

OFFICE OF THE COMMISSIONER
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The Commonwealth of Massachusetts
Executive Office of Labor
Department of Labor and Industries
Leverett Saltonstall Building, Government Center
100 Cambridge Street, Boston, 02202

October 11, 1989

Mr. Leo Purcell, President
Massachusetts Building Trades Council
Nine Park Street, 5th Floor
Boston, Massachusetts 02108

Dear Mr. Purcell:

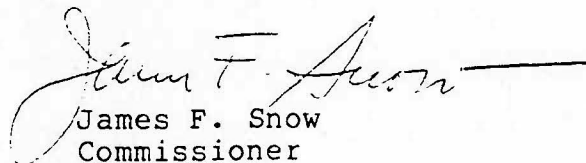
I am writing to follow up our recent conversation regarding the application of the prevailing wage requirement contained in Section 27F of Chapter 149.

The Department has taken the position that municipal employees who operate equipment that is rented and who are not otherwise covered by section 27 ("This section shall also apply to regular employees of the Commonwealth or of a county, town or district, when such employees are employed in the construction, addition to or alteration of public buildings for which special appropriations of more than one thousand dollars are provided.") are not entitled to predetermined wage rates. This should clear up some confusion about this issue which arose when the Department inadvertently dispensed a contrary opinion.

I should stress that when rented equipment is operated by someone other than a regular municipal employee the usual prevailing wage requirements do indeed apply.

I hope this explains the Department's position and answers any questions you may have.

Very truly yours,


James F. Snow
Commissioner

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