

A714

Sample Request for Waiver of Liquidated Damages

(Strongly encouraged for amounts less than or equal to \$100.00 but applicable for any amount)

Date

Construction Company
Address

Sub-Contracting Company Name (if applicable)

Dear [TDA Labor Compliance Specialist's name]:

This is a request for a waiver of the liquidated damages amount of \$#### being charged against [Construction Company's name].

[Please add the following:

- 1) List employee(s) showing what was paid and what was owed***
- 2) Payment Periods in question for each employee referencing the payroll number***
- 3) Confirmation of payment to the employee(s) and the amount paid***
- 4) The basis for requesting the waiver. (use 1), 2) or both grounds from below as applicable)]***

[According to HUD Handbook 1344.1 and DOL Regulations: The only grounds for requesting a waiver or reduction are the following: (1) the computation of liquidated damages is incorrect, and/or (2) the violation occurred inadvertently notwithstanding the exercise of due care.]

Signature of Prime Construction Contractor Representative (if different from the LSO)

Signature of City or County's appointed LSO