



## PREVAILING WAGE POLICY MEMORANDUM

**DATE:** March 10, 2009

**TO:** All Interested Parties

**FROM:** David J. Soma, Industrial Statistician; Prevailing Wage Program Manager

**SUBJECT:** Prevailing Wage for Service and Repair of Fire Extinguishers

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### Policy Disclaimer

This policy is designed to provide general information in regard to the current opinions of the Department of Labor & Industries on the subject matter covered. This policy is intended as a guide in the interpretation and application of the relevant statutes, regulations, and policies, and may not be applicable to all situations. This policy does not replace applicable RCW or WAC standards. If additional clarification is required, the Program Manager for Prevailing Wage should be consulted.

This document is effective as of the date of print and supersedes all previous interpretations and guidelines. Changes may occur after the date of print due to subsequent legislation, administrative rule, or judicial proceedings. The user is encouraged to notify the Program Manager to provide or receive updated information. This document will remain in effect until rescinded, modified, or withdrawn by the Director or his or her designee.

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The correct scope of work for servicing fire extinguishers is Sprinkler Fitter, WAC 296-127-01375. Sprinkler Fitters perform the installation, adjustments and corrections, maintenance, repair and dismantling of all fire protection and fire control systems including CO<sub>2</sub> and cardox systems, dry chemical systems, halon and foam systems and all other fire protection systems. This includes fire extinguishers.

Where the provisions of RCW 39.12 apply, the prevailing rate of wage must be paid to laborers, workers, or mechanics performing public work. Mere inspection (looking) is not the work of a laborer, worker, or mechanic and will not require payment of prevailing wages. Work on fire extinguishers with hands or tools such as disassembly, repair, and recharge work is the work of a laborer, worker, or mechanic.

- (1) Where the fire extinguisher is serviced at a cost to the state or a municipality (the awarding agency) and any of the following circumstances are present, the prevailing wage requirements of RCW 39.12 apply to this work:

- a. The fire extinguisher is serviced on the awarding agency's jobsite, or
- b. The fire extinguisher is serviced at a facility and the primary use of the facility is to provide this service to the awarding agency, or
- c. The fire extinguisher service for the awarding agency is performed with a mobile facility (such as service vehicle), or
- d. The fire extinguisher service involves custom assembly, cutting, modification, fabrication, or other steps specific to the requirements of the awarding agency.

(2) The fire extinguisher service has no prevailing wage requirement from RCW 39.12 if all of the criteria below apply with no deviations or exceptions:

- a. None of the circumstances in (1) above are present, and
- b. The fire extinguisher service is performed in an established service facility that performs the same type of service for numerous customers public, and private, and
- c. The service performed is of a standard nature for the customers with no distinguishing factors for the work done for the awarding agency.

Whenever your fact set varies from those above, check with the Industrial Statistician/Prevailing Wage Program Manager for specific answers. Some work, such as a fire extinguisher located in motor vehicles licensed for highway use, may not require prevailing wages.

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>