

October 22, 2014

Re: Job Classifications for Pool Services

Dear XXXX:

The Department of Labor Standards (“DLS”) has reviewed the request for a prevailing wage rate for the position of Pool Technician. Following review of the information provided, the DLS determines that the Pool Technician specifications cover a variety of duties and job classifications. The DLS is unaware of any collective bargaining agreement that covers all of the duties under one classification.

The prevailing wage law applies to the construction of public works by the Commonwealth, or by a county, town, authority or district. G.L. c. 149, §§ 26 and 27. The term “construction” includes “additions to and alterations of public works,” including the repair and replacement of public works. See G.L. c. 149, § 27D. Section 27F requires that any lease, rental or other arrangement under which a truck or other vehicle or equipment is to be engaged in public works contain a stipulation requiring that prevailing wages, as determined by the DLS, be paid to the operators of such trucks, vehicles or equipment.

When public awarding authorities enter into agreements subject to §§ 26 and 27, DLS sets prevailing wage rates based on "collective agreements or understandings in the private construction industry between organized labor and employers." G.L. c. 149, §26. DLS also looks to these agreements and understandings to determine the appropriate job classifications under the prevailing wage law.

The DLS has broken down the various duties described in the technical specifications in the contract you provided for Pool Technician. The wage paid must be at least the amount set out on the rate sheets for work performed within the particular job classifications. A single wage rate may be paid, but the pay rate for each job must be at least the specified rate.

1. Pipefitter

- Installation, repair, and removal of filters and purifiers connected with swimming pool
- Installation, repair and removal of automatic and manual controls in relation to equipment covered by pipefitters;
- Installation, repair, and removal of electrical transformer piping and equipment for pump reclaiming systems;
- Welding for joining of pipes.

2. Plumber

- All water and waste piping serving swimming pools;
- Installation, repair, and removal of all piping and equipment for plumbing systems;
- Installation, repair, and removal of all piping and equipment for water treatment systems;
- All plumbing and piping for outdoor drinking fountains;
- Installation and setting of pumps and tanks;
- Installation and repair of automatic and manual controls in relation to equipment covered by plumbers;
- Welding connected to plumbing systems.

3. Electrician

- Electrical component repairs (pool lighting)

4. Carpenter

- Installation, repair, and removal of pool safety equipment

5. Brick/Stone/Artificial Masonry (including masonry waterproofing) or Cement Mason

- Repair pool shell concrete and joints
- Caulking

6. Sheetmetal Worker

- Repair of stainless steel gutters

7. Marble Masons, Tilelayers and Terrazzo Mechanic

- Repair and replace tile

8. Painter

- Painting

9. Laborer

- Clean and prepare job site
- Load and deliver materials using a variety of tools and machines
- Set up and take down ladders, scaffolding and other temporary structures
- Assist plumbers, and other specialized contractors in the non-technical portions of their tasks, unless specifically covered by the trade
- Clean out leaf debris from pool basins, dewatering pools or sump pits if using equipment.

The classification determinations are based on the information you provided. If any of the factual information provided has changed or is incorrect, please inform me as soon as possible. Please do not hesitate to contact this office if you have any further questions.

Very truly yours,

Jean Zeiler

General Counsel