

DOL's Wage and Hour Division Gearing Up to Focus on Contractor Wage Standards

By Stephanie Olivera Mittica

In response to President Biden's soon to be rolled out infrastructure and jobs package, which is set to increase federally funded construction and service projects developed by private companies, the DOL's Wage and Hour Division is shifting its focus to the enforcement of government contractor wage standards including prevailing wage and benefit requirements.

In what would be a stark departure from recent trends, the DOL is rumored to be preparing to increase its enforcement on compliance issues related to both the Davis-Bacon Act (applies to contractors performing construction, alteration or repair of public buildings or public works) and the McNamara-O'Hara Service Contract Act (applies where the principal purpose of the contract is to furnish services to the U.S. through the use of service employees).

Over the past several years, critics have claimed that the government has taken its foot off the pedal when it came to enforcing violations of these two laws. Enforcement was further compromised due to a significant loss of seasoned officials and investigators who departed during the Trump Administration.

Although limited details regarding the DOL's strategy have been shared with the public to date, increased training, regulation, investigation and enforcement is on the horizon.

Roetzel will continue to monitor developments in this area. For more information and insight on this matter, please contact one of the listed Roetzel attorneys.

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