

CLASS TITLE: SENIOR PREVAILING WAGE INVESTIGATOR

Class Code: 02751100

Pay Grade: 27A

EO Code: B

CLASS DEFINITION:

GENERAL STATEMENT OF DUTIES: In the Department of Labor and Training (DLT), to enforce the compliance of Prevailing Wage, Contractor Bonds, OSHA-10, Historic Preservation Tax Credit Apprenticeship Requirements & Employee Misclassification laws; to receive, review, and investigate complaints of alleged violations; to ascertain facts, obtain evidence, and prepare reports of findings; to prepare cases for DLT administrative hearing or court presentation; to appear at hearings or court to provide testimony; to prepare compliance material and provide training to the public, awarding authorities, contractors, and other interested groups; to develop contacts/liaison with other agencies and serves as lead investigator when so assigned; and to do related work as required.

SUPERVISION RECEIVED: Works under the general supervision of a superior from whom general instructions are received with considerable latitude for the exercise of independent judgement in completing assignments; work is usually reviewed upon completion for conformance to laws, rules, policies, procedures and objectives.

SUPERVISION EXERCISED: As required, may train and instruct new investigators in the proper completion of assignments and the law, rules, policies and procedures utilized.

ILLUSTRATIVE EXAMPLES OF WORK PERFORMED

To conduct investigations into alleged violations of the Labor and Payment of Debts by Contractors RIGL 37-13, Safety Awareness RIGL 37-23, Contractor Bonds RIGL 37-12, Historic Preservation Tax Credit Apprenticeship Requirements RIGL 44-33.6-8, Employee Misclassification RIGL 42-156 and RIGL 28-14-19.1.

To perform extensive fact finding employee interviews in order to conduct an independent contractor test and identify employee misclassification violations.

To prepare Employee Misclassification violations for administrative hearings and to give testimony.

To track & prepare quarterly summary reports of employee misclassification violations and provide findings to the Assistant Director of Workforce Regulation & Safety.

To develop contacts/liaison with the Department of Revenue, Unemployment, Contractors Registration, Attorney General, & Public Safety regarding Employee Misclassification.

To encourage businesses and individuals to identify violators by soliciting information from the public, facilitating the filing of complaints, and enhancing the available mechanisms by which workers can report suspected violations.

To be responsible for disseminating educational materials regarding the applicable laws, including the legal distinctions between independent contractors and employees, and increasing public awareness of the harm caused by the underground economy and employee misclassification.

To examine contractor bonds and other securities to ascertain that they meet the requirements of RIGL 37-12.

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To prepare and file claims against the applicable contractor's bond for any potential prevailing wage violations.

To be responsible for preparing material & gathering records for use in the prosecution of prevailing wage claims against the contractors bonds pursuant to RIGL 37-12.

To serve as the advisory on Contractor Bond interrogatories produced during an investigation.

To be responsible for the evaluation and analysis of investigation findings and the governing statutes and regulations in devising methods and solutions for overcoming obstructive and objectionable situations.

To conduct extensive in-depth investigations and audits of employer's payroll records, fringe benefit payments, apprenticeship agreements and other records concerning Prevailing Wage law compliance.

To prepare detailed reports upon completion of investigations and audits containing procedures followed, substantiating data and a summary of findings and recommendations.

To conduct difficult negotiations with employers, their legal counsel, accountants and other representatives in order to obtain voluntary compliance and collect back wages and interest for employees.

To determine potential litigation cases and to develop such cases for litigation and/or for civil, criminal or administrative hearings.

To promote an effective public relations program involving providing information to employers, employees, public officials, representatives of local, state and federal agencies regarding the interpretation of Prevailing Wage and OSHA-10 laws, and objectives of the department.

To attend, present evidence and testify at Prevailing Wage and OSHA-10 hearings and court proceedings.

As required, to train and instruct new investigators on proper investigation procedures, laws and departmental functions.

To comprise, conduct, and oversee routine seminars and educational training on Misclassification, Prevailing Wage, Safety Awareness & Contractor Bond requirements.

To plan, supervise and review the work of subordinate investigators engaged in enforcing the rules, regulations and requirements of the OSHA-10 & Misclassification laws.

To serve as lead investigator when assigned.

To prepare special and regular reports as required.

To do related work as required.

REQUIRED QUALIFICATIONS FOR APPOINTMENT:

KNOWLEDGES, SKILLS AND CAPACITIES: A thorough knowledge of the principles, techniques and application of Prevailing Wage, OSHA-10, Employee Misclassification, & Contractor Public Works Bond requirement and the ability to conduct an investigation from beginning to end, which includes gathering evidence, interviewing witnesses, and compiling a case into logical and understandable presentation; a working knowledge of Prevailing Wage Laws relating to employment and the ability to explain and interpret pertinent provisions of laws and regulations and the ability to audit payroll and fringe benefit information; a working knowledge of accounting and auditing practices; the ability to ascertain facts by personal contact and observation and the examination of records; a working knowledge of court procedures; a working knowledge of the construction industry; the ability to detect violations of Prevailing Wage, OSHA-10 and

Employee Misclassification and to gain compliance with these laws; ability to examine a contractor's bond and file a claim for wages assessed on a prevailing wage case; the ability to prepare clear and concise analytical reports; the ability to establish and maintain effective working relationships with the public, employers and their representatives; and related capacities and abilities.

EDUCATION AND EXPERIENCE:

Education: Such as may have been gained through: graduation from a senior high school supplemented by college courses in accounting; and

Experience: Such as may have been gained through: employment in investigatory, accounting and auditing work which involves obtaining technical facts, interviewing employees, gathering evidence, writing reports, filing claims against bonds, reviewing OSHA-10 Certifications, and conducting employee misclassification tests.

Or, any combination of education and experience that shall be substantially equivalent to the above education and experience.

SPECIAL REQUIREMENT: At time of appointment, must possess an OSHA-30 hour certification and must maintain such certification as a condition of employment.

Class Created: July 26, 2015