

DBRA-9

September 29, 1980

This is in reference to your recent letter requesting written confirmation regarding the submittal of certified payrolls for weeks in which no work is performed on a Federally-funded construction contract.

This Department does not require the submission of certified payrolls during week(s) when no work is performed, provided that the contractor includes a statement of the first weekly payroll submitted to the contracting agency, subsequent to the week(s) when no work was performed, certifying that no work had been performed during the week(s) since that last payroll was submitted. However, while the above would satisfy our criteria, the Department could not require a contracting agency, which as part of its contracting procedures, requires the submission on payrolls in weeks in which no work is performed, to cease such a practice. We are aware that some agencies may regard such a requirement to be necessary for effective enforcement, particularly in situations when the agency representatives are not present to observe the periods when the contractors are working on the job.

Sincerely,

Dorothy P. Come
Assistant Administrator