

18440
50
UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

OFFICE OF GENERAL COUNSEL

B-200299

June 12, 1981

The Honorable William L. Armstrong
United States Senator
1045 Lincoln Street
Denver, Colorado 80203

Do not make available to public reading

Dear Senator Armstrong:

We refer to your letter of March 26, 1981, concerning the claims by Mr. Don Ravenhill for back wages which resulted from wage underpayments by Crosby Construction Co. (Crosby) while Mr. Ravenhill was an employee of Crosby. Enclosed is a copy of our decision of today allowing Mr. Ravenhill's claim for painting and carpentry work performed in March 1979 in connection with contract No. DADA03-78-C-0065 for the installation and painting of doors at the Fitzsimons Army Medical Center (FAMC).

In your letter, you expressed some concern in regard to the Department of Labor's (DOL) review since we had advised you that we were contacting DOL in connection with an \$872.13 settlement between DOL and Crosby, whereas Mr. Ravenhill was claiming a total of \$2,742.80.

We were advised by DOL that the \$872.13 (\$448.33 after legal deductions) represents back wages found due Mr. Ravenhill as a result of an investigation of Crosby, conducted by DOL's Denver Regional Office. This investigation covered Crosby's performance on five Government contracts, including Department of Army contract No. DADA63-78-C-0065 for construction work at FAMC. However, in regard to the FAMC contract, DOL only investigated Mr. Ravenhill's allegations that he worked a certain number of hours during May 1979 as a "laborer." While our case involves underpayments under the FAMC contract, it involves carpentry and painting which Mr. Ravenhill claims to have performed in March 1979. The Department of Army investigated

[Claim For Back Wages]

577233|088331

these alleged violations and determined that Mr. Ravenhill had been underpaid a total of \$650. However, only \$626.28 was withheld from amounts due Crosby under the contract. This amount was forwarded to our Office for disbursal. The amount of \$2,742.80 is the total amount claimed by Mr. Ravenhill for underpayments under all five contracts, which DOL states it was unable to substantiate.

We were further advised by DOL that Mr. Ravenhill refused to accept the \$448.33 found due him as a result of DOL's investigation, claiming he was due more money. DOL states that the \$448.33 is currently deposited with the United States Treasury under control of its Denver Regional Office, pending Mr. Ravenhill's decision to reconsider his refusal to accept such payment. On the basis of the present record, we find no reason to object to the settlement agreement between DOL and Crosby.

Sincerely yours,

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel

Enclosure