

FACT SHEET #3 – DAVIS-BACON LAWS & REGULATIONS

DAVIS-BACON PROVISIONS FOR CLEAN AND DRINKING WATER SRF PROJECTS

Federal laws and regulations related to the Davis-Bacon & Related Acts (DBRA).

1. **DAVIS-BACON ACT (DBA)** (40 U.S.C. 3141 *et seq.*) – Requires payment of prevailing wages to laborers and mechanics employed on federal and federally assisted construction projects.
2. **REORGANIZATION PLAN OF 1950** – (5 U.S.C.A. Appendix) – Under this plan, the federal contracting or assistance-administering agencies (EPA, in the context of SRF loans) have day-to-day responsibility for administration and enforcement of the Davis-Bacon labor standards and, in order to promote consistent and effective enforcement, the Department of Labor has regulatory and oversight authority, including the authority to investigate compliance.
3. **FAIR LABOR STANDARDS ACT OF 1938**, as Amended (29 U.S.C. 201 *et seq.*)
4. **MCNAMARA-O’HARA SERVICE CONTRACT ACT OF 1965**, as Amended (41 U.S.C. 351 *et seq.*)
5. **CONTRACT WORK HOURS AND SAFETY STANDARDS ACT**, as Amended (40 U.S.C. 3701 *et seq.*) – This Act requires contractors and subcontractors with covered contracts to pay laborers and mechanics employed in the performance of the contracts one and one-half times their basic rate of pay for all hours worked over 40 in a workweek.
6. **WALSH-HEALEY PUBLIC CONTRACTS ACT**, (41 U.S.C. 35 *et seq.*)
7. **COPELAND ANTI-KICKBACK ACT**, (40 U.S.C. 3145)
29 CFR Part 3 – This Act prohibits contractors from, in any way, inducing an employee to give up any part of the compensation to which he or she is entitled under his or her contract of employment, and requires contractors to submit a weekly statement of the wages paid to each employee performing DBRA covered work.
8. **29 CFR Part 1** - Regulations describing the procedures for predetermination of wage rates.
9. **29 CFR Part 5** - Regulations regarding labor standards provisions applicable to contracts covering federally financed and assisted construction.
10. **29 CFR Part 6** - Regulations describing the Rules of Practice for administrative proceedings enforcing labor standards in federal and federally assisted construction contracts and federal service contracts covered by the Acts listed above.
11. **29 CFR Part 7** - Regulations describing practice before the Administrative Review Board with regard to federal and federally assisted construction contracts.