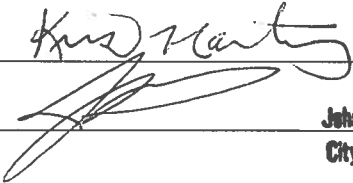




City of Riverside Administrative Manual

Effective Date: 07/2003
Latest Revision Date: 03/2016
Next Review Date: 07/2018
Policy Owner(s): Public Works

Approved:



Department
John A. Russell
City Manager

SUBJECT:

Citizen Request for Copies of Certified Payrolls Pursuant to Labor Code Section 1776

PURPOSE:

To establish procedures and guidelines for the provision of copies of Certified Payrolls and certified copies of payroll records of contractors engaged in City construction projects and/or improvements to public buildings, streets, drains, sewers, utilities and parks or playgrounds (Public Works Projects) pursuant to Labor Code Section 1776.

POLICY:

To make Certified Payroll Records and certified copies of payroll records of contractors engaged in Public Works Projects for the City of Riverside available to the public upon request pursuant to the provisions of Labor Code Section 1776 and in a manner in conformance with the California Administrative Code, Title 8, Group 3, Payment of Prevailing Wages Upon Public Works, Sections 16000 through 16500. Any person may make requests for certified copies of contractor payroll records. However, care must be exercised to avoid the release of confidential and private information such as employees' names, addresses and Social Security numbers (See Sec. 16403 of Administrative Code). Additionally, both the Administrative and Labor Codes provide that the person seeking the payroll record shall reimburse each contractor, subcontractor, and public entity engaged in a Public Works project in advance for the costs of preparation of the payroll records.

PROCEDURE:

Responsibility	Action
All Departments Receiving Requests for Copies of Certified Payrolls	1. Determine who is administering the public works contract for the payroll record information being requested and forward request to project administrator for compliance.
Project Administrator	2. Give courteous, prompt and efficient service at all times during the department's normal office hours, explaining any delays or denied requests to the citizen.

PROCEDURE:

Responsibility

Action

-
3. Ensure the request has been submitted in conformance with Section 16400, paragraph (b) of the California Administrative Code, i.e. the request is in writing, and identifies the following:
 - a. The contract bid number and/or project title.
 - b. The particular job location if more than one.
 - c. The name of each contractor and/or subcontractor on the project.
 - d. The regular business address of each contractor and/or subcontractor requested, if known.

NOTE: Requests for the payroll records of more than one contractor or subcontractor must list the information regarding that contractor individually, even if all requests pertain to the same particular public works project. Blanket requests covering an entire public works project will not be accepted, unless contractor and subcontractor responsibilities regarding the project are not clearly defined.

4. Immediately notifies prime contractor or subcontractor(s) of the request (See sample letter per attachment A).
5. Within ten days of written request, acknowledges receipt of the request and indicate the estimated cost for preparation of copies of Certified Payrolls per work week (See Administrative Code, Section 16402 regarding preparation costs). Indicate that payment in the form of cash, check or certified money order shall be made prior to the preparation and subsequent release of any documents (See sample letter per Attachment B).
6. Upon receipt of payment in advance and upon receipt of payroll records, obliterate all employee's personal information (i.e. name, address, social security number) as required by law, prepare copies and forward same to the requestor within 10 working days from receipt of payrolls.

Attachments:

- A. Sample letter to the contractor.
- B. Sample letter to the requestor.

SAMPLE LETTER

VIA REGULAR MAIL
June 3, 2015

John Doe Construction
600 North Main Street
Anytown, CA 99111

Re: Anytown Municipal Project, Bid No. 10; Request for Copies of Certified Payrolls

Gentlemen:

We have been requested by a member of the public to provide copies of certified payrolls for the above referenced project, pursuant to Labor Code Section 1776.

Per Administrative Code, Section 16402, your firm is entitled to handling costs of \$10 per report. An estimate of the total preparation and handling costs for providing copies of weekly certified payrolls is being sent to the requestor. Upon receipt of either payment to cover these costs, or cash deposit to cover current as well as future report preparation costs from the requestor, we will be issuing you a formal notice to submit certified payrolls to the City. Please ensure that when payroll submittals are provided, the person certifying the copies is either an employee of your firm authorized to sign in such matters or is considered an Agent acting in your behalf.

Per Labor Code Section 1776, and as referenced in Section ____ of the project specifications, failure to provide certified copies of payroll records within ten (10) working days after receipt of a written request will result in the assessment of a penalty of \$25 per employee for every calendar day or portion thereof until your compliance is effectuated.

The purpose of this letter is to alert you to be prepared to submit payrolls within the legislated 10 working day period if/or when a formal request is forthcoming from the City.

If you have any questions, please do not hesitate to call Mr. Jim Jones, the project administrator, at 555-1234.

Sincerely,

Jack Spratt
Department Director

Enclosure

cc: Payroll Requestor

SAMPLE LETTER

VIA REGULAR MAIL
June 3, 2015

John Doe
600 North Main Street
Anytown, CA 99111

Mr. Doe,

The City of Riverside City Clerk's Office has received your Public Records Request on, 2015.

Your request is being forwarded to the appropriate departments to determine if there are any records responsive to your request. Pursuant to California Government Code Section 6253, the City of Riverside within 10 days from receipt of a request will notify you in writing if the request, in whole or in part, seeks copies of disclosable public records in our possession. If such records exist, you are responsible for the cost which is incurred for the copying of such responsive documentation.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Jack Spratt
Department Director

Enclosure

cc: Payroll Requestor