

PREVAILING WAGE/LABOR COMPLIANCE WEBINAR

KNOW YOUR DUTIES AND RESPONSIBILITIES
UNDER THE LAW

Public Works

California Labor Commissioner's Office
Department of Industrial Relations



DISCLAIMER

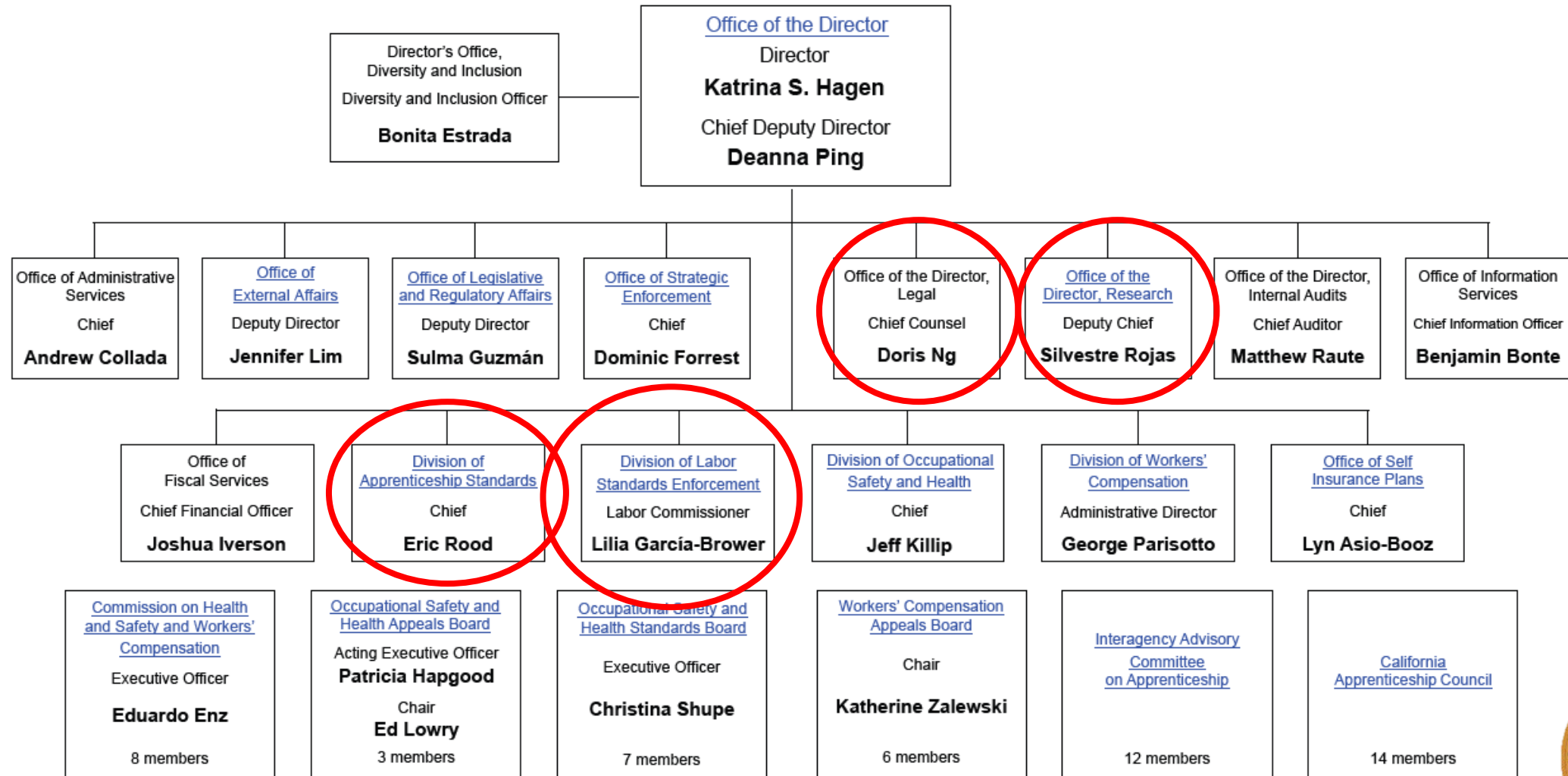
California Labor Commissioner's Office

The following presentation is intended to summarize relevant portions of existing law in the Labor Code and California Code of Regulations, but those code sections, as interpreted by the courts, will govern actual enforcement. The information contained in this presentation is a general overview of existing law or regulation. Any opinions expressed are solely those of the author/speaker and are not necessarily the official position of the Department of Industrial Relations (DIR), its Director, or any related public entity. The information in this presentation is not intended as legal advice, and does not guarantee any outcome in specific enforcement or coverage proceedings within the jurisdiction of DIR.



Department of Industrial Relations

The Department of Industrial Relations Director reports to [California Labor and Workforce Development Agency](#) Secretary Stewart Knox who in turn reports to [Governor Gavin Newsom](#).







AWARDING BODY

- Compliance Requirements
- Enforcement
- Pre-Qualification of Contractors



COMPLIANCE REQUIREMENTS

Labor Code & Title 8, CCR § 16000



PROJECT REGISTRATION



PROVIDE ELECTRONIC NOTICE TO DIR OF ALL PUBLIC WORKS CONTRACTS WITHIN 30 DAYS OF THE AWARD, BUT IN NO EVENT LATER THAN THE FIRST DAY IN WHICH A CONTRACTOR HAS WORKERS EMPLOYED UPON THE PUBLIC WORK. (LC §1773.3) *

* Does not apply to projects of \$25,000 or less when the project is for construction, alteration, demolition, installation, or repair work or for projects of \$15,000 or less when the project is for maintenance work



Public Works



Public Works

Public works in general means:

- Construction, alteration, demolition, installation, or repair work done under contract and paid in whole or in part out of public funds.
- It can include preconstruction and post-construction activities related to a public works project.
- For a full definition of public works refer to [Labor Code section 1720](#).

Anyone working on a public works project must be paid prevailing wages as determined by DIR. Projects of \$30,000 or more must meet DIR's apprenticeship requirements. Failure to comply with public works requirements can result in civil penalties, criminal prosecution, or both.

Contractors,
and others who work on public
works projects

Awarding Bodies,
public agencies or project
owners

Public Works Prevailing Wage Training for Contractors and Awarding Bodies

What's **New**

[en Español](#)

Resources

- [Public Works Pre-Qualification of Contractors](#)
- [Apprenticeship Requirements](#)
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Registration

[Contractor Registration](#)

[Project Registration](#)



- [Public Works Contractors: Renew Registration by June 30](#)

Public Works Projects Registration (PWC-100) for all Awarding Agencies

CA.gov | Contact Us | DLSE

California Department of
Industrial Relations
Division of Apprenticeship Standard / Division of Labor Standards Enforcement

CA.GOV Home Labor Law Cal/OSHA - Safety & Health Workers' Comp Self Insurance Apprenticeship Director's Office Boards

Home :: External Lookup

Public Works Projects Registration (PWC-100) for all Awarding Agencies

Welcome to the PWC 100 form online application page. The PWC 100 form should be completed by the awarding body. The completion and the submission of this form fulfills the required public works project award notification as required by Labor Code sec. 1773.3 (replacing former DAS-13 notification) and 8 Cal. Code Reg. sec. 16451(a).

An awarding body or body awarding the contract means department, board, authority, officer or agent awarding a contract for public work. In most cases the awarding body is a unit of state or local government, such as a city, county, school district, water district, special district, or a state agency. However, in some cases the body awarding the contract may be a private entity that uses public funds for a public works construction project.

[Browser Support](#)


Please keep your login and password since you may only register once.


Sign In


Username or Email:

Password:


Remember me on this computer

 Sign In

 Forgot Password

 First Time User

To create an account please select the First Time User button above. Note that user ID and password are case sensitive.





Contractor Information

Options

[Help](#)

[Update Account](#)

[Logout](#)

Please enter all the information for the award

Project Manager

Email Address*	First Name*	MI	Last Name*	Title*	Work Phone*
<input type="text" value="mail@mail.com"/>	<input type="text" value="Jane"/>	<input type="text"/>	<input type="text" value="Smith"/>	<input type="text" value="Project Manager"/>	<input type="text" value="123"/> - <input type="text" value="456"/> - <input type="text" value="7899"/> Ex <input type="text"/>

General Contractor 1

	Primary	PWCR	Name	Address	Email	Classification
Delete Edit	<input type="radio"/>	10000000000	XYZ CONTRACTORS INC.	1234 PW STREET LOS ANGELES, CA 90071	XYZ@GMAIL.COM	CARPENTERS

[Add Contractor](#)

<< Back

Cancel

Save

Submit

Delete Project





**ENSURE THAT PUBLIC WORKS
PROJECTS ARE NOT SPLIT OR
SEPARATED INTO SMALLER WORK
ORDERS OR PROJECTS FOR THE
PURPOSE OF EVADING THE
APPLICABLE PROVISIONS OF LC
§1771. (TITLE 8, CCR § 16100)**





ENSURE CONTRACTORS ARE REGISTERED

A CONTRACTOR OR SUBCONTRACTOR MUST BE REGISTERED WHEN BIDDING, LISTED IN A BID PROPOSAL, OR ENGAGED IN THE PERFORMANCE OF ANY CONTRACT FOR PUBLIC WORK. (LC §§1725.5 &1771.1) *

* Does not apply to projects of \$25,000 or less when the project is for construction, alteration, demolition, installation, or repair work or for projects of \$15,000 or less when the project is for maintenance work



POLL QUESTION #1

Awarding Body's Responsibility



A public works project has been awarded in the total amount of \$40,000. One subcontractor on the project has an agreement for \$15,000 to do demolition. Is this subcontractor required to be registered as a public works contractor to bid or work on this project?

- a) No need for this subcontractor to be registered. The amount of the subcontract is less than \$25,000
- b) Yes, this subcontractor needs to register because the total amount of the project is over the \$25,000 threshold



Public Works Contractor Registration Search

Public Works Contractor Registration Search

Enter at least one criteria to display registered public works contractor(s) matching your selections.

Note: Search results will display all of the public works contractor registrations, both current and expired. Make sure a proper registration fiscal year is selected when performing a search.

Input Label

From Date:

To Date:

County

City

Search

Reset

Crafts (Select all that apply)

- Asbestos
- Boilermaker-Blacksmith


Registrations

Search Results:

Print PDF 

Export 

Add all to my list

My List (0) 

Previous

Next



Contractor Information

Legal Entity Name

A+ Construction

Legal Entity Type

Corporation

Status

Active

Registration Number

PW-LR-1000469801

Registration effective date

03/04/19

Registration expiration date

06/30/19

Mailing Address

1 Address St Anytown 95555 CA United States of America

Physical Address

1 Address St Anytown 95555 CA United States of America

Email Address

Trade Name/DBA

Mike's Construction

License Number (s)

CSLB:1234567

CSLB:1234567

CSLB:1234567

Registration History

Effective Date	Expiration Date
03/04/19	06/30/19

Legal Entity Information

Corporation Number:

Federal Employment Identification Number:

President Name:

M. J. Poppins

Vice President Name:

Treasurer Name:

Secretary Name:

CEO Name:

Agent of Service Name:

Agent of Service Mailing Address:

CA United States of America

Worker's Compensation

Do you lease employees through Professional Employer Organization (PEO)?: No

Please provide your current worker's compensation insurance information below:

PEO Information	Name	Phone	Email
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Insured by Carrier

Policy Holder Name:

M. J. Poppins

Insurance Carrier:

Aetna

Policy Number:

8790000

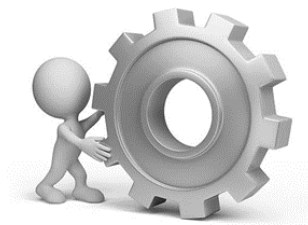
Inception date:

01/01/19

Expiration Date:

01/01/20





NOTICE REQUIREMENTS

INCLUDE THE NOTICE OF THE
REQUIREMENT DESCRIBED IN LC
§1771.1(A) & LC §1771.4(A)(1) IN ALL
BID INVITATIONS AND PUBLIC WORKS
CONTRACTS.

- A bid shall not be accepted nor any contractor or subcontract entered into without proof of the contractor or subcontractor's current registration to perform public work. (LC §1771.1(b))
- The call for bids and contract documents shall specify that the project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. (LC §1771.4(a)(1))





**OBTAIN PREVAILING
WAGE RATES FROM DIR
(LC SECTIONS 1773,
1773.2, AND 1773.4)**





**POST OR REQUIRE
CONTRACTORS TO POST
JOBSITE NOTICES ON
PUBLIC WORKS
REQUIREMENTS
(LC §1771.4(A)(2))**





**ENSURE THAT PUBLIC WORKS CONTRACTORS
PAY PREVAILING WAGES AND ARE IN
COMPLIANCE WITH PUBLIC WORKS LAWS AND
REPORT ANY SUSPECTED VIOLATIONS TO THE
LABOR COMMISSIONER
(LC §1726; TITLE 8, CCR §16100)**

***Except for public works projects of one thousand dollars (\$1,000) or less. (LC §1771)**





**WITHHOLD AND
RETAIN ALL AMOUNTS
REQUIRED TO SATISFY
THE CIVIL WAGE AND
PENALTY ASSESSMENT
(LC §1727(A))**



SKILLED AND TRAINED WORKFORCE (STW)



Some public works projects require that contractors (& their subcontractors) utilize a “skilled and trained workforce” to complete the project.

For those projects, all workers in “apprenticeable occupations” must either be:

- registered apprentices or
- skilled journeypersons.

A certain percentage (30-60%) of skilled journeypersons must also be graduates of Department of Apprenticeship Standards-approved programs.



WHAT IS A SKILLED JOURNEYPERSON?

A worker who EITHER:

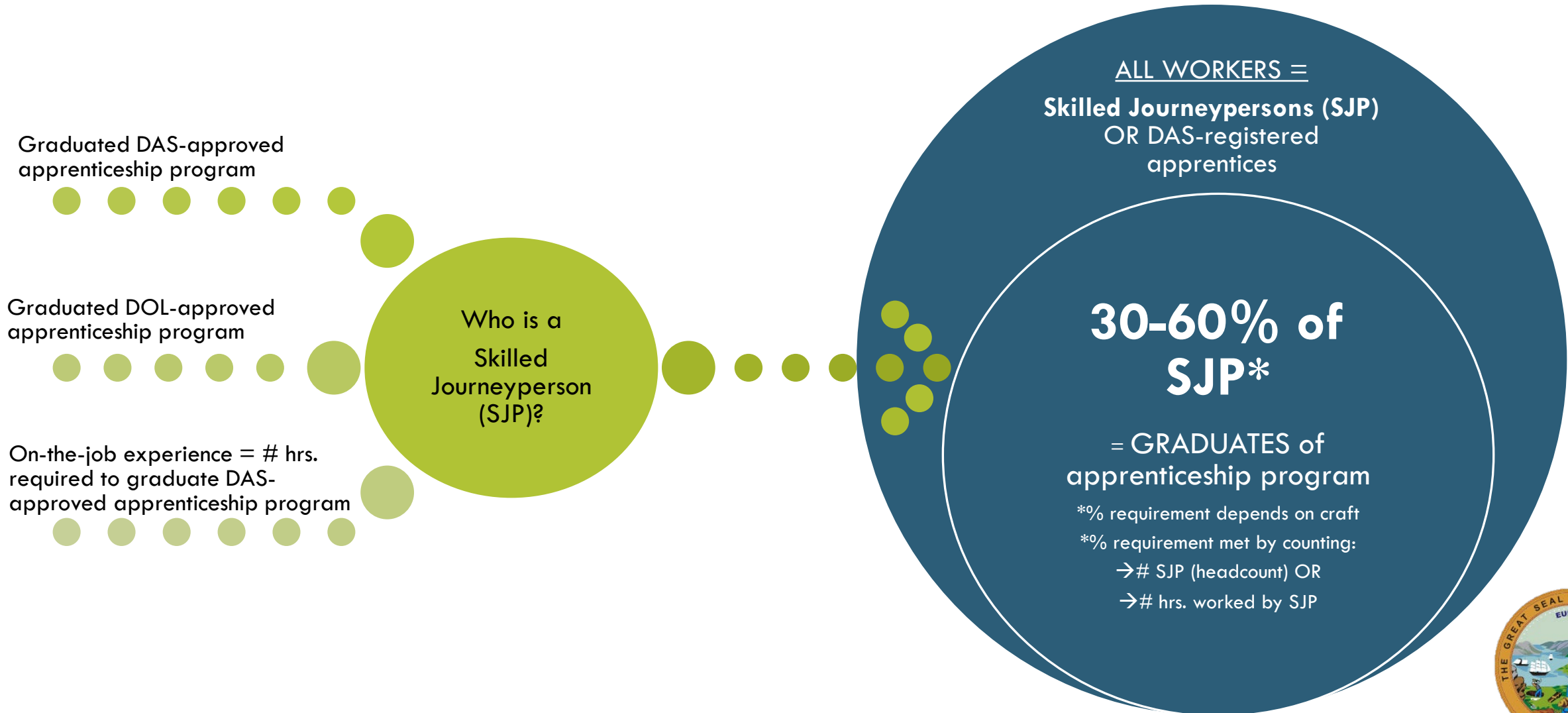
- Graduated from a DAS-approved apprenticeship program for the applicable occupation or DOL-approved apprenticeship program outside California; OR
- Has at least as many hours of on-the-job-experience in the applicable occupation as would be required to graduate from a DAS-approved apprenticeship program

In addition:

- 30%-60% of ALL Skilled Journeypersons must be graduates of an apprenticeship program.
 - Percentage requirement varies depending on the specific craft.
 - Percentage requirement does not apply where minimal amount of work is performed.



WHAT IS A “SKILLED AND TRAINED WORKFORCE”?



LABOR COMMISSIONER ENFORCEMENT OF NEW STW REQUIREMENTS

- Contractors on projects requiring STW must submit a monthly report to the awarding body (“AB”) demonstrating compliance.
- If a monthly report does not demonstrate compliance, the AB is required to forward it to the Labor Commissioner for issuance of a Civil Wage and Penalty Assessment (“CWPA”).
- Penalties up to \$5,000 per month of work performed in violation of the STW requirements can be assessed against the contractors.



USEFUL LINKS FOR STW REQUIREMENTS

[Skilled and Trained Workforce Requirement FAQs](#)

[Summary Chart of Skilled and Trained Workforce Statutes](#)



ENFORCEMENT

Labor Code §1773.3, §1771.1(j)



LABOR CODE §1773.3 (C)(1)



PENALTIES SHALL BE ASSESSED AGAINST AWARDING BODIES FOR THE FOLLOWING:

- Failing to timely submit project registration information;
- Entering into a contract with an unregistered contractor; or
- Allowing an unregistered contractor to engage in the performance of any public work

Civil Penalty

Subject to penalties of \$100 for each day in violation of either requirement, not to exceed an aggregate penalty of \$10,000 per project



LABOR CODE §1773.3(D)



PENALTIES SHALL ALSO BE ASSESSED AGAINST AN AWARDING BODY WHEN FINAL PAYMENT WAS MADE AND IT IS LATER DISCOVERED THAT AN UNREGISTERED CONTRACTOR WORKED ON THE PROJECT

Civil Penalty

Subject to penalties of \$100 for each full calendar day of noncompliance, for a period of up to 100 days, for each unregistered contractor or subcontractor.



AWARDING BODY "DEBARMENT" (LC §1773.3(F)):

"Whenever The Labor Commissioner Determines That An Awarding Agency Has Willfully Violated The Requirements Of This Section Or Chapter With Respect To Two Or More Public Works Contracts Or Projects In Any 12-month Period, The Awarding Agency Shall Be Ineligible To Receive State Funding Or Financial Assistance For Any Construction Project Undertaken By Or On Behalf Of The Awarding Agency For One Year..."





LABOR COMMISSIONER SHALL ISSUE STOP ORDER WHEN UNREGISTERED CONTRACTOR PERFORMS WORK (LC §1771.1(J))

- Stop order prohibits use of unregistered contractor or subcontractor until registered
- Affected worker of unregistered contractor entitled to regular hourly pay of prevailing wage rate (not to exceed 10 days) for work stoppage
- Does not apply to other registered contractors or subcontractors on same public works project

Contractor's failure to observe a stop order is a misdemeanor. (LC §1771.1(k).)



PRECAUTIONARY LEGAL NOTICE

The Labor Commissioner Wants To Remind All Awarding Bodies That Article 2 Also Includes LC §1777, Which Was Enacted In 1937 And Remains The Law Today. Section 1777 Establishes A Criminal Penalty (Misdemeanor) Against "Any Officer, Agent, Or Representative Of The State Or Of Any Political Subdivision Who Willfully Violates Any Provision" Of Article 2.



PRE- QUALIFICATION OF CONTRACTORS

Labor Commissioner Model Questionnaire



POLL QUESTION #2

Pre-Qualification of Contractors

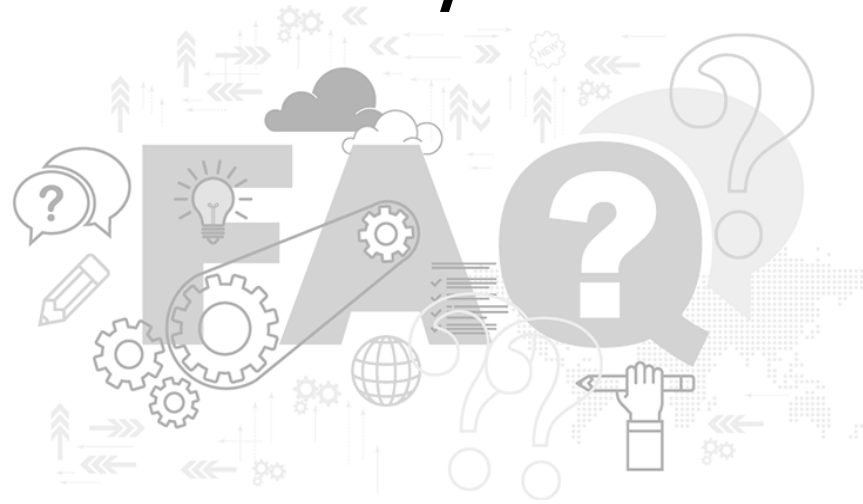


As an Awarding Body, do you currently have a Pre-Qualification of Contractors system in place?

- a) Yes
- b) No



Why Pre-Qualify Contractors ?



Purpose

- Contractors seeking to BID on Public Works Projects can be Pre-Qualified (PCC 20101)
- Stops Bad Actors BEFORE a contract is awarded and stops repeat violators from continuing to profit from wage theft

Importance

Levels the Playing Field for Law Abiding Contractors

Value

- Allows Awarding Bodies to be Proactive
- Contracts are awarded only to Responsible Bidders
- Avoids Awarding Body Citations and Debarment



PUBLIC WORKS PRE-QUALIFICATION OF CONTRACTORS

Department of Industrial Relations

CA.GOV State of California Department of Industrial Relations

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Public Works

Public works in general means:

- Construction, alteration, demolition, installation, or repair work done under contract and paid in whole or in part out of public funds.
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- For a full definition of public works refer to [Labor Code section 1720](#).

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Contractors,
and others who work on public
works projects

Awarding Bodies,
public agencies or project owners

Public Works Prevailing Wage Training for Contractors and Awarding Bodies

Resources

- [Public Works Pre-Qualification of Contractors](#)
- [Apprenticeship Requirements](#)
- [Certified Payroll Reporting](#)
- [Enforcement of Public Works Law](#)
- [File a Public Works Complaint](#)
- [Labor Compliance Programs](#)
- [Prevailing Wage Requirements](#)
- [More Resources](#)



Search

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- [Find Public Works Contractors](#)
- [Find Payroll Records](#)





CONTRACTORS

- Compliance Requirements and Enforcement



Who is a Public Works Contractor?

A public works contractor is anyone who bids on or enters into a contract to perform work that requires the payment of prevailing wages.



It includes:

- Subcontractors who have entered into a contract with another contractor to perform a portion of the work on a public works project.
- Sole proprietors and brokers who are responsible for performing work on a public works project, even if they do not have employees or will not use their own employees to perform the work.



POLL QUESTION #3

Contractor's Responsibility



Which of the following is **not** a contractor's responsibility for a public works project?
(Assume the project does not meet any small-project exemptions)

- a) Registering as a public works contractor
- b) Registering the project on the PWC-100
- c) Submitting electronic certified payroll records (eCPR's)
- d) Paying prevailing wages



CONTRACTORS MUST REGISTER



MUST BE REGISTERED WHEN BIDDING, LISTED IN A BID PROPOSAL, OR ENGAGED IN THE PERFORMANCE OF ANY CONTRACT FOR PUBLIC WORK (LC §§1725.5 & 1771.1) *

* Does not apply to projects of \$25,000 or less when the project is for construction, alteration, demolition, installation, or repair work or for projects of \$15,000 or less when the project is for maintenance work



POLL QUESTION #4

Contractor Registration



A contractor registers for the first time on June 1, 2022 and pays \$400 for one year's registration. When will that registration expire?

- a) June 30, 2022
- b) December 31, 2022
- c) May 31, 2023



CONSEQUENCES FOR FAILING TO REGISTER



Penalty Registration Fees (LC §1725.5)

- **First-Time Registration:** A penalty of \$2,000 applies when a contractor is registering for the first time and did any of the following in the past 12 months:
 - bid or was awarded a public works project
 - worked on a public works project
- **Late Renewal:** If a contractor bid on, was awarded, or worked on a public works project after their registration expired:
 - a penalty of \$400 applies when the lapse in registration is inadvertent and paid within 90 days
 - a penalty of \$2,000 applies when the lapse in registration is not inadvertent
- **Post 90 Day Renewal or Reactivation:** A penalty of \$2,000 applies when a contractor did any of the following while unregistered:
 - bid or was awarded a public works project
 - worked on a public works project



PAY THE PREVAILING WAGE RATE TO ALL WORKERS (LC §1771, §1774 AND §1813)



“THE CONTRACTOR TO WHOM THE CONTRACT IS AWARDED, AND ANY SUBCONTRACTOR UNDER HIM, SHALL PAY NOT LESS THAN THE SPECIFIED PREVAILING RATES OF WAGES TO ALL WORKERS EMPLOYED IN THE EXECUTION OF THE CONTRACT.” (LABOR CODE § 1774)

* Except for public works projects of one thousand dollars (\$1,000) or less (Labor Code § 1771)





APPRENTICESHIP COMPLIANCE

CONTRACTORS MUST COMPLY WITH APPRENTICESHIP REQUIREMENTS (LC §1777.5) GENERAL CONTRACTORS AND SPECIALTY CONTRACTORS (NOT BIDDING THROUGH A GENERAL OR PRIME) WHO HAVE BEEN AWARDED PUBLIC WORKS PROJECTS OF **\$30,000 OR MORE**, AND THEIR SUBCONTRACTORS ARE OBLIGATED TO:

- Provide contract award information to the appropriate apprenticeship programs
- Request for dispatch of apprentices
- Employ registered apprentices in the ratio of not less than one hour per five journeyman hours (1 to 5)
- Pay appropriate training fund contributions



DAS 140

NON-SIGNATORY CONTRACTOR

- Box 2 or 3: Not approved to train apprentices by an apprenticeship program
- **Contractor must submit a DAS 140 to all applicable apprenticeship programs that can dispatch apprentices to the area of the project (county)**
- Must be submitted before beginning work
- Penalties will be issued under LC §1777.7 if no DAS was submitted or submitted untimely

PUBLIC WORKS CONTRACT AWARD INFORMATION
Contract award information must be sent to your Apprenticeship Committee if you are approved to train. If you are not approved to train, you must send the information (which may be this form) to ALL applicable Apprenticeship Committees in your craft or trade in the area of the site of the public work. Go to: <http://www.dir.ca.gov/databases/das/pwaddrstart.asp> for information about programs in your area and trade. You may also consult your local Division of Apprenticeship Standards (DAS) office whose telephone number may be found in your local directory under California, State of, Industrial Relations, Division of Apprenticeship Standards.

Do not send this form to the Division of Apprenticeship Standards.

NAME OF YOUR COMPANY ABC Contracting Inc.	CONTRACTOR'S STATE LICENSE NO. 98765
MAILING ADDRESS- NUMBER & STREET, CITY, ZIP CODE 123 Elm Street, San Diego, CA 95622	AREA CODE & TELEPHONE NO. 619-555-5555
NAME & ADDRESS OF PUBLIC WORKS PROJECT Street Panel Replacement Project 2017 Various Location throughout City	DATE YOUR CONTRACT EXECUTED 12/1/17
	DATE OF EXPECTED OR ACTUAL START OF PROJECT 1/1/17
NAME & ADDRESS OF PUBLIC AGENCY AWARDED CONTRACT The City of San Diego 321 21st Street San Diego, CA 95623	ESTIMATED NUMBER OF JOURNEYMEN HOURS 567
	OCCUPATION OF APPRENTICE Laborers
THIS FORM IS BEING SENT TO: (NAME & ADDRESS OF APPRENTICESHIP PROGRAM(S)) Associated General Contractors Of America, San Diego Chapter P.O. Box 927870 San Diego, CA 92192	ESTIMATED NUMBER OF APPRENTICE HOURS 150
	APPROXIMATE DATES TO BE EMPLOYED 1/1/17 to 4/1/17

This is not a request for dispatch of apprentices.
Contractors must make a separate request for actual dispatch, in accordance with Section 230.1(a) California Code of Regulations

Check One Of The Boxes Below

- We are already approved to train apprentices by the [redacted] Apprenticeship Committee. We will employ and train under their Standards. Enter name of the Committee
- We will comply with the standards of [redacted] Apprenticeship Committee for the duration of this job only. Enter name of the Committee
- We will employ and train apprentices in accordance with the California Apprenticeship Council regulations, including 230.1 (c) which requires that apprentices employed on public projects can only be assigned to perform work of the craft or trade to which the apprentice is registered and that the apprentices must at all times work under the direct supervision of journeymen/men.

Signature _____ Date _____
Typed Name **John Doe**
Title **Project Manager**

State of California - Department of Industrial Relations DIVISION
OF APPRENTICESHIP STANDARDS

DAS 140 (REV. 1/04)



DAS 142

- If the contractor does not have a sufficient number of apprentices employed, they must submit a DAS 142 to request an apprentice from the applicable apprenticeship program(s)
- DAS 142 can be submitted anytime during the project, but the 1 to 5 minimum ratio must be met by the end of the project
- **Must provide 72 hour notice in advance for an apprentice to report (excluding weekend and holidays)**

REQUEST FOR DISPATCH OF AN APPRENTICE – DAS 142 FORM	
DO NOT SEND THIS FORM TO DAS	
<p>You may use this form to request dispatch of an apprentice from the Apprenticeship Committee in the craft or trade in the area of the public work. Go to: http://www.dir.ca.gov/databases/das/pwaddrstart.asp for information about programs in your area and trade. You may also consult your local Division Apprenticeship Standards (DAS) office whose telephone number may be found in your local directory under California, State of, Industrial Relations, Division of Apprenticeship Standards. Except for projects with less than 40 hours of journeyman work, you must request and employ apprentices in no less than 8 hour increments.</p>	
Date: 1/10/17	Contractor Requesting Dispatch:
To Applicable Apprenticeship Committee:	Name: ABC Contracting Inc.
Name: Associated General Contractors Of America, San Diego Chapter	Address: 123 Elm street
Address: P.O. Box 927870	San Diego CA , 95622
San Diego, CA 92192	License No. 98765
Tel. No. (858) 558-0789 Fax No. (858) 558-0738	Tel. No. 619-555-5555 Fax No. 619-555-5554
Project Information:	
Contract No. 2016/2017.101	
Name of the Project: Street Panel Replacement Project 2017	
Address: various locations throughout the city	
Dispatch Request Information:	
Number of Apprentice(s) Needed: 1	Craft or Trade: Apprentice Laborer
Date Apprentice(s) to Report: 1/11/17 (72 hrs. notice required)	Time to Report: 7:00am
Name of Person to Report to: Bob Doe	
Address to Report to: 123 Elm street	
San Diego CA , 95622	
<p>You may use this form to make your written request for the dispatch of an apprentice. Requests for dispatch must be in writing and submitted at least 72 hours in advance (excluding weekends and holidays) via first class mail, fax or email. Proof of submission may be required. Please take note of California Code of Regulations, Title 8, § 230.1 (a) for all applicable requirements regarding apprenticeship requests and/or visit https://www.dir.ca.gov/das/PublicWorksForms.htm</p> <p>DAS 142 (Revised 12/11)</p>	



EMPLOY APPRENTICES IN THE PROPER RATIO:



Apprentices must be employed in a minimum ratio of 1 apprentice hour for every 5 hours of journeyman hours or **20%** of the total journeyman straight time hours, **for each separate craft employed on the project.** (LC §1777.5(h)).

- Hours are calculated at the end of the project.
- Any journeyman hours worked in excess of 8 hours per day or 40 hours per week shall not be used to calculate the ratio.



PAYMENT OF TRAINING FUND CONTRIBUTIONS

- Contractors must pay the appropriate training fund contributions to the **California Apprenticeship Council (CAC)** as required under LC § §1774 and 1777.5. Contractors may also submit training fund contributions to an **appropriate apprenticeship trust fund**.
- For non-apprenticeable crafts, training fund contributions shall be paid directly to the **workers**.
- To find out if a contractor made training fund contributions to the CAC, the public may use the following URL to search:
[CAC CAC - Public works Training Fund Search](#)



MAINTAIN AND FURNISH PAYROLL RECORDS

(LC §1771.4(A)(3), §1776)



- “Each contractor and subcontractor shall keep accurate payroll records...”
(LC § 1776)
- Required Information (LC §1776)

DLSE Form A-1-131 - Public Works Payroll Form may be used
(Title 8, C.C.R. section §16401)

- Form use optional as long as all required information is included



Contractor Requirements

Furnish Electronic Certified Payroll Records (eCPR)

(LC §1771.4(a)(3))

“All contractors and subcontractors must furnish electronic certified payroll records directly to the Labor Commissioner”

Does not apply to projects of \$25,000 or less when the project is for construction, alteration, demolition, installation, or repair work or for projects of \$15,000 or less when the project is for maintenance work.

However, you are required to retain records for at least 3 years after completion of the work



POLL QUESTION #5 & #6

Request For Payroll Records



A subcontractor receives a “Request for Payroll Records” from the Labor Commissioner’s office on a public works project that has a total project cost of \$24,000 between the city of Fresno and the general contractor to do renovation in their facilities department.

Is this subcontractor required to submit CPRs to the Labor Commissioner’s office?

YES or **NO**

Will eCPRs satisfy the requirement?

YES or **NO**



POLL QUESTION #7

Request For Payroll Records



A subcontractor receives a “Request for Payroll Records” from the Labor Commissioner’s office on a public works project that has a total project cost of \$24,000 between the city of Fresno and the general contractor to do renovation in their facilities department.

Will this subcontractor be subject to 1776(h) penalties if he does not submit CPRs timely?

YES **or** **NO**



Contractor Requirements



State of California

Department of Industrial Relations

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[Public Works](#) | [Public Works Contractors](#)

Public Works Contractors

Who Is a Public Works Contractor?

If you work or bid on a public works project, then you are considered a public works contractor. The term "public works contractor" includes subcontractors. All public works contractors must fulfill four key responsibilities.

Public Works Contractor Responsibilities

- ✓ [Register as a public works contractor](#)
- ✓ [Pay prevailing wages](#)
- ✓ [Follow apprenticeship requirements](#)
- ✓ [Maintain and submit certified payroll records](#)



Search

Links

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- ▶ [Frequently Asked Questions on Skilled and Trained Workforce \("STW"\) Requirements](#)
- ▶ [Awarding Bodies](#)
- ▶ [Contractors](#)
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Contractor Requirements



Public Works | Certified Payroll Reporting

Certified Payroll Reporting

Contractors and subcontractors on most public works projects are required to submit certified payroll records (CPRs) to the Labor Commissioner using DIR's electronic certified payroll reporting system.

A few categories of public works projects are exempt from reporting online to DIR.

Submit Payroll Records

Enter Payroll Online

Submit Payroll in XML File *

NOTE: If you would like to save or print the information you enter in the online certified payroll record, click on the PDF icon that appears on your confirmation page.

Find Payroll Records Online

Payroll records are available to the public using the [Payroll Search tool](#). Confidential information has been removed.

Resources

- [Watch the CPR tutorials](#)
- [Online Form User Guide](#)
- [XML Upload User Guide](#)

* Software Requirements for XML Files:

- Create your own template using the CPR XML schema V1.3.
 - [Download and use the XML schema file.](#)
 - [View a sample XML file.](#)

OR

- Use compatible software to create certified payroll records in XML format. Although DIR does not endorse or guarantee their products, the following vendors offer software for submitting certified payroll records in XML.

[Anovo Systems, LLC](#) | [Certified Payroll Solutions](#)
[Contractor Business Tools, LLC](#) | [eBacon](#) | [Elations](#) | [Emars](#) | [Fennbridge](#)
[LaborZoom](#) | [LCPTTracker](#) | [eComply Solutions LLC](#)
[Prism Compliance Management](#) | [Quantum Software Solutions Inc.](#)
[Sunburst Software Solutions, Inc.](#)

Vendors who want their products to be added to the list should contact publicworks@dir.ca.gov

Links

- ▶ [Summary of Skilled and Trained Workforce \("STW"\) Statutes](#)
- ▶ [Frequently Asked Questions on Skilled and Trained Workforce \("STW"\) Requirements](#)
- ▶ [Awarding Bodies](#)
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Contractor Requirements



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eCPR Search

Enter search criteria:

To run a search, enter your search text in one or more of the optional fields below, and enter the dates of your search in the Date Range (To and From) fields.

You can also type part of a word in any optional field to run a wildcard search. For example, if you enter "San" as your search for Awarding Body, your search result set will contain Awarding Body names including "Santa Maria", "San Francisco" and "Sandstone, Inc".

*indicates a required field

DIR Project ID:	<input type="text" value="example: 12345"/>	PWCR Number:	<input type="text" value="10-digit registration number"/>
Awarding Body:	<input type="text"/>	Contractor Name:	<input type="text"/>
Project Name:	<input type="text"/>	County:	<input type="text" value="Select a County"/>
*Date Range From:	<input type="text" value="MM/DD/YYYY"/>	*Date Range To:	<input type="text" value="MM/DD/YYYY"/>

Reset

Search

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AVAILABLE RESOURCES



Public Works Manual

State of California
Department of Industrial Relations

OFFICE OF THE LABOR COMMISSIONER



PUBLIC WORKS MANUAL

California Labor Commissioner Julie A. Su

May 2018

[Public Works Manual](#)



Industrial Welfare Commission Order #16

- Applicable to Construction Industry
 - Rest Periods
 - Meal Periods
 - Compensable Travel Time
 - Information on alternative work week schedule NOT being applicable to public works

[Industrial Welfare Commission Wage Orders](#)



WORKPLACE POSTINGS

<https://www.dir.ca.gov/wpnodeb.html>

Workplace Postings

In California, all employers must meet workplace posting obligations. Workplace postings are usually available at no cost from the requiring agency. The Department of Industrial Relations requires employers to post information related to wages, hours and working conditions in an area frequented by employees where it may be easily read during the workday. Additional posting requirements apply to some workplaces. For a list of available safety and health postings, visit the [Cal/OSHA publications page](#).

For more information, see answers to [frequently asked questions](#) about workplace postings.

Downloaded posters meet an employer's legal obligation.

Posting	Additional Information	Who Must Post
Notice of Inspection by Immigration Agencies Also available in: Spanish	Pursuant to Labor Code section 90.2(a) , employers are required to provide notice to employees of any inspection of I-9 Employment Eligibility Verification forms or other employment records by an immigration agency by posting a notice within 72 hours of receiving the notification of inspection. See also AB 450 , which prohibits unfair immigration-related practices against a person exercising specified rights. Employee resources for immigration services can be found here .	
Industrial Welfare	IWC wage orders regulate wages, hours and working conditions	All employers

Department of Industrial Relations

Quick Links

- ▶ [LETF Home](#)
- ▶ [Report a labor law violation](#)
- ▶ [Report a workplace hazard to Cal/OSHA](#)
- ▶ [File a wage claim](#)
- ▶ [Know my employment rights](#)
- ▶ [Know my rights as an injured worker](#)
- ▶ [Get workplace postings](#)
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Also of Interest

- ▶ [Industrial Relations databases](#)
- ▶ [Subscribe to a distribution list](#)
- ▶ [Work for DIR](#)
- ▶ [Do business with DIR](#)



PWCR User Guide

[Public Works Contractor Registration \(PWCR\) User Guide](#)

Register or Renew on the New Registration System

Advantages:

- Public works contractors are now able to register for one, two, or three fiscal years (July 1-June 30) for a fee of \$400, \$800 or \$1,200
- Create an online account to save and maintain your registration information
- Receive a receipt online when paying with credit card

To renew:

- First, create a [new log in account](#) on the new registration system.
- Link your log in to your previous public works registration by clicking “Link Existing Registration” on My Dashboard
- Search for your previous registration number at: [Public Works Contractor Registration Search](#)

[Register or Renew](#)

Please note, credit card payments can be processed within 24 hours while other forms of payment may delay registration up to eight weeks. See below for consequences of failing to register.

Resources:

- [User's Guide to the Public Works Contractor Registration System](#) 



Certified Payroll Reporting

ECPR RESOURCES

Public Works | Certified Payroll Reporting

Certified Payroll Reporting

⚠ System Maintenance Notice

Due to system updates, the electronic Certified Payroll Reporting (eCPR) online application systems will be intermittently offline from 8:30 p.m. Pacific Time on Friday, November 22, 2019, to 1:00 a.m. Pacific Time on Saturday, November 23, 2019. When visiting the website, if the system is unavailable, please try again later.

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Searching for Registered Apprentice

[Apprenticeship Standards](#) | Apprenticeship Status and Safety Training Certification

Apprenticeship Status and Safety Training Certification

Apprenticeship status certification for public works

Enter search string (LLLL9999) here

How to compile the search string:

The search string is a total of nine letters and numbers (no characters ' , - , etc): the first four letters of the last name (use spaces to make four letters if the last name is shorter than four letters), the first letter of the first name and the last four digits of the social security number (LLLL9999). Letters can be entered as lower or upper case.

Examples:

Uncle Sam ssn 123-45-6789 would be entered as Sam U6789

Goddess Minerva ssn 123-45-5555 would be entered as MineG5555

Richard Al-Ham ssn 111-44-1111 would be entered as AlhaR1111

Robert O'Brian ssn 111-22-3333 would be entered as OBriR3333

James McHenry ssn 555-66-1234 might be entered as McHeJ1234 or Mc HJ1234

If you cannot find the individual you are looking for, complete the certifications you have and see the notes below.

[Apprenticeship Status and Safety Training Certification](#)



Public Works Newsline

[Get Email Notices](#)

Launched December 2015

Keeps all users apprised of the latest Public Works laws and updates.

- Project Registration Enhancements
- ECPR Applications
- Contractor Registration Updates and Application
- New Public Works Laws



Public Works Contacts

Public Works Contacts

Home | Labor Law | Cal/OSHA - Safety & Health | Workers' Comp | Self Insurance | Apprenticeship | Director's Office | Boards | Search

Public Works | Contacts

Public Works Contacts

For Questions Regarding:	
Apprenticeship	Email: DASpublicworks@dir.ca.gov
Awarding Bodies	Email: publicworks@dir.ca.gov or call the Labor Commissioner's Office nearest your Public Works project, or DIR's Call Center at 844-LABOR-DIR (844-522-6734)
Contractor Registration	
Electronic Certified Payroll Reporting System	
General Public Works	
Labor Compliance Programs	Email: lcp@dir.ca.gov
Prevailing Wages and Classifications	Prevailing Wage Unit Telephone: (415) 703-4774 Email: statistics@dir.ca.gov
Outreach and Education:	
To request a public works expert to speak or participate in an event	Please complete the Outreach Request Form

Links

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THANK YOU

Public Works
California Labor Commissioner's Office
Department of Industrial Relations

