CHECKLIST OF LABOR LAW REQUIREMENTS

This checklist is a used as a tool for the prime contractor to ensure that their subcontractors and specialty contractors know their responsibilities on public works projects.

(CCR Title 8, Section 16421)

Company _____ **Phone** _____

Name (Print) _____ **Date** _____

Address _____ **Fax Zip** _____

City _____ **State** _____ **Code** _____

Project Manager _____ **Superintendent/Foreman** _____

LC Contact _____ **Phone/Ext.** _____

Contractors Lic # _____ **Exp Date** _____ **Specialty Lic. #** _____

DIR PWCR# _____ **Worker Comp Policy #** _____

Project Name _____ **DIR Project ID#** _____

Project Address _____ **Advertisement Date** _____

Awarding _____

Body Awarding _____

If SUB or TIER, Name of Your General _____

Contract Award Amount _____

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

☐ **1. Payment of Prevailing Wage Rates**
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. (§1771) The contractor is responsible for ascertaining and complying with 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 and all rate changes are to be posted at the job site for all workers to view.

☐ **2. Apprentices**
It is the duty of the contractor and subcontractors to employ registered apprentices on the public works project under Labor Code §1777.5;

☐ **3. Penalties**
There are penalties required for contractor's/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;

☐ **4. Certified Payroll Reports**
Under Labor Code §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 O/O performing work on the project site; the straight time and overtime hours worked each day and each week, the fringe benefits, and the actual "per diem" wages paid to each owner, journey person, apprentice worker or other employee hired in connection with the public works project. Employee payroll records shall be certified and shall be made available for inspection at all reasonable hours at the principal office of the contractor/subcontractor, or shall be furnished to an employee, or his/her authorized representative on request, pursuant to Labor Code §1776. In the event of no work performed during any given week, the Certified Payroll Report shall be annotated: "No work" or "Non-Performance" for that week. All weekly payroll reports shall be numbered sequentially starting with number (l) for the first week of work, and including all "No Work" reports, until the conclusion of work. The last payroll records shall be marked "FINAL".

☐ **5. Nondiscrimination in Employment**
There exist prohibitions against employment discrimination under Labor Code §1735 and §1777.6, the Government Code, the Public Contracts Code, and Title VII of the Civil Rights Act of 1964;

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☐ **6. Kickbacks Prohibited**
Contractors and subcontractors are prohibited from recapturing wages illegally or extracting "kickbacks" from employee wages under Labor Code §1778;

☐ **7. Acceptance of Fees Prohibited**
There exists a prohibition against contractor/subcontractor acceptance of fees for registering any person for public work under Labor Code §1779; or for filling work orders on public works contracts pursuant to Labor Code §1780;

☐ **8. Listing of Subcontractors**
All prime contractors are required to list properly all subcontractors hired to perform work on the public works projects covering more than one-half of one percent, pursuant to Government Code §4100 et seq.;

☐ **9. Proper Licensing**
Contractors are required to be licensed properly and to require that all subcontractors be properly licensed. Penalties are required for employing workers while unlicensed under Labor Code §1021 and under the California Contractor License Law found at Business and Professions Code §7000 et seq.;

☐ **10. Unfair Competition Prohibited**
Contractors/Subcontractors are prohibited from engaging in unfair competition as specified under the Business and Professions Code §17200 to §17208;

☐ **11. Workers Compensation Insurance**
Labor Code §1861 requires that contractors be insured properly for Workers Compensation;

☐ **12. OSHA**
Contractors and Subcontractors are required to abide by the Occupational, Safety and Health laws and regulations that apply to the particular construction project;

☐ **13. Undocumented Workers**
The Federal prohibition against hiring undocumented workers, and the requirement to secure proof of
eligibility/citizenship from all workers;

☐ **14. Itemized Wage Statements**
Every employer shall, at the time of each payment of wages, furnish each of its employees, either as a detachable part of the check, draft or voucher paying the employee's wages, or separately when wages are paid by personal check or cash, an accurate itemized statement per Labor Code §226;

15. Proper Licensing of Electricians working under a C-10 License
Ensure contractors holding a C-10 license are aware of requirements of SB1362 and CA LC section 3099.2, all employees performing electrical work must be certified. If employees working on projects are found to be NOT certified, they shall be immediately removed. Failure to provide proof of this documentation on all employees will be considered a violation and subject the subcontractor to corrective action up to and including being removed from the project.

Certification:

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

I fully understand that failure to comply with any of the above requirements may result in corrective action up to penalties.

For the Contractor:

_____
Signature of Authorized representative

_____   _____
Date   Printed Name of Authorized representative