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TO:  Director Preliminary <del>Plans</del> Review Bureau	<h1 style="margin: 0;">ENGINEERING INSTRUCTION</h1> <p style="margin: 0;">NEW YORK STATE DEPARTMENT OF TRANSPORTATION</p> <p style="margin: 0;">SUBJECT: SUBMISSION OF CONTRACTOR'S WEEKLY PAYROLLS ON 100% NYS FUNDED CONTRACTS</p> <p style="margin: 0;">Subject Code: 7.30</p>												
<table border="1" style="margin: auto;"> <tr><td>PREL.</td><td>FINAL</td></tr> <tr><td>PHOTOGRAM.</td><td>LANDSCAPE</td></tr> <tr><td colspan="2" style="text-align: center;">RECEIVED</td></tr> <tr><td colspan="2" style="text-align: center;">NOV 19 1975</td></tr> <tr><td>CIRC.</td><td></td></tr> <tr><td>FILE</td><td>DESIGN</td></tr> </table>	PREL.	FINAL	PHOTOGRAM.	LANDSCAPE	RECEIVED		NOV 19 1975		CIRC.		FILE	DESIGN	Code: <u>EI 75-72</u> Date: <u>10/27/75</u> Supersedes:
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Addendum No. 3 to the General Specifications adds the following requirement to Subsection 102-10 LABOR AND EMPLOYMENT:

"On all contracts financed without Federal Aid, each Contractor and/or Subcontractor shall furnish the Engineer, each week, his payroll records and statement of compliance with respect to the wages paid each of its employees, (including apprentices, trainees, watchmen and guards) engaged on work during the preceding weekly payroll period. Appropriate forms will be provided by the Department for this purpose. At the Contractor's option, computer-printed payroll records, which supply the required data, may be used."

As a result, the submission of weekly Contractor and Subcontractor Payrolls to the Engineer in Charge will be required for all contracts, regardless of financing, let on or after February 2, 1976.

Payroll submissions on Federal Aid projects will continue to utilize U.S. Department of Labor Forms WH-347 and WH-348 in accordance with the Federal Aid Contract Proposal Insert, Form PR 1273.

Payroll submissions on contracts with no Federal Aid funding will be made on NYS Form HC-231-1 CONTRACTOR'S PAYROLL STATEMENT (see attachment #1.) The Contractor will enter the required payroll data on the front side of Form HC-231-1, and complete the Statement of Compliance on the reverse side. A computer printed payroll may be submitted in lieu of completing the payroll data portion of the HC-231-1, provided it contains all the required information. Under this option, the Contractor must still complete the Statement of Compliance on the reverse side of Form HC-231-1.

Instructions for completing Form HC-231-1 are contained on Form HC-231-2 INSTRUCTIONS FOR COMPLETING PAYROLL FORM HC-231-1. An initial supply of both forms will be sent to the Regions shortly, after which additional quantities may be ordered from stock.

Please note that while the payroll information required by the Federal and NYS forms is the same, the Statement of Compliance portions refer to different labor laws. The Federal and NYS forms are not interchangeable.





N.Y.S. DEPARTMENT OF TRANSPORTATION  
CONSTRUCTION SUBDIVISION

INSTRUCTIONS FOR COMPLETING PAYROLL FORM, HC-231-1

**General:** The use of HC-231-1, payroll form, is not mandatory. This form has been made available for the convenience of contractors and subcontractors required by their NYS Highway Contracts and subcontracts to submit weekly payrolls.

This payroll provides for the contractor's showing on the face of the payroll all monies paid to the employees, whether as basic rates or as cash in lieu of fringes and provides for the contractor's representation in the statement of compliance on the rear of the payroll that he is paying to others fringes required by the contract and not paid as cash in lieu of fringes. Detailed instructions concerning the preparation of the payroll follow:

**Contractor or Subcontractor:** Fill in your firm's name and check appropriate box.

**Address:** Fill in your firm's address.

**Column 1 - Name, Address, and Social Security number of Employee:** The employee's full name must be shown on each weekly payroll submitted. The employee's address must also be shown on the payroll covering the first week in which the employee works on the project. The address need not be shown on subsequent weekly payrolls unless his address changes. Space is available in the name and address section so that Social Security numbers may be listed.

**Column 2 - Withholding Exemptions:** This column is merely inserted for the employer's convenience and is not a requirement.

**Column 3 - Work Classifications:** List Classification descriptive of work actually performed by employees. Consult classifications and minimum wage schedule set forth in contract specifications. If additional classifications are deemed necessary, see Contracting Officer or Agency representative. Employee may be shown as having worked in more than one classification provided accurate breakdown of hours so worked is maintained and shown on submitted payroll by use of separate line entries.

**Column 4 - Hours Worked:** On all contracts enter as overtime hours worked in excess of 8 hours per day and 40 hours a week.

**Column 5 - Total:** Self-explanatory.

**Column 6 - Rate of Pay, including Fringe Benefits:** In straight time box, list actual hourly rate paid the employee for straight time worked plus any cash in lieu of fringes paid the employee. When recording the straight time hourly rate, any cash paid in lieu of fringes may be shown separately from the basic rate, thus \$3.25/40. This is of assistance in correctly computing overtime. See "Fringe Benefits" below. In overtime box show overtime hourly rate paid, plus any cash in lieu of fringes paid the employee. See "Fringe Benefits" below. Payment for overtime shall be at a rate commensurate with the premium wages prevailing in the area in which the work is performed. In addition to paying not less than the predetermined rate for the classification in which the employee works, the contractor shall pay to approved plans, funds, or programs or shall pay as cash in lieu of fringe amounts predetermined as fringe benefits in the wage decision made part of the contract. See "FRINGE BENEFITS" below.

**FRINGE BENEFITS - Contractors who pay all required fringe benefits:** A contractor who pays fringe benefits to approved plans, funds, or programs in amounts not less than were determined in the applicable wage decision of the Industrial Commissioner shall continue to show on the face of the payroll the basic cash hourly rate and overtime rate paid to his employees just as he has always done. Such a contractor shall check paragraph 4(a) of the statement on the reverse of the payroll to indicate that he is also paying to approved plans, funds, or programs not less than the amount predetermined as fringe benefits for each craft. Any exceptions shall be noted in Section 4(c).

**Contractors who pay no fringe benefits:** A contractor who pays no fringe benefits shall pay to the employee, and insert in the straight time hourly rate column of the payroll, an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the applicable wage decision. Inasmuch as it is not necessary to pay time and a half in lieu of fringes, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on basic or regular rate, plus the required cash in lieu of fringes at the straight time rate. In addition, the contractor shall check paragraph 4(b) of the statement on the reverse of the payroll to indicate that he is paying fringe benefits in cash directly to his employees. Any exceptions shall be noted in Section 4(c).

**Use of Section 4(c), Exceptions**

Any contractor who is making payment to approved plans, funds, or programs in amounts less than wage determination requires is obliged to pay the deficiency directly to the employees as cash in lieu of fringes. Any exceptions to Section 4(a) or 4(b), whichever the contractor may check, shall be entered in Section 4(c). Enter in the Exception column the craft, and enter in the Explanation column the hourly amount paid the employee as cash in lieu of fringes and the hourly amount paid to plans, funds, or programs as fringes. The contractor shall pay, and shall show that he is paying to each such employee for all hours (unless otherwise provided by applicable determination) worked on a NYS Highway Construction project an amount not less than the predetermined rate plus cash in lieu of fringes as shown in Section 4(c). The rate paid and amount of cash paid in lieu of fringe benefits per hour should be entered in column 6 on the payroll. See paragraph on "Contractors who pay no fringe benefits" for computation of overtime rate.

**Column 7 - Gross Amount Earned:** Enter gross amount earned on this project. If part of the employees' weekly wage was earned on projects other than the project described on this payroll, enter in column 7 first the amount earned on the NYS Highway Construction project and then the gross amount earned during the week on all projects, thus \$63.00/120.00.

**Column 8 - Deductions:** Five columns are provided for showing deductions made. If more than five deductions should be involved, use first 4 columns; show the balance of deductions under "Other" column; show actual total under "Total Deductions" column; and in the attachment to the payroll describe the deductions contained in the "Other" column. All deductions must be in accordance with the provisions of the Article 6, Section 193 of the New York State Labor Law. If the employee worked on other jobs in addition to this project, show actual deductions from his weekly gross wage, but indicate that deductions are based on his gross wages.

**Column 9 - Net Wages Paid for Week:** Self-explanatory.

**Totals:** Space has been left at the bottom of the columns so that totals may be shown if the contractor so desires.

Space has been provided between items (1) and (2) of the statement for describing any deductions made. If all deductions made are adequately described in the "Deductions" column above, state "See Deductions column in this payroll." See paragraph entitled "FRINGE BENEFITS" above for instructions concerning filling out paragraph 4 of the statement.