



ILLINOIS HOUSING DEVELOPMENT AUTHORITY

CONSTRUCTION AND ARCHITECTURAL SERVICES DIVISION

DAVIS BACON COMPLIANCE GUIDE Updated November 2019

INTRODUCTION

The Illinois Housing Development Authority (Authority) administers funds from federal sources for housing development activities. The Authority and the recipients of these funds must ensure that all applicable requirements are followed. This manual is provided as an user's guide for the "Davis-Bacon" wage requirements and includes the various forms that must be submitted for compliance.

The 1931 Davis-Bacon Act requires the payment of prevailing wage rates to all labors and mechanics on Federally assisted construction contracts. Overall program responsibilities are administered by the U.S. Department of Labor while the project specific responsibilities are administered by the Authority. In addition, the various Davis-Bacon Act requirements are implemented through the "related act" provisions from the statutes of the specific agency.

The Authority's objective is to ensure compliance so that all labors and mechanics are paid accordingly, to provide support and monitor performance of the labor standard requirements. By doing so we hope to eliminate disruption of the construction process.

These guidelines are subject to change and modification, this version supersedes and replaces any prior versions. If you have any questions, please contact IHDA staff at 312-836-5200.

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I. Basic Provisions:

The U.S. Department of Labor (DOL) has oversight responsibilities to assure coordination of administration and consistency of enforcement of the labor standards provisions of the Davis Bacon and Related Acts (DBRA). As such, DOL has issued regulations establishing standards and procedures for the administration and enforcement of the Davis-Bacon labor standards provisions. Federal contracting agencies such as the Authority have day-to-day responsibility for administration and enforcement of the Davis-Bacon labor standards provisions in covered contracts in which they administer.

The Authority will implement labor standards on demolition, construction, and rehabilitation projects where funds are provided from the Authority. In instances when the Authority is funding the project with non-federal (State) funds, the Authority needs to insure the project abides by the Illinois Prevailing Wage Act (820 ILCS 130/0.01). In instances where Federal funds are utilized the Authority must ensure the project complies with the DBRA. These regulations can be found in-part from the Code of Federal Regulations (Title 29 CFR, parts 1,3,5,6 and 7).

The Davis-Bacon Act requires that all contractors and subcontractors performing on federal contracts (and contractors or subcontractors performing on federally assisted contracts under the related Acts) in excess of \$2,000 pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits listed in the contract's Davis-Bacon Wage Rate Determination for corresponding classes of laborers and mechanics employed on similar projects in the area. Davis-Bacon labor standards clauses must be included in covered contracts.

Prevailing wages are computed by the Department of Labor (DOL) and are issued in the form of a Federal Wage Decision. This decision includes a Wage Rate Determination for each work classification listed by construction type, for each county where work is performed. Each contractor and subcontractor you hire must sign a contract which includes the Federal Wage Decision listing and a Wage Determination for its employees by worker classification.

In addition to the Davis Bacon Act itself, Congress added Davis-Bacon prevailing wage provisions to approximately 60 laws, or the "Related Acts" under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance. These Acts also include requirements for payment of the prevailing wages. Examples of the related Acts are the [Copeland "Anti-Kickback" Act](#) which prohibits contractors from in any way inducing an employee to give up any part of the compensation to which he or she is entitled under his or her contract of employment, and requires contractors to submit a weekly statement of the wages paid to each employee performing DBRA covered work. Contractors on projects subject to DBRA labor standards may also be subject to additional prevailing wage and overtime pay requirements under State and local laws. Also, overtime work pay requirements under [Contract Work Hours and Safety Standards Act](#) (CWHSSA) and the [Fair Labor Standards Act](#) which contains Federal minimum wage rates, overtime and child labor requirements may apply.

II. Authority Objectives:

Our overall objective is that the project complies with the relevant DBRA provisions. As such, the Authority will strive to provide this guidance throughout the process. The developer should contact the Authority in the early development stage to determine the applicable labor standard requirements and to convey this information to the general contractor prior to the contractors estimate and sworn statement.

The Authority's oversight will include:

- Ensure Davis-Bacon requirements are properly applied. The Authority will determine when Davis-Bacon prevailing wage rates are applied and that any exemptions or exceptions are identified.
- Provide basic training and technical support to contractors to ensure that they understand their obligations under prevailing wage and reporting requirements.
- Monitor contractor performance and review of certified payroll submissions and other information to help ensure contractor compliance with labor standards provisions and the payment of prevailing wages to workers.
- Investigate evidence of any violations, determine the validity of the allegation and take any necessary action to resolve, including referral to HUD where appropriate.

III. General Procedures:

The owner, general contractor and the entity responsible for the labor standards submission to the Authority should first obtain a copy of [Making Davis Bacon Work, A Contractor's Guide to Prevailing Wage Requirements for Federally-Assisted Construction Projects](#). This guide will address the various aspects of the process, the required documentation and relevant items, such as:

- Laws
- Regulations and responsibilities
- Compliance
- Certified payroll submission
- Corrections to payroll
- Withholdings and sanctions.

Once familiar with this guide the general contractor should determine what subcontractors will be utilized and submit the Contractors Guide to those responsible for their implementation. The prime or general contractor (GC) will be responsible for the full compliance of all its employees, subcontractors and lower-tier subcontractors, subsequently the Authority will correspond directly with the GC.

Once the project obtains IHDA Board approval, the Authority will conduct a preconstruction meeting (unless waived by the Authority) with the principals of the project including the owner, GC and architect. During this meeting the Authority will review the DBRA procedures, requirements, the Wage Determination Decision for the project and other forms for compliance. A Wage Determination is the listing of wage rates and fringe benefit rates for each classification of laborers and mechanics which the Administrator of the Wage and Hour Division of the U.S. Department of Labor has determined to be prevailing in a given area for a particular type of construction (e.g., building, heavy, highway, or residential). The [Wage Determinations OnLine](#) (WDOL) web site provides a single location for federal contracting officers to obtain Davis-Bacon wage determinations for use in covered contracts. The WDOL Web site library provides a variety of links that relate to compliance with the prevailing wage laws that apply to federal and federally assisted contracts.

The GC shall notify the Authority when work starts on the project. Beginning with the first week that the GC or subcontractor works on the project and for every week until the work (or trade) has been completed, each covered contractor and subcontractor must provide the Authority with a certified payroll submitted through the GC. The "certification" part of the payroll contains specific language attesting to the employer's compliance with the wage requirements and signed by the employer. Submission and acceptance of appropriate certified weekly payrolls must be done prior to any payments to the GC. In addition, the following items shall apply:

- "Laborers or mechanics" must be paid at least "prevailing wages."
- DBRA applies only to employment on the "site of the work."
- The laborers and mechanics must be paid weekly.
- Persons performing the duties of laborers and mechanics must be paid at a minimum the prevailing wage rate regardless of any contractual arrangement, e.g., an independent contractor or owner-operator relationship.
- The approved Wage Determination (including additional classifications and wage rates approved under the "conformance" process), and the Davis-Bacon WH-1321 ["Employee Rights Under the Davis-Bacon Act" poster](#) must be posted by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers. This poster is also available in Spanish ([Spanish version](#)).
- **Apprentices** may be employed at less than predetermined rates if they are in an apprenticeship program registered with the Department of Labor or with a state apprenticeship agency recognized by the Department. Individuals who meet the following definition may be employed as apprentices on DBRA projects. A person employed and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Bureau of Apprenticeship and Training, or with a State Apprenticeship Agency recognized by the Bureau, or A person in the first 90 days of probationary employment as an

apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been properly certified to be eligible for probationary employment as an apprentice.

- **Trainees** may be employed at less than predetermined rates if they are in a training program certified by the Department. Trainees employed must be persons registered in a construction occupation under a program which has been approved in advance by the U.S. Department of Labor, Employment and Training Administration, as meeting its standards for on-the-job training programs and which have been so certified by that Administration. The proper wage rates to be paid to apprentices and trainees are those specified by the particular programs in which they are enrolled, expressed as a percentage of the journeyman rate on the wage determination.
- **Helper** classifications may be issued in or added to a wage determination only where the (a) the duties of the helpers are clearly defined and distinct from those of the journeyman classification and from the laborer, (b) the use of such helpers is an established prevailing practice in the area, and (c) the term "helper" is not synonymous with "trainee" in an informal training program.

Contractors or subcontractors found to have disregarded their obligations to employees, or to have committed aggravated or willful violations while performing work on Davis-Bacon covered projects, may be subject to contract termination and debarment from future contracts for up to three years. Falsification of certified payroll records or the required kickback of wages may subject a contractor or subcontractor to civil or criminal prosecution, the penalty for which may be fines and/or imprisonment. In addition, contract payments may be withheld in sufficient amounts to satisfy liabilities for unpaid wages and liquidated damages that result from overtime violations of the CWHSSA. **Subsequently CWHSSA requires time and one-half pay for overtime hours (over 40hrs per week). If the overtime payments are incorrect there will be a \$10 per day liquidated damages penalty due to the employee, from the time they worked the overtime until the time they received the restitution.**

The Department of Labor provides employers, workers, and others with clear and easy-to-access information and assistance on how to comply with the Davis-Bacon and Related Acts, such as the [DBRA Forms page](#). Other compliance assistance related to the Act, including the [Davis-Bacon and Related Acts \(DBRA\) Web Page](#) and regulatory and interpretive materials is available on the [Compliance Assistance "By Law" Web page](#).

The required forms for submission to the Authority are included in **Section V** of the guidelines.

IV. Applicability:

Federal funds subject to DBRA and administered through the Authority include: HOME Investment Partnership (HOME), Risk Share (HUD insured), Equity Replacement Program-Tax Credit Assistance Program (TCAP), the Neighborhood Stabilization Program (NSP) and other programs that may be modified or added from time to time.

A. Neighborhood Stabilization Program (NSP)

The NSP program is funded through the Community Development Block Grant (CDBG) which is included in the Housing and Community Development Act of 1974, as amended (HCDA).

- All laborers and mechanics employed by contractors or subcontractors in the performance of *construction work* financed in whole or in part with assistance received under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis- Bacon Act, as amended
- CDBG can finance activities other than "construction work" which do not trigger Davis-Bacon requirements; e.g., *real property acquisition, purchase of equipment, architectural and engineering fees, other services (legal, accounting, construction management), and other non-construction items (furniture, business licenses, real estate taxes, tenant allowances for such items)*. Also, financing is not limited to the act of paying for the construction work directly. Financing can mean, for example, using CDBG assistance to pay the interest charged or to reduce the interest rate on a construction loan (*including certain collateral accounts*). Generally, financing also means using CDBG funds to provide permanent financing (take-out loan) following construction.

- If CDBG funds finance only a portion of a construction work, labor standards are applicable to the *entire* construction work.
- Labor standards provisions *do not* apply to employees of the grantee (force account workers) that may be engaged on an otherwise covered project. Note: The construction work *is covered but these force account workers are excluded*.
- Davis-Bacon shall only apply if the property contains **8 or more residential units**. Typically, single-family homeowner properties are excluded under this exemption. However, *property* is not limited to a specific building. Property is defined as one or more buildings on an undivided lot or on contiguous lots or parcels, which are commonly-owned and operated as one rental, cooperative or condominium project. Examples of 8+ unit properties include:
 - 5 townhouses side-by-side which consist of 2 units each.
 - 3 apartment buildings each consisting of 5 units and located on one tract of land.
 - 8 single-family (not homeowner) houses located on contiguous lots.
- Further, HUD has concluded that the term “rehabilitation” as used within the statutory language is not meant to preclude new construction from this exemption. The Conference Report on the HCD Act of 1974 indicated that at the time that the statute was written, residential construction was not an eligible activity. However, subsequent changes to the statute now permit the use of CDBG (and other Title I funds) for residential new construction. Accordingly, residential new construction is treated in the same manner as residential rehabilitation for Davis-Bacon purposes.

B. HOME Investment Partnership Program

The HOME Investment Partnership Program was derived from Title II of the Cranston-Gonzales National Affordable Housing Act , as amended 24 CFR Part 92.

- Any contract for the construction of affordable housing units assisted with HOME funds made available under this subtitle shall contain a provision requiring that not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act..., shall be paid to all laborers and mechanics employed in the development of affordable housing involved.
- The standard for coverage is *assisted* not financed. This means that Davis-Bacon requirements are operable without regard to whether the HOME funds are used for construction or non-construction activities. Non-construction activities include real property acquisition, architectural and engineering fees, and other professional services. In some cases, Davis-Bacon requirements may be triggered when HOME funds are used to provide downpayment assistance to individual homebuyers. [refer to HUD’s HOME regulations (24 CFR .354(a)(2)) or consult with HUD Labor Relations Staff if their project involves downpayment assistance to homebuyers.] This also recognizes that HOME projects can contain units that are *not* assisted by HOME. The threshold applies only to the number of units assisted by HOME. For unit threshold purposes, we use the number of units identified as “HOME” units under the program definition whether determined on a pro-rata basis, specific designation or other means allowable by HUD’s Office of Community Planning and Development (CPD).
- Once Davis-Bacon requirements are triggered, the labor standards are applicable to the construction of the entire project – including the portions of the project other than the assisted units.
- Davis-Bacon requirements are applicable to *contracts for construction* covering **12 or more HOME-assisted units**. Davis-Bacon does not follow “construction work” or “projects”. This factor has implications in two ways:
 1. A HOME project with 12 or more assisted units that is constructed under multiple contracts each containing less than 12 HOME units is not covered. (*Note: HOME regulations prohibit breaking a single project into multiple contracts for the purpose of avoiding Davis-Bacon.*)

2. If multiple HOME projects each containing less than 12 assisted units are grouped into a contract(s) for construction that covers a total of 12 or more assisted units, the contract is covered.
- HOME provides for a sweat equity program (see *NAHA Sec. 255*) which permits members of an eligible family to provide labor in exchange for acquisition of property for homeownership or to provide labor in lieu of, or as a supplement to, rent payments. Such sweat equity participants are exempt from Davis-Bacon prevailing wage requirements.
 - *Notice CPD 94-01* (January 4, 1994) defines group homes and SROs for HOME assistance purposes. A **group home** is usually a large single family residence consisting of common space such as kitchens, dining areas, living rooms and bathrooms, along with separate private or semi-private space (i.e., bedroom) for each occupant. An **SRO** consists of single room dwelling units that are the primary residences of its occupants, and may have shared common dining, sanitary and/or recreation facilities. Depending upon certain parameters established by the program office (See *Notice CPD 94-01*), PJs may choose to consider group homes as a single unit for HOME assistance purposes or may classify them as single room occupancy units. In the latter case, if the number of HOME-assisted SRO dwelling units covered by a contract for construction equals 12 or more, Davis-Bacon labor standards are applicable.

C. Risk Share (HUD Insured)

The Risk Share Program is implemented through the Authority and HUD under Section 542(C) of the Housing and Community Development Act of 1992.

- All laborers and mechanics employed by contractors or subcontractors on a Risk-Sharing project shall be paid not less than the wages prevailing in the locality in which the work is performed for the corresponding classes of laborers and mechanics employed in construction of similar character, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended, where the project meets all the following conditions:
 1. The project involves new construction or substantial rehabilitation;
 2. Advances are insured; and
 3. The project will contain **12 or more dwelling units**
- Projects that do not meet these conditions must also comply with Davis-Bacon Act if it is required as a condition of other Federal assistance.

D. Program Exceptions:

In addition to the exceptions, Davis-Bacon Act wage requirements shall not apply to any individual that:

- Performs services for which the individual volunteered
- Does not receive compensation for such services
- Is paid expenses, reasonable benefits, or a nominal fee for such services
- Is not otherwise employed at any time in the construction work.

V. Forms: The below documents can be found at the links provided below or attached:

WH 347 Payroll and Certification – to be completed weekly and submitted to the Authority. The [WH 347.pdf](#) form along with the [WH-347 Instructions](#) are also available at the Department of Labor website.

HUD 4010 - to be inserted and made part of the contract between the owner and general contractor, and contracts between the general contractor and each subcontractor. Also available at [HUD 4010](#).

Labor Relations Agreement (LRA) – this fillable form is to be completed by General Contractor and every subcontractor and lower tier subcontractor. The form will be pre-populated with project specific information and provided to the General Contractor.

Sub & General Contractor's Certification – this fillable form is a part of the above LRA and completed by the General Contractor, every subcontractor and lower tier subcontractor.

VI. Reference Websites:

<https://www.dol.gov/whd/govcontracts/dbra.htm>
<https://www.dol.gov/whd/recovery/pwrb/toc.htm>
<https://www.dol.gov/whd/regs/statutes/copeland.htm>
<https://www.hudexchange.info/resource/2810/davis-bacon-and-home-training-manual/>
<https://www.hudexchange.info/resource/2541/making-davis-bacon-work-contractors-guide-prevailing-wage-requirements/>
<https://www.dol.gov/whd/flsa/>
<https://www.dol.gov/whd/programs/dbra/forms.htm>

VII. Glossary

GC	General Contractor
The Authority	Illinois Housing Development Authority / IHDA
DBRA	Davis Bacon Related Acts
USDOL	U.S. Department of Labor
HUD	U.S. Housing and Urban Development Contract
CWHSSA	Work Hours and Safety Standards Act Fair
FLSA	Labor Standards Act
WDOL	Wage Determination OnLine
HOME	HOME Investment Partnerships Program

Applicability

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) Minimum Wages. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section I(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5.5(a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(b) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB control number 1215-0140.)

(c) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

(d) The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part

of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

2. Withholding. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, HUD or its designee may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased. HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. The Comptroller General shall make such disbursements in the case of direct Davis-Bacon Act contracts.

3. (i) Payrolls and basic records. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section 1(b)(2)(B) of the Davis-bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5 (a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in Section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been

communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (Approved by the Office of Management and Budget under OMB Control Numbers 1215-0140 and 1215-0017.)

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i) except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this subparagraph for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to HUD or its designee. (Approved by the Office of Management and Budget under OMB Control Number 1215-0149.)

(b) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under 29 CFR 5.5 (a)(3)(ii), the appropriate information is being maintained under 29 CFR 5.5(a)(3)(i), and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR Part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(c) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by subparagraph A.3.(ii)(b).

(d) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under subparagraph A.3.(i) available for inspection, copying, or transcription by authorized representatives of HUD or its designee or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, HUD or its designee may, after written notice to the contractor, sponsor, applicant or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and Trainees.

(i) **Apprentices.** Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who

is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) **Trainees.** Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by

the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 3 which are incorporated by reference in this contract

6. Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs 1 through 11 in this paragraph A and such other clauses as HUD or its designee may by appropriate instructions require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.

7. Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U.S. Department of Labor, or the employees or their representatives.

10. (i) Certification of Eligibility. By entering into this contract the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be

awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001. Additionally, U.S. Criminal Code, Section 1 01 0, Title 18, U.S.C., "Federal Housing Administration transactions", provides in part: "Whoever, for the purpose of . . . influencing in any way the action of such Administration..... makes, utters or publishes any statement knowing the same to be false..... shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

11. Complaints, Proceedings, or Testimony by Employees. No laborer or mechanic to whom the wage, salary, or other labor standards provisions of this Contract are applicable shall be discharged or in any other manner discriminated against by the Contractor or any subcontractor because such employee has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify in any proceeding under or relating to the labor standards applicable under this Contract to his employer.

B. Contract Work Hours and Safety Standards Act. The provisions of this paragraph B are applicable where the amount of the prime contract exceeds \$100,000. As used in this paragraph, the terms "laborers" and "mechanics" include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which the individual is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in subparagraph (1) of this paragraph, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (1) of this paragraph, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in subparagraph (1) of this paragraph.

(3) Withholding for unpaid wages and liquidated damages. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contract, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act which is held by the same prime contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2) of this paragraph.

(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraph (1) through (4) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs (1) through (4) of this paragraph.

C. Health and Safety. The provisions of this paragraph C are applicable where the amount of the prime contract exceeds \$100,000.

(1) No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.

(2) The Contractor shall comply with all regulations issued by the Secretary of Labor pursuant to Title 29 Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91-54, 83 Stat 96). 40 USC 3701 et seq.

(3) The contractor shall include the provisions of this paragraph in every subcontract so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.



LABOR RELATIONS AGREEMENT and CONTRACTOR CERTIFICATION

Illinois Housing Development Authority

Project Name: _____ IHDA Project No: _____

Project Address: _____

City: _____ County: _____ State: _____

Project General Contractor: _____

[Sub]Contractor Name: _____

Address: _____

Phone: _____ FEIN: _____

Email: _____

Payroll Authorization Statement - The following persons are authorized to complete and sign all payroll forms and records for the above project.

Name: _____ Title: _____

Name: _____ Title: _____

1) Receipt of Documents - General contractor and/or subcontractor acknowledges receipt of the IHDA Davis Bacon Compliance Guide and applicable Wage Determination Decision (wage rates) for the above project.

2) I hereby certify I have received, read and understood the terms outlined in the **HUD 4010** form provided to me by the General Contractor/ Contractor/ SubContractor **YES NO**

3) I hereby certify to pay wages for this project according to the following wage determination:

Wage Determination Number: _____

Date: _____

Fringe Benefit Rate Statement - The following is the list of basic hourly rates and fringe benefit rates paid to employees, by trade to a bona fide fringe benefit fund, plan or program: (i.e., welfare fund, pension fund, apprentice training, etc.)

Trade designations below are selected from the applicable Davis Bacon Wage Decision of the Contract.

Trade: _____ As needed, Group/ Axes _____ Trade: _____ As needed, Group/ Axes _____

Contractor Hourly Rate: _____ Fringe Benefit Total: _____ Contractor Hourly Rate: _____ Fringe Benefit Total: _____

Total: _____

Total: _____

Wage Decision Rate: _____ and Fringe Benefit: _____ Wage Decision Rate: _____ and Fringe Benefit: _____

(Office Use: MHR): Total: _____ (Office Use: MHR): Total: _____

Trade: _____ As needed, Group/ Axes _____ Trade: _____ As needed, Group/ Axes _____

Contractor Hourly Rate: _____ Fringe Benefit Total: _____ Contractor Hourly Rate: _____ Fringe Benefit Total: _____

Total: _____

Total: _____

Wage Decision Rate: _____ and Fringe Benefit: _____ Wage Decision Rate: _____ and Fringe Benefit: _____

(Office Use: MHR): Total: _____ (Office Use: MHR): Total: _____

Trade: _____ As needed, Group/ Axes _____ Trade: _____ As needed, Group/ Axes _____

Contractor Hourly Rate: _____ Fringe Benefit Total: _____ Contractor Hourly Rate: _____ Fringe Benefit Total: _____

Total: _____

Total: _____

Wage Decision Rate: _____ and Fringe Benefit: _____ Wage Decision Rate: _____ and Fringe Benefit: _____

(Office Use: MHR): Total: _____ (Office Use: MHR): Total: _____

Lower Tier Contractor:

Provide the name(s) and type(s) of work for any lower tier contractor providing labor. (if none, state NONE)

The undersigned, having executed a contract with the following subcontractors;

1. _____, to perform/ provide _____
2. _____, to perform/ provide _____
3. _____, to perform/ provide _____
4. _____, to perform/ provide _____

on the construction of the above identified project and acknowledge that:

- a. The Labor Standards Provisions are included in their contract/ agreement:
- b. Correction of any infraction of the aforesaid conditions including infractions by any of the subcontractors and any lower tier subcontractor is the contractors responsibility.

The contractor certifies that:

- a. Neither the contractor nor any firm, corporation, partnership, or associate in which he or she has a substantial interest is designated as an ineligible contractor by the Comptroller General of the United States pursuant to Section 5.6(b) of the Regulations of the Secretary of Labor, Part 5 (29 CFR. Part 5) or pursuant to Section 3 (a) of the Davis-Bacon Act. As amended (10 U.S.C. 276a-2(a)).
- b. No part of the aforementioned contract has been or will be subcontracted to any subcontractor or any firm, corporation, partnership, or association in which such subcontractor has a substantial interest is designated as an ineligible contractor pursuant to the aforesaid regulatory or statutory provisions.

The contractor(s) agrees to obtain and forward to the aforementioned recipient within 10 days after the execution of any lower subcontract, a Subcontractor's Certification Concerning Labor Standards and Prevailing Wage Requirements executed by the lower tier subcontractor.

Construction is scheduled to begin on: _____

The subcontractor certifies that:

- a. The legal name and the business address of the undersigned is:

- b. The undersigned is a: Single Proprietorship Partnership
Corporation organized in the State of _____
Other (describe): _____

- c. The name, title, and address of the owner(s), partners, or officers are:

Name	Title	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

d. The name and address of all other persons, both natural and corporate having a substantial interest in the undersigned and the nature of the interest **(if none, state NONE)**:

Name

Title

Address

e. The names, addresses and trade classification of all other building construction contractors in which the undersigned has a substantial interest are **(if none, state NONE)**:

Name

Title

Address

WARNING

U.S. Criminal Code Section 1010, Title 18.U.S.C. provides in part, Whoever makes passes, utters, or publishes any statement knowing the same to be false shall be fined not more than \$5,000 or imprisoned not more than two years, or both.

The undersigned certifies that he/she is an owner/officer of the general contractor and/or subcontractor and further certifies compliance with all Federal, State, and Local EEO requirements.

Name: _____ Title: _____

Date: _____ Signature: _____

PAYROLL NO.

FOR WEEK ENDING

PROJECT AND LOCATION

PROJECT OR CONTRACT NO.
IHDA #

(1)	(2)	(3)	OT OR ST	(4) DAY AND DATE	(5)	(6)	(7)	(8) DEDUCTIONS						(9)							
NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	NO. OF WITHHOLDING EXEMPTIONS	WORK CLASSIFICATION									TOTAL HOURS	RATE OF PAY	GROSS AMOUNT EARNED	FICA	WITH- HOLDING TAX			OTHER	TOTAL DEDUCTIONS	NET WAGES PAID FOR WEEK	
				HOURS WORKED EACH DAY																	
			O																		
			S																		
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While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

(over)

Date _____

I, _____
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by _____ on the _____
(Contractor or Subcontractor)
_____ ; that during the payroll period commencing on the _____
(Building or Work)
_____ day of _____, _____, and ending the _____ day of _____, _____,
all persons employed on said project have been paid the full weekly wages earned, that no rebates have
been or will be made either directly or indirectly to or on behalf of said
_____ from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly
from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part
3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948,
63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are
correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the
applicable wage rates contained in any wage determination incorporated into the contract; that the classifications
set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship
program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and
Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered
with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:
(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

- in addition to the basic hourly wage rates paid to each laborer or mechanic listed in
the above referenced payroll, payments of fringe benefits as listed in the contract
have been or will be made to appropriate programs for the benefit of such employees,
except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

- Each laborer or mechanic listed in the above referenced payroll has been paid,
as indicated on the payroll, an amount not less than the sum of the applicable
basic hourly wage rate plus the amount of the required fringe benefits as listed
in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS:

NAME AND TITLE	SIGNATURE

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR
SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE
31 OF THE UNITED STATES CODE.

How to Correctly Fill Out a WH-347 Payroll Form

The completion of the WH-347 Payroll Form is optional; contractors may utilize their own payroll system as long as it conforms to the WH-347 Payroll Form and contains all the necessary information. If you utilize WH-347 Payroll Form as a pdf, saving it electronically aids in making any needed corrections.

Check one of the boxes and list name of contractor or subcontractor

The last day of the payroll period.

Fill out completely with contractor or subcontractor address

U.S. Department of Labor
Employment Standards Administration
Wage and Hour Division

PAYROLL
(For Contractor's Optional Use; See Instructions at www.dol.gov/esa/whd/forms/wh347instr.htm)
Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

NAME OF CONTRACTOR ☐ OR SUBCONTRACTOR ☐
Sample Construction Company

ADDRESS 385 West Drive, Madison WI 53703

OMB No.: 1215-0149
Expires: 12/31/2011

PAYROLL NO. 8

FOR WEEK ENDING 04/24/2010

PROJECT AND LOCATION Robin Street Apartments, Delafield WI 53018

PROJECT OR CONTRACT NO. 3000

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF HOURS EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
			Sun	Mon	Tue	Wed	Thurs	Frid	Sat				FICA	WITH- HOLDING TAX	State with- holding tax	Medicare	OTHER		TOTAL DEDUCTIONS
Alex Driver - #####	2	Power Equipment Bull Dozer Group	18	19	20	21	22	23	24	2.00	\$62.83	\$1,422.84	\$161.00	\$185.15	\$156.97	\$50.31	\$85.00	\$638.43	\$1,374.03
										27.50	\$1132.1585	\$2,012.46							

Payrolls must be numbered sequentially and should be based on the weeks worked under a contract.
Type the word "Final" when the last payroll is submitted for the project.

Indicate the days and dates of the pay period.
(should match week ending directly above)

The name and location of project.

The prime contractor should include IHDA project number

List each worker's name.

Only laborers and mechanics performing construction work under the contract should be listed.

Please note: Business Owners need only include their name, work classification including "owner" and the daily total hours worked.

Specify the job classification located in the contract wage decision and/or the corresponding job title.

List hourly wage rate and fringes paid in cash (not those paid to plans)

Specify the net amount paid to the employee for the pay

(For Contractor's Optional Use; See instructions at www.dol.gov/esa/whd/forms/wh347instr.htm)

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.



NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER		NO. OF EMPLOYERS	WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) TOTAL DEDUCTIONS	NET WAGES PAID FOR WEEK
				Sun	Mon	Tue	Wed	Thur	Fri	Sat				FICA	WITHHOLDING TAX	UNEMPLOYMENT INSURANCE	STATE DISABILITY INSURANCE	OTHER		
Alex Driver - #####		2	Power Equipment Operator - Bull Dozer Group 2	0						2.00	\$62.83	\$1,422.84	\$161.00					\$538.43	\$1,374.03	
Jason Worker - #####		2	General Laborer	0						4.00	\$19.20	\$76.80	\$136.06					\$457.71	\$1,233.07	
Shawn Worker - #####		3	Carpenter	0						1.50	\$60.19	\$90.28	\$121.40	\$54.77	\$128.35	\$47.19		\$401.71	\$1,406.18	
			Apprentice Carpenter 1st 6 mo. at 40%	0							\$32.72	\$1,064.72	\$85.18	\$105.41	\$90.50	\$26.62		\$307.71	\$757.01	
			Plumber	0							\$67.88	\$1,004.80								
Roy Wrench - #####		5	Steamfitter	0						20.00	\$69.13	\$1,382.60	\$163.46	\$147.11	\$118.51	\$51.08		\$480.16	\$1,563.04	
Bart Turner - #####		1	Power Equipment Operator - Rotary Drill Group 4	0						24.00	\$60.80	\$1,459.20	\$153.45	\$142.48	\$122.33	\$35.98		\$453.24	\$1,023.27	

Specify the total overtime and straight time hours worked on the project.

Must accurately reflect overtime and straight time hours worked under the contract.

Specify the gross earnings for the hours worked under the contract.

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Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing this collection of information. If you have comments on this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden, write to Washington Headquarters Service, Paperwork Project, (0344-0188), Washington, DC 20503.

If part of a worker's weekly wage was earned on projects other than the project described on this payroll, enter the gross amount earned on this contract in the top half of column 7. Enter the gross amount earned during the week for all projects in the bottom half.

Alex Driver worked 29.5 hours on this contract and 12.5 hours on another contract.
The gross wages earned on this project, \$1,422.84, is entered in the top half of column 7.
The gross wages earned on all projects, \$2,012.46, is entered in the

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE										TOTAL HOURS	RATE OF PAY	GROSS AMOUNT EARNED	DEDUCTIONS					TOTAL DEDUCTIONS	(9) NET WAGES PAID FOR WEEK
			OT OR ST	Sun	Mon	Tue	Wed	Thur	Fri	Sat	FICA	WITH- HOLDING TAX				State with- holding tax	Medicare	OTHER				
				18	19	20	21	22	23	24												
Alex Driver - #####	2	Power Equipment Bull Dozer Group 2	O							2.00		2.00	\$62.83	\$1,422.84	\$61.00	\$185.15	\$156.97	\$50.31	\$85.00	\$638.43	\$1,374.03	
			S			8.00	8.00	5.50		6.00		27.50	\$81.32	\$2,012.46								
Jason Worker - #####	2	General Laborer	O								4.00	4.00	\$49.70	\$1,700.78	\$35.06	\$156.47	\$132.66	\$42.52		\$467.71	\$1,233.07	
			S		8.00	8.00	8.00	8.00	8.00			40.00	\$23.19	\$1,700.78								
Sharon Wood- #####	3	Carpenter	O							1.50		1.50	\$60.19	\$1,887.49	\$151.00	\$154.77	\$128.35	\$47.19		\$481.31	\$1,406.18	
			S		8.00	8.00	8.00	8.00	8.00			40.00	\$30.52	\$1,887.49								
Reggie Tree - #####	1	Apprentice Carpenter 1st 6 mo. at 40%	O										\$32.72	\$1,064.72	\$85.18	\$105.41	\$90.50	\$26.62		\$307.71	\$757.01	
			S		8.00	8.00	8.00	8.00	8.00			40.00	\$12.21	\$1,064.72								
Roy Wrench - #####	5	Plumber	O										\$67.88	\$1,004.80								
			S		8.00				4.00	8.00		20.00	\$35.28	\$1,004.80								
Roy Wrench - #####	5	Steamfitter	O										\$69.13	\$1,038.40	\$163.46	\$147.11	\$118.51	\$51.08		\$480.16	\$1,563.04	
			S		8.00	8.00		4.00				20.00	\$34.41	\$2,043.20								
Bart Turner - #####	1	Power Equipment Rotary Drill Group 4	O										\$60.80	\$719.28	\$115.44	\$142.48	\$122.33	\$35.98		\$415.53	\$1,023.27	
			S		8.00	8.00				8.00		24.00	\$29.97	\$1,439.20								
			O																			
			S																			

If an employee performs multiple work

If an employee performs multiple work classifications under the contract, use two or more lines to distinguish the different job classifications, hours worked, and hourly wage earned for each.

Combine the two classifications when recording the gross amount earned for this pay period, deductions, and net wages.

A registered apprentice performing work under a contract must be reported. The payroll must include the current pay scale & provide a copy of the apprenticeship agreement.

PAYROLL
Optional Use; See Instructions at www.dol.gov/esa/whd/forms/wh347
Required to respond to the collection of information unless it displays a currently valid OMB control number.

Provide explanation of "other" deductions on signatory page.



Division 5-0149
Expires 2/31/2011

ADDRESS 385 West Drive, Madison WI 53703

PROJECT AND LOCATION
Robin Street Apartments, Delafield WI 53018

PROJECT OR CONTRACT NO.
3000

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	D. OR ST.	(4) DAY AND DATE							(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
				Sun	Mon	Tue	Wed	Thur	Frid	Sat				FICA	WITH- HOLDING TAX	State with- holding tax	Medicare	OTHER		TOTAL DEDUCTIONS
				18	19	20	21	22	23	24										
				HOURS WORKED EACH DAY																
Alex Driver - #####	2	Power Equipment Bull Dozer Group 2	O						2.00	2.00	\$62.83	\$1,422.84	\$161.00	\$185.15	\$156.97	\$50.31	\$85.00	\$638.43	\$1,374.03	
			S			8.00	8.00	5.00	6.00	27.50	\$31.32 1585	\$2,012.46								
Jason Worker - #####	2	General Laborer	O							4.00	\$49.20	\$1,700.78	\$136.06	\$156.47	\$132.66	\$42.52		\$467.71	\$1,233.07	
			S		8.00	8.00	8.00	8.00	8.00	40.00	\$31.19 1441	\$1,700.78								
Sharon Wood- #####	3	Carpenter	O						1.50	1.50	\$60.19	\$1,887.49	\$151.00	\$154.77	\$128.35	\$47.19		\$481.31	\$1,406.18	
			S		8.00	8.00	8.00	8.00	8.00	40.00	\$30.52 1441	\$1,887.49								
Reggie Tree - #####	1	Apprentice Carpenter 1st 6 mo. at 40%	O								\$32.72	\$1,064.72	\$85.18	\$105.41	\$90.50	\$26.62		\$307.71	\$757.01	
			S		8.00	8.00	8.00	8.00	8.00	40.00	\$12.21 1441	\$1,064.72								
Roy Wrench - #####	5	Plumber	O								\$67.88	\$1,004.80								
			S		8.00			4.00	8.00	20.00	\$35.28 1496									
Roy Wrench - #####	5	Steamfitter	O								\$69.13	\$1,038.40	\$163.46	\$147.11	\$118.51	\$51.08		\$480.16	\$1,563.04	
			S			8.00	8.00	4.00		20.00	\$34.41 1751	\$2,043.20								
Bart Turner - #####	1	Power Equipment Rotary Drill Group 4	O								\$60.80	\$719.28	\$115.14	\$142.48	\$122.33	\$35.98		\$415.93	\$1,023.27	
			S		8.00	8.00			8.00	24.00	\$29.97	\$1,439.20								
Fringe benefits are not paid as cash to																				

Fringe benefits are not paid as cash to Bart Turner: explanation is included under "(c) exceptions" on signatory page.

While completion of Form WH-347 is required for all federal contractors, subcontractors, and other persons or entities who are required to furnish weekly a statement with respect to the wages paid each employee during the preceding week, U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(ii) require that the contractor, subcontractor, or other person or entity also provide a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid at least the minimum wage and overtime pay.

For federal contractors or subcontractors, the contractor, subcontractor, or other person or entity also must provide a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid at least the minimum wage and overtime pay. The contractor, subcontractor, or other person or entity also must provide a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid at least the minimum wage and overtime pay.

Statement of Compliance

We estimate that it will take approximately _____ hours, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information, if you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

(over)

Date 04/28/2010

I, Tiffany Payer Payroll Supervisor
(Name of Signatory Party) (Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

Sample Construction Company on the
(Contractor or Subcontractor)
Robin Street Apartments, Delafield WI; that during the payroll period commencing on the
(Building or Work)
18 day of 4, 2010, and ending the 24 day of 4, 2010,

all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of said

Sample Construction Company from the full
(Contractor or Subcontractor)

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 C.F.R. Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967; 76 Stat. 357; 40 U.S.C. § 3145), and described below:

Alex Driver - ##### - other deductions - \$85 for child support

Explanation of "other"

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

- ☐ - in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

- ☒ - Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION
Power Equipment Rotary Drill Group 4	paid directly to plan: health & dental at \$12.50 per hour and Pension at \$6.25 per hour

Explanation of exception to fringe benefits

REMARKS:

NAME AND TITLE

Robert Sample, Owner

SIGNATURE

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.