

One-Page Guide: Labor Standards Interview



What is a Labor Standards Interview?



It is an interview (also referred to as an employee/field wage interview) conducted on the premises of a public works project by an entity enforcing labor compliance. The interviewer will ask construction workers general questions about their job and compensation. These are most often conducted by a contracting agency, but they might also be performed by a prime contractor looking to get ahead of potential violations that other contractors may make on their project.

What is the purpose of these interviews?

Although each interviewer might collect slightly different information, the main reason behind them is generally to verify that the data submitted on certified payroll is an accurate representation of the work performed out in the field. Because even though a contractor might appear compliant on paper, the jobsite can sometimes tell a different story.

When do employee interviews occur?



Randomly. Contractors are intentionally left unaware of these inspections. The main priority is to protect the interests of the worker, and while most contractors have good intentions, providing notice of the site visit could interfere with the viability and integrity of the interviews.

What kind of information are interviewers trying to obtain?

They are mainly looking to see if contractors are paying their employees appropriately according to Davis-Bacon and/or other related prevailing wage laws. Some of the topics an interviewer may inquire about include:

- Basic employment information
- A worker's trade, experience, and job title (which may not be the same as a classification)
- Their classification, i.e., the scope and nature of the work they perform
- Which tools of the trade they may use
- Compensation and hours worked

How does this enforce compliance?



Interviewers record observations from the project site and document responses from workers. They then compare the information against certified payroll reports (CPRs) to see if there are any discrepancies or "red flags" that warrant further investigation. Some of these might include:

- 1 Wage rates and/or hours on CPRs that don't corroborate a worker's response
- 2 Crafts and classifications not matching the work being performed in the field
- 3 "Ghost" employees that appear onsite but not on CPRs (and vice versa)

The bottom line for contractors

These interviews make it incredibly important to be aware of the correct wage determinations and proper classifications for your employees. It's even more crucial with multi-funded projects since some states might categorize classifications differently or update determinations more frequently. Applying either incorrectly could highlight a discrepancy and lead to violations.

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