

Frequently Encountered Wage Issues

Record Keeping

Contractor must be able to provide weekly certified payroll reports, employee certifications, and payroll deduction authorization forms for prime contractor *and all levels of subcontractors* within 2 working days of request. It is strongly recommended that the prime contractor obtain these *before* the City asks for them to ensure compliance.

The Nature of the Work (wage classifications)

An employee's correct wage classification reflects that employee's actual work. An employee who is measuring, marking, trimming, or joining pipes is expected to be paid at the prevailing wage of a plumber or pipefitter, for example. Employer is liable for back wages due to any worker found to have been underpaid.

Split Classifications

If an employee performs work under multiple wage classifications or determinations, *that employee must be paid at the highest applicable rate, unless that employee has been certified at multiple classifications or determinations, and daily timekeeping records are recorded on certified payroll reports, indicating the hours spent at each classification or under each determination.*

Apprentices

Only those apprenticeship programs recognized by the U.S. Department of Labor satisfy the City's contract requirements. **In-house apprenticeship programs do not meet this requirement unless they are recognized by the U.S. Department of Labor.** *Only* those employees *currently enrolled* in a program may be classified and paid as apprentices (*Note for Plumbers: A Texas Plumber's Apprentice license does not fulfill this requirement.*) If an employer is paying apprentice wages, they must be able to provide proof of individual enrollment, including date of enrollment, current period/year, and the program's terms of apprenticeship.

"Helper" Wage Classifications

Only those classifications listed in the contract will be recognized by the City. "Helper" is not a recognized classification. An employee designated as an electrician's helper who is observed running wires of any type or making connections must be paid as a journeyman electrician, for example.

HVAC Ductwork

Measuring, marking, trimming, forming, and installing ductwork is the work of a sheet metal mechanic. Any employee performing this type of work is to be paid as a sheet metal worker.

Multiple Wage Determinations on a Project

If both BC and HH wage rates are in a contract, BC rates must be used for any work performed within 5 feet of the perimeter of the structure. HH rates apply only to work outside this area.

Common Laborer (HH) or Laborer (BC)

Employees under these classifications are permitted to use power tools only in demolition work.

Trainees or Underskilled Workers

Employees are to be paid prevailing wage for the work performed, *regardless of skill level, licensure, title, or experience.*