

The Commonwealth of Massachusetts  
DEPARTMENT OF LABOR AND INDUSTRIES

DIVISION OF OCCUPATIONAL STATISTICS

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Director

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January 25, 1995

Peter Fengler  
Asplundh Municipal Division  
708 Blair Mill Rd.  
Willow Grove, PA 19090


Dear Mr. Fengler:

In response to your letter of December 6, 1994 to Secretary of Labor Christine E. Morris, I would like to offer the following answers to your questions:

1. There is no "dollar threshold amount" under which the Massachusetts prevailing wage law does not apply.
2. Prevailing wage rates apply to all public works (MGL c149, §§26 - 27H). The categorical differentiation you suggest - construction vs. service vs. maintenance - is irrelevant.
3. Tree trimming and tree removal projects are considered public works projects if they are undertaken by a public agency (ie., cities, towns, counties or state agencies).
4. Public agencies who solicit bids or prices for public works projects are required to make the applicable prevailing wage schedule - which, as you know, is issued by the Dept. of Labor and Industries - available to all bidders.
5. Prevailing wage rates are established by collective bargaining agreements between organized labor and employers.
6. All subcontractors and filed sub-bidders are required to pay their employees prevailing wages in the same manner as general contractors. Specific compliance questions should be directed to the Office of the Attorney General.

I hope these answers are helpful to you. Also, I am enclosing a copy of An Important Guide For Contractors Doing Public Works Projects In Massachusetts to assist you with any other questions you may have.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert J. Prezioso".

Robert J. Prezioso

enclosure