

RESTITUTION REQUIREMENTS

The following procedures cover the requirements for restitution of minimum wages payable in accordance with the applicable Davis-Bacon wage determination. These requirements cover all restitution to be paid by a contractor, regardless of the action that prompted it.

1. A fully completed restitution package shall consist of the following three items:
 - a. Employee Pay Restitution Worksheet
 - b. Copy of restitution check
 - c. Signed employee restitution affidavit
2. **Employee Pay Restitution Worksheet:** Contractors must ensure the worksheet is fully completed. **A separate worksheet is required** for each worker and for each classification of work **for each pay period** in which an underpayment was made.
3. **Copy of restitution check. IMPORTANT:** Contractors cannot combine restitution amounts with any other pay received. Restitution amounts must be totally separate from all other pay received. In addition, checks shall clearly indicate the purpose of the check is to provide restitution and should list the project name and project number thereon. One single check can be used to provide restitution for multiple pay periods as long as totals indicated on the worksheets equal the check amount.
4. **Employee Restitution Affidavit:** A signed employee restitution affidavit shall accompany each restitution submission.

Additional Notes:

- Include only wages payable under the appropriate work classification.
- The amount indicated in #11 "Total Amount Due Employee": is the gross amount due. The amount indicated in the "Certification" section at the lower portion of the restitution worksheet is the net amount (the amount of the restitution check).