

**\*\*\*DRAFT - NOT FOR FILING\*\*\***

**4101:9-4-13 Duties of contractors.**

(A) Every contractor and subcontractor on a public improvement project shall:

- (1) Under its contract with any public authority or contractor of a public authority, supply the prevailing wage coordinator with all documentation required pursuant to sections 4115.03 to 4115.16 of the Revised Code and division-level 4101:9 rules of the Administrative Code. Said contractor shall obtain from either commerce or the public authority sufficient copies of all forms required to assure accurate and timely submission of all reports required by sections 4115.03 to 4115.16 of the Revised Code and division-level 4101:9 rules of the Administrative Code.
- (2) As soon as it begins performance under its contract with any contracting public authority, supply the prevailing wage coordinator of the contracting public authority with a schedule of the dates during the life of its contract with the public authority on which it is required to pay wages to employees. The schedule of pay dates must not be greater than the time periods required for reporting of payrolls as set forth paragraph (B) of this rule.
- (3) Post in a prominent and accessible place on the site of the work a legible statement of the schedule of wage rates specified in the contract for the various occupations of laborers, workmen, and mechanics employed. The notice must remain posted during the life of the contract and must be supplemented in its entirety whenever new wage rate schedules are issued by the department. The schedule must also state the name, address, and phone number of the prevailing wage coordinator.
- (4) On the occasion of the first pay date under a contract, issue to each employee not covered by a collective bargaining agreement or understanding between employees and bona fide organizations of labor an individual written notification stating the identity of the prevailing wage coordinator and when the prevailing wage coordinator is appointed. In the event that the contractor is unable to identify the prevailing wage coordinator he shall contact the Ohio department of commerce.
- (5) Failure to provide any information, reports, documents or other evidence required by this rule or rules 4101:9-4-06 and 4101:9-4-07 of the Administrative Code is a violation of sections 4115.05 and 4115.071 of the Revised Code.

(B) For the purposes of paragraph (A)(2) of this rule, the initial and all supplemental payroll reports shall contain the information required in section 4115.071 of the Revised Code and an accurate description of the nature of the deductions withheld from each employee's wages.

(C) Falsification of any information addressed within this rule is a violation of section 4115.071 of the Revised Code and a criminal violation pursuant to section 2921.13 of the Revised Code.