

## DAVIS BACON WAGE COMPLAINT

North Dakota Department of Transportation, Civil Rights  
SFN 60557 (2-2023)

### Instructions:

The North Dakota Department of Transportation enforces wage and hour laws and resolves wage disputes between employers and employees on North Dakota DOT federally funded construction projects. Every attempt should be made to resolve your claim with your employer before filing a complaint. Your claim will not be accepted if you do not provide the requested information and failure to cooperate with the investigation may result in the dismissal of your claim. The provision of false information in this claim is a crime under N.D.C.C 34-14-07.

In order to file a claim, you must acknowledge the following (initial each item):

\_\_\_\_ I am the claimant and I carry the initial burden of proof.

\_\_\_\_ I understand that the information I submit may be shared with my employer.

\_\_\_\_ I understand that the information I submit must be complete and I must provide sufficient information for the Department to pursue my claim, and that my failure to provide the requested information may result in the rejection of my claims.

\_\_\_\_ I agree to provide the Department with the contact information where I can be reached, to cooperate fully with any investigation, to promptly respond to the Department inquiries and requests.

\_\_\_\_ I agree to notify the Department of any payment made directly to me by my employer within three (3) days of receipt.

\_\_\_\_ I understand that I am providing information to the Department to determine the merit of my claim and the act of submitting this information does not guarantee that a claim will be opened, or if it is, that wages will be recovered.

\_\_\_\_ Attach copies of payroll records such as pay stubs, work schedule, time cards, employment agreement etc. and any additional information regarding the claim.

Completed claims can be submitted via email attention to: Labor Compliance Officer at [civilrights@nd.gov](mailto:civilrights@nd.gov) or USPS mail:

Labor Compliance Officer  
Civil Rights Division  
North Dakota Department of Transportation  
608 E. Boulevard Ave.  
Bismarck, ND 58505- 0700

Any additional questions regarding the Davis Bacon Complaint process or submission of this form please contact the Labor Compliance Officer at (701) 328-2605 or email [civilrights@nd.gov](mailto:civilrights@nd.gov).

**Contact Information**

Name			
Address	City	State	ZIP Code
Email Address (Optional)	Home Telephone Number	Cell Phone Number	

**Project Information**

Project Number (if available)	PCN	Prime Contractor	
Project Location (Highway or Street)	City	State	ZIP Code

**Employer Information**

Name			
Address	City	State	ZIP Code
Are you still employed by this employer?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If no, last date worked	
Was your termination <input type="checkbox"/> Voluntary <input type="checkbox"/> Involuntary			

**Wage/Work Performed**

Position/Job Classification			
List Work Performed			
Tools/Equipment Used or Operated			
Date Worked on Project		Hourly Rate of Pay	
From	To	REG	OT
Note: It is important that you provide records of hours worked, through a time sheet, pay stub, etc.			

**Complaint**

Nature of Complaint	<input type="checkbox"/> Wage Rate	<input type="checkbox"/> Overtime	<input type="checkbox"/> Fringes	<input type="checkbox"/> Unpaid Hours
Please Describe Complaint (Add sheets, if necessary)				
Complainant's Signature				Date

Please answer the following Supplemental Page if you are a truck driver.

**SUPPLEMENTAL DBRA TRUCK DRIVER COMPLAINT SECTION**

(Answer only if you are driving/hauling materials)

**Have you hauled materials TO the project?**

Type of Materials Hauled	Name of Location of Pit(s)
Distance from Pit to Project boundary (to 1/10 mile)	Time (in minutes) to load and travel to the Project boundary
Time (in minutes) to load at the Project and leave the Project boundary	Do other parties use the Pit? (if you know) <input type="checkbox"/> Yes <input type="checkbox"/> No

**Have you hauled materials FROM the project?**

Type of Materials Hauled	Name of Location of Unload Site
Time (in minutes) to load Materials onsite and travel to Project boundary	
Distance from Project boundary to Unload Site (to 1/10 mile)	
Time (in minutes) from Project boundary to unload and return to Project boundary	
Is the unload/recycling site used by others? (if you know) <input type="checkbox"/> Yes <input type="checkbox"/> No	

**Other Driving (other than Hauling to/from Pit or Unload/Recycling Site)**

Please Describe

Are you keeping records of time on/off the Project site each day?     Yes     No    If yes, please attach copies.

It is vital that records of time on and off the project be kept each working day and provided if you wish to make a Davis Bacon claim for hours worked onsite which exceed de minimis.

Signature of Driver	Date
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