Replacement	Approved	Waverly Road Bridge 29C-368 Across Chane...	2029-12-18	2030-01-30		
20260620433	100075	25-276901	20260620433	Department of General Services	Door & Gate Maintenance	Approved	Door & Gate preventative maintenance and...	2029-06-13			
20250594740	50537	61026025	20250594740	City of Chico	West Sacramento Avenue Railroad Crossing	Approved	Professional Civil Engineering Services	2029-02-11	2025-08-07		
20250594131		24-246999	20250594131	Department of General Services	Boiler Tune-Up Maintenance and Repairs	Approved	Boiler Tune-Up Maintenance services for ...	2028-09-28			
20240553849		1000015613	20240553849	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553826		100192	20240553826	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553886		100215	20240553886	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553907		100220	20240553907	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553868		100227	20240553868	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553830		100193	20240553830	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553856		100202	20240553856	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553839		100196	20240553839	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553833		100236	20240553833	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553889		100216	20240553889	Santa Clarita Valley Water Agency	ON-CALL PROFESSIONAL SERVICES AGREEMENT	Approved	PWC-100 for the General On-Call Professi...	2028-06-30			
20240553841		100197	20240553841	Santa Clarita Valley Water	ON-CALL PROFESSIONAL SERVICES	Approved	PWC-100 for the General On-Call	2028-06-30			

Project registration

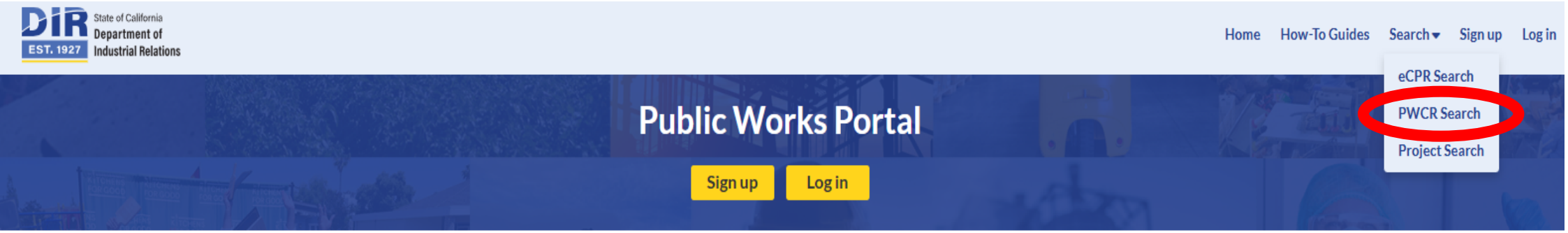
Ensure that public works projects are not split or separated into smaller work orders or projects for the purpose of evading the applicable provisions of LC §1771. (Title 8, CCR § 16100)

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**

SEARCHING FOR A CONTRACTOR'S REGISTRATION



How to get started on the Public Works Portal

If you are new to the Public Works platform, for first time users of the new Public Works Portal, you will need to start by signing up your email to create an account. You'll then need to verify your email through a link sent to your email address. Lastly, you'll need to link to a newly registered business/organization or an existing business/organization within the Public Works portal.

Create a new account

Create a username and password for your new account. Your old logins will not work. Use your business/organization email.

Verify your account

Once you've completed verifying your account via email, you can access the Public Works portal to access services and submit documentation.

Link to a business/organization

You will need to link to a business/organization with a registration code or create a new one during the account creation process.

Ready to get started on the Public Works Portal? Create an account →

Or log in if you have an existing account.

DIR State of California Department of Industrial Relations EST. 1927

Home How-To Guides Search Sign up Log in

Home > Contractors

Contractor Filters

All Contractors

Name is not Empty

Updated This Week

Contractors

Contractor search

PWCR	Legal Entity Name	Doing Business As (DBA)	Business Structure	Contractor Status	CSLB	Registration Start Date	Registration End Date
2000013528	Advanced Heating & Air Conditioning Co.,...		Corporation - C corp	DIR Approved	136105	2025-07-24	2026-06-30
1000543346	Rialto Bioenergy Facility, LLC		Limited Liability Company (LLC)	Registration Expired		2019-12-16	2022-06-30
1000703775	Blancarte's Painting		Sole Proprietorships	Registration Expired		2020-12-28	2021-06-30
1000749815	Bridges Transportation LLC		Limited Liability Company (LLC)	Registration Expired		2021-07-01	2022-06-30
2000012091	Gill nation express inc		Corporation - S corp	DIR Approved	n/a	2025-07-01	2026-06-30
1000443426	TransLink Consulting, LLC		Limited Liability Company (LLC)	DIR Approved		2023-07-01	2026-06-30
2000015611	Baxter Homes, Inc		Corporation - S corp	DIR Approved	1057475	2025-10-01	2027-06-30
1000431921	Kalar Trucking LLC		Limited Liability Company (LLC)	DIR Approved		2025-07-10	2026-06-30
1000548025	Osuna Trucking Inc		Corporation	DIR Approved		2025-07-02	2026-06-30
1000971103	E Parra Trucking, LLC		Limited Liability Company (LLC)	Registration Expired		2022-09-05	2023-06-30
1001153803	PR Design and Engineering Inc		Corporation	Registration Expired		2024-03-28	2024-06-30
1000395299	Holland, L.P.		LLP/LP	DIR Approved		2025-07-02	2026-06-30
1000399768	Devco Sandblasting & Industrial Coating,...		Corporation	Registration Expired		2019-06-07	2019-06-30
2000015212	FA GENERAL CONSTRUCTION		Sole Proprietorships	DIR Approved	1079597	2025-09-17	2026-06-30
1001021023	topshelf paint inc		Corporation	Registration Expired		2023-03-17	2023-06-30
1000905419	Data Clean Corporation		Corporation	Registration Expired		2022-07-05	2023-06-30
1000733143	Building Specialty Systems		Corporation	Registration Expired		2024-05-31	2024-06-30
1001099329	BEST GLASS INC.		Corporation	DIR Approved	1015863	2025-08-27	2026-06-30
1000562559	CHAPARRO DRYWALL SYSTEMS		Sole Proprietorships	Registration Expired		2020-02-06	2020-06-30
1000966876	Mee Industries Inc.		Corporation	Registration Expired		2022-08-23	2023-06-30

Rows 1 - 20 of 121757

2000013528 - Advanced Heating & Air Conditioning Co., Inc.

Customer Account Lookup

PWCR	Legal Entity Name
2000013528	Advanced Heating & Air Conditioning Co., Inc.
Contractor Status	Doing Business As (DBA)
DIR Approved	
CSLB	Business Structure
136105	Corporation - C corp
Business Phone	President
8185039200	Eric Paschal
Ext	Email
	billing@advanced-hvac.com
Registration Start Date	Registration End Date
2025-07-24	2026-06-30

Crafts

Sheet Metal Worker | Plumber

Address

Mailing Address	Physical Address
13161-B Sherman Way	13161-B Sherman Way
Mailing Address - City	Physical Address - City
North Hollywood	North Hollywood
Mailing Address - State	Physical Address - State
California	California

Information contained in this file is confidential, preliminary, and pre-decisional

And a new Support Center for an easy transition

State of California
Department of
Industrial Relations

Search

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

Public Works / Support Center

Support Center

Got a question? Explore our Frequently Asked Questions.

Need to get in touch? Reach out to DIR Public Works.

The current Public Works Contractor Registration year has now started for the period covering July 1, 2025 to June 30th, 2026.

You can sign up for a Public Works Online System user account here at https://services.dir.ca.gov/pw and begin the process of registering for a Public Works Contractor Registration Number.

For more assistance, please refer to the PW Workshops and PW system guides below.

How-To Guides

Subject	Audience	Steps
DIR Account Registration Guide	Contractors	Guide
Create New Contractor	Contractors	Guide
Register or Renew Contractor Registration	Contractors	Guide
Add New Employees	Contractors	Guide
Bulk Upload Employees	Contractors	Guide

Upload eCPR

(Electronic Certified Payroll Record)

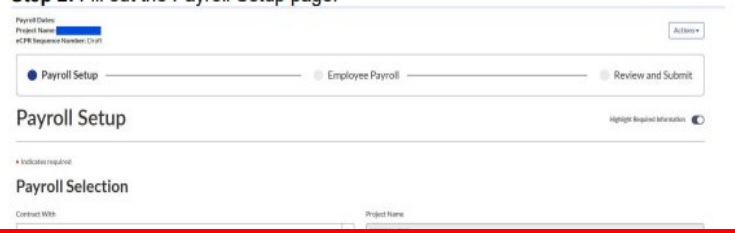
Section 1: Submitting Manual eCPR

Step 1: As a contractor, navigate to the main landing page at https://services.dir.ca.gov/pw

Next to your project, select Submit → Manual from the dropdown.

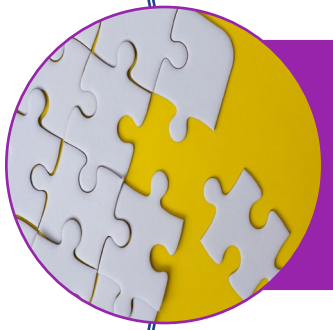


Step 2: Fill out the Payroll Setup page.





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))

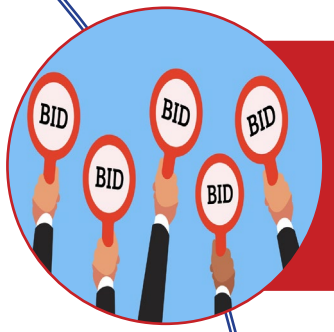
Notice Requirements

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

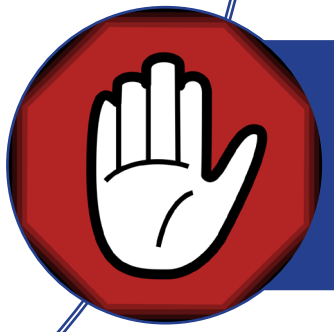
Withhold and retain all amounts required to satisfy the civil wage and penalty assessment (LC §1727(a))



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.

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))

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 lastest 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

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
  - Sign-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 scope of work provision, are prevailing wages required?
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 Prequalification of Contractors for Awarding Bodies

Public Works
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.

Our Goals

- PRE-QUALIFICATION OF CONTRACTORS
- LABOR COMMISSIONER MODEL QUESTIONNAIRE

DIR
EST. 1927

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

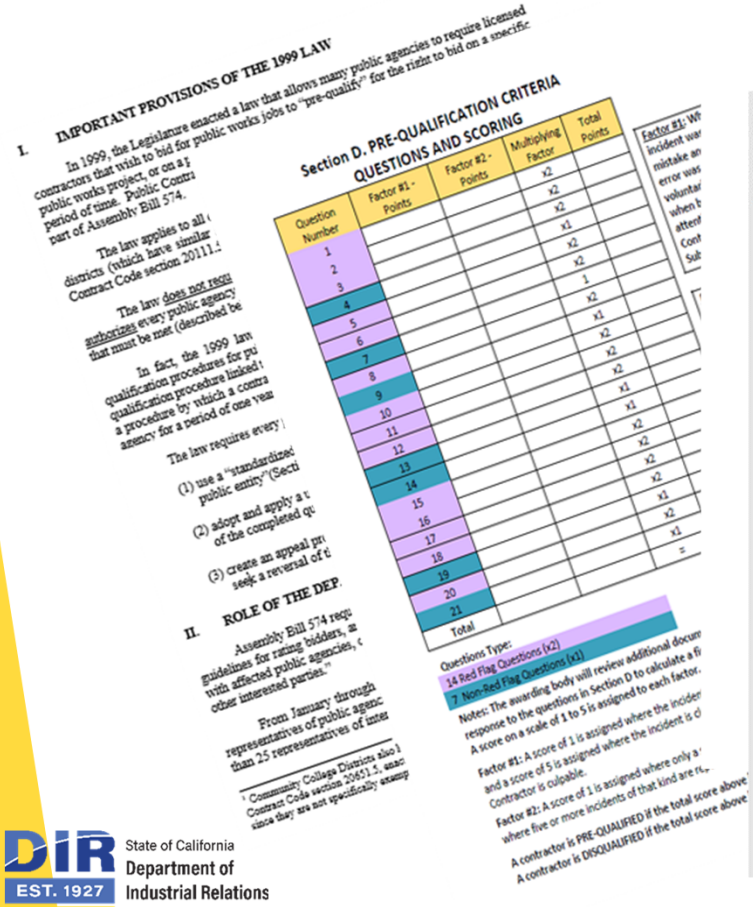
Levels the Playing Field for Law Abiding Contractors

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 that wish to bid for public works jobs to "pre-qualify" for the right to bid on a specific public works project, or on a p period of time. Public Contra part of Assembly Bill 574.

The law applies to all districts (which have similar Contract Code section 20111.

The law does not requ authorizes every public agency that must be met (described be

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

The law requires every

(1) use a "standardized public entity" (Secti

(2) adopt and apply a t of the completed qu

(3) create an appeal pro seek a reversal of t

II. ROLE OF THE DEP

Assembly Bill 574 requ guidelines for rating bidders, a with affected public agencies, other interested parties."

From January through representatives of public agenc representatives of inter

Community College Districts also Contract Code section 20651.5, enac since they are not specifically exemp

Section D. PRE-QUALIFICATION CRITERIA
QUESTIONS AND SCORING

Question Number	Factor #1 - Points	Factor #2 - Points	Multiplying Factor	Total Points
1			x2	
2			x2	
3			x2	
4			x1	
5			x2	
6			x2	
7			1	
8			x2	
9			x1	
10			x2	
11			x2	
12			x2	
13			x1	
14			x1	
15			x2	
16			x2	
17			x2	
18			x2	
19			x1	
20			x2	
21			x1	
Total			=	

Factor #1: W
incident was
mistake an
error was
voluntar
when h
attend
Cont
Sub

Questions Type:
14 Red Flag Questions (x2)
7 Non-Red Flag Questions (x1)

Notes: The awarding body will review additional docum
response to the questions in Section D to calculate a fi
A score on a scale of 1 to 5 is assigned to each factor.

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

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

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

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.

TABLE OF CONTENTS

PAGE

INTRODUCTION AND OVERVIEW OF THE 1999 LAW AND ITS APPLICATION 1

I. Important Provisions of The 1999 Law 2
II. Role of the Department of Industrial Relations 2
III. An Overview of The Documents In This Package 3
IV. Appeal Procedure 4
V. Application of The Public Records Act 5
VI. What Are the Law's Provisions Regarding Pre-qualification of Subcontractors 5

INSTRUCTIONS FOR AWARDING BODIES 6

MODEL PRE-QUALIFICATION QUESTIONNAIRE 9

A. Contractor Information 10
B. Current Organization and Structure 12
C. Essential Criteria Questions 18
D. Pre-qualification Criteria Questions 20
Prior History 20
Criminal Matters and Civil Suits 22
Occupational Health and Safety Compliance 23
Prevailing Wage and Apprenticeship Compliance 23
E. Project References 25
F. Certification 26

SCORING WORKSHEET 27

MODEL INTERVIEW QUESTIONS 29

REQUEST FOR PRE-QUALIFICATION OF BIDDERS COMMENCING WITH FORTHCOMING PUBLIC WORK BID 31

ANNOUNCEMENT OF PRE-QUALIFICATION PROCEDURES AND OPEN DATES FOR ANNUAL PRE-QUALIFICATION 35

SOURCES FOR VERIFICATION OF INFORMATION GIVEN BY CONTRACTORS 39

CONTRACTOR PRE-QUALIFICATION QUESTIONNAIRE

A. CONTRACTOR INFORMATION
(All Questions Must Be Answered)

Firm Name (as it appears on CSLB license):

Firm Type (Select one): ☐ Corporation ☐ LLC ☐ Partnership ☐ Sole Proprietorship ☐ Joint

SOURCES FOR VERIFICATION OF INFORMATION GIVEN BY CONTRACTORS

A CAUTIONARY NOTE: The information that will be given to public agencies by contractors seeking pre-qualification is provided under oath, with the understanding that the intentional providing of false information is, in itself, grounds for disqualification, and may result in disqualification from bidding on any public works project, registering as a Public Works Contractor with the Department of Industrial Relations, and may be grounds for termination of a public works contract. We expect that the information given should be, and will be accepted at face value in most instances. Our list of sources of information available to the public is provided for use where a public agency reviewing answers given in a questionnaire has specific reason to believe that one or more answers should be verified in this manner.

Information on contractor's DIR - Public Works Contractor Registration

...on about a contractor's DIR Public Works Contractor Registration can be found ...e following link may be used to verify a contractor's current status using the 10-...istration number: https://efiling.dir.ca.gov/PWCR/Search

Information about a contractor's license(s)

...ses of licensed contractors, information about the type of license(s) ...es when licenses were issued (and certain other information), are ...Contractors' State Licensing Board (CSLB), 9821 Business Park Drive, ...827. Telephone number 800-321-2752. The CSLB web site for public ...slb.ca.gov:

...on about workers' compensation insurance

...tion insurance carrier issues to each of its insured businesses a ...he contractor should be willing to provide a copy upon request.

...Modification Rate for the year should be stated in a letter to ...tor's workers' compensation insurance carrier.

...self-insured for workers' compensation, with the consent ...nt of Industrial Relations. The names of companies that ...from the Department's Office of Self-Insurance Plans, ...ion Drive, Suite 230, Rancho Cordova, CA 95670; ...Insurance Plans web site for public information is:

...recent workers' compensation insurance carriers ...pensation Insurance Rating Bureau (WCIRB), 1221

...ers, classifications and expiration ☐

Expiration Date:

...on Number(s):

Expiration Date:

...tion, limited liability company; or ...listed on the CSLB records who ...cense.

Expiration Date:

DIR EST. 1927 State of California Department of Industrial Relations

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"



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 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 m 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 lastest training and FAQs

DIR EST. 1927 State of California Department of Industrial Relations

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!



Prevailing wage
LABOR COMPLIANCE SEMINAR
Skilled & Trained Workforce Requirements

Public Works

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.

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.

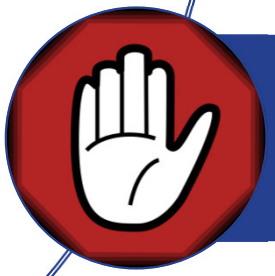
Objectives



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

DIR State of California Department of Industrial Relations EST. 1927

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)

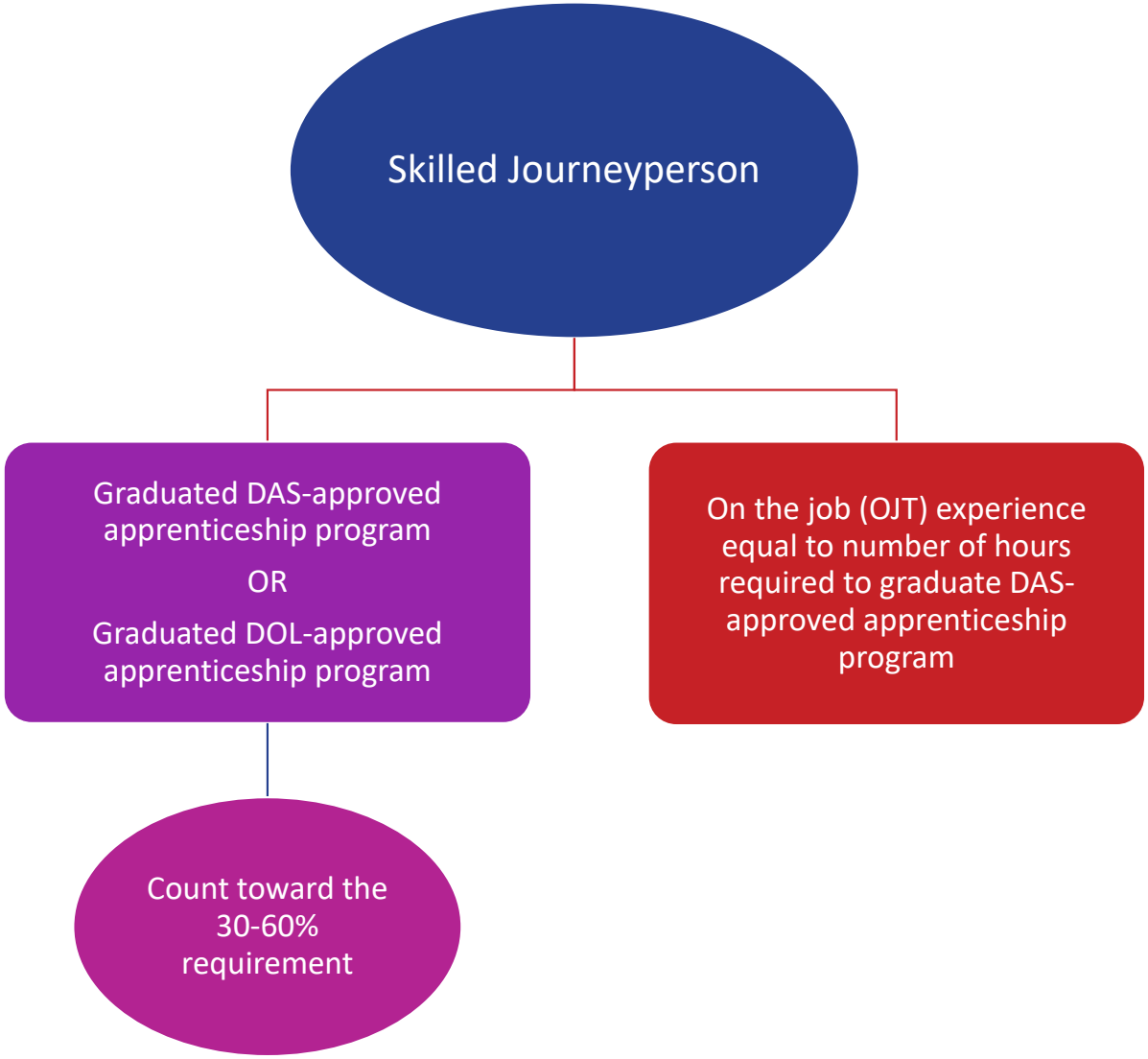
Who is a “Skilled Journeyperson”?

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

Applies to work performed on or after:	% 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 hours worked by apprenticeship graduates/100hrs worked in total = 0.6 x 100 = 60% 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 <u>ALL</u>** 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 <u>OR</u> fails to comply with <u>ANY</u> 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

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

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

Applies to work performed on or after:	% of journeypersons who must be graduates of apprenticeship program	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

Applies to work performed on or after:	% of journeypersons who must be graduates of apprenticeship program	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 #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



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

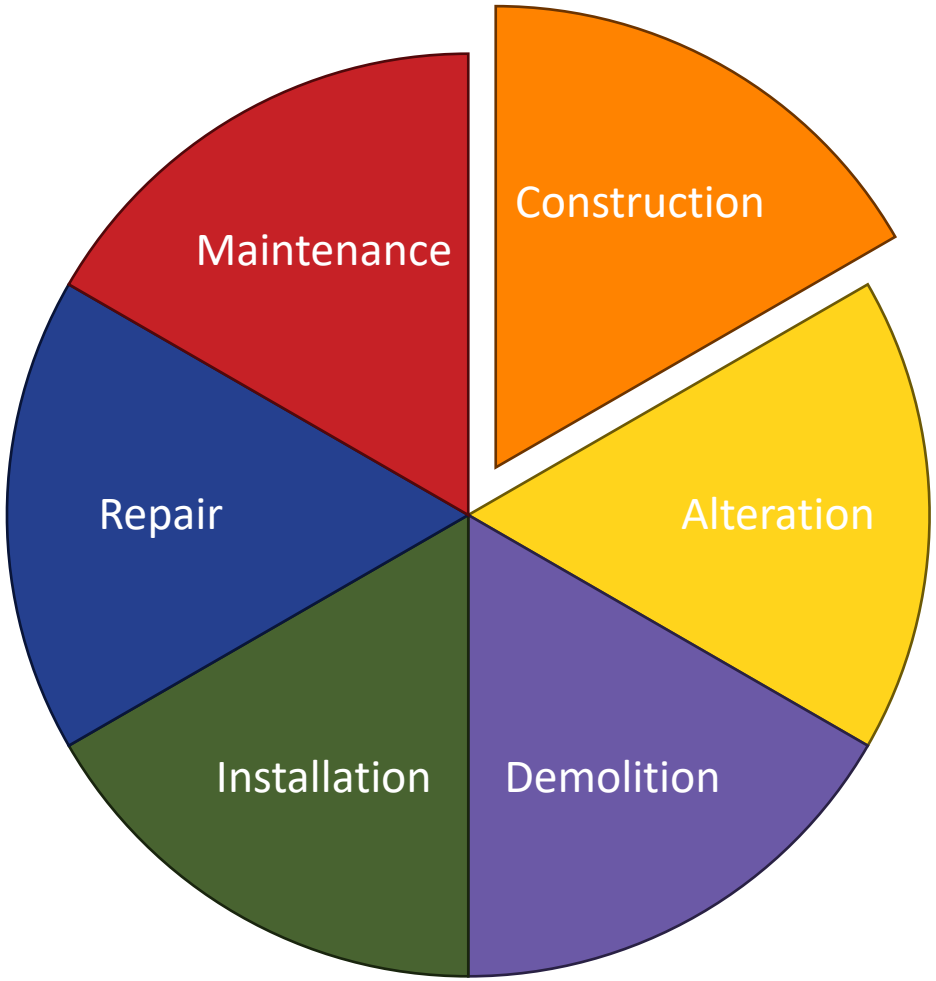
Who is a Public Works Contractor?





Labor Code(s) 1720(1) and 1722.1

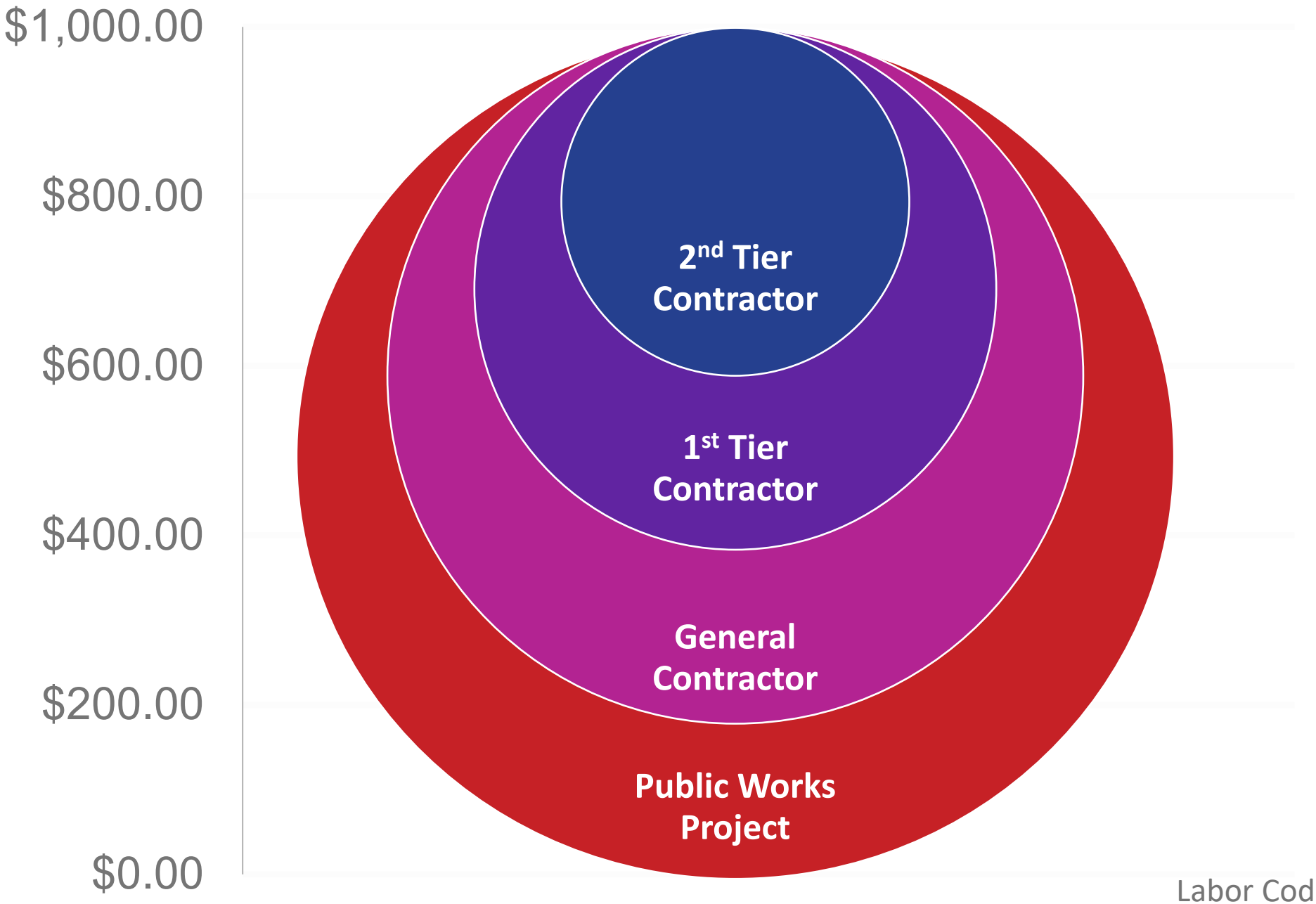
Public Works Project



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

Postconstruction
- Cleanup

Labor Code 1720



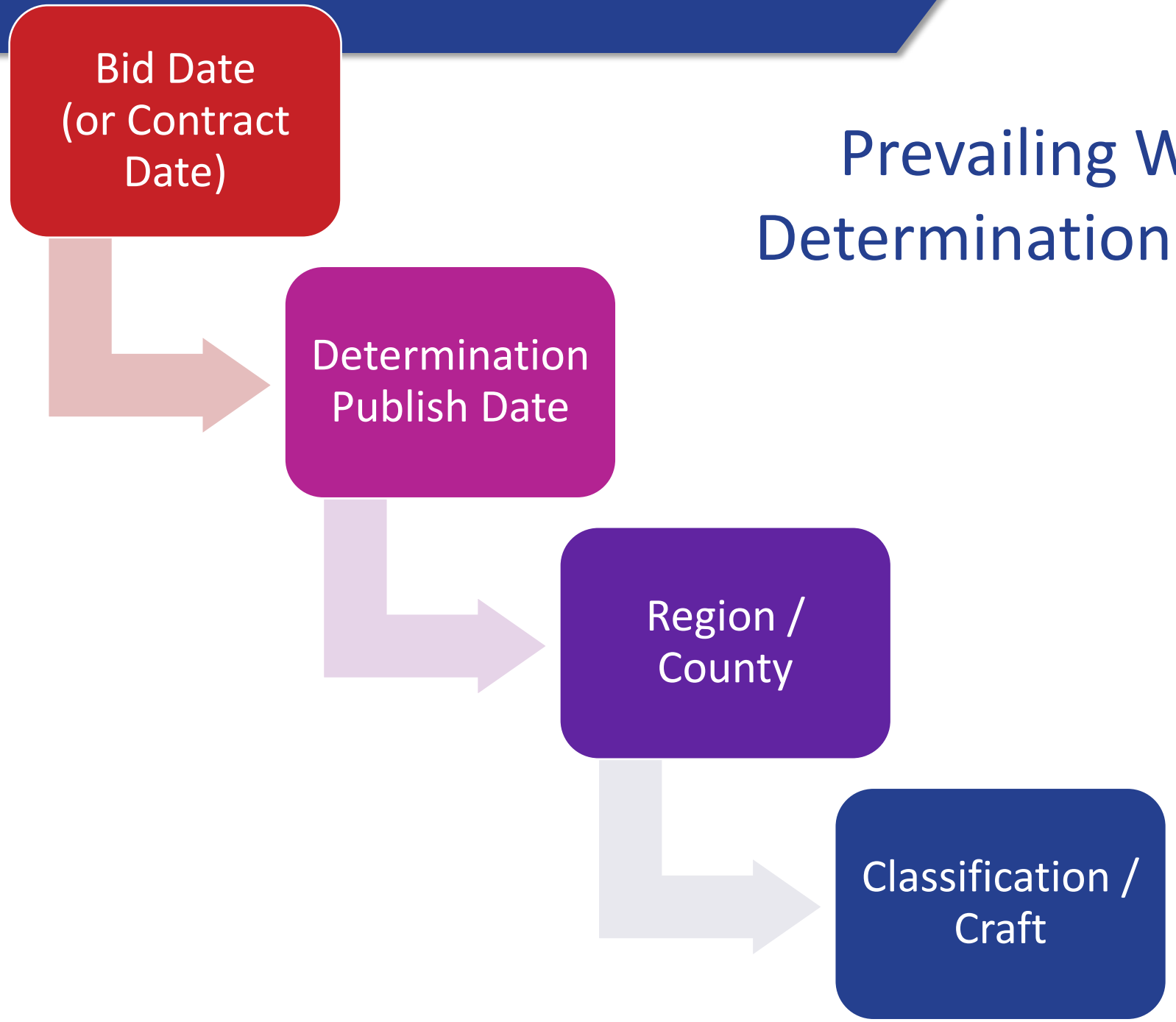
Labor Code 1771

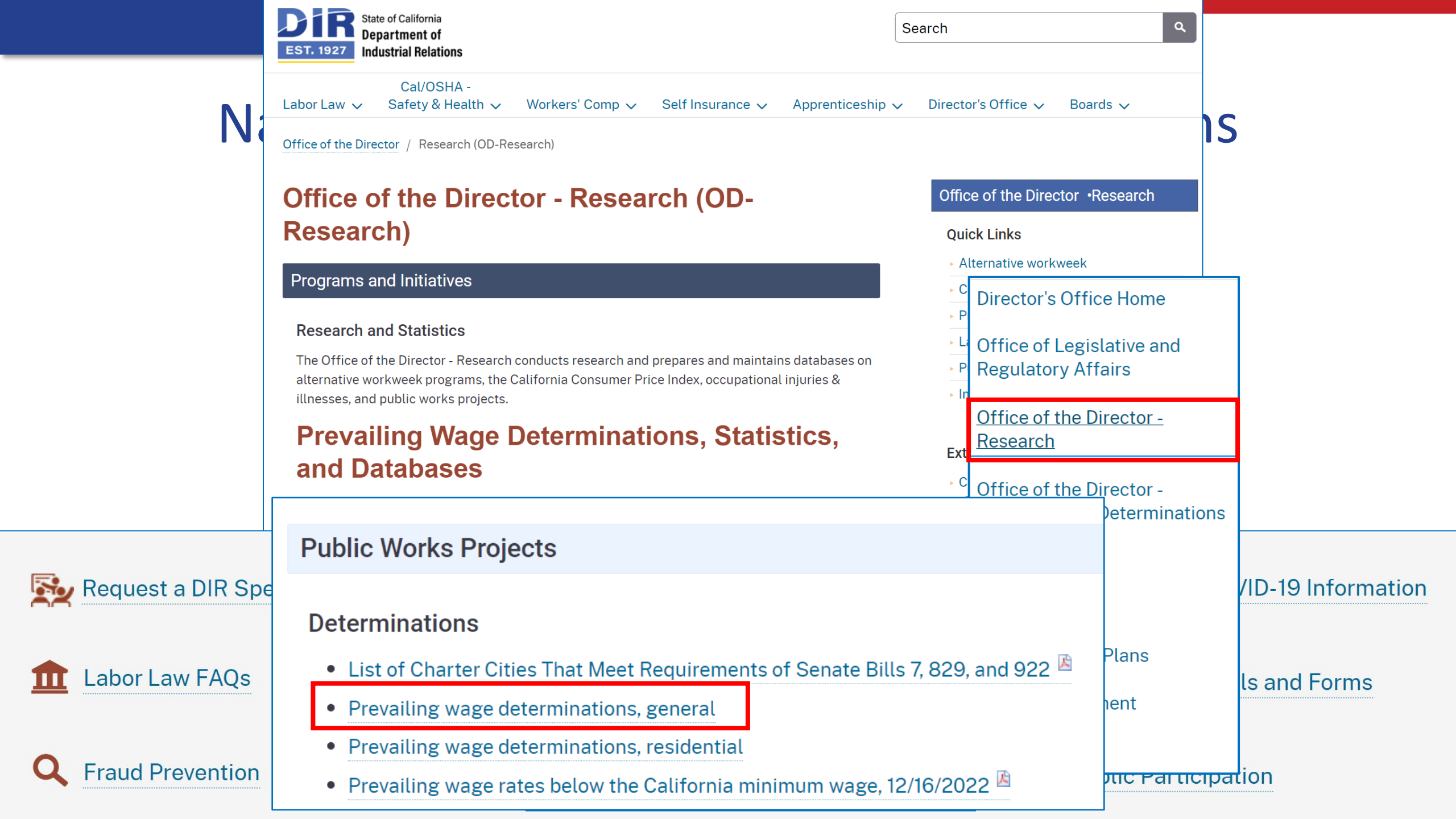
Pay Prevailing Wages



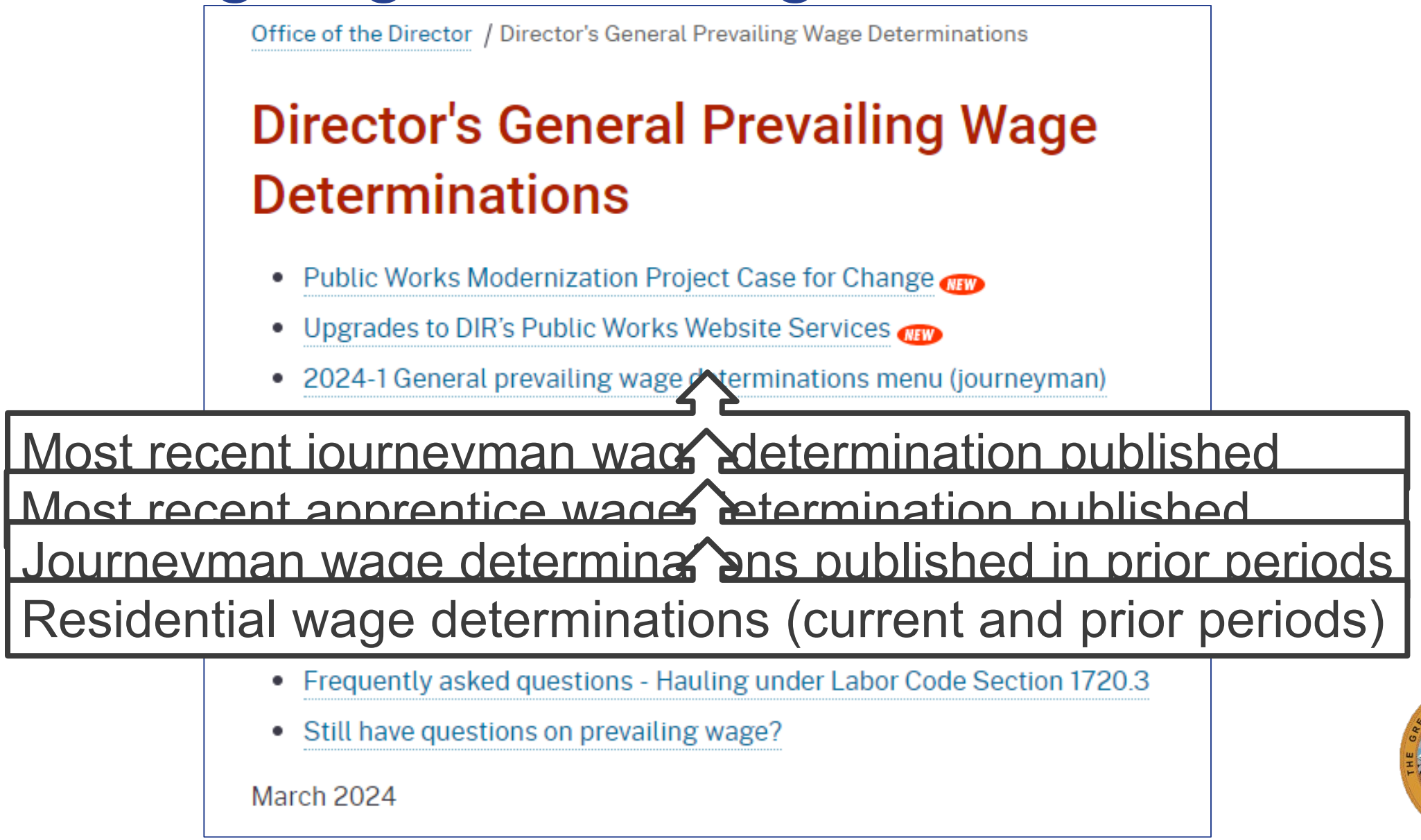
Labor Codes 1771, 1774 and 1813

Prevailing Wage Determination Search




State of California
Department of
Industrial Relations
Search
Labor Law
Cal/OSHA - 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
Office of the Director •Research
Quick Links
Alternative workweek
Director's Office Home
Office of Legislative and Regulatory Affairs
Office of the Director - Research
Office of the Director - Determinations
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
Request a DIR Spe
Labor Law FAQs
Fraud Prevention
VID-19 Information
ls and Forms

Navigating Website Wage Determination



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

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	Statewide	First examine if your craft's determination is among the basic trades that apply to most counties in California.
Step two (A)	Northern California	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)	Southern California	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	San Diego	After following steps one and two (B), examine this area if your project is in San Diego County.
Step four	County Determinations (subtrades)	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 (Heavy and Highway Work) +	Select One	Increase
Operating Engineer (Building Construction) +	Select One	Increase

Scope, Holiday, Travel, Increases

COUNTY

Determination	Holidays, scope of work, travel & subsistence	Predetermined increase
Blacksmith	Select One	No increase *
-Hauling To/From Site)		Increase

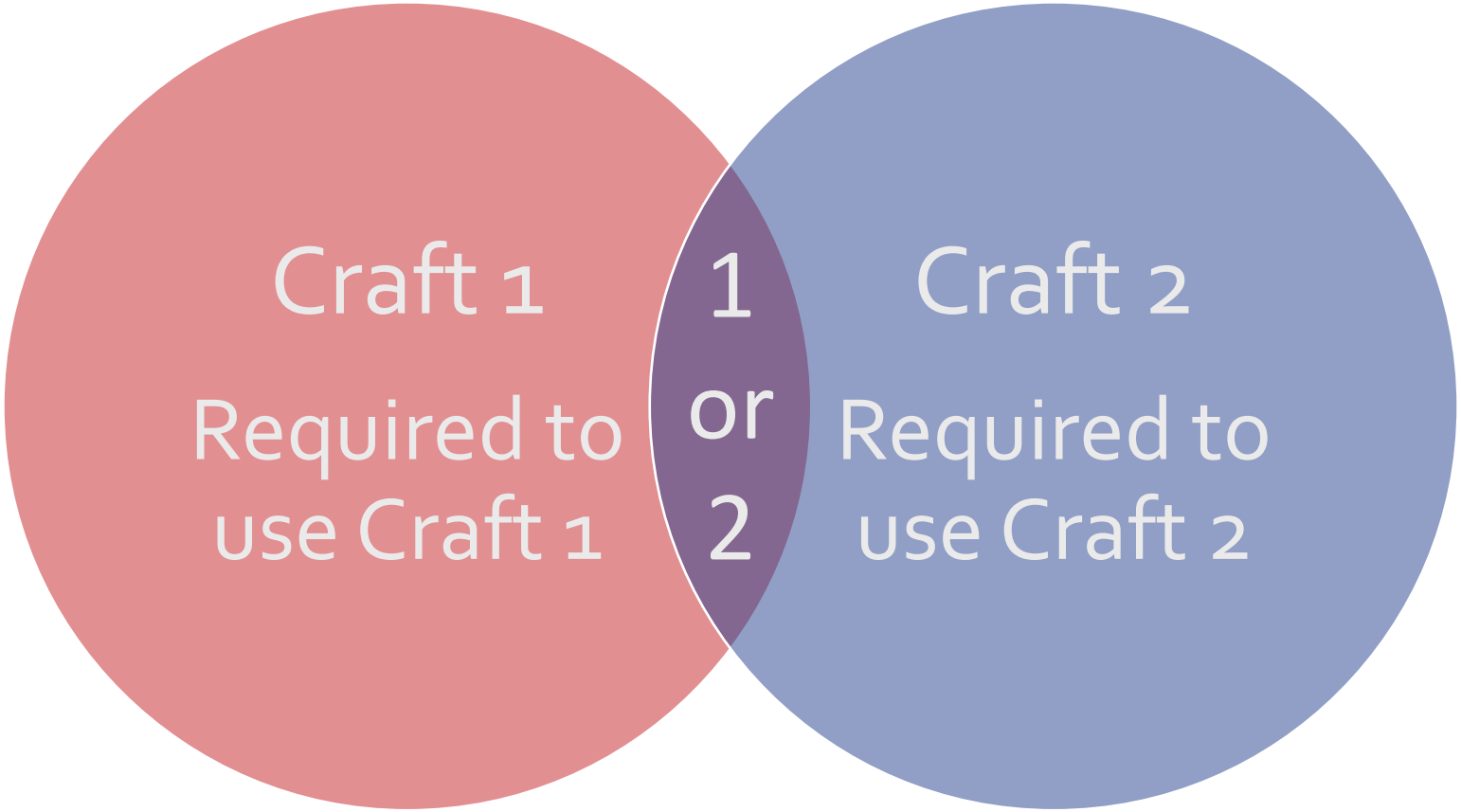
Select One
Select One
Holidays
Scope
Travel

County	Predetermined increase
Alameda	Increase
Alpine	Increase

REGION

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

n:
aid for work performed after this date has been determined. If work will extend past this date, the new rate
rporated 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 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

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**

k performed after this date has been determined. If work will extend past this date, the new rate
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 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

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 Payment

Classification (Journeyperson)	Basi Hour Rate	Health and Welfare	Pension	Vacation and Holiday [a]	~~Training~~	Other [b]	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	$47.2	$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 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

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 ½ X) Saturday Overtime Hourly Rate (1 ½ 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.

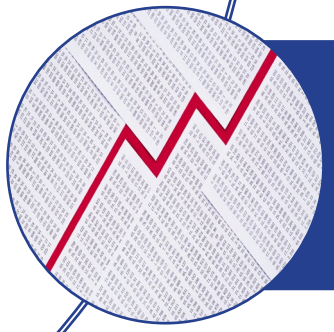
Issued 8/22/2022, Effective 9/1/2022 until superseded.
This page will be updated when wage rate breakdown becomes available.
Last Updated: June 23, 2023



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

DIR EST. 1927 State of California Department of Industrial Relations

Contractor Responsibilities

Prevailing Wage

>$1,000

Contractor Registration

>$15,000

M

>$25,000

CADIR

Apprenticeship

≥$30,000

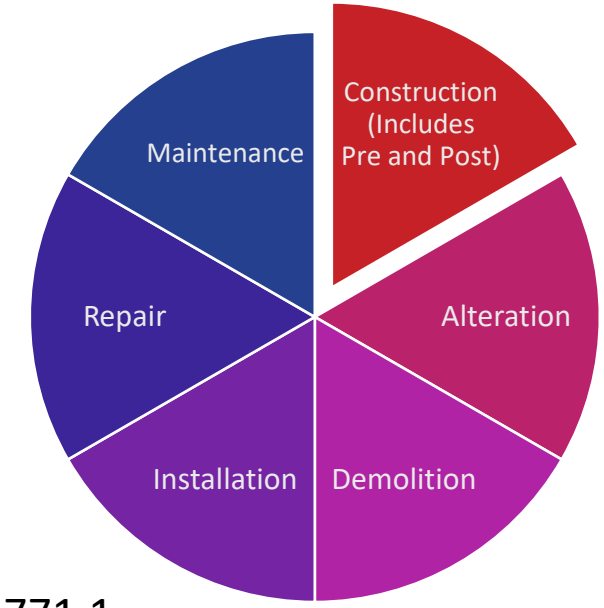
Labor Code 1771, 1725.5, and 1777.5

Register as a Public Works Contractor



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





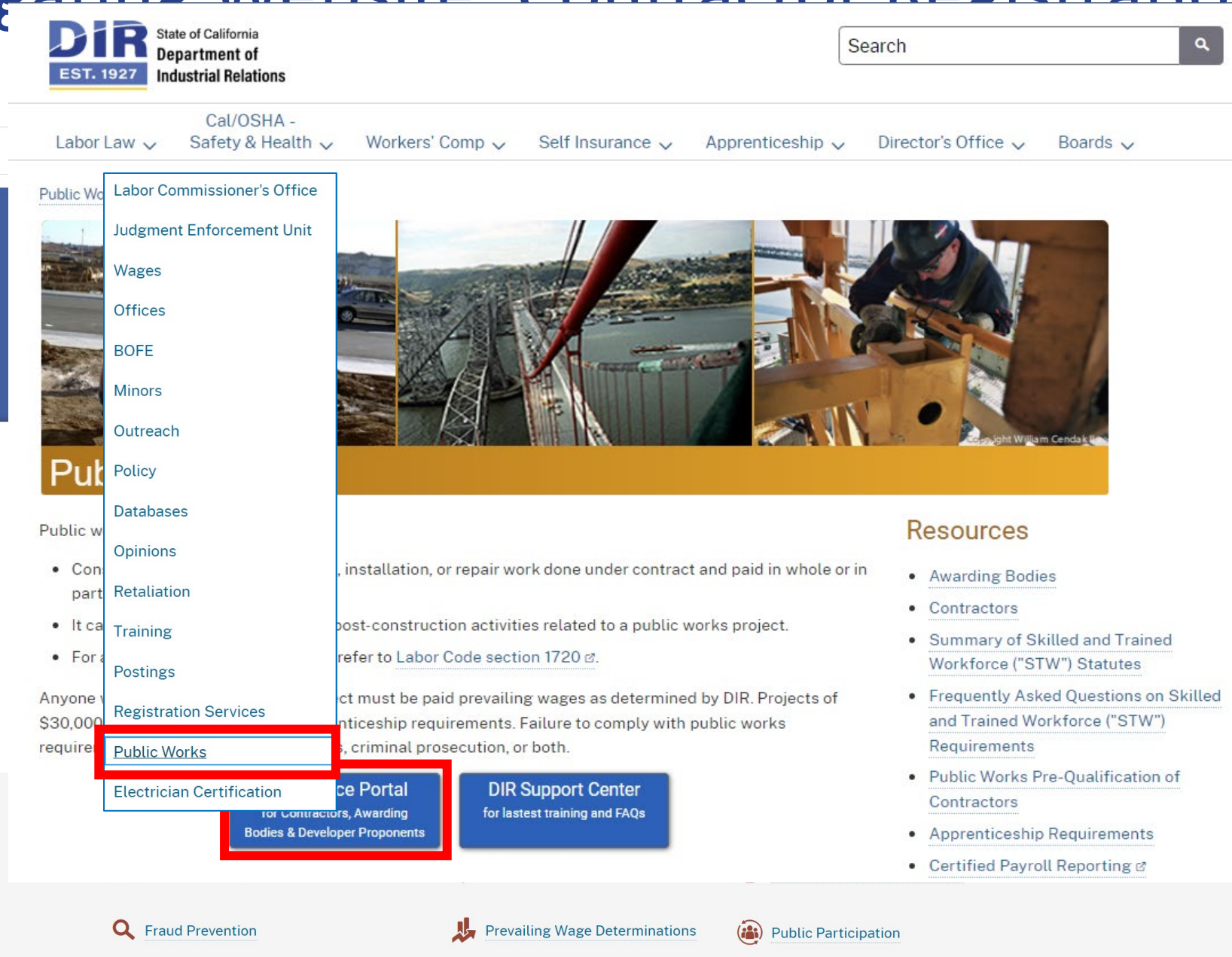
Labor Codes(s) 1725.5 & 1771.1

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



State of California
Department of
Industrial Relations

Home How-To Guide Sign up Log in

Public Works Portal

Sign up Log in

How to get started on the Public Works Portal

If you are new to the Public Works platform, for first time users of the new Public Works Portal, you will need to start by signing up your email to create an account. You'll then need to verify your email through a link sent to your email address. Lastly, you'll need to link to a newly registered business/organization or an existing business/organization within the Public Works portal.



Create a new account

Create a username and password for your new account. Your old logins will not work. Use your business/organization email.



Verify your account

Once you've completed verifying your account via email, you can access the Public Works portal to access services and submit documentation.



Link to a business/organization

You will need to link to a business/organization with a registration code or create a new one during the account creation process.

Ready to get started on the Public Works Portal? Create an account →

Or log in if you have an existing account.

DIR State of California Department of Industrial Relations EST. 1927

Home | How-To Guides | Search | Sign up | Log in

Create an account

Highlight Required Information

• Indicates required

What will this account be used for?

Your selection will customize the next step.



I am an awarding body

I need to submit projects and award contracts for Public Works



I am a contractor

I need to submit payments for prevailing wages and payroll data

Go to next section

Account type — Account details — Create account — Review

Account type — Account details — Create account — Review

Create an account

Highlight Required Information

* Indicates required

* Indicates required

Your account details

First name

Reginald

Last name

Piddlewick

Email

PiddlewickCarpentry@gmail.com

Phone number

(123) 456-7890

Password

•••••••••• SHOW

Re-enter `Password`

••••••••••

Return to p

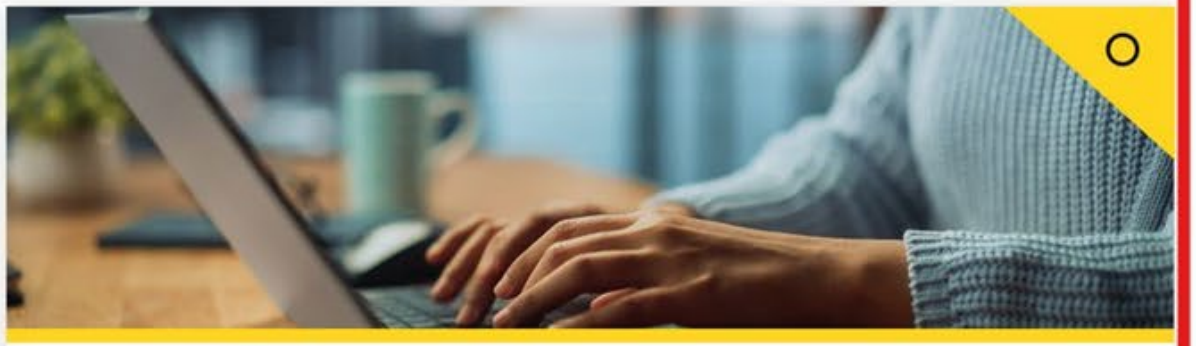
Go to next section

Business/organization registration code

Do you have a registration code?

- ○ Yes
- ◉ No

I need to...



Look up an existing business/organization

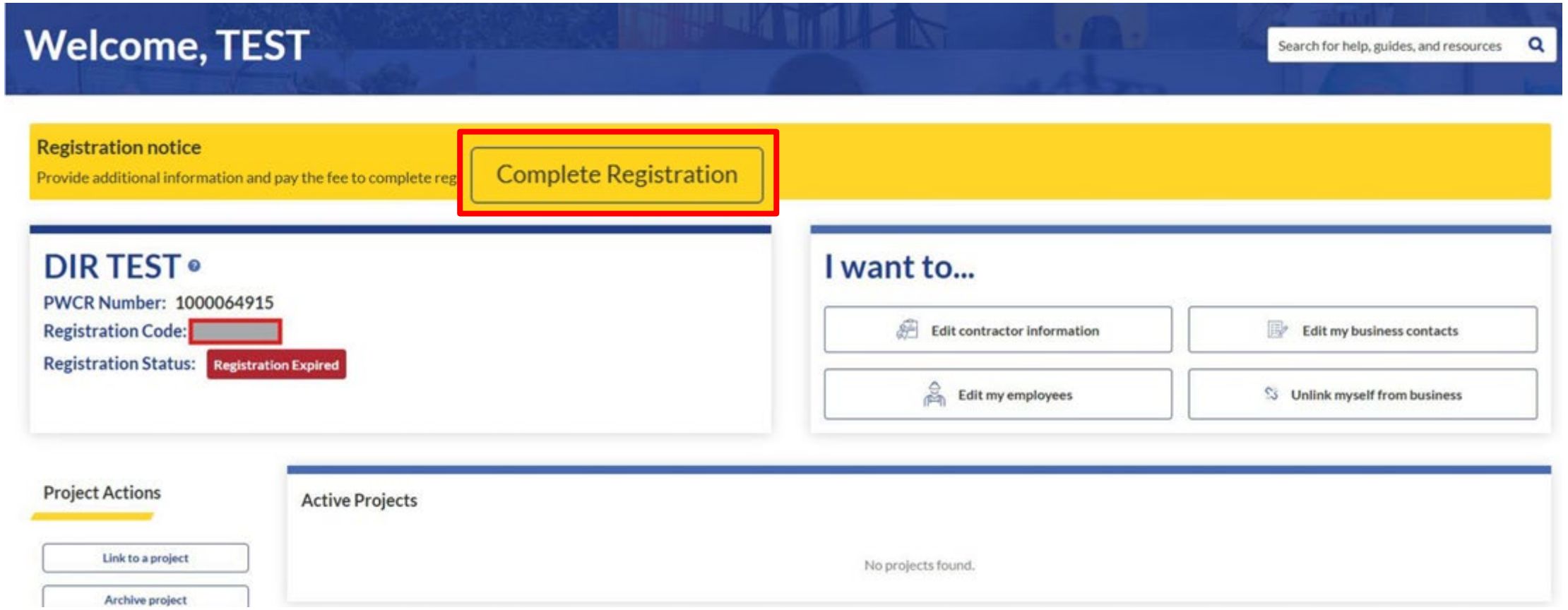


Create a new business/organization

Return to previous step | Go to next section

Required Information

- DBA information
- Legal Entity Name & Type
- Business email & phone #
- SOS Number
- President Name
- Street Address
- City, State & Zip
- Country
- TIN (only numbers allowed)


Welcome, TEST
Search for help, guides, and resources
Registration notice
Provide additional information and pay the fee to complete reg
Complete Registration
DIR TEST
PWCR Number: 1000064915
Registration Code:
Registration Status:
Registration Expired
I want to...
Edit contractor information
Edit my business contacts
Edit my employees
Unlink myself from business
Project Actions
Link to a project
Archive project
Active Projects
No projects found.

Support Center

Got a question? Explore our Frequently Asked Questions.

Need to get in touch? Reach out to DIR Public Works.

The current Public Works Contractor Registration year has now started for the period covering July 1, 2025 to June 30th, 2026.

You can sign up for a Public Works Online System user account here at https://services.dir.ca.gov/pw and begin the process of registering for a Public Works Contractor Registration Number.

For more assistance, please refer to the PW Workshops and PW system guides below.

NEW Contractor Registration and Renewal live Workshop
The Public Works team will be hosting live workshop on ZOOM to support contractors with any registration and renewal issues.
To sign up, please rsvp at the following link(s)

Monday May 11, 2026 9:30 - 11:30 AM
Topic: PWCR - Registration & Renewal Workshop
Registration link
https://dir-ca-gov.zoom.us/webinar/register/WN__8HTvOWKTvaWTbNKH7P7mA

Monday June 8, 2026 9:30 - 11:30 AM
Topic: PWCR - Registration & Renewal Workshop
Registration link
https://dir-ca-gov.zoom.us/webinar/register/WN_X7D67KMQSw2BovhY9S8DPA

How-To Guides

Subject	Audience	Steps
DIR Account Registration Guide	Contractors	Guide
Create New Contractor	Contractors	Guide
Register or Renew Contractor Registration	Contractors	Guide
Add New Employees	Contractors	Guide
Bulk Upload Employees	Contractors	Guide
Request Addition to a project	Contractors	Guide
Archive a project	Contractors	Guide

Public Works

Links

- Summary of Skilled and Trained Workforce ("STW") Statutes
- Frequently Asked Questions on Skilled and Trained Workforce ("STW") Requirements
- Awarding Bodies
- Contractors
- Apprenticeship Requirements
- Certified Payroll Reporting
- Enforcement of Public Works Law
- Labor Compliance Programs
- Prevailing Wage Requirements

Need Help?

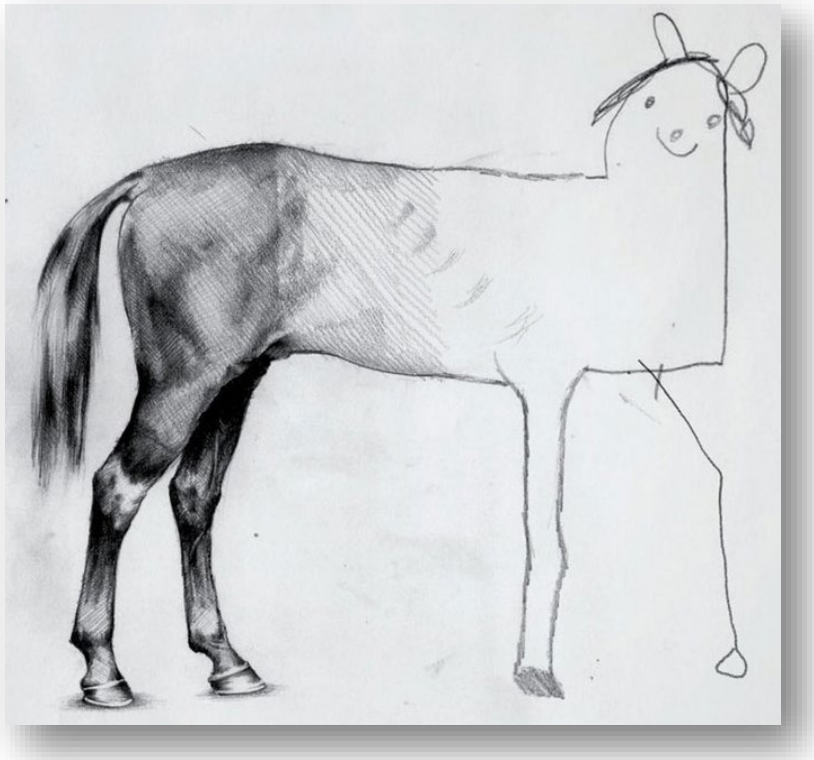
- Contractor Registration Support Center
- Frequently Asked Questions on Skilled and Trained Workforce ("STW") Requirements
- Frequently Asked Questions
- Prevailing Wage Training and Tutorials
- Public Works Contacts
- Get Public Works Email Updates

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



CPR
10 days
>1,000

eCPR
(Online Form)
30 days
>15,000 M
>25,000 CADIR

LC 1776

LC 1771.4

eCPR
(XML file)
30 days
>15,000 M
>25,000 CADIR

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 _____

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:

(1) NAME, ADDRESS AND SOCIAL SECURITY NUMBER OF EMPLOYEE	(2) NO. OF WITH-HOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY	M	T	W	TH	F	S	S	(5) TOTAL HOURS	(6) HOURLY RATE OF PAY	(7) GROSS AMOUNT EARNED		(8) DEDUCTIONS, CONTRIBUTIONS AND PAYMENTS							(9) NET WGS PAID FOR WEEK	(9) CHECK NO.
				DATE																			
				HOURS WORKED EACH DAY																			
			S										THIS PROJECT	ALL PROJECTS	FED. TAX	FICA (SOC. SEC.)	STATE TAX	SDI	VAC/ HOLIDAY	HEALTH & WELF.	PENSION		
			O												TRAING.	FUND ADMIN	DUES	TRAV/ SUBS.	SAVINGS	OTHER*	TOTAL DEDUC-TIONS		

Form A-1-131 (New 2-80)

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)



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



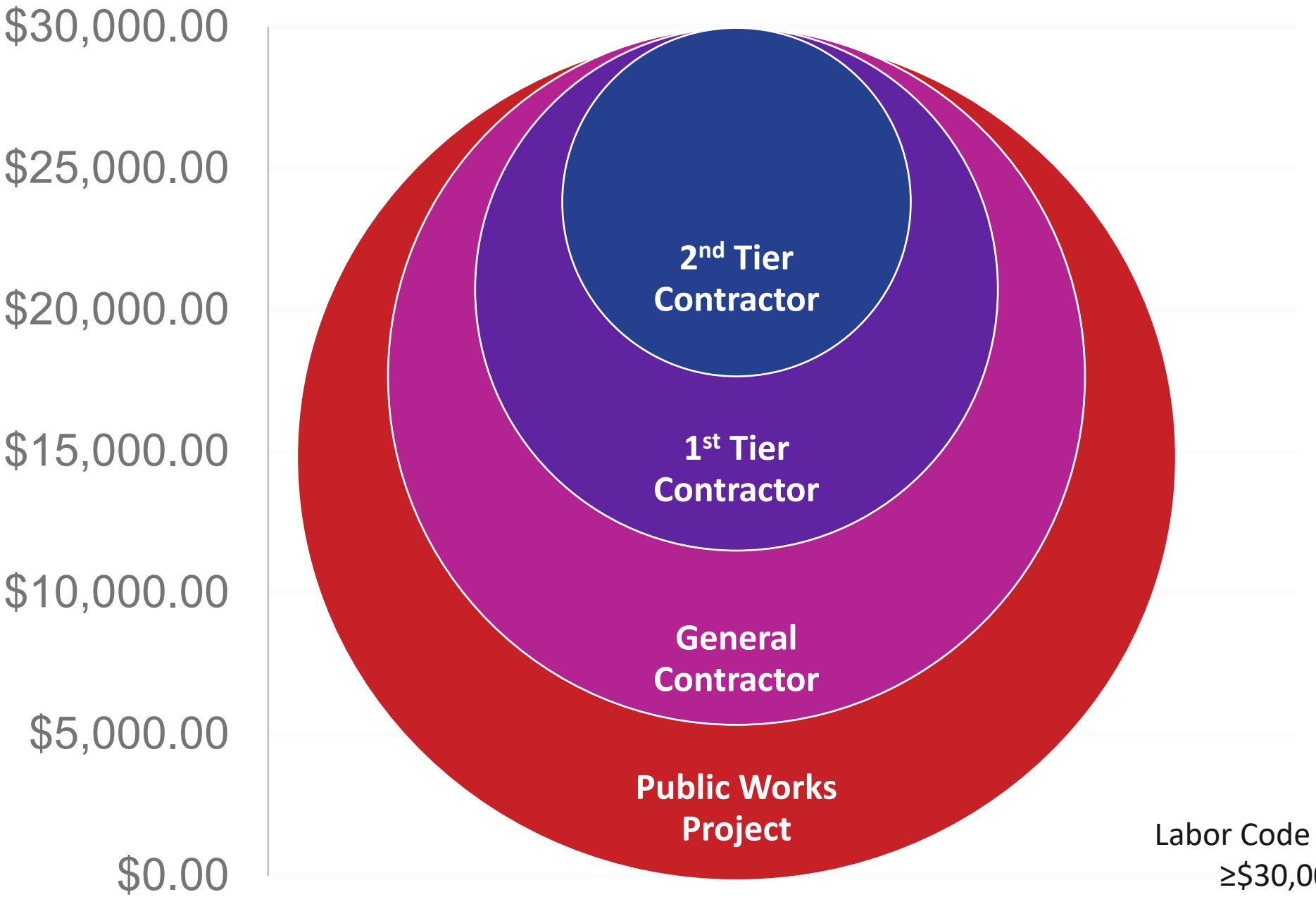
Comply with all certified payroll record requirements

DIR EST. 1927 State of California Department of Industrial Relations

Contractor Responsibilities

Prevailing Wage	Contractor Registration	**Apprenticeship**
>$1,000	>$15,000 M	≥$30,000
	>$25,000 CADIR	

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 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

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 JOURNEYMEN 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	Journeyman On Duty
Box 1	One apprentice hour for every five journeyman hours	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. Calculated at the end of the project and not on a daily basis.	Not a CAC Regulation but will enforce DAS approved apprenticeship standards
Box 2		Must be sent to all applicable apprenticeship committees		
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

Division of Apprenticeship Standards

Funding

- Funding Resources
- Equal Representation in Construction Apprenticeship Grant

DIR EST. 1927 State of California Department of Industrial Relations

Search

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

Apprenticeship Home
Apprenticeship Search
Public Works
Sponsors
Overview
Educators
Employers
Veterans

Paid Sick Leave

Minimum Wage

File a Claim or Complaint

COVID-19 Guidance and Resources

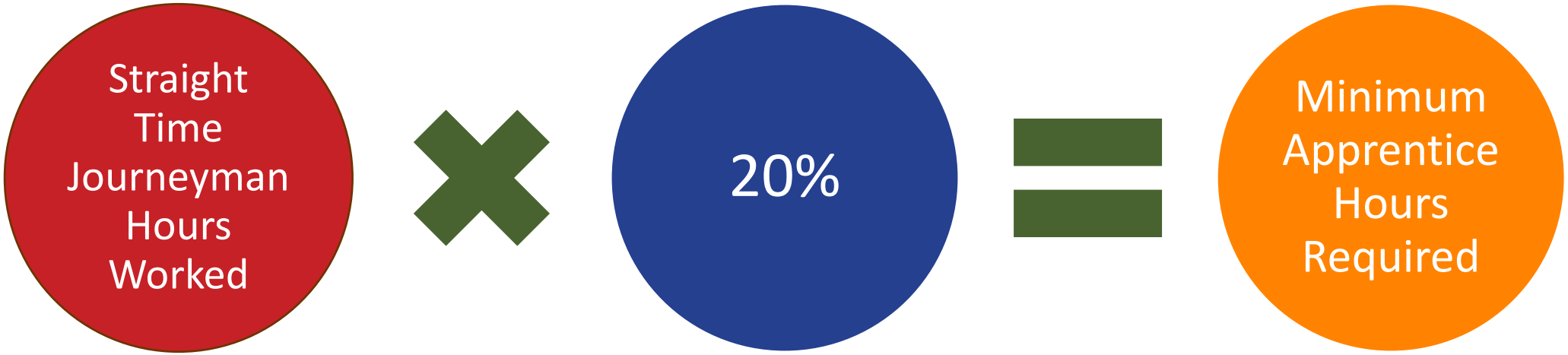
Ratios.

Provide worker's compensation benefits to apprentices.

- Plaster Tender

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

Minimum Apprenticeship Ratio



LC 1777.5
CCR 230.1

Minimum Apprentice Hours Required Example

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

Minimum Apprentice Hours Required

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

All apprentice hours count towards the minimum ratio requirement

Request for Dispatch of an Apprentice

Department of Industrial Relations
STATE OF CALIFORNIA

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 journeyworkers work, you must request and employ apprentices in no less than 8 hour increments.**

List one occupation/craft per form

Date:

To Applicable Apprenticeship Committee:

Name:_____

Address:_____

_____

Tel. No._____**Fax No.** _____

Contractor Requesting Dispatch:

Name: _____

Address: _____

_____

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 (LLLLF9999) 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

STATE OF CALIFORNIA Gavin Newsom, *Governor*

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	Occupation	Action	Effective Date	Cert. id
Mason Smith	* Cement Mason	Start	03-02-2016	SmitM1234
Mason Smith	* Cement Mason	Comp	12-25-2017	SmitM1234

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

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)#

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	Vacatio and Holida 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

987654 Submit

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

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

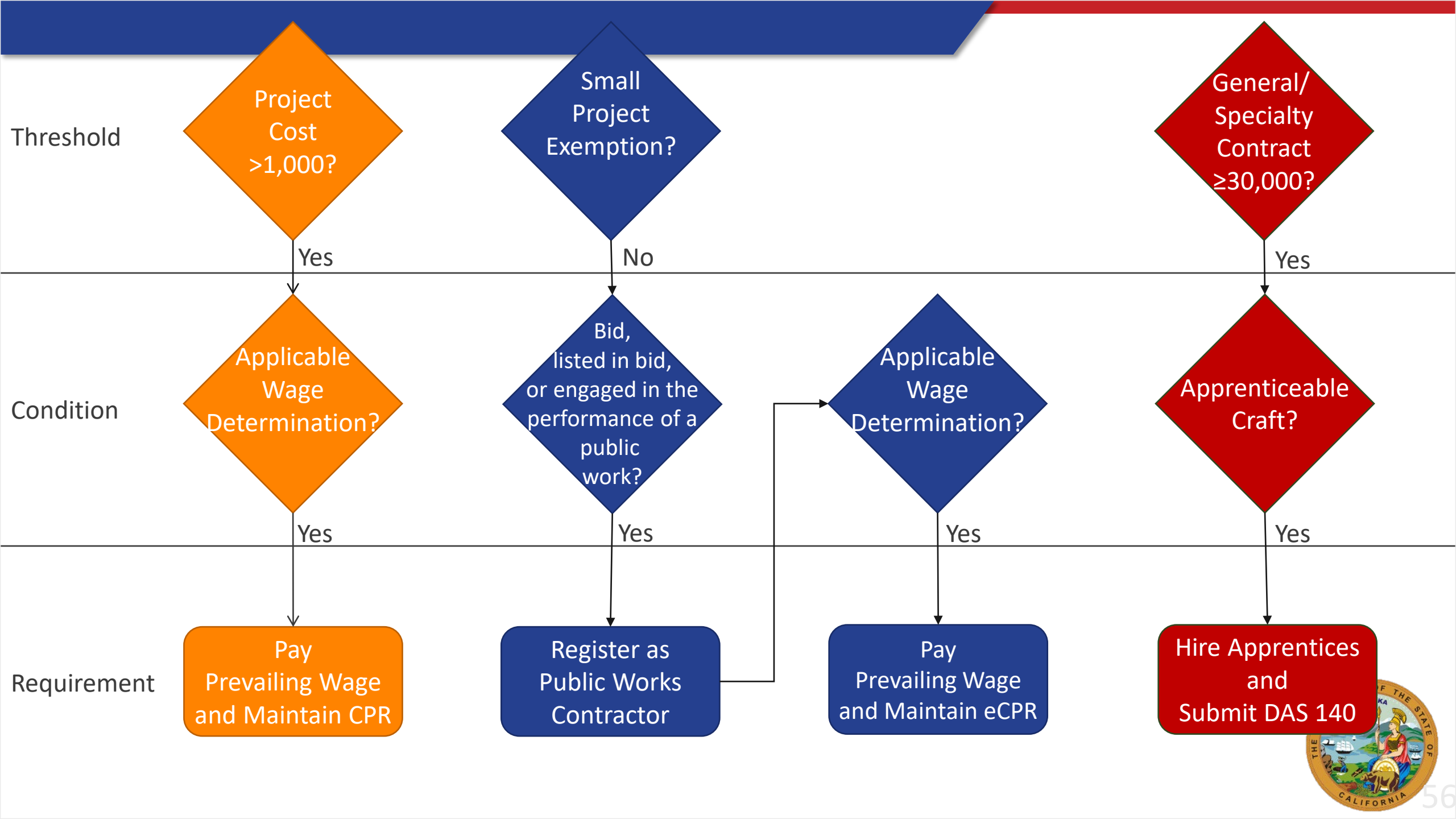


Pay required training fund rate to the applicable committee(s) or CAC

Contractor Responsibilities

Prevailing Wage	Contractor Registration	Apprenticeship
>$1,000	>$15,000 M	≥$30,000
	>$25,000 CADIR	

Labor Code 1771, 1725.5, and 1777.5


Threshold
Condition
Requirement
Project Cost >1,000?
Small Project Exemption?
General/ Specialty Contract ≥30,000?
Yes
No
Yes
Applicable Wage Determination?
Bid, listed in bid, or engaged in the performance of a public work?
Applicable Wage Determination?
Apprenticeable Craft?
Yes
Yes
Yes
Yes
Pay Prevailing Wage and Maintain CPR
Register as Public Works Contractor
Pay Prevailing Wage and Maintain eCPR
Hire Apprentices and Submit DAS 140

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 Gavin Newsom, *Governor*

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

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 contractors[1] 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 appentices; 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 maintance 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,



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.)



PUBLIC WORKS
LABOR COMPLIANCE SEMINAR
Contractor Responsibilities:
Electronic Certified Payrolls (eCPRs)

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.

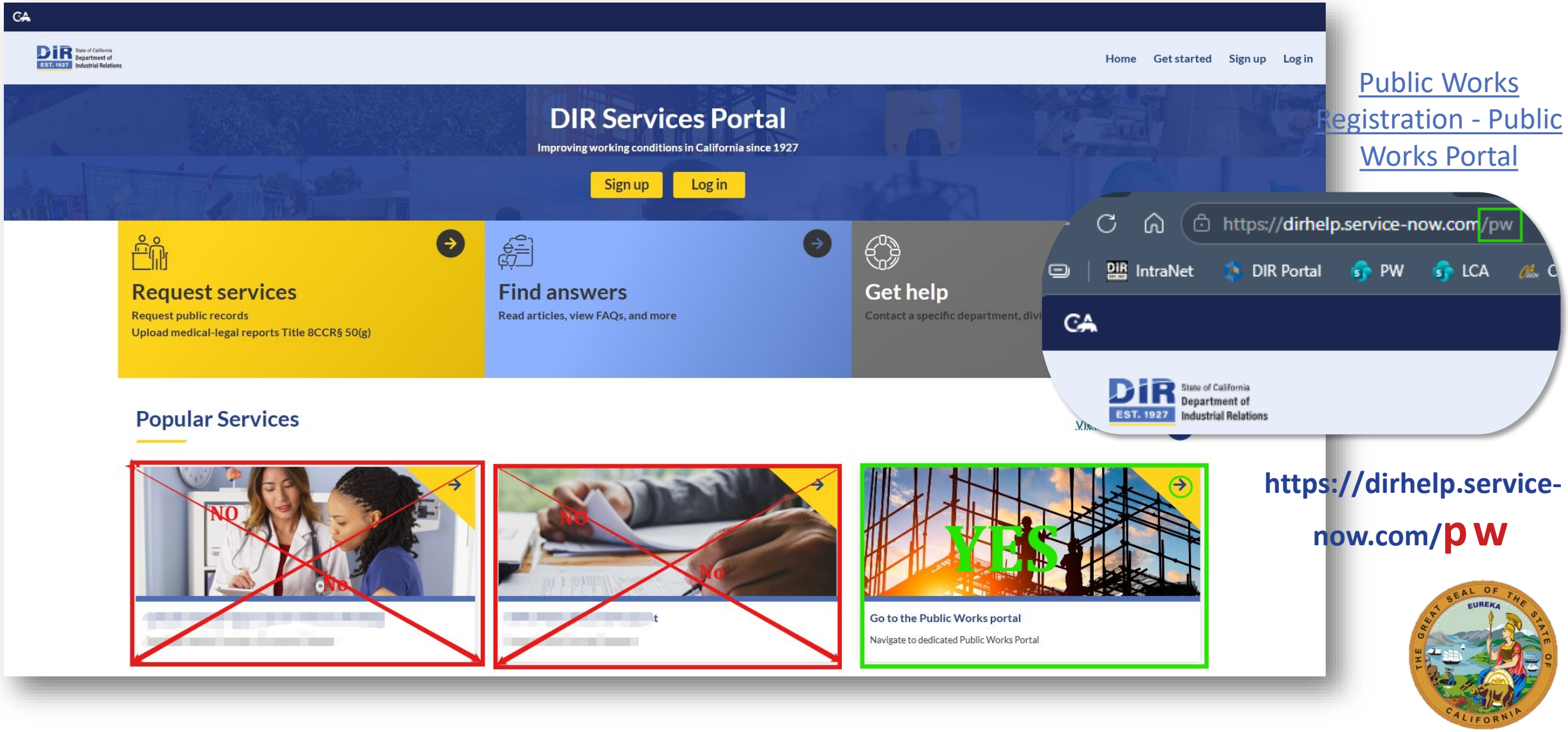
Electronic Certified Payrolls (eCPRs) Updates

- The project dashboard and eCPR dashboard redesigns offer better navigation and clarity for project list views and eCPR submissions.
- The new manual eCPR submission interface has improved navigation and form clarity, such as:
  - The eCPR form now clearly separates sections for hours worked, wages paid, deductions, contributions, with subtotals displaying progress.
  - The eCPR form now also has a preview function before final submission.
- Sequencing logic has been updated, based on eCPR week ending date*.
- The eCPR Search function has doubled capacity. The new quota will allow increased usage for all users.
  - DIR IT is also monitoring ensure capacity is not maximized.
  - Also, network traffic management efficiencies are being added.
- An export button, available on the successful submission page .

Upcoming Updates

- The ability to delete nonperformance Payrolls
- XML help text, with guide and file, presented on the submission page.
- XML eCPR submission can be marked as a 'final payroll'

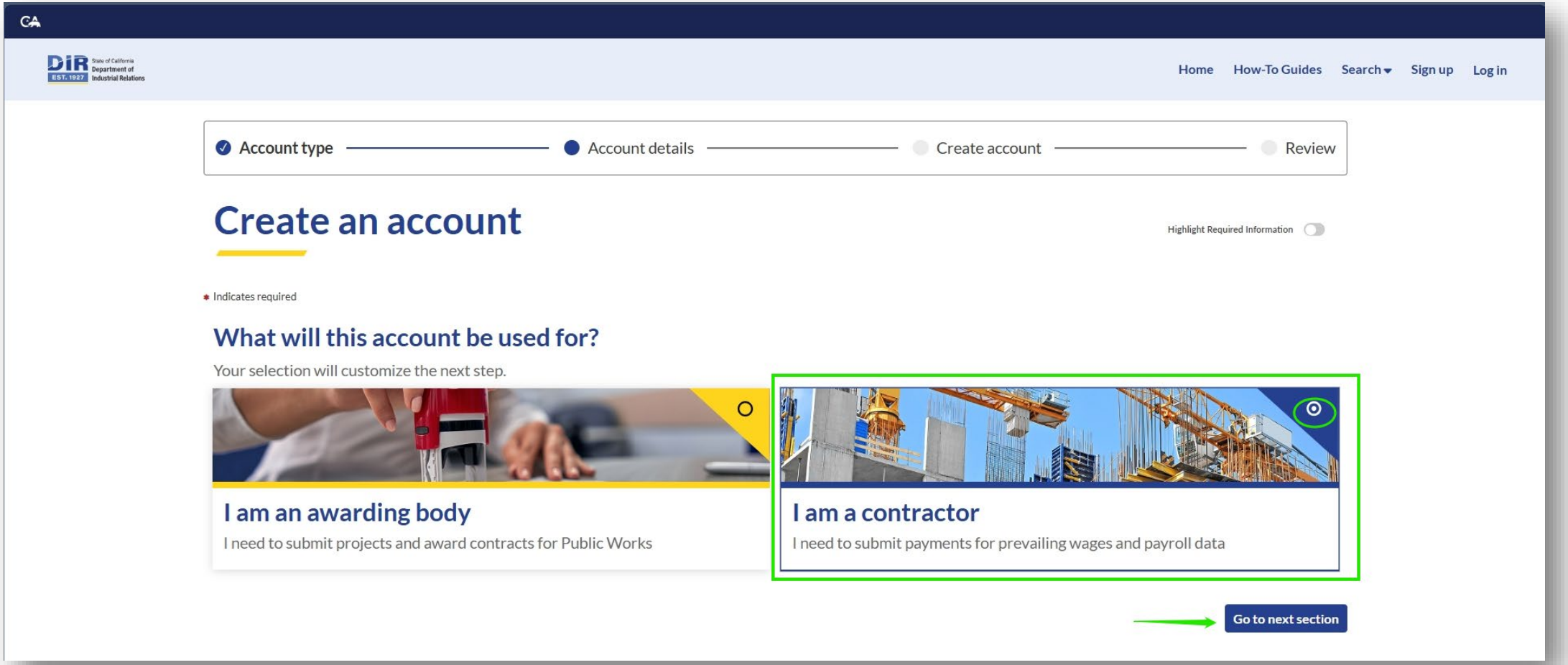
Contractor Registration



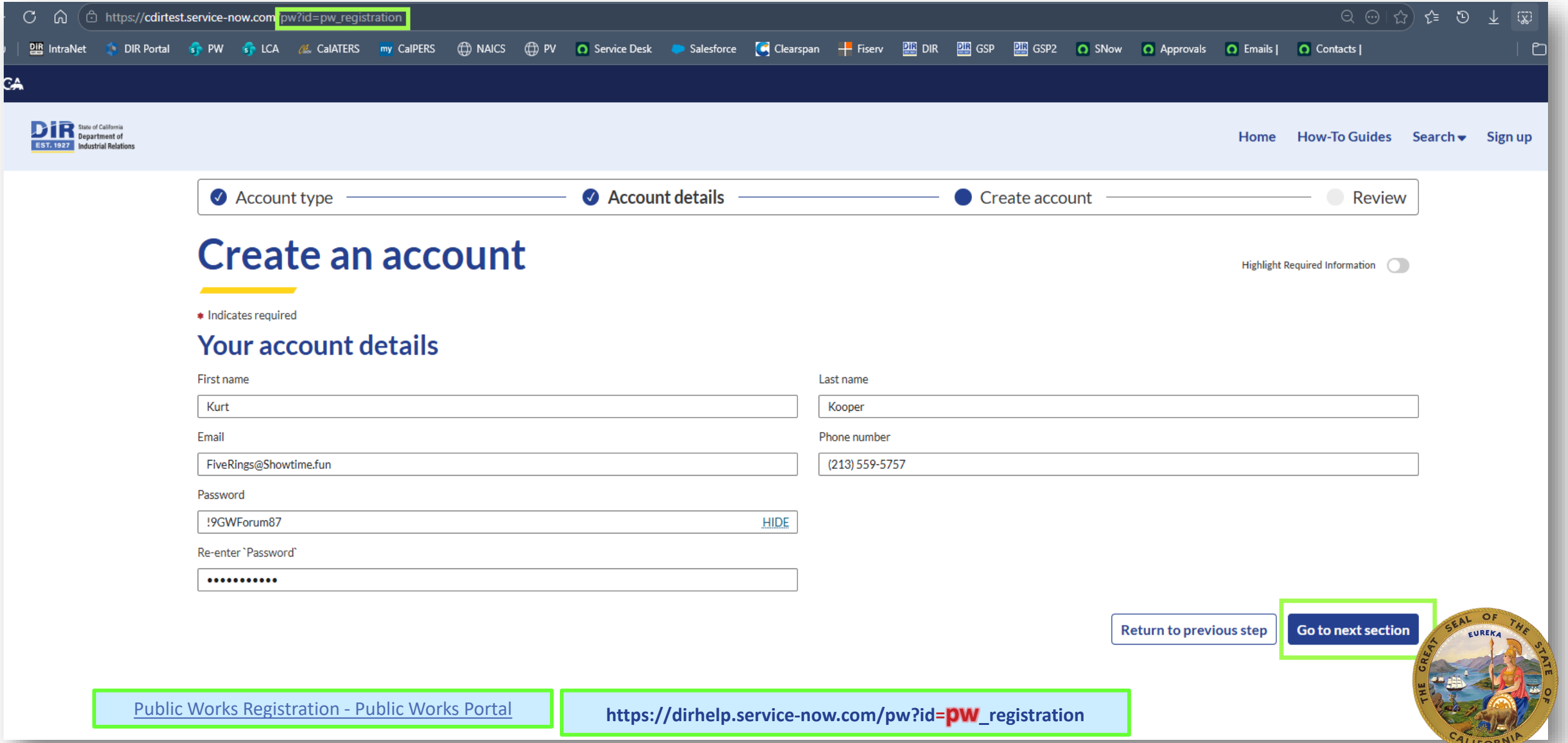
[Public Works Registration - Public Works Portal]

https://dirhelp.service-now.com/pw

Contractor Registration



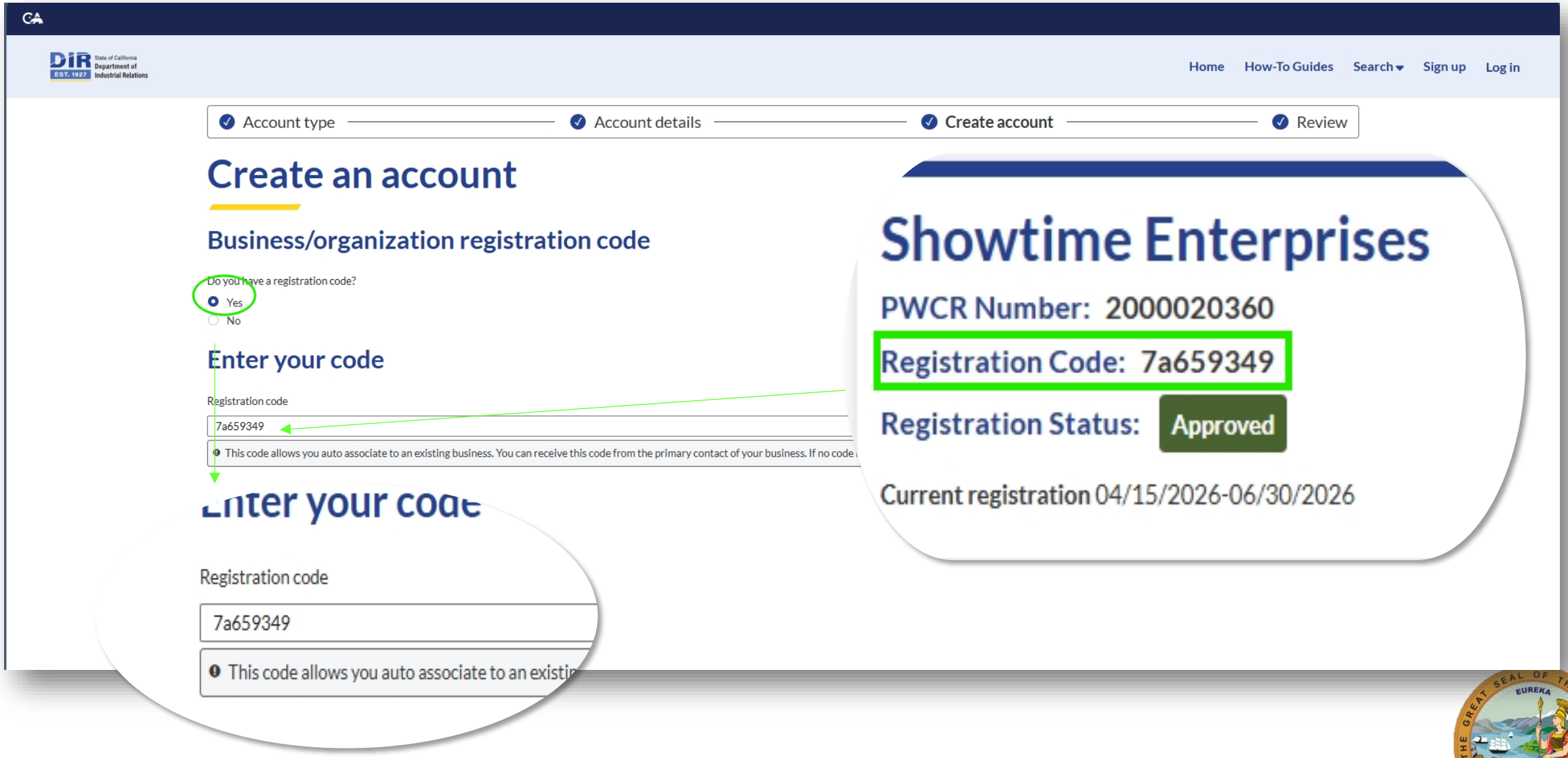
Contractor Registration



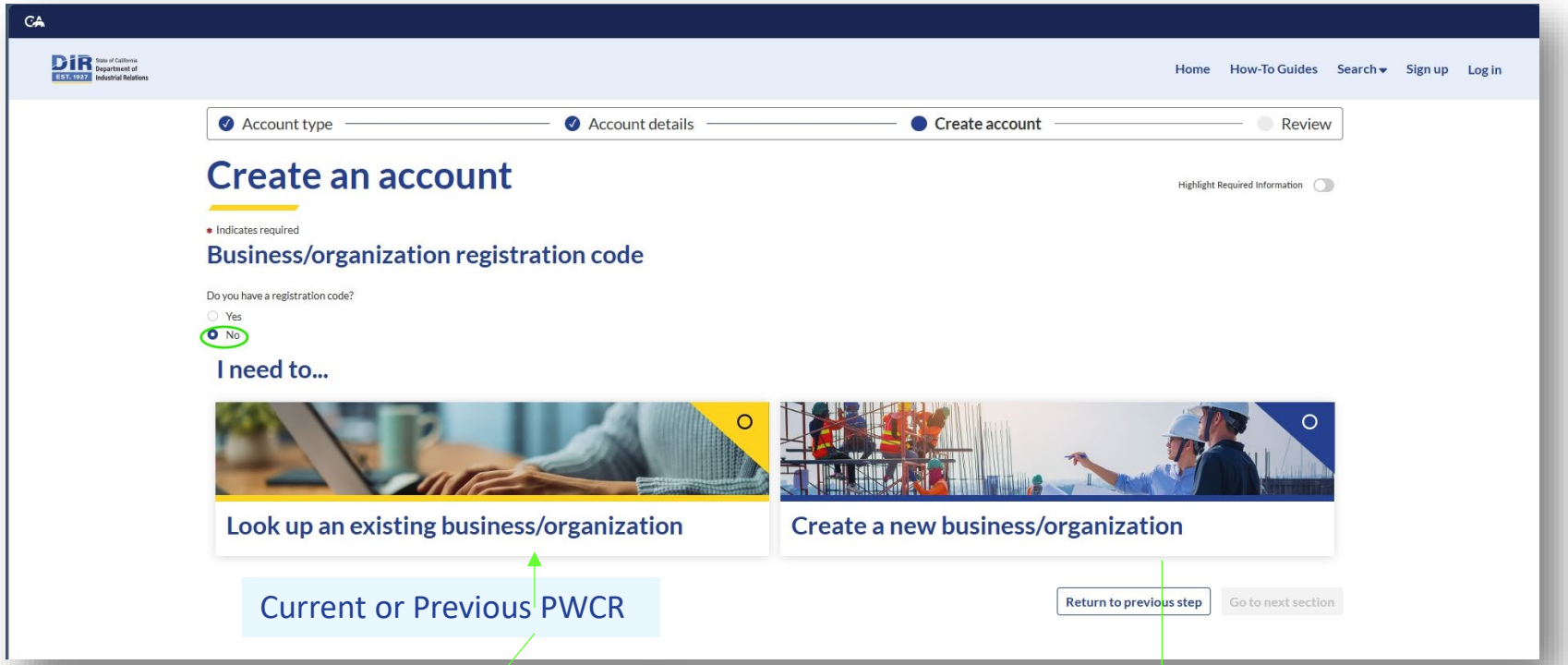
Public Works Registration - Public Works Portal

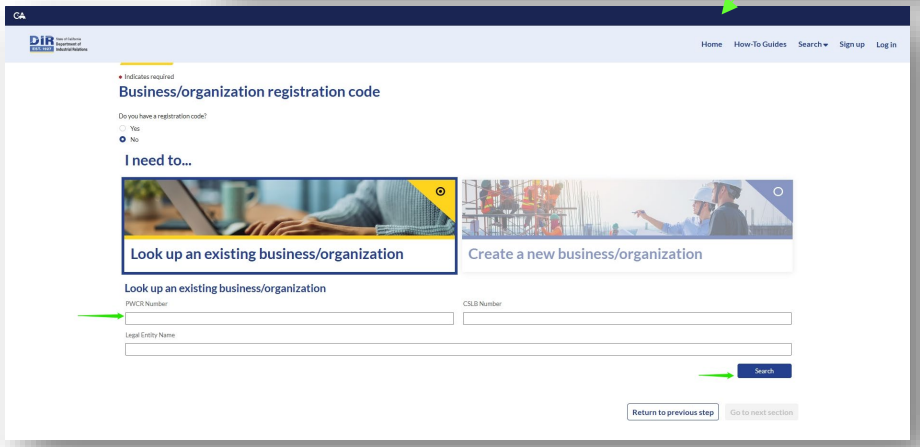
https://dirhelp.service-now.com/pw?id=pw_registration

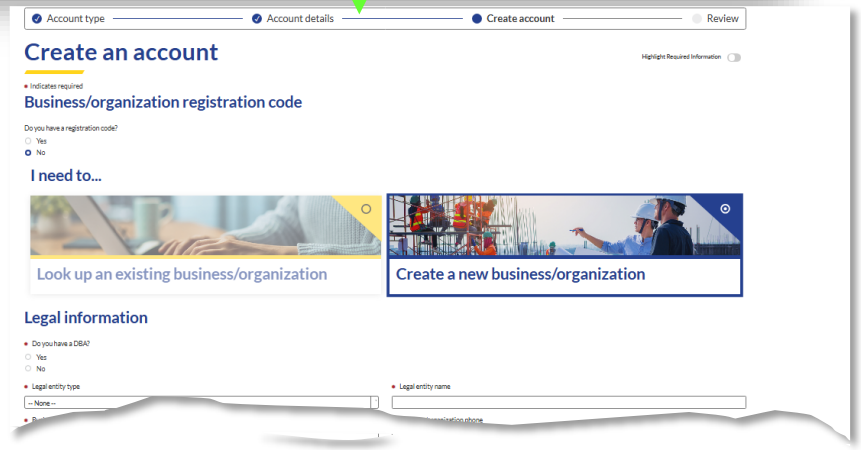
Contractor Registration (*with Registration Code*)



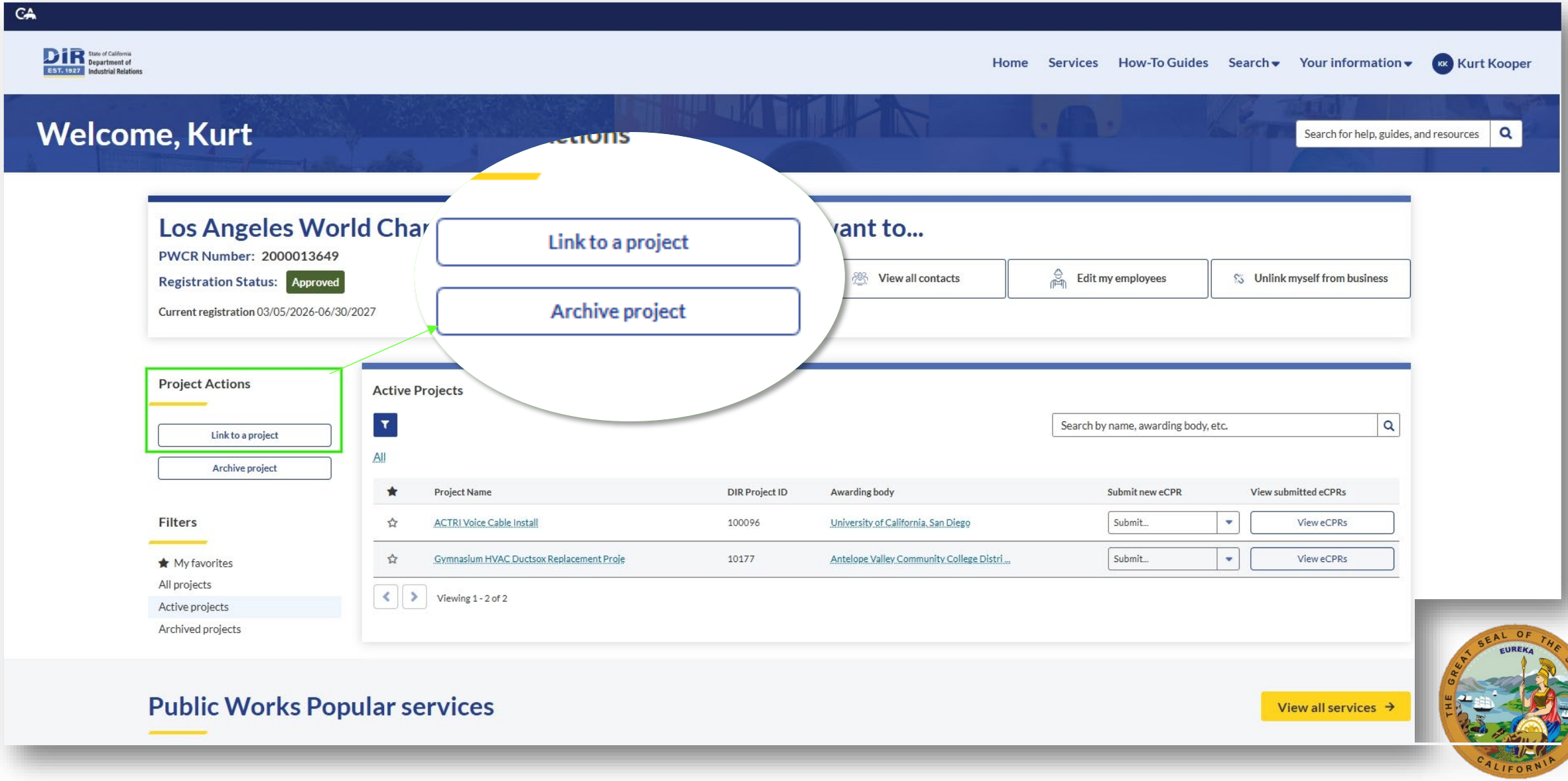
Contractor Registration



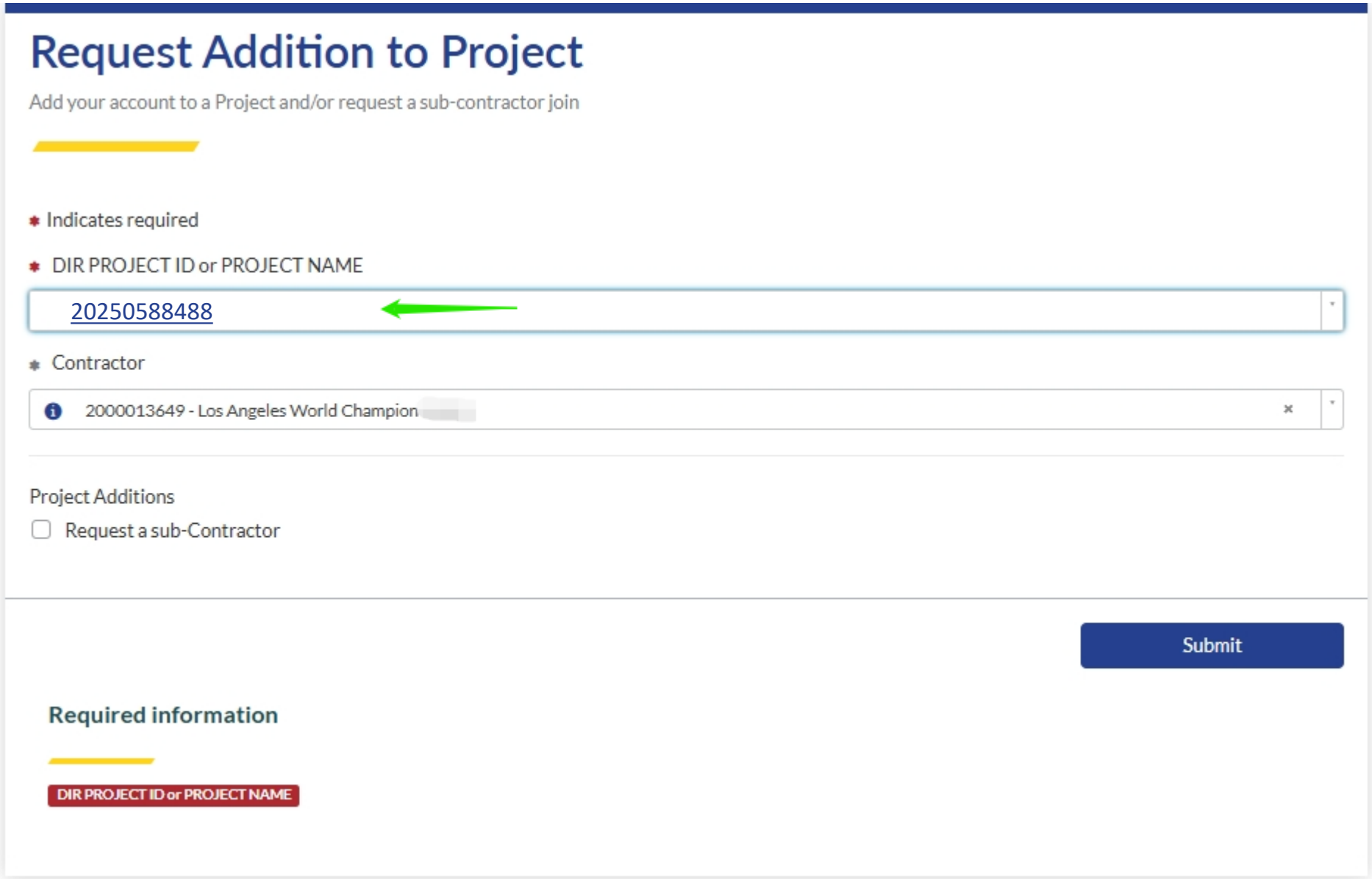




Linking Projects



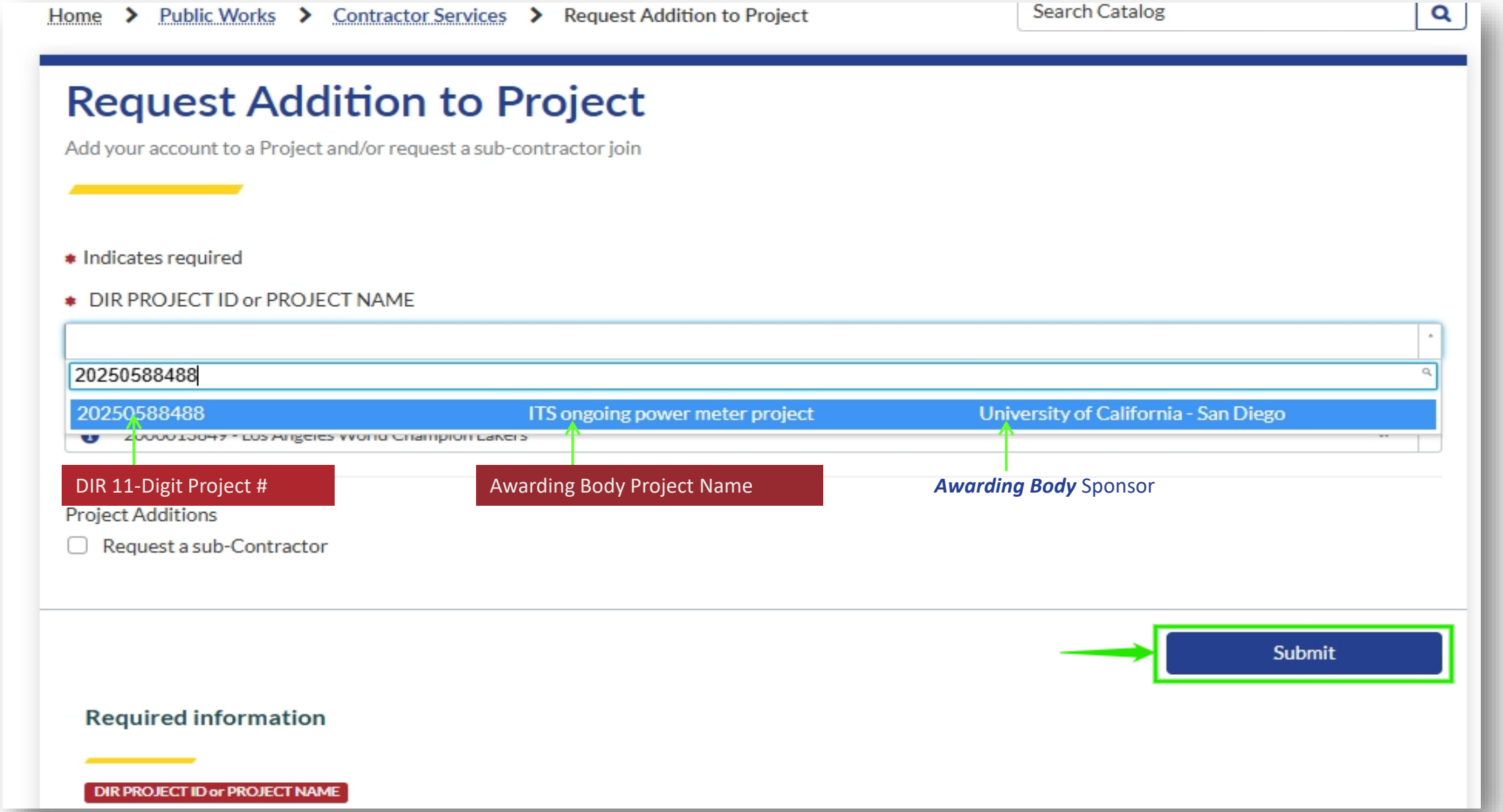
Linking Projects



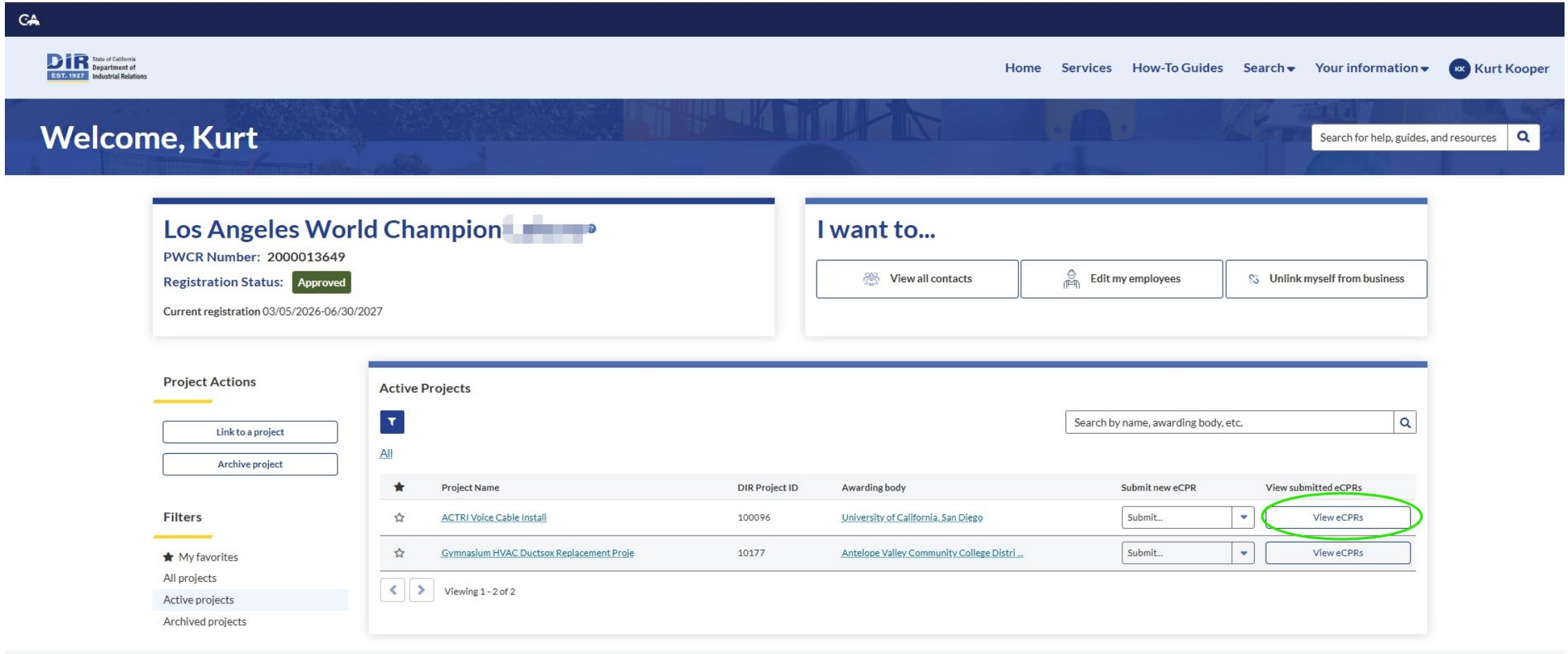
Add a project by using:

- 11-digit DIR Project Number, or
- Project Name, or
- DIR Project ID

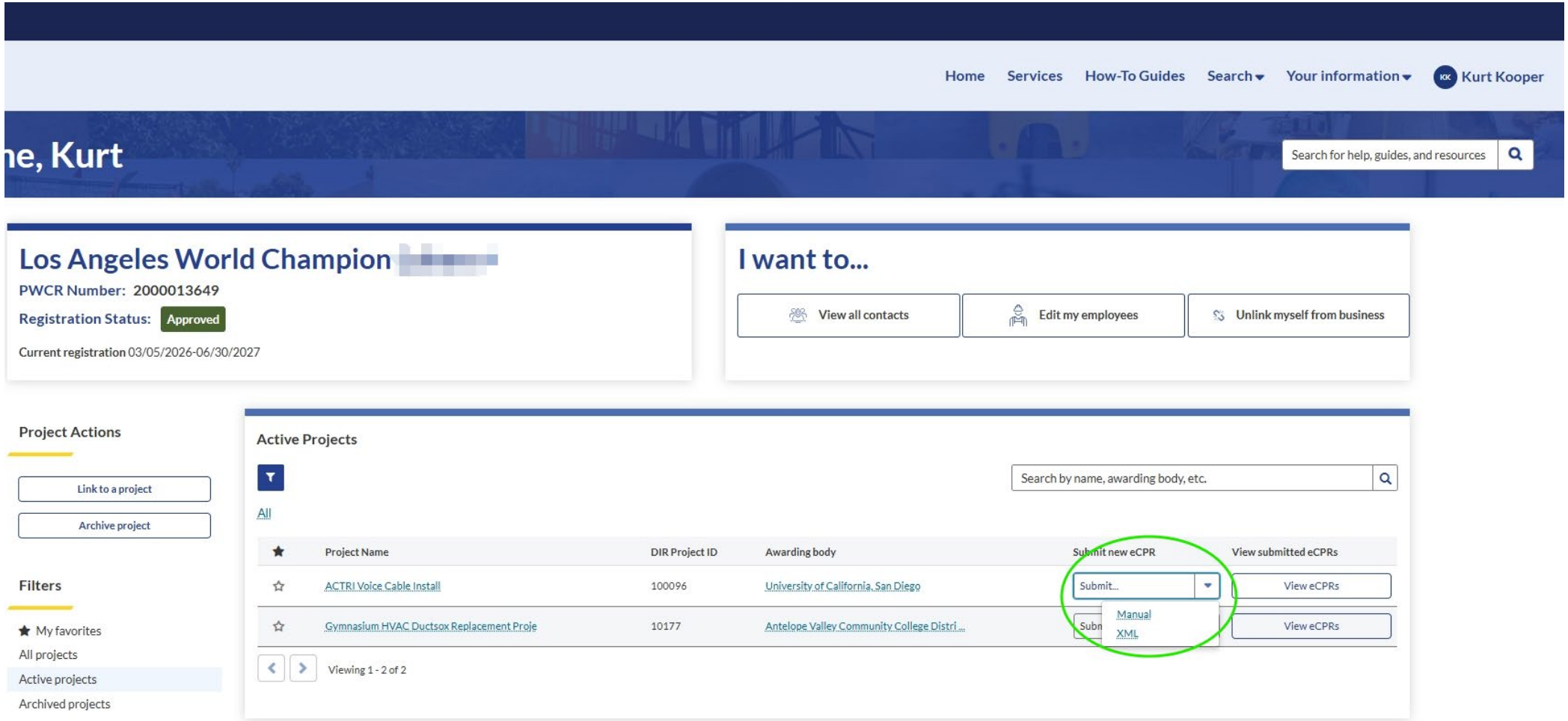
Linking Projects



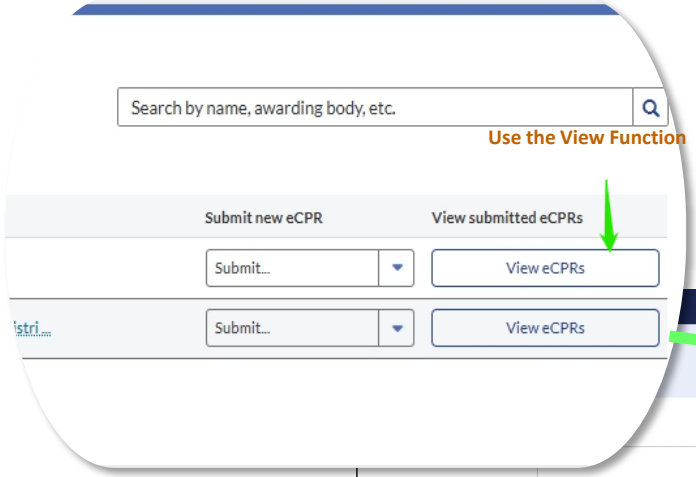
eCPRs: Accessing Payroll Records



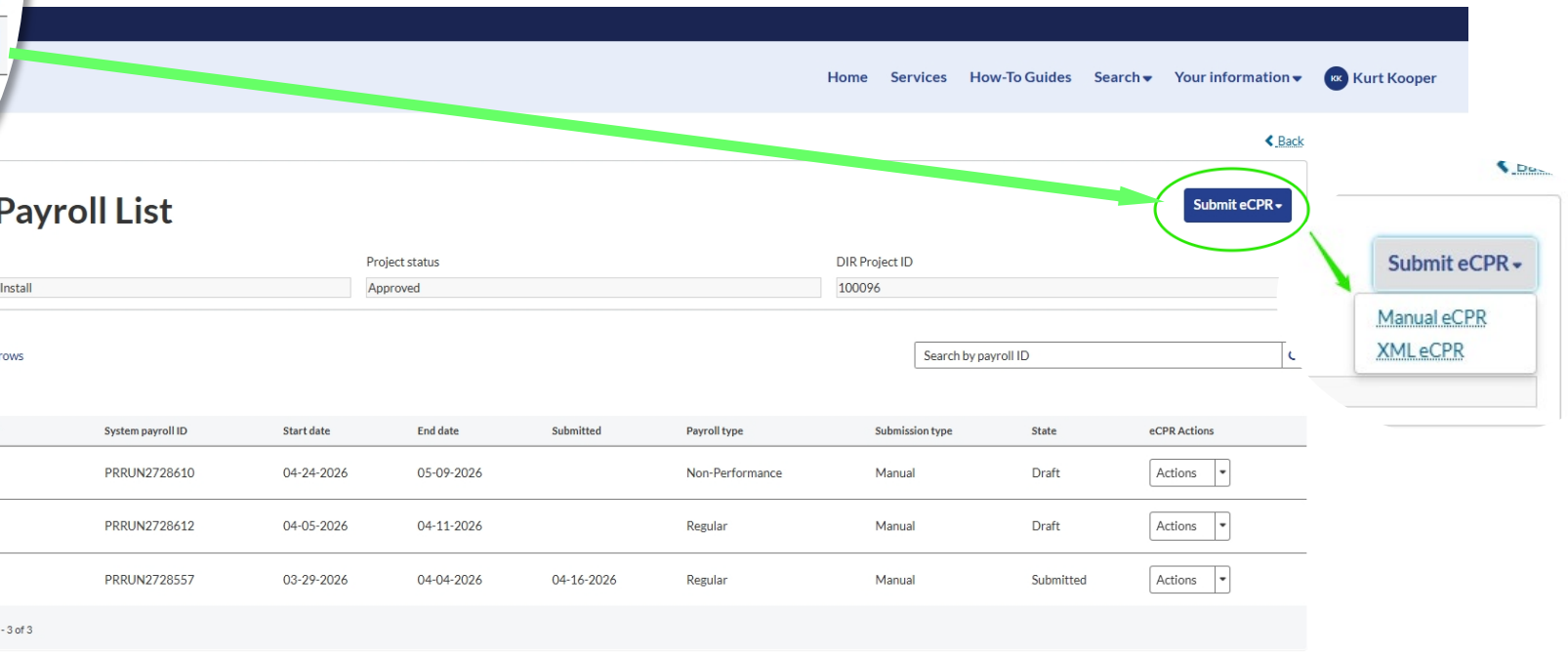
eCPRs: Accessing Payroll Records



eCPRs: Accessing Payroll Records



OR



eCPRs: Adding Payroll Records

Home > ITS ongoing power meter project > Submit eCPR

Payroll Dates:
Project Name: ITS ongoing power meter project
eCPR Sequence Number: Draft

Actions
Save as Draft

Payroll Setup — Employee Payroll — Review and Submit

Payroll Setup

Highlight Required Information

* Indicates required

Payroll Selection

Contract With

University of California - san diego

University of California - San Diego

Project Name

ITS ongoing power meter project

Non-performance

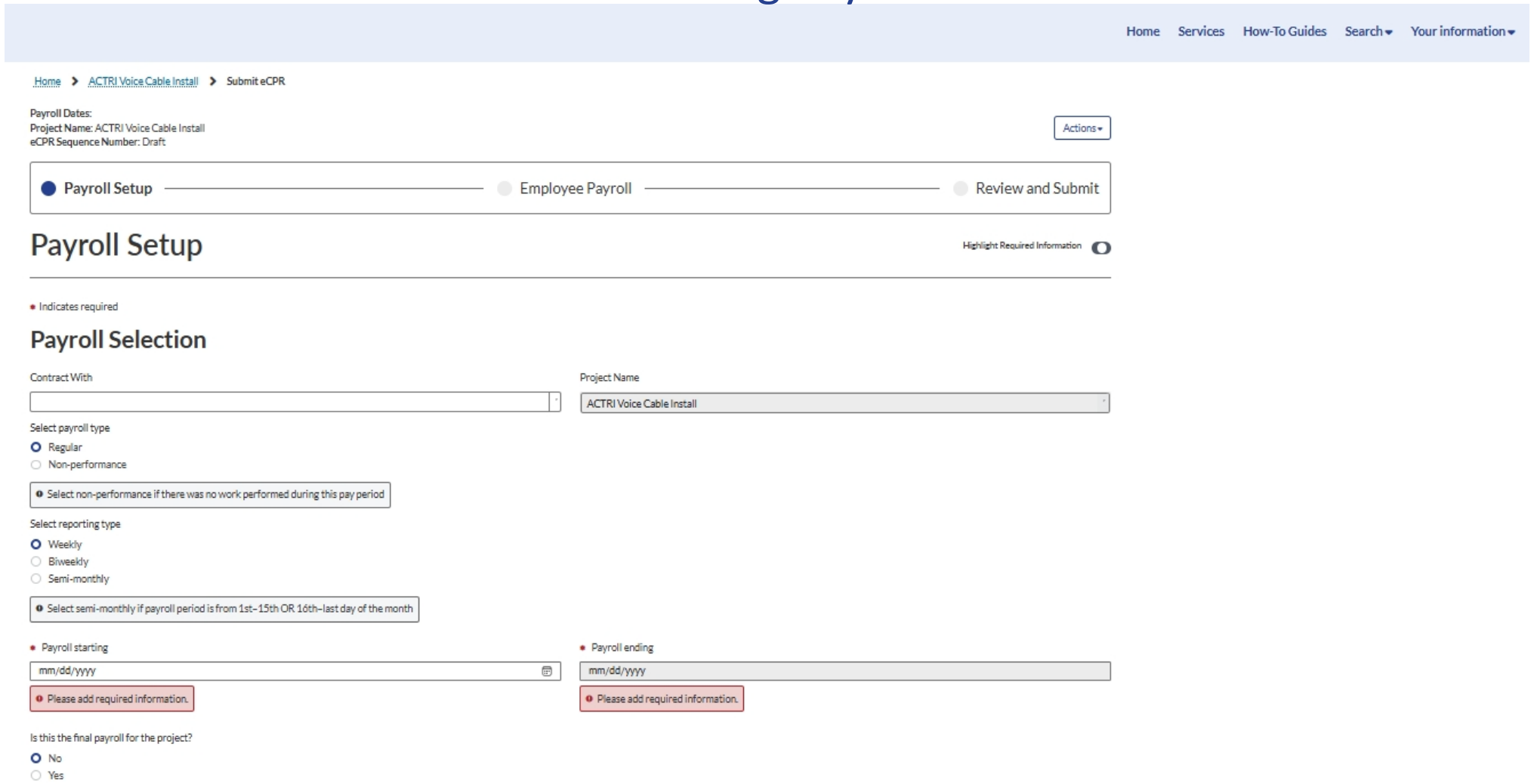
Select non-performance if there was no work performed during this pay period

Select reporting type

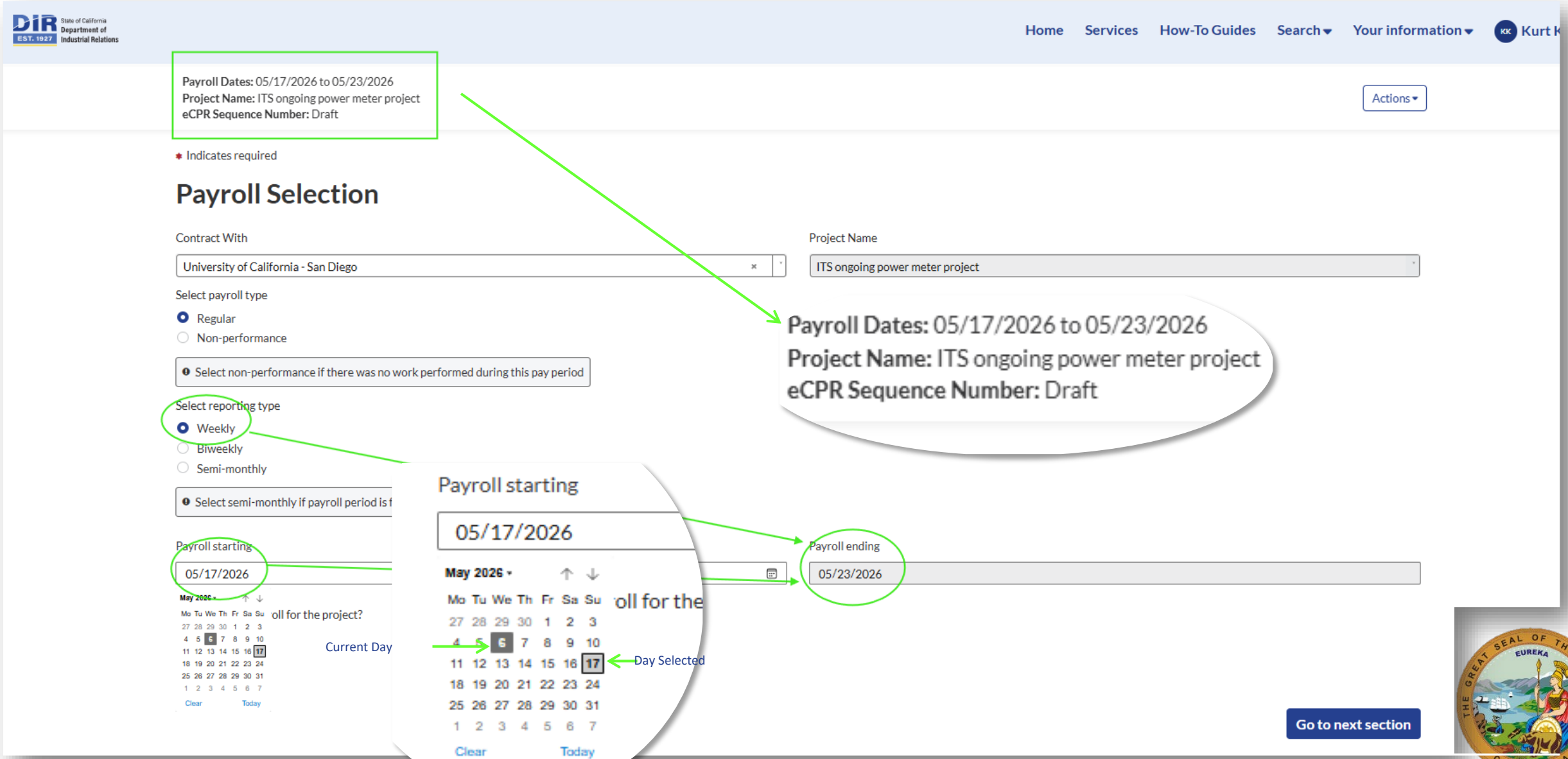
- Weekly
- Biweekly
- Semi-monthly

Select semi-monthly if payroll period is from 1st–15th OR 16th–last day of the month

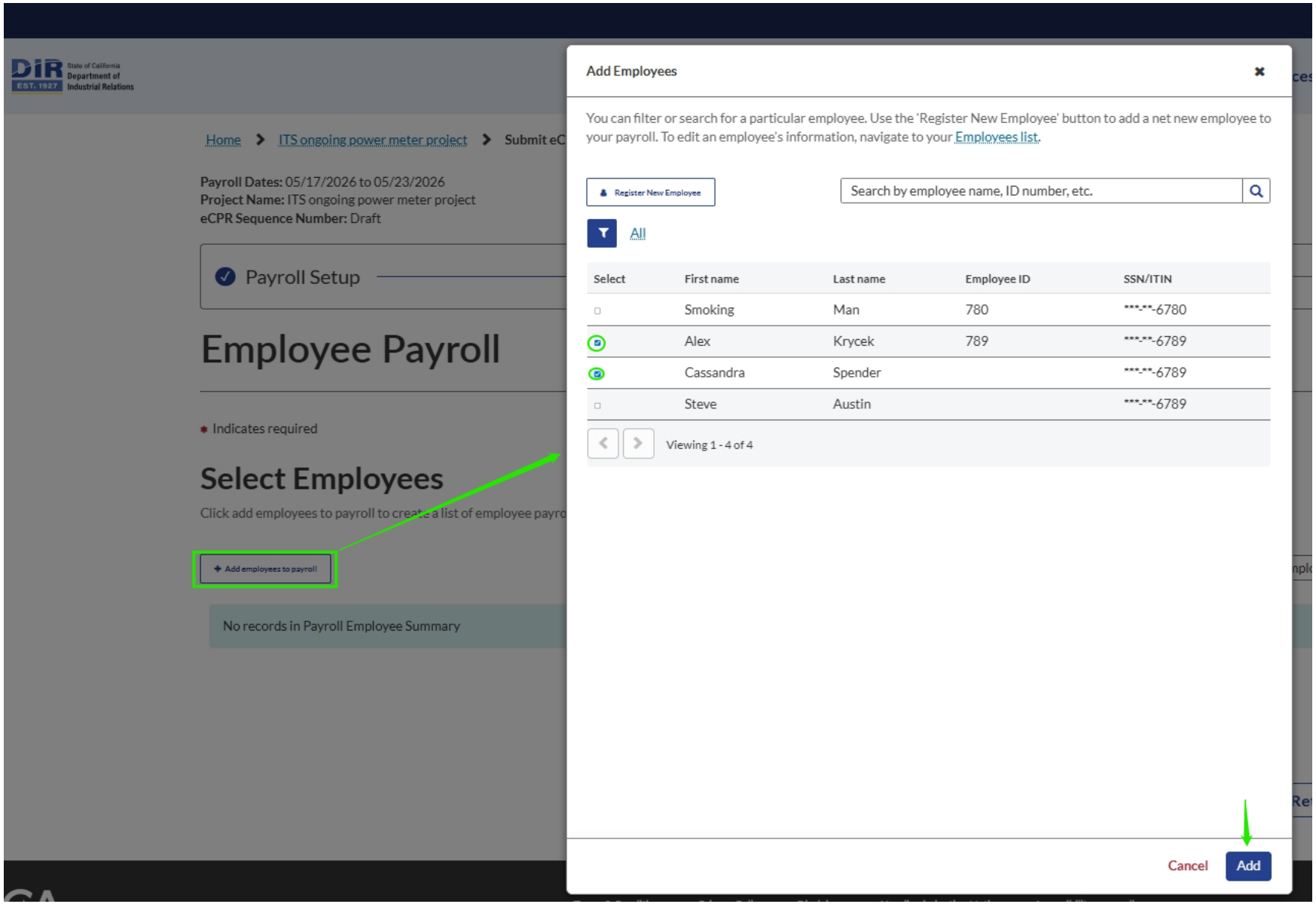
eCPRs: Adding Payroll Records



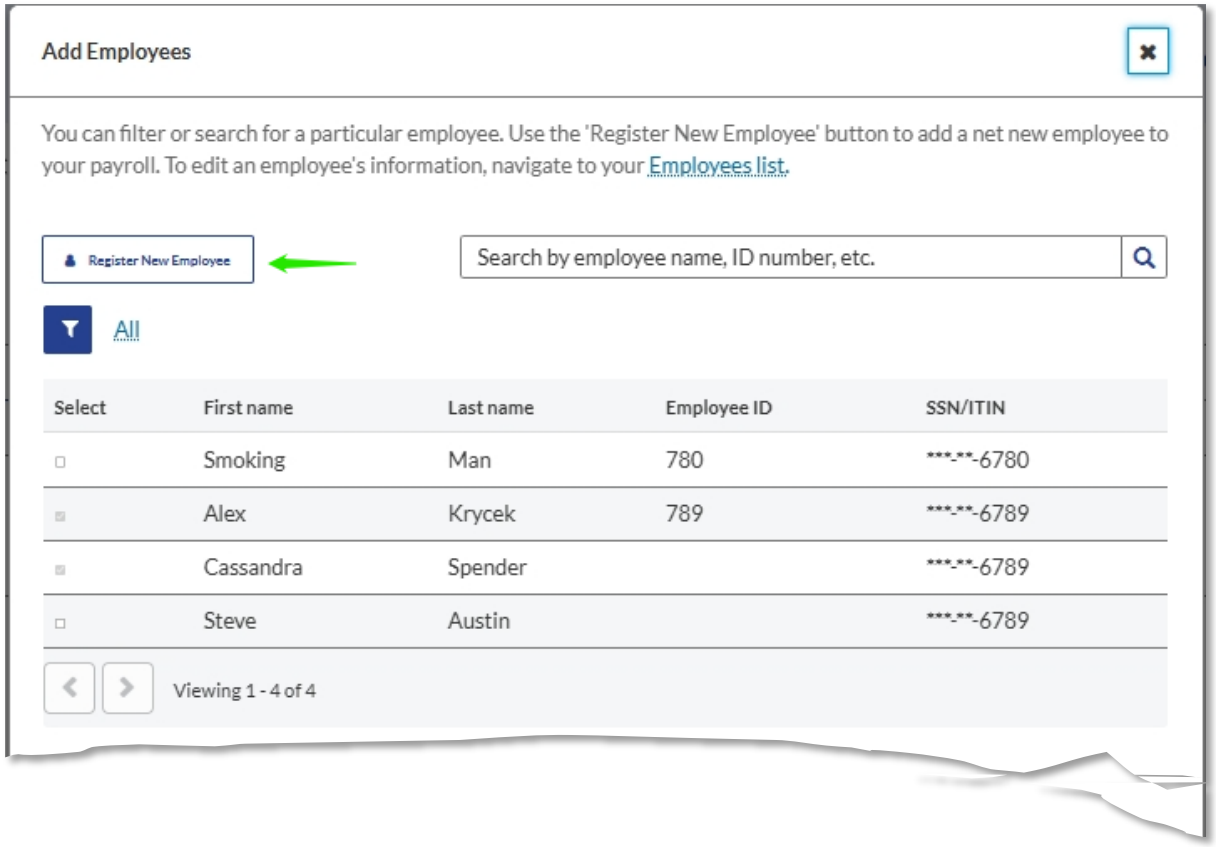
eCPRs: Adding Payroll Records

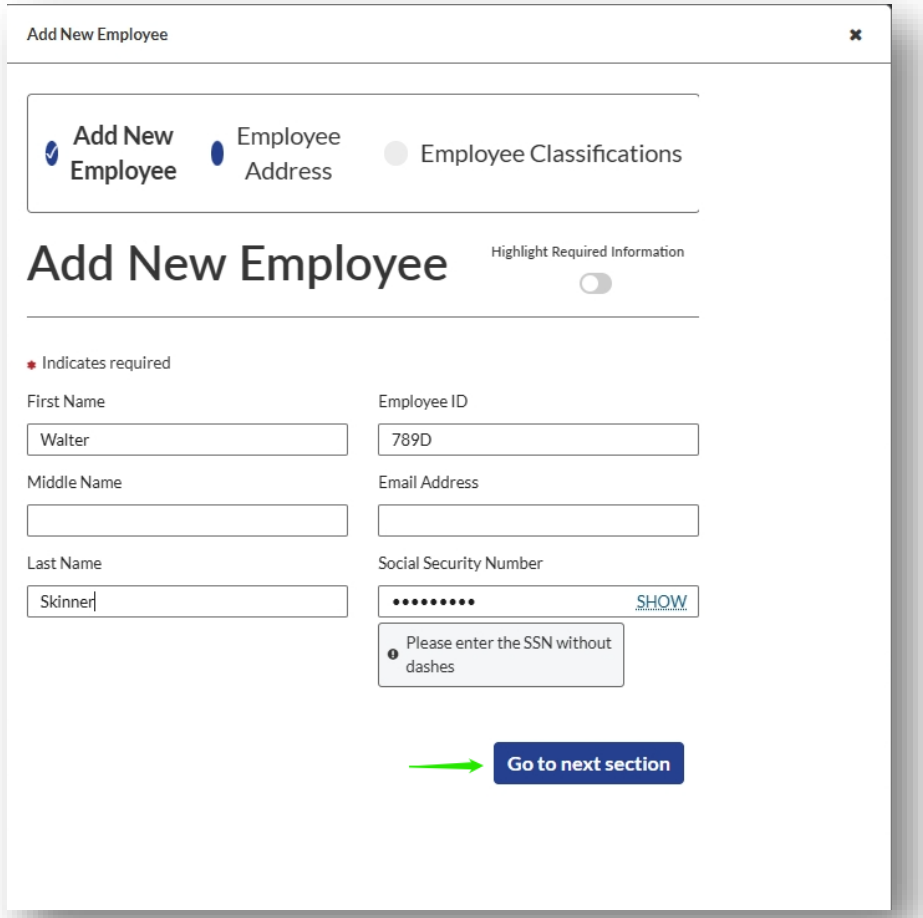


eCPRs: Adding Payroll Records

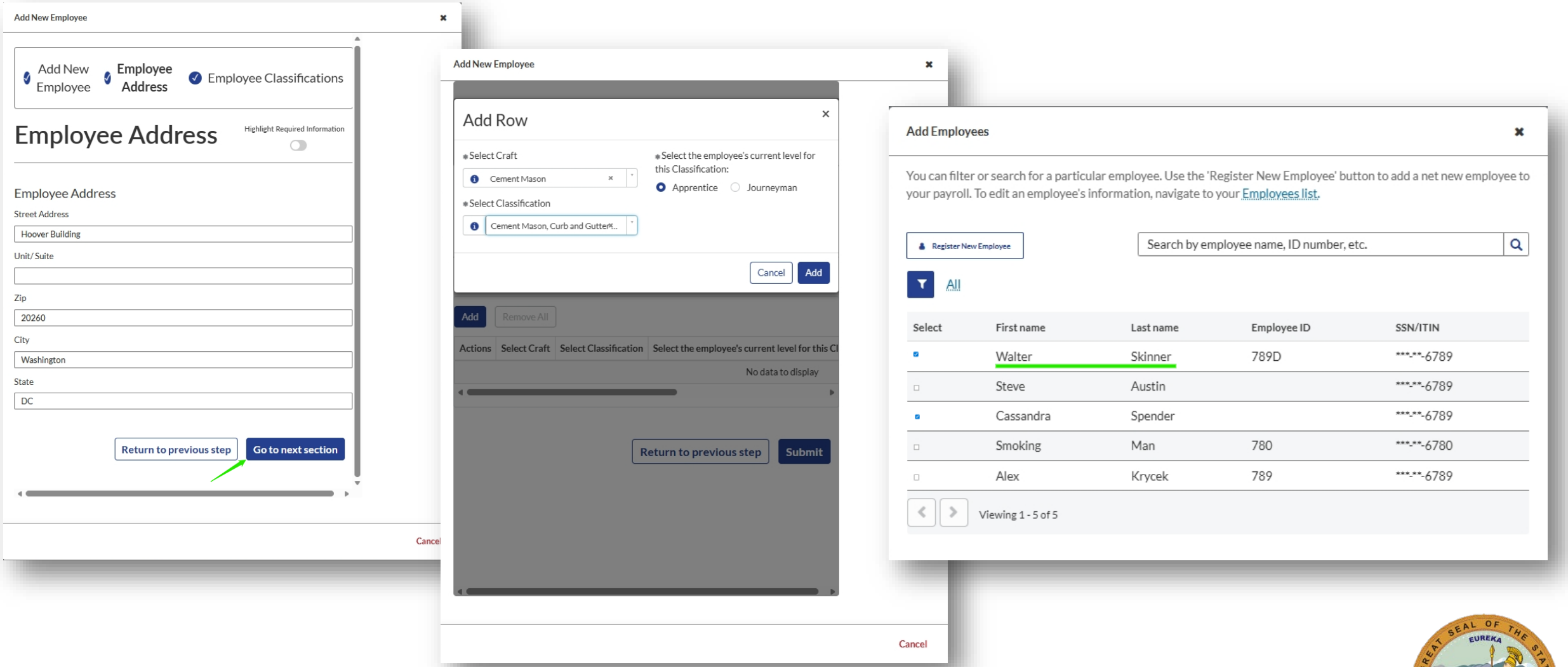


eCPRs: Adding Payroll Records- Employees

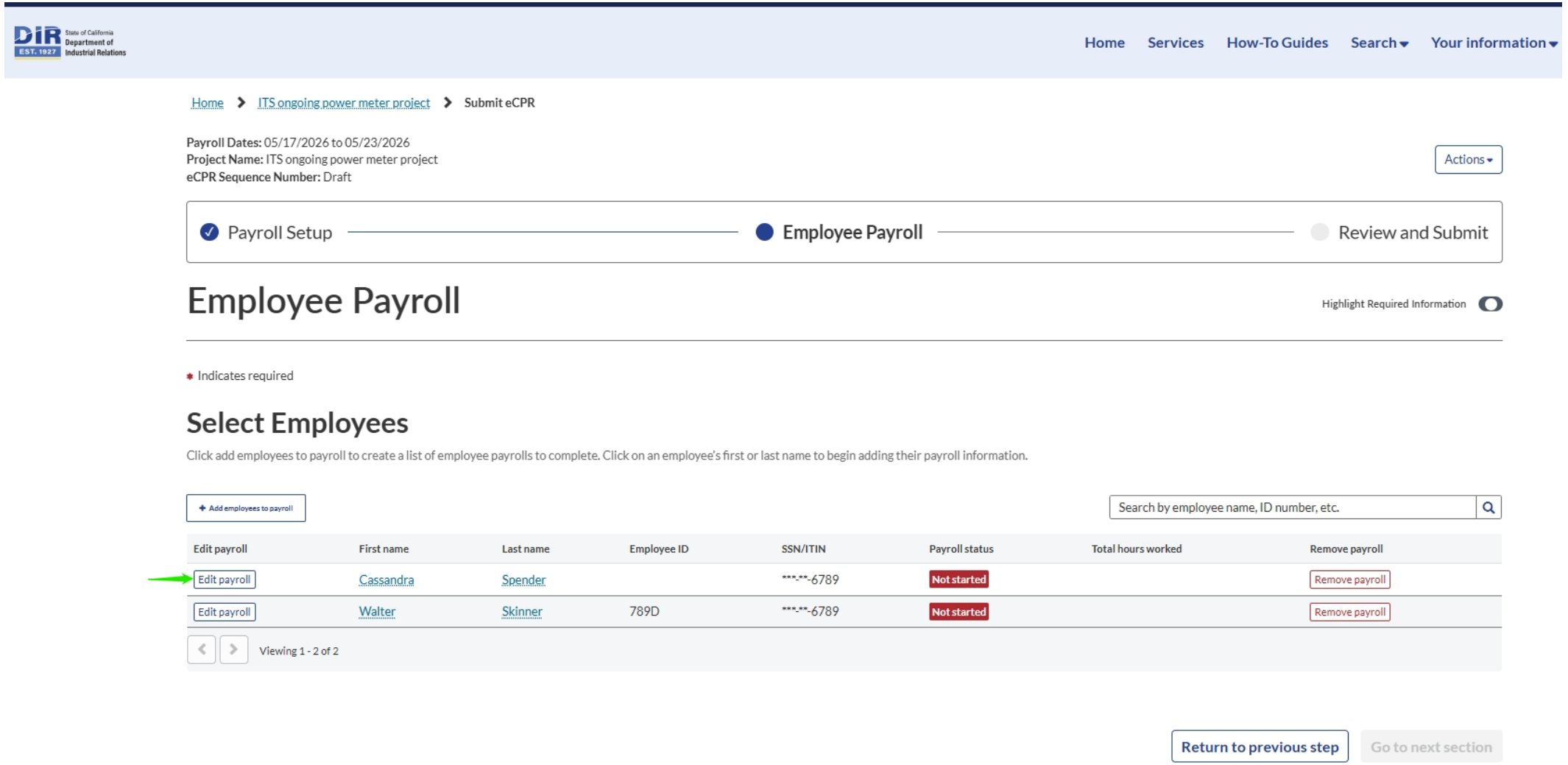




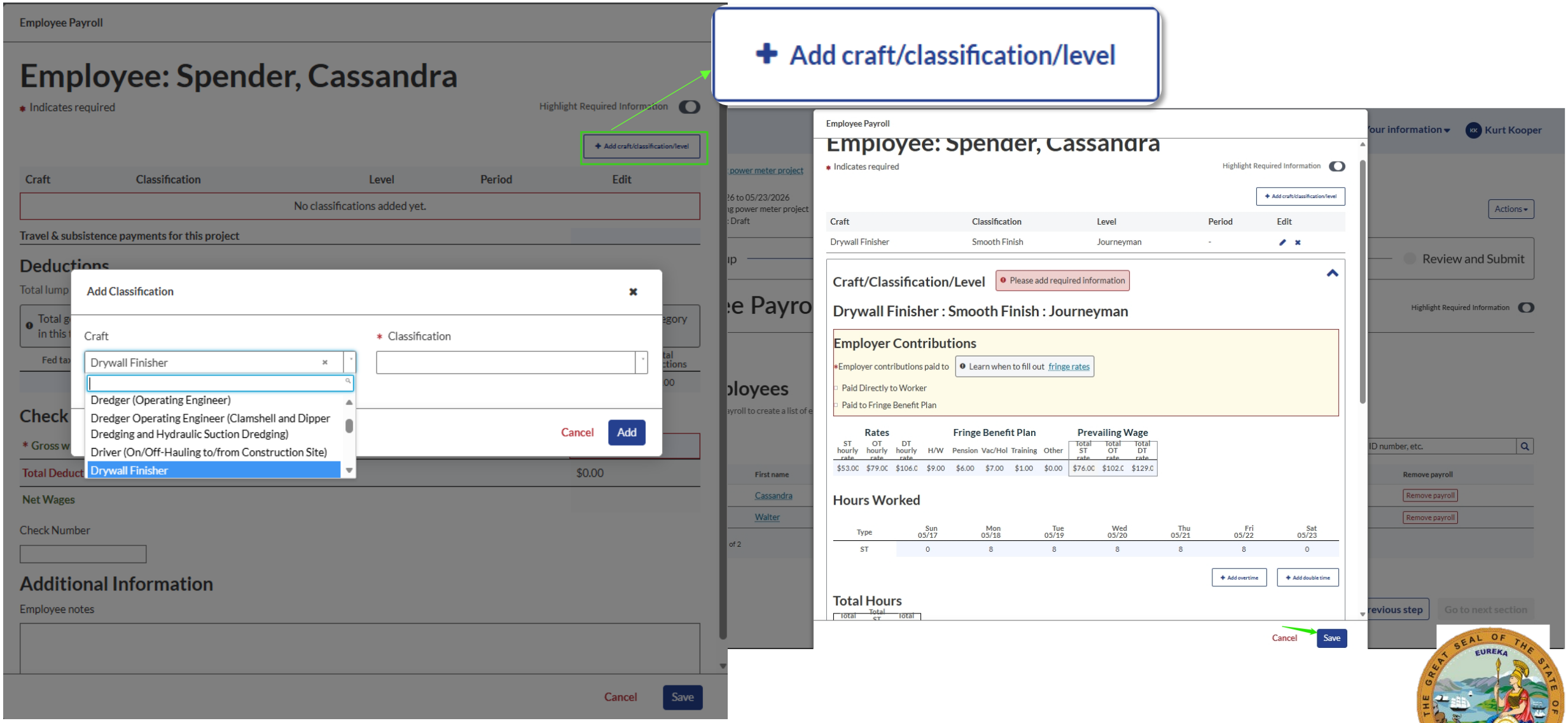
eCPRs: Adding Payroll Records- Employees



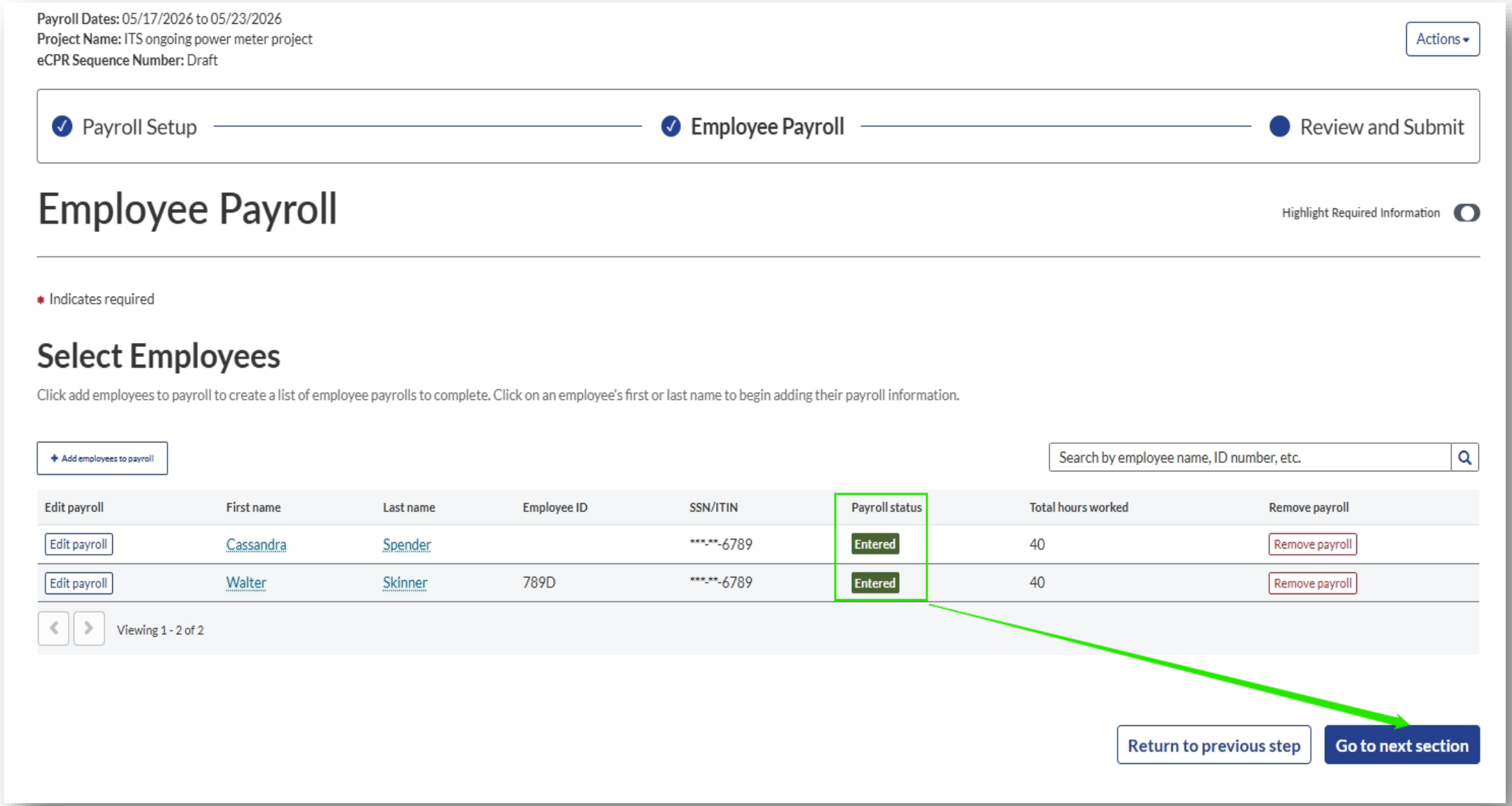
eCPRs: Adding Payroll Records



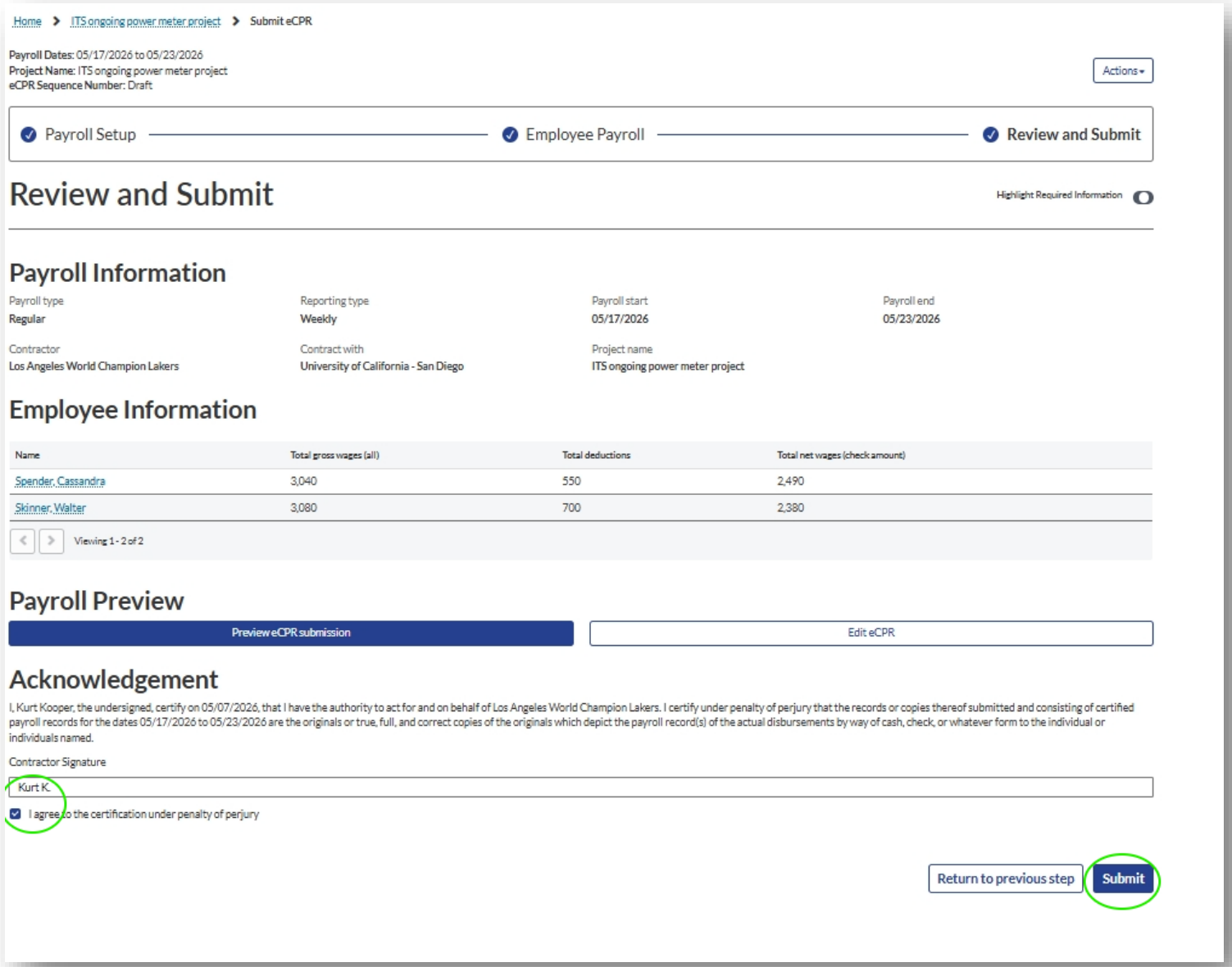
eCPRs: Adding Payroll Records

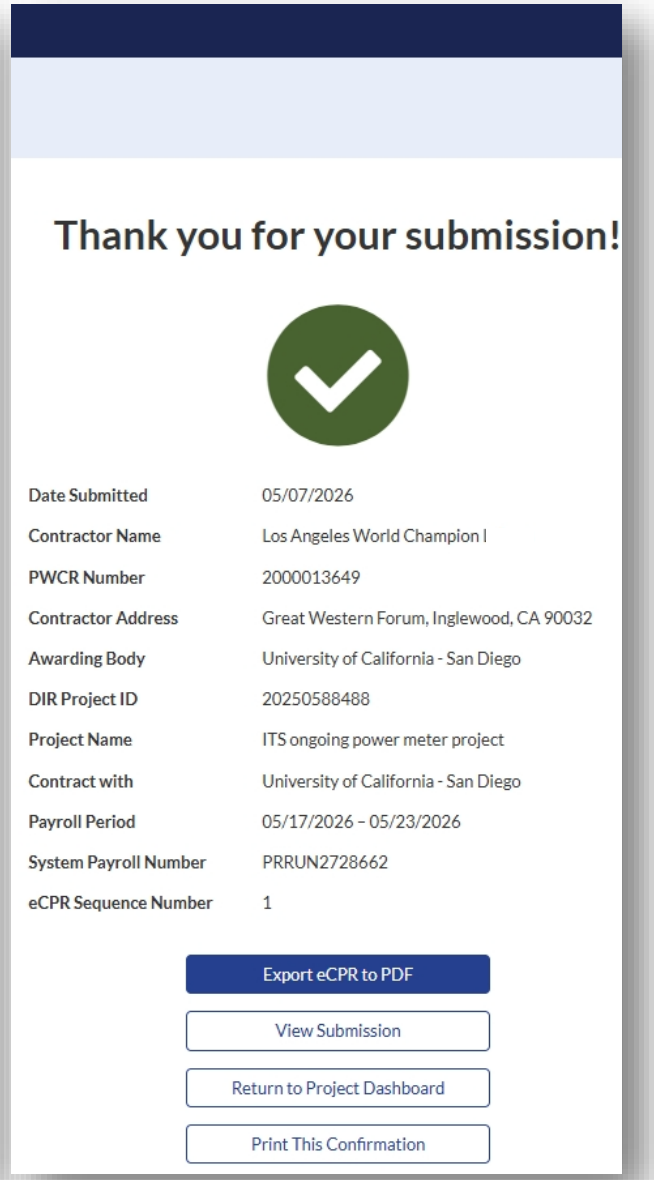


eCPRs: Adding Payroll Records

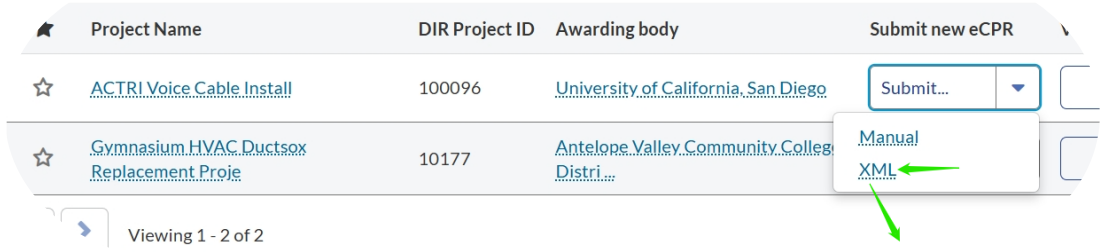


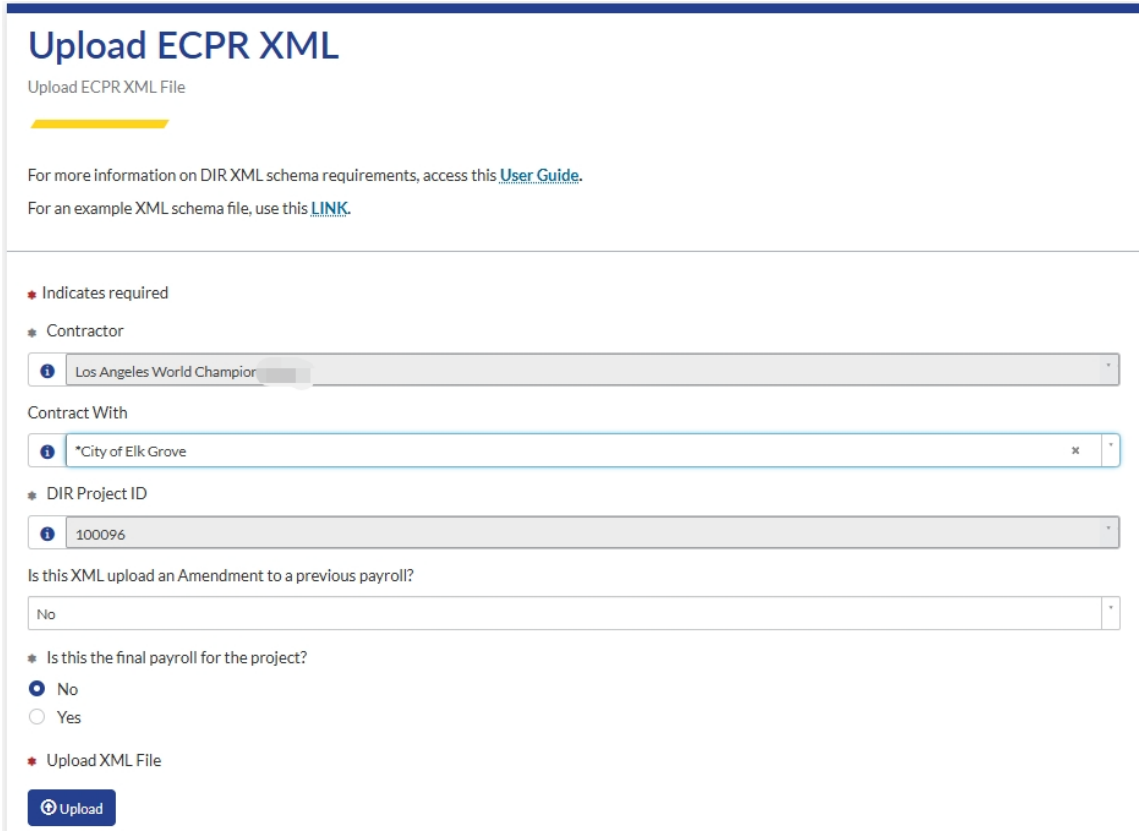
eCPRs: Adding Payroll Records

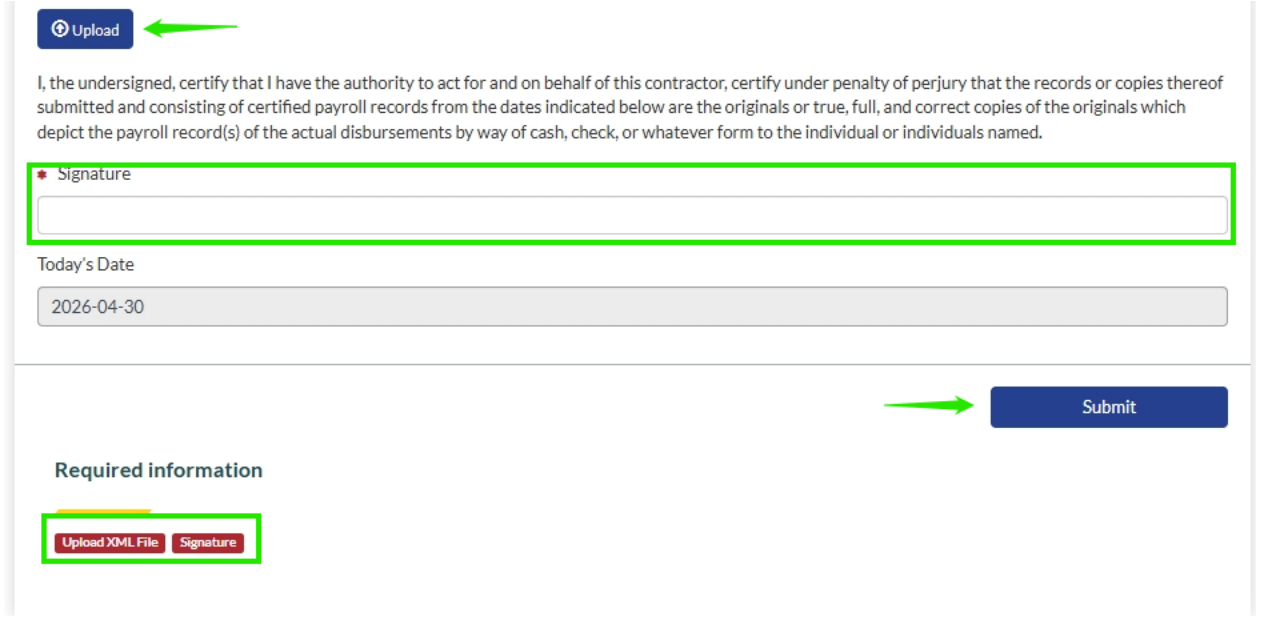




eCPRs: Submitting XML Records







Public Works Electronic Payroll Reporting Form

State of California Department of Industrial Relations

PWCR#	2000013649	**DIR Project ID**	20260592134	☐ Statement of Non-Performance
CSLB #	7575	**Awarding Body**	SPOOKY SPECIAL	
System Payroll #	PRRUN2728460			☐ Final Payroll
eCPR Sequence #	1	**Project Name**	The Mothership	
Payroll Period	12/11/2025 - 12/17/2025	**Project Address**	[redacted]S ROAD, PINEVILLE, CA	
Contractor	LOS ANGELES WORLD CHAMPION[redacted]			
Contract With	SPOOKY SPECIAL	**Project County**	MENDOCINO	

Employee: MAN, SMOKING

Address FBI , Washington DC, DC, 20002 **SSN** ***-**-6780 **Check #** 1869 **Fringe Paid** Fringe Benefit Plan

Hours Worked

Craft/Classification/Level WATER WELL DRILLER : OTHER (PLEASE SPECIFY) - Mining - JOURNEYMAN

Type	Thu 12/11	Fri 12/12	Sat 12/13	Sun 12/14	Mon 12/15	Tue 12/16	Wed 12/17	Total Hours	Base Hourly	Total Hourly Rate
S	8.00	8.00	0.00	0.00	8.00	8.00	8.00	40.00	20.00	20.00

Contributions

Vac/Holi	H&W	Pension	Other	Training	Total Hourly Fringe
0.00	0.00	0.00	0.00	0.00	0.00

Deductions (lump sum/non hourly rates)

Fed Tax	FICA (Soc Sec)	State Tax	SDI	Fund/ Admin	Savings	Dues	Other	Total Deductions
50.00	25.00	20.00	10.00	15.00	0.00	0.00	0.00	120.00

Payments

Travel & subsistence
0.00

Wages Summary

Gross Wages for all projects	Gross Wages for this project	Net Wages Paid
800.00	800.00	680.00

Employee: SPENDER, CASSANDRA

Address FBI , Washington DC, DC, 20002 **SSN** ***-**-6789 **Check #** 1870 **Fringe Paid** Directly to Worker

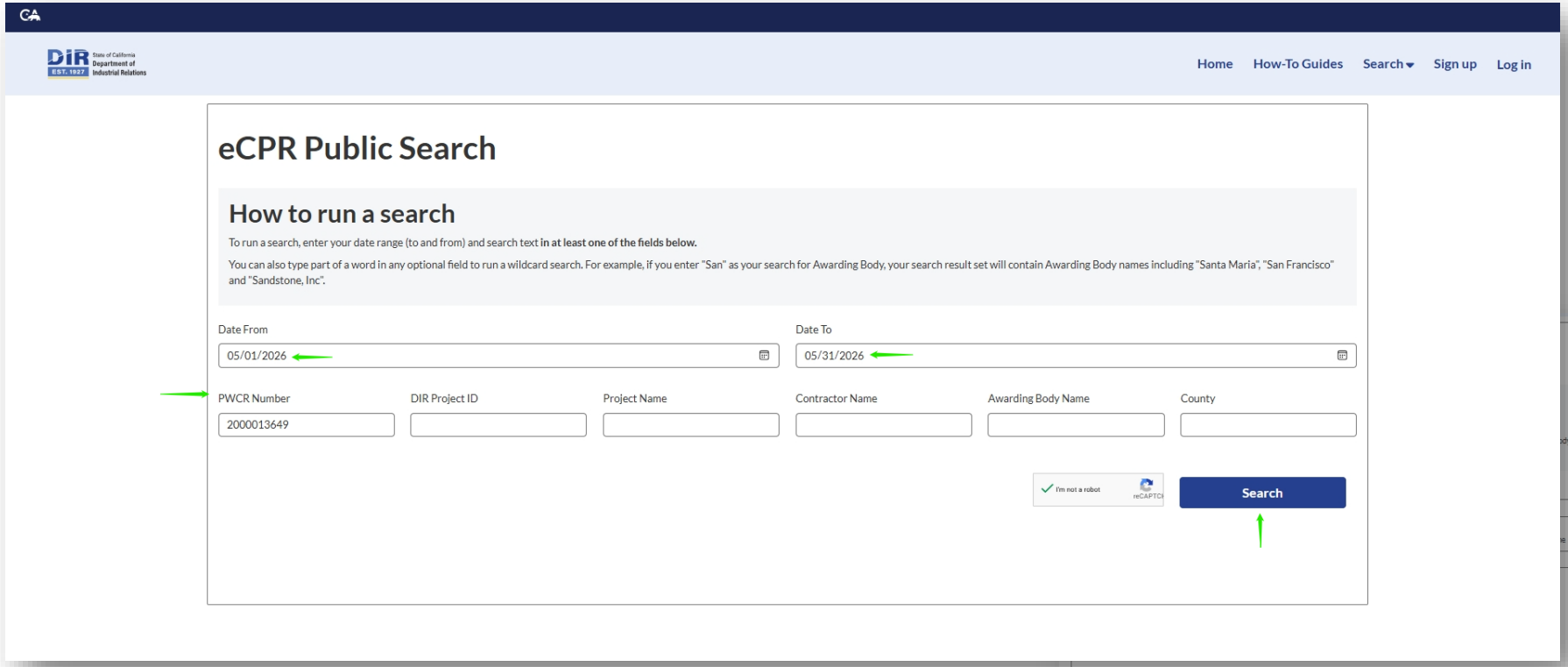
Hours Worked

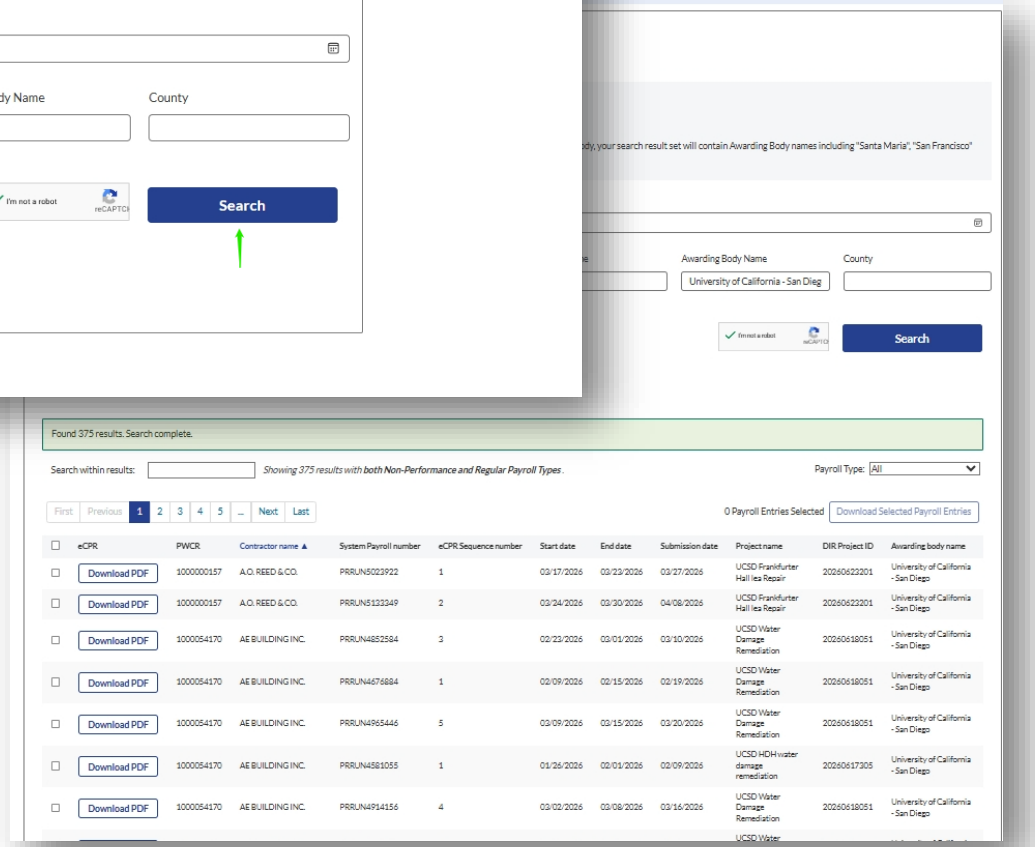
Craft/Classification/Level CEMENT MASON : CEMENT MASON, CURB AND GUTTER MACHINE OPERATOR; CLARY AND SIMILAR TYPE OF SCREED OPERATOR (CEMENT ONLY); GRINDING MACHINE OPERATOR (ALL TYPES); JACKSON VIBRATORY, TEXAS SCREED AND SIMILAR TYPE SCREED OPERATOR; SCORING MACHINE OPERATOR - - JOURNEYMAN

Contributions

Vac/Holi	H&W	Pension	Other	Training	Total Hourly Fringe
1.00	2.00	1.00	0.00	1.00	5.00

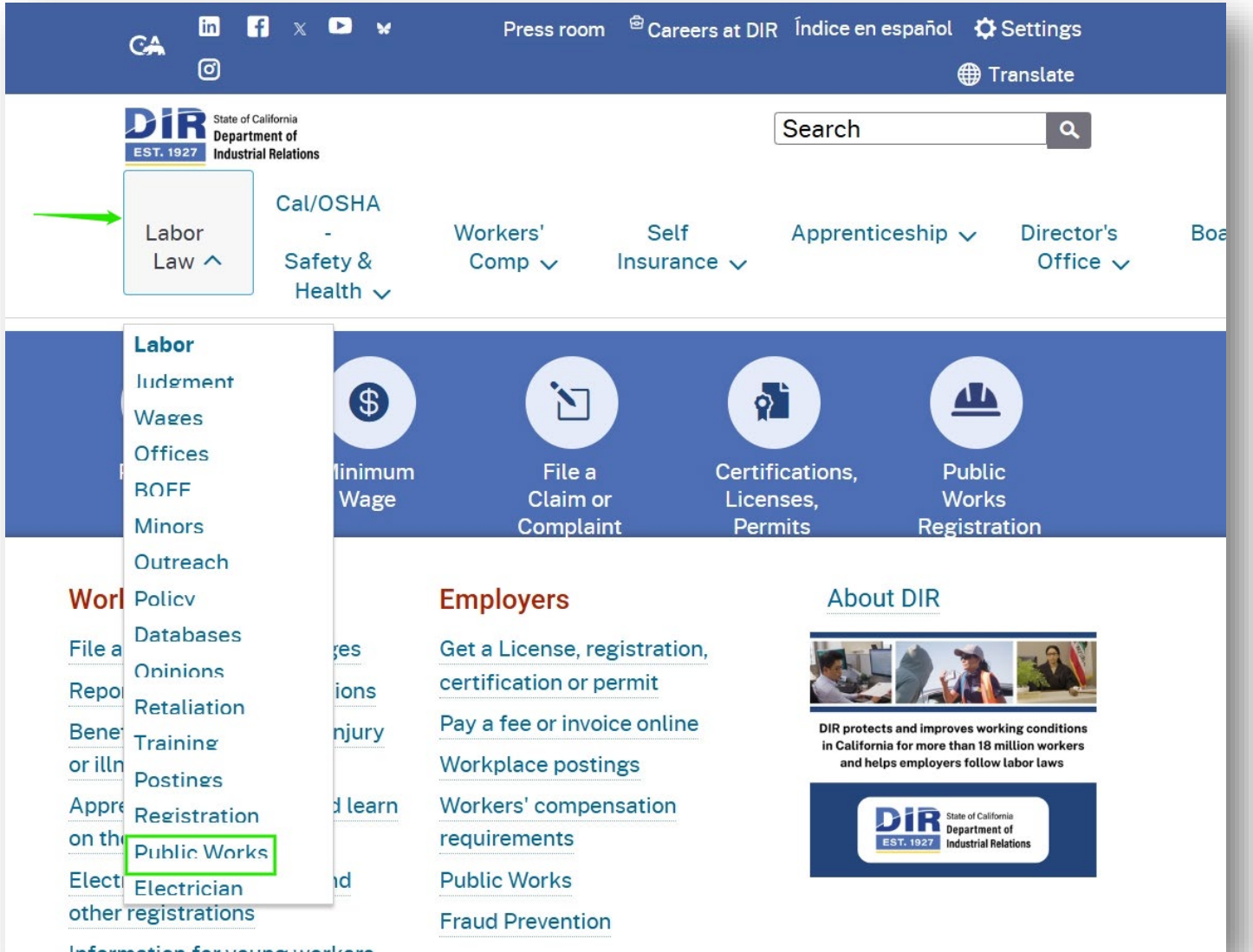
eCPRs: Public Search





Support Center

www.dir.ca.gov



Support Center

DIR State of California Department of Industrial Relations EST. 1927

Search

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

Public Works / Support Center

Support Center

Got a question? Explore our Frequently Asked Questions.

Need to get in touch? Reach out to DIR Public Works.

The current Public Works Contractor Registration year has now started for the period covering July 1, 2025 to June 30th, 2026.

You can sign up for a Public Works Online System user account here at https://services.dir.ca.gov/pw and begin the process of registering for a Public Works Contractor Registration Number.

For more assistance, please refer to the PW Workshops and PW system guides below.

How-To Guides

Subject	Audience	Steps
DIR Account Registration Guide	Contractors	Guide

Public Works

Links

- Summary of Skilled and Trained Workforce ("STW") Statutes
- Frequently Asked Questions on Skilled and Trained Workforce ("STW") Requirements
- Awarding Bodies
- Contractors
- Apprenticeship Requirements
- Certified Payroll Reporting
- Enforcement of Public Works Law

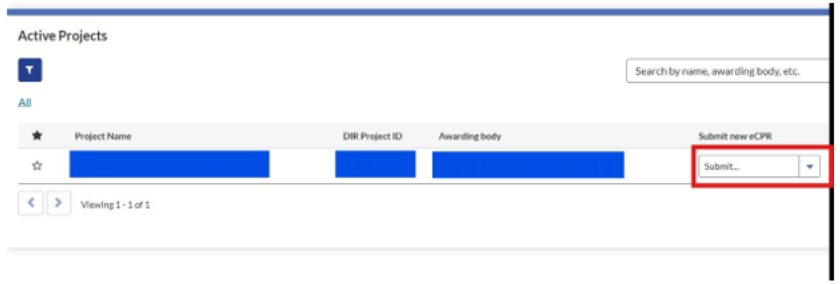
Upload eCPR

(Electronic Certified Payroll Record)

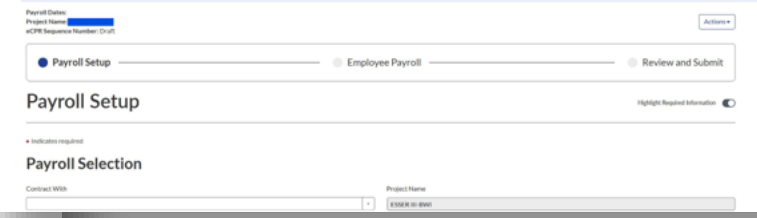
Section 1: Submitting Manual eCPR

Step 1: As a contractor, navigate to the main landing page at https://dirhelp.service-now.com/pw

Next to your project, select Submit → Manual from the dropdown.



Step 2: Fill out the Payroll Setup page.



Support Center

Public Works

Certified Payroll Reporting

Contractors and subcontractors on most public works projects are required to submit certified payroll records (CPRs) to the Labor Commissioner using DIR's Public Works Website Services.

A few categories of public works projects are exempt from reporting online to DIR.

Submit Payroll Records

Enter Payroll Online

Find Payroll Records Online

Payroll records are available to the public using the CPR Public Search. Confidential information has been removed.

* Software Requirements for XML Files:

- Create your own template using the **CPR XML schema V1.3**.
  - Download and use the XML schema file.
  - Detailed instructions are provided in the CPR XML guidelines
  - View a sample XML file.

Updated: June 2025

Public Works

Links

- Summary of Skilled and Trained Workforce ("STW") Statutes
- Frequently Asked Questions on Skilled and Trained Workforce ("STW") Requirements
- Awarding Bodies
- Contractors
- Apprenticeship Requirements
- Certified Payroll Reporting
- Enforcement of Public Works Law
- Labor Compliance Programs
- Prevailing Wage Requirements

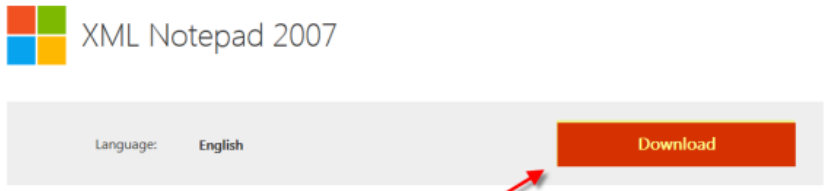
Need Help?

- Contractor Registration Support Center
- Frequently Asked Questions on Skilled

3. XML File Validation

3.1 Software Installation

- There are several freeware, and commercial products to validate XML files against a schema. Following software is a free XML editor from Microsoft:
  1. **XML Notepad**
- To download:
  1. Go to this Webpage: https://microsoft.github.io/XmlNotepad/
  2. Click "**Download**".



XML Notepad 2007 provides a simple intuitive user interface for browsing and editing

Strategic Enforcement of Public Works Construction

Labor Enforcement Task Force (LETF)

DIR EST. 1927
State of California
Department of
Industrial Relations

Labor Enforcement
TASK FORCE

State of California
Gavin Newsom
Governor



Labor Enforcement TASK FORCE

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.

- Tax evasion
- Failure to carry workers’ compensation coverage
- Cash pay
- Failure to provide employees with breaks and adequate facilities
- Wage theft
- Failure to ensure a safe work environment

Strategic Enforcement: Publicly Funded Housing 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

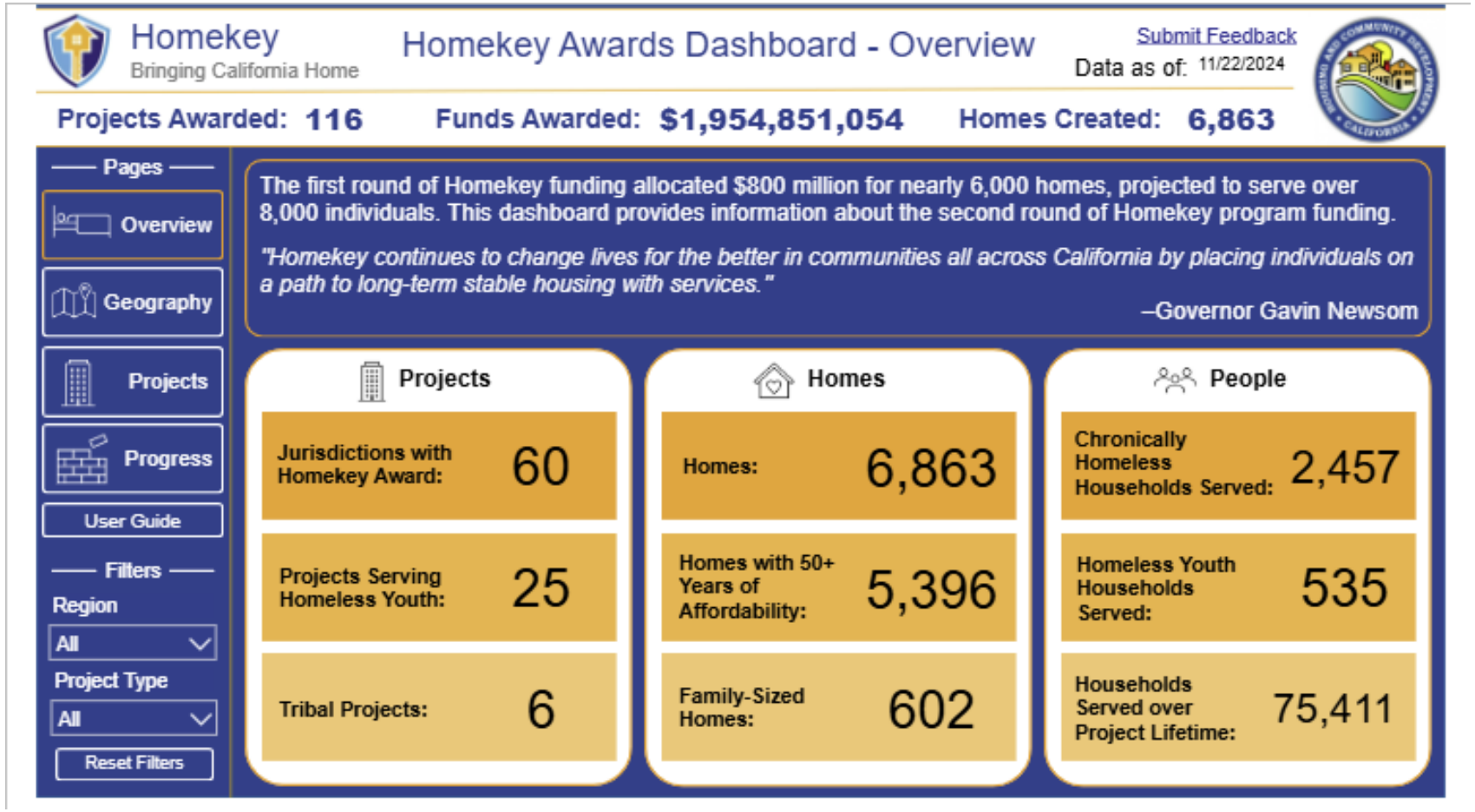
Homekey

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



DIR EST. 1927 State of California Department of Industrial Relations

Homekey+ Program

Homekey+
A place to live — and thrive.
MENTAL HEALTH FOR ALL

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) $291 million 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) $32 million HHAP Homekey Supplemental **TOTAL $121 million**
	Total Funds Available	**$2.250 billion**

DIR EST. 1927 State of California Department of Industrial Relations

NOFA: Notice of Funding Available

LETF Strategic Enforcement

LETF reviews all complaints and leads to determine if they meet the criteria for joint inspections of active housing construction projects.



DIR EST. 1927 State of California Department of Industrial Relations

Contact LETF

Hotline: 855-297-5322

Email: LETF@dir.ca.gov

www.dir.ca.gov/letf

DIR EST. 1927
State of California
Department of
Industrial Relations

Labor Enforcement
TASK FORCE

State of California
Gavin Newsom
Governor



Public Works

State of California

Department of Industrial Relations

Department of Industrial Relations
STATE OF CALIFORNIA

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.

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 8/16/24

State of California
Department of
Industrial Relations
EST. 1927



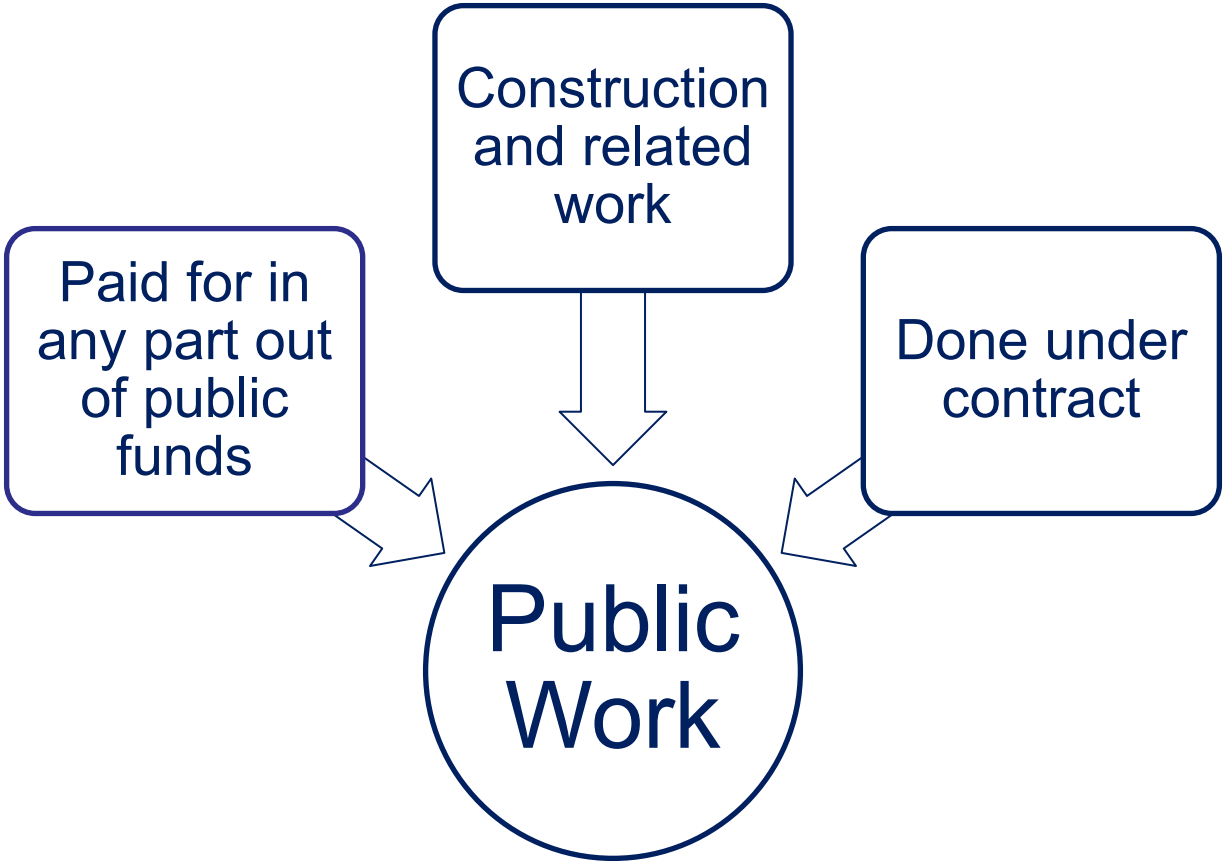
Department of Industrial Relations
STATE OF CALIFORNIA

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.


Construction and related work
Paid for in any part out of public funds
Done under contract
Public Work

Department of Industrial Relations
STATE OF CALIFORNIA

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)

Department of Industrial Relations
STATE OF CALIFORNIA

,,,additional definitions of public work

- Section 1720(e) [Work on electric transmission system]
- Section 1720.3 [Off-haul of refuse]
- Section 1720.6 [Private renewable energy projects on public property/facilities]
- 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]

Department of Industrial Relations
STATE OF CALIFORNIA

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 . . . .

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

Department of Industrial Relations
STATE OF CALIFORNIA

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.

Department of Industrial Relations
STATE OF CALIFORNIA

Recent Law

AB 1198*:* projects $35M and up, and bid-ad starting 7/1/27. PW rate when the work is performed, no longer the bid-ad date. Affordable housing exception. (Labor Code § § 1773.6, 1773.65)

SB 909: Increases CWPA penalties, improves enforcement staffing/budget. (Labor Code § § 1725.5, 1771.3, 1775, 1776, 1777.7)

AB 1121: DIR list of debarred public works contractors (Labor Code § 1771.1)

SB 1303: Creates a private right of action for private labor compliance entities and/or awarding bodies (Labor Code § 1771.8)

AB 2143: Work on renewable electrical generation facilities and associated battery storage (Pub. Utility Code § 769.2) Exception: single family home <15 kilowatts, modular homes or multiunit housing 2 stories or less. (Pub. Utility Code § 769.2(f))

Department of Industrial Relations
STATE OF CALIFORNIA

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)

Department of Industrial Relations
STATE OF CALIFORNIA

Office of the Director – Legal Unit
Public Works Inquiries

PWCoverage@dir.ca.gov

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



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

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

Disclaimer

This presentation is intended as general information only and does not carry the force of legal opinion. The Department of Labor is providing this information as a public service. This information and related materials are presented to give the public access to information on Department of Labor programs. You should be aware that, while we try to keep the information timely and accurate, there will often be a delay between official publications of the materials and the modifications of these pages. Therefore, we make no express or implied guarantees. The *Federal Register* and the *Code of Federal Regulations* remain the official source for regulatory information published by the Department of Labor. We will make every effort to keep this information current and to correct errors brought to our attention.

Coverage



Statutory Language

"Every contract in excess of $2,000, to which the Federal Government or the District of Columbia is a party, for construction, alteration, or repair, including painting and decorating, of public buildings and public works of the Government or the District of Columbia that are located in a State or the District of Columbia and which requires or involves the employment of mechanics or laborers shall contain a provision stating the minimum wages to be paid various classes of laborers and mechanics."

Contracts for Construction

- “Construction” includes all types of work done on a particular building or work on the site of the work, as defined in the regulations (29 CFR 5.2)
- A contract is for construction as long as it requires more than an incidental amount of construction
- This means that the Davis-Bacon Act (DBA) can apply to a federal contract even if the primary purpose of the contract is not construction

Alteration or Repair

- Restoration or improvement of a facility by modifications to the facility's components, systems, or materials is considered to be alteration or repair
- Alterations or repairs will generally improve the building or work, either by fixing something that is broken or by improving upon the building or work's existing condition
- In contrast, maintenance work that is routinely and regularly performed to keep the building or work functioning in the same condition is not considered construction

Public Building or Public Work

- Includes any building or work, when its construction:
  - Is carried on directly by authority of or with funds of a federal agency
  - To serve the general public interest
- A building or work does not have to be owned or operated by the federal government to serve the general public interest, so long as it fulfills a significant need or a goal of the relevant federal agency

What is a Related Act?

- Many federal statutes authorize federal assistance for state or local construction work
- Where such federal statutes specifically include a statutory provision applying the Davis-Bacon prevailing wage requirements to the assisted work, the statute is considered a Davis-Bacon Related Act (DBRA)

Davis-Bacon Related Acts

Davis-Bacon (DB) requirements extend to numerous “Related Acts” that provide federal assistance by, for example:

- Grants
- Loans
- Loan guarantees
- Insurance



Identifying Related Acts

- Many, but not all, statutes providing federal assistance for construction are Related Acts
- Funding agencies will inform funding recipients whether their funding is subject to Davis-Bacon requirements, and funding recipients are required to inform their contractors
- A listing of Related Acts can be found at https://www.dol.gov/agencies/whd/government-contracts

Funded In Whole Or In Part

- Davis-Bacon prevailing wage requirements generally apply to construction funded or assisted in whole or in part under a Related Act, regardless of how the recipient allocates the funding
- Even if funding is allocated only to a portion of the construction of a project, prevailing wage requirements generally will still apply to all construction work on the project

Geographic Scope

- The DBA only applies to construction work performed within the fifty states, the District of Columbia, and the Commonwealth of the Northern Mariana Islands
- The DBA does not apply to construction work performed in Guam, Puerto Rico, the U.S. Virgin Islands, or other U.S. territories; however, some Related Acts do apply to construction in the territories

Labor Standards Clauses

- Contracting agencies must ensure that the Davis-Bacon labor standards clauses in 29 CFR 5.5 and the applicable wage determination(s) are included in all construction contracts for projects assisted in whole or in part under a Related Act
- Contracting agencies must also advise prime contractor(s) that they must include Davis-Bacon labor standards clauses and applicable wage determination(s) in all subcontracts

Day-to-Day Oversight

Contracting agencies should also engage in day-to-day oversight, including:

- Ensuring that the contractor(s) have posted the Davis-Bacon Employee Rights poster (WH-1321), the applicable wage determination(s), and any approved conformances on the site of the work
- Reviewing certified payroll and related documents
- Interviewing workers to confirm compliance in accordance with any enforcement procedures established by the federal funding agency

Wage Determinations



Selecting Correct WD Type



- Selecting and incorporating the appropriate general wage determination for the project type
- Guidance provided in AAM 130
- Four categories:
  - Building
  - Residential
  - Highway
  - Heavy

Application of Multiple WDs

- When a project has construction work in more than one category of construction, the wage determination from each category will apply if the cost of the work involved in the category is substantial
- The cost is generally considered substantial if it exceeds 20% of the overall cost of the project or is over $3.3 million

Selecting Correct WD Date

Incorporate most current WD:

- Negotiated contracts ("RFPs") – Time of award
- Sealed bid contracts: In effect 10 days or more before opening of bids
- Exceptions
- If the contract is not awarded within 90 days of bid opening, any modification to the WD must be incorporated unless the federal agency requests and obtains an extension of the 90-day period



Compliance Principles

Prime Contractor

- 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
- 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

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

Laborers and Mechanics

- Workers whose duties are manual or physical in nature
- Applies to any individual who performs laborer or mechanic duties, regardless of any alleged contractual relationship
- No employment relationship required – independent contractors usually should receive prevailing wages

Exempt Workers

- Business owners are excluded from the term “laborers and mechanics” when they:
  - Own at least a 20% equity interest in the company in which they are employed, **and**
  - Are actively engaged in its management
- A working supervisor is generally not an exempt employee under the FLSA and 29 CFR part 541

Prevailing Wage Requirements

- All laborers and mechanics employed or working upon the site of the work must be paid at least the applicable prevailing wage rate for the classification of work performed as listed in the applicable wage determination or a rate approved in accordance with the "conformance process" set forth at 29 CFR 5.5(a)(1)(iii), without regard to skill
- Laborers and mechanics who perform work in more than one classification may be paid the different applicable rates for the work they actually perform if the employer keeps an accurate record of the time spent working in each classification and pays accordingly

Fringe Benefits



Fringe Benefits Examples

Life insurance	**Health insurance**	**Pension**
Vacation	**Holiday**	**Sick leave**

Wages and Fringe Benefits Payment

- Fringe benefits are a component of the DBA "prevailing wage"
- The prevailing wage obligation may be satisfied by:
  - Paying the base hourly rate (BHR) and FB in cash (including negotiable instruments payable on demand)
  - Contributing payments to a bona fide plan, or
  - Any combination of the two
- Prevailing wages due must be paid weekly, with the exception of FB contributions paid into a bona fide FB plan, which must be paid no less often than quarterly

Funded Fringe Benefit Plan

- Contractors may take credit (without prior approval from DOL) for bona fide FB fund contributions made to third-party trustees or insurers that are:
  - Irrevocably paid, and
  - Made regularly, not less often than quarterly
- The allowable credit that may be taken is for payments made for individual workers eligible to participate in the plan, program, or fund

Unfunded Fringe Benefit Plan

Costs for an "unfunded" FB plan may count towards a contractor's prevailing wage obligation if specific criteria are met:

- Contributions reasonably anticipate the cost to provide a bona fide FB
- Contributions are made pursuant to an enforceable commitment
- Plan or program is financially responsible
- Plan has been communicated in writing to the affected workers
- Plan has been approved by the Wage & Hour Division (WHD)

Eligibility, Participation, and Credit

- Contractors may not take credit for contributions for workers who are not eligible to participate in the fringe benefit plan
- Contractors may take credit for contributions made on behalf of workers who are participants in a plan but are not yet eligible to receive benefits (for example, a health insurance plan with a 30-day waiting period for new participants)

Apprentices

An apprentice is a person who is

- Individually registered in a bona fide apprenticeship program registered with DOL's Employment Training Administration (ETA), Office of Apprenticeship (OA), or a State Apprenticeship Agency recognized by OA, **or**
- An individual in their first 90 days of probationary employment as an apprentice in such a program, provided certain requirements are met

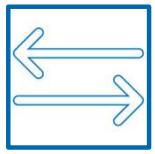
Apprentice Requirements

- Bona fide apprentices are permitted to work on DB covered projects and be paid less than the journey level WD rate for the classification of work performed when they are employed in accordance with the terms of the applicable apprenticeship program
- However, apprentices must be paid the full prevailing wage rate for the classification of work performed if they are not individually registered in and employed pursuant to the terms of a bona fide apprenticeship program

Hourly Rate to Pay Apprentices

- Apprenticeship programs typically specify the percentage of the hourly rate required for each level of progression within the program
- To determine the minimum hourly wage rate for an apprentice, the percentage specified in the program for the level of progression is applied to the journeyworker basic hourly rate listed in the applicable wage determination

Reciprocity and Apprentices



Reciprocity of ratios and rates are required when a contractor is working in a locality other than the locality in which its apprentices' program(s) is registered



If there is no approved program in the locality, the ratio and wage rate specified in the contractor's registered program must be observed

Fringe Benefits for Apprentices



- Apprentices must be paid the fringe benefits (FBs) specified in the approved program
- If the program does not specify FB amounts, apprentices must be paid the full amount of FBs listed on the WD for the classification of work performed

Ratio Requirements

- Apprentices must be employed within the allowable ratio specified by the approved program
  - "The allowable ratio of apprentices to journeyworkers on the job site in any craft classification must not be greater than the ratio permitted to the contractor as to the entire work force under the registered program"
  - Compliance with the ratio is determined on a daily, not a weekly, basis
- The use of fractions in computing the ratio is not permitted unless specified in the approved apprenticeship agreement



Contract Work Hours and Safety Standards Act

Is Overtime Required?



Federal laws that require overtime pay:

- The Contract Work Hours and Safety Standards Act (CWHSSA)
- The Fair Labor Standards Act (FLSA)

Overtime Pay

CWHSSA

- Covers contracts over $100,000 ($150,000 for contracts procured under the Federal Acquisition Regulations) that require or involve employment of laborers, mechanics, watchmen, or guards on DBA or DBRA covered construction contracts
- Self-executing (even if not stated in contract)
- Has no “site of the work” limitation

FLSA

- Applies more broadly
- Over 155 million workers subject to coverage

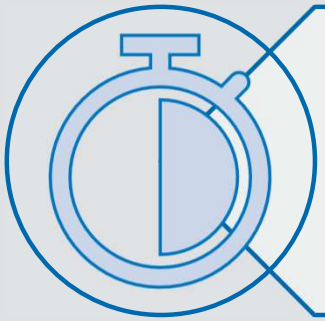
What Does CWHSSA Require?

- Overtime pay for laborers, mechanics, guards, and watchpersons at a rate not less than one and one-half times the basic rate of pay for hours worked over 40 in a workweek on covered contracts
- Liquidated damages can be assessed per day for each laborer, mechanic, guard, or watchperson not paid required overtime

Basic Rate of Pay Under CWHSSA

- CWHSSA requires the payment of not less than one and one-half the "basic rate" of pay for all hours worked over 40 hours in a workweek
- The basic rate of pay under CWHSSA is the straight time hourly rate, which cannot be less than the basic hourly rate required in an applicable wage determination, not including any required fringe benefit amount
- However, if a worker is paid a regular rate above the basic hourly rate (excluding fringe benefits or cash in lieu of fringe benefits), that regular rate will be considered the basic rate

Fringe Benefits and CWHSSA



Although FBs must be paid for all hours worked, additional half-time premiums do not need to be computed for amounts paid to fulfill the FB rate listed in the applicable wage determination under CWHSSA



This applies to both cash payments made to comply with the FB portion of the prevailing wage requirement and contractor contributions to bona fide benefit plans made to comply with that requirement

Records and Certified Payrolls



Certified Payrolls

- When contractors enter a contract covered by the Davis-Bacon labor standards, there are two separate contract clause requirements that apply to certified payrolls (CPR) :
  - Each contractor shall submit weekly for any week in which any contract work is performed a copy of all payrolls containing all the information required in 29 CFR 5.5(a)(3)(iii)(A)
  - Each weekly payroll submitted must be accompanied by a signed "Statement of Compliance"

Submission of Certified Payrolls

- CPR must be submitted weekly within seven days of the regular payroll date for that weekly pay period
- Optional form WH-347 may be used, but if another format is used, it must still include the signed statement of compliance
- Failure to submit CPR or to provide the required records underlying the CPR at the request of the contracting agency or DOL may be grounds for withholding of contract funds or debarment

CPR 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
  - 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

Signing Certified Payrolls

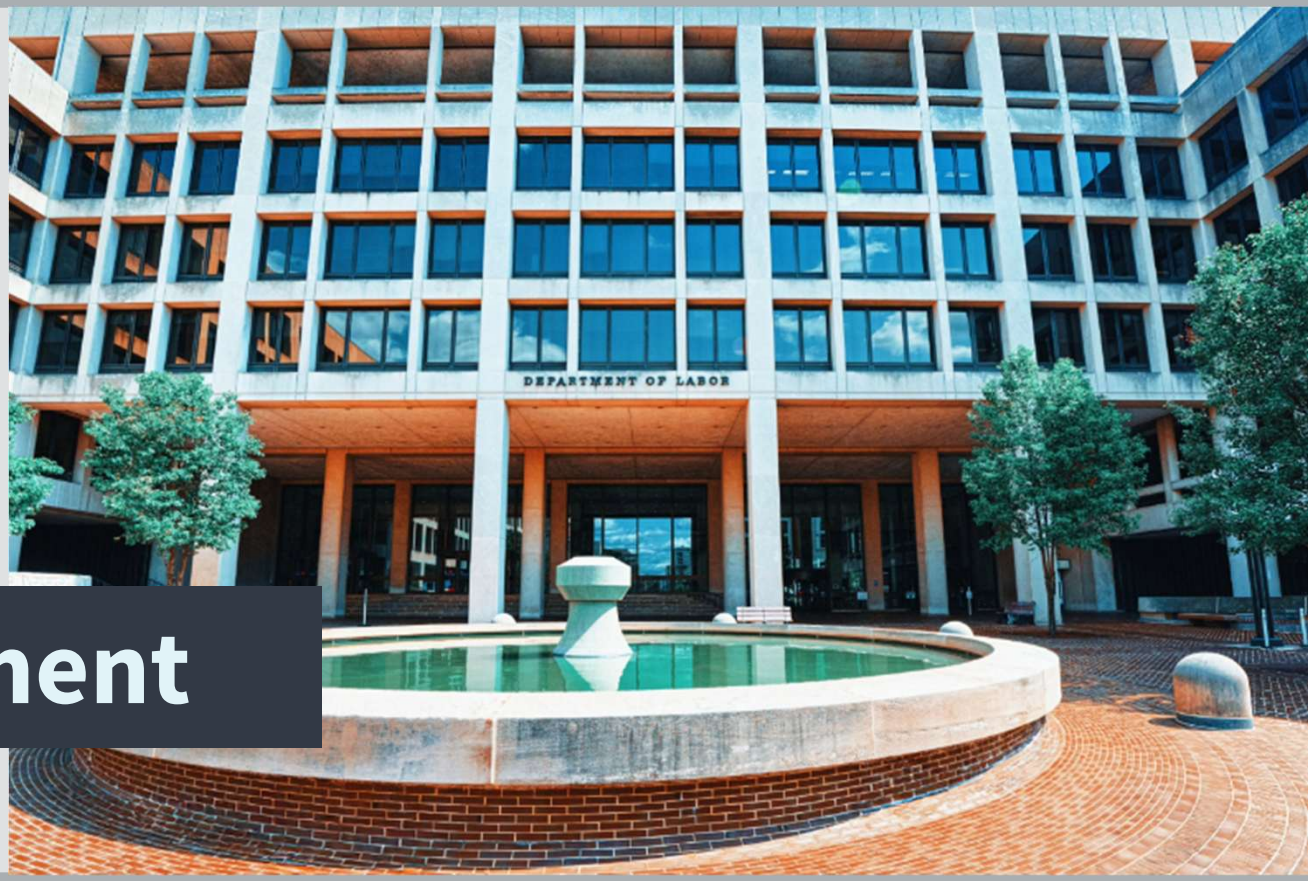
- Certified payrolls must be signed with an original handwritten signature or a legally valid electronic signature
- Valid electronic signatures include any electronic process that indicates acceptance of the certified payroll record and includes an electronic method of verifying the signer's identity



Common Red Flags

- Too few workers on the CPR for the work performed
- Workers always shown with short workdays
- Too many common or general laborers for the work performed
- Workers always work the same split hours among two classifications
- Apprentices outnumber journeyworkers
- No fringe benefits paid for overtime hours

Enforcement



Investigations

DOL Functions and Responsibilities:

- Determine “prevailing wages”
- Issue regulations and standards to be observed by contracting agencies
- Perform oversight function along with independent authority to conduct investigations

Anti-Retaliation Provisions

It is unlawful to commit the below actions, or to *cause* any person to commit these actions, against any worker or job applicant for engaging in protected activities:

- Discharge
- Demote
- Intimidate
- Threaten
- Restrain
- Coerce
- Blacklist
- Harass
- Discriminate

Protected Activities

- Workers or job applicants are protected from being retaliated against for the following activities:
  - Making a contractor aware of any conduct the worker reasonably believes is a violation
  - Asserting DBRA rights on behalf of themselves or others, such as filing a complaint
  - Cooperating in an investigation or other compliance action
  - Informing another person of their rights under the DBRA

Withholding

- DBA and CWHSSA provide for withholding of contract funds to satisfy alleged wage underpayments pending resolution of a wage dispute (40 U.S.C. § 3142(c)(3); 40 U.S.C. § 3702(d))
- Withholding of contract funds is an effective enforcement tool in DBA/DBRA/CWHSSA cases
- It protects the rights of covered workers to wages due them

Cross-Withholding

- Cross-withholding may be accomplished on contracts held by agencies other than the agency that awarded the contract
- Withholding from another federal contract with the same prime contractor is called “cross-withholding”
- Withholding can be done on the contract in question or any other federal contract or federally assisted contract subject to Davis-Bacon prevailing wage and other labor standards requirements with the same prime contractor
- Funds withheld for DBRA wage underpayments have priority over other competing claims

Debarment Criteria

Debarment is considered when a contractor has:



Submitted falsified certified payrolls



Required “kickbacks” of wages or back wages



Committed repeat violations



Committed serious violations



Misclassified covered workers in clear disregard of proper classification norms



As a prime contractor, failed to ensure compliance by subcontractors

Prime Contractor Debarment

- Prime contractors can be debarred for subcontractor violations where such violations reflect a disregard of the prime contractor's obligations
- For example, debarment could be appropriate if a prime contractor and many of its subcontractors violated provisions of the DBRA and CWHSSA, the prime contractor failed to flow down the DBRA labor standards clauses and to take steps to ensure its subcontractors complied with the DBRA

Resources



Payroll Audit Independent Determination

PAID is a self-audit program for employers to resolve specific FLSA and FMLA violations without litigation.

BENEFITS

- No litigation
- No civil money penalties
- Learn correct compliance

PARTICIPANTS

- FLSA/FMLA-covered employers
- With FLSA wage or FMLA violations
- NOT under current investigation/litigation
- Agree to future compliance

PROCESS

- Go to our website
- Review compliance materials
- Identify current violations
- Calculate back wages/propose remedies
- Contact local WHD office

Useful Resources

- Wage Determinations: https://sam.gov
- 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
- Prevailing Wage Resource Book: https://www.dol.gov/agencies/whd/government-contracts/prevailing-wage-resource-book
- Office of the Administrative Law Judges Law Library: https://www.dol.gov/agencies/oalj/topics/libraries/LIBDBA
- Prevailing Wage Topic Videos: https://www.dol.gov/agencies/whd/government-contracts/construction/presentations