

Wage and Hour Division (WHD)

The WD does not contain every craft needed for all work performed on every contract. When this occurs DBA provisions contain a conformance procedure for the purpose of establishing a DBA-enforceable wage and benefit rate for missing job classifications.

Contractors are responsible for determining the appropriate crafts necessary to perform the contract work. If a classification considered necessary for performance of the work is missing from the WD, the contractor must initiate a request for approval for a proposed wage and benefit rate.

Generally, the contractor initiates the request by preparing an **SF-1444**, Request for Authorization of Additional Classification and Rate, at the time of employment of the unlisted craft. (Reference Title 29 CFR Part 5, Section 5.5(a)(1)(ii) and FAR 22.406-3). The contractor completes blocks 2 through 15 on the form. Requests may be submitted without the form, but must contain the required information.

a. Contractors must request employees, if present, or their designated representative, to sign block 16 noting the employee's concurrence or disagreement with the contractor's proposed wage and benefit rate. A statement supporting a recommendation for different rates may accompany any indication of disagreement. The "designated representative" may be a union representative; however, it cannot be the contractor's representative or personnel officer.

b. The contractor submits the completed SF-1444 to the contracting officer. The contracting officer reviews the form for completeness, and signs the agency's concurrence or disagreement with the contractor's proposal. A statement supporting a recommendation for different rates may accompany any indication of disagreement.

c. The contracting officer then submits the request to DOL for approval. The contractor must pay the proposed wage and benefit rate pending response from DOL. When DOL responds to the contracting officer, the contracting officer provides a copy of the response to the contractor with instructions to provide each employee a copy or to post it in the work area (with the applicable WD). The prime contractor must provide a copy of the determination to subcontractor(s), if any, that may employ workers in the conformed classification under the contract. If DOL responds with an approved rate that is higher than the rate proposed by the contractor, the contractor must pay such rate retroactive to the start of performance of that craft. The contracting officer should request written confirmation from the contractor that this liability has been paid in full.

NOTICE TO CONTRACTORS ANY CLASS OF LABORERS OR MECHANICS, WHICH IS NOT LISTED IN THE WAGE DETERMINATION AND WHICH IS TO BE EMPLOYED UNDER THE CONTRACT MUST BE CLASSIFIED IN CONFORMANCE WITH THE WAGE DETERMINATION AND SHALL BE APPROVED BY THE CONTRACTING OFFICER. (SEE ATCH SF 1444)

- (1) All ready filled in
- (2) Complete the FROM block
- (3) Prime contractor's name.
- (4) Date the prime contractor submitted the form.
- (5) Contract number listed on the front of proposal (if applicable).
- (6) Project bid letting date.
- (7) The date the contract was awarded.
- (8) The actual date the contractor will be starting work.
- (9) *This section is not applicable.*
- (10) List all subcontractors that will utilize the labor classification listed in box 13a.
- (11) project number and detailed description of the work to be done by the classification.
- (12) Location of project (include city and county).
- (13) The information for these lines is listed on the front page of the general decision.
Number: Look for the "General Decision Number" (example: IA080037)
Dated: General Decisions - The "Publication Date" listed next to the number.

(13a) List all classifications not covered by wage determination, which are needed by either the prime or the subcontractors. The wage rate portion (13b, 13c) of the form should be at or above the lowest skilled rate or laborer, depending on the nature of the rate missing. Department of Labor will consider acceptable.

(14) If there is a subcontractor listed on line 10, they must sign and list their title on this line.

(15) The prime contractor's representative must sign on this line.

(16) If the contractor has a specific employee who will be performing the labor classification(s) listed in box 13a, or if the employees' have legal representation (union, etc.), they should sign this line and list their title in the "Title" box. If no specific employee is identified to perform work under the listed classification(s) then simply write "**unknown**" in the box.

The "Agree or Disagree" boxes are checked by anyone signing lines 14, 15, and 16. "**Contracting Officer**". The "**Date**" is the date the **prime contractor submits the form**

The prime contractor should review the information, assuring that all the information is complete and that the wage rate(s) listed in box 13a follow the minimum guidelines.

The form must also specify if the type of work has started or not.

**REQUEST FOR AUTHORIZATION OF
ADDITIONAL CLASSIFICATION AND RATE**

CHECK APPROPRIATE BOX
 SERVICE CONTRACT
 CONSTRUCTION CONTRACT

OMB No.: **9000-0089**
 Expires: **04/30/2005**

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVP), Office of Acquisition Policy, GSA, Washington, DC 20405; and to the Office of Management and Budget, Paperwork Reduction Project (9000-0089), Washington, DC 20503.

INSTRUCTIONS: THE CONTRACTOR SHALL COMPLETE ITEMS 3 THROUGH 16, KEEP A PENDING COPY, AND SUBMIT THE REQUEST, IN QUADRUPPLICATE, TO THE CONTRACTING OFFICER.

1. TO: ADMINISTRATOR, Employment Standards Administration WAGE AND HOUR DIVISION U.S. DEPARTMENT OF LABOR WASHINGTON, D.C. 20210	2. FROM: (REPORTING OFFICE)
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3. CONTRACTOR	4. DATE OF REQUEST
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5. CONTRACT NUMBER	6. DATE BID OPENED (SEALED BIDDING)	7. DATE OF AWARD	8. DATE CONTRACT WORK STARTED	9. DATE OPTION EXERCISED (IF APPLICABLE) (SCA ONLY)
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10. SUBCONTRACTOR (IF ANY)

11. PROJECT AND DESCRIPTION OF WORK (ATTACH ADDITIONAL SHEET IF NEEDED)

12. LOCATION (CITY, COUNTY AND STATE)

13. IN ORDER TO COMPLETE THE WORK PROVIDED FOR UNDER THE ABOVE CONTRACT, IT IS NECESSARY TO ESTABLISH THE FOLLOWING RATE(S) FOR THE INDICATED CLASSIFICATION(S) NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION

NUMBER: _____ DATED: _____

a. LIST IN ORDER: PROPOSED CLASSIFICATION TITLE(S); JOB DESCRIPTION(S); DUTIES; AND RATIONALE FOR PROPOSED CLASSIFICATIONS (SCA ONLY) <small>(Use reverse or attach additional sheets, if necessary)</small>	b. WAGE RATE(S)	c. FRINGE BENEFITS PAYMENTS

14. SIGNATURE AND TITLE OF SUBCONTRACTOR REPRESENTATIVE (IF ANY)	15. SIGNATURE AND TITLE OF PRIME CONTRACTOR REPRESENTATIVE
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16. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE	TITLE	CHECK APPROPRIATE BOX-REFERENCING BLOCK 13. <input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE
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TO BE COMPLETED BY CONTRACTING OFFICER (CHECK AS APPROPRIATE - SEE FAR 22.1019 (SCA) OR FAR 22.406-3 (DBA))

- THE INTERESTED PARTIES AGREE AND THE CONTRACTING OFFICER RECOMMENDS APPROVAL BY THE WAGE AND HOUR DIVISION. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.
- THE INTERESTED PARTIES CANNOT AGREE ON THE PROPOSED CLASSIFICATION AND WAGE RATE. A DETERMINATION OF THE QUESTION BY THE WAGE AND HOUR DIVISION IS THEREFORE REQUESTED. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.

(Send copies 1, 2, and 3 to Department of Labor)

SIGNATURE OF CONTRACTING OFFICER OR REPRESENTATIVE	TITLE AND COMMERCIAL TELEPHONE NO.	DATE SUBMITTED
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