



CITY OF BERKELEY

Planning and Development
1947 Center St, 2nd Floor
Berkeley, CA 94704

ATTESTATION FORM

WAGE THEFT PREVENTION: PAY TRANSPARENCY ACKNOWLEDGMENT

Berkeley Municipal Code (BMC) Chapter 13.104 ensures compliance with the Wage Theft Protection Act of 2011 by requiring confirmation by owners, contractors, and subcontractors of the rate of pay and other legally required information pursuant to Labor Code sections 226(a) and 2810.5.

Prior to the issuance of a building permit for any project subject to BMC Chapter 13.104, this acknowledgement form must be completed and signed by a responsible representative of the permittee.

Building Permit Number:

Address:

B20 _____ - _____

Assessor Parcel Number:

THE CITY OF BERKELEY IS COMMITTED TO PROTECTING THE PUBLIC HEALTH, SAFETY, AND WELFARE.

The construction industry involves unique labor standards compliance challenges. Construction workers who do not receive all of their wages and mandatory benefits are likely to discover that, despite the best efforts of State enforcement officials, many employees continue to be victims of wage theft because they are unaware of their rights or the State lacks adequate resources to advocate on their behalf.

BMC Chapter 13.104 applies to newly constructed buildings that are greater than 30,000 square feet, and are not subject to local, state or federal prevailing wage requirements, or does not have a valid Project Labor or Community Workforce Agreement.

PAY TRANSPARENCY ACKNOWLEDGMENT (check the box that applies):	
<input type="checkbox"/>	The Permittee confirms that the project is subject to local, state or federal prevailing wage requirements and therefore exempt from the requirements of BMC Chapter 13.104.
<input type="checkbox"/>	The Project is being constructed under a valid Project Labor or Community Workforce Agreement and therefore exempt from the requirements of BMC Chapter 13.104.
<input type="checkbox"/>	<p>The Permittee acknowledges that this project is subject to BMC Chapter 13.104 and confirms that:</p> <ol style="list-style-type: none"> 1) The permittee has reviewed BMC Chapter 13.104; 2) The permittee shall be responsible for demonstrating compliance with BMC Chapter 13.104; 3) The contractor and all qualifying subcontractors performing work on the project shall comply with BMC Chapter 13.104 and with Labor Code sections 226(a) and 2810.5 for each employee who works on the Project; 4) Within 10 days of the approved final inspection, each permittee shall provide to the City for each contractor or qualifying subcontractor a Pay Transparency Attestation; and 5) For each day work is performed on the project, the permittee shall post, and keep posted in a conspicuous location where it may be easily read by employees during the hours of the workday, a notice that: <ol style="list-style-type: none"> A) Contains the text of BMC Chapter 13.104; B) Explains that workers can report violations of Labor Code sections 226 and 2810.5 to the Labor Commissioner of the State of California; and C) Provides current contact information, including office address, telephone number, and email address of the Labor Commissioner of the State of California.

By my signature below, I, a Responsible Representative of the Permittee, hereby affirm under penalty of perjury that each of the above declarations are true.

Check One: Contractor Owner Owner's Agent

SIGNATURE: _____ Printed Name: _____ Date: _____