

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

WEEKLY STATEMENT OF COMPLIANCE

Date \_\_\_\_\_

I, \_\_\_\_\_ do hereby state:  
(Name of signatory party) (Title)

(1) That I pay or supervise the payment of the persons employed by \_\_\_\_\_  
(Contractor or subcontractor)  
on the \_\_\_\_\_ ; that during the payroll period commencing on the \_\_\_\_\_  
(Building or work)  
day of \_\_\_\_\_, 20\_\_\_\_ and ending the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be  
made either directly or indirectly to or on behalf of said \_\_\_\_\_  
(Contractor or subcontractor)

from the full weekly wages earned by any person and that no deductions have been made either directly or indirectly from  
the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle  
A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948; 63 Stat. 108; 72 Stat. 967; 76  
Stat. 357; 40 U. S. C. 276c) and described below;

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete;  
that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in  
any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or  
mechanic conform with the work they performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered  
with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department  
of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training,  
United States Department of Labor.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS

In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of  
fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees,  
except as noted in Section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

Each laborer or mechanic listed in the above referenced payroll has been paid as indicated on the payroll, an amount not less  
than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract,  
except as noted in Section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS

NAME AND TITLE

SIGNATURE

## **INSTRUCTIONS FOR PREPARATION OF STATEMENT OF COMPLIANCE**

This statement of compliance meets needs resulting from the amendment of the Davis-Bacon Act to include fringe benefits provisions. Under the amended law, the contractor is required to pay fringe benefits as predetermined by the Department of Labor, in addition to payment of the minimum rates. The contractor's obligation to pay fringe benefits may be met by payment of the fringes to the various plans, funds, or programs or by making these payments to the employees as cash in lieu of fringes.

The contractor **should show on the face of his payroll all monies paid to the employees** whether as basic rates or as cash in lieu of fringes. The contractor shall represent in the statement of compliance that **he is paying to others** fringes required by the contract and not paid as cash in lieu of fringes. Detailed instructions follow:

### Contractors who pay all required fringe benefits:

A contractor who pays fringe benefits to approved plans, funds, or programs in amounts not less than were determined in the applicable wage decision of the Secretary of Labor shall continue to show on the face of his payroll the basic cash hourly rate and overtime rate paid to his employees, just as he has always done. Such a contractor shall check paragraph 4(a) of the statement to indicate that he is also paying to approved plans, funds, or programs not less than the amount predetermined as fringe benefits for each craft. Any exception shall be noted in Section 4(c).

### Contractors who pay no fringe benefits:

A contractor who pays no fringe benefits shall pay to the employee and insert in the straight time hourly rate column of his payroll an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the applicable wage decision. Inasmuch as it is not necessary to pay time and a half on cash paid in lieu of fringes, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on the basic or regular rate plus the required cash in lieu of fringes at the straight time rate. To simplify computation of overtime, it is suggested that the straight time basic rate and cash in lieu of fringes be separately stated in the hourly rate column, thus \$3.25/.40. In addition, the contractor shall check paragraph 4(b) of the statement to indicate that he is paying fringe benefits in cash directly to his employees. Any exceptions shall be noted in Section 4(c).

### Use of Section 4(c), Exceptions

Any contractor who is making payment to approved plans, funds, or programs in amounts less than the wage determination requires is obliged to pay the deficiency directly to the employees as cash in lieu of fringes. Any exceptions to Section 4(a) or 4(b), whichever the contractor may check, shall be entered in Section 4(c). Enter in the Exception column the craft, and enter in the Explanation column the hourly amount paid the employees as cash in lieu of fringes, and the hourly amount paid to plans, funds, or programs as fringes.