


Labor Commissioner, State of California Department of Industrial Relations Division of Labor Standards Enforcement Bureau of Field Enforcement- Public Works	Gavin Newsom, Governor 
DATE: December 10, 2019	In Reply Refer to Case No: 40-59410-155

**CIVIL WAGE AND PENALTY ASSESSMENT**

Awarding Body City of Westlake Village	Work Performed in County of Los Angeles
Project Name Westlake Village Community Park – Phase IIB – Park Improvements	Project No. 106322.1001
Prime Contractor Morillo Construction, Inc., a California corporation	

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: Morillo Construction, Inc. ("CONTRACTOR") underpaid workers that it classified as apprentices but were not registered as apprentices. CONTRACTOR underpaid overtime by paying overtime hours at the straight time rate. CONTRACTOR failed to pay any training funds for the work it performed under the Cement Mason classification.

Apprenticeship Violations: CONTRACTOR failed to submit contract award information (Form DAS 140) to all committees able to provide Cement Mason apprentices. Period in violation: 4/25/2017 - 1/24/2018 (274 days). CONTRACTOR failed to hire Cement Mason and Laborer apprentices in at least the minimum ratio of one apprentice hour for every five journeyman hours worked. There were 93 days of work in the Cement Mason craft, and 104 days worked in the Laborer craft.

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: \$9,335.42

The Division has determined that the total amount of penalties assessed under Labor Code sections 1775 and 1813 is: \$2,545.00

The Division has determined that the amount of penalties assessed under Labor Code section 1777.7 is: \$5,480.00 (274 violations x \$20)

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

STATE LABOR COMMISSIONER  
 By   
 Alfredo Roman  
 Deputy Labor Commissioner  
 PW 33 (Rev. 7-20-21)

*17,360.42*