



The Commonwealth of Massachusetts
Department of Labor and Workforce Development
Division of Occupational Safety

ANGELO BUONOPANE
Director

ROBERT J. PREZIOSO
Deputy Director

April 9, 1997

Mr. Mike Mard, Inspector
Attorney General's Office of Fair Labor
200 Portland Street, 2nd Floor
Boston, MA 02114

Dear Inspector Mard:

This letter responds to your request for clarification of an occupational classification that existed in 1995. Your question specifically concerned operators of waste water pumps at construction sites in the Boston area.

As we previously discussed, the International Union of Operating Engineers Local 4 claims trade jurisdiction over the operation of equipment such as cranes, bulldozers and pumping equipment. Pumping equipment encompasses many machines including grout pumps, pumpcrete machines and dewatering devices, each requiring a different level of skill and pay. During 1995, the operation of a waste water pump, based on a clear reading of the collective bargaining agreement in effect at that time, indicates such pump operation would have been subject to the Group III wage rate. Therefore, the occupational classification of "pump operator (grout, concrete, etc.)", as appearing on a 1995 rate sheet, would be applicable to operators of waste water pumps.

I trust this information meets your needs. If not, please call me at (617) 727-3492.

Sincerely,

A handwritten signature in black ink, appearing to read "Stewart Field".

Stewart Field, Program Manager
MA Div. Of Occupational Safety

cc: Robert Prezioso, Deputy Director
MA Div of Occ. Safety

Helen Moreschi, Division Chief
Attorney General's Office of Fair Labor