



Protections for Workers in Construction under the Bipartisan Infrastructure Law



Overview

The Bipartisan Infrastructure Law, signed by the President on November 15, 2021, creates a historic investment in our nation's aging infrastructure. The Bipartisan Infrastructure Law will create an estimated 800,000 good-paying jobs that will expand the middle class, revitalize our nation's transportation, communications and utilities systems and build a more resilient, reliable, and environmentally sound future.

Infrastructure Projects Include Davis-Bacon Act Protections

Most of the construction projects funded or assisted through the Bipartisan Infrastructure Law will be subject to Davis-Bacon prevailing wage labor standards, and construction workers on these projects must be paid at least the locally prevailing wage and fringe benefits for the work they perform. This ensures that responsible contractors can compete for federally-funded or assisted construction contracts, and that the workers who will build our communities, ensure our safety, and improve our infrastructure receive fair wages.

Projects that are subject to Davis-Bacon labor standards include:



Roads, bridges and public transit

- Includes Surface Transportation Reauthorization Act and Surface Transportation Investment Act funding
- Provides funding to replace and repair bridges
- Includes major project competitive grant programs
- Funds nation's transit system repair backlog
- Expands transit systems and supports clean transit



Airports, ports and waterways

- Increases funds for airport improvement grants for runways, gates, and taxiways
- Provides funding for airport terminal improvement
- Improves air traffic control infrastructure
- Supplies funding for waterway and coastal infrastructure, inland waterway improvements, port infrastructure, and land ports of entry



Water infrastructure, power and grid

- Increases funding for Drinking Water and Wastewater Infrastructure Act of 2021 and lead service line replacement
- Provides funding for grid reliability and resiliency
- Supports critical minerals and other supply chains for clean energy
- Includes funding for technologies like carbon capture, hydrogen, direct air capture, and energy efficiency



Enhanced disaster resiliency

- Supplies funding for cybersecurity, flood and wildfire mitigation, coastal resiliency, ecosystem restoration and heat stress
- Provides funding for home weatherization, prioritizing assistance for low-income individuals



Low carbon and zero emission buses and ferries

- Includes funding for zero-emission buses, bus facilities, and bus testing facilities
- Provides funding for construction of ferry boats and ferry terminal facilities



Electric vehicle charging

- Funds alternative fuel corridors and building out a national network of electric vehicle charging infrastructure
- Focuses on rural disadvantaged and hard-to-reach communities



Addressing legacy pollution

- Increases funding to clean up brownfield and superfund sites
- Provides funding to reclaim abandoned mine lands and plug orphan oil and gas wells



Passenger and freight rail

- Supplies funding for Amtrak National Network and Northeast Corridor
- Increases funding for freight rail and safety

What to Know

Contracting Agencies:

- Federal agencies and funding recipients must ensure that the Davis-Bacon labor standards clauses and applicable wage determinations are included in covered construction contracts. [Learn more about the prevailing wage determinations applicable to covered construction projects.](#)

Contractors:

- All contractors must ensure that workers are paid the applicable prevailing wage, including fringe benefits, for all hours worked on a weekly basis. [Learn more about Davis Bacon compliance principles.](#)
- All contractors must also maintain an accurate record of hours worked and wages paid, including fringe benefit contributions, and submit certified payrolls on a weekly basis to the funding agency or funding recipient.
- Prime contractors must ensure that the Davis-Bacon labor standards clauses and applicable wage determination(s) are also included in all subcontracts.
- Contractors performing construction covered by Davis-Bacon labor standards must post an [“Employee Rights under the Davis-Bacon Act” poster](#) and the applicable wage determination at the site of the work in a prominent place where it may be easily seen by workers.

Workers:

- Workers may review the [“Employee Rights under the Davis-Bacon Act” poster](#) and wage determination posted at their site of work to ensure they are being paid at least the applicable wage rate and fringe benefits for the work they perform on the project.
- Workers may contact the Contracting Officer listed on the poster or the U.S. Department of Labor’s Wage and Hour Division with questions about applicable wage rates or proper pay.

We Can Help

The Wage and Hour Division (WHD) recognizes that the Bipartisan Infrastructure Law’s historic commitment to funding infrastructure construction means that many funding recipients and contractors may be subject to Davis-Bacon prevailing wage requirements for the first time. WHD stands ready to assist workers, contractors and contracting agencies, and ensure that they understand their rights and responsibilities under the Davis-Bacon labor standards. We offer annual seminars, online and virtual outreach and education to employers, employees, unions and other stakeholders. WHD can answer questions or take complaints in over 200 languages and is committed to vigorous enforcement of the requirements of all of the laws it enforces.

[Sign up to receive emails about WHD news and prevailing wage seminars.](#)

Other Resources

- [About Davis-Bacon Worker Protections](#)
- [WHD Fact Sheet #66A: Bipartisan Infrastructure Law](#)
- [White House Fact Sheet: The Bipartisan Infrastructure Deal](#)
- [Prevailing Wage Compliance Training](#)

dol.gov/agencies/whd

1-866-4-US-WAGE

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