



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENTS OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF OCCUPATIONAL SAFETY
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Commissioner

May 13, 2005

Gary W. Smith
H.F.P. Corporation
P.O. Box 5087
Holyoke, MA 01041

Dear Mr. Smith:

I am writing in response to your request for this Office's written opinion regarding the applicability of the Massachusetts Prevailing Wage Law, G.L. c. 149, §§26-27. Specifically, you have asked whether the testing of fire sprinkler systems is subject to the state prevailing wage law.

Please be advised that the testing of fire sprinkler systems in connection with an installation or repair project requires the payment of prevailing wage rates. However, prevailing wages are not required for routine testing not associated with installation, alteration, or repair work.

I hope this information has been helpful. If you have any further questions, please feel free to contact me.

Sincerely,

Lisa C. Price
Deputy General Counsel

cc: Robert J. Prezioso, Deputy Director, DOS
Kathryn B. Palmer, General Counsel, DOS
Chris Buscaglia, Deputy Division Chief, Office of the Attorney General, Fair
Labor & Business Practices Division