

Welcome to the September 2026 Prevailing Wage Seminar

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

dol.gov/agencies/whd
1-866-4-US-WAGE

September 2026 PWS Agenda

September 2026 Prevailing Wage Seminar Agenda			
	Day 1		Day 2
11:00	Introductions by Michael Kravitz, Deputy Administrator, and Kristen McQueen, Director, Division of Government Contracts Enforcement		
11:30	Service Contract Act (SCA) Coverage	11:30	Davis-Bacon and Related Acts (DBRA) Coverage
12:30	SCA Wage Determinations and Conformances	12:45	DBRA Wage Determinations and Conformances
1:15	SCA Compliance Principles and Executive Order 13706	2:00	DBRA Compliance Principles (Fringe Benefits, Deductions, Apprentices)
2:30	Interaction of Government Contracts Statutes (DBA, PCA, SCA)	3:15	DBRA Certified Payrolls
3:30	Price Adjustments by USACE/AF	4:30	Investigative Process, Withholding, and Debarment
4:45	Office of Labor Management Standards		



SCA Coverage Starting at 11:30 EST



Service Contract Act Coverage

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

dol.gov/agencies/whd
1-866-4-US-WAGE

Polling Question – Experience

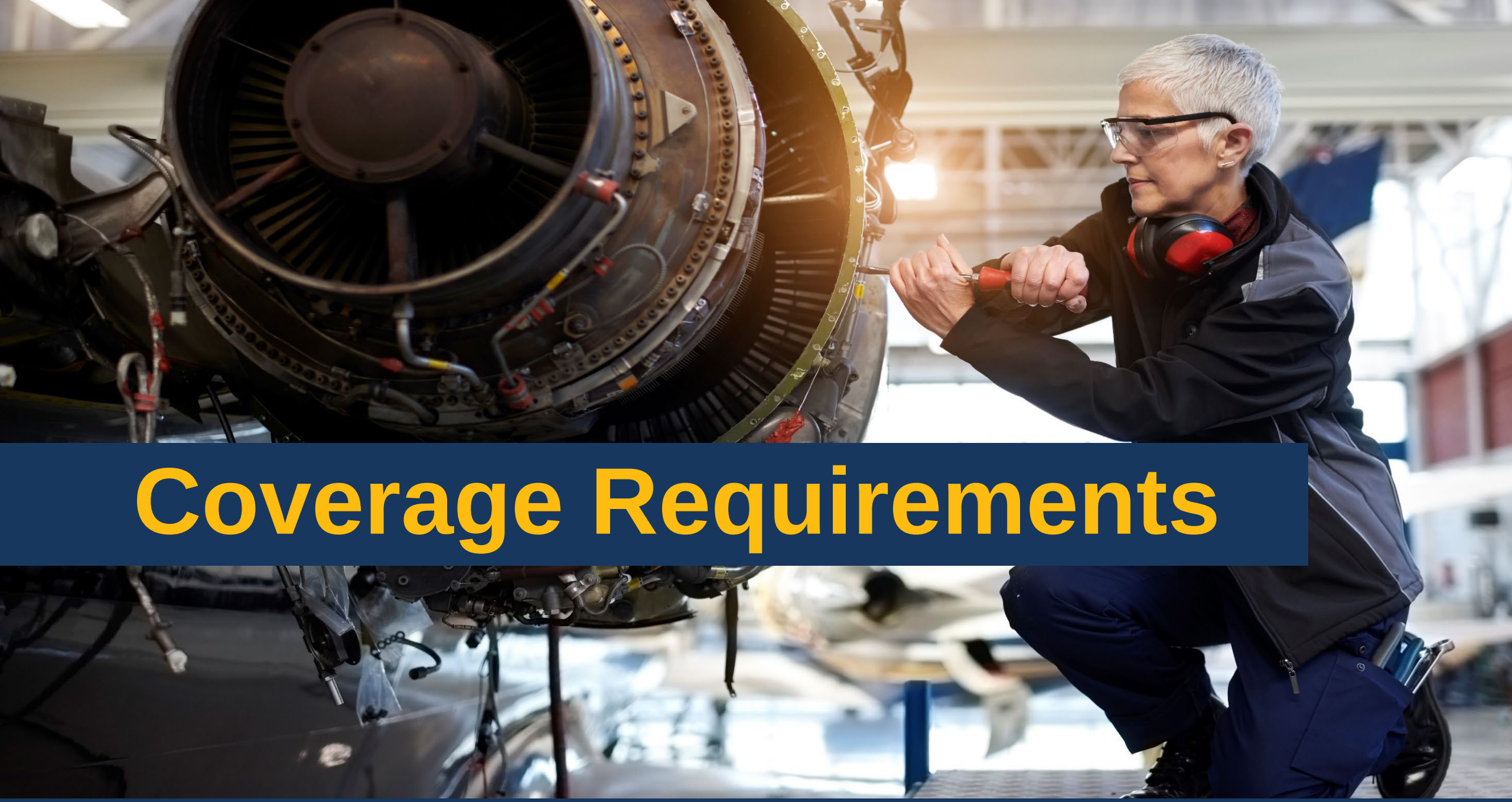
What is your experience level with the SCA?

A. 0-5 Years

B. 5-10 Years

C. 10-15 Years

D. Over 15 Years



Coverage Requirements

Requirements of SCA Coverage

Contracts in excess of $2,500 must contain labor standards clauses with:

- Minimum monetary wages and fringe benefits determined by Department of Labor (DOL)
- Recordkeeping and posting requirements
- Safety and health provisions
- Statement of rates paid to federal employees

Elements of SCA Coverage
29 CFR 4.107 – 4.110

- Contracts entered into by Federal Government and District of Columbia
- Contracts principally for services
- Contracts performed in the U.S.
- Contracts performed through the use of service employees

Contracts to Furnish Services
29 CFR 4.111 & 4.130

Examples of service contracts:

- Security and guard services
- Janitorial services
- Cafeteria and food services
- Support services at Federal installations

Contracts “in the U.S.” 29 CFR 4.112

- 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Outer Continental Shelf, American Samoa, Guam, Wake Island, Johnston Island, and the Northern Marianas Islands(Canton Island, Eniwetok Atoll, and Kwajalein Atoll are no longer a part of the United States)
- Any portion of a contract principally for services performed in the United States is covered

Federal Contracting Agencies
29 CFR 4.107 and 4.108

- Agencies or instrumentality
- Department of Defense (DOD)
- Wholly owned corporations of the Government
- U.S. Postal Service
- Non-appropriated fund activities
- Military post exchanges (PXs)
- Contracts entered into by District of Columbia

Use of “service employees” 29 CFR 4.113

Section 8(b) of SCA defines service employee as:

- Any person engaged in performance of contract, except
- Employees who qualify for exemption as bona fide executive, administrative or professional employees under the FLSA (29 CFR part 541)
- Employee coverage does not depend on contractual relationship (29 CFR 4.155)

Polling Question – Contract Amount

SCA generally applies to service contracts exceeding which amount?

A. $1,000

B. $2,500

C. $10,000

D. $100,000

Polling Answer – Contract Amount

B. $2,500

The SCA applies to federal service contracts over $2,500, which is the statutory threshold for requiring labor standards provisions.

Polling Question – Type of Contract

A contract includes both services and supplies. What determines whether SCA applies?

A. The total dollar value

B. The number of employees

C. The principal purpose of the contract

D. The location of performance

Polling Answer – Type of Contract

C. The principal purpose of the contract

SCA applies only if the primary purpose of the contract is to provide services, not supplies or construction.

Polling Question – Location of Contract Work

Which of the following locations is covered under SCA?

A. Canada

B. Germany

C. Guam

D. Mexico

Polling Answer – Location of Contract Work

C. Guam

SCA applies to contracts performed in the United States and its territories, including Guam.

Polling Question – SCA Coverage

Which of the following is MOST likely covered by the SCA?

A. IT help desk support for a federal agency

B. Construction of a federal highway

C. Manufacturing uniforms for the military

D. Sale of office supplies

Polling Answer – SCA Coverage

A. IT help desk support for a federal agency

SCA covers service contracts, while construction is covered by DBRA and manufacturing/supply contracts by PCA.



541 Exemptions

Part 541 Exemption

- The most common FLSA minimum wage and overtime exemption—often called the “EAP” or “white-collar” exemption—applies to certain:
  - Executive Employees
  - Administrative Employees
  - Professional Employees

Part 541 Exemption Requirements

- Salary Basis
- Salary Level
- Job Duties

Executive Exemption

- Executive Exemption
  - Primary duty is management of enterprise or customarily recognized department or subdivision
  - Customarily and regularly directs work of two or more employees
  - Authority to hire or fire employees; or, recommendations as to hiring, firing, advancement, promotion, change of status, given particular weight

Administrative Exemption

- Administrative Exemption - Primary Duties
  - Office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
  - Exercise of discretion and independent judgment in matters of significance.
  - Includes activities such as analysis, making determinations, setting prices, assessing risk, committing company resources, negotiating, and similar tasks

Management or General Business Operations

Management or general business operations include:

- Tax, Finance, Budgeting, Accounting
- Auditing, Legal and Regulatory Compliance
- Quality Control, Insurance, Safety and Health
- Purchasing, Procurement
- Advertising, Marketing, Research
- Human Resources, Labor Relations, Benefits
- Computer Network, Internet, Database Administration

Professional Exemption

Professional Exemption - Primary Duties

- Performance of work requiring advanced knowledge in field of science or learning customarily acquired by a prolonged course of specialized instruction; or
- Performance of work requiring invention, imagination, originality, or talent in recognized artistic or creative field

Exempt Medical Professionals

- Doctors, Registered Nurses
- Registered or Certified Medical Technologists
- 3 years pre-professional study in accredited college or university plus 1-year professional study in accredited school of medical technology
- Dental Hygienists
- 4 years pre-professional and professional study in accredited college or university
- Certified Physician Assistants
- 4 years pre-professional and professional study, and graduation from accredited physician assistant program

Other Commonly Exempt Occupations

- Lawyers
- Teachers
- Accountants
- Pharmacists
- Engineers
- Actuaries
- Chefs
- Certified Athletic Trainers
- Licensed Funeral Directors
- Embalmers

Non-Exempt Professions

Commonly misapplied exemptions

- Licensed Practical Nurses
- Paralegals, legal assistants
- Engineering Technicians
- Accounting clerks, bookkeepers typically performing routine work
- Cooks performing predominantly routine mental, manual, mechanical, or physical work

Computer-Related Occupations

Computer-Related Occupations - Primary Duties

- Application of systems analysis techniques and procedures, including consultation with users about hardware, software, or system function specifications;
- Design, development, documentation, analysis, creation, testing, or modification of computer systems or programs related to user or system design specifications;
- Design, documentation, testing creation, or modification of machine operating systems; or
- Combination of above duties requiring equal skill level.

Salary Requirements

Additionally, exempt employees must also receive either:

- Guaranteed salary of at least $684 weekly
- Hourly rate of at least $27.63 (for computer-related occupations)

Polling Question – Exemptions

Which of the following is key to determining if an employee is not subject to SCA wage and fringe benefit rates?

A. The employee's job title

B. The employee's job description

C. The employee's actual job duties and salary basis

D. The size of the company the employee works for

Polling Answer – Exemptions

C. The employee's actual job duties and salary basis

Polling Question – Exemptions

Which of the following employees is most likely to be classified as exempt?

A. A salaried engineer earning $100,000 annually
B. A retail clerk earning an hourly wage of $15 per hour
C. A factory worker on an assembly line
D. A delivery driver paid per mile driven

Polling Answer – Exemptions

A. A salaried engineer earning $100,000 annually

Polling Question – Exemptions

True or False:

Any employee found to be professionally, executively, or administratively exempt under the Fair Labor Standards Act (FLSA), as described at 29 CFR part 541, is not subject to the SCA wages and fringe benefits.

Polling Answer – Exemptions

True. Employees who are exempt employees under the FLSA, as described in 29 CFR part 541, are also exempt from the SCA.

Polling Question – Exemptions

True or False:

A working supervisor performing work on an SCA covered contract may not meet the exemption criteria under the FLSA as described at 29 CFR part 541.

Polling Answer – Exemptions

True. A working supervisor may not meet the exemption criteria of the FLSA as outlined at 29 CFR part 541.



Contracts Not Subject to SCA Coverage

Contracts Not SCA Covered (29 CFR 4.134)

- Contracts primarily for something other than services, e.g., construction
- Contracts for leasing of space
- Contracts for professional services
- Federally-assisted contracts for services entered into by state governments, e.g., Medicaid and Medicare programs
- Contracts excluded by statutory exemptions
- Contracts excluded by regulatory exemptions

SCA Statutory Exemptions
(41 U.S.C. § 6702)

SCA does not apply to the following:

- Contracts for construction of public buildings or public works covered by DBA
- Work required by the provisions of PCA for manufacturing and supplies
- Contracts for carriage of freight or personnel where published tariff rates are in effect (excluding mail haul contracts)

SCA Statutory Exemptions (continued)

- Contracts for services of communications companies (e.g., radio, telephone) subject to the Communications Act of 1934
- Contracts for public utility services, including electric light and power, water, steam, and gas
- Employment contracts providing for direct services to a Federal agency by individuals
- Contracts with the U.S. Postal Service for operation of postal contract stations

Authority to Grant Exemptions
(41 U.S.C. § 6707(b))

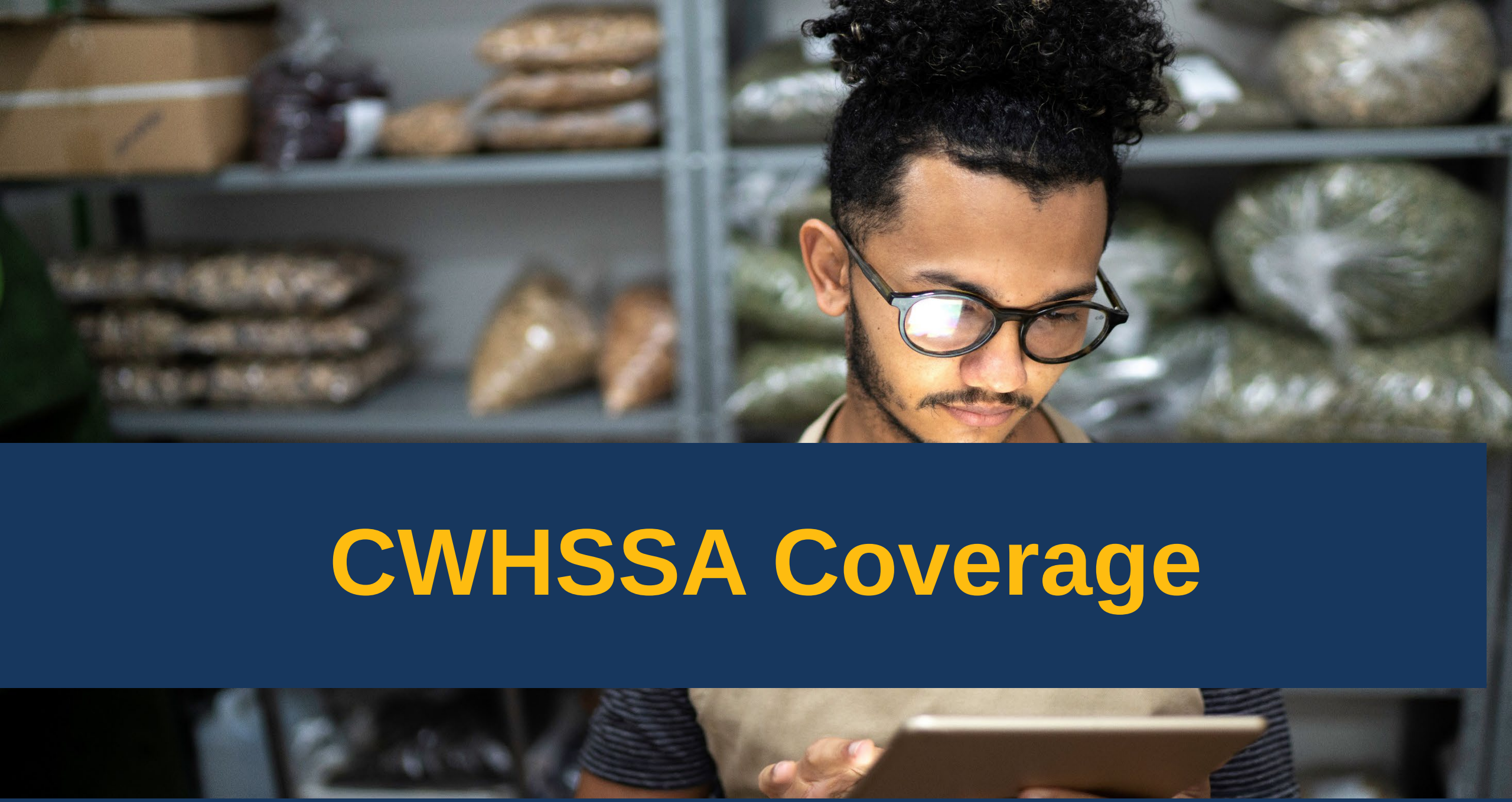
Standard

- Necessary and proper in the public interest or to avoid serious impairment of government business; and
- In accord with remedial purpose to protect prevailing labor standards

Regulatory Exemptions
(29 CFR 4.123(d)-(e))

SCA does not apply to the following:

- Postal Service contracts with common carriers
- Postal Service mail contracts with owner-operators (*i.e.*, individuals, not partnerships)
- Certain items for “commercial services”



CWHSSA Coverage

Contract Work Hours and Safety Standards Act

- Contract Work Hours and Safety Standards Act
- CWHSSA

Requirements of CWHSSA

- Requires overtime pay for laborers, mechanics, guards, and watchpersons at a rate of one and a half times the basic rate of pay for hours worked in excess of 40 in a workweek on covered contracts
- Liquidated damages can be assessed at a rate of $33 per day for each laborer or mechanic not paid proper overtime

Coverage under CWHSSA

- Covers contracts over $200,000 ($100,000 for non-FAR based contracts) that require or involve the employment of “laborers” and “mechanics” on:
  - Davis-Bacon and Related Acts covered construction contracts
  - SCA covered service contracts
- Is self-executing (even if not stated in contract)
- Has no “site of the work” limitation

Polling Question – CWHSSA Coverage

True or False:

A secretary performing work on an SCA covered contract who works more than 40 hours in a workweek will be covered by CWHSSA.

Polling Answer – CWHSSA Coverage

False. CWHSSA only applies to Laborers, Mechanics, Guards or Watchpersons. A secretary performing work on an SCA covered contract may be subject to the FLSA.

Polling Question – Liquidated Damages

True or False:

Liquidated damages can be assessed for violations of CWHSSA.

Polling Answer – Liquidated Damages

True. Liquidated damages can be assessed at a rate of $33 a day for each covered worker required or permitted to work in excess of 40 hours without payment of the required premium amounts.

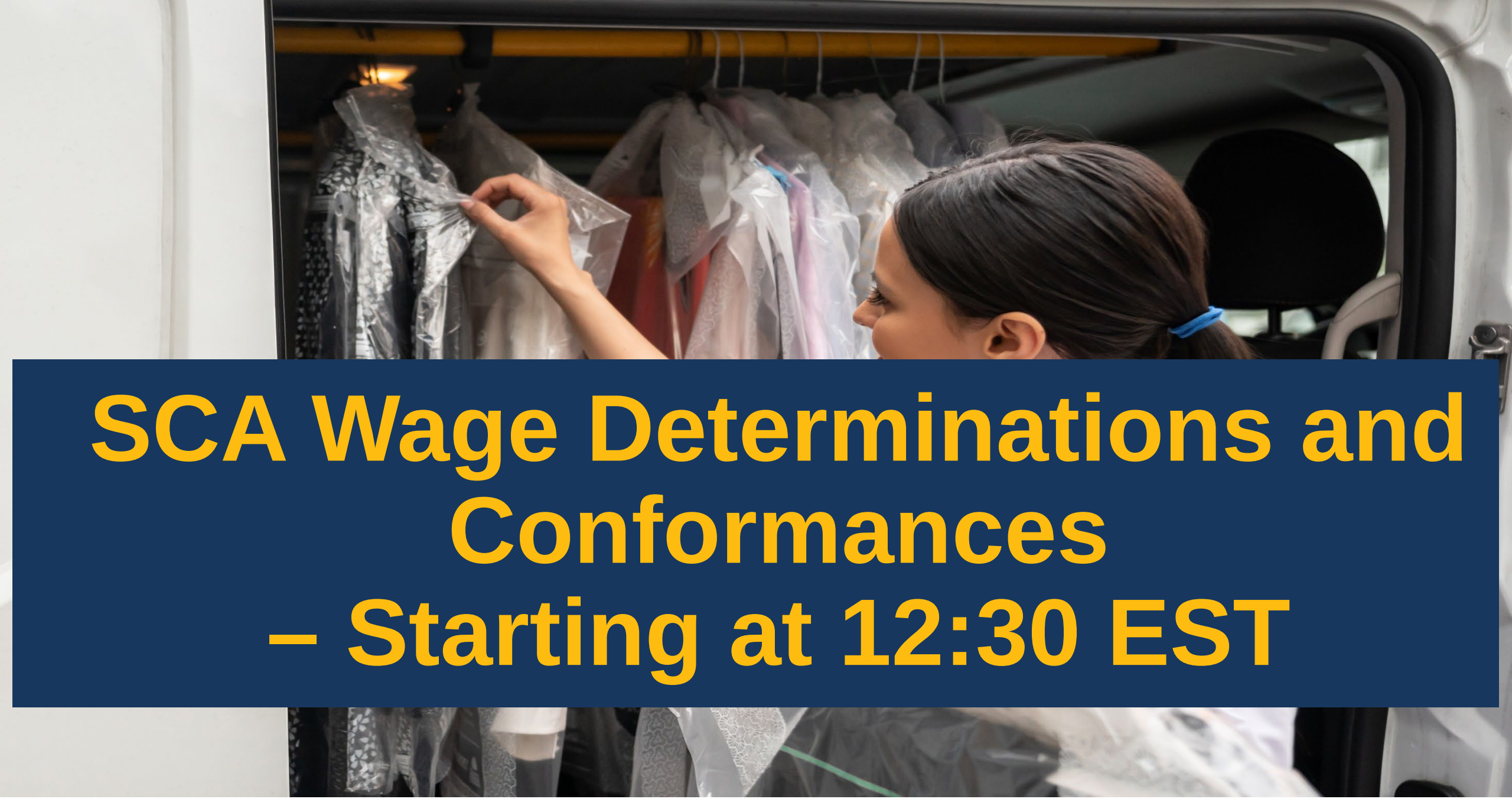
Connect with Us

- Visit dol.gov/newsroom/digital
- WHD X: x.com/USDOL
- DOL Facebook: facebook.com/departmentoflabor
- DOL YouTube: youtube.com/user/USDepartmentofLabor
- DOL Blog: blog.dol.gov

Disclaimer

This presentation is intended as general information only and does not carry the force of legal opinion.

The Department of Labor is providing this information as a public service. This information and related materials are presented to give the public access to information on Department of Labor programs. You should be aware that, while we try to keep the information timely and accurate, there will often be a delay between official publications of the materials and the modification of these pages. Therefore, we make no express or implied guarantees. The Federal Register and the Code of Federal Regulations remain the official source for regulatory information published by the Department of Labor. We will make every effort to keep this information current and to correct errors brought to our attention.



SCA Wage Determinations and Conformances – Starting at 12:30 EST



SCA Wage Determinations and Conformances

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

dol.gov/agencies/whd
1-866-4-US-WAGE



SCA Prevailing Wage Determinations

Basic Statutory Requirement

- Sections 2(a)(1) and (2) of SCA provide that covered contracts in excess of $2,500 contain a wage determination:
  - 2(a)(1) – Wages.
  - 2(a)(2) – Fringe Benefits.

Two Types of Wage Determinations

- Prevailing – includes union dominance wage determinations.

- 4(c) – based on the previous contractor's collective bargaining agreement (CBA).

SCA Prevailing WDs Principles

- WDs must be based on data.

- WDs must reflect a consistent wage and salary structure.

Determining Prevailing Wages
29 CFR 4.51(b)

- Majority paid same rate (rare) (*e.g.*, union dominance)
- If no majority, then measure of central tendency is median (midpoint in distribution);

Determining Prevailing Wages
29 CFR 4.51(c)-(d) (continued)

- Regulations also authorize “slotting” to determine rate for occupation:
- Insufficient survey data.
- Based on similarity of duties and skills of occupations with sufficient data.
- Due Consideration.

Basis for Prevailing WDs

- The best available data – usually Bureau of Labor Statistics (BLS) surveys.
- WDs may also be based on:
- Non-appropriated Fund (NAF) surveys
- Wage Board surveys and rates
- GS locality pay schedules.

BLS Surveys

- Occupational Employment and Wage Statistics (OEWS) survey.

- OEWS data is the primary data source

OEWS

- Surveys every metropolitan and non-metropolitan area in US.

- Samples 400,000 establishments annually for a three-year total of 1.2 million establishments.

Importance of Salary Structure for SCA

- Surveys produce estimates with resulting anomalies in the data.
- Wage increases are capped at 10% annually.
- SCA wage rates are retained when the survey data is below the current SCA WD rate.

Locality Basis of WDs

- Locality has an elastic and variable meaning under SCA.

- Regionwide and Nationwide WDs.

Fringe Benefits
(on most prevailing SCA WDs)

Health & Welfare (H&W) Benefits:

- 1996 Rulemaking -- Variance to permit nationwide benefits.
- Updated in June.
- Based on:
  - BLS Employer Costs for Employee
  - Compensation.
  - Use data for all workers in Private Industry.

Fringe Benefits

- H&W rate is the total:
  - Of all benefits not legally required
  - Except vacation & holiday.
- H&W rate method of compliance:
  - “Fixed cost” per employee.

Other Fringe Benefits
(on most prevailing SCA WDs)

- Vacation pay

- Holiday pay



Obtaining an SCA Wage Determination

Obtaining Wage Determinations
29 CFR 4.143 – 4.145

- Agencies must obtain a new WD at least once every two years.
- A new WD may be required each year if:
  - The contract is subject to annual appropriations; or
  - An annual contract option being exercised.
- Most contract extensions, even if shorter than one year, require a new WD.

Obtaining an SCA WD
29 CFR 4.4

- Regulations no longer require Agencies to submit Standard Form (SF-98) or an Electronic (*e*- 98) to obtain a WD.
- Agencies have the option to download a WD directly from the www.sam.gov website or submit an *e*-98 to DOL.
- Blanket WD program, MOUs with agencies, and paper Standard Form (SF-98 and 98a) are no longer used.

SCA Directory of Occupations

- Contain standard position descriptions for most SCA occupations listed on prevailing WDs.
- Contain Federal Grade Equivalencies.
- If a WD occupation is not listed in the Directory, the position description may be included on WD.

Non-Standard Prevailing WDs

- Usually based on different data sources.
- Data sources may be industry specific.
- Often cover broader geographic areas.
- May or may not cover occupations listed in the SCA Directory of Occupations.

Examples of Non-Standard WDs

- Union Dominance
- Background Investigator
- Nursing Home
- Fast Food
- Forestry
- Diver Services
- Forest Firefighting
- Elevator Maintenance
- Maritime
- Mail Hauling
- Debt Collection
- Barber & Beautician

Administrative Review Board

- Independent review body to which any final ruling of the Administrator of the Wage and Hour Division or decision of an Administrative Law Judge (ALJ) may be appealed.
- Decision of the ARB is a final administrative action.
- Title 29 CFR part 8 provides timeframes and procedures for ARB SCA appeals.



WWW.SAM.gov
(An E-Government Initiative)

SAM.gov

- Created by an inter-agency task force including DOL, DOD, OMB, GSA, DOE, and the National Technical Information Systems.
- The purpose was two-fold:
  - To meet the Presidential initiative for e-government.
  - To enhance the public's ability to obtain WDs.

SAM.gov Resources

Provides access to:

- SCA Wage Determinations
- Davis-Bacon Act (DBA) Wage Decisions
- Archived SCA and DBA WDs

SAM.gov Resources (continued)

- 5th Edition of the Service Contract Directory of Occupations
- *E*98 request
- Agency Labor Advisors
- DOL and FAR regulation cites
- Users guide
- All Agency Memorandums

SAM.gov Advantages

- The system is menu driven.
- Reduces WD processing time.
- Ensures consistent application of labor standards.
- Provides an “alert” service to notify users of the latest update.

Obtaining SCA WDs on SAM.gov

- On SAM.gov homepage click on
  - “Wage Determinations” on the upper left side of the page.
- Respond to each logic question.
- Standard prevailing WD for each locality:
  - Odd-Numbered WD

Obtaining SCA WDs (continued)

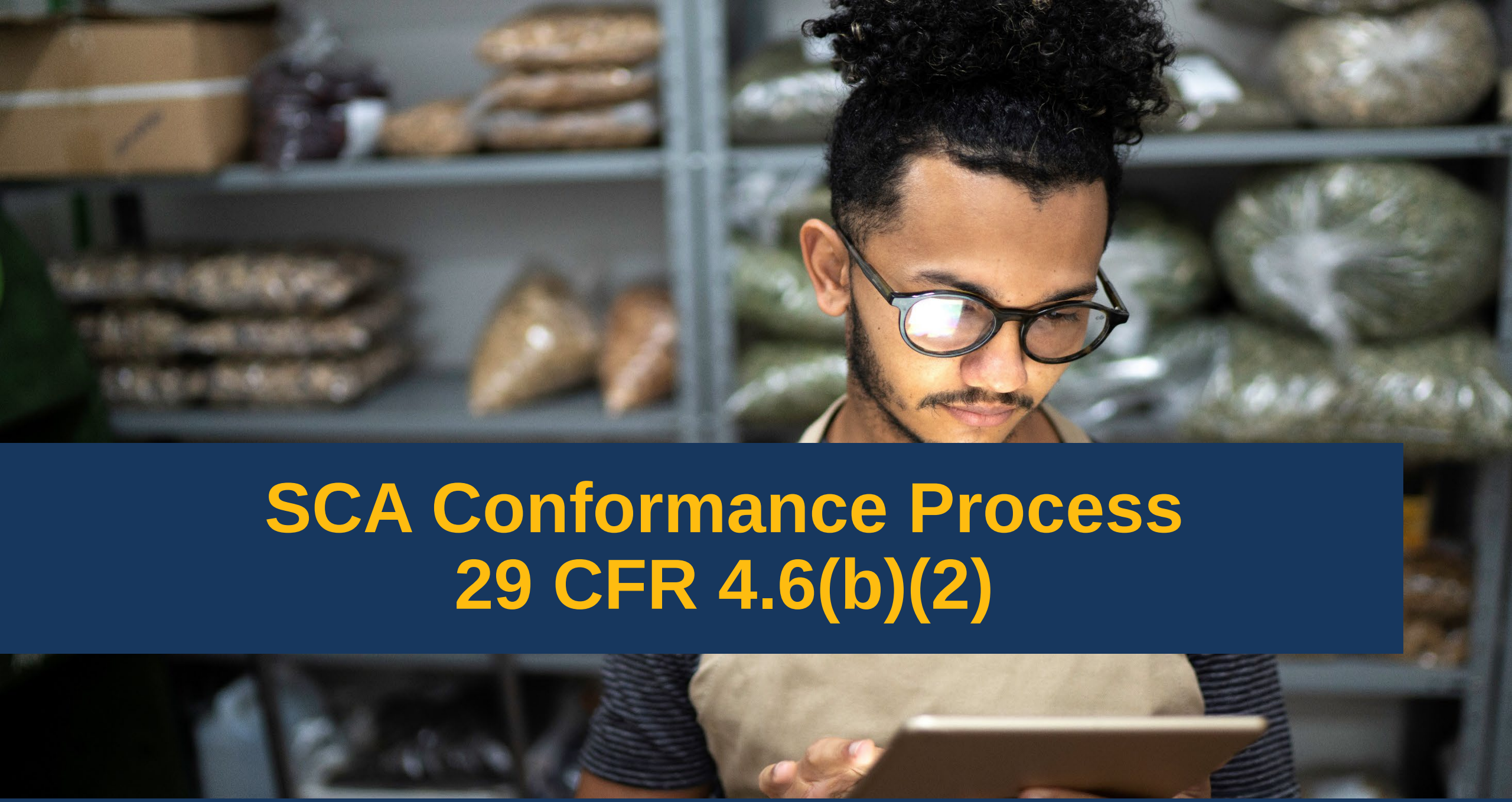
- “Non-Standard” prevailing WDs:
  - SAM.gov selection process will prompt user
  - Menu will provide a drop-down listing
  - 20 specific service industries.
- If no WD is available on SAM.gov, the contracting officer must use the e-98 system.

Monitoring SCA Wage Determinations

- Effective WDs are:
  - WDs received timely by agency
  - Required to be included in contracts
  - Published in SAM.gov (date at top of WD) each Tuesday
- Issued by DOL (date found next to WD#)
- “Published” date and “issued” date are different to reflect time needed to process.

Alert Service

- Contracting officers and the public may select to be notified of revisions to SCA WDs.
  - Specific contract action.
  - “Standard” WDs.
  - “Non-Standard” WDs.
  - E-mail notification for period of time or date.



SCA Conformance Process
29 CFR 4.6(b)(2)

Conformance – Adding a Missing Classification of Work to WD

- Work not performed by a class on WD
- Proposed rate must bear a reasonable relationship to those listed on WD:
  - No single formula;
  - Look at comparable classes on WD
  - No specific analytical process to determine conformable rate.

When Conformances may not be used

- Conformances may not be used to:
  - Artificially subdivide classes listed in WD
  - Combine two or more classes listed in WD to create a new class
  - Establish a job level lower than lowest level listed in WD for a job classification family (Computer Operator I through V)
  - Establish helper and trainee classifications.

Conformance Requests

- The contractor prepares the conformance request (SF - 1444) or other format:
  - Proposes a class of worker and job description
  - Proposes an hourly wage rate and rationale
  - Submits the request to the contracting agency no later than 30 days after the employee begins performing work on the contract.

Conformance Requests (continued)

- The contracting agency reviews the conformance request:
  - Makes a recommendation
  - Submits the request form (SF-1444) to DOL for review and processing to the SCAconformance@dol.gov email address.
- DOL should respond within 30 days.

Updating Conformed Rates
29 CFR 4.6(b)(iv)(B)

Two methods may be used:

- Submit a new conformance request
- “Indexing”:
  - Calculate overall percent change between rates in previous and new WD for classes used on contract.
  - Overall percent change is applied to conformed rate to obtain an updated rate.
  - Contracting agency must be advised, not DOL

Example of Indexing

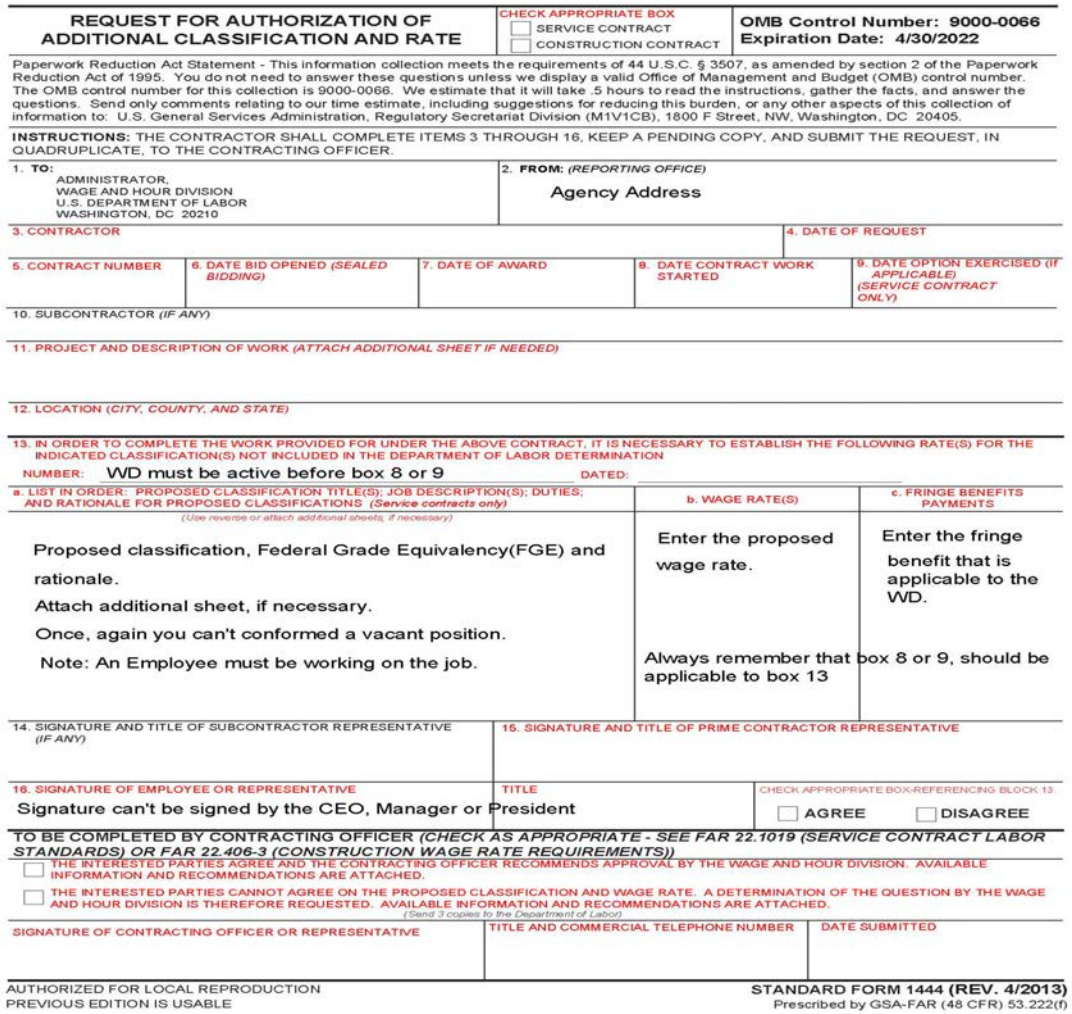
	WD Rev. 8	WD Rev. 9	%
Secretary I	$10.00	$10.80	.08
Accting Clk I	$10.50	$10.71	.02
			.10/2
			= 5%

Previously conformed class:

Account Collector $12.50 + 5% =

New indexed rate $13.13

Standard Form 1444



REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND RATE

CHECK APPROPRIATE BOX
☐ SERVICE CONTRACT
☐ CONSTRUCTION CONTRACT

OMB Control Number: 9000-0066
Expiration Date: 4/30/2022

Paperwork Reduction Act Statement - This information collection meets the requirements of 44 U.S.C. § 3507, as amended by section 2 of the Paperwork Reduction Act of 1995. You do not need to answer these questions unless we display a valid Office of Management and Budget (OMB) control number. The OMB control number for this collection is 9000-0066. We estimate that it will take .5 hours to read the instructions, gather the facts, and answer the questions. Send only comments relating to our time estimate, including suggestions for reducing this burden, or any other aspects of this collection of information to: U.S. General Services Administration, Regulatory Secretariat Division (M1V1CB), 1800 F Street, NW, Washington, DC 20405.

INSTRUCTIONS: THE CONTRACTOR SHALL COMPLETE ITEMS 3 THROUGH 16, KEEP A PENDING COPY, AND SUBMIT THE REQUEST, IN QUADRUPLICATE, TO THE CONTRACTING OFFICER.

1. **TO:**
ADMINISTRATOR,
WAGE AND HOUR DIVISION
U.S. DEPARTMENT OF LABOR
WASHINGTON, DC 20210

2. **FROM:** *(REPORTING OFFICE)*
Agency Address

3. CONTRACTOR

4. DATE OF REQUEST

5. CONTRACT NUMBER | 6. DATE BID OPENED *(SEALED BIDDING)* | 7. DATE OF AWARD | 8. DATE CONTRACT WORK STARTED | 9. DATE OPTION EXERCISED (IF APPLICABLE) *(SERVICE CONTRACT ONLY)*

10. SUBCONTRACTOR *(IF ANY)*

11. PROJECT AND DESCRIPTION OF WORK *(ATTACH ADDITIONAL SHEET IF NEEDED)*

12. LOCATION *(CITY, COUNTY, AND STATE)*

13. IN ORDER TO COMPLETE THE WORK PROVIDED FOR UNDER THE ABOVE CONTRACT, IT IS NECESSARY TO ESTABLISH THE FOLLOWING RATE(S) FOR THE INDICATED CLASSIFICATION(S) NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION

NUMBER: WD must be active before box 8 or 9 DATED:

a. LIST IN ORDER: PROPOSED CLASSIFICATION TITLE(S); JOB DESCRIPTION(S); DUTIES; AND RATIONALE FOR PROPOSED CLASSIFICATIONS *(Service contracts only)* (Use reverse or attach additional sheets, if necessary)	b. WAGE RATE(S)	c. FRINGE BENEFITS PAYMENTS
Proposed classification, Federal Grade Equivalency(FGE) and rationale. Attach additional sheet, if necessary. Once, again you can't conformed a vacant position. Note: An Employee must be working on the job.	Enter the proposed wage rate. Always remember that box 8 or 9, should be applicable to box 13	Enter the fringe benefit that is applicable to the WD.

14. SIGNATURE AND TITLE OF SUBCONTRACTOR REPRESENTATIVE *(IF ANY)*

15. SIGNATURE AND TITLE OF PRIME CONTRACTOR REPRESENTATIVE

16. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE
Signature can't be signed by the CEO, Manager or President

TITLE

CHECK APPROPRIATE BOX-REFERENCING BLOCK 13:
☐ AGREE ☐ DISAGREE

TO BE COMPLETED BY CONTRACTING OFFICER *(CHECK AS APPROPRIATE - SEE FAR 22.1019 (SERVICE CONTRACT LABOR STANDARDS) OR FAR 22.406-3 (CONSTRUCTION WAGE RATE REQUIREMENTS))*

☐ THE INTERESTED PARTIES AGREE AND THE CONTRACTING OFFICER RECOMMENDS APPROVAL BY THE WAGE AND HOUR DIVISION. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.

☐ THE INTERESTED PARTIES CANNOT AGREE ON THE PROPOSED CLASSIFICATION AND WAGE RATE. A DETERMINATION OF THE QUESTION BY THE WAGE AND HOUR DIVISION IS THEREFORE REQUESTED. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.
(Send 3 copies to the Department of Labor)

SIGNATURE OF CONTRACTING OFFICER OR REPRESENTATIVE | TITLE AND COMMERCIAL TELEPHONE NUMBER | DATE SUBMITTED

AUTHORIZED FOR LOCAL REPRODUCTION
PREVIOUS EDITION IS USABLE

STANDARD FORM 1444 (REV. 4/2013)
Prescribed by GSA-FAR (48 CFR) 53.222(f)

Branch of SCA contact info

Email inquiries to:

sca.inquiries@dol.gov

Disclaimer

This presentation is intended as general information only and does not carry the force of legal opinion.

The Department of Labor is providing this information as a public service. This information and related materials are presented to give the public access to information on Department of Labor programs. You should be aware that, while we try to keep the information timely and accurate, there will often be a delay between official publications of the materials and the modification of these pages. Therefore, we make no express or implied guarantees. The Federal Register and the Code of Federal Regulations remain the official source for regulatory information published by the Department of Labor. We will make every effort to keep this information current and to correct errors brought to our attention.



SCA Compliance Principles and Executive Order 13706 – Starting at 1:15 EST



SCA Compliance Principles

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

dol.gov/agencies/whd
1-866-4-US-WAGE

Compliance Principles

- Payment of wages
- Payment of fringe benefits
- Vacation Fringe Benefits
- Holiday Fringe Benefits
- Deductions
- Recordkeeping
- Notice to employees

Payment of Wages

- The SCA requires contractors and subcontractors performing services on prime contracts in excess of $2,500 to pay service employees in various classes no less than the wage rates and fringe benefits found prevailing in the locality, or the rates (including prospective increases) contained in a predecessor contractor's collective bargaining agreement.
- For contracts equal to or less than $2,500, contractors are required to pay the federal minimum wage as provided in Section 6(a)(1) of the Fair Labor Standards Act.

Payment of Wages 29 CFR 4.165

- Wages established by wage determination, otherwise FLSA minimum wage (29 CFR 4.165(c))
- Monetary wages to be paid when promptly due (29 CFR 4.165(a)(1))
- No distinction between Full and Part Time Employees (29 CFR 4.165(a)(2))
- Calculated on fixed and regularly recurring workweek of 7 consecutive 24-hour workday periods (29 CFR 4.165(b))
- Payroll records kept on this basis
- Bi-weekly or semi-monthly pay periods if advance notice

Finding the Correct Wage Rate

- Workers must be paid the wage rate set forth in the wage determination for the classification of work they perform.
- To prevent misclassification, it is very important that a contractor fully utilize the applicable wage determination and the Directory of Occupations to find the classification that most closely matches the workers' duties.

Finding the Correct Wage Rate – Example

- Contractor X has been awarded a contract to provide refrigerated warehouse services. Contractor X is trying to determine the correct classification for the employees who receive goods to be stored, verify the goods against the incoming bills of lading, and record and route them for appropriate storage. When goods need to be shipped, the employee also verifies the goods against the incoming order and prepares the outgoing bills of lading.
- Contractor X begins to read through the applicable wage determination and decides that Order Clerk is the best classification.
- However, a further reading of the wage determination and Directory of Occupations indicates otherwise.

WD Sample – Order Clerk

Fringe Benefits Required Follow the Occupational Listing

OCCUPATION CODE - TITLE	FOOTNOTE	RATE
01000 - Administrative Support And Clerical Occupations		
**********		
01111 - General Clerk I		$10.33
01112 - General Clerk II		$11.52
01113 - General Clerk III		$12.65
01120 - Housing Referral Assistant		$17.13
01141 - Messenger Courier		$10.12
01191 - Order Clerk I		$11.31
01192 - Order Clerk II		$12.34

Directory of Occupations – Order Clerk

01190 ORDER CLERK (Occupational Base)

- The Order Clerk receives written or verbal purchase orders. Work typically involves some combination of the following duties: quoting prices, determining availability of ordered items and suggesting substitutes when necessary, advising expected delivery date and method of delivery, recording order and customer information on order sheets. The Order Clerk is responsible for checking order sheets for accuracy and adequacy of information; ascertaining credit rating of customer; furnishing customer with confirmation of receipt of order; order follow up, or informing customer of a delay in delivery. The Order Clerk maintains order files and verifies shipping invoices against original orders.
- 01191 ORDER CLERK I
- This position handles orders involving items that have readily identified uses and applications. The Order Clerk I may refer to a catalog, manufacturer's manual or similar document to insure that the proper item is supplied or to verify the price of order.

WD Sample – Shipping/Receiving Clerk

21000 - Materials Handling And Packing Occupations

****

- 21020 - Forklift Operator $13.53
- 21030 - Material Coordinator $19.21
- 21040 - Material Expediter $19.21
- 21050 - Material Handling Laborer $11.22
- 21071 - Order Filler $11.98
- 21080 - Production Line Worker (Food Processing) $13.53
- 21110 - Shipping Packer $12.87
- 21130 - Shipping/Receiving Clerk $12.87

Directory – Shipping/Receiving Clerk

21130 SHIPPING/RECEIVING CLERK

- The Shipping/Receiving Clerk performs clerical and physical tasks in connection with shipping goods of the establishment in which employed and receiving incoming shipments. In performing day-to-day, routine tasks, this worker follows established guidelines. In handling unusual non-routine problems, this worker receives specific guidance from supervisor or other officials. This incumbent may direct and coordinate the activities of other workers engaged in handling goods to be shipped or being received. Shipping duties typically involve the following: verifying that orders are accurately filled by comparing items and quantities of goods gathered for shipment against documents; insuring that shipments are properly packaged, identified with shipping information, and loaded into transporting vehicles, and preparing and keeping records of goods shipped, e.g., manifests, bills of lading. Receiving duties typically involve the following: verifying the correctness of incoming shipments by comparing items and quantities unloaded against bills of lading, invoices, manifests, storage receipts, or other records, checking for damaged goods, insuring that goods are appropriately identified for routing to departments within the establishment, and preparing and keeping records of goods received.

Wage Payments for Work Subject to Different Rates

Employee must be paid:

- Highest rate for all hours worked; unless
- Employer's payroll records or other affirmative proof show periods spent in each class of work.
- Applies when employee works part of workweek on SCA-covered and non-SCA-covered work.

Tipped Employees – 29 CFR 4.6(q) and 4.167

- Employers may use a “tip credit” to meet their SCA prevailing wage obligation if:
- The employees work in an occupation in which they customarily and regularly receive over $30 a month in tips
- The employer informs the employees of the tip credit before using it
- The employees are allowed to keep all tips individually or through a valid tip pooling arrangement
- The employer can show that the employees actually received the required SCA wage through a combination of direct wages and tips

Tipped Employees

- If all the necessary requirements are met, employers may claim a tip credit to the extent permitted by section 3(m) of the Fair Labor Standards Act and Regulations, 29 CFR part 531.
- Currently, Section 3(m) of the FLSA and 29 CFR 531 permit a maximum tip credit of $5.12 per hour (the difference between the minimum required cash wage of $2.13 hour and the current federal minimum wage of $7.25).
- In no event shall the tip credit claimed exceed the amount of tips actually received by the employee.

Computation of Hours Worked
29 CFR 4.178 – 4.179 & 29 CFR part 785

- Determined under the FLSA pursuant to 29 CFR part 785.
- Includes all periods in which employee is “suffered or permitted” to work.
- Hours worked that are subject to the SCA are those performed on covered (SCA) contracts.
- Contractor must keep affirmative proof of the time spent on covered and non-covered work in a workweek.

Payment of Fringe Benefits

- Cash payments in lieu of fringe benefits (FBs) must be paid on regular pay date (29 CFR 4.165(a)).
- Payments into *bona fide* FB plans must be made no less often than quarterly (29 CFR 4.175(d)).
- FB costs may not be credited toward wage requirements (29 CFR 4.167).

Discharging Minimum Wage & Fringe Benefit Obligations

Under the SCA, the contractor may not credit excess wage payments against the FB obligation:

Wage Determination:		Employee Paid:	
Wage	$16.25	Wage	$19.67
FB	*$ 5.92	FB	$ 2.50
Total	$22.17	Total	$22.17

* Regular H&W rate. PSLEO H&W rate is $5.42.

Polling Question – Pay Frequency

What pay frequencies can an employer have under SCA?

A. Weekly
B. Bi-weekly
C. Semi-monthly
D. All the above

Polling Answer – Pay Frequency

D. All the above. Weekly, Bi-weekly, or semi-monthly.

Polling Question – Health & Welfare

It is the employee's choice how the H&W is paid to them (for example, in cash or as benefits).

A. True

B. False

Polling Answer – Health & Welfare

B. False

It is the employer’s choice, not the employee’s choice.

Vacation Fringe Benefits 29 CFR 4.173(c)(1)

- Are vested and become due after the employee's **anniversary date.**
- Need not be paid immediately after the anniversary date, but must be discharged before (whichever occurs first):
- The next anniversary date;
- The completion of the contract; or
- The employee terminates employment

Notification of Length of Service – 29 CFR 4(l)(2)

- Not less than 10 days prior to completion of the contract, the incumbent prime contractor shall furnish to the contracting officer a certified list of the names of all service employees on the contractor's or subcontractor's payroll during the last month of contract performance.
- Such list shall also contain anniversary dates of employment on the contract either with the current or predecessor contractors of each such service employee.
- The contracting officer shall turn over such list to the successor contractor at the commencement of the succeeding contract.

Holiday Fringe Benefits – 29 CFR 4.174

- An employee is entitled to holiday pay if they work in the holiday workweek.
- An employee is not entitled to holiday pay if the holiday is not named in the WD (*i.e.*, government closed by proclamation).
- Paid holidays can be traded for another day off if communicated to employees.

Deductions from Wages – 29 CFR 4.168

- “The wage requirements of the Act will not be met where unauthorized deductions, rebates, or refunds reduce the wage payment made to the employee below the minimum amounts required under the provisions of the Act and the regulations thereunder, or where the employee fails to receive such amounts free and clear because he “kicks back” directly or indirectly to the employer or to another person for the employer's benefit the whole or part of the wage delivered to him.”

Deductions from Wages

Authorized deductions are limited to:

- Deductions required by law, such as taxes or court-ordered garnishments
- Deductions for the reasonable cost of board, lodging, or other facilities as set forth in 29 CFR 4.167
- Deductions authorized to be paid to third persons for the worker's benefit pursuant to his voluntary assignment or order or a bona fide collective bargaining agreement
- Deductions which cut into the wages required under the SCA may not be made if they are contrary to law, the contractor, sub-contractor or any affiliated person profits by them directly or indirectly, or the deductions are being made to a third party and the worker did not authorize them

Recordkeeping – 29 CFR 4.6(g)

- Contractors shall make and maintain for 3 years from the completion of the work records containing the following information:
- Name and address and social security number of each employee
- The correct work classification or classifications, rate or rates of monetary wages paid and fringe benefits provided, rate or rates of fringe benefit payments in lieu thereof, and total daily and weekly compensation of each employee
- The number of daily and weekly hours so worked by each employee

Recordkeeping

- Any deductions, rebates, or refunds from the total daily or weekly compensation of each employee
- A list of monetary wages and fringe benefits for those classes of service employees not included in the wage determination attached to this contract but for which such wage rates or fringe benefits have been conformed
- Any list of the predecessor contractor's employees which had been furnished to the contractor pursuant to 29 CFR 4.6(l)(2).

Notice of Employees – 29 CFR 4.183 and 29 CFR 4.184

- Contractors must notify each employee commencing work on a SCA contract of the wage rates and fringe benefits required to be paid for work performed on the contract. A notice form (WH Publication 1313 and any applicable wage determination) provided by the Wage and Hour Division is to be used for this purpose. It may be delivered to the employee or posted as stated in 29 CFR 4.184.
- Posting of the notice provided by the Wage and Hour Division shall be in a prominent and accessible place at the worksite.

Polling Question – Vacation

If a new employee quits before they complete their first year of employment, the employer must pay out the proportional vacation due to them.

A. True

B. False

Polling Answer – Vacation

B. False

Employees are not entitled to vacation until they vest after 1 year.

Polling Question – Payroll

How often does an SCA certified payroll have to be submitted?

A. Weekly
B. Bi-Weekly
C. Monthly
D. None of the Above

Polling Answer – Payroll

D. None of the above.

Certified payrolls are not applicable to SCA. Only the Davis-Bacon and Related Acts (DBRA) require weekly submission of certified payroll reports.



Executive Order 13706

Executive Order 13706

- Applies to new federal contracts solicited or awarded on or after January 1, 2017.
- Non-excluded workers performing work on or in connection with covered contracts are generally entitled to accrue 1 hour of paid sick leave for every 30 hours they work on or in connection with a covered contract, up to 56 hours a year.

Coverage: Which contracts does EO 13706 apply to?

EO 13706 applies to four types of contracts entered into by the federal government that are “new contracts” on or after January 1, 2017.
29 CFR 13.3(a)(1).

The four types of contracts are (29 CFR 13.3):

- Procurement contracts for construction covered by the Davis-Bacon Act (DBA).
- Service contracts covered by the Service Contract Act (SCA).

(continued in next slide)

Coverage: Which contracts does EO 13706 apply to? (continued)

- Concessions contracts, including concessions contracts excluded from the SCA by 29 CFR 4.133(b). (These include contracts principally for furnishing food, lodging, auto fuel, souvenirs, newspaper stands and recreational equipment to the general public.) 23 CFR 13.2.
- Contracts in connection with federal property or lands and related to offering services for federal employees, their dependents, or the general public. (These include leases of space in a federal building to operate a child care center, credit union, gift shop, barber shop, coffee shop or fitness center to serve federal employees and/or the general public. Note that contracts in this category may also fit into the second and/or third covered categories.)

“New Contracts”

- EO 13706 applies to “new contracts” beginning January 1, 2017. 29 CFR 13.3(a)(1).
- A “new contract” is (29 CFR 13.2):
  - A contract solicited or awarded without solicitation on or after January 1, 2017.
  - The term also includes a contract that existed before January 1, 2017, but that is renewed, extended (other than short-term limited extensions), or subject to a modification that is outside the scope of the contract after that date.
  - It does not include the unilateral exercise of a pre-negotiated option to renew an existing contract by the Federal Government.

Which contracts are not covered by the EO?

EO 13706 does not apply to:

- Contracts for the manufacturing or furnishing of materials, supplies, articles, or equipment to the Federal Government, including those subject to the Walsh-Healey Public Contracts Act (29 CFR 13.3(d));
- Contracts that are subject only to the Davis-Bacon Related Acts (81 FR 67613);
- Grants within the meaning of the Federal Grant and Cooperative Agreement Act. (29 CFR 13.4(a))
- Contracts and agreements with and grants to Indian Tribes under the Indian Self-Determination and Education Assistance Act (29 CFR 13.4(b)); or

(Continued on next slide)

Which contracts are not covered by the EO? (continued)

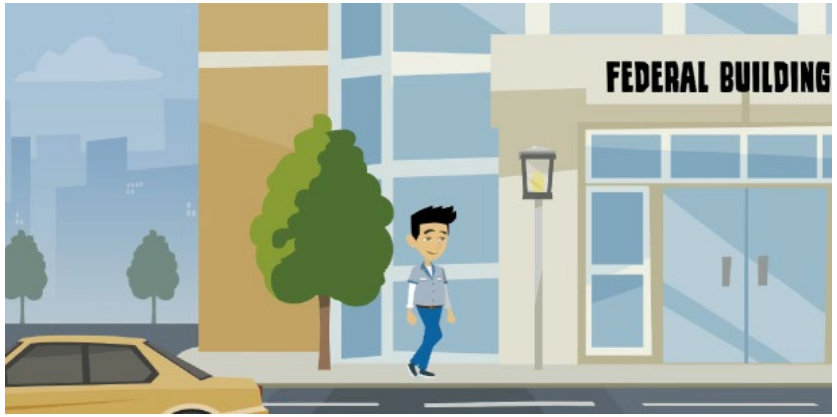
EO 13706 does not apply to:

- Procurement contracts for construction that are excluded from coverage of the Davis-Bacon Act (29 CFR 13.4(c));
- Contracts for services that are exempt under the Service Contract Act (29 CFR 13.4(d));
- Employees performing in connection with covered contracts for less than 20% of their work hours in a given work week (29 CFR 13.4(e)); or
- Employees whose covered work is governed by a collective bargaining agreement that already provides 56 hours of paid sick time (29 CFR 13.4(f)).

Covered Workers

EO 13706 covers employees (29 CFR 13.3(a)(2)):

- Working “on” or “in connection with” a covered contract
- Whose wages are governed by the DBA, SCA, or FLSA, including employees who qualify for an exemption from the FLSA’s minimum wage and overtime provisions.



“On or in Connection with”

An employee works “on” a contract if he or she directly performs the specific services called for by the contract. Examples include:

- Laborers or mechanics performing on a DBA contract;
- Service employees performing on a SCA contract; or
- Tellers in a credit union that leases space in a federal building.

An employee works “in connection with” a contract if he or she performs work activities that are necessary to the performance of a covered contract (but that are not the specific services called for by the contract). Examples include:

- A security guard patrolling a DBA contract site; or
- A clerk processing payroll records for an SCA or DBA contract.

Workers Whose Wages Are Covered by DBA or SCA

- Employees whose wages are governed by the DBA include laborers and mechanics who are covered by the DBA. 29 CFR 13.2 and13.3(a)(2).

- Employees whose wages are governed by the SCA include those who are “service employees” under the SCA. 29 CFR 13.2 and 13.3(a)(2).



Workers Whose Wages Are Covered by the FLSA

Employees whose wages are governed by the FLSA include those entitled to minimum wage and/or overtime compensation under that law.

- Includes employees working on or in connection with DBA- or SCA-covered contracts who aren't entitled to prevailing wages but must be paid in accordance with the FLSA (e.g., employees who assist with a DBA construction project but don't work at the site of the work).
- Includes employees whose wages are calculated pursuant to special certificates issued under 29 U.S.C. § 214.

Unlike the minimum wage EO (EO 13658), EO 13706 also applies to employees exempt from the FLSA's minimum wage and overtime requirements.

- Includes employees employed in a bona fide executive, administrative, or professional capacity as provided in 29 U.S.C. § 213(a)(1).

Apprentices

- The EO applies to any individual working on a covered contract and individually registered in a bona fide apprenticeship program registered with the Department's Employment and Training Administration, Office of Apprenticeship, or with a State Apprenticeship Agency recognized by the Office of Apprenticeship. 29 CFR 13.2.



20% Exception

- An employee who works only “in connection with” covered contracts and spends less than 20% of his or her time in any workweek doing so does not accrue paid sick leave in that workweek. 29 CFR 13.4(e).

- This exemption does not apply to employees who perform “on” a covered contract at any point in a workweek. Such employees are entitled to accrue sick leave for all hours worked on or in connection with covered contracts in that workweek.

Paid Sick Leave

- How do Employees Accrue and Use Paid Sick Leave?







Overview of Paid Sick Leave Requirements

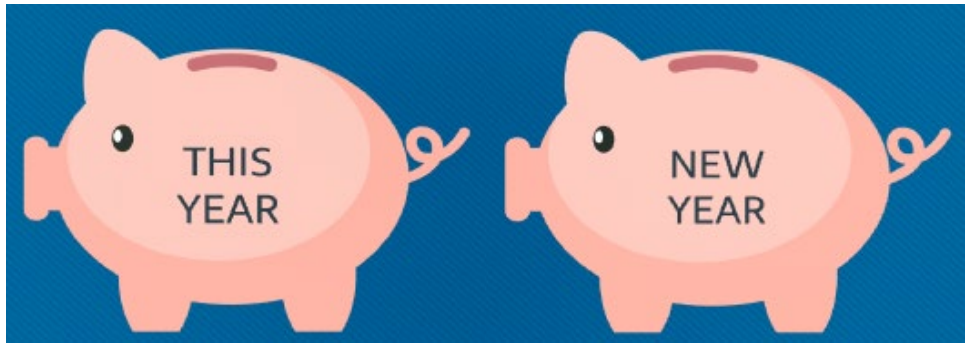


How does an employee accrue paid sick leave?

- Employees accrue 1 hour of paid sick leave for every 30 hours worked on or in connection with a covered contract. 29 CFR 13.5(a)(1).
- Hours worked are determined using the FLSA standard. 29 CFR 13.5(a)(1)(i).
- Instead of tracking time on covered contracts week by week, contractors can “frontload” leave at the beginning of the accrual year by giving employees 56 hours of paid sick leave in a lump sum. 29 CFR 13.5(a)(3).

What are the limits on accrual of paid sick leave?

- Employees can be limited to earning 56 hours of paid sick leave per accrual year, and to having 56 hours of paid sick leave available at any point in time. 29 CFR 13.5(b)(1),(3).
- Unused sick leave can be carried over into the next accrual year. 29 CFR 13.5(b)(2).
- Carryover does not count toward the new year's accrual limit.



What can an employee use paid sick leave for?

Employees may use paid sick leave if they are absent because of:

- A physical or mental illness, injury, or medical condition.
  - This is broader than the “serious health condition” required under the FMLA.
  - Examples include a common cold, ear infection, ulcer, flu, migraine, sprained ankle, broken arm, or depressive episode.
- Obtaining diagnosis, care, or preventive care from a health care provider.
  - A “health care provider” is any practitioner who is licensed or certified under Federal or State law to provide the health-related service in question or any practitioner recognized by an employer or the employer’s group health plan.
  - Examples include medical doctors, nurse practitioners, physical therapists, and dentists.

What can an employee use paid sick leave for?
Caring for Family Members

Employees may use paid sick leave if they are absent because of [29 CFR 13.5(c)(1)]:

- Caring for a family member, or someone who is the equivalent of family, who has any of the conditions or needs for diagnosis, care, or preventive care described in (1) or (2) or is otherwise in need of care.
- This includes care for a child, parent, spouse, domestic partner, sibling, aunt/uncle, grandparent, or grandchild.
- It also includes any other person with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

What can an employee use paid sick leave for?
Domestic Violence, Sexual Assault, or Stalking

- An issue related to domestic violence, sexual assault, or stalking of the employee or the employee's family member, or someone who is the equivalent of family.
- The time absent from work can be for the purposes described in (1) or (2).
- It can also be to obtain additional counseling, seek relocation, seek assistance from a victim services organization, or take related legal action, including preparation for or participation in any related civil or criminal legal proceeding.

How will the EO be enforced?
Investigations

Investigations (29 CFR 13.41, 43)

- The U.S. Department of Labor Wage and Hour Division (WHD) has exclusive authority to investigate and enforce EO 13706.
- WHD will accept complaints of EO violations from any party. Contracting agencies have no obligation to investigate compliance but must notify WHD of complaints received.
- The investigation process for these investigations will be similar to those for other government contracts cases: obtaining information from the contractor, interviews with employees at the worksite, inspection of contractor records, production of documents or other evidence.

Disclaimer

This presentation is intended as general information only and does not carry the force of legal opinion.

The Department of Labor is providing this information as a public service. This information and related materials are presented to give the public access to information on Department of Labor programs. You should be aware that, while we try to keep the information timely and accurate, there will often be a delay between official publications of the materials and the modification of these pages. Therefore, we make no express or implied guarantees. The Federal Register and the Code of Federal Regulations remain the official source for regulatory information published by the Department of Labor. We will make every effort to keep this information current and to correct errors brought to our attention.



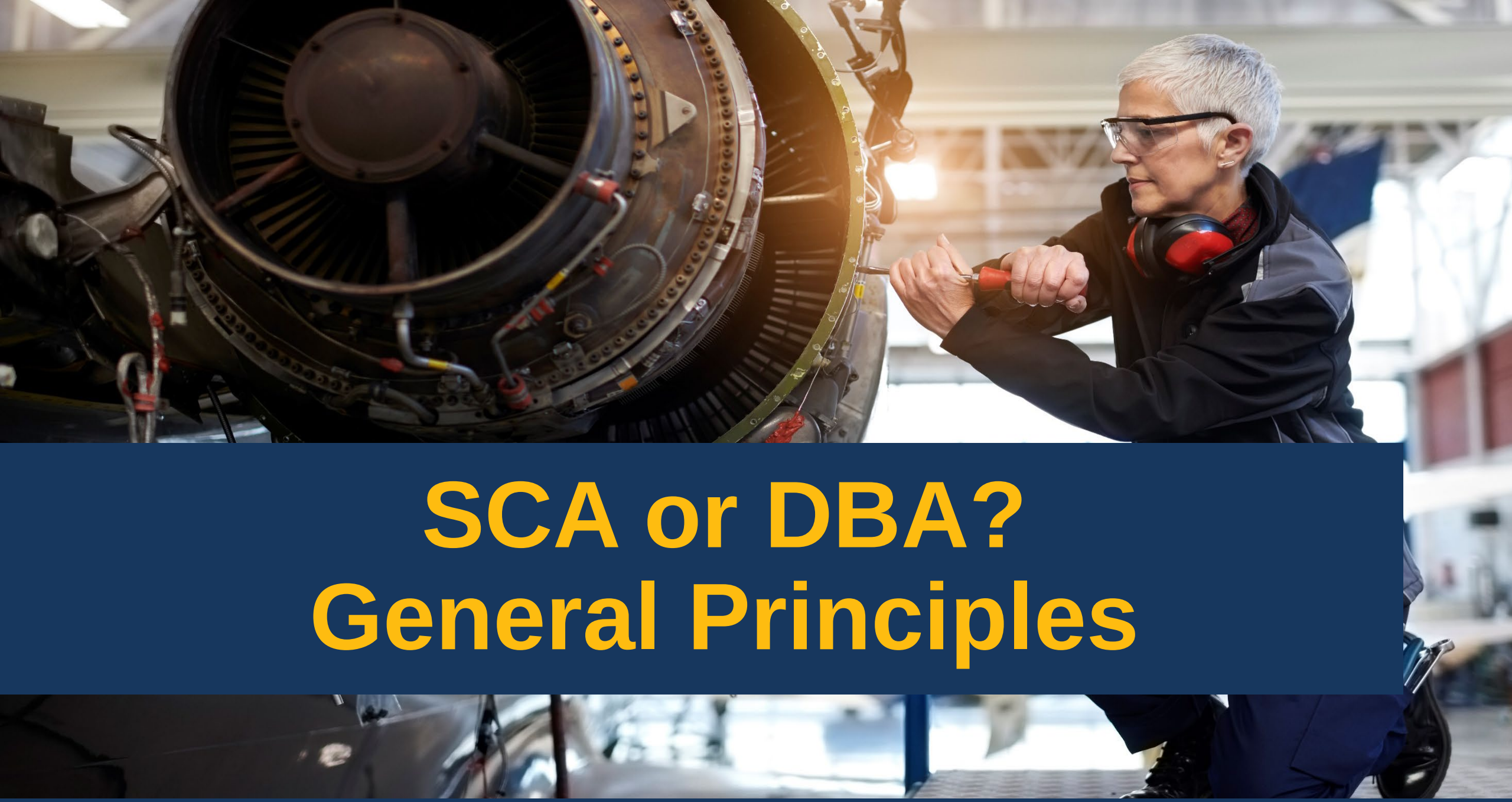
Interaction of Government Contracts Statutes (DBA, PCA, SCA) – Starting at 2:30 EST



Interaction of Government Contracts Statutes

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

dol.gov/agencies/whd
1-866-4-US-WAGE



SCA or DBA?
General Principles

Contracts Requiring SCA or DBA

- SCA does not apply to any contract principally for construction subject to the DBA

- “Construction” under the DBA includes “construction, alteration, and repair, including painting and decorating”

SCA Maintenance

- SCA Maintenance – Work is typically
  - Scheduled, regular and recurring maintenance activities
  - Routine to keep something in state of continuous utilization
  - Examples: custodial service, routine HVAC filter changes, snow removal

DBA Repair Work

- Typically covers activities such as restoration of facility
- One time fix to something not functioning
- Restoration, alteration or replacement of fixed components
- Examples: building structural repair, renovation, roof shingling, paving repairs

Repair versus Maintenance

Factors Indicating Work Is Alteration or Repair	Factors Indicating Work Is Maintenance Work
Correction of individual problems or defects as separate and segregable incidents	Work is performed continuously/ repetitively over time
Items of work require more time to complete	Items of work are completed comparatively quickly
The work improves the facility's structural strength, stability, safety, capacity, efficiency, or usefulness	Work does not affect an integral component or system of the facility, but merely maintains it in its existing condition
Skills necessary for the work are typical of one or more construction trades	Skills necessary for the work are not typical of the construction trades

Polling Question #1

Which of the following factors would NOT indicate the work is Alteration or Repair?

A. Replacing the entire roof on a building
B. Resurfacing an entire parking lot
C. Adding an additional room to an existing structure
D. Changing HVAC filters

Polling Question #1 – Answer

The answer is D – Changing HVAC filters would generally be considered SCA as its routine maintenance.

Activities Performed Prior To Acceptance

- Some activities are considered construction when performed during the construction of a building or work, prior to final acceptance by the contracting agency, even if they would be considered maintenance in other contexts.
- Examples of such activities include:
  - Cleaning work, such as window scraping and washing, removal of excess paint, and sweeping
  - Landscaping
  - Carpet laying and hanging curtains

DBA or SCA - Demolition

- Demolition and/or removal activities alone can be construction, alteration, and/or repair under DBA.
  - Removal of asbestos, paint, components, systems, or parts from a facility that will not be demolished
  - Substantial earth-moving to remove contaminated soil and re-contour surfaces
- Demolition and/or removal activities will also be construction, alteration, and/or repair when subsequent Davis-Bacon construction is contemplated at the site of the demolition or removal.
- Demolition is a service subject to the SCA if it is not itself an alteration and no future construction in contemplated.
- AAM 190 provides further discussion

DBA or SCA - Drilling

- Drilling will generally be covered construction under the DBA if:
  - The drilling is directly related and incidental to, or an integral part of, a construction project, or
  - The drilling itself is a building or work (such as a water or oil and gas well)
- Drilling will generally be considered services subject to SCA if done to obtain data for planning a project, or in other circumstances where further construction is not contemplated.
- AAM 55 provides additional examples.

Important Considerations – DBA Coverage

DBA-covered when:

- Work involves alteration or repair
- Work is part of a construction contract performed prior to acceptance by owner
- Subsequent construction is already contemplated at the site

Important Considerations – SCA Coverage

SCA-covered when:

- Activity is scheduled routine maintenance and upkeep
- Work would be considered maintenance and is performed after construction has been completed and has been finally accepted by the contracting agency
- No construction is contemplated at the site



SCA Contracts with DBA Segments

Contracts Requiring SCA and DBA

- 29 CFR – 4.116(c)(2) - SCA and DBA both apply to contracts “principally” for services that:
  - Contain specific requirements for substantial amounts of construction, alteration, or repair work
  - Physically or functionally separate from other work called for by the contract

Substantial and Segregable Construction

- SCA contracts that require **substantial** and **segregable** amounts of construction activity must include the DBA
  - **Substantial**: the type and quantity of construction work, not merely dollar value
  - **Segregable**: construction work is physically and functionally separate

Example: Food Services Contract with Painting Required

- Federal contract for furnishing food services includes requirements to paint cafeteria and kitchen:
  - SCA-covered, as principally to provide food services through the use of service employees
  - Construction activity (i.e., painting) is DBA-covered

Example: Maintenance and Operations Contract

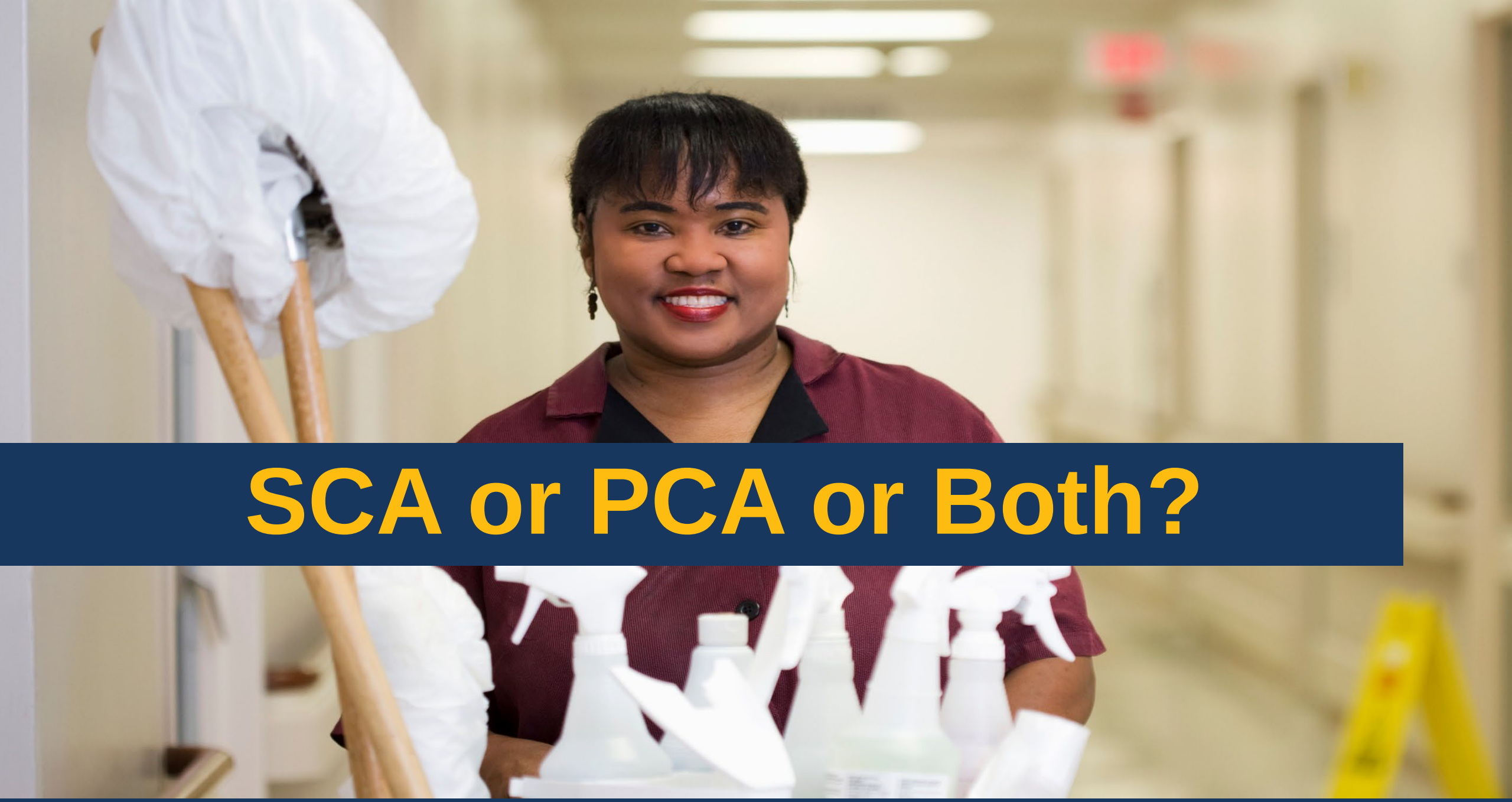
- Are principally for services, but often require substantial and segregable construction work:
  - Painting or repainting of facilities
  - Refinishing floors
  - Reroofing buildings
- If unclear whether SCA/DBA coverage applies to work element, contact contracting officer

SCA and DBA: Contract Work Orders

- Questions can arise on whether work required by work order, task order, or service call is SCA maintenance or DBA painting/repairs
- Contracting agencies may have additional guidance to apply when the distinction between SCA or DBA is unclear
- Individual task or work orders are not to be split to avoid DBA coverage

Agency Guidance Example: DFARS

- If distinction between SCA maintenance & DBA repair (other than painting) is unclear:
  - SCA if service call or order will require less that 32 work hours, DBA if more than 32 work hours
  - If the service call or order involves painting, DBA if 200 square feet or more of painting work is to be performed, SCA if less than 200 square feet of painting work is required



SCA or PCA or Both?

PCA versus SCA Coverage

- PCA covers federal contracts in excess of $15,000 for manufacture or furnishing of materials, supplies, articles, or equipment.

- SCA covers federal contracts in excess of $2,500 the principle purpose of which is to furnish services in the U.S. through the use of service employees

Distinguishing PCA and SCA

- Exempt from SCA is “any work required to be done in accordance” with provisions of the PCA.
  29 CFR 4.117(a)
- Exemption applies to work rather than contract subject to the PCA
- Purpose of exemption is to eliminate possible overlap of SCA and PCA labor standards

PCA Coverage

- PCA covers major equipment overhaul/ modification work, i.e., “remanufacturing” when equipment, item or material is:
  - Completely or substantially torn down
  - Totally rebuilt
  - Manufacturing process utilized
  - In facility owned or operated by the contractor

SCA Coverage

- SCA covers contracts for:
  - Periodic and routine maintenance
  - Servicing of equipment to keep it in usable, serviceable, and working order, or
  - To repair damaged equipment not requiring a complete teardown
- Contracts typically billed on hourly rate – labor plus materials and parts - basis

Polling Question # 2

Which of the following is NOT an example of PCA covered work?

A. Manufacturing of munitions at government-owned plants

B. Construction of a U.S. Navy vessel

C. Contract for the supply of medical instruments to the VA

D. Contract to provide specialized items for commissaries

E. Call center operation

Polling Question # 2 - Answer

The answer is E. Operating a call center would generally be considered SCA work as it involves service employees. PCA contracts are for the manufacture or furnishing of materials, supplies, articles, or equipment.



Contracts Requiring PCA and DBA

DBA Requirements on PCA Contracts

- If a PCA contract involves a substantial amount of construction work on a public building or work (exceeding the monetary threshold for DBA application), it is also subject to the DBA if the construction work is physically or functionally separate from, and is capable of being segregated from, the other work required by the contract
- The word substantial relates to the type and quantity of work to be performed and not merely to the total value of construction work as compared to the total value of the contract. See FAR 48 CFR 22.402(b)

Installation

- Installation of structural elements, systems, equipment, or other similar items is typically considered to be construction, alteration, or repair.
- Where installation occurs on a hybrid contract that is also for supply or services, it will still be considered covered construction so long as the contract requires more than an incidental amount of construction.

PCA and DBA Contracts – Example 1

- Contract for the supply and installation of a security system that requires:
  - Replacement of existing conduit;
  - Laying cable; and/or
  - Tearing out and replacing of walls

PCA and DBA Contracts – Example 2

- Contract for the supply and installation of modular furniture or energy efficient lighting fixtures that requires:
  - Bolting furniture or fixtures to floors, walls, and/or ceilings;
  - Modifying walls, floors, and/or ceilings to accommodate shelving;
  - Installing electrical connections for desk area outlets; and/or
  - Installing new ballasts and/or lighting fixtures

PCA and DBA Contracts – Example 3

- Contracts that provide for the supply and installation of equipment that requires construction activity such as:
  - Reconfiguration or alteration of building space;
  - Upgrade to utilities; and/or
  - Bolting or affixing equipment to floors, walls, ceilings, etc.

Coverage Determinations – SCA/DBA/PCA

- Contracting agency has initial responsibility for determining coverage
- DOL has authority for final determination on coverage
- Final rulings may be appealed to the Administrative Review Board (ARB)



Resources

Internet Sites

- Wage Determinations: https://sam.gov
- Wage and Hour Division: http://www.dol.gov/agencies/whd/government-contracts
- WHD Protections for Workers in Construction under the Bipartisan Infrastructure Law: https://www.dol.gov/agencies/whd/government-contracts/protections-for-workers-in-construction
- Resource Book: https://www.dol.gov/agencies/whd/government-contracts/prevailing-wage-resource-book
- Office of the Administrative Law Judges Law Library: https://www.dol.gov/agencies/oalj/topics/libraries/LIBDBA
- Prevailing Wage Topic videos: https://www.dol.gov/agencies/whd/government-contracts/construction/presentations

Connect with Us

- Visit dol.gov/newsroom/digital
- WHD X: x.com/USDOL
- DOL Facebook: facebook.com/departmentoflabor
- DOL YouTube: youtube.com/user/USDepartmentofLabor
- DOL Blog: blog.dol.gov

Disclaimer

This presentation is intended as general information only and does not carry the force of legal opinion.

The Department of Labor is providing this information as a public service. This information and related materials are presented to give the public access to information on Department of Labor programs. You should be aware that, while we try to keep the information timely and accurate, there will often be a delay between official publications of the materials and the modification of these pages. Therefore, we make no express or implied guarantees. The Federal Register and the Code of Federal Regulations remain the official source for regulatory information published by the Department of Labor. We will make every effort to keep this information current and to correct errors brought to our attention.



Price Adjustments – Starting at 3:30 EST

Service Contract Act (SCA)
Price Adjustment

Vanessa Shaw-Jennings
Office of the Chief Counsel
USACE

Kyle Roberts
Air Force Labor Advisors Office
SAF/AQCA

Overview

- Contract Price Adjustment clause
- SCA Price Adjustment Elements
- SCA Price Adjustment Sample
- Questions

* Terminology throughout may reflect historical terms rather than the latest shiny new thing

The Clause

- What is the Federal Acquisition Regulation (FAR) contractual authority for allowing a Service Contract Act (SCA) labor price adjustment?
  - FAR 52.222-43, Fair Labor Standards Act and Service Contract Act -- Price Adjustment (Multiple Year and Option Contracts)
    - (a) This clause applies to both contracts subject to **area prevailing wage determinations** and contracts subject to **collective bargaining agreements**.
    - (b) The Contractor warrants that the prices in this contract do not include any allowance for any contingency to cover increased costs **for which adjustment is provided under this clause**....

FAR 52.222-43 provides the authority to adjust the contract price for SCA-covered labor; this clause can only be included in firm-fixed price contracts or labor-hour contracts

Note: highlighting used throughout this briefing is provided for emphasis and does not appear in the actual FAR text

The Clause

- FAR 52.222-43 (cont'd)
  - (d) The contract price or contract unit price labor rates will be adjusted to reflect the Contractor's **actual increase or decrease** in applicable wages and fringe benefits to the extent that the increase is made **to comply with** or the **decrease is voluntarily made** by the Contractor as a result of:

    (1) The Department of Labor wage determination applicable on the anniversary date of the multiple year contract, or at the beginning of the renewal option period.

Contractor must provide actual payroll data

Contracting Officer calculates the difference between the amount paid by the Contractor and the new Wage Determination (WD)

The period covered by the adjustment begins with the date the new WD is required by the terms of the contract – not the date of the WD

The Clause

- Triggered by incorporation of a new wage determination IAW FAR 22.1007 (c)/RFO 22.1004-1(c&d)
  - Annual anniversary date/option exercise (for contracts using annual appropriations)
  - Biennial anniversary date if term exceeds 2 years (and not funded or subject to annual appropriations)
  - A new wage determination is generally only incorporated into a contract at these times
    - Just because a new wage determination is available on SAM.gov does NOT automatically mean it should be incorporated

The Clause

- FAR 52.222-43(d)(1) (cont'd)
  - For example, the prior year wage determination required a minimum wage rate of $4.00 per hour. The Contractor chose to pay $4.10. The new wage determination increases the minimum rate to $4.50 per hour. Even if the Contractor voluntarily increases the rate to $4.75 per hour, the allowable price adjustment is $.40 per hour

If the Contractor chooses to pay more than the WD rates, the adjustment is based on what the Contractor ACTUALLY paid--NOT on the previous WD rates

Previous WD hourly rate:	$4.00/hr	
Contractor actual:	$4.10/hr	
New WD hourly rate:	$4.50/hr	
Adjustment:	**$.40/hr**	**(4.50/hr - $4.10/hr)**

The Clause

- What is allowed in the SCA labor price adjustment under FAR 52.222-43?
  - (e) Any adjustment will be limited to increases or decreases in **wages and fringe benefits**..., and the **accompanying** increases or decreases in **social security** and **unemployment taxes** and **workers' compensation insurance, but shall not otherwise include** any amount for **general and administrative costs, overhead, or profit**.

Certain tax increases must "accompany" (be caused by) the WD increase. The clause provides no relief from tax increases from other causes or tax increases on a Contractor's total payroll

The Clause

- General calculation of price adjustment
  - New minimum wage and/or Health and Welfare (H&W)
  - Minus (-) actual wage/H&W paid in previous contract period
  - Plus (+) change in payroll taxes and workers comp **(on amount of increase, only)**
  - Equals (=) the price adjustment
- Remember: no overhead (OH), general and administrative (G&A) or profit allowed under the authority of FAR 52.222-43(e)

$15.00	(new wage)
- 14.50	(previous wage paid)
.50	(wage increase)
+ .08	(H&W increase)
+ .12	(change in taxes)
$ .70/hr	(price adjustment)

Methodology

- **Two Price Adjustment Methods**
  - **Forward Pricing Method**
    - Contractor claims an adjustment based on the projected impact of a new or revised WD
    - The projection uses the employee hours in the prior contract period factoring in any known or expected changes to contract scope or work force
  - **Actual Cost Method**
    - If the claim has been delayed until after the adjustment period is over, by either an approved extension to the 30-day requirement for filing or by delay in contract modification, the Contractor should use actual employee hours worked as the basis for the claim

Most SCA labor price adjustments are done using the Forward Pricing Method

Price Adjustment Elements

- **Adjustment of wages**
  - Contractor provides actual wage rate information paid in the previous contract performance period
  - Contracting Officer calculates the difference to the new WD rate from the actual rate previously paid by the Contractor (not necessarily the same as the minimum rate required by the previous WD)

FAR 52.222-43(d)(1) specifically states that the Government's adjustment will be based on what the Contractor actually paid (provided it was at least the previous WD's minimum)

Category	Actual Wage Paid by Contractor	Wage on Current WD	Increase
23023 – Env Tech III	$22.89	$23.59	.70/hr

Price Adjustment Elements

- **Adjustment of Health & Welfare (H&W)**
  - Contractor may be required to provide data supporting the actual premiums paid in previous period
  - If the H&W increase is paid directly to employees, it is considered **taxable wages**. The Contractor will incur an accompanying expense in FICA, WCI and possibly FUTA and SUTA
  - **If H&W is paid to a third-party provider, Contractor incurs no increase in payroll taxes so no FICA or WCI adjustment is due on the H&W increase**

FICA and WCI adjustment are due on the H&W amount when H&W is paid directly to the employees.

No FICA or WCI adjustment is due on H&W amount if it is paid into an insurance plan.

Actual H&W Paid by Contractor	H&W on Current WD	Increase
$4.41/hr	$4.57/hr	$.16/hr

Price Adjustment Elements

- **Adjustment of Vacation**
  - A vacation adjustment is only appropriate if the revised WD changed the vacation benefit or entitlement criteria (if, for instance, the old WD stated “one week paid vacation after 1 year of service” and the new WD states “two weeks paid vacation after 1 year of service”)
  - No adjustment is permitted merely because an individual employee's seniority has increased his/her entitlement
  - Vacation hours required by the WD may be included in the claim (applying the hourly wage and H&W increase to the vacation hours)

Typical hours/year:

Productive Hrs:	1,912
Vacation:	80
Holidays:	88

Vacation required by the WD is found in the notes following the WD classifications (or in the CBA)

Price Adjustment Elements

- **Adjustment of Holidays**
  - When the revised WD increases the number of required holidays, the Contractor may generally claim an adjustment for the increased cost if there actually is one
    - Note that if the requirement does not require work on holidays, there may not be an "actual increase" since the contract probably anticipated the new holiday as a day of work
  - The adjustment is the SCA minimum wage rate times the number of increased holiday hours (generally, eight hours per each new holiday for a full-time employee)
  - Holiday hours required by the WD may be included in the claim (applying the per hour wage and H&W increase to the holiday hours)

The total number of holidays required by the WD is found in the notes following the WD classifications (or in the CBA)

Price Adjustment Elements

- **Adjustment of Unemployment Taxes**
  - The Federal Unemployment Tax Act (FUTA) and State Unemployment Tax Act (SUTA) payments are *normally* not affected by a WD revision
  - Unemployment taxes are paid by Contractors on wages up to a specific annual ceiling or cap
  - The current FUTA rate is only paid on wages up to a cap of $7,000; Contractors should have included this in their initial offers
  - SUTA caps vary by state, but most states use caps under $20,000. Rates vary by state and by employer.
  - SUTA websites can be reached through https://www.americanpayroll.org/compliance/compliance-overview/state-unemployment-wage-bases

Price Adjustment Elements

- **Adjustment of Unemployment Taxes (cont'd)**
  - Since annual employee wages usually exceed the caps **in most states** without regard to the revised WD, typically no additional FUTA or SUTA is required-- the Contractor is already paying the maximum tax
  - The contract price is not adjusted for changes in the FUTA or SUTA rate; if an adjustment is warranted, the current rates apply. FUTA /SUTA is an accompanying cost and thus only available if there is a wage increase first!
  - Contracting Officer verifies the applicable SUTA rate by requesting suitable documentation from the Contractor or contacting the relevant state employment tax office
  - **If an adjustment is due, it is only for the *current* FUTA/SUTA percent rate times the wage rate differential**

Price Adjustment Elements

- **No adjustment is allowed on General and Administrative (G&A) costs, overhead and profit**
  - These elements are specifically excluded by FAR 52.222-43(e) and are not allowable as part of an SCA price adjustment
  - Increases in general liability insurance, state gross receipts taxes and bonding costs are also not allowable as part of an SCA adjustment (despite such costs being calculated based on total wages or total revenue)

Price Adjustment Elements

- **No adjustment is allowed for employee reimbursements**
  - Employee expenses reimbursed by the Contractor, such as payment for fuel, mileage, meals, lodging, tool and uniform allowances and safety shoes, boots or gear, are not considered when calculating the hourly wage rate paid
  - Such payments are considered as reimbursement of a Contractor's business expenses and not wages or fringe benefits
  - These items must be excluded from any calculation for price adjustment under FAR 52.222-43

SCA Price Adjustment Sample

Our SCA Labor Price Adjustment situation :

1. Custodial and grounds maintenance services, fixed price, ABC Clean is the Contractor. Location: Grissom ARB, IN

2. The SAM.gov wage determination***** for the next option has been incorporated into the contract; it requires wage increases for the classifications used by the Contractor

3. The H&W rate also increases from $4.41 to $4.57/ hour. The wage determination specifies the 'employee-by-employee" method of compliance ** therefore, the $4.57 is due on all hours **compensated** up to a maximum of 40 hours per week

*If contract has a CBA WD, use rates found in the current CBA; methodology for doing the price adjustment is the same—just have to verify cost data with CBA rates and benefits (e.g., sick leave, vacation accrual, etc.)

SCA Price Adjustment Sample

4. Per FAR clause 52.222-43, the Contractor makes a request for equitable adjustment.

5. ABC Clean provides information which includes (1) each employee's work hours, paid vacation and holiday hours, (2) a "Defense Contract Audit Agency (DCAA) approved" overhead tax rate of 11.65%, (3) the cost of new T-shirts for the employees (the contract required Contractor-identifiable clothing) and (4) employee vehicle mileage reimbursement. The Contractor provided no payroll records.

6. The Contractor claims the increase for the (1) janitors, (2) lead janitor, (3) grounds maintenance laborers, (4) tractor operator, (5) pest controller, (6) payroll clerk, and (7) the project manager. The lead janitor wage rate is not listed on the wage determination and the procedure ("conformance") to establish the minimum SCA wage rate was not completed.

SCA Price Adjustment Sample

- Step-by-step, what does the Government do to evaluate this claim?
- What increased costs are required of (forced on) the Contractor to comply with the revised SCA wage determination?
- What accompanying costs are permitted by 52.222-43?

Step 1: Eliminate <u>unallowable costs</u>:

- Non-SCA employees: Payroll Clerk and Project Manager
- Non-wage/benefit costs: T-shirts, mileage
- 11.65% “DCAA-approved” tax rate ??

SCA Price Adjustment Sample

- Payroll information needed to calculate the SCA labor price adjustment from the previous year to the current year should be provided by the Contractor

- The authority to require this information is provided under FAR 52.222-43(g):

  - “(g) The Contracting Officer or an authorized representative shall have access to and the right to examine any directly pertinent books, documents, papers and records of the Contractor until the expiration of 3 years after final payment under the contract.”

Step 2: What additional information is needed to evaluate?

- Payroll records showing actual wages and H&W
- Actual hours worked/paid
- How was H&W paid?
- What is the current workers comp rate?
- Were any employee wages previously less than the FUTA and/or SUTA caps?
- Any other documents needed by the CO to verify the claim

SCA Price Adjustment Sample

Step 3: Calculate:

		Hourly Wages			
Title	Hours (2080/yr)	Actual Rate Pd (FY22)	WD 20-2195 rev 10 (FY23)	Delta/Hr	Total Wage Increase
Labor, Grounds Maintenance	20800	$15.00	$16.20	$1.20	$24,960.00
Tractor Operator	2080	$16.50	$17.50	$1.00	$2,080.00
Pest Controller	2080	$17.00	$18.15	$1.15	$2,392.00
Janitors	10400	$15.00	$15.50	$0.50	$5,200.00
*Lead Janitor (1)***	2080	*$17.00*	*$18.00*	$1.00	See note
Total	37440				$34,632.00

** The Lead Janitor classification was not legally established through a “conformance” (see FAR 52.222-41(c)), therefore, no adjustment is due. The Lead Janitor is being paid above the minimum requirement for Janitor so there will be no adjustment to the wages (see FAR 52.222.43(d)).

SCA Price Adjustment Sample

- **As a reminder, it is the Contractor's responsibility to conform a position to the WD (FAR 52.222-41(c) Compensation)**

(2)(i) If a wage determination is attached to this contract, **the Contractor shall classify any class of service employee which is not listed therein and which is to be employed under the contract** (i.e., the work to be performed is not performed by any classification listed in the wage determination) so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination...

- Referred to as a "conformance"
- Accomplished via SF 1444
- Requires Contractor to conform wage determination within 30 days after the unlisted class of employee performs any contract work
- Contractor submits completed SF1444 (including employee agreement or disagreement) to the Contracting Officer
- Contracting Officer submits SF1444 to the DOL
- DOL approves/disapproves and returns to the Contracting Officer who forwards to the Contractor

SCA Price Adjustment Sample

- **FOR THIS EXERCISE:**
  - The contractor documents that H&W was paid to a third-party provider
  - So, no accompanying costs are due on the H&W increase

Step 4: Was health and welfare paid in cash to the employees or paid to a third-party provider?

If cash: calculate accompanying costs on H&W total

If third-party provider: do not calculate accompanying costs of the H&W total

SCA Price Adjustment Sample

		Hourly Wages				
Title	Hours (2080/yr)	Actual Rate Pd (FY22)	WD 20-2195 rev 10 (FY23)	Delta/Hr	Total Wage Increase	H&W (.16/hr)
Labor, Grounds Maintenance	20800	$15.00	$16.20	$1.20	$24,960.00	$3,328.00
Tractor Operator	2080	$16.50	$17.50	$1.00	$2,080.00	$332.80
Pest Controller	2080	$17.00	$18.15	$1.15	$2,392.00	$332.80
Janitors	10400	$15.00	$15.50	$0.50	$5,200.00	$1,664.00
*Lead Janitor (1)***	2080	*$17.00*	*$18.00*	$1.00	See note	$332.80
Total	37440				$34,632.00	$5,990.40

** Although the lead janitor wage rate was not conformed, it is an SCA-covered position, due the minimum H&W.

SCA Price Adjustment Sample

Step 5: Calculate accompanying costs:

- FICA (6.20% for Social Security + 1.45% for Medicare, 7.65% Total)
- Workers Compensation Insurance (Contractor rate = $4 per $100 (4%))
- Federal Unemployment Tax Allowance (FUTA) (if applicable)
- State Unemployment Tax Allowance (SUTA) (if applicable)

		Hourly Wages						
Title	Hours (2080/yr)	Actual Rate Pd (FY22)	WD 20-2195 rev 10 (FY23)	Delta/Hr	Total Wage Increase	H&W (.16/hr)	FICA (7.65%)*	WC (4%)*
Labor, Grounds Maintenance	20800	$15.00	$16.20	$1.20	$24,960.00	$3,328.00	$1,909.44	$998.40
Tractor Operator	2080	$16.50	$17.50	$1.00	$2,080.00	$332.80	$159.12	$83.20
Pest Controller	2080	$17.00	$18.15	$1.15	$2,392.00	$332.80	$182.99	$95.68
Janitors	10400	$15.00	$15.50	$0.50	$5,200.00	$1,664.00	$397.80	$208.00
*Lead Janitor (1)***	2080	*$17.00*	*$18.00*	$1.00	See note	$332.80	$0.00	$0.00
Total	37440				$34,632.00	$5,990.40	$2,649.35	$1,385.28

*FICA and WCI are not applied to H&W since H&W is paid to an insurance plan and not in cash

SCA Price Adjustment Sample

Total SCA labor price adjustment due for the upcoming contract performance period:

$44,657.03

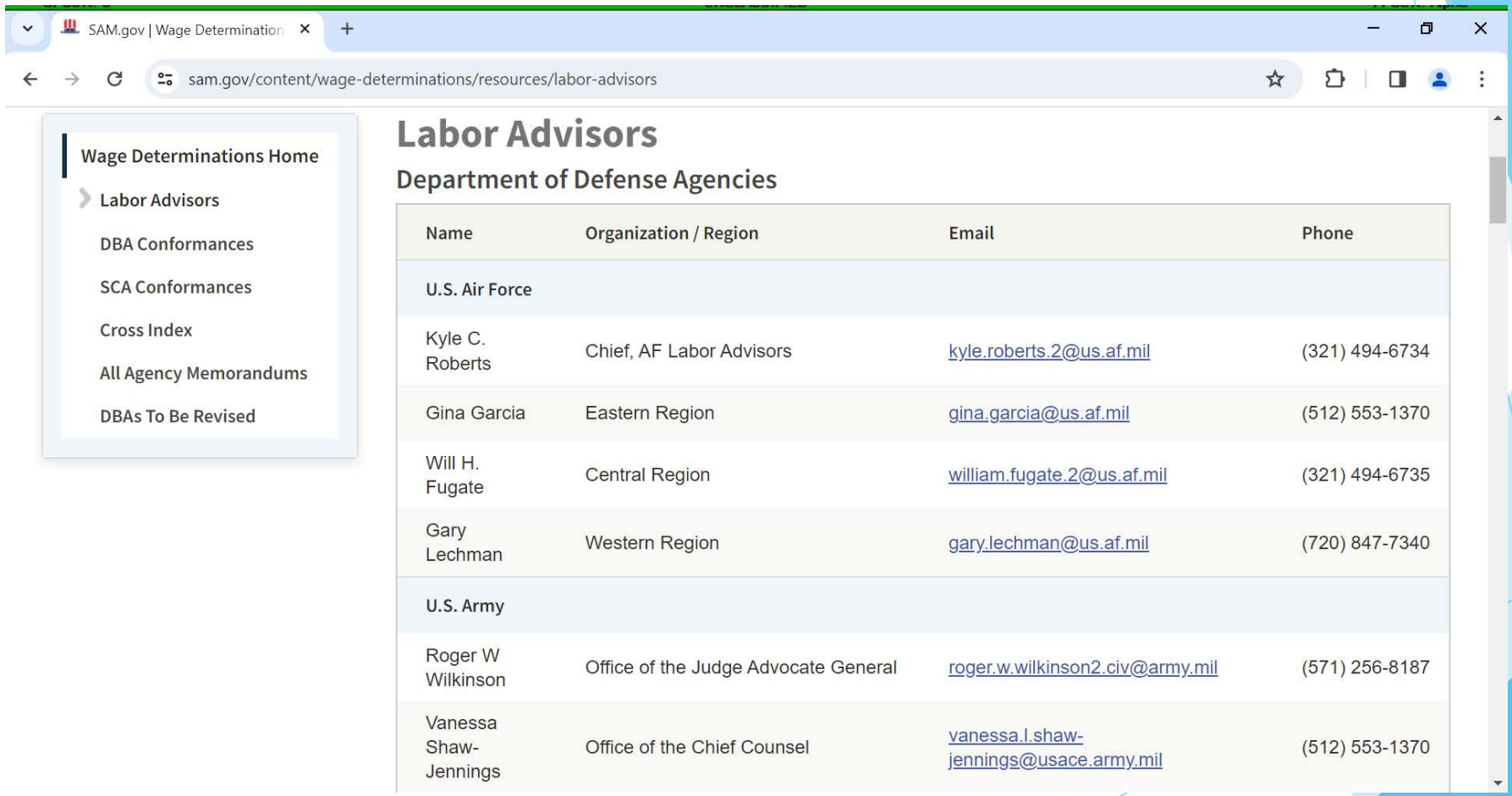
		Hourly Wages							
Title	Hours (2080/yr)	Actual Rate Pd (FY22)	WD 20-2195 rev 10 (FY23)	Delta/Hr	Total Wage Increase	H&W (.16/hr)	FICA (7.65%)*	WC (4%)*	Amount Due
Labor, Grounds Maintenance	20800	$15.00	$16.20	$1.20	$24,960.00	$3,328.00	$1,909.44	$998.40	$31,195.84
Tractor Operator	2080	$16.50	$17.50	$1.00	$2,080.00	$332.80	$159.12	$83.20	$2,655.12
Pest Controller	2080	$17.00	$18.15	$1.15	$2,392.00	$332.80	$182.99	$95.68	$3,003.47
Janitors	10400	$15.00	$15.50	$0.50	$5,200.00	$1,664.00	$397.80	$208.00	$7,469.80
*Lead Janitor (1)***	2080	*$17.00*	*$18.00*	$1.00	See note	$332.80	$0.00	$0.00	$332.80
Total	37440				$34,632.00	$5,990.40	$2,649.35	$1,385.28	$44,657.03

Questions

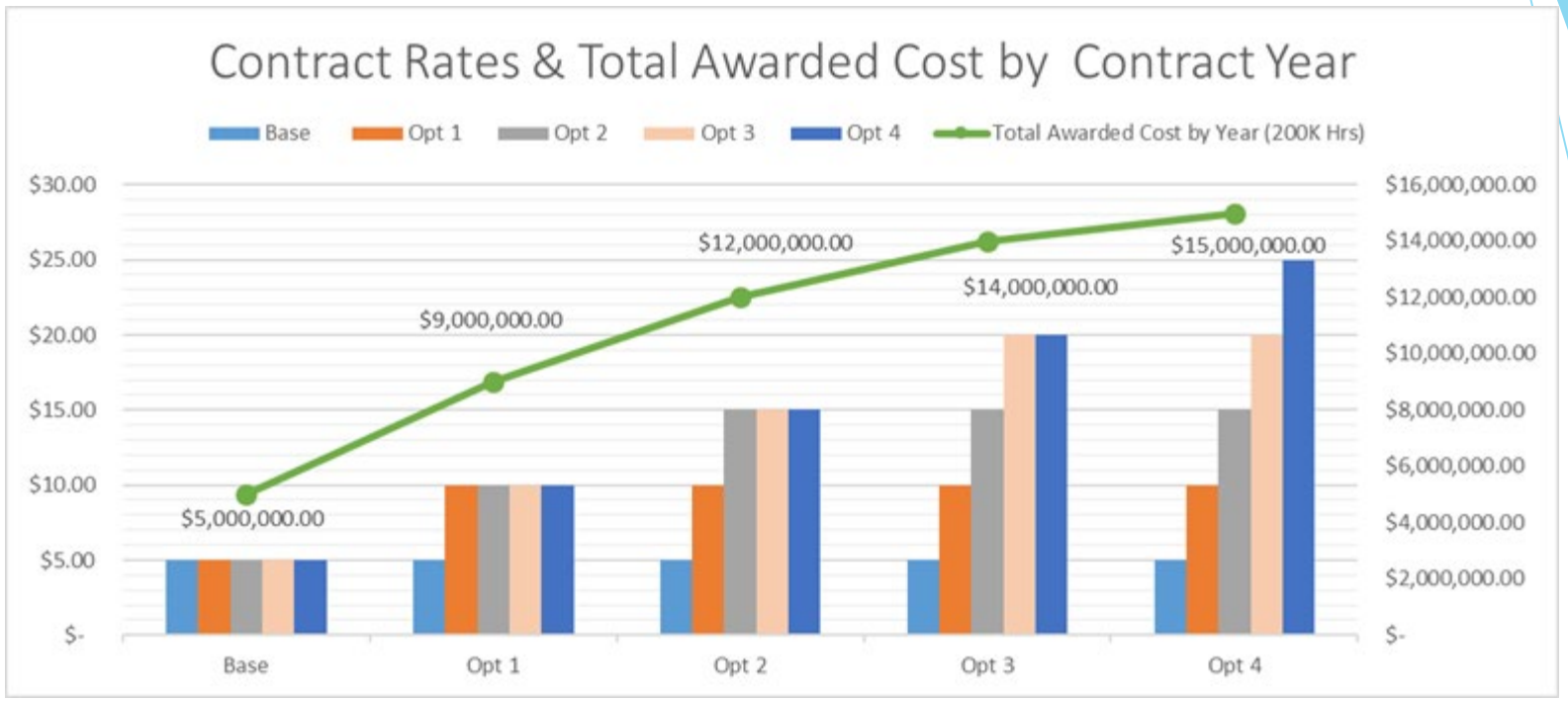


Contact Info

https://sam.gov/content/wage-determinations/resources/labor-advisors



How costs increase over time



	Rates on Contract by Year				
	Base	Opt 1	Opt 2	Opt 3	Opt 4
Base	$ 5.00	$ 5.00	$ 5.00	$ 5.00	$ 5.00
Opt 1	$ 5.00	$ 10.00	$ 10.00	$ 10.00	$ 10.00
Opt 2	$ 5.00	$ 10.00	$ 15.00	$ 15.00	$ 15.00
Opt 3	$ 5.00	$ 10.00	$ 15.00	$ 20.00	$ 20.00
Opt 4	$ 5.00	$ 10.00	$ 15.00	$ 20.00	$ 25.00

	Total Cost by Year (200k Hrs)				
	Base	Opt 1	Opt 2	Opt 3	Opt 4
Base	$ 1,000,000.00	$ 1,000,000.00	$ 1,000,000.00	$ 1,000,000.00	$ 1,000,000.00
Opt 1	$ 1,000,000.00	$ 2,000,000.00	$ 2,000,000.00	$ 2,000,000.00	$ 2,000,000.00
Opt 2	$ 1,000,000.00	$ 2,000,000.00	$ 3,000,000.00	$ 3,000,000.00	$ 3,000,000.00
Opt 3	$ 1,000,000.00	$ 2,000,000.00	$ 3,000,000.00	$ 4,000,000.00	$ 4,000,000.00
Opt 4	$ 1,000,000.00	$ 2,000,000.00	$ 3,000,000.00	$ 4,000,000.00	$ 5,000,000.00
Total Award	**$ 5,000,000.00**	**$ 9,000,000.00**	**$ 12,000,000.00**	**$ 14,000,000.00**	**$ 15,000,000.00**

But wait there's more!

- Frequently asked question: "How do I modify my contract to implement the increase?
- Answer: It depends! The structure of the contract will drive the answer. However, increases do "roll forward" and into future years of the contract.
- Rationale: Once the new WD is incorporated into the contract, the contractor MUST continue to pay AT LEAST the new, increased wage until the contracting officer modifies the contract again and includes a new WD (ref FAR 22.1007). Thus, all remaining future years will feature AT LEAST the increased cost/price associated with the REA just adjudicated.



Office of Labor Management Standards – Starting at 4:45 EST

PREVAILING WAGE SEMINAR: OFFICE OF LABOR MANAGEMENT STANDARDS OVERVIEW

May 21, 2026

OFFICE OF LABOR-MANAGEMENT STANDARDS

OFFICE OF LABOR-MANAGEMENT STANDARDS

CHIEF DIVISION OF COMPLIANCE ASSISTANCE



OLMS MISSION

The Office of Labor-Management Standards (OLMS) helps ensure that workers have a voice in the workplace.

Our office promotes labor-management transparency as well as labor union democracy and financial integrity through standards for union officer elections and union trusteeships and safeguards for union assets.



LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT (LMRDA)

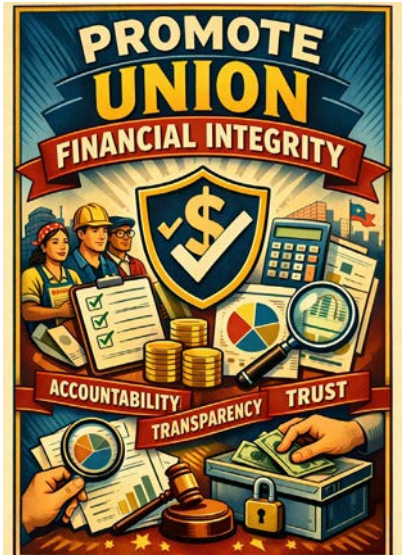
To provide for the **reporting and disclosure** of certain financial transactions and administrative practices of labor organizations and employers, to **prevent abuses in the administration of trusteeships** by labor organizations, to **provide standards with respect to the election of officers** of labor organizations, and for other purposes.

LMRDA Titles
Title I: Bill of Rights of Members of Labor Organizations
Title II: Reporting by Labor Organizations, Officers and Employees of Labor Organizations, and Employers
Title III: Trusteeships
Title IV: Elections
Title V: Safeguards for Labor Organizations
Title VI: Miscellaneous Provisions
Title VII: Amendments to the LMRDA

WHAT WE DO

- Promote Union Financial Integrity
- Promote Labor-Management Transparency
- Promote Democratic Unions









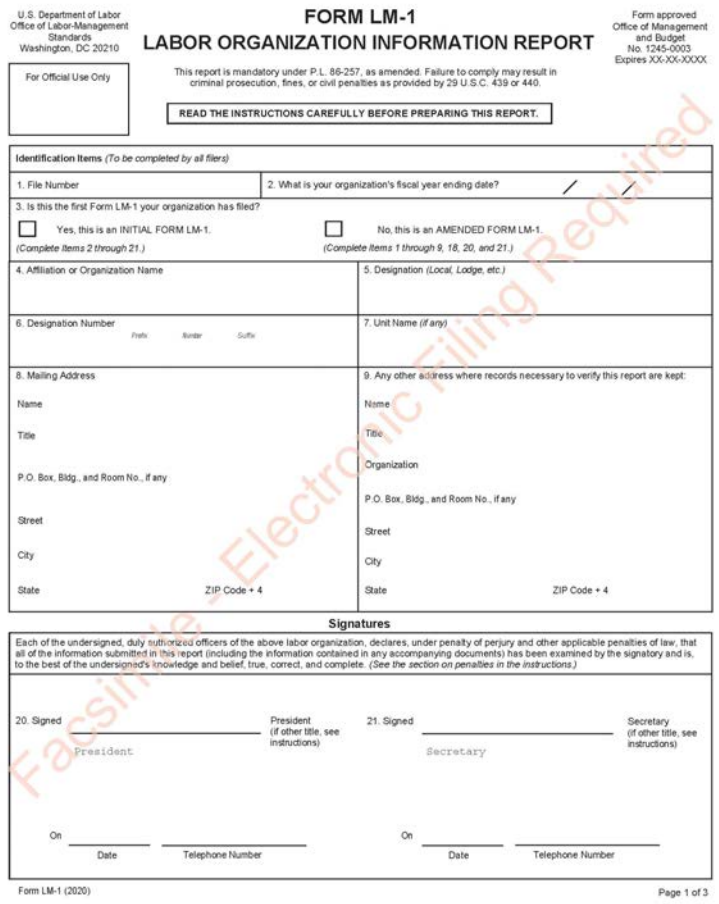
KEY COMMONALITIES BETWEEN COMPLIANCE REQUIREMENTS

Office of Labor-Management Standards



Overview of the Associated Forms and Reporting TRIGGERS

LABOR MANAGEMENT REPORTS



U.S. Department of Labor
Office of Labor-Management Standards
Washington, DC 20210

FORM LM-1
LABOR ORGANIZATION INFORMATION REPORT

Form approved
Office of Management and Budget
No. 1245-0003
Expires XX-XX-XXXX

For Official Use Only

This report is mandatory under P.L. 86-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440.

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

Identification Items *(To be completed by all filers)*

1. File Number
2. What is your organization's fiscal year ending date? / /
3. Is this the first Form LM-1 your organization has filed?
☐ Yes, this is an INITIAL FORM LM-1. *(Complete Items 2 through 21.)*
☐ No, this is an AMENDED FORM LM-1. *(Complete Items 1 through 9, 18, 20, and 21.)*
4. Affiliation or Organization Name
5. Designation *(Local, Lodge, etc.)*
6. Designation Number (Prefix / Number / Suffix)
7. Unit Name *(if any)*
8. Mailing Address
Name
Title
P.O. Box, Bldg., and Room No., if any
Street
City
State ZIP Code + 4
9. Any other address where records necessary to verify this report are kept:
Name
Title
Organization
P.O. Box, Bldg., and Room No., if any
Street
City
State ZIP Code + 4

Signatures

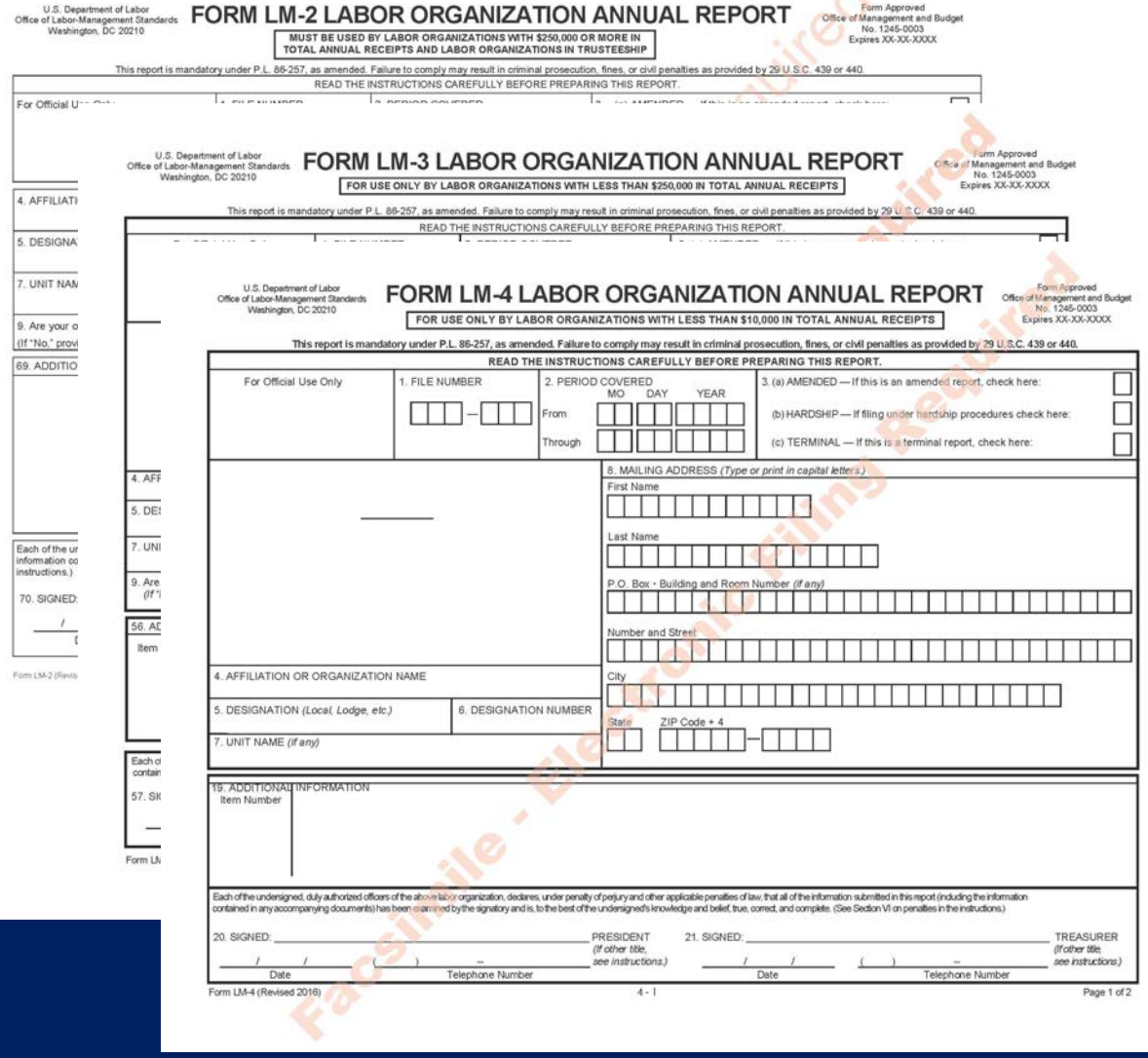
Each of the undersigned, duly authorized officers of the above labor organization, declares, under penalty of perjury and other applicable penalties of law, that all of the information submitted in this report (including the information contained in any accompanying documents) has been examined by the signatory and is, to the best of the undersigned's knowledge and belief, true, correct, and complete. *(See the section on penalties in the instructions.)*

20. Signed _____ President (if other title, see instructions)
President
On _____ Date _____ Telephone Number

21. Signed _____ Secretary (if other title, see instructions)
Secretary
On _____ Date _____ Telephone Number

Form LM-1 (2020) Page 1 of 3

Facsimile - Electronic Filing Required



U.S. Department of Labor
Office of Labor-Management Standards
Washington, DC 20210

FORM LM-2 LABOR ORGANIZATION ANNUAL REPORT

MUST BE USED BY LABOR ORGANIZATIONS WITH $250,000 OR MORE IN TOTAL ANNUAL RECEIPTS AND LABOR ORGANIZATIONS IN TRUSTEESHIP

Form Approved
Office of Management and Budget
No. 1245-0003
Expires XX-XX-XXXX

This report is mandatory under P.L. 86-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440.

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

U.S. Department of Labor
Office of Labor-Management Standards
Washington, DC 20210

FORM LM-3 LABOR ORGANIZATION ANNUAL REPORT

FOR USE ONLY BY LABOR ORGANIZATIONS WITH LESS THAN $250,000 IN TOTAL ANNUAL RECEIPTS

Form Approved
Office of Management and Budget
No. 1245-0003
Expires XX-XX-XXXX

This report is mandatory under P.L. 86-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440.

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

U.S. Department of Labor
Office of Labor-Management Standards
Washington, DC 20210

FORM LM-4 LABOR ORGANIZATION ANNUAL REPORT

FOR USE ONLY BY LABOR ORGANIZATIONS WITH LESS THAN $10,000 IN TOTAL ANNUAL RECEIPTS

Form Approved
Office of Management and Budget
No. 1245-0003
Expires XX-XX-XXXX

This report is mandatory under P.L. 86-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440.

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

For Official Use Only
1. FILE NUMBER
2. PERIOD COVERED MO DAY YEAR From Through
3. (a) AMENDED — If this is an amended report, check here:
(b) HARDSHIP — If filing under hardship procedures check here:
(c) TERMINAL — If this is a terminal report, check here:
8. MAILING ADDRESS *(Type or print in capital letters.)*
First Name
Last Name
P.O. Box - Building and Room Number *(if any)*
Number and Street
City
State ZIP Code + 4
4. AFFILIATION OR ORGANIZATION NAME
5. DESIGNATION *(Local, Lodge, etc.)*
6. DESIGNATION NUMBER
7. UNIT NAME *(if any)*
19. ADDITIONAL INFORMATION
Item Number

Each of the undersigned, duly authorized officers of the above labor organization, declares, under penalty of perjury and other applicable penalties of law, that all of the information submitted in this report (including the information contained in any accompanying documents) has been examined by the signatory and is, to the best of the undersigned's knowledge and belief, true, correct, and complete. (See Section VI on penalties in the instructions.)

20. SIGNED: _____ PRESIDENT *(If other title, see instructions.)*
Date Telephone Number

21. SIGNED: _____ TREASURER *(If other title, see instructions.)*
Date Telephone Number

Form LM-4 (Revised 2016) 4 - 1 Page 1 of 2

Facsimile - Electronic Filing Required

UNION REPORTING

LM-1: Labor Organization Information Report

- Filed when a union first becomes subject to the Labor-Management Reporting and Disclosure Act (LMRDA).
- Provides initial information about the union's structure, constitution, bylaws, officers, and practices.

LM-2: Labor Organization Annual Report (Large Unions)

- Required for unions with $250,000 or more in annual receipts.
- Offers detailed financial disclosures, including itemized schedules of receipts, disbursements, assets, liabilities, and officer compensation.

LM-3: Labor Organization Annual Report (Mid-Sized Unions)

- For unions with $10,000 to $249,999 in annual receipts.
- Provides a more streamlined version of LM-2, with less itemization, but still includes key financial and administrative data.

LM-4: Labor Organization Annual Report (Small Unions)

- Filed by unions with less than $10,000 in annual receipts.
- The simplest financial report, requiring only basic information about receipts, disbursements, and assets.

Form Number and Name	Report Required to be Filed by	Signatures Required	When Due
Form LM-1 (initial) Labor Organization Information Report	Each union subject to the LMRDA or CSRA	President and secretary or corresponding principal officers of the reporting union	Within **90 days** after the union becomes subject to the LMRDA or CSRA
Form LM-1 (amended) Labor Organization Information Report	Each reporting union (except Federal employee unions) which made changes in practices and procedures listed in Item 18 of Form LM-1 which are not contained in the union's constitution and bylaws	President and treasurer or corresponding principal officers of the reporting union	An amended Form LM-1 must be filed electronically at the same time the unions submits its annual financial report—the LM-2, LM-3, or LM-4—for the reporting period in which the change occurred.
Form LM-2 Labor Organization Annual Report	Each reporting union with total annual receipts of $250,000 or more and by the parent union for subordinate unions under trusteeship	President and treasurer or corresponding principal officers of the reporting union or, if under trusteeship at time of filing, by the president and treasurer or corresponding principal officers of the parent union, and trustees of the subordinate union	Within **90 days** after the end of the union's fiscal year or, if the union loses its reporting identity through dissolution, merger, consolidation, within 30 days after date of termination
Form LM-3 Labor Organization Annual Report	Each reporting union with total annual receipts of less than $250,000 may use the simplified Form LM-3 if not in trusteeship	President and treasurer or corresponding principal officers of the reporting union	Within 90 days after the end of the union's fiscal year or, if the union loses its reporting identity through dissolution, merger, consolidation, or otherwise, within 30 days after date of termination
LM-4 Labor Organization Annual Report	Each reporting union with total annual receipts of less than $10,000 may use the abbreviated Form LM-4 if not in trusteeship	President and treasurer or corresponding principal officers of the reporting union	Within **90 days** after the end of the union's fiscal year or, if the union loses its reporting identity through dissolution/merger/consolidation, etc., within 30 days after date of termination

MEMBER ENGAGEMENT & OUTREACH

OLMS encourages unions and affiliates to:

Share OLMS educational materials and compliance resources with members;

Promote awareness of union member rights under the LMRDA and CSRA;

Provide access to LM reports and public disclosure resources;

Use websites, newsletters, trainings, meetings, and other outreach methods to distribute information;

Increase member engagement and participation through education and transparency initiatives; and

Encourage members to utilize OLMS online tools and public disclosure resources to stay informed.



ONLINE PUBLIC DISCLOSURE ROOM (OPDR): IMPORTANCE OF PUBLIC DISCLOSURE

UNITED STATES
DEPARTMENT OF LABOR

www.dol.gov/olms | Telephone: 1-866-401-1109 | TTY: 7-1-1 Telecommunications Relay Service (TRS) | Email: olms-public@dol.gov

** Data refreshed as of 04/13/2026 at 12:07 PM. Click here to Refresh the page **

OFFICE OF LABOR-MANAGEMENT STANDARDS (OLMS) – LM REPORTS AND CONSTITUTIONS AND BYLAWS

DOL Home > OLMS > Online Public Disclosure Room > OPDR

Union Reports | Persuader Reports | CBA Search | Union Officers and Employees Reports | Surety Reports (S-1)

Union Search | Payer/Payee Search | Officer/Employee Search | Trusteeship Reports | Yearly Data Download

User Resources | Export | Reset

Where's my report (numbers only)? Enter the file number Submit

Access Electronic Forms System (EFS)

OLMS does not have jurisdiction over unions representing solely state, county, or municipal employees. These unions do not file financial reports with OLMS.

List of labor organization records based on their latest annual financial report filed (Ordered by the "Latest Report Received" column- Note: terminated labor organizations appear at the end of the list).

File #	Latest Report	Latest Report Re..	Visualizati..	Abbr	Union Name	Designation Name..	Designation Numb..	Unit
###-###	LM-2	MMM DD, YYYY			name contains (i.e teachers)		number	Unit contain
508-782	2025 (LM-2)	Apr 13, 2026	View	AFGE	GOVERNMENT EMPLOYEES AFGE AFL-CIO	LOCAL UNION	3509	HHS
546-567	2025 (LM-2)	Apr 11, 2026	View	NPW	NOVELTY AND PRODUCTION WKRS AFL-CIO	LOCAL UNION	854	AMALGAM
547-148	2025 (LM-2)	Apr 10, 2026	View	AFSCME	STATE COUNTY AND MUNI EMPLS AFL-CIO	COMMITTEE	976	COLORAD
010-653	2025 (LM-2)	Apr 10, 2026	View	IBT	TEAMSTERS	LOCAL UNION	173	

FORM LM-10 & FORM LM-30 – PAYMENTS TO LABOR UNIONS AND UNION OFFICIALS

- Who Files?
  - LM-10: Employers
  - LM-30: The Union Officer/Employee
- What Information is Collected?
  - LM-10: Financial dealings with unions and union representatives
  - LM-30: Financial interests or dealings associated with an employer held by a union officer/employee or their spouse or children
- When are Forms LM-10 and LM-30 Filed?
  - LM-10: Within 90 days after the end of the company's fiscal year
  - LM-30: Within 90 days after the end of the union officer or employee's fiscal year

Statutory Callback: Employer reporting (Form LM-10) finds statutory basis in Section 203(a) of the LMRDA, while Labor Organization Officer and Employee Reports (Form LM-30) find basis in LMRDA Section 202 of the LMRDA.

FORM LM-10, FORM LM-20, & FORM LM-21

- **Who Files?**
  - Every person who enters into an arrangement with an employer under which he or she undertakes activities with an object to persuade employees about exercising their rights to organize and bargain collectively. Consultant files the Form LM-20 and the employer files the Form LM-10.
- **What Information is Collected?**
  - **LM-10/20**: Nature of agreement between consultant and employer, as well as the activities undertaken.
  - **LM-21**: Payments made or received pursuant to agreement explained in Form LM-20
- **When are Forms LM-20 and LM-21 Filed?**
  - **LM-20**: Within 30 days after entering into each reportable agreement/activity
  - **LM-21**: Within 90 days after the end of the consultant's fiscal year

Statutory Callback: Persuader reporting finds statutory basis in Section 203(b) of the LMRDA.
Section 206 of the LMRDA imposes critical recordkeeping obligations on filers of Forms LM-10, LM-20, and LM-21.

FORM LM-10 FEDERAL CONTRACTOR BOX

Item 12b.

"Did you make any payments or enter into any agreements concerning employees performing work pursuant to a federal contract or subcontract?"

If the answer is YES

Unique Entity Identifier (UEI):

The filer must indicate their **Unique Entity Identifier (UEI)**.

If the filer does not have a UEI, they must explicitly state this on the form.

- **Federal Contracting Agency Information:**

  The filer must enter the name of the **Federal contracting agency or agencies** that are a party to the federal contract(s).

  Classified Information Exception:

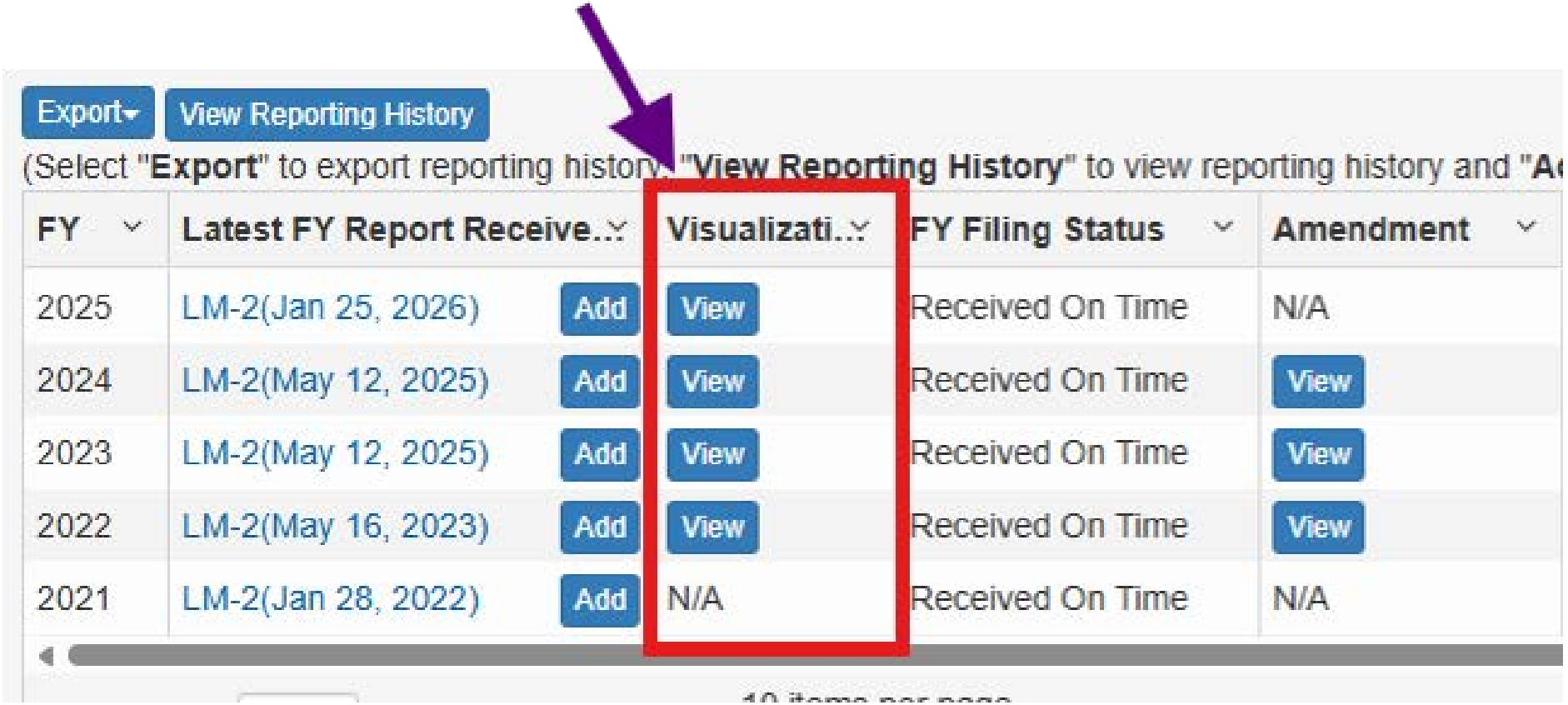
  If revealing the name of the contracting agency would expose classified information, the filer should **omit** the agency's name from the form.



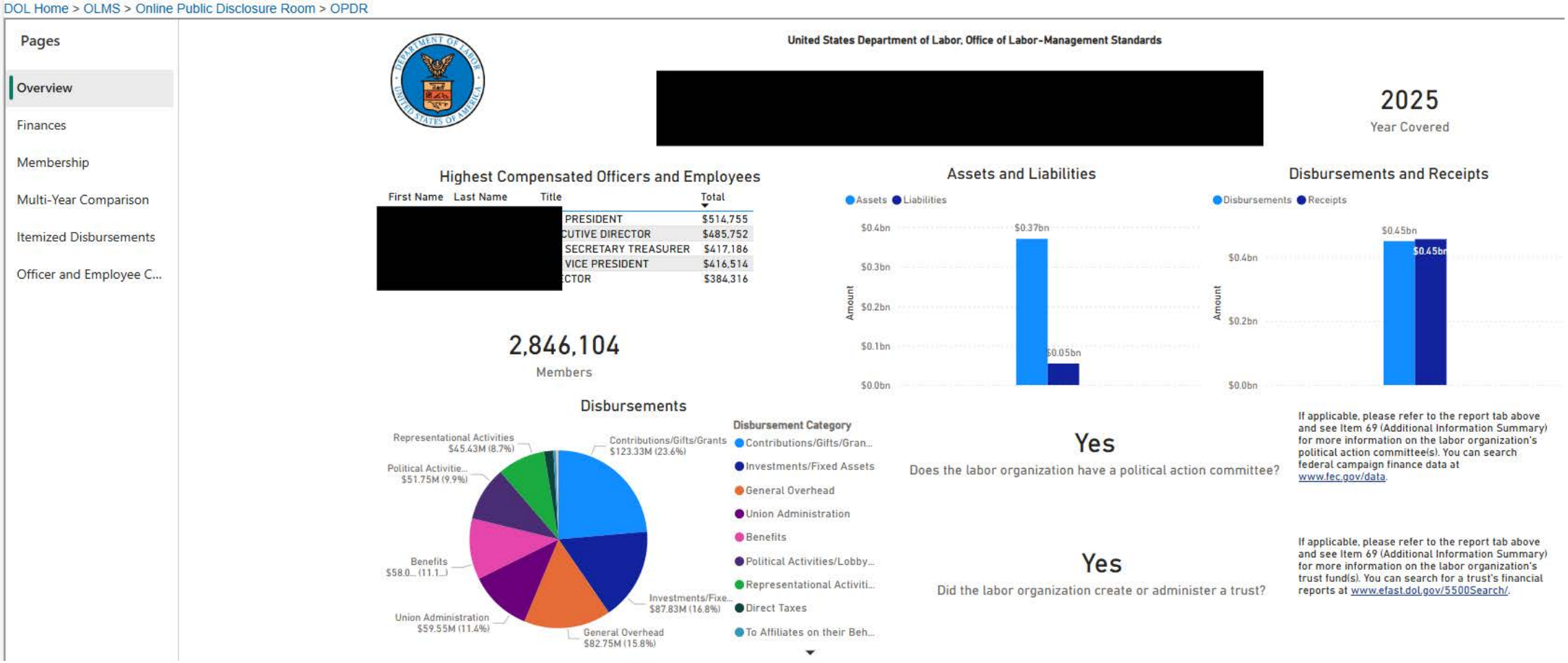
DATA VISUALIZATION DASHBOARD

DASHBOARD DIRECTIONS

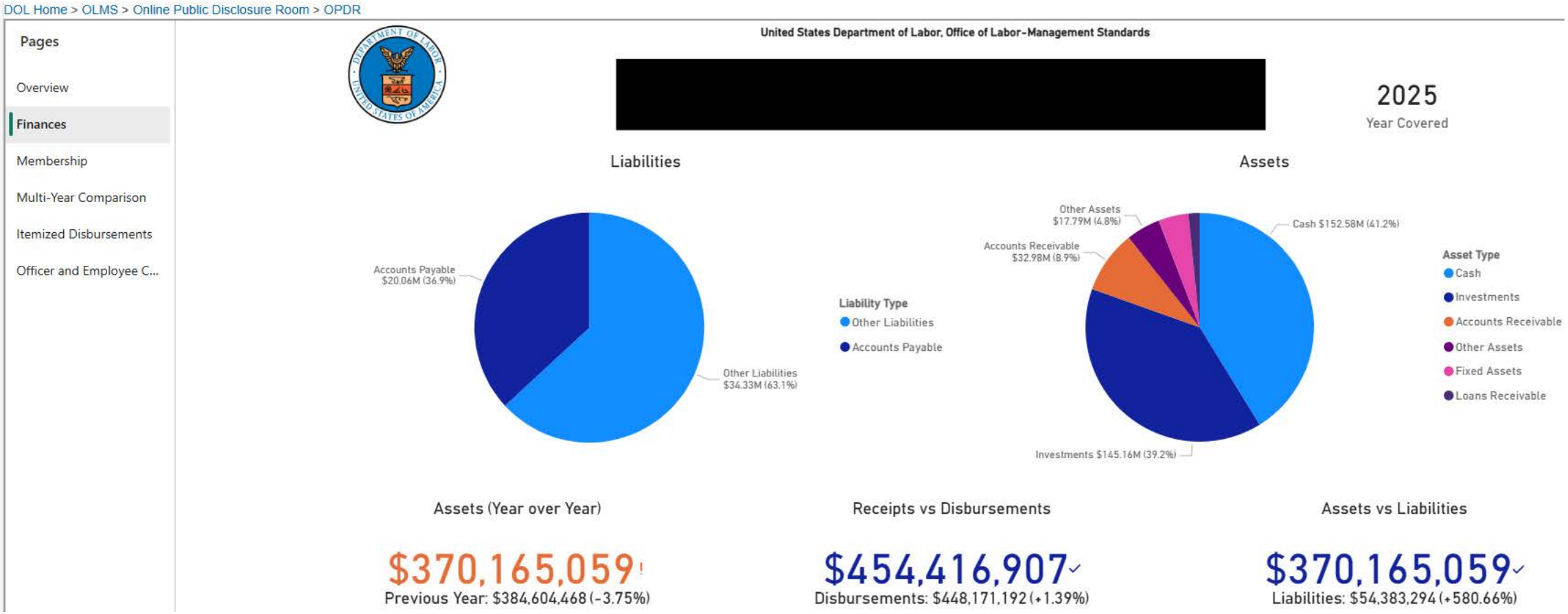
- Visitors to the “Union Reports” tab on the Online Public Disclosure Room (OPDR) or www.unionreports.dol.gov will see a “Visualization” column. When viewing a Form LM- 2 filer, the visualization column will show a “View” button.



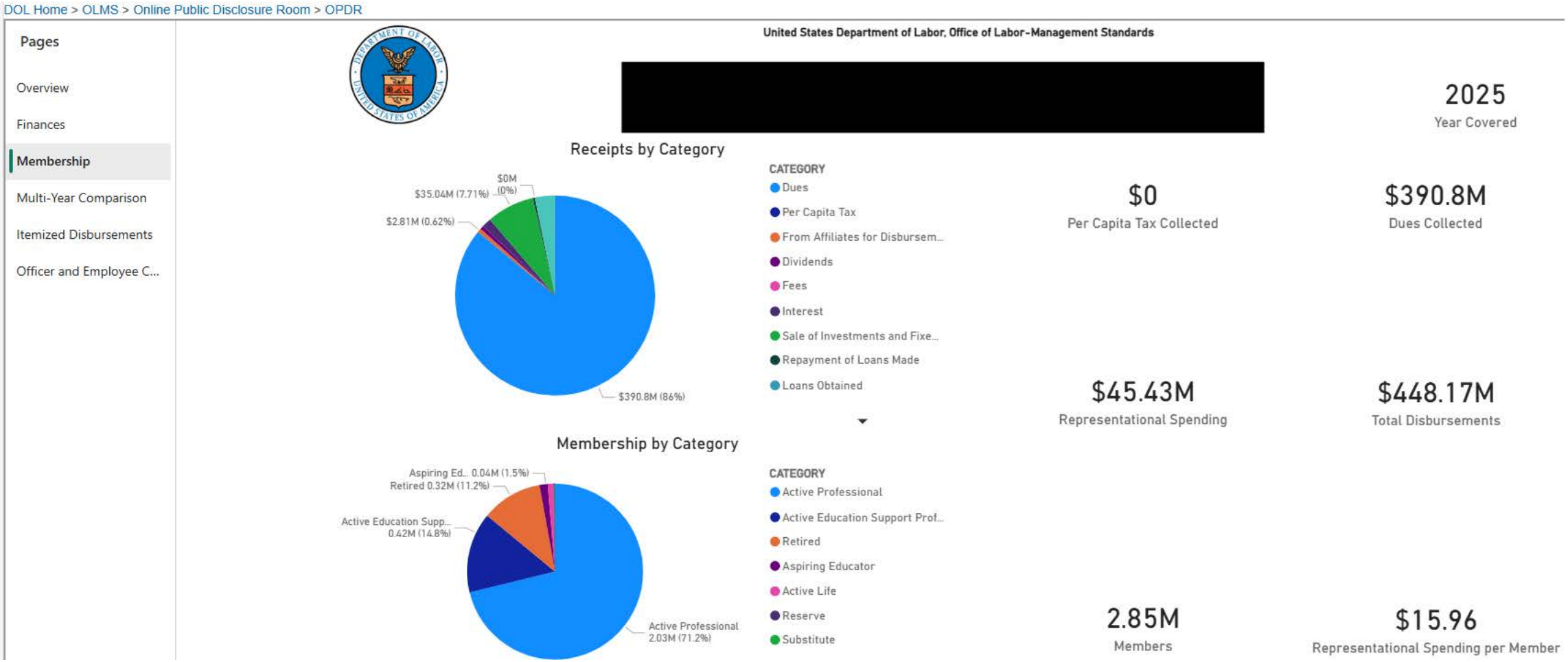
DASHBOARD


DOL Home > OLMS > Online Public Disclosure Room > OPDR
Pages
Overview
Finances
Membership
Multi-Year Comparison
Itemized Disbursements
Officer and Employee C...
United States Department of Labor, Office of Labor-Management Standards
[redacted]
2025
Year Covered
Highest Compensated Officers and Employees
First Name Last Name Title Total
[redacted] PRESIDENT $514,755
CUTIVE DIRECTOR $485,752
SECRETARY TREASURER $417,186
VICE PRESIDENT $416,514
CTOR $384,316
2,846,104
Members
Assets and Liabilities
Assets Liabilities
$0.4bn
$0.3bn
$0.2bn
$0.1bn
$0.0bn
Amount
$0.37bn
$0.05bn
Disbursements and Receipts
Disbursements Receipts
$0.45bn
$0.4bn
$0.2bn
$0.0bn
Amount
$0.45bn
Disbursements
Representational Activities $45.43M (8.7%)
Contributions/Gifts/Grants $123.33M (23.6%)
Political Activitie... $51.75M (9.9%)
Benefits $58.0... (11.1...)
Investments/Fixe... $87.83M (16.8%)
Union Administration $59.55M (11.4%)
General Overhead $82.75M (15.8%)
Disbursement Category
Contributions/Gifts/Gran...
Investments/Fixed Assets
General Overhead
Union Administration
Benefits
Political Activities/Lobby...
Representational Activiti...
Direct Taxes
To Affiliates on their Beh...
Yes
Does the labor organization have a political action committee?
If applicable, please refer to the report tab above and see Item 69 (Additional Information Summary) for more information on the labor organization's political action committee(s). You can search federal campaign finance data at www.fec.gov/data.
Yes
Did the labor organization create or administer a trust?
If applicable, please refer to the report tab above and see Item 69 (Additional Information Summary) for more information on the labor organization's trust fund(s). You can search for a trust's financial reports at www.efast.dol.gov/5500Search/.

DASHBOARD


DOL Home > OLMS > Online Public Disclosure Room > OPDR
Pages
Overview
Finances
Membership
Multi-Year Comparison
Itemized Disbursements
Officer and Employee C...
United States Department of Labor, Office of Labor-Management Standards
[redacted]
2025
Year Covered
Liabilities
Accounts Payable $20.06M (36.9%)
Other Liabilities $34.33M (63.1%)
Liability Type
Other Liabilities
Accounts Payable
Assets
Other Assets $17.79M (4.8%)
Accounts Receivable $32.98M (8.9%)
Cash $152.58M (41.2%)
Investments $145.16M (39.2%)
Asset Type
Cash
Investments
Accounts Receivable
Other Assets
Fixed Assets
Loans Receivable
Assets (Year over Year)
$370,165,059
Previous Year: $384,604,468 (-3.75%)
Receipts vs Disbursements
$454,416,907
Disbursements: $448,171,192 (+1.39%)
Assets vs Liabilities
$370,165,059
Liabilities: $54,383,294 (+580.66%)

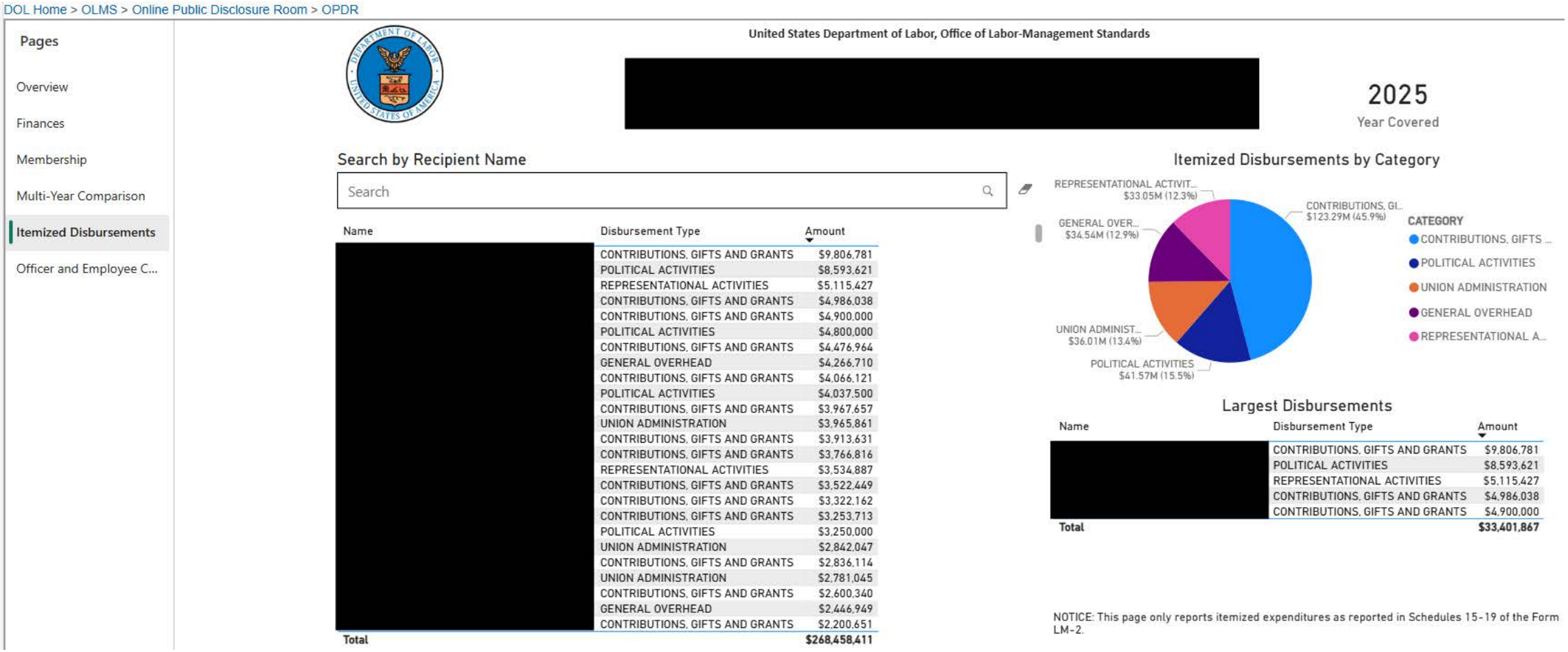
DASHBOARD


DOL Home > OLMS > Online Public Disclosure Room > OPDR
Pages
Overview
Finances
Membership
Multi-Year Comparison
Itemized Disbursements
Officer and Employee C...
United States Department of Labor, Office of Labor-Management Standards
[redacted]
2025
Year Covered
Receipts by Category
$0M (0%)
$35.04M (7.71%)
$2.81M (0.62%)
$390.8M (86%)
CATEGORY
Dues
Per Capita Tax
From Affiliates for Disbursem...
Dividends
Fees
Interest
Sale of Investments and Fixe...
Repayment of Loans Made
Loans Obtained
$0
Per Capita Tax Collected
$390.8M
Dues Collected
$45.43M
Representational Spending
$448.17M
Total Disbursements
Membership by Category
Aspiring Ed... 0.04M (1.5%)
Retired 0.32M (11.2%)
Active Education Supp... 0.42M (14.8%)
Active Professional 2.03M (71.2%)
CATEGORY
Active Professional
Active Education Support Prof...
Retired
Aspiring Educator
Active Life
Reserve
Substitute
2.85M
Members
$15.96
Representational Spending per Member

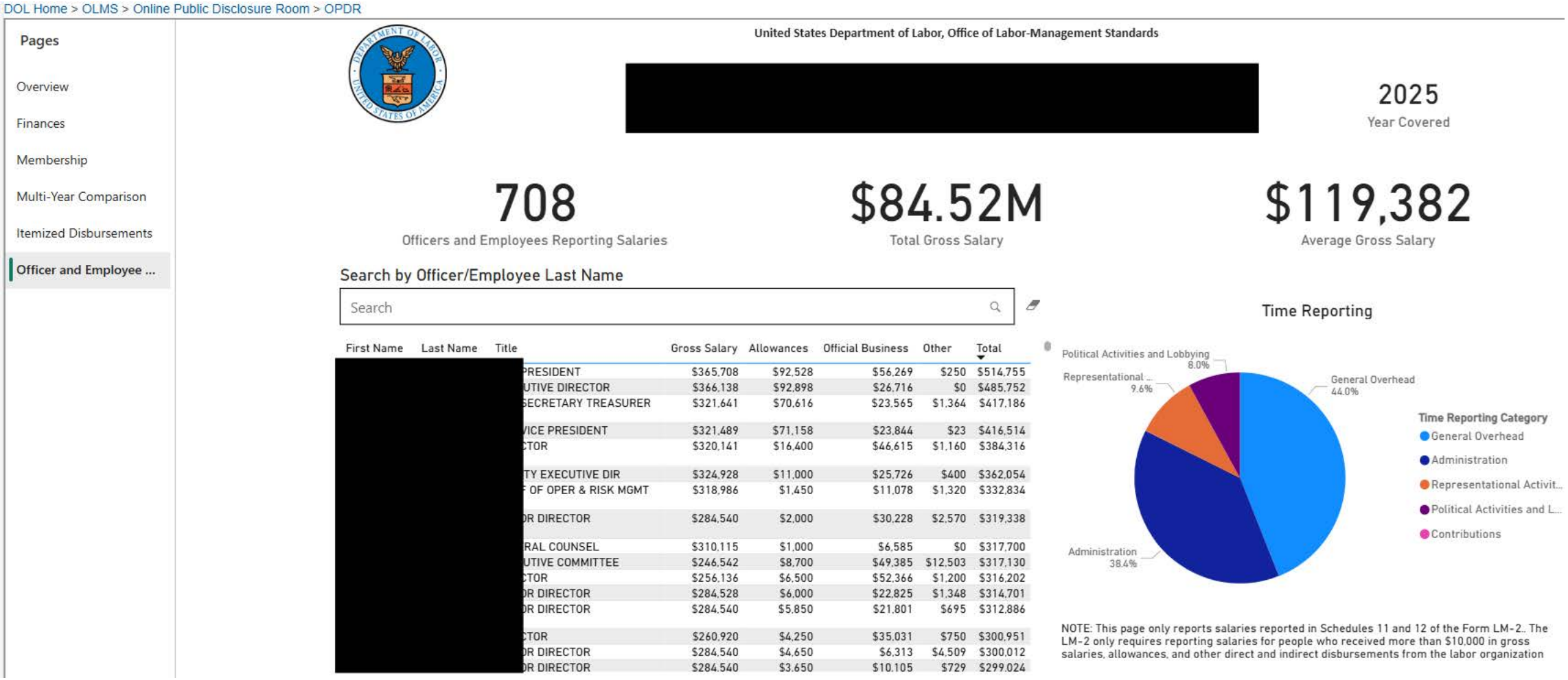
DASHBOARD


DOL Home > OLMS > Online Public Disclosure Room > OPDR
Pages
Overview
Finances
Membership
Multi-Year Comparison
Itemized Disbursements
Officer and Employee C...
United States Department of Labor, Office of Labor-Management Standards
[redacted]
2025
Year Covered
Dues Collected by Year
$400M
$380M
Amount
2022
2023
2024
2025
Year
Highest Officer/Employee Salary by Year
$500K
$450K
Salary
2022
2023
2024
2025
Year
Membership by Year
2,880K
2,860K
2,840K
2,820K
Members
2022
2023
2024
2025
Year
Liabilities by Year
Accounts Paya...
Loans Payable
Mortgage Pa...
Other Liabiliti...
$60M
$40M
$20M
$0M
Amount
2022
2023
2024
2025
Year
Political Activity and Lobbying Spending by Year
$60M
$40M
$20M
$0M
Amount
2022
2023
2024
2025
Year
Assets by Year
Accounts Payable
Accounts Recei...
Cash
Fixed Assets
Investments
Loans Payable
$0.4bn
$0.2bn
$0.0bn
Amount
2022
2023
2024
2025
Year

DASHBOARD


DOL Home > OLMS > Online Public Disclosure Room > OPDR
Pages
Overview
Finances
Membership
Multi-Year Comparison
Itemized Disbursements
Officer and Employee C...
United States Department of Labor, Office of Labor-Management Standards
[redacted]
2025
Year Covered
Search by Recipient Name
Search
Name
Disbursement Type
Amount
[redacted]
CONTRIBUTIONS, GIFTS AND GRANTS $9,806,781
POLITICAL ACTIVITIES $8,593,621
REPRESENTATIONAL ACTIVITIES $5,115,427
CONTRIBUTIONS, GIFTS AND GRANTS $4,986,038
CONTRIBUTIONS, GIFTS AND GRANTS $4,900,000
POLITICAL ACTIVITIES $4,800,000
CONTRIBUTIONS, GIFTS AND GRANTS $4,476,964
GENERAL OVERHEAD $4,266,710
CONTRIBUTIONS, GIFTS AND GRANTS $4,066,121
POLITICAL ACTIVITIES $4,037,500
CONTRIBUTIONS, GIFTS AND GRANTS $3,967,657
UNION ADMINISTRATION $3,965,861
CONTRIBUTIONS, GIFTS AND GRANTS $3,913,631
CONTRIBUTIONS, GIFTS AND GRANTS $3,766,816
REPRESENTATIONAL ACTIVITIES $3,534,887
CONTRIBUTIONS, GIFTS AND GRANTS $3,522,449
CONTRIBUTIONS, GIFTS AND GRANTS $3,322,162
CONTRIBUTIONS, GIFTS AND GRANTS $3,253,713
POLITICAL ACTIVITIES $3,250,000
UNION ADMINISTRATION $2,842,047
CONTRIBUTIONS, GIFTS AND GRANTS $2,836,114
UNION ADMINISTRATION $2,781,045
CONTRIBUTIONS, GIFTS AND GRANTS $2,600,340
GENERAL OVERHEAD $2,446,949
CONTRIBUTIONS, GIFTS AND GRANTS $2,200,651
Total $268,458,411
Itemized Disbursements by Category
REPRESENTATIONAL ACTIVIT... $33.05M (12.3%)
CONTRIBUTIONS, GI... $123.29M (45.9%)
GENERAL OVER... $34.54M (12.9%)
UNION ADMINIST... $36.01M (13.4%)
POLITICAL ACTIVITIES $41.57M (15.5%)
CATEGORY
CONTRIBUTIONS, GIFTS ...
POLITICAL ACTIVITIES
UNION ADMINISTRATION
GENERAL OVERHEAD
REPRESENTATIONAL A...
Largest Disbursements
Name
Disbursement Type
Amount
[redacted]
CONTRIBUTIONS, GIFTS AND GRANTS $9,806,781
POLITICAL ACTIVITIES $8,593,621
REPRESENTATIONAL ACTIVITIES $5,115,427
CONTRIBUTIONS, GIFTS AND GRANTS $4,986,038
CONTRIBUTIONS, GIFTS AND GRANTS $4,900,000
Total $33,401,867
NOTICE: This page only reports itemized expenditures as reported in Schedules 15-19 of the Form LM-2.

DASHBOARD


DOL Home > OLMS > Online Public Disclosure Room > OPDR
Pages
Overview
Finances
Membership
Multi-Year Comparison
Itemized Disbursements
Officer and Employee ...
United States Department of Labor, Office of Labor-Management Standards
[redacted]
2025
Year Covered
708
Officers and Employees Reporting Salaries
$84.52M
Total Gross Salary
$119,382
Average Gross Salary
Search by Officer/Employee Last Name
Search
First Name Last Name Title Gross Salary Allowances Official Business Other Total
[redacted] PRESIDENT $365,708 $92,528 $56,269 $250 $514,755
UTIVE DIRECTOR $366,138 $92,898 $26,716 $0 $485,752
SECRETARY TREASURER $321,641 $70,616 $23,565 $1,364 $417,186
VICE PRESIDENT $321,489 $71,158 $23,844 $23 $416,514
CTOR $320,141 $16,400 $46,615 $1,160 $384,316
TY EXECUTIVE DIR $324,928 $11,000 $25,726 $400 $362,054
F OF OPER & RISK MGMT $318,986 $1,450 $11,078 $1,320 $332,834
OR DIRECTOR $284,540 $2,000 $30,228 $2,570 $319,338
RAL COUNSEL $310,115 $1,000 $6,585 $0 $317,700
UTIVE COMMITTEE $246,542 $8,700 $49,385 $12,503 $317,130
CTOR $256,136 $6,500 $52,366 $1,200 $316,202
OR DIRECTOR $284,528 $6,000 $22,825 $1,348 $314,701
OR DIRECTOR $284,540 $5,850 $21,801 $695 $312,886
CTOR $260,920 $4,250 $35,031 $750 $300,951
OR DIRECTOR $284,540 $4,650 $6,313 $4,509 $300,012
OR DIRECTOR $284,540 $3,650 $10,105 $729 $299,024
Time Reporting
Political Activities and Lobbying 8.0%
Representational ... 9.6%
General Overhead 44.0%
Administration 38.4%
Time Reporting Category
General Overhead
Administration
Representational Activit...
Political Activities and L...
Contributions
NOTE: This page only reports salaries reported in Schedules 11 and 12 of the Form LM-2.. The LM-2 only requires reporting salaries for people who received more than $10,000 in gross salaries, allowances, and other direct and indirect disbursements from the labor organization

COLLECTIVE BARGAINING AGREEMENTS FILE: ONLINE LISTINGS OF PRIVATE AND PUBLIC SECTOR AGREEMENTS

- OLMS accepts and posts CBAs received voluntarily from either the employer or the labor union (or their employees or agents), singly or jointly. However, if either of these parties' objects, OLMS will not accept the CBA. As a result, some materials may not be current or available for all major bargaining units
- Further, OLMS does not collect CBAs from the railroad and airline industries. The National Mediation Board is responsible for copies of CBAs covering railroads and airlines



Submit Collective Bargaining Agreements (CBA)

Please use this page to submit an electronic version of a collective bargaining agreement (CBA). The CBA will be posted on the Online Public Disclosure Room | U.S. Department of Labor (dol.gov).

Collective bargaining agreements are labor contracts between one or more employers and one or more unions. The Department of Labor has been collecting CBAs since 1947 "for the guidance and information of interested representatives of employers, employees, and the general public." Your CBA could help researchers, historians, scholars, and policymakers learn about labor economics, workplace trends, and the impacts of labor policies on different sectors of the workforce. It may also be valuable for benchmarking terms and improving future negotiations. Please visit the OLMS database information page for further information on the program.

If an employer or a labor union official advises OLMS that they object to the CBA being posted, the CBA will be removed from the Online Public Disclosure Room.

For more information on the NAICS and to look up codes, visit the NAICS Census Bureau page.

Please enter the necessary information below.

Employer Name*
Employer Name

Union Name*
Union Name

Email Address*
Email Address

Location(s)*
Select from the dropdown or enter state name
Select all states that apply.

Expiration Date*
MM/DD/YYYY

NAICS
NAICS (numbers only)

Number of Employees
Number of Employees (numbers only)

CBA File Upload*



Drag and drop file here

or

Browse for file

Upload Clear

OFFICE OF LABOR-MANAGEMENT STANDARDS



The Office of Labor-Management Standards (OLMS) helps ensure that workers have a voice in the workplace. Our office promotes labor-management transparency as well as labor union democracy and financial integrity through standards for union officer elections and union trusteeships and safeguards for union assets.

Questions: OLMS-Public@dol.gov