

SUMMARY: DAVIS-BACON & RELATED ACTS

DAVIS-BACON ACT

All laborers and mechanics employed by contractors or subcontractors on the project shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the U.S. Secretary of Labor, regardless of contractual relationship. Wages must be paid weekly.

CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

The wages for every mechanic and laborer employed on the job shall be computed on the basis of a standard work week of forty hours. Employees shall be compensated at a rate of not less than one and one half times the basic hourly rate of pay for all hours worked in excess of forty hours in the work week (base rate x 1.5 + fringe benefits = overtime rate).

No person employed on the jobsite shall be required to work in surroundings or any other working conditions which are unsanitary, hazardous or dangerous to the health and safety of an employee as determined by the Construction Safety and Health standards promulgated by the Secretary of the United State Department of Labor.

Liquidated damages for failure to pay overtime shall be computed at the rate of \$10 for each calendar day for each employee who was required or permitted to work in excess of the standard work week of forty hours without payment of the overtime wages.

COPELAND ACT (ANTI-KICKBACK LAW)

Whoever by force, intimidation, or threat of procuring dismissal from employment or by any other manner whatsoever, induces any person employed in the construction, prosecution, completion or repair of any public building, public work or building or work financed in whole or in part by loans or grants from the United States, to give up any part of the compensation to which he is entitled under his contract or employment, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

APPRENTICES

Department of Labor recognizes only apprentices registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Manpower Administration, Bureau of Apprenticeship and Training. In Idaho and Alaska, the U.S. D.O.L. does not recognize a State Apprenticeship Agency. The Washington State Apprenticeship Council and Oregon Bureau of Apprenticeship and Training are approved. The Department of Labor does not recognize a "helper" classification, unless it is on the wage determination, nor do they exempt from Davis-Bacon journeyman rates, apprentices reported in excess of a program journeyman/apprentice ratio.

