



STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES

Prevailing Wage  
PO Box 44540 • Olympia, Washington 98504-4540  
360/902-5335 Fax 360/902-5300

March 30, 2007

Max G. Johnson, Owner  
ICON Corporation  
P.O. Box 13403  
Spokane, WA 98213-3403

Re: Flashing, Reglet and Drip Edge; Sheet Metal Wall Panels

Dear Mr. Johnson:

This letter is a response to your inquiry about correct classification for prevailing wage rates for metal wall panels and for flashing; reglet and drip edge. The answers identify the correct prevailing wage rate category based on your information. References to the Washington Administrative Code (WAC) for specific types of work are included. Again, this is based on your fact set. If other factors are included the answers could vary.

The prevailing wage rates are identified by trade and occupation names. The state prevailing wage law, RCW 39.12 does not require that any particular work be performed by a particular craft. It does require, however, that when prevailing wage rates have been determined for a particular type of work, workers performing such work on public projects must be paid not less than that prevailing rate.

With the limits noted below, metal siding (metal wall panels) can be installed at the prevailing wage rates for Carpenters (WAC 296-127-01310), Ironworkers (WAC 296-127-01339) and/or the Sheet Metal Workers (WAC 296-127-01372). All three of those WACs state, in part, "Install metal roof decking and metal siding, regardless of the fastening method, or what it is fastened to."

Please note some limits:

- (1) The reference to "metal roof decking" in the three WACs (above) refers to the material installed over the supporting frame members of a structure to which roofing material is applied. The reference to "roof decking" is *not* referring to the actual roofing material itself. This means that the Sheet Metal Worker rate is the correct rate for *metal roofing*.

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- (2) Roofers (WAC 296-127-01370) do not install metal roofs or siding. That WAC specifically excludes sheet metal roofing and has a *restricted* reference to flashing: “The installation of slate and tile and all substitute materials taking the place of slate and tile, with the necessary metal flashing to make water-tight.” Here, the flashing allowed is limited to that associated with the tile or slate roof or their equivalent. This is a very narrow definition.
- (3) Only the Ironworker rates are appropriate for the work on packaged pre-engineered metal buildings. Since all the components are part of the engineered structure’s integrity, siding and roofing on these structures is done by Ironworkers *not* by Carpenters or Sheet Metal Workers and not by Roofers.

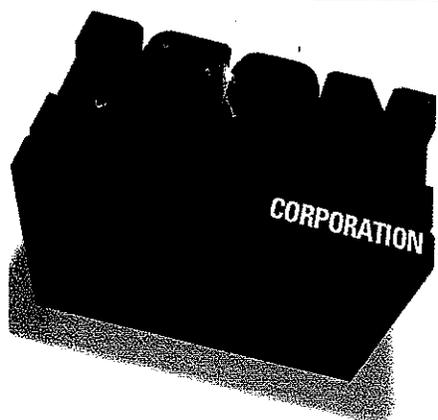
Flashings, including reglets and drip edge are installed by Sheet Metal Workers (WAC 296-127-01372). The ability of Roofers to install flashing is quite limited and related to the installation of slate or tile roofs and materials that substitute for slate or tile. That is a narrow limit which *does not* include installing flashing in conjunction with roofing materials that are metal, membrane, asphalt, composition, etc. In those instances, and in your example of a membrane roof, the reglet, drip edge and other flashings will all require the Sheet Metal Worker prevailing rate of pay.

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

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



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WA Contr Lic # 1CONC\*\*022M3

November 16, 2006

Department of Labor & Industries  
Prevailing Wage Division  
Attn: Ramona Christiansen-Russell  
P.O. Box 44540  
Olympia, WA 98504.4540  
[chrr235@wa.gov](mailto:chrr235@wa.gov)

RE: An Audit on Public Works Project – Wahluke High School, Mattawa, WA

Ms. Christiansen-Russell,

Mr. Robert Koshman, Prevailing Wage Agent, Kennewick, WA advised me to contact you regarding the proper prevailing wage rate to pay employees who install certain sheetmetal flashings. We recently completed a self audit, and reported the results to Mr. Koshman in a letter dated October 26, 2006 (attached). In that letter I identify six (6) types of sheetmetal flashings that we fabricated and installed on the Wahluke High School project. All ICON employees who installed sheetmetal flashing and wall panels were paid at the carpenter prevailing wage rate on the Wahluke HS project.

Working from job descriptions and several related LNI wage decisions provided to us by Mr. Koshman, I divided the six (6) flashings into 2 groups. Three (3) of the flashings, wall panels, reglet and drip edge (technically wall panel is not a flashing, it is metal siding, or panels) were assigned to group 1 defined as "Carpenter". Group 2 defined as "Sheetmetal Worker" contains the other three (3) flashings, coping, soffit and scuppers. Of the 1,231 manhours worked installing sheetmetal materials on this project, 542.5 hours were spent by our employees fabricating and installing group 2 flashings. In deference to LNI past wage decisions, I decided to pay the sheetmetal worker prevailing wage rate for those hours, and we cut checks for the employees and mailed them to Mr. Koshman for distribution.

Mr. Koshman advised me it is your position now, that reglets and drip edge **also** belong to the sheetmetal worker. (Apparently there is no dispute over wall panels). Actually I think that both the reglet and drip edge sheetmetal belong to the *roofer* category, not the sheetmetal worker or carpenter. Here is why. Referring to LNI job description for roofer, under item (1), roofing work includes necessary "metal flashings to make water tight". A sheemetal reglet, in the case of Wahluke H.S. is a factory finished, shop fabricated flashing that actually terminates (makes water-tight) our roofing material on a parapet or building wall. The drip edge that we used likewise terminates our roofing at the roof edge, when there is no wall. It is a part of the roof system. The system could not be completed without the drip edge or reglet, and it must be fabricated and installed in accordance with the roof membrane manufacturer's instructions and recommendations in order for the roof system to pass final inspection and qualify for the 10 year manufacturer's warranty that is required by specification on the project. Sheetmetal workers would normally not be familiar enough with membrane roofing requirements to know how to make the proper termination with either the reglet or the drip edge.

In today's roofing industry sheetmetal workers typically don't install coping, reglets, scuppers, or drip edge, as these items are integral to roof systems and roofers install them. If you surveyed the industry in our state that is what you would find, that's the way it is. To require roofing contractors to pay sheetmetal worker pay rates for this type of work is just inconsistent with how work is done in the industry today.

Thank you for your time and careful consideration, while I await the resolution of this matter.

Respectfully yours,



Max G. Johnson  
Owner

Cc: Bob Koshman – [kosh235@lni.wa.gov](mailto:kosh235@lni.wa.gov)

October 26, 2006

Mr. Robert Koshman  
Prevailing Wage Agent  
Dept. of Labor & Industries  
4310 West 24<sup>th</sup> Ave.  
Kennewick, WA 99338-1992

Re: Your letter dated March 6, 2006  
Re: Our Project at Wahluke High School, Mattawa, WA

Mr. Koshman,

I want to thank you for your patience in this matter, and for the work you did compiling a number of cases adjudicated by your department on the same type of jurisdictional issue. Your research produced cases where the work, and product installed were identical to our own case. I disagreed with the Department's ruling on two (2) of the four (4) cases you sent me, but all of the cases were right on point.

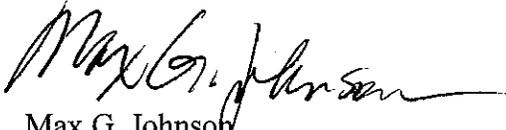
Using the case rulings you provided as a basis, we analyzed the sheetmetal work our employees performed on the Wahluke High School project. We determined that three (3) of the six (6) types of sheetmetal flashings that we installed fall within the scope of work of sheetmetal worker (Group 2 in Table 1) and two (2) remaining flashings and one panel product fall within the scope of work of *either* sheetmetal worker or carpenter (Group 1, Table 1).

Our self-audit of payroll records for the project revealed that all 1,231 manhours of sheetmetal work performed were paid at the carpenter rate. Table #1 below delineates the six (6) types of metal flashings and the number of manhours worked to fabricate and install them. According to the Department, the Group 2 flashings, i.e. coping, soffit and scupper flashings, should have been paid at the sheetmetal worker rate.

At the time the project was bid, the difference between the Carpenter rate and the sheetmetal worker prevailing wage rate was \$2.34/hr including fringes.  $\$2.34/\text{hr.} \times 542.5 \text{ hrs} = \$1,269.45$  underpayment. Six (6) employees installed all of the coping, soffit & scupper flashing on the job. Those workers are indicated by an asterisk (\*) in table #1. Paychecks for each of those six (6) workers, in amounts equal to the hours they worked fabricating or installing Group 2 coping, soffit or scuppers, multiplied by \$2.34, are enclosed (see Table #2). All 542.5 hours were worked during regular work hours, not in overtime. All proper tax deductions have been made from the additional earnings, and all payroll taxes including FICA, FUTA and SUTA have likewise been paid.

Again, thank you for your patience and assistance. We strive to pay the correct rates on every public works project. At Wahluke High School, we simply were unaware of the Department's rulings with respect to metal coping, soffits and scuppers falling within the scope of sheetmetal worker. The enclosed checks correct the misassignment of work from carpenter to sheetmetal workers. Please call if you have any questions.

Sincerely,



Max G. Johnson  
Owner

TABLE #1

Manhour Breakdown  
Sheetmetal Panels/Flashings Fabricated and Installed at  
Wahluke High School  
2005 – 2006

<i>Employee</i>	<i>Group 1</i>			<i>Group 2</i>			<i>Total</i>
	<i>Wall Panels</i>	<i>Reglet</i>	<i>Drip Edge</i>	<i>Coping</i>	<i>Soffit</i>	<i>Scupper</i>	
Barr, Jay	94.5						94.5
* Frank, Benjamin						17.5	17.5
* Herbert, Dan				66.0			66.0
Miller Jason	37.0						37.0
Allen, Brian	128.0						128.0
* Eldridge, George		51.0	41.0	109.0			201.0
* Jennen, Brian		35.0		140.0			175.0
Johnson, Michael	30.0						30.0
McDonald, Phillip	14.0						14.0
* Mueller, Michael	162.0	44.0		44.0	155.0		405.0
Short, Jonathan	52.0						52.0
* Thiers, Mark				11.0			11.0
	517.5	130.0	41.0	370.0	155.0	17.5	1,231.0

TABLE #2

Employee Misassigned Work Hours  
Sheetmetal Panels/Flashings Fabricated and Installed at  
Wahluke High School  
2005 – 2006

<i>Employee</i>	<i>Additional Hourly Wage</i>	x	<i>Manhours Worked Group 2</i>	=	<i>Total Additional Pay</i>
Frank, Benjamin	\$ 2.34		17.5		\$ 40.95
Herbert, Dan	\$ 2.34		66.0		\$ 154.44
Eldridge, George	\$ 2.34		109.0		\$ 255.06
Jennen, Brian	\$ 2.34		140.0		\$ 327.60
Mueller, Michael	\$ 2.34		199.0		\$ 465.66
Thiers, Mark	\$ 2.34		11.0		\$ 25.74
<b>Total</b>			542.5		\$ 1,269.45