



Notice To Workers

State Project Number(s): _____
(SP, SAP, DCP or Other)

_____ (Prime Contractor), has entered into a contractual agreement with _____ (Contracting Agency: State; County; City; Consulting Firm; or Other) to perform the work necessary to complete this project and to ensure compliance with the contract labor provisions. Please contact _____ (Project Engineer), at _____ (Phone Number); or call the Mn/DOT Labor Compliance Unit at 651-366-4209 or 651-366-4202 or visit www.dot.state.mn.us/const/labor/lcucontacts.html, with any questions, comments or complaints relating to the prevailing rates of pay, payment of wages, hours worked or classifications of labor, or to obtain a copy of the contract labor provisions. Employee inquiries regarding the contract labor provisions will be kept confidential by the Mn/DOT Labor Compliance Unit. The Contracting Agency is responsible for the administration of this project and to ensure contractor compliance with all federal, state and local laws, along with the federal and state prevailing wage requirements and the contract labor provisions.

No contractor or employee shall enter into an agreement relating to the prevailing rates of pay, payment of wages, hours worked or classifications of labor that is contrary to any federal, state or local laws or to the contract labor provisions. Violations of the Minnesota State Prevailing Wage Law could result in the following:

Minnesota Statute 177.44, Subdivision 6 – Penalties

A contractor, subcontractor, or agent who violates this section is guilty of a misdemeanor and may be fined not more than \$300 or imprisoned not more than 90 days or both. Each day that the violation continues is a separate offense.

Whoever induces a job applicant or employee on any project subject to this section to give up or forego any part of the wages to which entitled under the contract governing the project by threat not to employ, by threat of dismissal from employment, or by any other means may be fined not exceeding \$1,000 or imprisoned not more than one year or both.

Any employee under this section who knowingly permits the contractor or subcontractor to pay less than the prevailing wage rate set forth in the contract, or who gives up any part of the compensation to which entitled under the contract, may be fined not exceeding \$40 or imprisoned not more than 30 days or both. Each day any violation of this paragraph continues is a separate offense.

In addition, employees have a private right of action, as defined by the following:

Minnesota Statute 177.27 – Powers and Duties of Commissioner

Subdivision 8 – Court actions; suits brought by private parties

An employee may bring a civil action seeking redress for a violation or violations of sections [177.21](#) to [177.44](#) directly to district court. An employer who pays an employee less than the wages and overtime compensation to which the employee is entitled under sections [177.21](#) to [177.44](#) is liable to the employee for the full amount of the wages, gratuities, and overtime compensation, less any amount the employer is able to establish was actually paid to the employee and for an additional equal amount as liquidated damages. In addition, in an action under this subdivision the employee may seek damages and other appropriate relief provided by subdivision 7 and otherwise provided by law. An agreement between the employee and the employer to work for less than the applicable wage is not a defense to the action.

Subdivision 9 – District court jurisdiction

Any action brought under subdivision 8 may be filed in the district court of the county wherein a violation or violations of sections [177.21](#) to [177.44](#) are alleged to have been committed, where the respondent resides or has a principal place of business, or any other court of competent jurisdiction. The action may be brought by one or more employees.

Subdivision 10 – Attorney fees and costs

In any action brought pursuant to subdivision 8, the court shall order an employer who is found to have committed a violation or violations of sections [177.21](#) to [177.44](#) to pay to the employee or employees reasonable costs, disbursements, witness fees, and attorney fees.

This notice, along with the Minnesota Department of Labor and Industry's prevailing wage decision and other required federal and state posters must be posted by the Prime Contractor on the site of work, accessible to all workers, from the first day of work until the project is 100% complete.