



Labor Compliance Policy Bulletin

LCPB 09-1 Labor Compliance Program Approval

References: California Labor Code 1771.5, "Labor compliance program requirements"
1773.5, "Rules and regulations"
California Code of Regulations 16429, "Notice of Labor Compliance Program Approval"

Effective Date: July 28, 2009

Approved: 
MARK LEJA
Chief
Division of Constructions

Approval Date: July 27, 2009

Background

In 1990, Caltrans received approval from the California Department of Industrial Relations to operate a labor compliance program for enforcement of public works statutes on its contracts. This approval included the requirement that Caltrans post notice of its approved labor compliance program both in calls for bid and at each project site. The notice must include the effective date of the approved program and the contact information for inquiries or assistance with the labor compliance program.

Caltrans places language in all applicable contracts requiring contractors to comply with public works statutes. In addition, on federal-aid projects, contractors are required to post a federal wage rate poster that includes the contact information for questions about Davis-Bacon wage issues. Historically, however, Caltrans has not posted labor compliance program contact information directly related to its approved program.

Existing Procedure

No procedure exists in the *Labor Compliance Manual* for posting labor compliance program approval information on Caltrans project sites.

New Procedure

Caltrans must ensure that all project sites display the "Notice of Labor Compliance Program Approval" poster (poster). At the preconstruction meeting, labor compliance staff must provide the contractor with the poster in English and Spanish and request that the contractor post it in the same manner as other

labor compliance-related posters. Labor compliance staff must request that the project resident engineer, inspector, or contract manager review the contractor's bulletin board postings to ensure the poster has been posted. A Contractor Bulletin Board Inspection Checklist is attached to this bulletin for Caltrans field staff to use in confirming contractor postings. If labor compliance staff is made aware that the poster has not been posted, staff must ask the resident engineer, inspector, or contract manager to ask the contractor to put the poster up immediately.

The poster, along with district and region information, is available on the Caltrans labor compliance webpage:

<http://www.dot.ca.gov/hq/construc/LaborCompliance/index.htm>

We have also attached the poster to this policy bulletin in a fillable format so each district or region may add its specific contact information before giving the poster to the contractor.

If you have questions regarding the Notice of Labor Compliance Program Approval poster, please contact LuAnne Pinedo at luanne_pinedo@dot.ca.gov.

Attachments: Notice of Labor Compliance Program Approval Poster
Notificación Sobre La Aprobación Del Programa
Para El Cumplimiento De La Ley Laboral—Spanish
Contractor Bulletin Board Inspection Checklist