

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

4101:9-4-21 Maintenance, preservation, and inspection of payroll records.

- (A) Each contractor and subcontractor performing work on a public improvement shall keep, maintain for inspection, and preserve accurate payroll records in accordance with these rules. If an employer performs both prevailing wage work and non-prevailing wage work, the records must be capable of being segregated. The employer may segregate such records on an hourly, daily, weekly, work shift, or project basis.
- (B) The payroll records required to be kept by this rule shall contain all of the information contained in division (C) of section 4115.071 of the Revised Code and a chronological listing of all hours worked on all projects by each employee employed on the public improvement throughout the term of the public improvement.
- (C) Any records maintained by contractors and subcontractors concerning wages paid each employee or the number of hours worked by each employee on a public improvement shall be made available for inspection by any authorized representative of the contracting public authority, including the project prevailing wage coordinator and commerce, during normal working hours of business days.
- (D) Such payroll records shall be preserved by the affected contractors and subcontractors for a period of at least one year following the completion of the public improvement for which the records were made.
- (E) For the purpose of this rule, the word "preserved" means not destroyed and kept within the state of Ohio for one full year following the completion of the public improvement. The one-year time period is tolled upon any request by commerce to inspect such records or proceed with an investigation or litigation.
- (F) The contractor or subcontractor shall, upon request, make available to the public authority, prevailing wage coordinator, commerce, or any other person with right of inspection, the address where the records are kept and the name and address of the person responsible for keeping and maintaining them. The contractor or subcontractor shall notify the above parties of any change and the records shall not be relocated without notification to the parties listed above.
- (G) Any right of inspection of records required by this rule is in addition to any other rights commerce may have to inspect records.