



September 18, 2009

Office of Community Services

INFORMATION UPDATE

TO: Home Weatherization Assistance Program (HWAP) Executive Directors,  
Energy Coordinators and Fiscal Staff, OPAE, and OACAA  
FROM: Nick Sunday, Chief, Office of Community Services (OCS)  
SUBJECT: Department of Labor Prevailing Wage Training



As you already know, the Office of Community Services (OCS), in partnership with the Ohio Association of Community Action Agencies, has scheduled a Prevailing Wage Training on **October 5, 2009**.

The training will begin at 10 a.m., and be held at the Department of Agriculture Bromfield Administration Building which is located at 8995 East Main Street in Reynoldsburg, Ohio. The meeting agenda is attached. Should anyone get lost en route to the facility, you can contact the facility front desk at (614) 728-6201.

As a reminder, you need to RSVP via email to Stephanie McCormick at [stephanie.mccormick@development.ohio.gov](mailto:stephanie.mccormick@development.ohio.gov) indicating the names and titles of staff who will be attending.

NS/sm  
Attachment

cc: Jeff Bankey, ODOD Audit

**Ohio Weatherization Prevailing Wage Conference  
October 5, 2009**

**Agenda**

**Section 1 - Davis-Bacon Principles**

- **Laborers & Mechanics**
  - **Definition**
  - **Who is included**
  - **Who is not included**
- **Site of Work**
  - **Primary place**
  - **Another site with significant activity**
  - **Other sites**
  - **Excluded sites**
- **Truck Drivers**
  - **Truck drivers who are owner-operators**
- **Apprentices**
- **Trainees**
- **Helpers**
- **What are “prevailing wages”?**
  - **Basic Hourly Rate**
  - **Fringe Benefits**
- **Fringe Benefits**
  - **Paid in cash**
  - **Contributing to a *bone fide* plan**

- Any combination of the two
- Must be paid weekly for all hours
- Excess cash wages can offset or satisfy FB obligation
- Examples of Fringe Benefits
- Funded Fringe Benefit Plans
- Unfunded Fringe Benefit Plans
- Annualization Principle
- Discharging Davis-Bacon Prevailing Wage Obligation
- Computing Overtime Hours
  - Computing at the basic hourly rate
  - Computing where employee works at two rates

## **Section 2 – ARRA (American Recovery and Reinvestment Act)**

- An overview
- Division A of ARRA
- Labor Standards Coverage on ARRA funded projects
- ARRA Labor Standards Implementation
- Division B of ARRA
  - Requires application of Davis-Bacon PW requirements to projects financed with certain tax-favored bonds
- ARRA Guidance
- WHD ARRA Website

## **Section 3 - Davis-Bacon and Weatherization**

- Background

- **The effect of ARRA**
- **Terminology**
  - **DOL**
  - **DOE**
  - **ARRA**
  - **DBRA**
  - **Award**
  - **Contract**
  - **Construction**
  - **Site of work**
  - **Contracting Officer**
  - **Contractor**
  - **Recipient**
  - **Sub-award**
  - **Sub-recipient**
- **ARRA – Section 1606**
- **All Agency Memorandum #207**
- **Advisory Letter to DOE**
- **Force Accounts**
- **Records Custodian**
- **DOL Weatherization Surveys**
  - <http://www.dol.gov/esa/whd/recovery/>
  - **Ohio Residential Weatherization Wage Determination**
  - **Working foreman**
  - **2009-OH-001**

- **Wages under DBRA**
- **Survey Data**
- **Duties of the Recipient**
- **Incorporation of Labor Clauses**
  - **Retroactively**
- **Posting requirements**
- **Duties of the Prime Contractor/Subcontractor**
- **Threshold Issues**
- **Conformances**
- **Certified Payrolls (WH-347)**
- **Records Custodian**
- **Guidance from Secretaries of Labor & Energy**

## **Section 4 – Questions & Answers**