



WAGES

Hourly rate and fringe benefit allowances for every job classification are set by law, on many Federal and State Construction Projects. A list of wage and benefit rates is required to be posted on the job site. Both workers and employers should keep copies of all payroll records and check stubs. Workers should keep a log book or journal of the hours worked on each prevailing wage project.

JOB CLASSIFICATION

The kind of work performed and the tools workers use determine the job classification and the wage rate. FOR EXAMPLE: when making electrical connections, a worker should be classified as an electrician, not a laborer.

APPRENTICESHIP

Employees must be formally registered with the Bureau of Apprenticeship and Training (BAT), under the U.S. Department of Labor as apprentices and actively attending or having completed classroom training (or related instruction). Failure to meet this requirement will subject employers to paying their workers 100 percent of the Journeyperson rate for the classification of work actually performed, regardless of the worker’s experience level.

BENEFITS

The law requires employers to provide workers with a benefit package, or offer an additional hourly rate in their weekly paycheck. An employer may choose to offer benefits such as medical or retirement plans. If the plan provided does not cost an employer the full amount for which the worker is entitled, then the worker must receive the difference in their paycheck. Workers are entitled by law to know the names of the companies carrying their benefit plans and the cost of them.

COMMON VIOLATIONS OF THE LAW FOR STATE PREVAILING WAGE PROJECTS (Public Act 166) FEDERAL DAVIS-BACON PREVAILING WAGE PROJECTS.

1. The prevailing wage schedule is not posted on the project site where it can be examined by employees.
2. Workers are not being paid properly for the type of work they are performing.
3. Workers are not being paid the higher rate for all the time for which they work under a higher classification.
4. Workers are not being paid for all time spent on the job.
5. Workers are being paid as “Independent Contractors”, when they are by definition employees.
6. Employees are working more than one jobsite for the contractor, and not being paid the prevailing rate for all hours spent on the Federal or State Construction Project.
7. In addition to time-and-one-half for overtime, workers should receive fringe benefit compensation for each hour of overtime worked.
8. Workers are entitled to either receive benefits, or cash equivalent in addition to wages on Federal and State Construction Projects.
9. Workers are being forced to “kickback” a portion of their wages to their employer.

Can we help with a problem? If you have questions on the above provisions, you can either call us at the Michigan Fair Contracting Center, or send the attached card. Your inquiries will be treated with confidentiality.

**Telephone: 734-462-2330
Fax: 734-462-2318
Toll Free Telephone: 877-611-6322**

We will advise workers on how to recover back pay and contractors on how to avoid violations. This service is provided to you at no cost.

(Detach and Mail)

Can The Michigan Fair Contracting Center help you?

Nature of problem:

- 1. Prevailing wage schedule not posted
- 2. Question if proper rate being paid
- 3. Not being paid for all time in higher classification
- 4. Not being paid for all time worked
- 5. Improperly classified as independent contractor
- 6. Improper pay division between worksites
- 7. Improper overtime pay for fringes
- 8. Benefits question
- 9. Employer Kickbacks
- 10. Other

Name and Location of Project: _____

Name of General Contractor: _____

Employer: _____

Date Employed: _____

THIS INFORMATION WILL BE TREATED WITH FULL CONFIDENTIALITY.

Name: _____

Address: _____

Phone: _____

- I would like to be contacted by:
 - phone _____
 - mail _____