

U.S. DEPARTMENT OF LABOR
OFFICE OF THE ASSISTANT SECRETARY FOR EMPLOYMENT STANDARDS
WASHINGTON, D.C. 20210



JAN 29 1980

ALL AGENCY MEMORANDUM NO. 132

TO: ALL GOVERNMENT CONTRACTING AGENCIES
AND THE DISTRICT OF COLUMBIA

FROM: *Donald Elisburg*
DONALD ELISBURG
Assistant Secretary

SUBJECT: Format Change for Some Wage
Determination Decisions

In the near future, the Department of Labor will begin using a new format for schedules of crafts and rates in some of its prevailing wage decisions issued pursuant to the Davis-Bacon and related acts. In the new format, fringe benefits will not be separately identified. Rather, they will be stated as a composite figure which is the total hourly equivalent value of fringe benefits found to be prevailing. Fringe benefits which cannot be stated in monetary terms will be shown in footnotes similar to those used in the current format. An example of the new schedule format is attached. It will be used as existing wage schedules are revised and updated.

We are adopting the new format as a result of a ruling by the Wage Appeals Board that the Davis-Bacon Act does not require the payment of the specific fringe benefits listed as prevailing on a particular wage determination. The Board essentially held that any bona fide fringe benefit, such as one listed in the Act, or cash payments in lieu of any or all of the fringe benefits listed on the Department's prevailing wage determinations could be used to meet a contractor's

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fringe benefit obligations. Accordingly, we will no longer make the separate identification of fringe benefits when the new format is put into place.

We also would like to take this opportunity to call to your attention the fact that we have had many complaints from individual contractors and associations representing them that wage decisions made part of the Invitations for Bids and the contractual documents are not legible and can result in inadvertent wage violations because of a confusion as to the exact amount required to be paid. To correct this problem, we are urging all contracting agencies to insure that the wage decisions appearing in the Federal Register which are disseminated to bidders are legible. In addition, if the wage decision is a published general decision applicable to a wide geographic area or multiple types of construction, the contracting agency should consider extracting, for the bid and contract documents, only those portions of the wage decision that will apply to the project. Contractors should be advised on the application of the various schedules and rates by the contracting agency.

~~If you have any questions concerning wage decisions please contact the Department of Division of Construction Wage Determinations at 202-520-7455.~~

Attachment

DAVIS - BACON INFORMATION SYSTEM

WAGE SCHEDULE NUMBER
LA-113-0-53--2

WAGE SCHEDULE REPORT

FEB 24, 1980
07:11:47 P.M.
PAGE 1

STATE: LOUISIANA
AREA: PINKERTON COUNTY
TYPE OF CONSTRUCTION: BUILDING

| CRAFT | BASIC RATE | FOOT NOTE | FRINGE RATE * | FOOT NOTE | ZONE |
|---|----------------|-----------|---------------|-----------|----------|
| ASBESTOS WORKERS | 12.32 | | 1.465 | | |
| BRICKLAYERS | 11.50 | | | | |
| CEMENT MASONS | 9.75 | | .50 | | |
| ELECTRICIANS | 12.85 | | 1.30 | | |
| ELEVATOR CONSTRUCTORS | 10.27 | | 1.33 | | |
| GLAZIER | 8.15 | | .01 | | |
| IRONWORKERS | 11.69 11.78 | | 1.24 1.15 | | 01 02 |
| LABORERS: COMMON LABORER, MORTAR MAN, AIR TOOL OPERATOR, HOD CARRIER | 6.85 | | .57 | | |
| LABORERS: MASON TENDERS, PLASTERER TENDER, FOUNDATION DRILL CREWMAN | 7.05 | | .57 | | |
| PLUMBERS | 12.48 | | 1.44 | | |
| SHEET METAL WORKERS | 11.50 | | | | |
| TRUCK DRIVERS | 8.00 | | | | 01 |

ZONE DESCRIPTIONS

- 01 NORTH OF THE JONES RIVER
- 02 SOUTH OF THE JONES RIVER

BASIC RATE AND FRINGE FOOTNOTES

- 01 TWO PAID HOLIDAYS: CHRISTMAS DAY AND THANKSGIVING DAY

NOTE: WELDERS RECEIVE RATE PRESCRIBED FOR CRAFT PERFORMING OPERATION TO WHICH WELDING IS INCIDENTAL

NOTE: UNLISTED CLASSIFICATIONS NEEDED FOR WORK NOT INCLUDED WITHIN THE SCOPE OF THE CLASSIFICATIONS LISTED MAY BE ADDED AFTER AWARD ONLY AS PROVIDED IN THE LABOR STANDARDS CONTRACT CLAUSES (29 CFR, 5.5 (a) (1) (ii))

* TO SATISFY THE FRINGE BENEFIT OBLIGATION, PAYMENTS MAY BE FOR ANY BONA FIDE FRINGE BENEFIT OF THE TYPES SPECIFICALLY MENTIONED IN THE DAVIS-BACON ACT OR CASH IN LIEU OF FRINGE BENEFITS. IF THE CLAIMED FRINGE BENEFIT IS NOT ONE OF THE TYPES SPECIFICALLY REFERRED TO IN THE ACT, THE QUESTION OF WHETHER THE FRINGE BENEFIT IS BONA FIDE SHOULD BE REFERRED TO THE DEPARTMENT OF LABOR. SEE 29 CFR, PART 5, SUBPART B.

