

Mr. Bernard L. Werner,
Director of Public Works

(continued)

(and) shall include all labor charges, etc.,
and material charges insofar as they can be
verified. (Emphasis supplied)

* * *

(3) On extra work as defined in this paragraph, the Contractor will be reimbursed for his expenditures for Workmen's Compensation Insurance, Public Liability Insurance, Social Security Taxes and Unemployment Compensation covering the men actually engaged upon such extra work. No percentage will be added to such payments, but the Contractor shall be entitled to receive only the actual amount of money expended for such Workmen's Compensation Insurance, Public Liability Insurance, Social Security Taxes and Unemployment Compensation. Such payments shall be based upon the prevailing standard insurance rates supported by receipted vouchers from the insurance vendors and upon the actual amount of taxes paid for Social Security and Unemployment Compensation as evidenced by proper documents furnished by the Contractor."

The rates of wage have not been agreed upon in writing as required by Section (a) of the "force account" contract, and the Contractor is now attempting to claim that a 7½¢ per hour contribution that he makes to a Labor Welfare Fund, on behalf of his employees is a part of "rates of wage" paid within the meaning of said Section (a).

The word "wages" is susceptible of many definitions. "In its broad, general, and legal sense, and as generally defined, 'wages' means compensation for labor or services; compensation or reward agreed upon by the master to be paid to a servant or to any other person hired to do business for him; compensation given to a hired person for his or her services; compensation for services rendered; compensation paid or to be paid for services by the day, week, month, or year, or other subdivision of time; hire; a hiring; reward; pay; daily compensation." (Emphasis supplied) (92 C.J.S. 1036)

The definition of "wage" as used in the Fair Labor Standards Act (29 USCA Sec. 203) is: "'Wage' paid to any employee includes the reasonable cost, as determined by the Administrator, to the employer of furnishing such employee with board, lodging,