



Silt fence

STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES
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Paul E. McNeil, Business Manager
Washington & Northern Idaho District Council of laborers
534 Westlake Avenue North, Suite 257
Seattle, Washington 98109

Dear Mr. McNeil

I have appreciated our informational exchanges over the years and I am pleased to provide the following determination, as we discussed on the phone today.

You ask whether silt fencing is properly classified as Fence Erector or whether the Laborer rate should apply. Fence Erector is not the appropriate classification. Construction Laborer should apply. I have enclosed the relevant scope of work description for your review.

The most helpful part of the scope of work descriptions used to classify labor on public work, is the first paragraph. This usually states the "what." The Fence Erector scope begins by saying that "FENCE ERECTORS AND FENCE LABORERS erect and repair metal and wooden fences and fence gates..." A silt fence is neither a wooden nor a metal fence, and is also not a fence gate. Later, this scope discusses the "how" of this craft and, according to my review, describes tasks substantially unlike silt fence placement.

Construction Laborers, according to the scope, perform a variety of tasks. Indeed, this is probably the most common classification of labor on public work. Incidental and miscellaneous work not falling into another craft, typically is performed by the Laborer. Driving stakes is a part of silt fence placement, according to my understanding, and is mentioned in the Laborer scope. I hope this serves to provide the information you requested. Please do not hesitate to contact me at (360) 902-5330 with any further questions.

Sincerely,


Jim P. Christensen
Industrial Statistician

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