



STATE OF WASHINGTON

DEPARTMENT OF LABOR AND INDUSTRIES

Prevailing Wage  
PO Box 44540 • Olympia, Washington 98504-4540  
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March 4, 2008

Miriam Israel Moses  
Rebound  
2800 First Avenue, Suite 136  
Seattle, WA 98121

Re: Finishing, grinding, polishing; concrete or terrazzo surfaces and acid staining of concrete

Dear Ms. Moses:

You have asked for a determination relating to several issues:

- Are Terrazzo Workers limited to only Terrazzo?
- Is Cement finishing the exclusive domain of the Cement Finisher?
- Is acid stain of floors “Cement Finishing”?
- What are the appropriate work classifications be used for grinding, polishing, finishing of concrete surfaces?
- Is there any ratio standard in effect for Terrazzo Worker Helpers to Terrazzo Workers (for instance is there a one to one (1:1) ratio requirement)?

The answers below are based on the information you provided. References to the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC) are included. Again, this answer is based on your fact set. If the facts differ from those you provided, or additional facts are introduced, the answers may be different.

First, are Terrazzo Workers limited to only Terrazzo? The Terrazzo Workers “create durable and decorative surfaces on floors, walls, and ceilings.” The scope of work (WAC 296-127-01379) details some specific tasks that are mostly focused on Terrazzo. From this language we can first conclude that Terrazzo is within the scope of work for a Terrazzo Worker and, second; that possibly some other closely related “durable and decorative surfaces on floors” might potentially be included in that scope of work. Specific facts would be necessary to accurately answer the latter question.

Second, is cement finishing the exclusive domain of Cement Masons? The scope of work (WAC 296-127-01315) states that “cement masons perform all work where finishing tools are used.”

Tools mentioned within the scope include floats, trowels, screeds, straightedge, grinder, chisel, hammer, and concrete saw. Obviously, that language cannot be read in a way that would preclude a Plasterer from using a screed, a Carpenter from using a hammer, an Ironworker from using a grinder, etc., context matters. The finishing of fresh or recently placed concrete is unique to the Cement Masons scope of work. However, work on older concrete surfaces may not be the exclusive work of Cement Masons scope of work. As an example, a person who operates a power trowel on recently placed concrete would fall under the Cement Masons scope of work. A Cement Mason could, along with any other appropriate trade and occupation classification, perform work on older concrete. This conclusion is further supported by the Means Illustrated Construction Dictionary, Third Edition, which defines “finishing” as “[l]eveling, smoothing, compacting, and otherwise treating surfaces of fresh or recently placed concrete or mortar to produce the desired appearance and service.” A “finishing machine” is defined as “[a] power operated machine used to give the desired surface texture to a concrete slab.”

Third, is acid staining of floors cement finishing? Treating a fresh or recently placed concrete floor by acid staining is cement finishing, and must be performed by a Cement Masons, WAC 296-127-01315. However, the language in the Cement Masons scope that (1) covers penetrating sealer and primer for the first twenty-four hours after pouring, when part of the finishing process and (2) the “installation of seamless composition floors and the installation and finishing of epoxy based coatings or polyester based linings to all surfaces, when the coatings or linings are applied by spraying or troweling” could apply to a Cement Mason or, possibly, to another appropriate trade and occupation classification, for acid stain of existing (not fresh or recently placed concrete) floors. This is further supported by the definition (above) of “finishing” as “[l]eveling, smoothing, compacting, and otherwise treating surfaces of fresh or recently placed concrete or mortar to produce the desired appearance and service.” Specific facts from a particular situation would be necessary to analyze the existing floor question.

Fourth, grinding, polishing and finishing of concrete surfaces: Again, context matters. Finishing of a fresh or recently placed concrete surface is the work of a Cement Mason. Grinding, polishing and finishing of older surfaces might have a different answer. Specific facts are required to provide a specific answer. Please feel free to provide a detailed description of the particular circumstance on which guidance may be needed.

Fifth, there is no ratio defined in the Terrazzo Workers Helper scope of work (WAC 296-127-01382). Ms. Hanson’s letter that you cite points out that it is a “helper” scope and must be under the supervision of a Terrazzo Worker (WAC 296-127-01379). In fact, the specific situation addressed by Ms. Hanson’s letter involved the work of three Terrazzo Worker Helpers supervised by one Terrazzo Worker. So long as the tasks performed by the Terrazzo Worker Helper are within their defined scope of work, one or more of those helpers may be supervised by a single Terrazzo Worker.

Washington State prevailing wage information, including the WACs, are available on the Department’s web site: <http://www.lni.wa.gov/TradesLicensing/PrevWage/default.asp>

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I hope this answers your questions. If you need additional information or have questions, please call or email me at 360 902-5330 or [somd235@lni.wa.gov](mailto:somd235@lni.wa.gov).

Sincerely,

David J. Soma

Industrial Statistician

Prevailing Wage Program Manager

cc: John Kearns, Business Manager, Cement Masons & Plasterers, Local 528  
Eric Coffelt, Organizer, Cement Masons & Plasterers, Local 528  
Roger Betterman, International Vice President, Cement Masons & Plasterers  
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# REBOUND

A BUILDING TRADES ORGANIZATION  
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September 11, 2007

Mr. David Soma  
Industrial Statistician, Prevailing Wage Program Manager  
Department of Labor and Industries  
PO Box 44540  
Olympia, WA 98504-4540

Dear Mr. Soma:

Scope of Work Determination Request  
Grinding, Polishing and Finishing of Cement Surfaces and Terrazzo Surfaces

We are currently in the process of establishing a wage claim that involves several elements discussed in a March 16, 2004 determination [enclosed] written by then Industrial Relations Specialist Cindy Hanson. Before we can complete our calculations of the wages owed in this case, we require a determination from the Industrial Statistician confirming our understanding and interpretation of the pertinent Scopes of Work.

Ms. Hanson's letter was written in response to a request received from Mr. David Loe of Northwest Stone Restoration [enclosed], now called Sustainable Flooring, Inc. The letter advises Mr. Loe that the use of Grinders (in this case, the patented Retroplate system) to work chemical products into the surface of concrete floors, leaving them hardened and polished, is that of both Cement Masons and Terrazzo Workers. The letter also specifically notes that, when Terrazzo Workers are utilized, a Terrazzo Worker Helper (Finisher) may be used when there is a Terrazzo Worker on the site. [Emphases added].

Ms. Hanson's letter further advises that when the Acid Stain Method is used to color concrete, the work is specific to the scope of the Cement Masons. According to her letter, this would be the case irrespective of whether the grinding and chemical application was performed by Cement Masons or Terrazzo Workers.<sup>1</sup>

We agree with all aspects of this determination.

Because Ms. Hanson's letter was written in response to a specific request, however, it did not address the specific types of surfaces upon which the "grinding" and "polishing" work is performed. We believe that each of the surface types determines which of the two Scopes (Cement or Terrazzo) would be appropriate for work on a given type project.

We do not believe that the Scopes are interchangeable. Cement Masons perform this work on cement and concrete surfaces and Terrazzo (artificial marble) Workers perform this work on Terrazzo surfaces. Because Ms. Hanson was not asked to discuss this distinction, which already exists in the Scopes of Work, her letter is silent on the subject. Therefore, we are requesting formal clarification of two aspects of Ms. Hanson's letter:

<sup>1</sup> Enclosed are two prior determinations from 6/25/96 and 1/7/99 from Dr. Michael Johnson and former Industrial Statistician Jim Christensen, respectively, establishing clearly that Acid Stain work always falls under the Scope of Work for Cement Mason.

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First: We believe that Ms. Hanson's choice of language with respect to the utilization of Terrazzo Helper/Finishers, was intended to clearly establish that only one Terrazzo Worker Helper/Finisher may be utilized when there is only one journey-level Terrazzo Worker on a project. We agree with the application of this ratio to the scopes. The Bricklayers and Allied Crafts union, which represents the Terrazzo Workers, also agrees with Ms. Hanson's specific use of the singular "a" in her determination, thus establishing the requirement of a one-to-one ratio.

The recommended one-to-one ratio is in keeping with other Helper classifications and we hold this ratio to be appropriate whenever Retroplate or any similar grinding systems and chemical applications are used on floor surfaces that would fall within the scope of Terrazzo Workers. The same ratio holds for Cement Masons and Apprentices.

Second: We seek clarification of Ms. Hanson's letter with respect to which trade performs this work on which type of surface. The two surfaces (Cement and Terrazzo) upon which the grinding occurs and the chemicals are applied, are not made of the same materials. Therefore, we do not believe that the Scopes of Work, although they both cover grinding and finishing processes, can be used interchangeably.

Enclosed is a letter is a letter to Cement Masons Local 598 from Bricklayers & Allied Craft Workers, Local 1 (WA State) Business Manager, Dennis Becker. The letter clarifies that the polishing, staining, etching, grinding, sandblasting and applying other topical **concrete** finishes is not the work of Terrazzo Workers. Mr. Becker establishes that when the surface is concrete, the work falls under the scope of Cement Masons (or Cement Finishers). Thus, Terrazzo Workers and Helpers perform this work when they are working on Terrazzo surfaces.

Terrazzo is an artificial marble material generally used on floors, counters, walls and ceilings. It is a type of mosaic made by embedding small pieces of marble, granite, glass, or similar substances into freshly placed mortar which rests on a concrete foundation that is 3 to 4 inches deep. After the forms are removed from the foundation, Terrazzo Workers add a ½ to 1-inch layer of sandy concrete. Before this layer sets, divider strips are partially embedded in the concrete wherever there is to be a joint or change of color in the terrazzo. For the final layer, Terrazzo workers blend and place into each of the panels a fine marble chip mixture. While the mixture is still wet, additional marble chips are tossed into each panel and the entire surface is smoothed with a lightweight roller.

The Scope of Work for Terrazzo Workers. WAC 296-127-01379, incorporates into its title, "artificial marble." Thus, it is clear that this is, in fact, the specific type of surface that Terrazzo Workers create. The opening sentence of the Terrazzo Workers' scope states that they "create durable and decorative surfaces on [artificial marble] floors." Grinding is a necessary part of that process since the resulting terrazzo surface cannot be created without it. The term "grinding," however, actually occurs in the Helper scope, WAC 296-127-01382, which specifically includes "grinding ... and polishing of all tile and marble." Because the scope includes "all" marble, we must conclude that this includes the marble chips that are an intrinsic part of the finished Terrazzo surface.

There is, however, no mention whatsoever, of grinding, polishing, finishing or otherwise working with surfaces other than Terrazzo, such as Cement or Concrete. This is fully appropriate since Terrazzo Workers only work with Terrazzo. Thus, we conclude that, together with the Terrazzo Worker Helpers, in a one-to-one ratio, Terrazzo (artificial marble) Workers may spread Terrazzo and grind and apply chemical finishing products specifically to Terrazzo surfaces – but not to Concrete or Cement surfaces.

We believe that the process of grinding and applying chemicals to surfaces made of concrete or cement is exclusive to the scope of work for Cement Masons under WAC 296-127-01315, which states that they perform "all work where finishing tools are used."

According to the Scope, while they may work on "freshly poured concrete floors," they may also work on "...any other concrete surface requiring finishing, using hand tools or power tools. Among the tools noted in the scope are "grinders." Thus, we believe that when work is performed that involves finishing surfaces by using grinders and applying chemicals to polish and harden cement or concrete surfaces, that work specifically falls under the Scope of Work for Cement Masons (also called Cement Finishers).

To iterate, we require confirmation that Ms. Hanson's letter establishes the following:

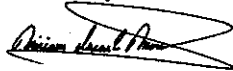
1. That Terrazzo (artificial marble) Workers and Terrazzo Worker Helpers should be employed on a one-to one ratio; and
2. That the application of Acid Stain to Concrete is the work of Cement Masons irrespective of the type of surface to which it is being applied.

Additionally, we require confirmation that, Ms. Hanson was correct in her response when she stated that both Cement Masons and Terrazzo Workers (and Helpers in a one-to-one ratio) may perform the work of grinding, polishing and applying chemical finishes to flooring surfaces; with the added confirmation of our understanding that the designation of the correct Scope of Work for these processes is controlled by the type of surface involved, rather than the brand of machine or system utilized to do the work.<sup>2</sup>

Because the wage claim involves a current project, our ability to timely file a claim with Labor & Industries is of some concern. Understanding your workload and your need for accuracy in rendering determinations, we hope that you will be able to respond to this request in sufficient time for us to file a wage claim while the retainage is still available.

Thank you in advance for your prompt attention to this request.

Sincerely,



Miriam Israel Moses  
Executive Director

cc: John Kearns, Business Manager, Cement Masons & Plasterers, Local 528  
Eric Coffelt, Organizer, Cement Masons & Plasterers, Local 528  
Roger Betterman, International Vice President, Cement Masons & Plasterers  
Mark Maher, Apprentice Coordinator, Cement Masons & Plasterers, Local 528  
Shell Sherman, International Representative, Plasterers' and Cement Masons  
Dennis Becker, Business Manager, Bricklayers & Allied Trades, Local 1  
Tim Silsbee, Lead Compliance Investigator, REBOUND  
David Ciprut, Compliance Investigator, REBOUND  
REBOUND Board of Directors

<sup>2</sup> Photos of Polished Concrete Surfaces (with samples of Acid Stain & Exposed Agregate) and Photos of Terrazzo Surfaces are enclosed for your convenience. These photographs clearly demonstrate the difference between Cement and Terrazzo (artificial marble) surfaces. As you may note in Mr. Loe's letter, the Retroplate system is only one of several systems available for grinding and polishing Concrete and Terrazzo surfaces. Any of the established equivalent systems will achieve the same result.

Miriam Israel Moses Letter

January 11, 2008

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cc: John Kearns, Business Manager, Cement Masons & Plasters, Local 528  
Eric Coffelt, Organizer, Cement Masons & Plasters, Local 528  
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