

Certified Payroll Reporting Webinar

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OREGON'S PREVAILING WAGE RATES

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DETERMINING THE CORRECT RATE BOOK

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DETERMINING THE CORRECT RATE BOOK

- For those types of projects:
 - CM/GC – rates are set when parties agree to GMP, or when agency authorizes early construction work to begin.
 - Project subject to Davis-Bacon Act – agency may use federal method (which is NOT the advertise date) to set state rates.
- Check with public agency (the agency in charge of project, aka “owner”) for applicable state and federal rates for project.

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To Look Up a Rate:

- When was the project first advertised for bid?
- When using rate books dated prior to Jan. 2022:
 - Start with the Region page based on the county where the project is located.
 - Use the rate listed for the classification in the Region page.
 - If Region says ‘see appendix,’ look up rate in that section.
- When using rate books dated Jan. 2022 or later:
 - Look up classification in the rate book; watch for Areas, zone pay, hazard pay, shift differential.
- Use Definitions of Covered Occupations for classification help.

Call BOLI for help: (971) 353-2286 or (971) 396-2588

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WHO GETS PAID PWR?

- All workers performing labor on the project site.
ORS 279C.840(1)
- A “worker” is a person whose duties are manual or physical in nature.
OAR 839-025-0004(33)

Important: Pay the correct rate according to the type of work being performed, not according to worker’s title.

If the contractor/subcontractor is required to pay PWR, then they MUST submit certified payroll reports showing all workers and all hours on the project site.

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CERTIFIED PAYROLL

- Contractors and subcontractors on public works projects are required to prepare weekly certified payroll reports and statements and submit them to the project's public agency by the fifth business day of the following month.
- Contractors may submit their own report as long as it contains all the same information as BOLI's WH-38 form.
- *Note: The federal WH-347 form is not compliant with Oregon's certified payroll requirement.*

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Certified Payroll

Many software programs are missing required elements of BOLI's WH-38 form. Often missing:

- Much of the information in the top 1/3 of BOLI's form;
- Employee address, work schedule (i.e., 5/8s or 4/10s), and regular hourly schedule (i.e., 7am-4pm);
- Hourly base rate shown separately from hourly fringe rate;
- Gross wages for the week for that project and gross wages for pay period shown separately;

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Certified Payroll

- Information on fringe amounts paid to benefit plans, including hourly fringe credit and name of plan;
- Required language on BOLI's Certified Statement page.

Simple solution – contractors can:

- Fill in the missing information on BOLI's WH-38;
- Complete and sign BOLI's statement of certification;
- Attached both pages to contractor's printout and submit to public agency.

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Certified Payroll - Withholding

- Once certified payroll reports are submitted, the public agency or prime contractor must pay amounts withheld per this statute within 14 days.
- Neither the public agency nor the prime contractor is required to verify the accuracy of the contents of the certified payroll reports. However, we recommend looking for red flags:
 - Classification and rates
 - Is zone pay required?
 - Hours and days of week
 - Number of workers

ORS 279C.845(7) & (8)

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Questions? Call or email for help!

Eva Marie Schiedler (971) 353-2286 eva.schiedler@boli.oregon.gov

Ray Badalich (971) 396-2588 ray.badalich@boli.oregon.gov

Susan Wooley (971) 353-6822 susan.wooley@boli.oregon.gov

**PWR general email:
PWR.EMAIL@boli.oregon.gov**

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PRIME CONTRACTOR ☒SUBCONTRACTOR ☐

PAYROLL #: 3

FINAL PAYROLL ☐

Business Name (DBA): Wooley Construction				Phone: (971) 673-0853				CCB Registration Number: 1234567																	
Project Name: Rock Creek Middle School				Project Number: 987654				Type of Work: General Contractor																	
Street Address: 40983 SE Davis, Portland OR 97232				Project Location: 14897 SE Parklane Dr, Happy Valley 97015																					
Mailing Address: PO Box 1652, Portland OR 97252				Project County: Clackamas																					
Date Pay Period Began: Feb. 4, 2016				Date Pay Period Ended: Feb. 17, 2016																					
THIS SECTION FOR PRIME CONTRACTORS ONLY Public Contracting Agency Name: North Clackamas School District Phone: (503) 698-8989 Date Contract Specifications First Advertised for Bid: April 7, 2015 Contract Amount: \$5,656,012				THIS SECTION FOR SUBCONTRACTORS ONLY Subcontract Amount: Prime Contractor Business Name (DBA): Prime Contractor Phone: () Prime Contractor's CCB Registration Number: Date You Began Work on the Project:																					
(1)	(2)	(3) DAY AND DATE							(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)									
NAME, ADDRESS AND EMPLOYEE'S IDENTIFICATION NUMBER*	CLASSIFICATION (INCLUDE GROUP # & APPRENTICESHIP STEP IF APPLICABLE)			M	T	W	Th	F	Sa	Su	TOTAL HOURS	HOURLY BASE RATE	HOURLY FRINGE BENEFIT AMOUNTS PAID AS WAGES TO EMPLOYEE	GROSS AMOUNT EARNED (see directions)	ITEMIZED DEDUCTIONS FICA, FED, STATE, ETC	NET WAGES PAID	HOURLY FRINGE BENEFITS PAID TO BENEFIT PARTY, PLAN, FUND, OR PROGRAM	NAME OF BENEFIT PARTY, PLAN, FUND, OR PROGRAM							
				2/4	2/5	2/6	2/7	2/8	2/9	2/10															
				HOURS WORKED EACH DAY																					
Joe Schmoe 14658 SE 165th Portland OR 97222	Carpenter Gp 1		OT									\$45.00	\$0.00	\$90.00	\$316.38	\$949.13		\$5.20	Med - BC/BS						
				3								3						\$30.00							
				Schedule 5/8 X 4/10 <input type="checkbox"/> ; Reg Hrly Schd: 8am- 4:30pm																					
Rick Frick 6549 SE Burnside Portland OR 97232	Carpenter Gp 1 60% Apprentice		OT									\$27.00	\$0.00	\$54.00	\$236.44	\$709.31		\$4.50	Med - BC/BS						
				3								3						\$18.00							
				Schedule 5/8 X 4/10 <input type="checkbox"/> ; Reg Hrly Schd: 8am- 4:30pm																					
Carl Schmarl 727 NE Holladay Portland OR 97232	Laborer Gp 1		OT							1	1	\$37.50	\$4.00	\$128.50	\$290.94	\$872.81		\$5.00	Med - BC/BS						
				3								3						\$25.00							
				Schedule 5/8 X 4/10 <input type="checkbox"/> ; Reg Hrly Schd: 8am- 4:30pm																					
Ed Bread 800 NE Oregon St. Portland OR 97232	Laborer Gp 1		OT									\$37.50	\$10.00	\$105.00	\$280.56	\$841.69									
				3								3						\$25.00							
				Schedule 5/8 X 4/10 <input type="checkbox"/> ; Reg Hrly Schd: 8am- 4:30pm																					
			OT																						
				Schedule 5/8 <input type="checkbox"/> 4/10 <input type="checkbox"/> ; Reg Hrly Schd: ____ to ____.																					

* Although this form has not been officially approved by the US. Department of Labor, it is designed to meet the requirements of both the state PWR law and the federal Davis-Bacon Act.

CERTIFIED STATEMENT

Date: Feb 18, 2016
I, Susan Wooley Owner
(NAME OF SIGNATORY PARTY) (TITLE)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by:

WOOLEY CONSTRUCTION

(CONTRACTOR, SUBCONTRACTOR OR SURETY)

on the Rock Creek Middle School Project; that during the payroll period
(BUILDING OR WORK)

commencing on the 4th day of February, 2016, and ending the 17th day
(MONTH) (YEAR)

of February, 2016, all persons employed on said project have been paid the
(MONTH) (YEAR)

full weekly wages earned, that no rebates have been or will be made either directly or indirectly
to or on behalf of said WOOLEY CONSTRUCTION from the

(CONTRACTOR, SUBCONTRACTOR OR SURETY)

full weekly wages earned by any person, and that no deductions have been made either directly
or indirectly from the full wages earned by any person, other than permissible deductions as
specified in ORS 652.610, and as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by
the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat.
967; 76 Stat. 357; 40 U.S.C. 276c), and described below:

Federal withholding, FICA, State withholding, WBF

(2) That any payrolls otherwise under this contract required to be submitted for the above period
are correct and complete; that the wage rates for workers contained therein are not less than the
applicable wage rates contained in any wage determination incorporated into the contract; that
the classifications set forth therein for each worker conform with work performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide
apprenticeship program registered with a state apprenticeship agency recognized by the Bureau
of Apprenticeship and Training, United States Department of Labor, or if no such recognized
agency exists in a state, are registered with the Bureau of Apprenticeship and Training, United
States Department of Labor.

I HAVE READ THIS CERTIFIED STATEMENT, KNOW THE CONTENTS THEREOF AND IT IS
TRUE TO MY KNOWLEDGE:

Susan Wooley, Owner

(NAME AND TITLE)

(SIGNATURE AND DATE)

In addition to completing (1) - (3), if your project is subject to the federal Davis-
Bacon Act requirements, complete the following section as well:

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS

- ☐ - In addition to the basic hourly wage rates paid to each laborer or mechanic listed
in the above referenced payroll, payments of fringe benefits as listed in the
contract have been or will be made to appropriate programs for the benefit of
such employees, except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

- ☐ - Each laborer or mechanic listed in the above referenced payroll has been paid,
as indicated on the payroll, an amount not less than the sum of the applicable
basic hourly wage rate plus the amount of the required fringe benefits as listed in
the contract, except as noted in Section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)

EXPLANATION

REMARKS:

NAME AND TITLE

SIGNATURE

THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT
THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE
SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES
CODE.

FILE THIS FORM WITH THE PUBLIC AGENCY ASSOCIATED WITH THE PROJECT

NOTE TO CONTRACTORS: YOU MUST ATTACH COPIES OF THIS FORM TO EACH OF YOUR PAYROLL SUBMISSIONS ON THIS PROJECT.

INSTRUCTIONS AND ADDITIONAL FORMS ARE AVAILABLE ON OUR WEBSITE: WWW.OREGON.GOV/BOLI.