


<b>Labor Commissioner, State of California</b> Department of Industrial Relations Division of Labor Standards Enforcement Bureau of Field Enforcement - Public Works  TEL: (562) 983-5254                      FAX: (562) 499-6439	Gavin Newsom, Governor  
DATE August 7, 2019	In Reply Refer to Case No. 10-59845-705

**CIVIL WAGE AND PENALTY ASSESSMENT**

Working Body: City of Inglewood-Public Works	Work Performed in County of: Los Angeles
PROJECT NAME: Center Park Improvement Project	Project No.: C91-16-12
Prime Contractor: C.E.M. Construction Corporation, a California Corporation	
Subcontractor:	

After an investigation concerning either the payment of wages to workers employed in the execution of the contract for the above-named public works project or compliance with the apprenticeship standards found in Labor Code section 1777.5, or both, the Division of Labor Standards Enforcement (the "Division") has determined that violations of the California Labor Code have been committed by the contractor and/or subcontractor identified above. In accordance with Labor Code section 1741, the Division hereby issues this Civil Wage and Penalty Assessment.

The nature of the violations of the Labor Code and the basis for the assessment are as follows:

**Wage Violations:**                      Violation of Labor Code Sec 1774: CEM Construction Corporation (CONTRACTOR) failed to pay the required prevailing wages to some of the workers who worked on the project. Underpayment was due to the misclassification of some workers who performed plumbing, iron work, electrician, landscape irrigation, sheet metal, and other duties. CONTRACTOR did not make all training funds for the crafts utilized on the project.

**Apprenticeship Violations:**      Violation of Labor Code Sec 1777.5: CONTRACTOR failed to hire apprentices in at least minimum ratio of one apprentice hour for every five journeymen hours for all the classifications he utilized during the days he worked on the public works project. CONTRACTOR failed to submit Contract Award Information (Form DAS 140) for all the crafts he employed on the public works project. CONTRACTOR was assessed a total of 340 violations for not complying with apprenticeship requirements.

The attached Audit Summary further details the basis for this Assessment and itemizes the calculation of wages and penalties due under Labor Code sections 1775 and 1813.

- The Division has determined that the total amount of wages due is:                      **\$21,709.57**
- The Division has determined that the total amount of penalties assessed under Labor Code sections 1775 and 1813 is:                      **\$21,650.00**      (1774 w/ 180 violations x \$120 per violation)      (1813 w/ 2 violations x \$25 per violation)
- The Division has determined that the amount of penalties assessed under Labor Code section 1777.7 is                      **\$27,200.00**      (1777.7 w/ 110 violations x \$250 per violation)
- The Division has determined that the amount of penalties assessed under Labor Code section 1776 against is:                      **\$0.00**

Please refer to page 5 for specific withholding obligations pertaining to these amounts.

STATE LABOR COMMISSIONER  
 By Oluchi Iwuoha  
 Oluchi Iwuoha  
 Deputy Labor Commissioner

**70,559.57**

PW [ ]