



ADMINISTRATIVE RULES OF MONTANA



24.17.301 REQUIRED RECORDS

- (1) All contractors, subcontractors or employers performing work on public works contracts shall make and maintain for a period of three years from the completion of work upon such public works projects, records necessary to determine whether the prevailing rate of wage and overtime has been or is being paid to employees upon public works projects.
- (2) In addition to the certification required by ARM 24.17.307, records necessary to determine whether the prevailing wage rate and overtime wages have been or are being paid must include, but are not limited to, records of:
 - (a) the name, address, and social security number of each employee;
 - (b) the work classification or craft of each employee;
 - (c) the rate or rates of monetary wages and fringe benefits paid to each employee, including:
 - (i) the amount of payment (if any) for travel expenses;
 - (ii) the amount of payment (if any) for per diem expenses;
 - (iii) the amount of payment (if any) for other reimbursed expenses; and
 - (iv) the fair market value of any other benefits provided to the employee by the employer, such as allowing personal use of a company vehicle by the employee and the value of meals and lodging directly furnished by the employer;
 - (d) the rate or rates of fringe benefits payments made in lieu of those required to be provided to each employee;
 - (e) total daily and weekly compensation paid to each employee;
 - (f) the daily and weekly hours worked by each employee, specified by actual calendar date; and if the employee worked in more than one craft or classification for which different rates were payable, the records shall show the number of hours in each day worked at the different crafts or classifications;
 - (g) apprenticeship and training agreements and standards;
 - (h) any deduction, rebates or refunds taken from each employee's total compensation and actual wages paid; and
 - (i) any payroll and other records pertaining to the employment of employees on a public works project.

- (3) When apprentices are employed on a public works project, the records must clearly distinguish them from other employees. The records must also clearly identify the date each apprentice started working on the public works project and must include verification of apprenticeship registration.
- (4) When a contractor, subcontractor or employer employs an employee on public works projects and non-public works projects during the same work week and the employee is paid a rate of pay which is less than the prevailing wage rate when working on a non-public works project, the employer must separately record the hours worked on the public works contract projects and those hours worked elsewhere.

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

Implementing statute(s): 18-2-422 and 18-2-423, MCA

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