

## 52.222-8 Payrolls and Basic Records.

As prescribed in 22.407(a), insert the following clause:

### Payrolls and Basic Records (Jul 2021)

(a) Payrolls and basic records relating thereto *shall* be maintained by the Contractor during the course of the work and preserved for a period of 3 years thereafter for all laborers and mechanics working at the site of the work. Such records *shall* contain the name, address, and social security number of each such worker, his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in 40 U.S.C. 3141(2)(B) (*Construction Wage Rate Requirement statute*)), daily and weekly number of hours worked, deductions made, and actual wages paid. Whenever the Secretary of Labor has found, under paragraph (d) of the clause entitled *Construction Wage Rate Requirements*, that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in 40 U.S.C. 3141(2)(B), the Contractor *shall* maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated *in writing* to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs *shall* maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs.

(b)

(1) The Contractor *shall* submit weekly for each week in which any contract work is performed a copy of all payrolls to the *Contracting Officer*. The payrolls submitted *shall* set out accurately and completely all of the information required to be maintained under paragraph (a) of this clause, except that full social security numbers and home addresses *shall* not be included on weekly transmittals. Instead the payrolls *shall* only need to include an individually identifying number for each employee (e.g., the last four digits of the employee's social security number). The required weekly payroll information *may* be submitted in any form desired. Optional Form WH-347 is available for this purpose and *may* be obtained from the U.S. Department of Labor Wage and Hour Division website at <https://www.dol.gov/agencies/whd/forms>. The Prime Contractor is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors *shall* maintain the full social security number and current address of each covered worker, and *shall* provide them upon request to the *Contracting Officer*, the Contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirements. It is not a violation of this section for a Prime Contractor to require a subcontractor to provide addresses and social security numbers to the Prime Contractor for its own records, without weekly submission to the *Contracting Officer*.

(2) Each payroll submitted *shall* be accompanied by a "Statement of Compliance," signed by the Contractor or subcontractor or his or her agent who pays or supervises the payment of the persons employed under the contract and *shall* certify-

- (i) That the payroll for the payroll period contains the information required to be maintained under paragraph (a) of this clause and that such information is correct and complete;
- (ii) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in the Regulations, 29 CFR Part 3; and
- (iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.
- (3) The weekly submission of a properly executed certification set forth on the reverse side of Optional [Form WH-347](#) *shall* satisfy the requirement for submission of the "Statement of Compliance" required by paragraph (b)(2) of this clause.
- (4) The falsification of any of the certifications in this clause *may* subject the Contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 3729 of Title 31 of the *United States Code*.
- (c) The Contractor or subcontractor *shall* make the records required under paragraph (a) of this clause available for *inspection*, copying, or transcription by the *Contracting Officer* or authorized representatives of the *Contracting Officer* or the Department of Labor. The Contractor or subcontractor *shall* permit the *Contracting Officer* or representatives of the *Contracting Officer* or the Department of Labor to interview employees during working hours on the job. If the Contractor or subcontractor fails to submit required records or to make them available, the *Contracting Officer* *may*, after written notice to the Contractor, take such action as *may* be necessary to cause the *suspension* of any further payment. Furthermore, failure to submit the required records upon request or to make such records available *may* be grounds for *debarment* action pursuant to 29 CFR 5.12.

(End of clause)

**Parent topic:** [52.222 \[Reserved\]](#)