**Metropolitan Water District**

**LABOR COMPLIANCE CHECKLIST**

California Code of Regulations Title 8, Section 16421

***MUST BE FILLED OUT BY ALL CONTRACTORS OF ALL TIERS***

The federal and state labor law requirements applicable to the contract are composed of but not limited to the following items:

**Payment of Prevailing Wages:**

The contractor to whom the contract is awarded, and its subcontractors hired for the public works project are required to pay not less than the specified general prevailing wage rates to all workers employed in the execution of the contract. (Labor Code Section 177 et seq.)

The contractor is responsible for ascertaining and complying will all current general prevailing wage rates for crafts and any rate changes that occur during the life of the contract. Information on all prevailing wage rates are to be posted at the jobsite for all workers to view. Current wage rate information can be found at the DLSR website.

**Apprentices:**

It is the duty of the contractor and subcontractors to employ registered apprentices on the public works project and to comply with all aspects of Labor Code Section 1777.5, relating to Apprentice on Public Works. (1) Notify approved apprenticeship programs of contract award; (2) employ apprentices; (3) pay training fund contributions.

**Penalties:**

There are penalties required for contractor/subcontractor’s failure to pay prevailing wages and for failure to employ apprentices, including forfeitures and debarment under Labor Code Sections 1775; 1776; 1777.1; 1777.7 and 1813.

**Certified Payroll Reports:**

Under Labor Code Section 1776, contractors and subcontractors are required to keep accurate payroll records showing the name, address, social security number and work classification of each employee and owner performing work; also, the straight time and overtime hours worked each day for each week, the fringe benefits, and, the actual per diem wage paid to each owner, journey person, apprentice worker or other employee hired in connection with the public works project.

The certified payroll records shall contain the same data fields listed on the Public Works Payroll Reporting Form (A-1-131) and contain or is accompanied by a declaration made under penalty of perjury. (California Code of Regulations, Section 16401).

Prime Contractors are responsible for submittal of their payrolls and those of their respective subcontractors as one package. Any payroll not submitted in the proper form will be rejected. In the event that there has been no work performed during a given week, the Certified Payroll Report shall be annotated: "No work" for that week or a Non-Performance Statement must be submitted.

Contractors are required to submit Certified Payroll Reports to the Department of Industrial Relations via its online eCPR system. Additionally, in accordance with California Labor Code Section 1776(b)(2), a copy of the contractor’s CPRs shall be furnished upon request to a representative of the body awarding the contract and the DLSE, DIR. Under Labor Code Section 1776(g) there are penalties required for contractor’s/subcontractor's failure to maintain and submit copies of certified payroll records on request.

**Nondiscrimination in Employment:**

There exist prohibitions against employment discrimination under Labor Code Sections 1735 and 1777.6, the Government Code, the Public Contracts Code, and Title VII of the Civil Rights Act of 1964.

**Kickbacks Prohibited:**

Contractors and subcontractors are prohibited from recapturing wages illegally by accepting or extracting “kickbacks” from employee wages under Labor Code Section 1778.

**Acceptance of Fees Prohibited:**

There exists a prohibition against contractor/subcontractor acceptance of fees for registering any person for public work under Labor Code Section 1779; or for filing work orders on public works contracts pursuant to Labor Code Section 1780.

**Listing of Subcontractors:**

All prime contractors are required to list properly all subcontractors, of all tiers, hired to perform work on the public works projects covering more than one-half of one percent, pursuant to Government Code Section 4104.

**Proper Licensing:**

Contractors are required to be licensed properly and to require that all its subcontractors be properly licensed. Penalties are required for employing workers while unlicensed under Labor Code Section 1021 and under the California Contractor License Law found at Business and Professions Code Section 7000 et seq.

**Unfair Competition Prohibited:**

Contractors and subcontractors are prohibited from engaging in unfair competition as specified under Business and Professions Code Sections 17200 to 17208.

**Workers Compensation Insurance:**

Labor Code Section 1861 requires that contractors and subcontractors be properly insured for Workers Compensation.

**OSHA:**

Contractors and subcontracts are required to abide by the Occupational, Safety and Health laws and regulations that apply to the particular construction project.

**Proof of Eligibility/Citizenship:**

The federal prohibition against hiring undocumented workers and the requirement to secure proof of eligibility/citizenship from all workers, is required.

**Itemized Wage Statement:**

Labor Code Section 226 requires that employees be provided with itemized wage statements

**Contractor Registration:**

As of April 1, 2015, Labor Code Section 1725.5 requires that all contractors and subcontractors performing work on a public works project must be registered with the State of California, Department of Industrial Relations. Registration occurs annually.

**CERTIFICATION:**

I acknowledge that I have been informed and am aware of the foregoing requirements and that I am authorized to make this certification.

|  |  |
| --- | --- |
| Name: |  |
| Title: |  |
| Email: |  |
| Phone: |  |
| Company Name: |  |
| Signature: |  |