

## Davis-Bacon and Related Acts - (1931)

### Overview

The Davis-Bacon and Related Acts, apply to contractors and subcontractors performing on federally funded or assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area. The Davis-Bacon Act directs the Department of Labor to determine such locally prevailing wage rates. The Davis-Bacon Act applies to contractors and subcontractors performing work on federal or District of Columbia contracts. The Davis-Bacon Act prevailing wage provisions apply to the “Related Acts,” under which federal agencies assist construction projects through grants, loans, loan guarantees, and insurance.

For prime contracts in excess of \$100,000, contractors and subcontractors must also, under the provisions of the Contract Work Hours and Safety Standards Act, as amended, pay laborers and mechanics, including guards and watchmen, at least one and one-half times their regular rate of pay for all hours worked over 40 in a workweek. The overtime provisions of the Fair Labor Standards Act may also apply to DBA-covered contracts.

### Key News

- NOTICE: Renumbering Davis-Bacon Wage Determinations (“Rollover”)

The Davis-Bacon (DB) Wage Determinations (WDs) will be renumbered, effective January 6, 2012. This renumbering is a planned and recurrent update of all DB WD numbers. The WDs will reflect the year 2012 (“12”) and “Modification 0” as well as renumbering the last four digit WD identifier in a new sequence. Please know that since numbers will change due to the new sequence renumbering, you must search by state, county, and type of construction to ensure that the correct WD is located as the old numbers will be obsolete. The last publication for 2011 with the old numbers will be on Friday, December 23, 2011.

Example: “AL100025” (AL25 from 2010 rollover) could be “AL120011” (AL11 from 2012 rollover).

- The U.S. Department of Labor’s Wage and Hour Division published a [final rule \(PDF\)](#) revising regulations under the Davis-Bacon and related Acts and the Copeland Anti-Kickback Act to discontinue the weekly reporting of certain

employee personal information on certified payrolls. The final rule is effective on January 18, 2009.

## General Guidance

- [Davis-Bacon Compliance Guide](#)
- [All Agencies Memoranda \(AAMs\)](#)
- [WHD ARRA Guidance](#)
- [Contact the Branch of Construction Wage Determinations](#)

## E-Tools

- [Prevailing Wage Conference Videos](#)
- [Wage Determinations OnLine.gov](#)  
This site provides federal contracting officers and members of the general public with assistance in obtaining appropriate Davis-Bacon Act (DBA) wage determinations and other compliance information.
- [Davis-Bacon and Related Acts Web Information Service](#)  
This site provides public access to Davis-Bacon information and supports the user in filling out the Report of Construction Contractor's Wage Rates (WD-10) Form. The type of information that you will find here includes information about the Schedule of Surveys being conducted to make wage determinations; regional office information; and, help. We also provide a WD-10 Form that you can view, print or save
- [Construction Contracts \(Davis-Bacon Staff and State Assignment Listing\)](#)

## Fact Sheets

- Government Contracts:
  - [Fact Sheet 66](#) (PDF) — Davis-Bacon Fact Sheet
  - [Fact Sheet 67](#) (PDF) — Service Contract Act Fact Sheet
- Fair Labor Standard Act Relevant Fact Sheet:
  - [Fact Sheet 1](#) (PDF) — The Construction Industry Under the Fair Labor Standards Act
  - [Fact Sheet 13](#) (PDF) — Employment Relationship Under the Fair Labor Standards Act
  - [Fact Sheet 14](#) (PDF) — Coverage Under the Fair Labor Standards Act
  - [Fact Sheet 17a](#) (PDF) — Exemption for Executive, Administrative, Professional, Computer & Outside

## Sales Employees Under the Fair Labor Standards Act

- [Fact Sheet 21](#) (PDF) — Recordkeeping Under the Fair Labor Standards Act
- [Fact Sheet 22](#) (PDF) — Hours Worked Under the Fair Labor Standards Act
- Additional Information:
  - [Fact Sheet 44](#) (PDF) — Visits to Employers
  - [Additional Fact Sheets](#)

## Guides

- [Contract Work Hours and Safety Standards Act Guide](#)
- [Prevailing Wage Resource Book](#)
- [Apprenticeship Web site](#)

## Posters

- [Davis-Bacon Poster \(Government Construction\)](#)
  - [Spanish Version](#)

## Forms

- Revised [WH-347](#) Form and [Instructions](#)  
Applicable to Contracts Entered into Pursuant to Invitations for Bids Issued or Negotiations Concluded On or After January 18, 2009.
- Legacy [WH-347](#) Form and [Instructions](#)  
Applicable to Contracts Entered into Pursuant to Invitations for Bids Issued or Negotiations Concluded On or Before January 18, 2009.
- Standard Form (SF) 1444 — Request for Authorization of Additional Classification and Wage Rate
  - [SF-1444 \(Non-interactive PDF\)](#)
  - [SF-1444 \(Interactive PDF\)](#)

## Interpretive Guidance

- **Field Operations Handbook**
  - [Chapter 15](#) (PDF) — Davis-Bacon and Related Acts and Contract Work Hours and Safety Standards Act

## Applicable Laws, Executive Orders, and Regulations

- **Laws**
  - [The Davis Bacon Act](#) — 40 U.S.C. 3141 *et seq.*

- [Fair Labor Standards Act of 1938, as Amended](#) (PDF) — 29 U.S.C. 201 *et seq.*
- [McNamara-O’Hara Service Contract Act of 1965, as Amended](#) (PDF) — 41 U.S.C. 351 *et seq.*
- [Contract Work Hours and Safety Standards Act, as Amended](#) (PDF) — 40 U.S.C. 3701 *et seq.*
- [Walsh-Healey Public Contracts Act](#) — 41 U.S.C. 35 *et seq.*
- [Copeland Anti-Kickback Act](#) — 40 U.S.C 3145