

VIOLATION TYPE

The violation numbers cited on the front of this form are explained below:

Violation Code Number	Violation Code Description	Violation Code Action
1	Time and one-half rates were not paid for work performed in excess of 40 hours per week. (Wage differences and penalty* are withheld.)	Formal notification sent to Federal Highway Administration (See Note Below)
3 4 5	Improper classification. Employees observed assigned to work involving classifications other than those included on payroll listing. (Wage differences not withheld if supplemental payroll received within 20 days.) Hourly rate paid is less than minimum authorized wage rate for the classification of work shown and included in the construction contract. (Wage differences not withheld if supplemental payroll received within 20 days.) The Certified Payroll contains mathematical errors that indicate payment, made to the employee(s) by the Contractor for hours worked, violated the Federal-Aid labor provisions (Davis Bacon Act/Copeland Act) of the contract. (Wage differences not withheld if certified supplemental payroll correcting this infraction is received within twenty days.) Wage rate violations shall not be issued for mathematical errors or minor computer payroll program rounding errors that do not violate the contract Federal-Aid labor provisions. However, the Contractor shall be notified in writing of such errors.	Additional Information requested from Contractor indicating clarification or correction of violations cited
6 7	Unauthorized payroll deductions were made in violation of applicable regulations. Other violation not listed above. (Explain in comments section on front of form, or in letter of transmittal to Contractor.)	In accordance with regulations
<p>*NOTE: In addition to monies withheld for wage differences, a penalty of \$10.00 per violation per day that the affected employee was not paid overtime for work performed in excess of 40 hours per week shall be assessed for each employee within any one payroll week. Monies withheld for wage differences under Violation Code 1 shall be returned to the Contractor upon receipt of a supplemental certified payroll (original and two copies) by the District Construction Engineer's Office, citing that the indicated payroll violations(s) has been corrected and receipt of three copies of Contractor's canceled payroll check for the amount owed, with the affected employee's signature. The decision of the Division Administrator of the FHWA or his designee is final regarding the release of penalty monies withheld for Violation Code 1. (Supplemental payrolls requested under Violation Codes 3 thru 7 must be forwarded to the Resident Engineer's Office.)</p>		