

RURAL CAPACITY ASSISTANCE PROGRAM

Labor Standards Compliance Training

Session 4 — Compliance & Advanced Topics

PARTICIPANT TOOLKIT

Six ready-to-use tools that follow the session. Adapt the headers to your organization and project. This toolkit is a working aid, not legal advice — always confirm against the current BOLI rate book, the project wage determination, and HUD Handbook 1344.1 Rev-3.

What's inside

- Tool 1 — Top-10 violations & prevention quick-reference
- Tool 2 — Enforcement response checklist (first 72 hours)
- Tool 3 — Back-wage calculation worksheet
- Tool 4 — Mixed-funding “which rules apply?” guide
- Tool 5 — Multi-contractor monitoring log
- Tool 6 — Project labor-standards file index



Tool 1 — Top-10 violations & prevention quick-reference

Scan this before bid and again at preconstruction. If you can answer the prevention column “yes,” the finding rarely appears.

Violation	What it looks like	Prevention
Misclassification	Lower-trade rate paid for higher-trade work	Confirm classifications against the wage determination at preconstruction
Fringe shortfall	Full fringe not paid in cash or qualifying benefits	Verify fringe math on every payroll; cash out any gap
Apprentice errors	Unregistered “apprentices” or ratio exceeded	Collect registration proof; check ratio each week
Overtime miscalc	Missed OT; OT figured on base rate only	Apply Oregon’s stricter OT; include fringe basis where required
Late / missing payroll	No weekly payroll or no signed compliance statement	Set a weekly calendar and a single intake point
Improper deduction	Non-permissible deduction; no gross-up of voluntary deduction	Permit only allowed deductions; gross up voluntary ones
Wrong determination	Old book, wrong county, or no higher-of check	Lock the correct determination into the bid documents
No clause flow-down	PWR / HUD-4010 clauses missing in a subcontract	Require clauses in every tier; spot-check subcontracts
Weak records	Pay was right but nothing on file proves it	Keep payrolls, interviews and receipts in one indexed file
No internal review	Payrolls filed but never checked	30-minute weekly review against the determination

Tool 2 — Enforcement response checklist (first 72 hours)

If BOLI, US DOL or HUD contacts you about a project, work this list in order. Stay cooperative, factual, and on time.

Hour 0–24 — Acknowledge & preserve

- ☐ Confirm receipt in writing; record the date and any stated deadline
- ☐ Identify your single point of contact for the matter
- ☐ Preserve all records exactly as they are — do NOT edit, re-create, or back-date anything
- ☐ Back up payrolls, interviews, contracts and the wage determination

Hour 24–48 — Assemble & notify

- ☐ Pull the specific records requested; organize by contractor and by week
- ☐ Notify the prime contractor and your project manager
- ☐ On HUD-funded work, notify your HUD Labor Relations (LR) Specialist
- ☐ Note any record you cannot locate — do not fabricate a substitute

Hour 48–72 — Respond

- ☐ Provide exactly what was requested, on time and factually
- ☐ If you need more time, request an extension in writing — do not go silent
- ☐ Do not volunteer conclusions, assign blame, or speculate about fault
- ☐ Log every step taken, with dates, in the project file

Reminder: the single most damaging move is altering records before responding. A self-identified, promptly corrected error is far less costly than a concealed one.

Tool 3 — Back-wage calculation worksheet

Complete one worksheet per worker, per classification, per period. The required rate is the HIGHER of the applicable state or federal prevailing rate (ORS 279C.838).

Worked example

Line	Source / formula	Amount
Required rate (wage + fringe)	$\$42.50 + \14.25	\$56.75 / hr
Rate actually paid (wage + fringe)	$\$38.00 + \9.00	\$47.00 / hr
Hourly shortfall	$\$56.75 - \47.00	\$9.75 / hr
Hours worked in period	straight time	120 hrs
Back wages due	$\$9.75 \times 120$	\$1,170.00

Note: the \$5.25 fringe gap accounted for more than half of the amount owed. Fringe is part of the required rate.

Blank worksheet

Line	Source / formula	Amount
Worker name / ID		
Classification		
Project & funding source(s)		
Pay period		
Required rate (wage + fringe)	wage + fringe	
Rate actually paid (wage + fringe)	wage + fringe	
Hourly shortfall	required – paid	
Hours worked (straight time)		
Straight-time back wages	shortfall $\times$ ST hours	
Overtime correction (if any)		
Penalties (if assessed)		
Total back wages due		

Tool 4 — Mixed-funding “which rules apply?” guide

Run the project through the questions in order. When more than one law applies, follow them all — pay the higher rate and the stricter requirement.

Question	If YES	If NO
Q1. Any federal construction dollars (CDBG, HOME, IJJA, or SLFRF braided with such funds)?	Federal Davis-Bacon attaches. Check program thresholds (e.g., CDBG residential 8+ units; DB base contract \$2,000).	Go to Q2.
Q2. Funded solely with ARPA / SLFRF?	Davis-Bacon generally does NOT apply. Treasury labor-standards reporting may apply on large infrastructure; state PWR may still apply.	Go to Q3.
Q3. Public works over \$50,000 in the AGGREGATE (all contracts + subcontracts)?	Oregon PWR applies. (\$100,000 threshold for residential / public housing work.)	Oregon PWR generally does not apply. Confirm the project scope and total.
Q4. Subject to BOTH state PWR and federal Davis-Bacon?	Pay the HIGHER of the two rates; follow the stricter rule where they differ (e.g., Oregon overtime). ORS 279C.838.	Apply whichever single law is triggered.

Key reminder: the \$50,000 threshold tests the whole project — you cannot avoid prevailing wage by splitting one public project into several smaller contracts.

Watch for: Oregon HB 2688 (effective July 1, 2026) extends PWR to certain off-site, bespoke fabrication made for a public works project; BOLI is issuing rules.

Tool 5 — Multi-contractor monitoring log

One row per contractor and per subcontractor tier. Update weekly. This is your at-a-glance proof that the whole chain is covered.

Contractor / sub (tier)	Classifications on site	Clauses in contract?	Payrolls current?	Last review date	Open items
Prime: _____		Y / N	Y / N	___ / ___	
Sub (Tier 1): _____		Y / N	Y / N	___ / ___	
Sub (Tier 1): _____		Y / N	Y / N	___ / ___	
Sub (Tier 2): _____		Y / N	Y / N	___ / ___	
Sub (Tier 2): _____		Y / N	Y / N	___ / ___	
_____		Y / N	Y / N	___ / ___	

Tiering tip: full review of high-dollar or high-risk payrolls; sampled review of the rest. Tie release of retainage to a complete, clean file for every contractor on this log.

Tool 6 — Project labor-standards file index

Build the project binder around this index from day one. If an auditor asks for any item, you should be able to put your hand on it in under a minute.

Setup & contracts

- ☐ Applicable wage determination(s) — state rate book and/or federal determination, with the higher-of comparison documented
- ☐ Executed prime contract with PWR / Form HUD-4010 clauses
- ☐ All subcontracts (every tier) with clauses included
- ☐ Contractor & subcontractor roster (see Tool 5)

Payroll & wages

- ☐ Weekly certified payrolls for every contractor and sub
- ☐ Signed statements of compliance
- ☐ BOLI addendum submissions (state) / WH-347 (federal), as applicable
- ☐ Fringe benefit documentation and any cash-in-lieu records
- ☐ Apprenticeship registration and ratio records

Monitoring & interviews

- ☐ Worker interview records, reconciled to payrolls
- ☐ Internal payroll review notes (weekly)
- ☐ Monitoring log (Tool 5), kept current

Issues & corrective action

- ☐ Any agency correspondence, with dates
- ☐ Corrective action plans and back-wage worksheets (Tool 3)
- ☐ Restitution payment records and signed worker receipts

Where to verify — source directory

Authority	Use it for	Where
BOLI — Prevailing Wage	State PWR rate books (Jan/Jul; amended Apr/Oct), HB 2688 guidance, employer FAQ	oregon.gov/boli
US DOL — Wage & Hour Division	Federal Davis-Bacon, wage determinations	dol.gov/agencies/whd · SAM.gov
HUD — Labor Relations	Davis-Bacon on CDBG work; Handbook 1344.1 Rev-3; Form HUD-4010	Your assigned LR Specialist
Business Oregon (OBDD)	Program, funding agreement, and contract questions	Your OBDD project manager

Wage determinations and statutes change. Confirm the current rate book and the project wage determination before you rely on any number.

