

Chapter 8 CONTRACT WORK HOURS AND SAFETY STANDARDS ACT
- INTERPRETATIONS AND APPLICATION

- 8-1 INTRODUCTION. This chapter deals with specific interpretations and applications of the Contracts Work Hours and Safety Standards Act (CWHSSA) as it applies to HUD housing and community development programs.
- 8-2 SCOPE. CWHSSA applies to all HUD programs which are subject to the prevailing wage requirements of the Davis-Bacon and Related Acts except where HUD's participation is solely in the form of a loan guarantee or insurance. If HUD's participation is limited to FHA insurance, CWHSSA does not apply; however, if the FHA insured project is also assisted under Section 8 or Section 202 of the Housing Act of 1959, CWHSSA is applicable. CWHSSA also applies to maintenance laborers and mechanics employed by public housing authorities.
- 8-3 COVERAGE. CWHSSA provisions apply to all laborers and mechanics (including watchmen and guards). The provisions do not generally apply to supervisory, professional, and clerical personnel.
- 8-4 SITE OF WORK. CWHSSA has no job site limitations. For example, where an employee performs work at the construction site and continues such work at a shop or other facility, all hours worked at both locations including travel time between shall be subject to CWHSSA.
- 8-5 HOURS WORKED. Only hours spent on the federally-funded or assisted contract or contracts need be considered in computing overtime under CWHSSA.
- 8-6 LIQUIDATED DAMAGES. CWHSSA violations render the contractor and subcontractor liable to affected employees for his/her unpaid wages and to the United States for liquidated damages. Computation of liquidated damages is at the rate of \$10 for each calendar day for which each individual was required or permitted to work in excess of the standard work week of forty hours without payment of the required overtime rate. Liquidated damages should be computed for the days on which overtime hours exceed 40 hours in a work week.