



PREVAILING WAGE LAW CHECK-OFF LIST

The state of Missouri requires workers on all public works projects to be paid prevailing wage. Under this law, public bodies have certain duties to fulfill (see section 290.220, RSMo). To assist public bodies and contractors, the Division of Labor Standards has created this "Check-Off List" to simplify the process.

I

Before Contract Is Let

- Request a wage order from the Division of Labor Standards to include in your call for bids (see sections 290.250 and 290.325, RSMo).
- Send a Prevailing Wage Project Notification – Contractor Information Notification (PW-2 form) to the Division before beginning any work. We suggest you send it in when the project is bid. This ensures the Division receives it timely (see section 290.262(10), RSMo, and 8 CSR 30-3.010(3)).
- Insert a statement in the contract that not less than the prevailing wage included must be paid to all workers performing work under the contract (see section 290.250, RSMo).
- Insert a statement in the contract that the contractor will forfeit a penalty to the contracting public body of \$100 per day (or portion of a day) if a worker is paid less than the prevailing rate for any work done under the contract by the contractor or by any subcontractor (see section 290.250, RSMo).
- Check if a wage subsidy, bid supplement or rebate was provided, and if so, if it was provided lawfully. The amount and date of such subsidy, supplement or rebate shall be reported to the public body within 30 days of receipt of payment (see section 290.095, RSMo).

II

While Contract Is Being Performed

- Contact the Division of Labor Standards if you are made aware of any possible prevailing wage violation. The Division always is available to assist you and your staff with complying with the law.
- Make sure a legible list of all prevailing wage rates remains posted in a prominent and easily accessible place at the worksite by each contractor and subcontractor on the project. Require the notice to be posted during the full time that any worker is employed on the job (see section 290.265, RSMo).
- Review records of wages paid to all workers employed on the contract to assure workers are paid properly (see section 290.290, RSMo). Records should be kept within the state by the contractor and each subcontractor for a period of one year following completion of the public works project.

III

Before Contract Is Fully Paid

- Before final payment can be made, the general contractor and all subcontractors must file an Affidavit of Compliance with the contracting public body. The affidavit must state the party has fully complied with Missouri's Prevailing Wage Law. No payment can be legally made by the public body to the contractor(s) until this affidavit is filed in proper form and order with the public body (see section 290.290 and 290.325, RSMo).
- Withhold and retain amounts due as a result of any violations of the Prevailing Wage Law (see section 290.250, RSMo).

The Division of Labor Standards always is available to answer questions and provide assistance with a prevailing wage project. Please contact us anytime at:

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