



The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES

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

ROBERT J. PREZIOSO
Director

February 28, 1996

TEL: (617) 727-3593
FAX: (617) 727-0726

Peter H. Crutchley, Vice President
Brush Strokes Etc.
25 Newport St.
Fitchburg, MA 01420

Re: Applicability of the prevailing wage law to electrostatic painting.

Dear Mr. Crutchley:

I have received your letter regarding the applicability of the prevailing wage law to electrostatic painting.

Please be aware that painting is explicitly mentioned in M.G.L. c. 149, § 27D as a trade covered by the prevailing wage law. Electrostatic painting, as defined by the Dictionary of Occupational Titles published by the U.S. Department of Labor (copy attached), is considered one of many types of painting that would fall within this broad occupational category. Therefore, the electrostatic painting of any public building, including stairways, doors, casings, hand railings and lockers, would require that all persons working on the project be paid according to the prevailing wage schedule issued for the project.

The painting of furniture, as you also inquire about in your letter, would not be covered by the prevailing wage law because furniture is not considered a "public building [or a] public work"

You should also be aware that regardless of whether electrostatic painting requires a license or is recognized as a "legitimate trade" by a governmental agency, prevailing wage rates must be paid to all persons performing electrostatic painting on all public works projects.

You may acquire copies of the Massachusetts General Laws at the State House Book Store. Sorry, but we do not provide copies from this office. I am, however, including copies of "An Important Guide for Contractors" which should answer general questions you may have regarding the prevailing wage law.

If you have any further questions regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Robert J. Prezioso".

Robert J. Prezioso