

IBA Home Energy Conservation Program Prevailing Wage Policy & Procedures – Revised 7/22/2010 (*Revisions identified in red*)

- 1) Comply with all requirements identified in the Davis-Bacon Act (29 CFR 5.5(a)). More information is available at www.dol.gov
- 2) Display “Employee Rights Under the Davis-Bacon Act” poster as required by the Department of Labor. Available for free downloading and printing on: <http://www.dol.gov/esa/whd/regs/compliance/posters/davis.htm>
- 3) Display the U.S. Department of Labor Prevailing Wage Rate Determinations (Decision date 8/31/2009, expiration date 3/3/2010). See pages 2-3.
- 4) Pay laborers and mechanics weekly at not less than the U.S. Department of Labor Prevailing Wage Rate Determinations (Decision date 8/31/2009, expiration date 3/3/2010). See pages 2-3.
- 5) Submit Form 1413
 - Print out IBA HEC Form 1413
 - Complete the following boxes:
 2. Date Subcontract awarded -- Use the date that your contractor contract was signed by your company representative.
 5. Subcontractor – Fill in name, street address, city, state, zip code
 - 15a. Name of person signing – Fill in.
 - 15b. Title of person signing – Fill in.
 16. By – Sign.
 17. Date Signed – Fill in Date.
 - Submit completed form via FAX (317-917-0335) or e-mail to Alyssa@BuildIndiana.org
- 6) Submit certified payroll information as required on form WH-347. Completed forms with original signature must be mailed weekly to IBA, 101 W. Ohio Street, Suite 1111, Indianapolis, IN 46204.
 - a. Form WH-347 – <http://www.dol.gov/esa/whd/forms/wh347.pdf>
 - b. Instructions for Completing Payroll Form, WH-347 - <http://www.dol.gov/whd/forms/wh347instr.htm>

This payroll provides for the contractor to show on the face of the payroll all monies to each worker, whether as basic rates or as cash in lieu of fringe benefits, and provides for the contractor's representation in the statement of compliance on the payroll (as shown on page 2) that he/she is paying for fringe benefits required by the contract and not paid as cash in lieu of fringe benefits. Detailed instructions concerning the preparation of the payroll follow:

Contractor or Subcontractor: Fill in your firm's name and check appropriate box.

Address: Fill in your firm's address.

Payroll No.: Beginning with the number "1", list the payroll number for the submission.

For Week Ending: List the workweek ending date.

Project and Location: Client address and Client ID number. If there are more clients than are able to fit in the box, attach an additional sheet with all clients' information and identify "see attached" under the project and location.

Project or Contract No.: ARRA-HEC 009-014 (IBA)

Column 1 - Name and Individual Identifying Number of Worker: Enter each worker's full name and an individual identifying number (e.g., last four digits of worker's social security number) on each weekly payroll submitted.

Column 2 - No. of Withholding Exemptions: This column is merely inserted for the employer's convenience and is not a requirement of Regulations, Part 3 and 5.

Column 3 - Work Classifications: List classification descriptive of work actually performed by each laborer or mechanic as WX WORKER, HVAC, or OWNER. An individual may be shown as having worked in more than one classification provided an accurate breakdown of hours worked in each classification is maintained and shown on the submitted payroll by use of separate entries.

Column 4 - Hours worked: List the day and date and straight time and overtime hours worked in the applicable boxes. On all contracts subject to the Contract Work Hours Standard Act, enter hours worked in excess of 40 hours a week as "overtime".

Column 5 - Total: Total hours work.

Column 6 - Rate of Pay (Including Fringe Benefits): In the "straight time" box for each worker, list the actual hourly rate paid for straight time worked, plus cash paid in lieu of fringe benefits paid. When recording the straight time hourly rate, any cash paid in lieu of fringe benefits may be shown separately from the basic rate. For example, "\$12.25/.40" would reflect a \$12.25 base hourly rate plus \$0.40 for fringe benefits. This is of assistance in correctly computing overtime. See "Fringe Benefits" below. When overtime is worked, show the overtime hourly rate paid plus any cash in lieu of fringe benefits paid in the "overtime" box for each worker; otherwise, you may skip this box. See "Fringe Benefits" below. Payment of not less than time and one-half the basic or regular rate paid is required for overtime under the Contract Work Hours Standard Act of 1962 if the prime contract exceeds \$100,000. In addition to paying no less than the predetermined rate for the classification which an individual works, the contractor must pay amounts predetermined as fringe benefits in the wage decision made part of the contract to approved fringe benefit plans, funds or programs or shall pay as cash in lieu of fringe benefits. See "FRINGE BENEFITS" below.

Column 7 - Gross Amount Earned: Enter gross amount earned on IBA projects in top of box. If part of a worker's weekly wage was earned on projects other than the project

described on this payroll, enter in column 7 first the amount earned on the Federal or Federally assisted project and then the gross amount earned during the week on all projects, thus "\$163.00/\$420.00" would reflect the earnings of a worker who earned \$163.00 on a Federally assisted construction project during a week in which \$420.00 was earned on all work. The bottom of box 7 will match the gross wages earned on an employees pay stub.

Column 8 - Deductions: ARRA funding only requires that the Total Deductions box is completed. This amount will match the total deductions identified on an employees pay stub. All deductions must be in accordance with the provisions of the Copeland Act Regulations, 29 C.F.R., Part 3. If an individual worked on other jobs in addition to this project, show actual deductions from his/her weekly gross wage, and indicate that deductions are based on his gross wages.

Column 9 - Net Wages Paid for Week: Total net wages paid for week. This amount will match the total net wage identified on an employees pay stub.

Page 2 must be fully completed as identified below: including the date, the name of the signatory party, title of signatory party, company name of the contractor or subcontractor, the location or name of client, the beginning date of the week and the ending date of the week, and company name of the contractor or subcontractor. (4) Fringe. Either mark box (a) or (b). Whichever applies. If neither of those apply then describe the circumstance in section (c). In bottom boxes on right hand side put in the Name and title of either the contractor or the signatory party, and signature. (Specific directions identified below.)

Statement Required by Regulations, Parts 3 and 5: While the "statement of compliance" need not be notarized, the statement (on page 2 of the payroll form) is subject to the penalties provided by 18 U.S.C. § 1001, namely, a fine, possible imprisonment of not more than 5 years, or both. Accordingly, the party signing this statement should have knowledge of the facts represented as true.

Items 1 and 2: Space has been provided between items (1) and (2) of the statement for describing any deductions made. If all deductions made are adequately described in the "Deductions" column above, state "*See* Deductions column in this payroll." *See* "FRINGE BENEFITS" below for instructions concerning filling out paragraph 4 of the statement.

Item 4 FRINGE BENEFITS - Contractors who pay all required fringe benefits: If paying all fringe benefits to approved plans, funds, or programs in amounts not less than were determined in the applicable wage decision of the Secretary of Labor, show the basic cash hourly rate and overtime rate paid to each worker on the face of the payroll and check paragraph 4(a) of the statement on page 2 of the WH-347 payroll form to indicate the payment. Note any exceptions in section 4(c).

Contractors who pay no fringe benefits: If not paying all fringe benefits to approved plans, funds, or programs in amounts of at least those that were determined in the

applicable wage decision of the Secretary of Labor, pay any remaining fringe benefit amount to each laborer and mechanic and insert in the "straight time" of the "Rate of Pay" column of the payroll an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the application wage decision. Inasmuch as it is not necessary to pay time and a half on cash paid in lieu of fringe benefits, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on basic or regular rate, plus the required cash in lieu of fringe benefits at the straight time rate. In addition, check paragraph 4(b) of the statement on page 2 the payroll form to indicate the payment of fringe benefits in cash directly to the workers. Note any exceptions in section 4(c).

Use of Section 4(c), Exceptions

Any contractor who is making payment to approved plans, funds, or programs in amounts less than the wage determination requires is obliged to pay the deficiency directly to the covered worker as cash in lieu of fringe benefits. Enter any exceptions to section 4(a) or 4(b) in section 4(c). Enter in the Exception column the craft, and enter in the Explanation column the hourly amount paid each worker as cash in lieu of fringe benefits and the hourly amount paid to plans, funds, or programs as fringe benefits. The contractor must pay an amount not less than the predetermined rate plus cash in lieu of fringe benefits as shown in section 4(c) to each such individual for all hours worked (unless otherwise provided by applicable wage determination) on the Federal or Federally assisted project. Enter the rate paid and amount of cash paid in lieu of fringe benefits per hour in column 6 on the payroll. See paragraph on "Contractors who pay no fringe benefits" for computation of overtime rate.

- 7) Maintain an I-9 form for every employee. I-9 forms must be kept by the employer either for three years after the date of hire or for one year after employment is terminated, whichever is later. I-9 Form - <http://www.uscis.gov/i-9>.

8) Adding Employees to IHCDA system

Log in to: <https://extranet.in.gov/fssa/wap/IWAPMain.aspx> (Log in information will be provided by IBA)

Click on contractors

To Add a New Employee:

Click on View Employee List next to your company

Click on Add a New Employee

Put in First Name

Put in Last Name

Put in Start Date

Put in End Date

Click correct certification

Certified as: HVAC Contractor

Certified as: Shell Contractor

Click on Currently Employed (if employee is terminated, uncheck)

Job Status – Click on arrow, put in created, retained, or existing.

Definition of each is next to box.

Hours required for full-time (this is your company's policy, it is usually 30 or 40.)

Save

When finished, return to main menu and log off.

You are no longer required to add employee hours per client job.