



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

December 10, 2003

Arlindo Verissimo  
90 Alden Street #2  
Fall River, MA 02723

Re: Supervisor performing carpentry work

Dear Mr. Verissimo:

I am writing in response to your request for this Office's written opinion regarding the applicability of the Massachusetts Prevailing Wage Law, M.G.L. c. 149, §§26-27. Specifically, you have asked if a salaried supervisor must be paid the state prevailing wage when performing carpentry work on a project subject to the state prevailing wage law.

As I understand it, you are a salaried supervisor for a construction company performing public works projects in Massachusetts. While you are employed as a supervisor, there are times when you also perform carpentry work on these jobs. In such instances, you must be paid the applicable prevailing wage for this work. However, please be advised that an employer may meet this obligation if your weekly salary is sufficient to ensure full payment of the prevailing wage for all such hours worked.

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

Sincerely,

Lisa C. Price  
Legal Counsel

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