

**EMPLOYMENT STANDARDS PROGRAM – (360) 902-5316  
PREVAILING WAGE SECTION – (360) 902-5335  
SPECIALTY COMPLIANCE SERVICES DIVISION  
PO BOX 44540, OLYMPIA, WA 98504-4540**

April 7, 2005

Paul Ingham, Investigator  
Northwest Fair Contractor's Association  
3599 NW Carlton, Suite 3  
Silverdale, Washington 98383

Re: Grass Paver Work Determination

Dear Mr. Ingham:

This letter is to respond to your request for a determination relating to work associated with the installation of grass pavers.

In making a determination for the appropriate classification for purposes of the Prevailing Wage Law (Chapter 39.12 RCW and Chapter 296-127 WAC), the department uses the established Scope of Work descriptions found in WAC 296-127-013. To make this determination, it was necessary to look at the Scope of Work description for Landscape Construction (WAC 296-127-01346), Operating Engineer (WAC 296-127-01354), and Laborers (WAC 296-127-01344).

According to the scope of work description, Landscape Construction "involves the beautification of a plot of land by changing its natural features through the addition or modification of lawns, trees, bushes, etc." The remainder of the rule provides various activities that, within the context of the passage above, are or are not to be considered Landscape Construction.

As I understand it the work in question relates to establishing a compacted subgrade; installing irrigation; installing grass pavers; installing topsoil or sand; and planting grass. Based on the information that you provided it is also my understanding that the purpose and application of the grass paver system is to provide parking lots, driveways, emergency access, etc. Based on that understanding and on the language of this scope of work I would agree with your interpretation that the work associated with the installation of the grass pavers is not work classified under the Landscape Construction Scope of Work. I also concur with your interpretation that the installation of the top soil or sand necessary as a seed bed for the grass; planting of the grass; and the installation of the sprinklers would be appropriately classified under the Landscape Construction Scope of Work.

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The purpose of the activity establishes the appropriate scope of work to be used. For instance, if the primary purpose of the activity is for the beautification of a plot of land (e.g., planting grass or shrubbery) than the Landscape Construction classification would apply. If however the primary purpose of the activity is not beautification of a plot of land (e.g., the construction of a parking lot utilizing grass pavers), than the appropriate classification would generally be Laborer or Operating Engineer depending on the actual equipment used and work being performed.

I hope this letter serves to provide the information you requested.

Sincerely,

Josh Swanson  
Industrial Statistician  
Prevailing Wage Manager