



ADMINISTRATIVE RULES OF MONTANA



24.17.311 FULL PAYMENT REQUIRED

- (1) Each contractor, subcontractor or employer shall pay each employee not less than the prevailing wage rate required unconditionally, without subsequent rebate, and except as provided in (2) , without deductions for:
 - (a) meals;
 - (b) lodging;
 - (c) transportation; or
 - (d) use of small tools.
- (2) A contractor, subcontractor or employer may make deductions if such deductions are in a form prescribed by the commissioner and consistent with federal WH-347 payroll form available at www.dol.gov and are either:
 - (a) required by law;
 - (b) required or allowed by a collective bargaining agreement between a bona fide labor organization and the contractor, subcontractor or employer; or
 - (c) expressed in a written or oral agreement carried out in practice or in fact and mutually understood between an employee and an employer and undertaken at the beginning of employment. Such an agreement must concern the fair market value of other benefits provided to the employee by the employer such as meals and lodging directly furnished by the employer, employee use of company vehicles, or other similar items not regularly or customarily provided.

Authorizing statute(s): 18-2-431, MCA

Implementing statute(s): 18-2-401, 18-2-402, 18-2-403, 18-2-406, 18-2-412 and 18-2-423, MCA

History: NEW, 2002 MAR p. 2446, Eff. 9/13/02.