

mississippi development authority

MISSISSIPPI

**FEDERAL LABOR
STANDARDS**

Policy and Procedures Manual

Community Services Division



MISSISSIPPI DEVELOPMENT AUTHORITY

Community Services Division

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INTRODUCTION

The Mississippi Development Authority (MDA), Community Services Division (CSD) administers Federally-funded programs for various housing and community development activities. As a grant recipient of these federal funds from the U.S. Department of Housing and Urban Development (HUD), CSD must ensure compliance with the Federal Labor Standards Provisions and ensure that all laborers and mechanics employed by the contractors and subcontractors in the performance of construction work financed in whole or in part with federal funds shall be paid wages at rates no less than those prevailing wage rate.

It is the responsibility of CSD to enforce the Federal Labor Standards Provisions for all Federally funded projects where the Federal Labor Standards are applicable that includes the following:

- **The Davis-Bacon Act** (40 USC, Chapter 3, Section 276a-275a-5 and 29 CFR Parts 1, 3, 5, 6 and 7): <http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/olr/statutes>
- **The Copeland Anti-Kickback Act** (40 USC, Chapter 3, Section 276c and 18 USC, Part 1, Chapter 41, Section 874; and 20 CFR Part 3):
<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/olr/statutes>
- **The Contract Work Hours and Safety Standards Act** (40 USC, Chapter 5, Sections 326-332 and 29 CFR Part 4, 5, 6, and 9, 29 CFR Part 3):
<http://portal.hud.gov/hudportal/HUD?src=/states/shared/working/r10/olr/statutes>
- **Section 3 of the Housing and Urban Development Act of 1968** (24 CFR 135):
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opportunity/section3/section3

To ensure Compliance with the Federal Labor Standards Provisions, CSD has developed this Labor Standards Policy and Procedures Manual to provide the necessary guidance to the Sub-recipient to effectively implement and ensure Federal Labor Standards Compliance.

In accepting Federal funds through the Mississippi Development Authority (MDA), Community Services Division (CSD), Sub-recipients agree to abide by and ensure compliance with the Federal Labor Standards laws and regulatory requirements.

The purpose of this Manual is to assist Sub-recipients in understanding their Federal Labor Standards obligations and to ensure that the requirements of the laws are met in the most efficient and accurate manner as possible. The Sub-recipient should reference the **Federal Labor Standards Requirements in Housing and Urban Development Programs (1344.1)** found at www.hud.gov for more in-depth Federal Labor requirements or contact the CSD Compliance Bureau.

ALL FORMS referenced in this Manual are included and can be accessed and downloaded from www.mississippi.org/csd



LABOR LAWS AND REQUIREMENTS

Briefly described, the laws which apply are:

- **Davis-Bacon Act (DBA)**: The Davis-Bacon Act requires the payment of prevailing wage rates, which are determined by the U. S. Department of Labor (DOL) to all workers. The law applies to construction, alterations or repair contracts in excess of \$2,000. Construction includes alterations and/or repair, including painting and decorating, of public buildings or public works.
- **Copeland Act (Anti-Kickback Act)**: The Copeland Act requires employers to pay employees at least once a week, without any deductions or rebates except permissible deductions. This Act makes it a Federal crime for anyone to require any laborer or mechanic (employed on a Federal or Federally-assisted project) to kickback (i.e., give up or pay back) any part of their wages. The Copeland Act also requires every employer (contractor and subcontractor) maintain payroll records and to submit weekly certified payroll reports. The Act applies to all contracts covered by Davis-Bacon. **Violation of this Act is a Federal criminal offense.**
- **Contract Work Hours and Safety Standards Act (CWHSSA)**: This Act applies to contracts over \$100,000. Contract Work Hours and Safety Standards Act requires workers to receive overtime (O/T) (over 40 hours in a workweek) compensation at time and one-half pay for overtime hours (over 40 hours in any workweek) plus full fringe worked on the covered project [(1 and ½ x base pay) + fringe = O/T compensation]. Contract Work Hours and Safety Standards Act violations render the contractor liable to the underpaid worker for wage restitution for liquidated damages penalty (\$10/calendar day per violation). The CWHSSA applies to both direct Federal contract and to indirect Federally-assisted contracts except where the assistance is solely in the nature of a loan guarantee or insurance. **Intentional violations of this standards act are considered a Federal criminal misdemeanor.**
- **Section 3 of the Housing and Urban Development Act of 1968**: Section 3, as amended requires the provision of opportunities for training and employment that arise through HUD-financed projects to lower-income residents of the project area. Also required is that contracts be awarded to businesses that provide economic opportunities for low- and very low-income persons residing in the area.



SUB-RECIPIENT RESPONSIBILITIES

Once it is determined that a construction project is subject to the Federal Labor Standards requirements, certain steps must be taken to ensure compliance prior to the bidding for construction. It is the responsibility of the Sub-recipient to ensure compliance with Federal Labor Standards Provisions during the course of the project and the Sub-recipient must identify the appropriate personnel or Labor Compliance Officer, who will be responsible for labor compliance.

The Sub-recipient is responsible for:

- Proper application of Davis-Bacon requirements.
- Support contractor compliance Pre-bid Conference and other initial meetings.
- Monitor contractor performance.
- Investigate probable violations and complaints of underpayment.
- Pursue debarment and other available sanctions against repeat labor standards violators.
- Make sure current wage decision and labor standards provisions are contained in the bid documents.
- Conduct 10 day wage check.
- Verify eligibility of Contractor.
- Conduct Pre-Construction Conference.
- Submit Contractor Award Notification to MDA.
- Ensure wage decisions and DOL posters are posted on site.
- Conduct on-site interviews with laborers and mechanics.
- Review Certified Payrolls and compare to the employee interviews and wage decisions.
- Notify Prime Contractor and subcontractors (as applicable) of payroll discrepancies.
- Notify CSD of wage restitution found due to an employee.
- Submission of Labor Standards Enforcement Reports.
- Ensure that MDA Project Sign is posted at the entrance of the construction site until final monitoring is completed.



PRIME CONTRACTOR RESPONSIBILITIES

The Prime or General Contractor is responsible for the full compliance of all employers (the contractor, subcontractors and any lower-tier subcontractors) with the Labor Standards Provisions applicable to the project.

- Attend Pre-Construction Conference.
- Review and identify any Additional Classifications needed by all contractors and subcontractors for the project.
- Read, understand, and sign all appropriate forms from the Sub-recipient, including but not limited to: Contractor Certification; Certificate of Substantial Completion; Pre-Construction Checklist; and Certified Payroll Authorized Signature Form.
- Comply, in a timely manner, with requests from grant administrator. Including documentation of fringe benefits, corrected Certified Payrolls, and wage restitution.
- Comply with Section 3 requirements and reporting.
- Include all appropriate wage decisions and labor standards clauses in contracts with subcontractors.
- Insertion of Certification of Eligibility Clauses in all contracts and subcontracts.
- Ensure Federal Labor Standards compliance from subcontractors.
- Post wage decision, including additional wage classifications, at work site.
- Collect Certified Payrolls from all Subcontractors.
- Submit all Certified Payrolls to the designated Labor Compliance Officer for the Sub-recipient.
- Ensure availability of the Prime Contractor's and Subcontractor's employees for interview at the job site with the grant administrator or agency representative.



BIDDING AND CONTRACTING REQUIREMENTS

The Sub-recipient must ensure that all applicable Federal Labor Standards language, Section 3 language, and the appropriate prevailing wage decisions are included in the construction bid specifications and contract documents for construction work and maintenance work subject to Davis Bacon rates. Securing current prevailing wage rates for bidding and contract award documents is one of the most critical duties of the bidding and contracting requirements. Prior to bid opening, Sub-recipients must continually verify with CSD that the Wage Decision used in the bid documents is still applicable and enforce the decision in place at bid opening. This is provided the contract is awarded within 90 days.

Failure to enforce the correct decision will leave the Sub-recipient, Prime Contractor, and/or Sub-Contractor liable for any difference between wage rates used in bid documents and the correct wage rates. The correct Wage Decision must be included in bid specifications, bid documents, contracts, and subcontracts. Failure to include a wage decision or the use of a wrong decision will not relieve the contractor from potential enforcement action, and making wage restitutions, if underpayments occurred. In addition, Sub-recipients may also be exposed to liability. **The correct wage decision issued for each project must be included in all bid documents and contracts.**

WAGE DETERMINATIONS AND WAGE RATE DECISIONS

The Davis-Bacon Wage Decision that applies to a project contains a schedule of work/job classifications and the minimum wage rates that must be paid to persons performing particular jobs. Some wage decisions cover several counties and/or types of construction work. Federal wage determinations are generally issued for four (4) categories:

- Building
- Residential
- Heavy
- Highway

It is important to understand the differences when determining which rate category to request to avoid paying wages from an inappropriate determination.

- **Building** construction generally includes construction of sheltered enclosures with walk-in access for housing persons, machinery, equipment or supplies. This includes all construction within and including the exterior walls, both above and below grade.
- **Residential** projects involve the construction, alteration or repair of single-family houses or apartment buildings no more than four (4) stories tall.
- **Heavy** construction is generally considered for all construction not properly classified as highway, residential, or building. Water and sewer line construction will typically be categorized as heavy construction.
- **Highway** projects include construction, alteration or repair of roads.



The Sub-recipient should request a Wage Determination from the Compliance Bureau using the ***Request for Wage Determination and Response to Request Form*** (attached in this Manual). The form should be completed and forwarded to CSD Compliance Bureau. All Wage Decisions should be reviewed to ensure all job classifications are covered by the Wage Decision for the proposed project.

After contract award, if the wage decision for the project does not include a specific classification of a worker that will be working on the project, then the Sub-recipient must request an additional classification from CSD using the ***Report of Additional Classification and Rate Form 4230A***. Please allow up to 45 days for an additional classification response. Only those classifications which are contained in the wage decision may be used on this project. A violation is considered to exist when a payroll lists a classification not included in the wage decision.



LABOR CLAUSES AND WAGE DECISIONS IN BID AND CONTRACT DOCUMENTS

The Labor Standards Clauses describe the responsibilities of the Prime Contractor and/or Sub-Contractor concerning Davis-Bacon wages and obligate the Prime Contractor and/or Sub-Contractor to comply with the labor requirements. The Labor Standards Clauses also provide for remedies and sanctions in the event of violations, including withholding from payments due to the contractor to ensure the payment of wages or liquidated damages which may be found due. The Labor Standards Clauses are contained in the Federal Labor Provision (HUD-4010).

The applicable wage rate decision rendered by CSD and any additional classifications must be a physical part of the bid package. The failure to include the required wage decision and appropriate Labor Standards provisions does not relieve the prime contractor from potential liabilities for compliance and enforcement actions related to meeting the obligations of the proper wage decision and Labor Standards.

Wage Determinations are modified by the U.S. Department of Labor as necessary to reflect changes in the construction industry. It is very important to be sure the most recent Wage Determination is being used and that all modifications to that decision are included in the bid documents. The wage rates in effect 10 calendar days before bid opening are "locked in". In most cases, when the contract is awarded or when construction begins, the wage decision is "locked-in" and no future modifications are applicable to the contract or project involved. This Wage Determination will apply to all work covered by the construction contract to be awarded under that bid advertisement. Ten (10) days prior to bid opening, the Sub-recipient must verify with CSD if the wage decision has been modified.

An exception to the "lock-in" date applies when the construction contract award is delayed 90 days or more after the bid opening. In these cases, changes in the Wage Determination published between the bid opening and construction contract award date must be included in the construction contract. The Sub-recipient should notify all potential bidders. If a contract has been awarded but construction has not yet begun within 90 days of the award, the Sub-recipient must also determine if any modifications have been issued to the wage decision. If so, the contractor must adhere to the modified wage decision.





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January 15, 2015

CLARIFICATION ABOUT EXECUTIVE ORDER 13658 DAVIS-BACON WAGE REQUIREMENTS

On February 12, 2014, President Obama signed Executive Order 13658, “Establishing a Minimum Wage for Contractors,” to raise the minimum wage to \$10.10 for all workers on Federal construction and service contracts. Current Davis-Bacon wage decisions include a note about the EO and many of our partners have expressed concern about whether or not it applies to HUD funded, assisted, or financed construction projects for which they are responsible. The short answer is, no, the Executive Order **does not** apply to our grantees, public and Indian housing authorities, or HUD’s new construction / substantial rehabilitation projects under FHA/202/811 programs in the Office of Multifamily Housing.

The Davis-Bacon Act concerns construction contracts to which the federal government is a party. Thus, the Executive Order pertains only to contracts and procurements where the Federal Government is contracting directly with a contractor. Davis-Bacon prevailing wage requirements apply to HUD programs because of provisions included in “Related Acts” such as the U.S. Housing Act of 1937 or The Housing and Community Development Act of 1974, as amended. Under the CDBG program, for example, we may use the term “Davis-Bacon” as a shorthand way of referring to prevailing wage requirements, but to be precise, construction work performed by CDBG recipients is **not** subject to the Davis-Bacon Act proper, but to the “Related Act” (The Housing and Community Development Act of 1974, as amended).

(See Handbook 1344.1, Rev 2, pg. 2-2; <http://portal.hud.gov/hudportal/documents/huddoc?id=13441c2SECH.pdf>).

Similarly, HUD-determined maintenance wage decisions come not from the Davis-Bacon Act but are mandated by provisions of the Housing Act of 1937. Maintenance wage decisions (MWDs) are, for the most part, administered and enforced in a similar manner as Davis-Bacon and Related Acts (DBRA) labor standards in HUD programs. However, MWD requirements and their enforcement must not be confused with the Davis-Bacon Act.

(See Handbook 1344.1, Rev 2, pg. 8-1; <http://portal.hud.gov/hudportal/documents/huddoc?id=13441c8SECH.pdf>)

The Department of Labor’s Fact Sheet on the final rule implementing the Executive Order states that, “....any contract covered by the Davis-Bacon Act and its implementing regulations is subject to the Executive Order minimum wage requirement. The Executive Order does not apply, however, to contracts that are subject only to the Davis-Bacon *Related Acts*.”

(<http://www.dol.gov/whd/flsa/ea13658/fr-factsheet.htm>).

Questions? Please contact your Labor Specialist:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/labor_standards_enforcement/laborrelstf

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LEGAL COUNSEL/ATTORNEY REVIEW

Finally, the bid package should be reviewed in its entirety by the Sub-recipient's legal counsel/attorney to ensure compliance with applicable Federal, State and City/County laws.

CONTRACTOR'S ELIGIBILITY

Before issuing a contract to the selected contractor(s), the Sub-recipient must verify that all prime contractor(s) is not debarred or excluded from working on federally assisted projects. Before the contract is awarded, the Sub-recipient must request this verification from CSD Compliance Bureau. Once the Compliance Bureau has verified the contractor(s), the Sub-recipient must submit the Contractor Award Notification Form (*attached within this Manual and can be downloaded from www.mississippi.org/csd*) to the Compliance Bureau as soon as the contract is awarded.

PRE-CONSTRUCTION CONFERENCE

The Sub-recipient must hold a Pre-Construction Conference with the Prime Contractor and/or Sub-Contractors prior to the start of work to review contractual requirements (including labor, and performance schedules) and reporting procedures. The Sub-recipient can use this opportunity to clearly present the Federal statutory compliance requirements, as well as, performance expectations. The Pre-Construction Conference must include a sign-in sheet and record of the minutes during the Pre-Construction Conference, which must be kept in the Subrecipient's project file. Items that should be covered at the Pre-Construction Conference include, but are not limited to:

- Provide and review with the contractor a copy of the **"Contractor's Guide to Prevailing Wage Requirements for Federally-Assisted Construction Projects."** This guide can be downloaded from www.mississippi.org/csd.
- Explain that the contractor must submit weekly Certified Payrolls and Statements of Compliance (**back of WH 347**) signed by an officer of the company, and that the prime contractor is responsible for obtaining and reviewing payrolls and Statements of Compliance from all subcontractors. The payroll form can be downloaded from www.mississippi.org/csd.
- Explain that wages paid must conform to those included in the wage rate decision included in the contract.
- Discuss the classifications to be used. If additional classifications are needed, request the additional classification in writing and forward to CSD Compliance Bureau immediately.
- Explain that a *helper* classification cannot be used unless it appears on the applicable wage decision.



- Explain that Exempt Classifications, which need not appear on payrolls, are as follows: Project Engineer, Superintendent, Supervising Foreman (not a working foreman), Waterboy, Messenger, and Clerical Help.
- Explain that Laborers are defined as unskilled workers. A laborer performing the work of a trade must be paid no less than the prevailing wage for that trade.
- Payment requirements to mechanics and laborers: All mechanics and laborers employed at the site must be paid unconditionally at least once a week, the full amount of wages and fringe benefits required in the wage decision regardless of any contractual relationship alleged to exist.
- Explain that employee interviews will be conducted periodically during the project.
- Emphasize that a copy of the wage rate decision must be posted at the job site. The wage decision must be protected from inclement weather during construction.
- Explain that apprentice or trainee rates cannot be paid unless the apprentice or training program is certified by the State or U. S. Department of Labor. If apprentices or trainees are to be used, the contractor must provide the Sub-recipient with a copy of the State certification of his/her program.
- If the contract is \$100,000 or greater, explain that workers must be paid overtime if they work more than 40 hours in one week, and that failure to pay workers at least time and a half, whenever overtime violates the Contract Work Hours and Safety Standards Law. In addition to restitution, noncompliance with this law makes the contractor liable for liquidated damages of \$10 per day for every day each worker exceeded 40 hours a week without being paid time and a half.
- Explain that no payroll deductions can be made that are not specifically listed in the Copeland Anti-kickback Act Provisions, unless the contractor has obtained written permission of the employee. Unspecified payroll deductions are a serious discrepancy and must be resolved prior to further contractor payments.
- Provide contractor with posters for the job site, such as the "Notice to All Employees Working on Federal or Federally Financed Construction Projects." The posters can be downloaded from www.mississippi.org/csd as well as www.dol.gov in Spanish and in English.
- The Sub-recipient should also describe the compliance monitoring that will be conducted during the project, and indicate that discrepancies and underpayments discovered as a result of compliance monitoring must be resolved prior to making further payment to the contractor. Remind the contractor that Labor Standards Provisions are as legally binding as the technical specifications, and failure to pay specified wages will result in contractor payments being withheld until all such discrepancies are resolved and potentially restitution, liquidated damages and/or recommendation for debarment.



NOTICE TO PROCEED

Following execution of the contract documents and completion of the Pre-Construction Conference, it is typical practice to issue a "Notice to Proceed" to the prime/general contractor to begin performance of the work. The "Notice to Proceed" establishes the construction start date and the scheduled completion date, and provides the basis for assessing liquidated damages. The construction period and basis for assessing liquidated damages must be consistent with those sections of the contract documents. Once the contract is executed, the Sub-recipient must submit two (2) copies of the Contractor Award Notification to CSD within seven (7) business days (excluding holidays). The Contractor must also submit the "Notice to Proceed" to the Sub-recipient once construction begins. The Sub-recipient will need to submit the "Notice to Proceed" within seven (7) business days (excluding holidays).

ENFORCEMENT OF REQUIREMENTS DURING CONSTRUCTION

During construction, the Sub-recipient is responsible for enforcing the Labor Standards requirements. This includes good construction management techniques (e.g., *Pre-Construction Conferences, issuance of Notices to Proceed, and payments tied to compliance with the labor requirements*), in addition to payroll reviews and worker interviews. The applicable wage decision and all required DOL Posters should be posted at the construction site. This information should be protected from inclement weather until construction is completed.



PAYROLL REVIEW

Once construction is underway, the prime/general contractor should complete a weekly Certified Payroll report for its employees on the covered job and sign the Statement of Compliance. The prime/general contractor must also obtain weekly payrolls (including signed Statements of Compliance) from all subcontractors as they work on the project. Certified Payroll reports should be submitted by the prime/general contractor to the Sub-recipient within a reasonable time frame so as to ensure compliance, typically no more than 10 business days (excluding holidays) following the end of the payroll period. The Sub-recipient is responsible for monitoring compliance with labor standards requirements. The weekly Certified Payrolls are to be reviewed as they are submitted. Wage rates reported on the Certified Payroll are to be compared to the rates in the applicable wage decisions. These reports should also document Subcontractors on the job site. Sub-recipients should initial and date the Certified Payroll reports to indicate that the reports have been reviewed on a timely basis.

The **HUD Payroll Form - WH 347** (attached in this Manual) must be used to ensure compliance with applicable regulations. The **Statement of Compliance Form WH 348** (*back of WH 347*) (attached in this Manual) must be completed and signed by an authorized representative of the company and submitted in conjunction with the payroll form.

The payrolls should be reviewed by the general contractor to ensure there are no discrepancies or underpayments. Remember, the prime contractor is responsible for the full compliance of all subcontractors on the project and will be held accountable for any wage restitution that may be necessary. This includes restitution for underpayments and, potentially, liquidated damages that may be assessed for overtime violations.

Sub-recipients should review every payroll to ensure that workers are being paid no less than the prevailing Davis-Bacon wages and that there are no other falsifications. In addition to the falsification indicators described in the HUD guidance, items to be spot-checked should include:

- The correct classification of workers;
- A comparison between the classification and the wage determination to determine whether the rate of pay is at least equal to the rate required by the determination;
- A review to ensure work by an employee in excess of 40 hours per week is being compensated for at rates not less than one and one-half times the basic rate of pay;
- Review of deductions for any non-permissible deductions; and
- The Statement of Compliance has been signed by the owner or an officer of the firm.

Any discrepancies and/or falsification indicators must be reported to CSD, along with the steps being taken by the Sub-recipient to resolve the discrepancies. Where underpayments of wages have occurred, the Sub-recipient is responsible to make sure the correct wages are paid and that the employer will be required to pay wage restitution to the affected employees. Wage



restitution must be paid promptly in the full amounts due, less permissible and authorized deductions. Sub-recipients should contact CSD for assistance if a violation occurs.

ON-SITE INTERVIEWS

The Labor Standards requirements include periodically conducting job site interviews with workers. The purpose of the interviews is to capture observations of the work being performed and to get direct information from the laborers and mechanics on the job as to the hours they work, the type of work they perform and the wage they receive. The interviews are also used to verify that classifications and wage rates are accurately reported on the Certified Payrolls. Interviews should occur throughout the course of construction and include a sufficient sample of job classifications represented on the job, as well as, workers from various companies to allow for a reasonable judgment as to compliance.

Information gathered during an interview is recorded on the **Record of Employee Interview Form HUD-11** (attached in this Manual). The interview should take place on the job site and conducted privately (this is a one-on-one process). The interviewer should observe the duties of workers before initiating interviews. Employees of both the prime contractor and subcontractors should be interviewed.

The HUD-11 Forms must be compared to the corresponding contractor and subcontractor payroll information. If no discrepancies appear, "None" should be written in the comment space of the Record of Employee Interview Form and it should be signed by the appropriate person. If discrepancies do appear, appropriate action should be initiated. When necessary action has been completed, the results must be noted on the Interview Form.

Each employee interviewed shall be informed that the information given during the interview is confidential, and that his/her identity will only be disclosed with the prior written consent of the employee.

If there are wage complaints, the interviewer should complete the Federal Labor Standards Complaint Intake Form - HUD Form 4731 (attached in this Manual) and forward to CSD. The complaint must be investigated and resolved.

PROCESS PAYMENTS

Upon receipt of requests for payment during construction, the Sub-recipient should check that Labor Standards compliance is being met:

- All weekly Certified Payrolls and Statements of Compliance have been received and reviewed and any discrepancies resolved; and
- Employee interviews have been conducted as necessary, checked against Certified Payrolls and the wage rate decisions, and all discrepancies corrected.



Although retainage is not a requirement, many Sub-recipients have found it helpful to maintain 10 percent retainage from partial payments until after final inspection, in case of any unresolved problems.

FINAL PAYMENT

When construction work has been completed, the contractor will submit a final request for payment. Before making final payment, the Sub-recipient must ensure that:

- All weekly Certified Payrolls and Statements of Compliance have been received and any discrepancies have been resolved;
- All discrepancies identified through job site interviews have been resolved; and
- All files are complete.

RESTITUTION FOR UNDERPAYMENT OF WAGES

Where underpayments of wages have occurred, the employer will be required to pay wage restitution to the affected employees. Wage restitution must be paid promptly in the full amounts due, less permissible and authorized deductions. Wage restitution is simply the difference between the wage rate paid to each affected employee and the wage rate required on the wage decision for all hours worked where underpayments occurred. The difference in the wage rates is called the adjustment rate. The adjustment rate times the number of hours involved equals the gross amount of restitution due.

Sub-recipients must notify the prime contractor, in writing, of any underpayments that are found during payroll or other reviews. The notification should describe the underpayments and provide instructions for computing and documenting the restitution to be paid. The prime contractor is allowed thirty (30) days to correct the underpayments. The employer is required to report the restitution paid on a correction Certified Payroll. The correction Certified Payroll will reflect the period of time for which restitution is due (*e.g., payrolls #1 through #6; or a beginning date and ending date*). The correction Certified Payroll must list:

- Each employee to whom restitution is due and their work classification;
- The total number of work hours;
- The adjustment wage rate (*the difference between the required wage rate and the wage rate paid*);
- The gross amount of restitution due;
- Deductions; and
- The net amount to be paid.



To acknowledge that restitution of underpayment has been resolved, the **Affidavit of Wage Restitution** must be completed and signed by each employee who has received restitution payment, along with the corrected Certified Payroll as evidence of his or her receipt of the payments. The Sub-recipient should review the correction Certified Payroll to ensure that full restitution was paid. The prime contractor shall be notified in writing of any discrepancies and will be required to make additional payments, if needed. Additional payments must be documented on a supplemental correction Certified Payroll within thirty (30) days.

Sometimes, wage restitution cannot be paid to an affected employee because, for example, the employee has moved and can't be located. In these cases, at the end of the project, the prime contractor will be required to place in a deposit or escrow account, an amount equal to the total amount of restitution that could not be paid because the employee(s) could not be located. The Sub-recipient should continue to attempt to locate the unfound workers for three (3) years after the completion of the project. After three (3) years, any amount remaining in the account for unfound workers should be forwarded to CSD.



DOCUMENTATION AND REPORTING REQUIREMENTS

Sub-recipients must maintain documentation to demonstrate compliance with the Labor Standards requirements including, but not limited to:

- Bid and contract documents with the Labor Standards Clause, Section 3 and Wage Decision;
- Certified Payroll Forms from the contractor and subcontractors, including signed and dated Statements of Compliance;
- Documentation of on-site job interviews and review of the corresponding Certified Payroll to detect any discrepancies; and
- Documentation of investigations and resolutions to issues that may have arisen (*e.g., payments to workers for underpayments of wages or overtime*).

The Labor Standards Compliance documents contain highly sensitive and confidential information. With the growing rise in identity theft and fraud, it is critical to carefully guard this sensitive information so that the person(s) for whom the information has been collected are not unduly exposed to financial or personal risk.

The Labor Standards Compliance documents must be preserved and retained for a period of five (5) years following the completion of work. Keep sensitive materials confidential at all times (*in a locked file cabinet, not left in areas accessible to the public*):

- Do not include Social Security Numbers on documents and records unless it is absolutely necessary;
- Do not disclose the identity of any informant unless it is necessary and only if authorized by the informant; and
- Dispose of documents and records containing sensitive information responsibly.

Regarding the prevailing wage enforcement files, MDA is ultimately responsible for compliance and for safeguarding these Federal records. Consequently, the appropriate process for releasing information to the public is the Freedom of Information Act (FOIA) and not the local or State law. No portions of these records may be released prior to a MDA review of a request for these records and determination of what may be released.

Prevailing wage documents include, but are not limited to, payroll reports, employee interviews, investigative records, and other compliance documents. Although portions of such records are subject to release under the provisions of FOIA, the records are also subject to provisions of the Privacy Act of 1974, 5 U.S.C §552a as Amended (PA) <http://www.justice.gov/opcl/privstat.htm>).



ENFORCEMENT REPORTING

The Department of Labor (DOL) Regulations 29 CFR §5.7(b) requires that agencies administering programs subject to Davis-Bacon and Related Act and Contract Work Hours and Safety Standards Act furnish a Semi-Annual Labor Standards Enforcement Report to the Administrator of the Wage and Hour Division. MDA is responsible for the collection and the capturing of this information and reporting to DOL.

The Semi-Annual Enforcement Reports cover the periods of October 1 through March 31 and April 1 through September 30 of each calendar year. All Sub-recipients must submit to the Compliance Bureau the **Semi-Annual Enforcement Report - HUD FORM 4710** (*attached in this Manual*) for all applicable Federally-funded projects.

The Sub-recipient is responsible for completing, certifying and submitting this form to CSD. The due dates for the Semi-Annual Enforcement Report are:

REPORTING PERIOD	DUE DATE
<i>October 1 through March 31</i>	No later than October 5th
<i>April 1 through September 30</i>	No later than April 5th
<i>(Excluding weekends and holidays, the HUD FORM 4710 will be due the next business day.)</i>	

This HUD Form 4710 can be submitted electronically or via U.S. Postal Service. A copy of the Labor Standards Enforcement Report should be maintained in the Sub-recipient's Labor Standards file. Please contact CSD Compliance Staff for any questions regarding the Semi-Annual Enforcement Reports.



SANCTIONS

There is a range of sanctions that may be imposed for Davis-Bacon Related Acts associated with alleged, suspected or known labor standards violations. These are described first by statute(s). Violations (alleged, suspected or known) may result in the following:

Davis-Bacon Related Acts (DBRA):

- Reduction or suspension of contract payments.
- Denial of Federal assistance.
- Suspension or debarment from participation in Federal programs.

Contract Work Hours and Safety Standards Act (CWHSSA):

- Liquidated damages accruing at \$10 per day per violation.
- Intentional violations are a Federal misdemeanor, punishable for each and every offense by a fine of not more than \$1,000, or by imprisonment for not more than six (6) months, or both.

Copeland Act:

There are 3 levels of Copeland Act violation.

- **Unauthorized deductions.** *Unless* associated with Certified Payroll falsification or kick-backs, below.
- **Payroll falsification.** Criminal prosecution resulting in:
 - a. Monetary fines up to \$5,000; and/or
 - b. Imprisonment for not more than two (2) years.
- **Kick-backs.** Criminal prosecution *only* where the nature of Federal assistance is more than a loan guarantee or insurance.

NOTE: In every instance where such kick-backs are alleged, suspected or known, the issue **must** be referred to CSD immediately.

SUSPENSION/ DEBARMENT

CSD has the sole authority to impose suspension and/or debarment relating to violations of the Davis-Bacon Related Acts Labor Standards Provisions on contractors, subcontractors, any firm, corporation, partnership or association in which a contractor or subcontractor has a substantial interest where aggravated or willful violations of Davis-Bacon Labor Standards have been committed.

CRIMINAL PROSECUTION

Any case involving alleged, suspected or known Davis-Bacon violations that may involve criminal prosecution (i.e., falsification of Certified Payrolls or kick-backs) must be adjudicated by DOL.

- **Payroll falsification.** Cases that involve Certified Payroll falsification may have been referred to DOL directly for its investigation at the outset or referred to DOL in the course



of referrals for administrative review/hearings or other sanctions. All referrals suggesting consideration for criminal prosecution must be submitted through CSD. CSD will forward such recommendations to HUD Labor Relations or to DOL directly.

- **Kick-backs.** Every instance of alleged, suspected or known kick-backs where the nature of Federal assistance is more than a loan guarantee or insurance **must** be referred to CSD immediately upon such recognition.

PLEASE NOTE: Violation of the Davis-Bacon Act may result in suspension of the project payment, advance or guarantee. CSD recommends that the Sub-recipient's legal counsel review all bid packages and construction contracts for compliance with applicable Federal, State, City and County laws. Falsification of Certified Payroll records or the required kickback of wages may subject a contractor or subcontractor to civil or criminal prosecution, the penalty for which may be fines and/or imprisonment.

COMPLAINTS

All Labor Standards complaints related to Federally-funded projects as administered by CSD must be reported using the Labor Standards Complaint Intake Form 4731. This form must be submitted to CSD. CSD will then take the necessary actions to review and seek to resolve the complaint. CSD encourages all Sub-recipients to first seek to resolve labor disputes at the local level and ensure compliance according to the Labor Standards Provisions and Sub-recipients responsibilities.

All Forms included in this *Labor Standards Policy and Procedures Manual* can be accessed and downloaded from www.mississippi.org/csd. Scroll down to the "*Federally Funded Projects Compliance and Forms*" and click on the "*Labor Standards*" link.



**U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
REPORT OF ADDITIONAL CLASSIFICATION AND RATE**
HUD FORM 4230A

 OMB Approval Number 2501-0011
(Exp. 01/31/2010)

1. FROM (name and address of requesting agency) Mississippi Development Authority Community Services Division Compliance Bureau P.O. Box 849 Jackson, MS 39205	2. PROJECT NAME AND NUMBER
	3. LOCATION OF PROJECT (City, County and State)

4. BRIEF DESCRIPTION OF PROJECT	5. CHARACTER OF CONSTRUCTION <input type="checkbox"/> Building <input type="checkbox"/> Residential <input type="checkbox"/> Heavy <input type="checkbox"/> Other (specify) <input type="checkbox"/> Highway
--	--

6. WAGE DECISION NO. (include modification number, if any) <input type="checkbox"/> COPY ATTACHED	7. WAGE DECISION EFFECTIVE DATE
---	--

8. WORK CLASSIFICATION(S)	HOURLY WAGE RATES	
	BASIC WAGE	FRINGE BENEFIT(S) (if any)

9. PRIME CONTRACTOR (name, address)	10. SUBCONTRACTOR/EMPLOYER, IF APPLICABLE (name, address)
--	--

Check All That Apply:

- The work to be performed by the additional classification(s) is not performed by a classification in the applicable wage decision.
 The proposed classification is utilized in the area by the construction industry.
 The proposed wage rate(s), including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage decision.
 The interested parties, including the employees or their authorized representatives, agree on the classification(s) and wage rate(s).
 Supporting documentation attached, including applicable wage decision.

Check One:

- Approved, meets all criteria. DOL confirmation requested.**
 One or more classifications fail to meet all criteria as explained in agency referral. DOL decision requested.

<p style="text-align: center;"> _____ Ray Robinson, Jr. Agency Representative <i>(Typed name and signature)</i> </p> <p style="text-align: center;"> _____ <i>Date</i> </p> <p style="text-align: center;"> _____ 601.359.9273 <i>Phone Number</i> </p>	FOR HUD USE ONLY LR2000: Log in: Log out:
--	--

Report of Additional Classification and Wage Rate	U.S. Department of Housing and Urban Development Office of Labor Relations	OMB Approval No. 2501-0011 (Exp. 01/31/2010)
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Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. The information is considered non-sensitive and does not require special protection. This information is required to obtain benefits. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Employers engaged on HUD-assisted construction projects subject to Davis-Bacon wage requirements must pay no less than the wages determined to be prevailing by the Secretary of Labor to all laborers and mechanics engaged on the construction work. On occasion, the applicable Davis-Bacon wage decision does not contain all of the work classifications and wage rates needed to complete the construction work. This information collection facilitates the addition of needed work classifications and wage rates for the construction work involved. This form is used by HUD and local agencies administering HUD programs to report employer request(s) for additional classification and wage rates so that an appropriate wage rate can be approved by the Department of Labor for the construction work. This information collection is required by Department of Labor regulations at 29 CFR 5.5. While no assurances of confidentiality are pledged to respondents, HUD generally discloses these data only in response to a Freedom of Information request.

Instructions

General:

Contractors/Employers: Do not need to complete this form. Submit a written, signed request to the responsible contracting agency naming the work classifications and the wage rates, including any fringe benefits, that are proposed.

Local Agency Staff: Complete items 2 through 10. Submit one copy of this form to the responsible HUD Labor Relations Office with a copy of the applicable Davis-Bacon wage decision and the written request from the employer naming the work classifications and wage rates that are proposed. (The employer's request must be made in writing and must be signed.)

1. For HUD or State CDBG Office use. Enter the name and address of HUD Office (or State CDBG office) submitting the report and to which the DOL reply should be sent.
2. Enter the name and number of the project or contract involved.
3. Enter the location of the project involved: city, county and state.
4. Describe the construction involved, e.g., new construction or rehabilitation, number and type of buildings, number of stories, number of units (as applicable). For example, New construction: 3 – 4-story buildings; 120 units.
5. Enter the character of construction as defined by DOL for Davis-Bacon prevailing wage rate purposes.
6. Enter the number of the Davis-Bacon wage decision applicable to the construction work. Include the number of wage decision modifications (if any) applicable to the work.
7. Enter the effective date of the wage decision for the project. (See DOL regulations at 29 CFR 1.6.)
8. Enter the work classifications and corresponding hourly basic wage rates and fringe benefit rates (if any) requested.
9. Self-explanatory.
10. If the requesting employer is not the prime contractor, enter the name and address of the subcontractor/employer making the request.

Remainder of Form: HUD Labor Relations/State CDBG use.

HUD Labor Relations/State CDBG Staff: Evaluate the employer's request against the criteria for approval (see DOL Regulations, 29 CFR Part 5, and related contract labor standards provisions). The criteria are reflected in "checklist" form to ensure that each factor is considered and to ensure that supporting documentation, including a copy of the applicable wage decision, is attached. Check the box next to each criterion that is met; do not check the box next to any criterion that is not met.

If the request meets all criteria, check the appropriate box, enter the name and telephone number of the HUD/State CDBG agency representative, and sign and date the form. Submit one copy of the completed form to the DOL with a copy of the applicable Davis-Bacon wage decision and the written request from the employer involved.

If the request fails to pass all criteria, check the appropriate box, enter agency contact information, and sign and date the form. Submit one copy of the completed form to the DOL with a copy of the applicable Davis-Bacon wage decision, the written request from the employer involved, *and* a cover letter explaining how the employer's request failed to meet one or more of the criteria.

Submission of Report

Completed forms shall be sent to: Branch of Construction Wage Determinations, U.S. Department of Labor, 200 Constitution Avenue, NW, Room S-3014, Washington, DC 20210.

(THIS DOCUMENT SHOULD APPEAR ON CONTRACTOR'S COMPANY LETTERHEAD)

AFFIDAVIT OF WAGE RESTITUTION

This is to acknowledge receipt of payment for restitution in the amount of _____
 (gross amount less permissible deductions) for _____ hours at _____ per hour.
 This is for additional wages due on _____ (name and
 location of project). This was paid by check number _____.

GROSS AMOUNT: \$ _____

Less deductions:

Federal Income Tax \$ _____

F.I.C.A. \$ _____

Other (identify) \$ _____

SUBTOTAL: \$ _____

NET AMOUNT: \$ _____

 (Signature of Employee)

 Date

(ATTACH A COPY OF THE CHECK OR OTHER PROOF OF PAYMENT MADE TO THE
 EMPLOYEE ALONG WITH CORRECTED PAYROLLS)

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
FEDERAL LABOR STANDARDS COMPLAINT INTAKE FORM

HUD FORM 4731OMB Approval No. 2501-0018
(Exp. 08/31/2010)

Name of complainant	Social Security Number
Current address of complainant (Street/City/State/Zip Code)	Permanent address, if different from current address
Telephone (including area code) (Home/Cell/Other)	E-Mail address
Project name, location and contract/project number	Prime contractor company name
Employer (company) name	Employer: name of owner/responsible party
Employer address	Employer: contact information (Telephone/Cell/Other)

Check one: Current employee
 Former employee
 Other (specify)

Period employed on the project

From:

To:

Occupation/job title:

Duties performed (be specific)

Tools used and/or equipment operated

Wage Rate: \$ per Hour Day Week Piece Other (specify):

Hours usually worked on the project

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Usual start and stop times

Start work time:

End work time:

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Labor Relations
FEDERAL LABOR STANDARDS COMPLAINT INTAKE FORM

HUD FORM 4731

OMB Approval No. 2501-0018
 (Exp. 08/31/2010)

Name of complainant	Social Security Number
---------------------	------------------------

	Yes	No		Yes	No
Were meal breaks taken? If yes, how long were the breaks?	<input type="checkbox"/>	<input type="checkbox"/>	Did the employer keep time records?	<input type="checkbox"/>	<input type="checkbox"/>
Paid Overtime (time and ½) after 40 hours?	<input type="checkbox"/>	<input type="checkbox"/>	Did the complainant keep time records?	<input type="checkbox"/>	<input type="checkbox"/>
Paid for all hours worked?	<input type="checkbox"/>	<input type="checkbox"/>	Does complainant have other personal records (pay stubs, log books, etc.) he/she can provide?	<input type="checkbox"/>	<input type="checkbox"/>
Was/is the complainant an Apprentice?	<input type="checkbox"/>	<input type="checkbox"/>	Were fringe benefits paid?	<input type="checkbox"/>	<input type="checkbox"/>

If fringe benefits were paid, check all that apply:

- Cash in lieu of fringe benefits
 Life insurance
 Pension
 Health insurance
 Dental insurance
 Holiday/Sick/Vacation

Identify other fringe benefits paid

Names of others affected by the alleged violation(s)

Names of others who can verify/attest to the complainant's allegations

- Continuation sheets attached
 Complainant's personal interview attached

Complaint taken by:

Name (print clearly)	Phone number (including area code) and E-mail address
Title	Agency, office
Signature	Date

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. The information is considered sensitive and will not be released without your approval. Provision of this information is voluntary. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget (OMB) control number. HUD and local agencies administering HUD-assisted programs must enforce Federal wage and reporting requirements on covered HUD-assisted construction and maintenance work. Enforcement activities include collecting information from laborers and mechanics and other interested parties regarding information about their employment on covered projects.



mississippi development authority

MISSISSIPPI

COMMUNITY SERVICES DIVISION

Compliance Bureau

Post Office Box 849

Jackson, MS 39205-0849

Phone:

601.359.3179

Fax:

601.359.3108

Hearing Impaired:

601.359.3119 (TTY)

**THIS FORM MUST BE
COMPLETED
AND RETURNED TO THE:**

**COMMUNITY
SERVICES DIVISION
COMPLIANCE BUREAU
WITHIN 10 DAYS
AFTER CONTRACT
AWARD.**

(July 2016)

Start of Construction and Contractor Award Notification

Project Name: _____

Project Contract Number: _____

City: _____

County: _____

Bid Advertising Start Date: _____

Bid Opening Date: _____

Contractor Award Date: _____

Federal Wage Decision Number: _____

Date: _____

Modification Number: _____

Date: _____

Start of Construction Date: _____

Contract Amount: _____

Type of Construction:

- Building
 Residential
 Heavy
 Highway

Type of Project:

(e.g., ADA; Water; Sewer, etc.) _____

PRECONSTRUCTION CONFERENCE:

Date: _____ Time: _____

Venue: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Preparer (Please Type or Print Name): _____

Date: _____

Chief Elected Official's Signature: _____

Date: _____

Other Authorized Signatory: _____

Date: _____

EMPLOYEE RIGHTS UNDER THE DAVIS-BACON ACT

FOR LABORERS AND MECHANICS EMPLOYED ON FEDERAL OR FEDERALLY ASSISTED CONSTRUCTION PROJECTS

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

PREVAILING WAGES

You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.

OVERTIME

You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

ENFORCEMENT

Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

APPRENTICES

Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.

PROPER PAY

If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

or contact the U.S. Department of Labor's Wage and Hour Division.



For additional information:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627



WWW.WAGEHOUR.DOL.GOV

DERECHOS DEL EMPLEADO

BAJO LA LEY DAVIS-BACON

PARA OBREROS Y MECÁNICOS EMPLEADOS EN PROYECTOS DE CONSTRUCCIÓN FEDERAL O CON ASISTENCIA FEDERAL

LA SECCIÓN DE HORAS Y SUELDOS DEL DEPARTAMENTO DE TRABAJO DE EEUU

SALARIOS PREVALECIENTES

No se le puede pagar menos de la tasa de pago indicada en la Decisión de Salarios Davis-Bacon fijada con este Aviso para el trabajo que Ud. desempeña.

SOBRETIEMPO

Se le ha de pagar no menos de tiempo y medio de su tasa básica de pago por todas las horas trabajadas en exceso de 40 en una semana laboral. Existen pocas excepciones.

CUMPLIMIENTO

Se pueden retener pagos por contratos para asegurarse que los obreros reciban los salarios y el pago de sobretiempo debidos, y se podría aplicar daños y perjuicios si no se cumple con las exigencias del pago de sobretiempo. Las cláusulas contractuales de Davis-Bacon permiten la terminación y exclusión de contratistas para efectuar futuros contratos federales hasta tres años. El contratista que falsifique los registros certificados de las nóminas de pago o induzca devoluciones de salarios puede ser sujeto a procesamiento civil o criminal, multas y/o encarcelamiento.

APRENDICES

Las tasas de aprendices sólo se aplican a aprendices correctamente inscritos bajo programas federales o estatales aprobados.

PAGO APROPIADO

Si Ud. no recibe el pago apropiado, o precisa de información adicional sobre los salarios aplicables, póngase en contacto con el Contratista Oficial que aparece abajo:

o póngase en contacto con la Sección de Horas y Sueldos del Departamento de Trabajo de EEUU.



Para obtener información adicional:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627



WWW.WAGEHOUR.DOL.GOV

Equal Employment Opportunity is **THE LAW**

Private Employers, State and Local Governments, Educational Institutions, Employment Agencies and Labor Organizations

Applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, protects applicants and employees from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, on the basis of race, color, religion, sex (including pregnancy), or national origin. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship.

DISABILITY

Title I and Title V of the Americans with Disabilities Act of 1990, as amended, protect qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship.

AGE

The Age Discrimination in Employment Act of 1967, as amended, protects applicants and employees 40 years of age or older from discrimination based on age in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment.

SEX (WAGES)

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act, as amended, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in the payment of wages to women and men performing substantially equal work, in jobs that require equal skill, effort, and responsibility, under similar working conditions, in the same establishment.

GENETICS

Title II of the Genetic Information Nondiscrimination Act of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees, or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees, or their family members.

RETALIATION

All of these Federal laws prohibit covered entities from retaliating against a person who files a charge of discrimination, participates in a discrimination proceeding, or otherwise opposes an unlawful employment practice.

WHAT TO DO IF YOU BELIEVE DISCRIMINATION HAS OCCURRED

There are strict time limits for filing charges of employment discrimination. To preserve the ability of EEOC to act on your behalf and to protect your right to file a private lawsuit, should you ultimately need to, you should contact EEOC promptly when discrimination is suspected:

The U.S. Equal Employment Opportunity Commission (EEOC), 1-800-669-4000 (toll-free) or 1-800-669-6820 (toll-free TTY number for individuals with hearing impairments). EEOC field office information is available at www.eeoc.gov or in most telephone directories in the U.S. Government or Federal Government section. Additional information about EEOC, including information about charge filing, is available at www.eeoc.gov.

Employers Holding Federal Contracts or Subcontracts

Applicants to and employees of companies with a Federal government contract or subcontract are protected under Federal law from discrimination on the following bases:

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals from discrimination on the basis of disability in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

DISABLED, RECENTLY SEPARATED, OTHER PROTECTED, AND ARMED FORCES SERVICE MEDAL VETERANS

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits job discrimination and requires affirmative action to employ and advance in employment disabled veterans, recently separated veterans (within

three years of discharge or release from active duty), other protected veterans (veterans who served during a war or in a campaign or expedition for which a campaign badge has been authorized), and Armed Forces service medal veterans (veterans who, while on active duty, participated in a U.S. military operation for which an Armed Forces service medal was awarded).

RETALIATION

Retaliation is prohibited against a person who files a complaint of discrimination, participates in an OFCCP proceeding, or otherwise opposes discrimination under these Federal laws.

Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under the authorities above should contact immediately:

The Office of Federal Contract Compliance Programs (OFCCP), U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, 1-800-397-6251 (toll-free) or (202) 693-1337 (TTY). OFCCP may also be contacted by e-mail at OFCCP-Public@dol.gov, or by calling an OFCCP regional or district office, listed in most telephone directories under U.S. Government, Department of Labor.

Programs or Activities Receiving Federal Financial Assistance

RACE, COLOR, NATIONAL ORIGIN, SEX

In addition to the protections of Title VII of the Civil Rights Act of 1964, as amended, Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination on the basis of race, color or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities which receive Federal financial assistance.

INDIVIDUALS WITH DISABILITIES

Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of disability in any program or activity which receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against persons with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job.

If you believe you have been discriminated against in a program of any institution which receives Federal financial assistance, you should immediately contact the Federal agency providing such assistance.

“EEO is the Law” Poster Supplement

Employers Holding Federal Contracts or Subcontracts Section Revisions

The Executive Order 11246 section is revised as follows:

RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, NATIONAL ORIGIN

Executive Order 11246, as amended, prohibits employment discrimination based on race, color, religion, sex, sexual orientation, gender identity, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

PAY SECRECY

Executive Order 11246, as amended, protects applicants and employees from discrimination based on inquiring about, disclosing, or discussing their compensation or the compensation of other applicants or employees.

The Individuals with Disabilities section is revised as follows:

INDIVIDUALS WITH DISABILITIES

Section 503 of the Rehabilitation Act of 1973, as amended, protects qualified individuals with disabilities from discrimination in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment. Disability discrimination includes not making reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, barring undue hardship to the employer. Section 503 also requires that Federal contractors take affirmative action to employ and advance in employment qualified individuals with disabilities at all levels of employment, including the executive level.

The Vietnam Era, Special Disabled Veterans section is revised as follows:

PROTECTED VETERANS

The Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended, 38 U.S.C. 4212, prohibits employment discrimination against, and requires affirmative action to recruit, employ, and advance in employment, disabled veterans, recently separated veterans (i.e., within three years of discharge or release from active duty), active duty wartime or campaign badge veterans, or Armed Forces service medal veterans.

Mandatory Supplement to EEOC P/E-1 (Revised 11/09) “EEO is the Law” Poster.

If you believe that you have experienced discrimination contact OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

La igualdad de oportunidades de empleo es

LA LEY

Empleadores privados, gobiernos locales y estatales, instituciones educativas, agencias de empleo y organizaciones de trabajo

Los postulantes y empleados de la mayoría de los empleadores privados, los gobiernos locales y estatales, las instituciones educativas, las agencias de empleo y las organizaciones de trabajo están protegidos por la ley federal contra la discriminación en función de:

RAZA, COLOR, RELIGIÓN, SEXO, PROCEDENCIA

El Título VII de la Ley de Derechos Civiles (Civil Rights Act) de 1964, con sus modificaciones, protege a los postulantes y a los empleados contra la discriminación en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo, en función de raza, color, religión, sexo (incluidas las embarazadas) o procedencia. La discriminación religiosa se refiere a la falta de adaptación razonable a las prácticas religiosas de un empleado, siempre y cuando dicha adaptación no provoque una dificultad económica desmedida para la compañía.

DISCAPACIDAD

Los Títulos I y V de la Ley de Estadounidenses con Discapacidades (Americans with Disabilities Act) de 1990, con sus modificaciones, protege a las personas idóneas contra la discriminación por discapacidad en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La discriminación por discapacidad se refiere a la falta de adaptaciones razonables para las limitaciones físicas o mentales de una persona idónea que tiene una discapacidad y que es un postulante o un empleado, salvo que dichas adaptaciones provoquen una dificultad económica desmedida para la compañía.

EDAD

La Ley contra la Discriminación Laboral por Edad (Age Discrimination in Employment Act) de 1967, con sus modificaciones, protege a los postulantes y empleados de 40 años o más contra la discriminación por cuestiones de edad en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo.

SEXO (SALARIOS)

Además de lo establecido en el Título VII de la Ley de Derechos Civiles, con sus modificaciones, la Ley de Igualdad en las Remuneraciones (Equal Pay Act) de 1963, con sus modificaciones, también prohíbe la discriminación sexual en el pago de los salarios a las mujeres y los hombres que realicen básicamente el mismo trabajo, en empleos que requieran las mismas habilidades, esfuerzo y responsabilidad, en condiciones laborales similares, en el mismo establecimiento.

GENÉTICA

El Título II de la Ley de No Discriminación por Información Genética (Genetic Information Nondiscrimination Act, GINA) de 2008 protege a los postulantes y empleados contra la discriminación basada en la información genética en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La GINA también limita la adquisición de información genética por parte de los empleadores y condiciona de manera estricta su divulgación. La información genética incluye las pruebas genéticas de los postulantes, empleados o integrantes de sus familias, la manifestación de enfermedades o trastornos de los miembros de la familia (historia médica familiar) y las solicitudes o la recepción de servicios genéticos por parte de los postulantes, empleados o integrantes de sus familias.

REPRESALIAS

Todas estas leyes federales prohíben a las entidades cubiertas que tomen represalias en contra de una persona que presenta una carga por discriminación, participa en un procedimiento por discriminación o que, de algún otro modo, se opone a una práctica laboral ilícita.

QUÉ DEBE HACER SI CONSIDERA QUE ES VÍCTIMA DE LA DISCRIMINACIÓN

Existen plazos estrictos para presentar cargos por discriminación laboral. A fin de preservar la capacidad de la Comisión para la Igualdad de Oportunidades en el Empleo (Equal Employment Opportunity Commission, EEOC) de actuar en representación suya y proteger su derecho a iniciar una demanda privada si fuese necesario en última instancia, debe comunicarse con la EEOC apenas sospeche que se produjo un hecho de discriminación: Comisión para la Igualdad de Oportunidades en el Empleo de los Estados Unidos, 1-800-669-4000 (línea gratuita) o 1-800-669-6820 (línea gratuita TTY para las personas con problemas auditivos). Puede encontrar información sobre las sucursales de la EEOC en www.eeoc.gov o en la mayoría de las guías telefónicas en la sección Gobierno Federal o Gobierno de los Estados Unidos. También puede obtener información adicional sobre la EEOC, incluso cómo presentar un cargo, en www.eeoc.gov.

Empleadores que tengan contratos o subcontratos con el gobierno federal

Los postulantes y empleados de las compañías que tengan un contrato o subcontrato con el gobierno federal están protegidos por la ley federal contra la discriminación en función de:

RAZA, COLOR, RELIGIÓN, SEXO, PROCEDENCIA

El Decreto Ejecutivo 11246, con sus modificaciones, prohíbe la discriminación en el trabajo en función de raza, color, religión, sexo o procedencia y exige que se implementen acciones afirmativas para garantizar la igualdad de oportunidades en todos los aspectos laborales.

PERSONAS CON DISCAPACIDADES

La Sección 503 de la Ley de Rehabilitación (*Rehabilitation Act*) de 1973, con sus modificaciones, protege a las personas idóneas contra la discriminación por discapacidad en lo que respecta a la contratación, los ascensos, los despidos, los pagos, las compensaciones adicionales, la capacitación laboral, la clasificación, las referencias y los demás aspectos del empleo. La discriminación por discapacidad se refiere a la falta de adaptaciones razonables para las limitaciones físicas o mentales de una persona idónea que tiene una discapacidad y que es un postulante o un empleado, salvo que dichas adaptaciones provoquen una dificultad económica desmedida para la compañía. La Sección 503 también exige que los contratistas federales implementen acciones afirmativas para emplear y avanzar en el empleo de personas idóneas con discapacidades en todos los niveles laborales, incluido el nivel ejecutivo.

VETERANOS DISCAPACITADOS, RECIÉN RETIRADOS, BAJO PROTECCIÓN Y CON MEDALLA POR SERVICIO A LAS FUERZAS ARMADAS

La Ley de Asistencia a la Readaptación de Veteranos de Vietnam (*Vietnam Era Veterans' Readjustment Assistance Act*) de 1974, con sus modificaciones, 38 U.S.C. 4212, prohíbe la discriminación laboral y exige que se implementen acciones afirmativas para emplear y avanzar en el empleo de los veteranos discapacitados, recién retirados

(en el plazo de los tres años posteriores a la baja o al cese del servicio activo), otros veteranos bajo protección (los veteranos que prestaron servicio durante una guerra o en una campaña o expedición para la cual se les autorizó una insignia de campaña) y los veteranos con medalla por servicio a las Fuerzas Armadas (aquellos que durante el servicio activo, participaron en una operación militar de los Estados Unidos por la cual se los reconoció con una medalla por servicio a las Fuerzas Armadas).

REPRESALIAS

Quedan prohibidas las represalias contra una persona que presenta una demanda por discriminación, participa en un procedimiento de la Oficina de Programas de Cumplimiento de Contratos Federales (*Office of Federal Contract Compliance Programs, OFCCP*) o que se oponga, de algún otro modo, a la discriminación según estas leyes federales.

Toda persona que considere que un contratista violó sus obligaciones de acción afirmativa o no discriminación según las autoridades mencionadas anteriormente debe comunicarse de inmediato con:

La Oficina de Programas de Cumplimiento de Contratos Federales (OFCCP), Departamento de Trabajo de los Estados Unidos, 200 Constitution Avenue, N.W., Washington, D.C. 20210, teléfono 1-800-397-6251 (línea gratuita) o (202) 693-1337 (línea TTY). También puede enviar un mensaje de correo electrónico a la OFCCP (OFCCP-Public@dol.gov) o bien, llamar a una de sus oficinas regionales o del distrito, las cuales aparecen en la mayoría de las guías telefónicas en la sección Gobierno de los Estados Unidos, Departamento de Trabajo.

Programas o actividades que reciben asistencia financiera federal

RAZA, COLOR, PROCEDENCIA, SEXO

Además de las protecciones establecidas en el Título VII de la Ley de Derechos Civiles de 1964 y sus modificaciones, el Título VI de dicha ley, con sus modificaciones, prohíbe la discriminación por raza, color o procedencia en los programas o las actividades que reciban asistencia financiera federal. La discriminación laboral está cubierta por el Título VI si el objetivo principal de la asistencia financiera es brindar empleo, o si la discriminación laboral provoca o puede provocar discriminación cuando se proporcionan los servicios de dichos programas. El Título IX de las Reformas Educativas de 1972 prohíbe la discriminación laboral según el sexo en los programas o las actividades educativas que reciben asistencia financiera federal.

PERSONAS CON DISCAPACIDADES

La Sección 504 de la Ley de Rehabilitación de 1973, con sus modificaciones, prohíbe la discriminación laboral por discapacidad en cualquier programa o actividad que reciba asistencia financiera federal. Queda prohibida la discriminación en todos los aspectos laborales contra las personas discapacitadas que, con o sin adaptaciones razonables, pueden desempeñar las funciones esenciales del trabajo.

Si cree que ha sido víctima de discriminación en algún programa de una institución que reciba asistencia financiera federal, debe comunicarse de inmediato con la agencia federal que brinda dicha asistencia.

Versiones utilizables de la EEOC 9/02 y la OFCCP 8/08 con el Suplemento 11/09

EEOC-P/E-1 (Revisado 11/09)

“IOE es la Ley” Cartel Suplementario

Sección revisada de empleadores que mantienen contratos o subcontratos federales

La sección del Decreto Ejecutivo 11246 está revisada de la siguiente manera:

RAZA, COLOR, RELIGIÓN, SEXO, ORIENTACIÓN SEXUAL, IDENTIDAD DE GÉNERO, NACIONALIDAD

El Decreto Ejecutivo 11246, en su forma enmendada, prohíbe la discriminación en el empleo por motivo de raza, color, religión, sexo, orientación sexual, identidad de género o nacionalidad y requiere programas de acción afirmativa para asegurar la igualdad de oportunidades en todos los aspectos de empleo.

SECRETO DE PAGO

El Decreto Ejecutivo 11246, en su forma enmendada, protege a los solicitantes y empleados de la discriminación por motivo de investigar, revelar o discutir su compensación o la compensación de otros solicitantes y empleados.

La sección de Personas con Discapacidades está revisada de la siguiente manera:

PERSONAS CON DISCAPACIDADES

La sección 503 de la Ley de Rehabilitación de 1973, en su forma enmendada, protege a personas calificadas con discapacidades de la discriminación en la contratación, promoción, despido, pago, beneficios adicionales, capacitación laboral, clasificación, referencia, y otros aspectos del empleo.

La discriminación por discapacidad incluye, el no realizar una adaptación razonable a las limitaciones físicas o mentales conocidas de un individuo calificado con discapacidad, ya sea un solicitante o empleado, salvo una carga excesiva para el empleador.

La sección 503 también requiere que los contratistas federales tomen acción afirmativa para contratar y ayudar a progresar a individuos calificados con discapacidades en todos los niveles de empleo, incluido el nivel ejecutivo.

La sección Veteranos con Discapacidades Especiales, de la Era de Vietnam está revisada de la siguiente manera:

VETERANOS PROTEGIDOS

La Ley de Asistencia de Reajuste de los Veteranos de la Era de Vietnam de 1974, en su forma enmendada, 38 USC 4212, prohíbe la discriminación laboral y requiere la acción afirmativa para reclutar, contratar, y progresar en el empleo, a favor de los veteranos discapacitados, veteranos recientemente separados (es decir, dentro de los tres años de la descarga o liberación del servicio activo), veteranos en servicio activo en tiempos de guerra, veteranos insignia de campaña y veteranos de las fuerzas armadas con medalla de servicio.

Suplemento Obligatorio para la CIOE P/E-1 (Revisado el 11/09) “IOE es la Ley” Cartel.

Si usted cree que ha experimentado discriminación, contáctese con la OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

平等的就業機會奠基於

法律

民營企業雇主、州政府/地方政府、教育機構、就業服務中心及勞工組織

大多數民營企業雇主、州政府/地方政府、教育機構、就業服務中心及勞工組織的求職者及員工受聯邦法律關於以下方面相關歧視的保護：

種族、膚色、宗教、性別、原始國籍

1964 年民權法案第七章修訂禁止在雇用、晉升、解雇、支薪、津貼補助、工作培訓、分級、推薦以及其他就業方面對種族、膚色、宗教、性別（包括懷孕）或原始國籍等予以歧視。宗教歧視包括未能合理包容不會造成過度重負的員工宗教信仰。

殘障

1990 年美國殘障法案第一章及第五章修訂保護合格的殘障求職者及員工免受雇用、晉升、解雇、支薪、津貼補助、工作培訓、分級、推薦以及其他就業方面的殘障歧視。法律同時要求所述機構為合格的殘障求職者及員工提供合理包容，除非這類包容會對雇主造成過度重負時則不適用。

年齡

1967 年就業年齡歧視法修訂保護年滿 40 歲以上的求職者及員工免受雇用、晉升、解雇、支薪、津貼補助、工作培訓、分級、推薦以及其他就業方面的年齡歧視。

性別（工資）

除 1964 年民權法案第七章修訂禁止性別歧視外，1963 年平等薪資法案修訂禁止執行大致上同等工作、需要同等技能、心力及責任的工作、在相同地點的類似工作條件下依據性別支付不同薪資的性別歧視。

遺傳基因

2008 年遺傳基因歧視防治法第二章保護求職者及員工免受雇用、晉升、解雇、支薪、津貼補助、工作培訓、分級、推薦以及其他就業方面的遺傳基因資訊歧視。GINA 也限制雇主取得遺傳基因資訊，並嚴格限制公開遺傳基因資訊。遺傳基因資訊包括求職者、員工及其家屬的遺傳基因測試資訊、家屬病症文件（家屬病歷），以及求職者、員工或其家屬要求或接受遺傳基因檢測的服務。

報復

所有聯邦法律皆禁止報復控告歧視、參與歧視訴訟或以其他方式反對歧視的個人。您認為遭受歧視時可採取的措施

控告就業歧視有其嚴格的時間限制。為了使 EEOC 能夠代表您採取行動，並維護您個人最終需要訴諸的法律追訴權，在疑似出現歧視的狀況下，您應該主動聯絡 EEOC：

美國平等就業機會委員會 (EEOC)，電話為 1-800-669-4000（免付費）或 1-800-669-6820（聽力殘障人士免付費 TTY 號碼）。www.eeoc.gov 或美國政府/聯邦政府部門大部分的電話簿均提供 EEOC 現場辦事處的相關資訊。如需有關提出控告之類其他關於 EEOC 的資訊，請造訪 www.eeoc.gov。

持有聯邦契約或分包契約的雇主

持有聯邦政府契約或分包契約的公司求職者及員工受聯邦法律關於以下方面相關歧視的保護：

種族、膚色、宗教、性別、原始國籍
第 11246 號行政命令修訂禁止種族、膚色、性別或原始國籍等工作歧視，並要求採取平權措施，以確保就業所有層面達到機會平等。

殘障人士

1973 年復健法案修訂第 503 節保護合格的殘障求職者及員工免受雇用、晉升、解雇、支薪、津貼補助、工作培訓、分級、推薦以及其他就業方面的殘障歧視。法律同時要求所述機構為合格的殘障求職者及員工提供合理包容，除非這類包容會對雇主造成過度重負時則不適用。第 503 節也要求聯邦政府承包商在就業所有層面（包括執行層面）積極雇用及晉升合格的殘障員工。

殘障、最近分居、受其他方面保護，及功勳卓著之退伍軍人

1974 年越戰退伍軍人調整援助法案修訂 38 U.S.C. 4212 禁止工作歧視，並要求採取平權措施以雇用及晉升殘障退伍軍人、最近分居的退伍軍人（自退伍或除役之日起

三年內）、受其他方面保護的退伍軍人（戰爭期間或戰役/出征期間服役且獲頒戰役獎章的退伍軍人），以及功勳卓著之退伍軍人（服役期間參與美國軍事行動而獲頒軍隊服役獎章的退伍軍人）。

報復

禁止報復控告歧視、參與 OFCCP 訴訟或以其他方式反對歧視的個人。

任何認為簽訂契約的一方違反上述主管機關非歧視或平權措施義務的個人應該立即聯絡：

美國勞工部聯邦契約規範計畫辦公室 (OFCCP) 地址：200 Constitution Avenue, N.W., Washington, D.C. 20210，電話：1-800-397-6251 (免付費) 或 (202) 693-1337 (TTY)。寄送電子郵件至 OFCCP-Public@dol.gov，或者撥打電話簿上列出之美國政府勞工部大部分電話洽詢 OFCCP 區域或地區辦事處，均可聯絡 OFCCP。

接受聯邦財務援助的計畫或活動

種族、膚色、原始國籍、性別

除 1964 年民權法案第七章修訂的保護外，民權法案第六章禁止接受聯邦財務援助的計畫或活動出現種族、膚色或原始國籍歧視。如果財務援助的主要宗旨是提供就業，或者就業歧視導致或可能導致在這類計畫下提供服務時造成歧視，則就業歧視受第六章所規範。1972 年教育修正案第九章禁止接受聯邦財務援助的計畫或活動出現性別方面的就業歧視。

殘障人士

1973 年復健法案修訂第 504 節禁止接受聯邦財務援助的任何計畫或活動出現殘障方面的就業歧視。禁止在就業所有層面歧視經過或未經合理包容並且可以執行必要工作職責的殘障人士。

如果您認為自己在任何接受聯邦財務援助的機構所提出的計畫中遭受歧視，您應該立即聯絡提供這類援助的聯邦機構。

“平等就業機會就是法律”海報修訂

雇主進行聯邦合同或分包合同條款的修訂

這項11246條行政命令修訂如下：

種族、膚色、宗教、性別、性取向、性別認同、民族血統

修改後的11246條行政命令禁止就業方面在種族、膚色、宗教、性別、性取向、性別認同，或民族血統方面的歧視，並要求採取扶持性行動，確保在就業機會的所有方面機會平等。

薪酬保密

修改後的11246條行政命令保護申請人及雇員免於在 詢、披露，或討論其補償或其他申請人或雇員的賠償時受到不公平對待。

殘疾人章節修訂如下：

殘疾人士

修改後的1973年康復法第503節保護有資格的殘疾人士不受雇用、晉升、解雇、工資、福利、就業培訓、分類、 詢、 和其他就業機會方面的歧視。

對殘疾人的歧視包括對已知肢體或心智有行為限制的人士、

或合格的殘疾申請人或雇員做出不合理的工作安排，雇主雇傭非常困難的除外。

第503節還要求，聯邦承建商採取積極的行動，雇傭並促進合格殘疾人在各個層級，包括管理層的就業。

越南戰爭期間，特殊殘疾退伍軍人章節修訂如下：

保護退伍軍人

修改後的《1974年越南戰爭期間退伍軍人調整援助法》38 U.S.C. 4212 條，禁止就業歧視，

並要求採取扶持性行動征聘、雇用、和促進雇用傷殘軍人、最近退伍的軍人(即，

在三年內退伍或離開現役)戰時現役或隨軍記者退伍人員、或武裝部隊服役獎章獲得者退伍軍人。

《EEOC P/E-1(Revised 11/09)補充條例》“平等就業機會就是法律”海報。

如果你認為你已經受到歧視請聯絡 OFCCP: 1-800-397-6251 | TTY 1-877-889-5627 | www.dol.gov.

Federal Labor Standards Provisions

U.S. Department of Housing and Urban Development Office of Labor Relations

Applicability

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) Minimum Wages. All laborers and mechanics employed or working upon the site of the work, will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5.5(a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(b) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB control number 1215-0140.)

(c) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

(d) The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor shall either pay the benefit as stated in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part

of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under OMB Control Number 1215-0140.)

2. Withholding. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract. In the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, HUD or its designee may, after written notice to the contractor, sponsor, applicant, or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased. HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. The Comptroller General shall make such disbursements in the case of direct Davis-Bacon Act contracts.

3. (i) Payrolls and basic records. Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section 1(b)(2)(B) of the Davis-bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5 (a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in Section 1(b)(2)(B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been

communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (Approved by the Office of Management and Budget under OMB Control Numbers 1215-0140 and 1215-0017.)

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5(a)(3)(i) except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division Web site at <http://www.dol.gov/esa/whd/forms/wh347instr.htm> or its successor site. The prime contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current address of each covered worker, and shall provide them upon request to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this subparagraph for a prime contractor to require a subcontractor to provide addresses and social security numbers to the prime contractor for its own records, without weekly submission to HUD or its designee. (Approved by the Office of Management and Budget under OMB Control Number 1215-0149.)

(b) Each payroll submitted shall be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following:

(1) That the payroll for the payroll period contains the information required to be provided under 29 CFR 5.5 (a)(3)(ii), the appropriate information is being maintained under 29 CFR 5.5(a)(3)(i), and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR Part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(c) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by subparagraph A.3.(ii)(b).

(d) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under subparagraph A.3.(i) available for inspection, copying, or transcription by authorized representatives of HUD or its designee or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, HUD or its designee may, after written notice to the contractor, sponsor, applicant or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and Trainees.

(i) **Apprentices.** Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who

is not registered or otherwise employed as stated above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training, Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) **Trainees.** Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment and Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices. Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by

the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 3 which are incorporated by reference in this contract

6. Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs 1 through 11 in this paragraph A and such other clauses as HUD or its designee may by appropriate instructions require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.

7. Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U.S. Department of Labor, or the employees or their representatives.

10. (i) Certification of Eligibility. By entering into this contract the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be

awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001. Additionally, U.S. Criminal Code, Section 1 01 0, Title 18, U.S.C., "Federal Housing Administration transactions", provides in part: "Whoever, for the purpose of . . . influencing in any way the action of such Administration . . . makes, utters or publishes any statement knowing the same to be false . . . shall be fined not more than \$5,000 or imprisoned not more than two years, or both."

11. Complaints, Proceedings, or Testimony by Employees. No laborer or mechanic to whom the wage, salary, or other labor standards provisions of this Contract are applicable shall be discharged or in any other manner discriminated against by the Contractor or any subcontractor because such employee has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify in any proceeding under or relating to the labor standards applicable under this Contract to his employer.

B. Contract Work Hours and Safety Standards Act. The provisions of this paragraph B are applicable where the amount of the prime contract exceeds \$100,000. As used in this paragraph, the terms "laborers" and "mechanics" include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which the individual is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in subparagraph (1) of this paragraph, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (1) of this paragraph, in the sum of \$10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in subparagraph (1) of this paragraph.

(3) Withholding for unpaid wages and liquidated damages. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contract, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act which is held by the same prime contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2) of this paragraph.

(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraph (1) through (4) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs (1) through (4) of this paragraph.

C. Health and Safety. The provisions of this paragraph C are applicable where the amount of the prime contract exceeds \$100,000.

(1) No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.

(2) The Contractor shall comply with all regulations issued by the Secretary of Labor pursuant to Title 29 Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91-54, 83 Stat 96). 40 USC 3701 et seq.

(3) The contractor shall include the provisions of this paragraph in every subcontract so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.

Instructions for Completing the Certified Payroll Form W-347

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: Self-explanatory.

Project or Contract No.: Self-explanatory.

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. Consult classification and minimum wage schedule set forth in contract specifications. If additional classifications are deemed necessary, see Contracting Officer or Agency representative. An individual may be shown as having worked in more than one classification provided an accurate breakdown or 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: Self-explanatory

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 this project. 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.

Column 8 - Deductions: Five columns are provided for showing deductions made. If more than five deduction are involved, use the first four columns and show the balance deductions under "Other" column; show actual total under "Total Deductions" column; and in the attachment to the payroll describe the deduction(s) contained in the "Other" column. 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: Self-explanatory.

Totals - Space has been left at the bottom of the columns so that totals may be shown if the contractor so desires.

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.

Public Burden Statement: We estimate that it will take an average of 55 minutes to complete this collection of information, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection of information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, ESA, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Record of Employee Interview

U.S. Department of Housing and Urban Development Office of Labor Relations

OMB Approval No. 2501-0009
(exp.09/30/2017)

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The information is collected to ensure compliance with the Federal labor standards by recording interviews with construction workers. The information collected will assist HUD in the conduct of compliance monitoring; the information will be used to test the veracity of certified payroll reports submitted by the employer. **Sensitive Information.** The information collected on this form is considered sensitive and is protected by the Privacy Act. The Privacy Act requires that these records be maintained with appropriate administrative, technical, and physical safeguards to ensure their security and confidentiality. In addition, these records should be protected against any anticipated threats or hazards to their security or integrity that could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom the information is maintained. **The information collected herein is voluntary, and any information provided shall be kept confidential.**

1a. Project Name			2a. Employee Name		
1b. Project Number			2b. Employee Phone Number (including area code)		
1c. Contractor or Subcontractor (Employer)			2c. Employee Home Address & Zip Code		
			2d. Verification of identification? Yes <input type="checkbox"/> No <input type="checkbox"/>		
3a. How long on this job?	3b. Last date on this job before today?	3c. No. of hours last day on this job?	4a. Hourly rate of pay?	4b. Fringe Benefits?	
				Vacation Yes <input type="checkbox"/> No <input type="checkbox"/>	4c. Pay stub? Yes <input type="checkbox"/> No <input type="checkbox"/>
				Medical Yes <input type="checkbox"/> No <input type="checkbox"/>	
				Pension Yes <input type="checkbox"/> No <input type="checkbox"/>	

5. Your job classification(s) (list all) --- continue on a separate sheet if necessary

6. Your duties

7. Tools or equipment used

	Y	N		Y	N
8. Are you an apprentice or trainee?	<input type="checkbox"/>	<input type="checkbox"/>	10. Are you paid at least time and ½ for all hours worked in excess of 40 in a week?	<input type="checkbox"/>	<input type="checkbox"/>
9. Are you paid for all hours worked?	<input type="checkbox"/>	<input type="checkbox"/>	11. Have you ever been threatened or coerced into giving up any part of your pay?	<input type="checkbox"/>	<input type="checkbox"/>

12a. Employee Signature

12b. Date

13. Duties observed by the Interviewer (Please be specific.)

14. Remarks

15a. Interviewer name (please print)

15b. Signature of Interviewer

15c. Date of interview

Payroll Examination

16. Remarks

17a. Signature of Payroll Examiner

17b. Date

Record of Employee Interview Instructions	U.S. Department of Housing and Urban Development Office of Labor Relations	OMB Approval No. 2501-0009 (exp. 10/31/2010)
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Instructions

General:

This form is to be used by HUD and local agency staff for recording information gathered during on-site interviews with laborers and mechanics employed on projects subject to Federal prevailing wage requirements. Typically, the staff that will conduct on-site interviews and use this form are HUD staff and fee construction inspectors, HUD Labor Relations staff, and local agency labor standards contract monitors.

Information recorded on the form HUD-11 is evaluated for general compliance and compared to certified payroll reports submitted by the respective employer. The comparison tests the veracity of the payroll reports and may be critical to the successful conclusion of enforcement actions in the event of labor standards violations. The thoroughness and accuracy of the information gathered during interviews is crucial.

Note that the interview itself and the information collected on the form HUD-11 are considered confidential. Interviews should be conducted individually and privately. All laborers and mechanics employed on the job site must be made available for interview at the interviewer's request. The employee's participation, however, is voluntary. Interviews shall be conducted in a manner and place that are conducive to the purposes of the interview and that cause the least inconvenience to the employer(s) and the employee(s).

Completing the form HUD-11

Items 1a - 1c: Self-explanatory

Items 2a - 2d: Enter the employee's full name, a telephone number where the employee can be reached, and the employee's home address. Many construction workers use a temporary address in the locality of the project and have a more permanent address elsewhere from which mail may be forwarded to them. Obtain a more permanent address, if available. Ask the employee for a form of identification (e.g., driver's license) to verify their name.

Items 3a - 4c: Enter the employee's responses. Ask the employee whether they have a pay stub with them; if so, determine whether the pay stub is consistent with the information provided by the employee.

Items 5 - 7: Be certain that the employee's responses are specific. For example, job classification (#5) must identify the trade involved (e.g., Carpenter, Electrician, Plumber) - responses such as "journeyman" or "mechanic" are not helpful for our purposes.

Items 8 - 12b: Self-explanatory

Items 13 - 15c: These items represent some of the most important information that can be gathered while conducting on-site interviews. Please be specific about the duties you observed the employee performing. It may be easiest to make these observations before initiating the interview. Please record any comments or remarks that may be helpful. For example, if the employee interviewed was working with a crew, how many workers were in the crew? Was the employee evasive?

The level of specificity that is warranted is directly related to the extent to which interview(s) or other observations indicate that there may be violations present. If interviews indicate that there may be underpayments involving a particular trade(s), the interviewer is encouraged to interview as many workers in that trade(s) that are available.

Items 16 - 17b: The information on the form HUD-11 may be reviewed for general compliance, initially. For example, are the job classification and wage rate stated by the employee compatible with the classifications and wage rates on the applicable wage decision? Are the duties observed by the interviewer consistent with the job classification?

Once the corresponding certified payroll reports are received, the information on the HUD-11 shall be compared to the payroll reports. Any discrepancies noted between the HUD-11 information and that on the payroll report shall be noted in Item 16, Remarks. If discrepancies are noted, follow-up actions to resolve the discrepancies must be taken.

Historial de Entrevista del Empleado

Departamento de Vivienda y
Desarrollo Urbano de EE.UU.
Oficina de Relaciones Laborales

Aprobación de OMB No. 2501-0009
(exp. 10/31/2010)

Se estima que la tarea de recolección de esta información pública es de aproximadamente 15 minutos por respuesta, incluso el tiempo para examinar instrucciones, buscar fuentes de datos existentes, recopilar y mantener datos necesarios, y completar y examinar la recopilación de la información. Esta agencia no puede recopilar esta información y no se requiere que usted llene este formulario, a menos que éste exhiba un número de control válido de la Oficina de Administración y Presupuesto (OMB, por sus siglas en inglés. La información que se recopila tiene la finalidad de garantizar la conformidad a las normas laborales Federales mediante entrevistas con obreros de construcción. La información recopilada asistirá a HUD a conducir el monitoreo de conformidad; la información se usará para examinar la veracidad de los informes de nómina certificados presentados por el patrón. **Información confidencial.** La información recopilada en este formulario es considerada confidencial y está protegida por la Ley de Privacidad. La Ley de Privacidad requiere que estos archivos se mantengan con salvaguardas administrativas, técnicos, y físicos apropiados para garantizar su seguridad y confidencialidad. Además, estos archivos deberán ser protegidos contra cualquier amenaza anticipada o riesgos a su seguridad o integridad, que podría causar daño sustancial, vergüenza, inconveniencias, o injusticias a cualquier individuo de quien se mantiene la información. **La información recopilada aquí es voluntaria y cualquier información proporcionada será mantenida como confidencial.**

1a. Nombre del proyecto			2a. Nombre del empleado			
1b. Número del proyecto			2b. Número de teléfono del empleado (incluso prefijo local)			
1c. Contratista o subcontratista (Patrón)			2c. Dirección residencial del empleado y código postal			
			2d. ¿Verificación de identificación? Sí <input type="checkbox"/> No <input type="checkbox"/>			
3a. ¿Cuánto tiempo en este trabajo?	3b. ¿Último día en este trabajo antes de hoy?	3c. ¿No. de horas en su último día en este trabajo?	4a. ¿Salario por hora?	4b. ¿Beneficios complementarios? Vacaciones Sí <input type="checkbox"/> No <input type="checkbox"/> Médicos Sí <input type="checkbox"/> No <input type="checkbox"/> Pensión Sí <input type="checkbox"/> No <input type="checkbox"/>	4c. ¿Talonario de paga? Sí <input type="checkbox"/> No <input type="checkbox"/>	
5. Clasificación(es) de su trabajo(s) (enumere todas) --- continúe en una página separada si es necesario						
6. Sus deberes						
7. Herramientas o equipo usado						
8. ¿Es aprendiz?		S <input type="checkbox"/> N <input type="checkbox"/>	10. ¿Le pagan al menos tiempo y medio por todas las horas trabajadas superior a 40 horas semanales?		S <input type="checkbox"/> N <input type="checkbox"/>	
9. ¿Le pagan todas las horas trabajadas?		S <input type="checkbox"/> N <input type="checkbox"/>	11. ¿Alguna vez ha sido amenazado o coaccionado a entregar parte de su paga?		S <input type="checkbox"/> N <input type="checkbox"/>	
12a. Firma del empleado			12b. Fecha			
13. Deberes observados por el entrevistador (Por favor sea específico.)						
14. Comentarios						
15a. Nombre del entrevistador (use letra de imprenta)			15b. Firma del entrevistador		15c. Fecha de la entrevista	

Examinación de Nómina

16. Comentarios

17a. Firma del examinador de nómina	17b. Fecha
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InstruccionesGeneralidades:

Este formulario será utilizado por personal de HUD y agencias locales a fin de anotar toda información recopilada durante las entrevistas en sitio con obreros y mecánicos empleados en proyectos sujetos a requisitos de pago de salario vigente federal. Por lo general, el personal que efectúe entrevistas en sitio y use este formulario será personal de HUD e inspectores de construcción con comisión, personal de la Oficina de Relaciones Laborales de HUD, e inspectores de contratos de la agencia de normas laborales local.

La información recopilada en este formulario HUD-11 es evaluada para su conformidad general y comparada con informes de nóminas certificados presentados por el empleador correspondiente. La comparación examina la veracidad de los informes de nómina y puede ser crítica para la exitosa conclusión de gestiones de cumplimiento en caso de existir violaciones a las normas laborales. La meticulosidad y exactitud de la información recopilada durante las entrevistas es trascendental.

Tenga en cuenta que tanto la entrevista misma y la información recopilada en el formulario HUD-11 se consideran ser de carácter confidencial. Las entrevistas se deberán efectuar en forma individual y en privado. Todos los trabajadores y mecánicos empleados en el sitio de trabajo deben ser puestos a disposición para las entrevista a petición del entrevistador. Sin embargo, la participación del empleado es voluntaria. Las entrevistas serán conducidas en una manera y lugar que sean conducentes a los objetivos de la entrevista y ocasionen el menor inconveniente al patrón(nes) y empleado(s).

Instrucciones para rellenar el formulario HUD-11

Líneas 1a - 1c: Auto aclaratorio

Líneas 2a – 2d: Anote el nombre completo del empleado, un número telefónico donde se le pueda contactar, y su dirección residencial. Muchos trabajadores de construcción usan una dirección temporal en la localidad del proyecto y tienen una dirección más permanente en algún otro lugar a donde se les puede enviar correspondencia. Si puede, obtenga una dirección más permanente. Pida al empleado algún tipo de identificación (por ej., licencia de conducir) para verificar su nombre.

Líneas 3a – 4c: Anote las respuestas del empleado. Pregunte a los empleados si tienen un talonario de paga con ellos; si no, determine si el talonario de paga concuerda con la información provista por el empleado.

Líneas 5 – 7: Asegúrese de que las respuestas del empleado sean específicas. Por ejemplo, la clasificación de trabajo (#5) debe identificar el tipo de oficio que desempeña (por ej., carpintero, electricista, plomero) – respuestas tales como "jornalero" o "mecánico" no ayudan para nuestros propósitos.

Líneas 8 – 12b: Auto explicatorio

Líneas 13 – 15c: Estos asuntos representan alguna de la información más importante que se puede recopilar durante una entrevista en sitio. Por favor sea específico en cuanto a los deberes que según su observación desempeñó el empleado. Quizás sea más fácil hacer estas observaciones antes de iniciar la entrevista. Por favor anote cualquier comentario que pueda ser de importancia. Por ejemplo, si el empleado entrevistado estaba trabajando con un equipo, ¿cuántos trabajadores tenía el equipo? ¿Se mostraba el empleado evasivo?

El nivel de precisión garantizado está directamente relacionado al grado que la(s) entrevista(s) u otras observaciones pueden indicar que existen posibles violaciones. Si las entrevistas indican que puede haber paga de salario insuficiente relacionado a algún particular oficio (s), se recomienda al entrevistador conducir entrevistas con tantos trabajadores en ese oficio(s) estén disponibles.

Líneas 16 – 17b: Inicialmente, la información en el formulario HUD-11 puede ser examinada para conformidad general. Por ejemplo, ¿está la clasificación de trabajo y el salario declarado por el empleado compatible con las clasificaciones y tasas de salario en la decisión de salario aplicable? ¿Concuerdan los deberes observados por el entrevistador con la clasificación de trabajo?

Una vez se reciben los informes de nómina certificados correspondientes, se hará una comparación de la información anotada en el formulario HUD-11 con los informes de nómina. Cualquier discrepancia entre la información del formulario HUD-11 y la del informe de nómina será anotada en la línea 16, Comentarios. Si se hacen observaciones de discrepancias se deberán tomar pasos de seguimiento para resolver las discrepancias.

MISSISSIPPI DEVELOPMENT AUTHORITY
 Community Services Division - Compliance Bureau
 P.O. Box 849 ≈ Jackson, Mississippi ≈ 39205
 Phone: 601.359.3449 ≈ Fax: 601.359.3108

REQUEST FOR WAGE DETERMINATION AND RESPONSE TO REQUEST

(Davis-Bacon Act as amended and related statutes)

Response to Request
**For CSD Compliance Use Only*

1. REQUESTING OFFICER:

Name: _____
 Title: _____
 Email: _____
 Signature: _____

2. PROJECT INFORMATION:

Project Grant Number #: _____
 Project Name: _____

TYPE OF WORK:

- Building
- Residential
- Heavy
- Highway
- Other: _____

3. GRANTEE:

4. CONTACT PHONE NUMBER:

15. NOTE:

5. DATE OF REQUEST:

6. ESTIMATE BID ADVERTISEMENT DATE:

7. ESTIMATE BID OPENING DATE:

DAVIS-BACON ACT

WAGE DECISION NUMBER

8. ESTIMATE VALUE OF BID CONTRACT:
(not grant amount from CSD)
 \$ _____

9. SUBJECT TO COMPETITIVE BIDDING:
 YES
 NO

10. HOUSING UNITS IN THIS PROJECT:
 SF MF
 Units _____ Stories _____

The Housing and Community Development Act of 1974, as amended, Section 110, states any construction work financed **in whole or in part with CDBG funds**, where the contract for construction is greater than \$2,000, and for residential properties containing more than 8 units, the provisions of the Davis-Bacon Act, shall apply. Public improvements not initially assisted with CDBG funds may be subject to prevailing wage requirements retroactive to the inception of the project when CDBG funds are applied.

WAGE DECISION DATE

11. LOCATION OF PROJECT: *(Street address or neighborhood and city/town)*

SUPERSEDES NUMBER

12. COUNTY: _____

13. MAIL WAGE DETERMINATION TO: *(Please print or type):*

Name:	Name:
Address:	Address:
City:	City:
State:	State:
Zip:	Zip:

Date

14. DESCRIPTION OF PROJECT: (include ALL contemplated actions that logically are either geographically or functionally a composite part of the project, regardless of the source of funding. If the project includes other funding sources, do NOT describe only the portion funded by CDBG.) — *(Please print or type)*

REQUEST FOR WAGE DETERMINATION AND MDA-CSD RESPONSE TO REQUEST

Instructions

(When completing this form, please type or print clearly.)

- Box 1: Requesting Officer.** The person requesting the wage determination should list his/her name, title, and email address and provide signature.
- Box 2: Project Information.** List the project grant number for the project, (e.g., **1221-09-08-PF-01**) and the project name, (e.g., **Washington County, MS Courthouse ADA Improvements**).
- Box 3: Grantee.** List the name of the Grantee, (e.g., **Washington County Board of Supervisors**).
- Box 4: Contact Phone Number.** List the phone number Compliance Bureau Staff should call if there are questions about the request.
- Box 5: Date of Request.** List the date the request was submitted to CSD Compliance Bureau.
- Box 6: Estimate Bid Advertisement Date.** List your best estimate for the date you will advertise for bids.
- Box 7: Estimate Bid Opening Date.** List your best estimate for the date you will open the bids.
- Box 8: Estimate Value of Bid Contract.** List your best estimate for the value of the bid contract – NOT the total amount of the grant from CSD.
- Box 9: Subject to Competitive Bidding.** Is the contract subject to competitive bidding? Check **YES** or **NO**.
- Box 10: Total Number of Housing Units.** Are there any housing units in this project? If **YES**, check: Single-Family (**SF**), Multi-Family (**MF**), or both. List the number of housing units in the project. List the number of stories for multi-family buildings.
- Box 11: Location of Project.** List the street address or name of the neighborhood and city or town where the project is located.
- Box 12: County.** List the county where the project is located.
- Box 13: Mail Wage Determination To.** List the address and name of the person who should receive the wage determination packet.
- Box 14: Description of Project.** Provide a complete description of the overall project (**NOT only the CDBG-funded portion**). This information will be used to determine the appropriate wage decision.
- Box 15: NOTE.** Please read the note regarding Davis-Bacon Act applicability.



CSD Compliance Bureau will complete the **Response to Request** boxes on the left and send this form (*along with seven additional items in a wage determination packet*) to the person listed in **Box 13**. The wage determination packet will include:

- Response to Request for Wage Decision, which lists the appropriate wage decision(s).
- Print-out of appropriate wage decision(s) from wdol.gov.
- Print-out of [Federal Labor Standards Provisions](#) from HUD.
- [Two posters](#) for job site: “**Equal Employment Opportunity is the Law**” and “**Notice to All Employees Working on Federal or Federally Financed Construction Projects**”.
- A letter to the Grantee explaining their responsibilities regarding the wage decision and posters.

Semi-Annual Labor Standards Enforcement Report - Local Contracting Agencies (HUD Programs)	U.S. Department of Housing and Urban Development Office of Labor Relations	HUD FORM 4710 <small>OMB Approval Number 2501-0019 (Exp. 09/30/2013)</small>
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Agency Name:	Agency Type: <small>(e.g., CDBG, PHA, TDHE/IHA)</small>	State:	LR2000 Agency ID #: <small>(HUD Use Only)</small>
Period Covered: Check One and Enter Year(s)			
<input type="checkbox"/> Period 1: October 1, ____ to March 31, ____		<input type="checkbox"/> Period 2: April 1, ____ to September 30, ____	
Agency Contact Person:		Agency Contact Phone/E-mail:	

PART I - CONTRACTING ACTIVITY*
Pertains ONLY to projects awarded during the reporting period.

1. Number of prime contracts subject to the Davis-Bacon and Related Acts (DBRA) and/or the Contract Work Hours and Safety Standards Act (CWHSSA) awarded this period
Note: Do not include contracts included in previous semi-annual reports

2. Total dollar amount of prime contracts reported in item 1 above \$

3. List for each contract awarded this period:

Project Name/Number	Contract Amount	Wage Decision Number	Wage Decision Lock-In Date
EXAMPLE: "Boy's Club Renovation # CD54005-65"	"\$0,000,000.00"	"FL040001/Mod 3, 6/25/04, Building"	"07/02/04 bid open date" ◀ Lock

*Use additional pages if necessary

WHAT IS THE LOCK-IN DATE? For contracts entered into pursuant to competitive bidding procedures, the bid opening date "locks-in" the wage decision **provided** that the contract is awarded within 90 days. If the contract is awarded more than 90 days after bid opening, the contract award date "locks-in" the wage decision. For contracts, purchase orders or other agreements for which there is no bid opening or award date, use the construction start date as the lock-in date. However, for projects receiving assistance under Section 8 of the U.S. Housing Act of 1937 or contracts involving a *project* wage determination, the lock-in rules may vary from above. See Department of Labor Regulations, 29 CFR, Part 1, Section 1.6 and/or HUD Handbook 1344.1, or consult the HUD Labor Relations staff.

WHAT IT ISN'T: Do not use the wage decision publication date, unless that happens to correspond to one of the trigger events described above. If you are not sure about any of this, please feel free to contact the Labor Relations staff in your state or region.

Semi-Annual Labor Standards Enforcement Report - Local Contracting Agencies (HUD Programs)	U.S. Department of Housing and Urban Development Office of Labor Relations	HUD FORM 4710 <small>OMB Approval Number 2501-0019 (Exp. 09/30/2013)</small>
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Agency Name:	Agency Type: <small>[e.g., CDBG, PHA, TDHE/IHA]</small>	State:	LR2000 Agency ID #: <small>(HUD Use Only)</small>
Period Covered: Check One and Enter Year(s)			
<input type="checkbox"/> Period 1: October 1, _____ to March 31, _____		<input type="checkbox"/> Period 2: April 1, _____ to September 30, _____	
Agency Contact Person:		Agency Contact Phone/E-mail:	

PART II - ENFORCEMENT ACTIVITY*

Pertains to all projects, not just contract(s) awarded during the reporting period.

4. Number of employers against whom **complaints** were received (list employers and projects involved below):

Employer	Project(s)
-----------------	-------------------

5. (a) Number of cases (employers) referred to HUD Labor Relations for investigation or §5.11 hearing (list referrals below):

(b) Number of cases (employers) referred to the Department of Labor (DOL) for investigation or §5.11 hearing (list referrals below):

Employer	Project	HUD or DOL	Invest. Or Hearing
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6. (a) **Number of workers for whom wage restitution was collected/dispursed:**
Report only once; if you previously reported workers for whom restitution was collected, do not report the same workers when funds are dispursed. Include workers to whom restitution was paid directly by the employer.

(b) **Total amount of straight time wage restitution collected/dispursed during this period:**
Report only once; if you report funds collected, do not report the disbursement. Include restitution amounts paid directly by the employer as reported on correction certified payrolls.

\$

(c) **Total amount of CWHHSA overtime wage restitution collected/dispursed during this period:** *Report only once; if you report funds collected, do not report the disbursement. Include restitution amounts paid directly by the employer as reported on correction certified payrolls.*

\$

(d) **Total amount of liquidated damages collected:**

\$

* Use additional pages if necessary

**Semi-Annual Labor Standards
Enforcement Report - Local Contracting
Agencies (HUD Programs)**

**U.S. Department of Housing and Urban
Development
Office of Labor Relations**

HUD FORM 4710i

OMB Approval Number 2501-0019
(Exp. 09/30/2013)

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the collection of information. The information is considered non-sensitive and does not require special protection. This information is required to obtain benefits. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

All Federal agencies administering programs subject to Davis-Bacon wage provisions are required by Department of Labor (DOL) regulations (29 CFR Part 5, Section 5.7(b)) to submit a report of all new covered contracts/projects and all enforcement activities each six months. In order for HUD to comply with this requirement, it must collect contract and enforcement information from local agencies that administer HUD-assisted programs subject to Davis-Bacon requirements. HUD requests that local agencies complete and submit a Semi-annual Enforcement Report each six months.

Local agencies and HUD must retain a copy of the Semi-annual Enforcement Report in its files.

*Please follow these instructions while compiling the **Semi-Annual Labor Standards Enforcement Report for Local Contracting Agencies (HUD Programs) (form HUD-4710).***

Introduction

Department of Labor (DOL) Regulations 29 CFR §5.7(b) require Federal agencies administering programs subject to Davis-Bacon and Related Act (DBRA) and Contract Work Hours and Safety Standards Act (CWHSSA) labor standards to furnish a Semi-Annual Labor Standards Enforcement Report to the Administrator of the Wage and Hour Division. Some HUD programs are administered by state and local agencies for labor standards compliance. HUD must collect information from such agencies in order to capture enforcement activities for all HUD programs in its reports to DOL.

Reporting Periods: **Period 1 October 1 through March 31**
Period 2 April 1 through September 30

Report Format: Each agency report consists of two parts:

Part I concerns contracting activity for work awarded during the reporting period;

Part II concerns enforcement activity for all contracts, regardless of the award date.

The HUD Labor Relations staff for your area will send a courtesy reminder shortly before the due date about preparing the report and will remind you of the date your report is due. However, you should maintain accurate records throughout the year of relevant contract information so that you can submit the report timely.

Definitions and Guidance

Part I - Contracting Activity - This part concerns only contracts that were **awarded** during this period. *Do not* include contracts that were awarded prior to this period even though the contracts may still be underway. *Do* include work subject to purchase order or other form of agreement, even if there is no formal contract award.

Item 1. Enter the total number of prime contracts subject to DBRA/CWHSSA awarded during this period.

Track contracts by award or start of construction - **do not** track by bid opening date. Public Housing Authorities (PHAs), Tribally-designated Housing Entities (TDHEs)/Indian Housing Authorities (IHAs): Include force account work that is subject to DBRA/CWHSSA.

Item 2. Enter the total dollar amount of the contracts and/or PHA/TDHE/IHA force account work reported in Item 1.

<p>Semi-Annual Labor Standards Enforcement Report - Local Contracting Agencies (HUD Programs)</p>	<p>U.S. Department of Housing and Urban Development Office of Labor Relations</p>	<p>HUD FORM 4710i OMB Approval Number 2501-0019 (Exp. 09/30/2013)</p>
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Item 3. List each project/contract name, brief descriptive information, number or unique identifier, dollar amount, the wage decision and modification number in the contract, bid opening date, contract award date, and construction start date. Identify which milestone date triggered the wage decision "lock-in" (bid opening date, contract award date or start of construction date, as appropriate). If the project was not subject to sealed bids, indicate "NA" for bid opening date and proceed to identify the other dates.

Part II - Enforcement Activity - This part concerns *all* enforcement activity no matter when the contract was awarded or construction began.

Item 4. Enter the number of **employers** (contractors, subcontractors, lower-tier subcontractors) against whom complaints were received during the report period. List the names of the employers against whom complaints were received and the projects involved.

Item 5. Enter the number of employers that were referred to HUD Labor Relations or DOL staff for investigations, for hearings on appeal and/or debarment hearings. List the employer, project, and agency (HUD or DOL) to which the case was referred, and the reason for referral - investigation, appeal hearing (DOL Regulations 29 CFR Part 5, Section §5.11) and/or debarment (DOL Regulations 29 CFR Part 5, Section §5.12) hearing.

Item 6. Enter information relative to wage restitution that was **collected and/or disbursed** during the report period. This includes restitution disbursed by the agency; restitution reported on certified payroll correction reports, amounts collected but not disbursed because workers could not be found. Report straight time wage restitution separate from Contract Work Hours and Safety Standards Act (CWHSSA) overtime wage restitution. Also list liquidated damages collected for CWHSSA overtime violations.



**EQUAL HOUSING
OPPORTUNITY**

**We Do Business in Accordance With the Federal Fair
Housing Law**

(The Fair Housing Amendments Act of 1988)

**It is illegal to Discriminate Against Any Person
Because of Race, Color, Religion, Sex,
Handicap, Familial Status, or National Origin**

- In the sale or rental of housing or residential lots
- In advertising the sale or rental of housing
- In the financing of housing
- In the provision of real estate brokerage services
- In the appraisal of housing
- Blockbusting is also illegal

Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination:

1-800-669-9777 (Toll Free)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

**U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410**



**EQUAL HOUSING
 OPPORTUNITY**
**IGUALDAD DE OPORTUNIDADES
 EN LA VIVIENDA**

**Nuestras prácticas de negocios cumplen la ley federal
 de equidad en la vivienda**

(Enmienda a la ley de Equidad en la vivienda de 1988)

**Es ilegal discriminar contra ninguna persona a
 causa de su raza, color, religión, sexo,
 discapacidad, situación familiar u origen nacional**

- En la venta o el alquiler de viviendas o lotes residenciales
- En la publicidad relacionada con la venta o el alquiler de viviendas
- En la financiación de la vivienda
- En la provisión de servicios de corredores de bienes raíces
- En la tasación de viviendas
- Las tácticas de intimidación (Blockbusting) también son ilegales

Cualquier persona que crea que ha sido discriminada puede presentar una reclamación de discriminación en la vivienda:

1-800-669-9777 (Línea gratuita)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

**U.S. Department of Housing and
 Urban Development
 Assistant Secretary for Fair Housing and
 Equal Opportunity
 Washington, D.C. 20410**



**EQUAL HOUSING
OPPORTUNITY**

فرص الإسكان المتكافئ

نقوم بعملنا وفقاً بقانون الإسكان العادل الفدرالي
(تعديلات الإسكان العادل لعام 1988)

**يمنع القانون التمييز ضد أي شخص بسبب العرق، أو اللون،
أو الدين، أو الجنس، أو الإعاقة، أو الوضع العائلي،
أو المواطن الأصلي**

- في بيع أو إيجار السكن أو العقارات السكنية
- في بيع أو إيجار المساكن
- في تمويل قروض المساكن
- في تقديم خدمات عمالة بيع وشراء العقارات
- في تقييم أسعار المساكن
- كما يمنع العزل العرقي في الأحياء السكنية (Blockbusting)

**U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410**

أي شخص يشعر بأنه/أنها بأنه تم التمييز ضده يمكنه تقديم
شكوى التمييز في الإسكان بواسطة:

1-800-669-9777 (رقم مجاني)
1-800-927-9275 (خط نصي TTY)
www.hud.gov/fairhousing



**EQUAL HOUSING
OPPORTUNITY**

সমান আবাসনের সুযোগ

আমরা ফেডারেল ফেয়ার
হাউজিং আইন অনুসারে কাজ করি
(1988-এর দ্য ফেয়ার হাউজিং অ্যামেন্ডমেন্টস্ অ্যাক্ট)

ব্যক্তির মধ্যে
জাতি, বর্ণ, ধর্ম, লিঙ্গ,
প্রতিবন্ধকতা, পারিবারিক অবস্থান অথবা জাতিগত উৎপত্তির
কারণে বৈষম্য করা বেআইনি

- আবাসন অথবা বসবাসের জন্য তৈরি বাড়ি ইত্যাদি বিক্রি অথবা ভাড়া দেওয়ার ক্ষেত্রে
- আবাসন বিক্রি অথবা ভাড়া দেওয়ার ক্ষেত্রে বিজ্ঞাপন দেওয়ার জন্য
- আবাসনে অর্থলগ্নির ক্ষেত্রে
- স্থাবর সম্পত্তি ক্রয়-বিক্রয় সংক্রান্ত পরিষেবার ব্যবস্থায়
- আবাসনের মূল্যায়নের ক্ষেত্রে
- ভয় দেখানোর কৌশল (ব্লকবাস্টিং) করাও বেআইনি

যদি কেউ মনে করেন যে তাঁরা বৈষম্যমূলক আচরণের শিকার হয়েছেন, তাহলে তাঁরা আবাসন সংক্রান্ত বৈষম্যের অভিযোগ দায়ের করতে পারেন:

1-800-669-9777 (স্বকমুক্ত)
1-800-927-9275 (TTY)
www.hud.gov/fairhousing

**U.S. Department of Housing and
Urban Development**
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410



**EQUAL HOUSING
OPPORTUNITY**
公平住宅機會

我們依照聯邦公平住宅法經營業務
(「1998年公平住宅法增補條款」)

依照種族、膚色、宗教信仰、性別、殘障、家庭
狀況或原國籍歧視任何人是非法行為

- 在銷售或租賃住宅或居民住宅
土地時
- 在銷售或租賃住宅的廣告中
- 在住宅融資貸款時
- 在提供房地產經紀服務時
- 在住宅評估時
- 恐嚇也是非法行為

任何人如果認為自己受到歧視，均可提出
住宅歧視申訴：

1-800-669-9777 (免費電話)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

美國住宅與城市發展部
公平住宅與平等機會助理部長
U.S. Department of Housing and
Urban Development
Assistant Secretary for Fair Housing
and Equal Opportunity
Washington, D.C. 20410



**EQUAL HOUSING
 OPPORTUNITY**
**PRATIQUES ÉQUITABLES EN
 MATIÈRE DE LOGEMENT**

Nous appliquons la loi fédérale sur les pratiques équitables en matière de logement

(Nouvelle loi sur les pratiques équitables en matière de logement de 1988)

**La discrimination envers toute personne
 en raison de sa race, de sa couleur, de sa religion, de son sexe
 de son handicap, de sa situation de famille ou de son origine
 nationale est interdite**

- | | |
|---|--|
| <ul style="list-style-type: none"> ■ Lors de la vente ou location de logements ou résidences ■ Dans les annonces de vente ou location de logements ■ Lors du financement des logements | <ul style="list-style-type: none"> ■ Dans les dispositions des services de courtage en immeubles ■ Dans les estimations des logements ■ Persuader un propriétaire à vendre son logement au moindre coût en prétendant que le quartier a perdu de sa valeur parce que des minorités commencent à s'y installer |
|---|--|

Toute personne qui pense qu'elle est la victime d'une discrimination en matière de logement peut porter plainte en appelant le :

1-800-669-9777 (appel gratuit)
1-800-927-9275 (télétype)
www.hud.gov/fairhousing

**U.S. Department of Housing and
 Urban Development**
**Assistant Secretary for Fair Housing and
 Equal Opportunity**
Washington, D.C. 20410



**EQUAL HOUSING
 OPPORTUNITY**

OPÒTINITE EGAL NAN ZAFÈ LOJMAN

**Nou fonksyone annakò ak Lwa Federal sou
 Lojman Ekitab la**

(Lwa sou Amandman Lojman Ekitab ane 1988)

**Li ilegal pou fè diskriminasyon kont nenpòt moun
 akòz ras, koulè, relijyon, sèks, andikap, estati
 famiyal oswa orijin nasyonal li**

- Nan vant oswa afèmaj kay oswa teren pou bati kay
- Nan bay sèvis koutaj imobilye
- Nan piblisite pou vann oswa anfème kay
- Nan evalyasyon kay
- Nan zafè finanse kay
- *Blockbusting* (taktik entimidasyon) ilegal tou

**Nenpòt moun ki santi li te viktim
 diskriminasyon ka pote yon plent pou
 diskriminasyon nan zafè lojman:**

1-800-669-9777 (Gratis)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

**U.S. Department of Housing and
 Urban Development
 Assistant Secretary for Fair Housing and
 Equal Opportunity
 Washington, D.C. 20410**



**EQUAL HOUSING
OPPORTUNITY**

आवास सम्बन्धी समान अवसर

हम उचित आवास संबंधी संघीय कानून के अनुरूप कारोबार करते हैं

(उचित आवास सम्बन्धी संशोधन अधिनियम, 1988)

**किसी भी व्यक्ति के विरुद्ध नस्ल, रंग, धर्म, लिंग, विकलांगता,
पारिवारिक स्थिति, या राष्ट्रीय मूल के कारण भेदभाव करना
गैरकानूनी है**

- आवास या आवासीय इकाईयों की बिक्री या उन्हें किराये पर देने में
- आवास की बिक्री या उसे किराये पर देने के विज्ञापन में
- आवास के लिए कर्ज देने में
- अचल सम्पत्ति सम्बन्धी ब्रोकरेज सेवायें देने में
- आवास के मूल्यांकन में
- डराने-धमकाने के दाँवपेच (ब्लॉकबस्टिंग) भी गैरकानूनी हैं

कोई भी व्यक्ति जो महसूस करता हो कि उसके विरुद्ध भेदभाव किया गया है, आवास सम्बन्धी भेदभाव की शिकायत दर्ज कर सकता है:

1-800-669-9777 (टोल-फ्री)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

**U.S. Department of Housing and
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Assistant Secretary for Fair Housing and
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Washington, D.C. 20410**



**EQUAL HOUSING
 OPPORTUNITY**
 KEV KOOB PHEEJ
 NTAWM KEV MUAG/
 MUAS VAJ TSE

**Peb Ua Lag Luam Raws Li Tseem Fwv Txoj Cai Tswj Kev Koob
 Pheej ntawm Kev Muag/Muas Vaj Tse**

(Txoj Cai Tswj Kev Koob Pheej ntawm Kev Muag/Muas Vaj Tse uas raug Txhim Kho Xyoo 1988)

**Kev Xyeej Txhem Ib Tug Neeg Twg Vim Haiv Neeg, Xim Tawv
 Nqaij, Kev Ntseeg, Pojnam los Txivneej, Kev Xiam Oob Khab,
 Kev Ua Txij Nkawm, losyog Tuaj Teb Chaws Twg Tuaj
 Yog Txhaum Kev Cai**

- Thaum muag/muas los xauj vaj tse logyog qua tsev
- Thaum tshaj tawm kev muag losyog xauj tsev
- Thaum txais nyiaj muas tsev
- Thaum pab muag/muas vaj tse
- Thaum soj ntsuam nqi vaj tse
- "Blockbusting" txhaum kev cai thiab (kev hem kom muag tsev pheej yig vim cov haiv neeg tsawg yuav los nyob hauv zej zos)

Leej twg xav tias nws raug kev xyeej txhem
 thaum muag/muas vaj tse no muaj cai
 fi xov rau peb:

1-800-669-9777 (Hu Dawb)

1-800-927-9275 (TTY)

www.hud.gov/fairhousing

**U.S. Department of Housing and
 Urban Development**
 Assistant Secretary for Fair Housing and
 Equal Opportunity
 Washington, D.C. 20410



**EQUAL HOUSING
 OPPORTUNITY**

均等な住宅取得の機会

公正住宅法に従ってビジネスを行いましょう
 (公正住宅法 1988 年修正法)

人種、肌の色、宗教、性別、身体障害、
 家族ステータス、出身国により
 人を差別することは違法です

- 住宅または住宅用土地を
販売・賃貸する場合
- 住宅の販売・賃貸の
広告をする場合
- 住宅のための融資を行う場合
- 不動産仲介サービスを提供する場合
- 住宅の鑑定評価を行なう場合
- ブロック破壊商法
(blockbusting) も違法です

差別を受けたと感じた人は誰でも住宅差別の
 苦情を申し立てることができます：

1-800-669-9777 (フリーダイヤル)
 1-800-927-9275 (TTY)
www.hud.gov/fairhousing

**U.S. Department of Housing and
 Urban Development**
 Assistant Secretary for Fair Housing and
 Equal Opportunity
 Washington, D.C. 20410



**EQUAL HOUSING
OPPORTUNITY**
ឱកាសទីលំនៅ ស្មើភាពគ្នា

យើងប្រកបមុខរបរ ដោយស្របជាមួយនឹងច្បាប់រដ្ឋបាលសហព័ន្ធ ស្តីពីទីលំនៅសមរម្យ
(ការកែប្រែក្រឹត្យទីលំនៅសមរម្យ នៃឆ្នាំ 1988)

**វាគឺជាអំពើខុសច្បាប់ ដើម្បីរើសអើងប្រឆាំងនឹងជនណាម្នាក់
ពីព្រោះតែ ជាតិសាសន៍ ពណ៌សម្បុរ សាសនា ភេទ
ភាពពិការ លក្ខណៈគ្រួសារ ឬដើមកំណើត**

- ក្នុងការលក់ ឬការជួលទីលំនៅ ឬដីសង់លំនៅដ្ឋាន
- ក្នុងលក្ខខណ្ឌកំរើជើងសារអចលនទ្រព្យ
- ក្នុងការផ្សាយលក់ ឬការជួលទីលំនៅ
- ក្នុងការប្តឹងដីឡែងទីលំនៅ
- ក្នុងការខ្ចីប្រាក់ទិញទីលំនៅ
- ការបញ្ចុះបញ្ចូលម្ចាស់ផ្ទះដោយបន្ទាច
(Blockbusting) ក៏ខុសច្បាប់ដែរ

ជនណាម្នាក់មានអារម្មណ៍ ថាគាត់ត្រូវបានរើសអើងប្រឆាំង
អាចប្តឹងបណ្តឹង អំពីការរើសអើងទីលំនៅ ដោយទូរស័ព្ទទៅ :
1-800-669-9777 (ឥតចេញថ្លៃ)
1-800-927-9275 (TTY)
www.hud.gov/fairhousing

**U.S. Department of Housing and
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**Assistant Secretary for Fair Housing and
Equal Opportunity**
Washington, D.C. 20410



**EQUAL HOUSING
 OPPORTUNITY**

РАВНЫЕ ВОЗМОЖНОСТИ В ОБЕСПЕЧЕНИИ ЖИЛЬЕМ

**Мы работаем, руководствуясь Федеральным законом о
 справедливом предоставлении жилья**

(Закон о справедливом предоставлении жилья с изменениями и дополнениями от 1988 г.)

Закон запрещает дискриминацию на основе расовой принадлежности, цвета кожи, вероисповедания, половой принадлежности, инвалидности, семейного положения или национального происхождения

- | | |
|---|---|
| <ul style="list-style-type: none"> ■ При продаже или сдаче в аренду жилья или участков для жилищного использования ■ В рекламе продажи или сдачи в аренду жилья ■ При финансировании жилья | <ul style="list-style-type: none"> ■ В предоставлении брокерских услуг по операциям с недвижимостью ■ При проведении оценки жилищных объектов ■ Также запрещена спекуляция недвижимостью, основанная на стимулировании домовладельцев к продаже их жилья по заниженным ценам |
|---|---|

Любой человек, который считает, что к нему применялись дискриминационные требования, может подать жалобу о жилищной дискриминации:
 1-800-669-9777 (бесплатный телефон)
 1-800-927-9275 (для людей с нарушениями слуха)
www.hud.gov/fairhousing

**U.S. Department of Housing and
 Urban Development
 Assistant Secretary for Fair Housing and Equal
 Opportunity
 Washington, D.C. 20410**



**EQUAL HOUSING
OPPORTUNITY**

RÓWNE SZANSE MIESZKANIOWE

**Prowadzimy działalność zgodnie z federalną
Ustawą o swobodnym dostępie do mieszkań**

(Ustawa o poprawkach do Ustawy o swobodnym dostępie do mieszkań z 1988 roku)

**Czynem nielegalnym jest dyskryminowanie
dowolnej osoby ze względu na pochodzenie rasowe,
kolor skóry, wyznanie, płeć, niepełnosprawność,
stan rodzinny lub pochodzenie narodowościowe**

- w zakresie sprzedaży lub wynajmu lokali mieszkalnych lub działek budowlanych
- w zakresie ogłaszania sprzedaży lub wynajmu lokali mieszkalnych
- w zakresie finansowania mieszkalnictwa
- w zakresie dostępu do usług agentów nieruchomości
- w zakresie wyceny obiektów mieszkalnictwa
- Blockbusting – praktyka doprowadzania właścicieli do zaniżania cen mieszkań - jest również nielegalna

**Każda osoba, która odczuwa, że doznała dyskryminacji może złożyć skargę o dyskryminację mieszkaniową dzwoniąc pod:
1-800-669-9777 (numer bezpłatny)
1-800-927-9275 (dla niesłyszących)
www.hud.gov/fairhousing**

**U.S. Department of Housing and Urban Development
Assistant Secretary for Fair Housing and Equal Opportunity
Washington, D.C. 20410**



**EQUAL HOUSING
 OPPORTUNITY**

PANTAY-PANTAY NA PAGKAKATAON SA PABAHAY

**Nagnenegosyo Kami Alinsunod sa Batas Pederal ng
 Walang-Kiling na Pabahay**

(Mga Susog sa Batas ng Walang-Kiling na Pabahay ng 1988)

**Labag sa Batas ang Diskriminasyon Laban sa Sinumang
 Tao Dahil sa Lahi, Kulay, Relihiyon, Kasarian,
 Kapansanan, Status ng Pamilya, o Bansang Pinagmulan**

- Sa pagbenta o pagpaupa ng pabahay o ng mga loteng pamahayan
- Sa pagkaloob ng mga serbisyo ng broker ng ari-ariang real
- Sa pag-anunsyo ng pagbenta o pagpaupa ng pabahay
- Sa pagtasa ng pabahay
- Sa pagpautang para sa pagbili ng pabahay
- Ilegal din ang blockbusting, ang taktika na pamumuwersa na ibenta ng isang may-ari ang bahay nila sa taong myembro ng minoridad, pagkatapos gagamitin ito na panakot sa ibang may-ari para ibenta ang mga bahay nila sa mababang halaga

Maaaring magsampa ng sumbong ng diskriminasyon sa pabahay ang sinumang nagwawaring may kumiling laban sa kaniya:
1-800-669-9777 (Libre ang Tawag)
1-800-927-9275 (TTY)
www.hud.gov/fairhousing

U.S. Department of Housing and Urban Development
Assistant Secretary for Fair Housing and Equal Opportunity
Washington, D.C. 20410

U. S. Department of Housing and Urban Development

ກະຊວງດູແລທີ່ພັກອາໄສ ແລະ ການພັດທະນາເຂດເມືອງ ແຫ່ງສະຫະຣັຖອາເມລິກາ



EQUAL HOUSING OPPORTUNITY

ການມີໂອກາດທີ່ເທົ່າທຽມກັນໃນເລື່ອງທີ່ພັກອາໄສ

ພວກເຮົາເຮັດທຸລະກິດໂດຍໃຫ້ສອດຄ່ອງກັບກົດໝາຍຂອງຣັຖບານກາງ ວ່າດ້ວຍທີ່ພັກ
ອາໄສທີ່ເປັນທັມ

(ກົດໝາຍວ່າດ້ວຍທີ່ພັກອາໄສທີ່ເປັນທັມສະບັບແກ້ໄຂປີ 1988)

**ເປັນການຜິດກົດໝາຍທີ່ຈະຈຳແນກຕົ້ນກັບບຸກຄົນໃດໆ ອັນເນື່ອງມາ
ຈາກເຊື້ອຊາດ, ສີຜິວ, ສາສະໜາ, ເພດ, ຄວາມພິການ, ສະຖານະ
ທາງຄອບຄົວ, ຫຼືຊາດກຳເນີດ**

- ໃນການຂາຍ ຫຼື ເຊົ່າທີ່ພັກອາໄສ ຫຼື ທີ່ດິນ
ສຳລັບຢູ່ອາໄສ
- ໃນການຈັດຫາການບໍລິການເປັນນາຍ
ໜ້າອະສັງຫາລິມະຊັບ
- ໃນການໂຄສະນາຂາຍ ຫຼື ເຊົ່າເຮືອນ
- ໃນການປະເມີນລາຄາທີ່ພັກອາໄສ
- ໃນການໃຫ້ທຶນເພື່ອທີ່ພັກອາໄສ
- ການຊັກຊວນໃຫ້ຂາຍເຮືອນໂດຍໃຊ້
ເຫດຜົນດ້ານເຊື້ອຊາດຊົນເຜົ່າແມ່ນ
ຖືວ່າຜິດກົດໝາຍດ້ວຍ

ໃສກໍຕາມທີ່ຮູ້ສຶກວ່າຕົນເອງຖືກຈຳແນກຕໍ່ຕ້ານ ສາມາດຍື່ນ
ຄຳຮ້ອງທຸກເລື່ອງການຖືກຈຳແນກດ້ານທີ່ພັກອາໄສໄດ້:

1-800-669-9777 (ໂທຮພຣີ)
1-800-927-9275 (TTY)
www.hud.gov/fairhousing

**U.S. Department of Housing and
Urban Development**
Assistant Secretary for Fair Housing and
Equal Opportunity
Washington, D.C. 20410



ឱកាសទទួលបានការស្នាក់នៅប្រកបដោយសមភាព

យើងធ្វើអាជីវកម្ម ដោយអនុលោមទៅតាមច្បាប់រៀបចំលំនៅដ្ឋានដោយត្រឹមត្រូវរបស់សហព័ន្ធ

(ច្បាប់វិសោធនកម្មការផ្តល់ទីលំនៅប្រកបដោយយុត្តិធម៌ នៃឆ្នាំ១៩៨៨)

ជាអំពើខុសច្បាប់ក្នុងការរើសអើងចំពោះនរណាម្នាក់
ដោយសារតែជាតិសាសន៍ ពណ៌សម្បុរ សាសនា ភេទ
ពិការភាព ស្ថានភាពគ្រួសារ ឬ ដើមកំណើត

- ក្នុងការលក់ ឬ ជួលផ្ទះ ឬ ទ្វេលំនៅដ្ឋាន
- ក្នុងលក្ខខណ្ឌនៃសេវាកម្មយកកំរៃជើងសារលើការទិញលក់អចលនៈទ្រព្យ
- ក្នុងការផ្សាយពាណិជ្ជកម្មលក់ ឬ ជួលកន្លែងស្នាក់នៅ
- ក្នុងការវាយតម្លៃពិការផ្តល់ទីលំនៅ
- ក្នុងការធ្វើហិរញ្ញប្បទានលើផ្ទះសំបែង
- ការបញ្ចុះបញ្ចូលម្ចាស់ផ្ទះឱ្យលក់ផ្ទះរបស់ខ្លួន ក៏ជាអំពើខុសច្បាប់ដែរ

នរណាម្នាក់ដែលមានអារម្មណ៍ថាខ្លួនត្រូវបានរើសអើង
អាចប្តឹងតវ៉ាស្តីពីការរើសអើងក្នុងការផ្តល់ទីលំនៅតាមទូរស័ព្ទលេខៈ
1-800-669-9777 (លេខទូរស័ព្ទដែលឥតគិតថ្លៃ)
1-800-927-9275 (TTY)

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انجام کار مطابق با قانون مسکن عادلانه فدرال (قانون اصلاحات اسکان عادلانه 1988)

تبعیض بر علیه افراد بر اساس نژاد، رنگ پوست،
مذهب، جنسیت، معلولیت، وضعیت خانوادگی و یا
ملیت اولیه غیر قانونی است

- در فروش و یا اجاره خانه یا واحدهای مسکونی
- در ارائه خدمات معاملات املاک
- در تبلیغات برای فروش و یا اجاره خانه
- در ارزیابی مسکن
- در تامین مالی مسکن
- ارزان فروشی منزل به شخص سفید پوست برای دور نگاه داشتن افراد دیگر از محله هم غیر قانونی است

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هر شخصی که احساس می کند، تبعیضی در حق او وارد شده است،
می تواند شکایتی بر پایه تبعیض در مسکن ارائه دهد
(شماره رایگان) 1-800-669-9777
(برای کسانی که مشکل شنوایی دارند) 1-800-927-9275
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