

## Prevailing Wage Opinion Letter 11-15-02-v2

November 15, 2002

Re: Occupational Classifications; Pipelayer and Pipefitter

Your letter dated October 7, 2002 to Robert J. Prezioso, Deputy Director of the Division of Occupational Safety ("DOS"), has been forwarded to me for a response. In that letter you ask for a clarification of the correct occupational classification for workers who install gas pipes on construction projects covered by the prevailing wage law. Given that you represent a public gas and electric company, and your letter mentions "piping before the meter," there is a presumption that you are unclear whether to require contractors to pay their employees in accordance with the "Pipelayer" occupational classification or the "Pipefitter" occupational classification for work ordered by Westfield Gas and Electric. Both are included on the prevailing wage schedules issued by this office.

The Division of Occupational Safety ("DOS") issues prevailing wage schedules, which include occupational classifications and rates of wages, for public works construction projects based on "collective bargaining agreements or understandings in the private construction industry between organized labor and employers." See M.G.L. ch. 149, § 26.

The correct occupational classification for workers who perform pipe work "before the meter," i.e. in streets and across sites to buildings and other structures, is "Pipelayer." This classification is established by the Building and Site and Heavy and Highway collective bargaining agreements between the Massachusetts Laborers' District Council and the Labor Relations Division of Construction Industries of Massachusetts. Copies of the relevant portions of those agreements are attached for your reference.

For workers who perform pipe work inside buildings and other structures, the correct occupational classification is "Pipefitter." This classification is established by the collective bargaining agreement between the New England Mechanical Contractors Association, Inc. and Plumbers and Pipefitters Local 104. A copy of the relevant portion of that agreement is attached for your reference.

It should be noted that the purpose of the prevailing wage law is to set minimum wage rates for workers on public construction projects. As such, any person who installs gas pipes on a public construction project must be paid in accordance with the rates established for the work they perform, regardless of whether they are required to hold a license or whether they possess a license. For information about licensing requirements, contact the Division of Professional Licensure at \*\*\*\* or visit their website at: \*\*\*\*

Sincerely,  
Ronald E. Maranian  
Program Manager