



THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
DIVISION OF OCCUPATIONAL SAFETY
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May 24, 2001

Bruce Trager
Assistant Attorney General
Office of the Attorney General
One Exchange Place
Worcester, MA 01608

Re: Prevailing Wage Applicability; Sheet Metal Workers

Bruce
Dear Mr. Trager:

This letter responds to your request for a determination of the applicability of the "Sheetmetal Worker" occupational classification, as contained on prevailing wage schedules, to the handling and assembly of duct work.

The language of the collective bargaining agreement between Boston Roofing and Sheet Metal and Air Conditioning Contractor Associations of the B.T.E.A. and Local Union No. 17, which is used to establish the "Sheetmetal Worker" occupational classification and rates of wages in accordance with the prevailing wage law, M.G.L. ch. 149, §§ 26 - 27D, claims jurisdiction over the "handling, setting, erecting, installation, assembling, dismantling, adjustment, alteration, reconditioning, repairing ..." of all air-handling systems. Thus, handing and assembly would fall within the jurisdiction of work covered by the "Sheetmetal Worker." A copy of the relevant portions of the collective bargaining agreement is attached for your reference.

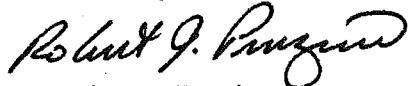
Please be aware that installation of *temporary* heat and ventilation systems is specifically included under the trade jurisdiction section of the Laborers' collective bargaining agreement. A copy of the relevant portion is also attached for your reference. It appears this claim creates the possibility that an overlap of trade jurisdictions could exist between the Sheet Metal Workers and the Laborers' collective bargaining agreements when temporary heat and ventilation systems are



installed. Based on the limited information provided in your letter, however, the project in question appears to only involve the installation of duct work as a *permanent* building system.

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

Sincerely,



Robert J. Prezioso
Deputy Director

cc: Kathryn B. Palmer, General Counsel
Ronald E. Maranian, Program Manager
Daniel S. Field, Office of the Attorney General