



POLICIES *and* PROCEDURES

Board of Trustees Policy Number:
BUFIN 4.03

Date of Adoption/Revision:
April 1, 2016

SUBJECT	Davis-Bacon Act Compliance Policy
AUTHORITY	Office of Sponsored Programs
APPLICABILITY	The Davis-Bacon Act (DBA) codified as 40 U.S.C. 3141-3148 applies to contractors and subcontractors performing on federally funded contracts in excess of \$2,000 for construction, alterations, repairs (including painting and decorating) and also, including craft positions such as plumber, carpenter, cement mason/concrete finisher, electrician, insulator, laborer, lather, painter, power equipment operator, roofer, sheet metal worker, truck driver, and welder. DBA contractors and subcontractors must pay their laborers and mechanics employed under the federal funded contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.
PURPOSE	Compliance with the Federal regulation Davis-Bacon Act (DBA) codified as 40 U.S.C. 3141-3148

POLICY	<p><i>Local Prevailing Wage Rates and Benefits</i> - Service employees paid under the federal funded contract must receive salary rates and benefits which conform to the U.S. Department of Labor's determination of local prevailing wages and benefits for the same employee class.</p> <p><i>Minimum Wages</i> - In the absence of a wage determination for certain classes of employees, those employees may not be paid less than the minimum wage established under the Fair Labor Standards Act.</p> <p><i>Wage Offset for Benefits</i> - Employees who are ineligible for health insurance must be furnished with equivalent benefits or cash equivalent. Average health and welfare benefits must equal the U.S. Department of Labor's determination of fringe benefit costs. Information on such prevailing wage and</p>
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	<p>benefit rates must be supplied to employees.</p> <p><i>Premium Overtime</i> - Service employees under the contract are required to be paid premium overtime at 1.5 times salary after 40 hours of work per week.</p> <p><i>Pay Period</i> - Service employees under the contract must be paid at least on a semi-monthly basis.</p> <p><i>Health and Safety</i> - Working conditions must meet health and safety standards under 29 CFR Part 1925.</p> <p><i>Recordkeeping</i> - Records must be kept for three years and are subject to investigation by the U.S. Department of Labor. Please do NOT submit copies of the certified payrolls to Bennett College.</p> <p><i>Enforcement</i> - The U.S. Department of Labor has enforcement powers, including debarment, to correct contractor violations. Please view the Department of Labor's websites http://www.dol.gov/whd/contracts/dbra.htm and http://www.wdol.gov/faqs.aspx for all pertinent information related to compliance with labor standards.</p>
<p>PROCEDURES</p>	<p>An executed certificate, Davis-Bacon Act Certification Form, must be submitted for approval to Business & Finance/Purchasing prior to performing on-campus renovations/repairs that exceed \$ 2,000 per year for each federal funded construction contract. The form is available on BelleNet, Sponsored Programs tab, under Forms.</p> <p>Contractor must certify that has read and understood this Federal regulation and that the Company is paying the appropriate wage rate for compliance with the DAVIS BACON ACT, 40 U.S.C. §§3141 as amended and in conformance with the U.S. Department of</p>

	<p>Labor regulations at 29 CFR Part 5, (Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction) and 29 CFR Part 3 (Contractors and Subcontractors on Work Financed in Whole or in Part by Grants from the United States).</p>
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<p>LOCATION</p> <p>www.bennett.edu</p> <p>Business & Finance Office</p> <p>Sponsored Programs</p>	<p>WEBSITE/HARDCOPY</p> <p>Website Location:</p> <p>Hardcopy Location:</p>
	<p>Business & Finance</p> <p>Sponsored Programs</p>

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