



The Commonwealth of Massachusetts  
DEPARTMENT OF LABOR AND INDUSTRIES

DIVISION OF OCCUPATIONAL STATISTICS  
100 CAMBRIDGE STREET, 11TH FLOOR  
BOSTON, MASSACHUSETTS 02202-0003

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Director

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April 10, 1995

Luz Arevalo, Esq.  
Assistant Attorney General  
Division of Fair Labor and Business Practices  
Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

Re: West Tisbury Elementary School; Carpenter Wage Rates

Dear Ms. Arevalo:

In response to your letter of April 7, 1995, set forth below is an explanation of the three carpenter job classifications listed on the wage schedule for the West Tisbury Elementary School project (the "Project").

As a preliminary matter, you ask in your letter which rate applies to the employees of American Continental. We do not determine the applicability of rates based on the identity of the contractor. Rather, the appropriate wage classification is dependent upon the nature of the work being performed.

The classification for "CARPENTER/COMM (WOOD < 4 STORIES INCL BASE)" applies to all wood-framed structures built for commercial purposes which do not exceed four stories including the basement. The job classification for "CARPENTER/RES (WOOD < 4 STORIES INCL BASE)" applies to all wood-framed structures built as residences which do not exceed four stories including the basement. (These two classifications are referred to collectively herein as "Wood Frame Classifications.") The job classification "CARPENTER" applies to carpentry work on all other structures.

Since the time that the Department issued the wage schedule for the Project on December 23, 1993, the Carpenters Union, Local 723 informed us that the collective bargaining agreement upon which the rates for the Wood Frame Classifications were based governs only new

construction. At that time, we amended the Wood Frame Classifications for all subsequent projects to state that those classifications apply only to new construction as opposed to renovation work.

Since the wage sheets for the Project were issued prior to this amendment, contractors working on the Project would be permitted to pay the Wood Frame Classification rates for carpentry work performed on all commercial wood-frame structures, four stories and under, whether the work was new construction or renovation.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

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

Robert J. Prezioso