

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

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November 10, 1999

Michael A. McGrath
Construction Contracts Engineer
Massachusetts Highway Department
Ten Park Plaza
Boston, MA 02116-3973

Re: Prevailing Wage Classification; Operation of a Barrier Transport Vehicle

Dear Mr. McGrath:

This letter responds to your request for clarification of the proper occupational classification to be applied to the operators of the Barrier Transport Vehicle ("BTV") on the Massachusetts Highway Department ("MHD") contract for operation of the H.O.V. lane, Southeast Expressway, I-93 and Route 3.

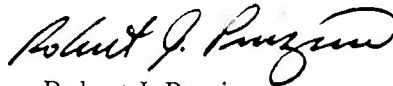
On October 16, 1995, the Division of Occupational Safety (formerly titled the Department of Labor and Industries) determined that the MHD contract for operation of the BTV on the H.O.V. lane was subject to the prevailing wage law, M.G.L. ch. 149, § 27F. Immediately thereafter, a wage schedule was issued for the project that contained several occupational classifications and rates of wages.

A similar wage schedule was issued on October 26, 1999 for a new, upcoming contract for the same services. That wage schedule contained the occupational classification "Two-Axle Equipment" that should be applied to operators of the BTV.

In essence, the BTV is a truck that travels along the 6-mile corridor of the Southeast Expressway between Boston and Braintree several times a day. It is designed specifically to reconfigure traffic lanes by transferring movable barriers from one lane to the next. The "Two-Axle Equipment" classification, established by the Teamsters collective bargaining agreement, is the most analogous in scope and will apply to BTV operators on the upcoming contract.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Prezioso". The signature is written in a cursive style with a large, sweeping initial "R".

Robert J. Prezioso
Deputy Director

cc: Linda Hamel, General Counsel, DOS
Benjamin B. Tymann, DOS
Francis X. Flaherty, Office of the Attorney General