



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

Prevailing Wage
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October 3, 2014

Mr. Eric J. Martinson
Sheet Metal Workers Local 66
11831 Beverly Park Rd.
Building B-2
Everett, WA 98204

Re: Determination Request – Prevailing Wage Rate for STP Temporary Ventilation Duct Work

Mr. Martinson,

Thank you for your email to the previous Industrial Statistician, Ann Selover, on August 26, 2013 requesting a determination of the proper classification of labor under chapter 39.12 RCW for the setting of a temporary air duct to ventilate the Deep Bore Tunnel during construction. I appreciate your patience in awaiting my response. The answer below is based on the facts presented. If the facts are different, the answer could be different.

Chapter 39.12 RCW requires that the correct prevailing rate of wage be paid to all workers, laborers and mechanics under all public works construction projects. This is a determination of the Industrial Statistician regarding which prevailing wage rate is required to be paid to workers performing the work discussed in your email and in this letter and is made pursuant to RCW 39.12.015. See the enclosed document, "Prevailing Wage Determination Request and Review Process." Copies of the RCWs and WACs referenced in this letter are also enclosed.

As part of my review, on August 12, 2014 I visited the Deep Bore Tunnel construction site in order to view the ventilation duct. Greg Hauser was gracious enough to answer my questions and to escort me onto the site, into the tunnel and into Bertha, the tunnel boring machine (TBM). I also reviewed the relevant scope of work descriptions, which are discussed below.

Your specific question involves sheet metal ducts located outside and just above the tunnel, where the ventilation machines are located. Two vane axial fans, located outside the tunnel at ground level just above the tunnel near the launch pit, blow air into two angled (square or rectangular) sheet metal ducts which channel the moving air into a single round flexible duct which is made of a fabric or rubber-type material. This flexible round duct, approximately 90 inches in diameter, then turns the air approximately 180 degrees and directs the air into the tunnel. This round flexible fabric/rubber duct terminates at the tunnel boring machine. Your specific question, as you described it in our phone conversation, relates to applicable prevailing rate of wage for the fabrication and installation of the square or rectangular sheet metal duct pieces attached to the fan units outside the tunnel which direct the moving air into the round flexible duct.

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For the purpose of distinguishing between the work of the many various prevailing wage trades and occupations under Chapter 39.12 RCW, the department has adopted scope of work descriptions which are found within Chapter 296-127 WAC.

The Sheet Metal Worker scope of work description (WAC 296-127-01372) discusses the conditioning, altering and installing of ventilation duct in a comprehensive fashion. No other prevailing wage scope of work description describes this work. Therefore, the work in question falls within the scope of work description for Sheet Metal Worker. Accordingly, the Sheet Metal Worker prevailing wage is required for the installation of the metal duct.

The same Sheet Metal Worker prevailing wage would also apply to the fabrication of that metal duct, if the duct is a nonstandard item fabricated specifically for that project. I suspect it is a nonstandard item fabricated specifically for that project. If a dispute arises regarding whether the duct in question is a nonstandard item produced specifically for that project, please direct the parties to my attention so that I might resolve that prevailing wage rate question.

Sincerely,



Jim P. Christensen
Industrial Statistician
Washington State Department of Labor and Industries

Cc: Dave Myers, Executive Secretary
Washington State Building and Construction Trades Council
Robert Abbott, Representative
Laborers International Union of North America