

DAVIS BACON RELATED ACTS JOB

What is ApprenticeshipIdaho?

ApprenticeshipIdaho is the “brand” name that the IDOL apprenticeship division works under.

What does ApprenticeshipIdaho team DO?

We act as the liaisons between Idaho employers and the USDOL-Office of Apprenticeship. We help employers develop their Registered Apprenticeship Programs (RAPs), write the standards, and get them registered. After supporting the employer through the process of USDOL-OA registration, we then give on-going technical assistance to the sponsor to help them accurately maintain their records, get information, and expand apprenticeship programming. Nearly, every Registered Apprenticeship Program in the state of Idaho gets developed in our office.

When is a USDOL Registered Apprenticeship Program Important to Your Company?

If your company is a contractor or a sub-contractor on a Davis-Bacon and Related Acts (DBRA) job (also referred to as a “prevailing wage” job), you will want to have Standards of Registered Apprenticeship Programs in place BEFORE or at the time of contract bidding.

Davis-Bacon and Related Acts (DBRA) require all contractors and subcontractors performing work on federal construction contracts or federally assisted contracts in excess of \$2,000 to pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits for corresponding classes of laborers and mechanics employed on similar projects in the area. The prevailing wage rates and fringe benefits are determined by the Secretary of Labor for inclusion in covered contracts.

Per Davis Bacon requirement: the only workers who can be paid less than the wage rate on the wage decision for their work classification are “apprentices” and “trainees” registered in approved apprenticeship or training programs. Approved programs are those which have been registered with the US Department of Labor, Employment and Training Administration (ETA), USDOL Office of Apprenticeship (OA) or with a recognized State Apprenticeship Agency (SAC).

Why is it important to get apprenticeship standards registered with the USDOL-Office of Apprenticeship?

If you’re apprenticeship program and your apprentices are not registered with the USDOL, you may lose money. Here’s why:

Apprentices and trainees registered in approved programs are the only workers that can be paid less than the prevailing wage rate for their craft on DBRA jobs. Apprentices must be paid based on a wage schedule in an approved program, which is normally a percentage of the prevailing wage rate for a journeyworker, and a ratio of 1 apprentice to 1 journeywork must be adhered to in a DBRA job.

Any worker listed on a payroll at an apprentice wage rate, who is not registered with or in a program approved by DOL, ETA, or OA, shall be paid the Davis Bacon wage rate for the classification of work actually performed (journeyworker rate). The prime contractor or subcontractor will be required to furnish to the labor standards compliance person written evidence of the registration of his/her employees in a DOL approved program.

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What can you do if you're a subcontractor on a DBRA job?

Before you bid, ask for a copy of the prime contractor's Registered Apprenticeship Program standards or certificate of proof of registration.

The following items should be included in the contract with the prime contractor:

1. U.S. Dept. of Labor (DOL) wage determinations for the project type and location
2. Requirement for sub-contractors to apply the same wage determinations
3. Requirement for the wage determinations and Davis-Bacon poster WH-1321 (Appendix E) to be posted at all times by the contractor and sub-contractors at the work site in a prominent and accessible place

Additionally, prime and sub-contractors must provide certifications with submitted bids agreeing to comply with Davis-Bacon requirements which include a 1:1 ratio amongst other requirements. *If any portion of the construction contract is receiving funding subject to Davis-Bacon, the entire contract is subject to Davis-Bacon.*

If the prime contractor cannot provide proof of a Registered Apprenticeship Program, **it is YOUR responsibility for proving that your apprentices are qualified to be paid the apprentice wage rate** and not the journeyman wage.

Contact the *ApprenticeshipIdaho* team right away to develop standards.

What can you do if you're already working on a DBRA job, and your company does not have a RAP?

If you have apprentices working on that job, contact *ApprenticeshipIdaho* right away to develop standards. If utilizing apprentices are not part of your contracted bid, then this will not affect your contract.

IMPORTANT NOTE: Any apprentice work hours previously done on the job do not qualify for apprentice wage rate and those hours will be paid at the journeyworker rate. Apprentice hours after registration qualify under DBRA regulations, and can then be paid the apprentice wage rate after the program registration date.

Who is on the ApprenticeshipIdaho team?

- Michelle Stout is the Apprenticeship Coordinator –Program Development. She works with an employer at the beginning to develop their RAP. All new sponsorship leads will go through Michelle and/or Gina for development. Michelle Stout - Phone: (208) 457-8789 ext. 3211 Email: Michelle.Stout@labor.idaho.gov
- Jinny Boozer is the Apprenticeship Coordinator –Technical Assistance. After an employer or organization develops and registers their RAP, then Jinny takes over to be a sort of “personal assistant” to the sponsors and helps train them regarding the technical knowledge they need in maintaining their programs. Jinny Boozer - Phone: (208) 557-2500 ext. 4084 Email: Jinny.Boozer@labor.idaho.gov
- Gina Robison, Program Supervisor – Writes the standards, manages division development, works in partner development, outreach and communications, trainings, and reporting. Gina Robison - Phone: (208) 332-3570 ext. 4168 Email: Gina.Robison@labor.idaho.gov

Who is the USDOL-Office of Apprenticeship Director for Idaho?

- Robert Snyder, USDOL, Office of Apprenticeship Idaho State Director -- Ph: (208) 321-2973, Cell: (563) 528-2569, E-Mail: Snyder.robert@dol.gov