



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES

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

October 5, 2009

Jim P. Christensen, Executive Director
Washington Fair Contracting Association
2800 First Avenue
Seattle, WA 98121-1182

Re: Concrete grinding, polishing, staining and hardening

Dear Mr. Christensen:

There have been several requests for a determination of the appropriate work classification to be used for concrete grinding, polishing, staining and hardening. The requests argue that Terrazzo Workers (or their helpers) do not polish concrete to create a finished surface and, rather, this concrete grinding, polishing, staining and hardening work is performed by Cement Masons. The determination sought in the requests not only would continue to state that Cement Masons may perform this concrete grinding, polishing, staining and hardening work, but also would state that the concrete grinding, polishing, staining and hardening work is not performed by the Terrazzo Worker or Terrazzo Helper.

The answer below is based on the information provided. References to the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC) are included. If the facts differ, the answers may be different.

A lengthy and careful review of statute and rule including the scopes of work was done in preparation for this answer. The selected content of the scopes of work and comments on that content that best support the requested determination are in the three following paragraphs.

Cement Masons (WAC 296-127-01315) “perform all work where finishing tools are used including...the finishing of...any other concrete surface requiring finishing, using hand tools or power tools...”

Terrazzo Workers (WAC 296-127-01379 “create durable and decorative surfaces on floors, walls, and ceilings.” That scope details a variety of ways to produce a seamless surface - all of which involve a layer of a new and different material which will comprise that new surface. There is no description of polishing or staining an existing material (such as concrete), rather it is the addition of new substances which are used to produce the seamless surface of new material over that existing (often concrete) surface.

Jim P. Christensen letter

October 5, 2009

Page 2

Terrazzo Workers' Helpers (WAC 296-127-01382) by the very nature of the job title assist or help the Terrazzo Worker. It is a general principle that the helper must perform work that assists or complements the work allowed in the scope of work for the trade that they are designated to help. Specific tasks detailed include materials handling on the job, scaffolding, surface preparation, grinding and polishing of tile and marble, application of protective coatings, and job site clean-up.

All the work described for the Terrazzo Worker (and by implication the Terrazzo Helper) involves preparing for and introducing new materials which become the finished surface. The finished surface is not concrete although there may be concrete under that finished surface.

If the topic were staining or painting of the concrete surface, the Painters scope of work (WAC 296-127-01356) would likely be correct for work more than twenty-four (24) hours after the concrete pour. There, the surface would be the coating applied by the painter. Note: The Cement Mason (WAC 296-127-01315) does the application of penetrating sealer and primer protective coatings to concrete floors and steps for the first twenty-four hours after pouring when part of the finishing process.

Here, the process is a modification to the concrete surface itself through grinding, polishing, staining and hardening: The final treatment – finishing, but not coating – of the concrete finish where the concrete itself becomes the finished flooring surface.

Based on this extensive review, the concrete grinding, polishing, staining and hardening is a form of concrete finishing. That concrete finishing is performed under the scope of work for Cement Masons and not performed under other scopes of work.

This communication supersedes any previous communications not fully consistent with this direction from the department and the Industrial Statistician on the topic of the correct application of the scope of work and wage rates for concrete grinding, polishing, staining and hardening.

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>

I hope this addresses your concerns. If you need additional information or have questions, please call or e-mail me at 360 902-5330 or somd235@lni.wa.gov.

Sincerely,

David J. Soma
Industrial Statistician
Prevailing Wage Program Manager

Jim P. Christensen letter

October 5, 2009

Page 3

cc: David Johnson, Executive Secretary, Washington State Bldg. & Const. Trades Council
Dennis Becker, Business Manager, Bricklayers & Allied Trades, Local 1
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