Oregon Bureau of Labor and Industries

Certified Payroll Reports on Public Works Projects

www.oregon.gov/boli *pwr.email@boli.oregon.gov*

Seminar handouts can be found at:
https://www.oregon.gov/boli/employers/Pages/prevailing-wage-seminars.aspx
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Rev. 10/6/26

Oregon's Prevailing Wage Rates

- State prevailing wage rates are based on union rates for each trade, according to project location in reference to BOLI's 14 Regions. (2021 SB 493)
  - 2024 SB 1568 modified this slightly for the Electrician rates; as of July 1, 2024, they will be based solely on the union division of Oregon.

- **Prevailing Wage Rate books** are generally published twice each year, on **January 5** and **July 5**.
- Amendments are generally published twice each year, on **April 5** and **October 5**.

NOTE: BOLI published a September 3, 2026 rate book

Finding the Correct Rate Book

- Generally, the applicable prevailing wage rates for a project will be the rates in effect at the time the initial specifications were first advertised for bid solicitations.
- Once the applicable rates are established for the project, those are the prevailing wage rates to be used for the duration of the project.
- The applicable rates are set differently for projects that use a Construction Manager/General Contractor (CM/GC) and for public/private projects. The applicable rates may be set differently for projects that are subject to both the state PWR laws and the federal Davis-Bacon Act.

Finding the Correct Rate Book

- For projects that use a Construction Manager/General Contractor (CM/GC):
  - The applicable rates are those in effect when the CM/GC and the contracting agency agree to the Guaranteed Maximum Price (GMP) or when the contracting agency authorizes early construction work to begin, whichever happens first.
- For public/private projects:
  - The applicable rates are those in effect when the public agency enters into an agreement with a private entity for the project.
- For projects subject to both the state Prevailing Wage Rate laws and the federal Davis Bacon Act:
  - The public agency may use the U.S. Department of Labor's method to establish the applicable state rates for the project.

Paying Prevailing Wages

- All workers on a PWR project site must be paid the appropriate prevailing wage rate.
- A “worker” is a person whose duties are manual or physical in nature, as opposed to mental or managerial in nature.
- IMPORTANT: Employers must pay the correct prevailing wage rate based on the type of work being performed, not based on the employee’s title.
- If the employer is required to pay prevailing wages, then the employer must complete and submit certified payroll reports showing all workers and all hours worked on the project.

Certified Payroll Reports

- 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.
  - The report includes the statement of certification (second page) and must be submitted with each certified payroll.
- Contractors and subcontractors may use BOLI's **WH-38** certified payroll report form, or they may submit their own report as long as it includes all the same information on BOLI's WH-38 form.
- US DOL updated the federal **WH-347** certified payroll report form on January 6, 2025. It now includes most of the information required on BOLI's certified payroll report form, but not all, so still not compliant with Oregon's certified payroll requirement. (See next slides.)

U.S. Department of Labor
Wage and Hour Division

Davis-Bacon and Related Acts Weekly Certified Payroll Form

(For Contractor's Optional Use; See Instructions at www.dol.gov/whd/forms/wh347instr.htm)

Unless otherwise noted, the information requested is specific to the named project below.

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

U.S. Wage and Hour Division

Rev. January 2025
OMB No.: 1235-0008
Expires: 01/31/2028

☐ SUBMISSION OF FINAL DBRA CERTIFIED PAYROLL FORM ☐ PRIME CONTRACTOR ☐ SUBCONTRACTOR

PROJECT NAME	PROJECT NO. or CONTRACT NO.	CERTIFIED PAYROLL NO.	PRIME CONTRACTOR'S/SUBCONTRACTOR'S BUSINESS NAME
PROJECT LOCATION	**WAGE DETERMINATION NO.**	**WEEK ENDING DATE**	**PRIME CONTRACTOR'S/SUBCONTRACTOR'S BUSINESS ADDRESS**

(1A)	(1B)	(1C)	(1D)	(1E)	(2)	(3)		(4)			(5)		(6A)	(6B)	(6C)	(7A)	(7B)	(8)				(9)
WORKER ENTRY NO.	WORKER LAST NAME	WORKER FIRST NAME	WORKER MIDDLE INITIAL	WORKER IDENTIFYING NO.	(J) JOURNEYWORKER (RA) REGISTERD APPRENTICE	LABOR CLASSIFICATION		ST = STRAIGHT TIME OT = OVERTIME	(TOP) DAYS OF WORK WEEK (BOTTOM) DATES HOURS WORKED EACH DAY		TOTAL HOURS WORKED FOR WEEK		HOURLY WAGE RATE PAID FOR ST AND OT	TOTAL FRINGE BENEFIT CREDIT	PAYMENT IN LIEU OF FRINGE BENEFITS	GROSS AMT EARNED	GROSS AMT EARNED FOR **ALL WORK**	DEDUCTIONS FOR **ALL WORK**				NET PAY TO WORKER FOR **ALL WORK**
																		TAX WITH-HOLDINGS	FICA	OTHER (MUST SPECIFY, SEE INSTRUCTIONS)	TOTAL DEDUCTIONS	
								ST														
								OT														
								ST														
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While use of Form WH-347 itself is optional, covered contractors and subcontractors performing work on Federal or federally assisted construction contracts are required by the DBRA regulations and the contract clauses to submit payroll information on a weekly basis. The Copeland Act (40 U.S.C. § 3145) requires contractors and subcontractors performing work on Federal or federally financed construction contracts to, on a weekly basis, "furnish a statement on the wages paid each employee during the prior week." U.S. Department of Labor (DOL) Regulations at 29 C.F.R. § 5.5(a)(3)(ii) require contractors and subcontractors to submit weekly certified payrolls to the appropriate Federal agency if the agency is a party to the contract (or, if the agency is not such a party, to the applicant, sponsor, owner, or other entity, as the case may be, that maintains such records, for transmission to the Federal agency). Each certified payroll must be accompanied by a signed "Statement of Compliance" (e.g., page 2 of the WH-347 or another document with identical wording) indicating that the certified payrolls are accurate and complete, and that each laborer or mechanic has been paid not less than the required Davis-Bacon prevailing wage rate(s) (including any fringe benefits) for the work performed. DOL and contracting agencies receiving this information review the information to determine whether workers have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, 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, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3502, 200 Constitution Avenue, N.W. Washington, D.C. 20210

(over)

PROJECT NAME	PROJECT NO. or CONTRACT NO.	PAYROLL NO.	PRIME CONTRACTOR'S/SUBCONTRACTOR'S BUSINESS NAME

PROJECT LOCATION	WEEK ENDING DATE	CERTIFYING OFFICIAL's NAME AND TITLE

I paid or supervised the payment of the laborers or mechanics working on the above project during the stated time period. I certify the following:

☐ The payroll information submitted with this statement is correct and complete for the above project during the above period, and the wage and fringe benefit rates paid to the workers, including credit taken for the reasonably anticipated costs of a bona fide fringe benefit plan, fund or program, are not less than the applicable wage and fringe benefits rates for the classification(s) of work actually performed, as specified in the wage determination(s) incorporated into the contract.

☐ All regular payrolls and all other basic records that the contractor is required to maintain for this payroll period are complete and accurate and will be made available upon request from the agency or the Department of Labor.

☐ The classifications reported for each laborer or mechanic are the classification(s) of work that each worker actually performed.

☐ Any workers paid as apprentices during the above period are duly registered in a bona fide apprenticeship program registered with the Office of Apprenticeship, Employment and Training Administration, United States Department of Labor ("OA"), or a State Apprenticeship Agency ("SAA") recognized by Department of Labor. I have verified the registered apprenticeship program information provided below as accurate and applicable to any apprentices identified on page 1 of this form.

APPRENTICESHIP PROGRAM NAME	REGISTERED		NAME OF LABOR CLASSIFICATION
	☐ OA	☐ SAA	
	☐ OA	☐ SAA	
	☐ OA	☐ SAA	

☐ Fringe benefits have been paid in cash and/or to bona fide fringe benefit plans, funds, or programs. Where the contractor is claiming an hourly credit for their contributions to or reasonably anticipated costs of a bona fide fringe benefit plan, fund, or program, provide plan information and the hourly credit claimed for each worker listed on the previous page of this form.

HOURLY CREDIT FOR FRINGE BENEFITS

If an amount is listed in (6B) on the first page of this certified payroll form, enter the hourly credit claimed under each plan name, type and number for each worker and check whether the plan is funded or unfunded.

NAME OF WORKER	FB NAME / FB TYPE / PLAN NO.		FB NAME / FB TYPE / PLAN NO.		FB NAME / FB TYPE / PLAN NO.		FB NAME / FB TYPE / PLAN NO.		FB NAME / FB TYPE / PLAN NO.		FB NAME / FB TYPE / PLAN NO.		TOTAL HOURLY CREDIT
	☐ Funded	☐ Unfunded	☐ Funded	☐ Unfunded	☐ Funded	☐ Unfunded	☐ Funded	☐ Unfunded	☐ Funded	☐ Unfunded	☐ Funded	☐ Unfunded	
	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	$
	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	$
	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	$
	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	$
	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	$
	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	$
	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	$
	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hourly Credit	$	Hrly Credit	$	$

☐ All workers on the project have been paid the full weekly wages earned, and no rebates or deductions have been or will be made either directly or indirectly, other than permissible deductions as defined in 29 CFR part 3.

ADDITIONAL REMARKS

SIGNATURE OF CERTIFYING OFFICIAL	DATE	TELEPHONE NUMBER	EMAIL ADDRESS
		(___) ___-____	

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 3729 OF TITLE 31 OF THE UNITED STATES CODE), AS WELL AS DEBARMENT FROM FUTURE FEDERAL AND FEDERALLY-ASSISTED CONTRACTS. INFORMATION REPORTED IN CERTIFIED PAYROLLS MAY BE SUBJECT TO DISCLOSURE IN RESPONSE TO A FREEDOM OF INFORMATION ACT REQUEST.

Certified Payroll Reports

As a result of the updated federal certified payroll report form, BOLI updated our certified payroll forms, and created a new form:

- Updated **WH-38** – use for projects subject ***only*** to Oregon's PWR laws
- Updated **WH-38A** – instructions for completing BOLI's certified payroll forms
- **NEW: WH-38F** – on projects subject to both Oregon's PWR laws and the federal Davis-Bacon Act, contractors can use the new federal WH-347 form and BOLI's new WH-38F form, which includes the required BOLI information missing from the federal form.

- Updated WH-38E – "enhanced" report to use for projects that require apprentice and workforce demographic reporting (*see* ***Frequently Asked Questions on HB 2649*** *(2023)*)

Certified Payroll Reports

If using a certified payroll software program that is based on the older version of the WH-347, the following are required elements of BOLI's WH-38 form that will often be missing from the program:

- Much of the information n the top 1/3 of the first page of BOLI's form;
- Employee address;
- Established work schedule (i.e., 5/8s or 4/10s) and regular hourly schedule (i.e., 7 am – 4 pm);
- Hourly base rate shown separately from hourly fringe rate;
- Gross wages for the week for that project shown separately from gross wages for the pay period;
- Information on fringe amounts paid to benefit plans, including hourly fringe credit and name of the plan;
- Required language on BOLI's Certified Statement page.

Certified Payroll Reports

One possible solution, contractors and subcontractors can:

- Fill in the missing information on BOLI's WH-38 form;
- Complete and sign BOLI's Certified Statement page;
- Include these pages when submitting certified payroll to the public agency.

BUREAU OF LABOR AND INDUSTRIES
WAGE AND HOUR DIVISION

PAYROLL/CERTIFIED STATEMENT FORM WH-38
FOR USE IN COMPLYING WITH ORS 279C.845

PRIME CONTRACTOR ☑ SUBCONTRACTOR ☐ WEEK #: 3 (optional; see directions) FINAL PAYROLL ☐

Business Name: Wooley Construction Phone #: (971) 673-0853 CCB Registration #: 1234567

Project Name: Adrienne C. Nelson High School Project #: NA Type of Work: General Contractor

Street Address: 40983 SE Davis St.
Portland, OR 97232

Mailing Address: PO Box 1652
Portland, OR 97232

Project Location: 14897 SE Parklane Dr. Happy Valley, OR 97015

Project County: Clackamas

Date Pay Period Began: 2/3/2025 **Date Pay Period Ended: 2/16/2025**

COMPLETE THIS SECTION IF BUSINESS IS **PRIME CONTRACTOR** ON PROJECT
Public Contracting Agency Name: North Clackamas School District
Phone: (50) 698-8989
Date Contract Specifications First Advertised for Bid: 7-Apr-24
Contract Amount: $50,670,240.00

COMPLETE THIS SECTION IF BUSINESS IS **SUBCONTRACTOR** ON PROJECT
Subcontract Amount:
Prime Contractor Business Name:
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)
EMPLOYEE NAME AND ADDRESS	CLASSIFICATION (INCLUDE GROUP # & IF APPLICABLE APPRENTICESHIP STEP/PERCENTAGE, AND SUPERVISING JOURNEY WORKER(S) NAME)		M 2/3	T 2/4	W 2/5	H 2/6	F 2/7	Sa 2/8	Su 2/9	TOTAL HOURS	HOURLY BASE RATE	Hourly Fringe Paid as Wages to Employee	Gross Amount Earned (see directions)	Total 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
			HOURS WORKED EACH DAY														
Joe Schmoe 14658 SE 165th Ave Portland OR 97222	Carpenter Group 1	OT									$45.00	$0.00	$90.00 / $1,265.50	$316.38	$949.13	$5.20	Med - BC/BS
		ST		3						3	$30.00					$4.95	Pension - Fin Group
		Reg Hrly Schd: 8am to 4:30p Schedule 5/8 ☑ 4/10 ☐														$1.33	Vacation
Rick Frick 6549 SE Burnside Portland OR 97232	Carpenter Group 1 , 60% apprentice, Joe Schmoe	OT									$27.00	$0.00	$54.00 / $945.75	$236.44	$709.31	$4.50	Med - BC/BS
		ST		3						3	$18.00					$5.85	Pension - Fin Group
		Reg Hrly Schd: 8am to 4:30p Schedule 5/8 ☑ 4/10 ☐														$1.13	Vacation
Carl Schmarl 727 NE Halladay St. Portland OR 97232	Laborer Group 1	OT						1		1	$37.50	$4.00	$128.50 / $1,163.75	$290.94	$872.81	$5.00	Med - BC/BS
		ST		3						3	$25.00					$1.00	Vacation
		Reg Hrly Schd: 8am to 4:30p Schedule 5/8 ☑ 4/10 ☐															
Ed Bread 800 NE Oregon St. Portland OR 97232	Laborer Group 1	OT									$37.50	$10.00	$105.00 / $1,122.25	$280.56	$841.69		
		ST		3						3	$25.00						
		Reg Hrly Schd: 8am to 4:30p Schedule 5/8 ☑ 4/10 ☐															
		OT															
		ST															
		Reg Hrly Schd: to Schedule 5/8 ☐ 4/10 ☐															

THIS FORM CONTINUED ON REVERSE

(1)	(2)		(3) DAY AND DATE							(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
EMPLOYEE NAME AND ADDRESS	CLASSIFICATION (INCLUDE GROUP # & IF APPLICABLE APPRENTICESHIP STEP/PERCENTAGE, & SUPERVISING JORNREYWORKER NAME)		HOURS WORKED EACH DAY							TOTAL HOURS	HOURLY BASE RATE	Hourly Fringe Paid as Wages to Employee	Gross Amount Earned (see directions)	Total 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
		OT															
		ST															
		Reg Hrly Schd:			to		Schedule 5/8 ☐ 4/10 ☐										
		OT															
		ST															
		Reg Hrly Schd:			to		Schedule 5/8 ☐ 4/10 ☐										
		OT															
		ST															
		Reg Hrly Schd:			to		Schedule 5/8 ☐ 4/10 ☐										

CERTIFIED STATEMENT

I, Susan Wooley (*name of signatory party*), Owner (*title*), do hereby state:

(1) That I paid or supervised the payment of the persons employed by Wooley Construction (*contractor, subcontractor, or surety*) on the Adrienne C. Nelson High School project (*project name*) and that during the payroll period commencing on 2/3/25 (*month/day/year*) and ending on 2/16/25 (*month/day/year*), all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of Wooley Construction (*contractor, subcontractor, or surety*) from the 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, as described below:

Federal withholding, FICA, State withholding, WBF, OR STT, OR paid leave

(2) That any payrolls 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 specifications/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.

Additional Remarks

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

Susan Wooley, Owner		**2/21/25**
(name and title)	*(signature)*	*(month/day/year)*

NOTE TO CONTRACTORS: **You must attach copies of this form to each of your payroll submissions on this project. File this form with the public agency associated with the project.**

Instructions and additional forms are available on BOLI's website: www.oregon.gov/BOLI

Withholding Requirements

- If the prime contractor does not file certified payroll reports as required (at least once per month), the public agency MUST withhold 25% of amounts due the prime contractor, in addition to any other required retainage.
- If a first-tier subcontractor does not file certified payroll reports as required, the prime contractor MUST withhold 25% of amounts due the first-tier subcontractor.
- Once certified payroll reports are submitted, the public agency or prime contractor must pay amounts withheld per this statute within 14 days.

Reviewing Certified Payroll Reports

- The public agency is not required to verify the accuracy of the contents of the certified payroll reports.
- The prime contractor is not required to verify the accuracy of the contents of subcontractors' certified payroll reports.
- We recommend watching for red flags:
  - Classification and rates
  - Is zone pay required?
  - Hours and days of week
  - Number of workers

BOLI PWR Unit Contacts

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Ray Badalich	ray.badalich@boli.oregon.gov
Susan Wooley	susan.wooley@boli.oregon.gov

PWR general email: pwr.email@boli.oregon.gov

BOLI general phone number: (971) 245-3844

Seminar handouts can be found at:

https://www.oregon.gov/boli/employers/Pages/prevailing-wage-seminars.aspx

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