

**337.530 Contractor to pay prevailing wages and post rates -- Payroll records -- On-site inspections.**

- (1) Where a prevailing rate of wages has been determined and prescribed, the contract executed between a public authority and the successful bidder or contractor shall contain a provision requiring the successful bidder and all of his or her subcontractors to pay not less than the rate of wages so established. The successful bidder or contractor and all subcontractors shall strictly comply with these provisions of the contract.
- (2) All contractors and subcontractors required by KRS 337.505 to 337.550 and by contracts with any public authority to pay not less than the prevailing rate of wages, shall pay such wages in legal tender without any deductions. These provisions shall not apply where the employer and employee enter into an agreement in writing at the beginning of or during any term of employment covering deductions for food, sleeping accommodations or any similar item if this agreement is submitted by the employer to the department and is approved by the department as fair and reasonable. All contractors and subcontractors affected by the terms of KRS 337.505 to 337.550 shall keep full and accurate payroll records covering all disbursements of wages to their employees to whom they are required to pay not less than the prevailing rate of wages. Such records shall indicate the hours worked each day by each employee in each classification of work and the amount paid each employee for his or her work in each classification. They shall be open to the inspection and transcript of the commissioner or the commissioner's authorized representative at any reasonable time, and shall be in compliance with all regulations issued by the commissioner. These payroll records shall not be destroyed or removed from this state for one (1) year following the completion of the improvement in connection with which they are made.
- (3) Each contractor and subcontractor subject to the provisions of KRS 337.505 to 337.550 shall post and keep posted in a conspicuous place or places at the site of the construction work a copy or copies of prevailing rates of wages and working hours as prescribed in the contract with the public authority, showing the rates of wages prescribed and the working hours for each class of laborers, workmen, and mechanics employed by him or her in the work of constructing the public works provided for in the contract with the public authority.
- (4) Every employer shall permit the commissioner or the commissioner's authorized agents to question any of his or her employees at the site of the public work and during work hours in respect to the wages paid, hours worked, and duties of such employee or other employees.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1747, effective July 15, 2010. -- Amended 1982 Ky. Acts ch. 54, sec. 4, effective July 15, 1982. -- Amended 1974 Ky. Acts ch. 341, sec. 7. -- Amended 1970 Ky. Acts ch. 33, sec. 8. -- Amended 1962 Ky. Acts ch. 173, sec. 4. -- Amended 1960 Ky. Acts ch. 56, sec. 3. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 2290c-4.