

Subpart 522.4 - Labor Standards for Contracts Involving Construction

Parent topic: [Part 522 - Application of Labor Laws to Government Acquisitions](#)

522.404 Construction Wage Rate Requirements wage determinations.

522.404-6 Modifications of wage determinations.

The contracting director shall serve as the agency head for purposes of requesting extensions under FAR 22.404-6(b)(6).

522.406 Administration and enforcement.

522.406-6 Payrolls and statements.

Weekly payrolls and statements of compliance with respect to payment of wages are not required from a prime contractor or a subcontractor that personally performs work.

522.406-7 [Reserved]

522.406-8 Investigations.

(a) If a compliance check uncovers information of possible violations, the contracting officer shall consult with OGC and, if warranted, submit a request to the appropriate Office of the Inspector General Field Office under FAR 22.406-8(a).

(b) The contracting officer shall review [502.101](#), to determine who the agency head is for purposes of FAR 22.406-8(d).

522.406-9 Withholding from or suspension of contract payments.

Contracting officers shall follow the procedures in [522.302](#) in order to assess liquidated damages.

522.406-10 Disposition of disputes concerning construction contract labor standards enforcement.

Submit the information required by FAR 22.406-10(d) to the Administrator, Wage and Hour Division,

Department of Labor and submit a copy to the agency labor advisor.

522.406-11 Contract terminations.

When a contract or subcontract is terminated for labor standards violations, the contracting officer shall submit the report required by FAR 22.406-11 to the Administrator, Wage and Hour Division, Department of Labor and submit a copy to the agency labor advisor.

522.406-13 Semiannual enforcement reports.

(a) PBS and FAS shall report through the Commissioners the semiannual enforcement reports required by FAR 22.406-13, in the format described in paragraph (d) of this section. The Commissioner will consolidate the regional and central office information and submit the report to the agency labor advisor, Office of Acquisition Policy. The report must identify the service submitting the report and the name, phone number, and email address of the official responsible for preparing the report.

(b) Central Office Contracting Offices outside of FAS and PBS must submit the reports directly to the agency labor advisor. Each report must identify the contracting office and the name, phone number, and e-mail address of the official responsible for preparing the report.

(c) The reports from the FAS and PBS and Central Office Contracting Offices must be submitted to the agency labor advisor within 15 calendar days after the end of the reporting periods. The ALA will consolidate the reports and submit an official agency report to the:

U.S. Department of Labor (DOL)

Wage and Hour Division

Office of Enforcement Policy

Government Contracts Team

Room S3018

200 Constitution Avenue, N.W.

Washington, DC 20210

E-Mail Address: osp@fenix2.dol-esa.gov.

(d) The official agency report shall include only the compliance or enforcement of the labor standards requirements for the time periods specified in FAR 22.406-13, and identify the responsible agency official, title, address, phone number, and email address. The report shall be submitted to DOL within 30 calendar days after the end of the reporting periods using the following instructions and format:

SEMI-ANNUAL ENFORCEMENT REPORT

FY ____

1. Enter the beginning and ending dates of the period covered by the semiannual report. _____
2. Enter the total number of prime contracts awarded subject to Construction Wage Rate Requirements statute or the Contract Work Hours and Safety Standards Act awarded during the period covered by this report. _____
3. Enter the total dollar value of the contracts listed on line 2. _____
4. Enter the total number of contractors/subcontractors against whom complaints were received. _____
5. Enter the total number of investigations completed. _____
6. Enter the total number of contractors/subcontractors found in violation as a result of the investigations reported on line 5. _____
7. Enter the total amount of back wages determined due employees by contractors/subcontractors under the:
 - a) Construction Wage Rate Requirements statute (prevailing wage violations). _____
 - b) Contract Work Hours and Safety Standards Act (overtime violations). _____
8. Enter the total amount of back wages paid employees by contractors/subcontractors reported on line 6, for the:
 - a) Construction Wage Rate Requirements statute (prevailing wage violations). _____
 - b) Contract Work Hours and Safety Standards Act (overtime violations). _____
9. Enter the total number of employees paid wage restitution as reported on line 8, under the Construction Wage Rate Requirements statute and/or Contract Work Hours and Safety Standards Act. _____
10. Enter the amount of liquidated damages assessed as a result of violations under the Contract Work Hours and Safety Standards Act. _____

Remarks: (Enter any explanation or comment considered necessary for proper understanding of the report.)