



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF OCCUPATIONAL SAFETY

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May 12, 1999

Janine Yodanis
The Foundation For Fair Contracting
State House Station, Box 256
Boston, MA 02133

RE: Prevailing Wage/Field Engineers

Dear Ms. Yodanis:

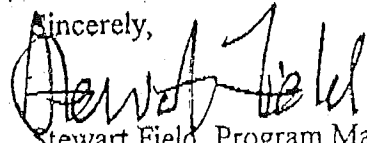
This letter responds to your letter dated April 15, 1999 concerning certain occupational classifications appearing on prevailing wage schedules issued under the provisions of M.G.L. c. 149, ss. 26-27H. In your April 15th correspondence, you ask for clarification regarding the field engineering classifications, including "*Field Eng. - Inst. Person (Bldgs. Only)*", "*Field Eng. - Road Person (Bldgs. Only)*" and "*Field Eng. - Chief of Party (Bldgs. Only)*".

As you may know, the Division of Occupational Safety, when determining the occupational titles and rates of pay that appear on the prevailing wage schedules, is obligated to use "certain trades and occupations" appearing in "collective agreements." (See M.G.L. c. 149, s. 26) The field engineering classifications as mentioned above appear in the collective bargaining agreement of the International Union of Operating Engineers, Local 4. The craft jurisdiction language, terminology in the collective agreement which defines a field engineer's scope of work, is attached for your review. As indicated in the craft jurisdiction language, many services commonly performed by field engineers during a typical building construction project, including establishing bench marks for foundations, right of way clearances, grades and elevations, are specifically mentioned in the agreement and are therefore subject to the prevailing wage law.

If this information is insufficient you may in the future exercise an appeal "from... a classification" in accordance with the provisions of M.G.L. c. 149, s. 27A.

Please feel free to contact me if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Stewart Field". The signature is written in a cursive style with a large initial "S" and "F".

Stewart Field, Program Manager
Mass. Div. of Occupational Safety

cc: Robert Prezioso, Deputy Director
Mass. Div. of Occupational Safety

Linda Hamel, General Counsel
Mass. Div. of Occupational Safety