



International Union of Operating Engineers

LOCAL 302 • Washington and Alaska • AFL-CIO

Daren Konopaski, *Business Manager & General Vice President*

April 15, 2015

15-113-D

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Jim P. Christensen, Industrial Statistician
Prevailing Wage Program Manager
Department of Labor and Industries
Post Office Box 44540
Olympia, Washington, 98504-4540

Prevailing Wage Section

RE: Prevailing Wage Determination Request for Operating Equipment (Forklifts and Boom Trucks) to Support Roofing Activities

Dear Mr. Christensen:

The purpose of this letter is to request a determination for the appropriate scope of work and prevailing rate of pay associated with the operation of equipment (forklifts and boom trucks) for roofing activities being performed by Wayne's Roofing (contractor) on a Sound Transit (owner) project.

Essentially, the work in question involves installing bituminous membrane roofing, mechanically attaching substrate board over metal decking, installing a self-adhered vapor barrier, mechanically attaching insulation and cover board, and various other roofing related activities for the job. The contractor intends to utilize forklifts and boom trucks to support this work much like any piece of equipment that is utilized to support other work activities on a construction project.

We have been in discussions with the contractor, the Roofer's Union, and the owner about the appropriate prevailing wages to be paid for the work activities involving the operating of boom trucks and forklifts. As you know, this project (along with all of Sound Transit's projects) is being performed under a Project Labor Agreement (PLA) and the assignment of the work is going to the contractor. We are not requesting that you engage in any of the activities associated with the trade assignment or the PLA dispute resolution processes, but rather we are simply looking for a determination on the appropriate Scope of Work and prevailing rate of pay that should be paid for this work regardless of which craft performs it. It is our firm belief that the equipment operation in this scenario falls solely within the Scope of Work for Equipment Operator under WAC 296-127-01354.

In full disclosure, the parties are not in a jurisdictionally motivated debate. We are working with the Roofer's Union, the contractor (who is signatory with the Roofers) and the owner to address the issue. We are trying to eliminate any possible confusion by ascertaining the appropriate Scope of Work and pay scale for the operation of this equipment. It is true, that the Roofers Scope of Work (WAC 296-127-01370) includes: "(6) The handling, hoisting and storing of all roofing, damp and waterproofing materials." However, it is our position that these provisions do not apply when the work activities involve operating equipment.

Kyle Brees, *Financial Secretary* • Sean Jeffries, *President* • Robert Peterson, *Vice President*

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As you know, the Operating Engineer (Equipment Operators) Scope of Work: in WAC 296-127-01354 states in part:

...operating engineers operate, repair and maintain all types of self-propelled mechanically, electrically, electronically, hydraulic, automatic or remote controlled equipment on construction projects...

(2) Type of equipment [includes but is not limited to].

(a) Self-propelled.

*• Asphalt machines, backhoes, blades, boring equipment, brooms, chippers, compactors, compressors, concrete saws, cranes, derricks, dozers, drilling equipment, **hoists, lifts**, [emphasis added] loaders, motor graders, pavement breakers, paving machines, pumps, rollers, scrapers, screeds, shovels, tractors, and trenchers...*

We believe that the work in question clearly falls within the Scope of Work of WAC 296-127-01354 and should be paid accordingly for the equipment operation activities. We do not question nor have any issues with the other roofing activities falling within the Scope of Work for Roofers.

We appreciate your review and consideration of this matter and please let me know if you have any additional questions or if we can provide any other information that might be necessary to aid in your determination for this work. I can be reached at (206) 293-8350 or jswanson@iuoe302.org.

Sincerely,



Josh Swanson
Political and Communications Representative

cc: Daren Konopaski, Business Manager Operating Engineers Local 302
Marge Newgent, PLA Field Representative