

GENERAL DECISION: NY20100003 12/17/2010 NY3

Date: December 17, 2010

General Decision Number: NY20100003 12/17/2010

Superseded General Decision Number: NY20080003

State: New York

Construction Types: Building, Heavy, Highway and Residential

Counties: Bronx, Kings, New York, Queens and Richmond
Counties in New York.

BUILDING & RESIDENTIAL CONSTRUCTION PROJECTS (includes single family homes and apartments up to and including 4 stories),
HEAVY AND HIGHWAY CONSTRUCTION PROJECTS

Modification Number	Publication Date
0	03/12/2010
1	03/26/2010
2	04/16/2010
3	04/23/2010
4	07/23/2010
5	08/06/2010
6	08/27/2010
7	10/08/2010
8	10/15/2010
9	11/05/2010
10	11/12/2010
11	11/19/2010
12	12/03/2010
13	12/17/2010

ASBE0012-001 01/04/2010

	Rates	Fringes
Asbestos Workers/Insulator Includes application of all insulating materials, protective coverings, coatings and finishes to all types of mechanical systems.....	\$ 51.38	28.87
HAZARDOUS MATERIAL HANDLER.....	\$ 24.45	8.50

BOIL0005-001 01/01/2007

	Rates	Fringes
BOILERMAKER.....	\$ 44.98	28.95+a

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day, Thanksgiving Day, Memorial Day, Independence Day, Labor Day and Good Friday, Friday after Thanksgiving, Christmas Eve Day and New Year's Eve

BRNY0001-001 07/01/2010		
	Rates	Fringes
BRICKLAYER.....	\$ 51.00	21.44
MASON - STONE.....	\$ 57.61	23.86

BRNY0001-002 07/01/2010		
	Rates	Fringes
Pointer, cleaner and caulker.....	\$ 43.20	20.62

BRNY0003-001 07/01/2006		
	Rates	Fringes
TERRAZZO FINISHER.....	\$ 38.75	21.75
TERRAZZO WORKER/SETTER.....	\$ 40.09	21.75

BRNY0004-001 07/01/2009		
	Rates	Fringes
MARBLE SETTER.....	\$ 50.53	24.00

BRNY0020-001 07/01/2009		
	Rates	Fringes
MARBLE FINISHER.....	\$ 41.30	23.83

BRNY0024-001 01/01/2010		
	Rates	Fringes
BRICKLAYER		
MARBLE POLISHERS.....	\$ 36.26	19.55

BRNY0052-001 06/07/2010		
	Rates	Fringes
Tile Layer.....	\$ 47.10	25.31

BRNY0088-001 06/07/2010		
	Rates	Fringes
TILE FINISHER.....	\$ 38.20	21.56

CARP0001-009 07/01/2008		
	Rates	Fringes
Carpenters:		
Carpenters & Soft floor		
layers.....	\$ 43.02	35.96

CARP0740-001 07/01/2010

	Rates	Fringes
MILLWRIGHT.....	\$ 46.19	44.93

 CARP1456-004 07/01/2008

	Rates	Fringes
Dock Builder & Piledrivermen DOCKBUILDERS.....	\$ 43.61	38.06

 CARP1456-005 07/01/2008

	Rates	Fringes
Diver Tender.....	\$ 39.18	38.06
Diver.....	\$ 54.63	38.06

 CARP1536-001 07/01/2003

	Rates	Fringes
Carpenters: TIMBERMEN.....	\$ 34.47	26.05

 ELEC0003-001 05/14/2009

	Rates	Fringes
ELECTRICIAN Electricians.....	\$ 49.00	34.81
Jobbing, and maintenance and repair work.....	\$ 25.30	15.13+a

PAID HOLIDAYS:

- a. New Years Day, Martin Luther King, Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Thanksgiving Day, the day after Thanksgiving Day, and Christmas Day

 ELEC1049-001 04/06/2008

QUEENS COUNTY

	Rates	Fringes
Line Construction (Substation and Switching structures pipe type cable installation and maintenance jobs or projects; Railroad electrical distribution/transmission systems maintenance (when work is not performed by railroad employees) Overhead and Underground transmission/distribution		

line work. Fiber optic,
telephone cable and equipment)

Groundman.....	\$ 24.83	17.91
Heavy Equipment Operator....	\$ 33.10	17.91
Lineman and Cable Splicer...	\$ 41.38	17.91
Tree Trimmer.....	\$ 23.06	9.84

ELEV0001-002 03/17/2010

	Rates	Fringes
ELEVATOR MECHANIC		
Elevator Constructor.....	\$ 51.47	23.605+a+b
Modernization and Repair....	\$ 40.93	23.455+a+b

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day, Good Friday, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, Friday after Thanksgiving, and Christmas Day.

b. PAID VACATION: An employee who has worked less than 5 years shall receive vacation pay credit on the basis of 4% of his hourly rate for all hours worked; an employee who has worked 5 to 15 years shall receive vacation pay credit on the basis of 6% of his hourly rate for all hours worked; an employee who has worked 15 or more years shall receive vacation pay credit on the basis of 8% of his hourly rate for all hours worked.

ENGI0014-001 08/01/2010

	Rates	Fringes
Pavement equipment operator		
Asphalt Plants.....	\$ 46.10	25.26+a
Asphalt roller.....	\$ 54.95	25.26+a
Asphalt spreader.....	\$ 56.49	25.26+a
Power Equipment Operator (HEAVY & HIGHWAY)		
GROUP 1.....	\$ 73.75	25.26+a
GROUP 10.....	\$ 52.71	25.26+a
GROUP 11.....	\$ 49.06	25.26+a
GROUP 12.....	\$ 50.19	25.26+a
GROUP 13.....	\$ 50.63	25.26+a
GROUP 14.....	\$ 37.55	25.26+a
GROUP 15.....	\$ 34.69	25.26+a
GROUP 2.....	\$ 60.38	25.26+a
GROUP 3.....	\$ 62.38	25.26+a
GROUP 4.....	\$ 60.85	25.26+a
GROUP 5.....	\$ 59.60	25.26+a
GROUP 6.....	\$ 57.12	25.26+a
GROUP 7.....	\$ 58.22	25.26+a
GROUP 8.....	\$ 56.49	25.26+a
GROUP 9.....	\$ 55.22	25.26+a
GROUP10.....	\$ 50.40	27.35+a
GROUP11.....	\$ 46.89	27.35+a
GROUP12.....	\$ 47.97	27.35+a
GROUP13.....	\$ 48.40	27.35+a

GROUP14.....	\$ 35.82	27.35+a
GROUP15.....	\$ 33.07	27.35+a
Steel erector		
Compressors, Welding Machines.....	\$ 36.30	25.26+a
Cranes, Hydraulic Cranes, 2 drum derricks, Forklifts, Boom Trucks.....	\$ 62.49	25.26+a
Three drum derricks.....	\$ 65.12	25.26+a
Utility Laborer		
Horizontal boring rig.....	\$ 51.24	27.35+a
Horizontal Boring Rig.....	\$ 53.59	25.26+a
Off shift compressors.....	\$ 44.10	25.26+a
Utility Compressors.....	\$ 34.46	25.26+a

POWER EQUIPMENT OPERATOR CLASSIFICATIONS

GROUP 1: Tower crane

GROUP 2: Backhoes, power shovel, Hydraulic clam shells, moles and machines of a similar type

GROUP 3: Mine hoists and crane, etc. used as mine hoists

GROUP 4: Gradalls, keystones, cranes (with digging buckets), bridge cranes, trenching machines, vermeer cutter and machines of a similar nature

GROUP 5: Piledrivers, derrick boats, tunnel shovels

GROUP 6: All drills, and machines of a similar nature

GROUP 7: Back filling machines, cranes, mucking machines, dual drum pavers

GROUP 8: Mixers (concrete w/loading attachments), concrete pavers, cableways, land derricks, power house (low pressure units), concrete pumps

GROUP 9: Concrete plants, well drilling machines, stone crushers double drum hoist, power house (other than above)

GROUP 10: Concrete mixers

GROUP 11: Elevators

GROUP 12: Concrete breaking machine, Hoists (single drum), load masters, locomotive and dinkies over 10 tons

GROUP 13: Vibratory console

GROUP 14: Compressors (portable 3 or more in battery), tugger machine (caissons), well point pumps, chum drill

GROUP 15: Boilers, (high pressure, compressors (portable, single, or 2 in battery, not over 100' apart), pumps (river cofferdam and welding machines (except where arc is operated by members of local 15) push button machines, all engines irrespective of power (power pac) used to drive auxilliary equipment, air, hydraulic etc.

PREMIUMS ON CRANES (Crawler or Truck):

100' to 149' boom - add .50
150' to 249' boom - add .75
250' to 349' boom - add 1.00
350' to 450' boom - add 1.50

Premiums for Cranes on Steel Erection:

100' to 149' boom - add 1.75
150' to 249' boom - add 2.00
250' to 349' boom - add 2.25
350' to 450' boom - add 2.75
Tower crane - add 2.00

FOOTNOTE:

a. Paid Holidays: New Year's Day; Lincoln's Birthday;
Washington's Birthday; Memorial Day; Independence Day;
Labor Day; Veterans Day; Columbus Day; Election Day;
Thanksgiving Day; and Christmas Day; provided the employee
works one day the payroll week in which the holiday occurs.

ENGI0014-002 08/01/2010

	Rates	Fringes
Power Equipment Operator		
BUILDING & RESIDENTIAL		
GROUP 1.....	\$ 58.57	25.26+a
GROUP 2.....	\$ 62.15	25.26+a
GROUP 3.....	\$ 56.50	25.26+a
GROUP 4.....	\$ 51.22	25.26+a
GROUP 5.....	\$ 37.88	25.26+a

POWER EQUIPMENT OPERATORS CLASSIFICATIONS

GROUP 1: Double drum

GROUP 2: Stone derrick, cranes, hydraulic cranes, boom trucks

GROUP 3: 4 pole Hoist, Single Drum Hoists

GROUP 4: Fork lift, house cars, plaster (platform machine), plaster bucket, concrete pump and all other equipment used for hoisting material

GROUP 5: Compressors, welding machines (cutting concrete work), paint spraying, sand blasting, pumps (with the exclusion of concrete pumps), house car (settlement basis only), all engines irrespective of power (power pac) used to drive auxiliary equipment, air, hydraulic, etc., boilers

Premiums for Cranes:

100'-149' boom - add 1.75
150'-249' boom - add 2.00
250'-349' boom - add 2.25
350'-450' boom - add 2.75
Tower cranes add 2.00

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day, Lincoln's Birthday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Columbus Day, Election Day, Thanksgiving Day, and Christmas Day, provided the employee works one day in the payroll week in which the holiday occurs

 IRON0040-002 07/01/2009

BRONX, NEW YORK, RICHMOND

	Rates	Fringes
IRONWORKER, STRUCTURAL.....	\$ 41.05	43.91

 IRON0046-003 07/01/2009

	Rates	Fringes
IRONWORKER METALLIC LATHERS.....	\$ 39.00	41.37

 IRON0197-001 07/01/2009

	Rates	Fringes
IRONWORKER STONE DERRICKMAN.....	\$ 40.50	38.32

 IRON0361-002 07/01/2009

KINGS, QUEENS

	Rates	Fringes
Ironworkers: (STRUCTURAL).....	\$ 41.05	43.91

 IRON0580-001 01/01/2009

	Rates	Fringes
IRONWORKER, ORNAMENTAL.....	\$ 39.85	39.67

 LABO0006-001 07/01/2003

	Rates	Fringes
Laborers: BUILDING CONSTRUCTION CEMENT AND CONCRETE WORKERS.....	\$ 31.50	15.27

 LABO0029-001 07/01/2001

	Rates	Fringes
Laborers: Heavy Blasters (hydraulic trac drill).....	\$ 32.08	16.70

Blasters.....	\$ 31.53	16.70
Hydraulic Trac Drill.....	\$ 28.38	16.70
Jackhammers, Chippers, Spaders, Concrete Breakers, All Other Pneumatic Tools, Walk Behind Self-Propelled Hydraulic Asphalt and Concrete Breaker.....	\$ 27.14	16.70
Powder Carriers.....	\$ 24.50	16.70
Wagon; Airtrac; Quarry Bar Drill Runners.....	\$ 27.83	16.70

LABO0078-001 12/01/2009

Rates Fringes

LABORERS

BUILDING CONSTRUCTION ASBESTOS (Removal, Abatement, Encapsulation or Decontamination of asbestos); LEAD; & HAZARDOUS WASTE LABORERS (Hazardous Waste, Hazardous Materials, Biochemical and Mold Remediation, HVAC, Duct Cleaning, Re-spray Fireproofing, etc).....	\$ 31.50	12.45
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LABO0079-001 07/01/2009

Rates Fringes

Laborers Building Construction

Demolition Laborers Tier A.....	\$ 30.38	18.91
Tier B.....	\$ 20.74	12.41
Mason Tenders.....	\$ 32.99	20.56

CLASSIFICATIONS

TIER A: Responsible for the removal of all interior petitions and structural petitions that can consist of sheet rock, block or masonry. Also, all structural slab openings for ducts, mechanical, shafts, elevators, slab openings and exterior walls where the building is not being completely demolished.

TIER B: Responsible for shoveling of debris into containers, pushing containers from the inside to the outside of the building.

* LABO0147-001 07/01/2003

Rates Fringes

LABORERS (FREE AIR & TUNNEL).....	\$ 28.86	30.51
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Maintenance Men, Inside Muck Lock Tenders, Pump Men, Electricians, Cement Finishers, Caulkers, Hydraulic Men, Shield Men, Monorail Operators, Motor Men, Conveyor Men, Powder Carriers, Pan Men, Riggers, Chuck Tenders, Track Men Painters, Nippers, Brakemen, Cable Men, Hose Men, Grout Men, Gravel Men, Form Workers, Concrete Workers, Tunnel Laborers, Mole Nipper (one (1) Mole Sipper per Working Shaft per Shift for up to and including Two (2) Moles

LABO0731-001 07/01/2010

	Rates	Fringes
Laborers:		
Building, Heavy and Residential Construction		
UNSKILLED.....	\$ 37.60	28.09
UTILITY LABORER.....	\$ 37.45	28.09
Heavy & Highway Construction		
LABORER/EXCAVATION {Asbestos, Lead, Hazardous Waste Removal (including soil).....	\$ 36.64	26.21

Paid Holidays: Labor Day and Thanksgiving Day

LABO1010-001 07/01/2001

	Rates	Fringes
Laborers:		
HIGHWAY CONSTRUCTION		
Fence Installer & Repairer..	\$ 28.84	15.55+a
FORMSETTERS.....	\$ 32.04	15.55+a
LABORERS.....	\$ 28.94	15.55+a
Landscape Planting & Maintenance.....	\$ 28.84	15.55+a
Maintenance Safety Surface..	\$ 28.44	15.55+a
Slurry/Sealcoater/Play Equipment Installer.....	\$ 28.69	15.55+a
Small Equipment Operator (Not Operating Engineer).....	\$ 28.94	15.55+a
Small Power Tools Operator..	\$ 28.44	15.55+a

FOOTNOTES:

a. PAID HOLIDAYS: Memorial Day, Fourth of July, Labor Day, Columbus Day, Election Day and Thanksgiving Day, provided the employee has worked one (1) day in the calendar week in which the said holiday occurs.

LABO1018-001 07/01/2001

	Rates	Fringes
Laborers:		
Asphalt Rakers.....	\$ 32.36	15.55+a
Asphalt Tampers.....	\$ 29.92	15.55+a

Landscape Planting & Maintenance Fence		
Installer/Maintenance.....	\$ 29.81	15.55+a
Line Striping Installers...	\$ 29.56	15.55+a
Play Equipment/Safety Surface Installer.....	\$ 29.31	15.55+a
Screedman/Micropaver.....	\$ 32.73	15.55+a
Shoveler, General Laborers/ All other incidental work.....	\$ 29.81	15.55+a
Slurry/Sealcoater.....	\$ 29.31	15.55+a
Small Equipment Operator...	\$ 29.56	15.55+a

FOOTNOTE:

a. Paid Holidays: Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans Day, and Thanksgiving Day

PAIN0009-001 05/01/2010

	Rates	Fringes
GLAZIER.....	\$ 39.00	32.24
Painters:		
Painters, Drywall Finishers, Lead Abatement Worker.....	\$ 34.50	19.84
Spray, Scaffold and Sandblasting.....	\$ 37.50	19.84

PAIN0806-001 10/01/2010

	Rates	Fringes
Painters:		
Structural Steel and Bridge.	\$ 46.25	31.03

PAIN1974-001 07/01/2009

	Rates	Fringes
Painters:		
Drywall Tapers/Pointers.....	\$ 41.32	20.81

PLAS0262-001 08/01/2010

BRONX, NEW YORK AND RICHMOND COUNTIES:

	Rates	Fringes
PLASTERER.....	\$ 39.53	25.55

PLAS0262-002 08/01/2010

KINGS AND QUEENS COUNTIES

	Rates	Fringes
PLASTERER.....	\$ 39.53	25.55

PLAS0530-001 08/03/2005

	Rates	Fringes
PLASTERER		
DRYWALL PLASTERERS.....	\$ 37.03	18.30

PLAS0780-001 06/01/2010

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER...	\$ 49.50	35.57

PLUM0001-001 07/01/2009

	Rates	Fringes
PLUMBER		
MECHANICAL EQUIPMENT AND SERVICE		
Any repair and/or replacement of the present plumbing system that does not change the existing roughing.....	\$ 31.61	14.45
PLUMBERS:.....	\$ 49.11	35.26

PLUM0638-001 06/30/2010

	Rates	Fringes
PLUMBER		
SERVICE FITTERS.....	\$ 26.30	2.55
SPRINKLER FITTERS, STEAMFITTERS.....	\$ 55.53	38.94

Service Fitter work shall consist of all repair, service and maintenance work on domestic, commercial and industrial refrigeration, air conditioning and air cooling, stoker and oil burner apparatus and heating apparatus etc., including but not exclusively the charging, evacuation, leak testing and assembling for all machines for domestic, commercial and industrial refrigeration, air conditioning and heating apparatus. Also, work shall include adjusting, including capacity adjustments, checking and repairing or replacement of all controls and start up of all machines and repairing all defects that may develop on any system for domestic, commercial and industrial refrigeration and all air conditioning, air cooling, stoker and oil burner apparatus and heating apparatus regardless of size or type.

ROOF0008-003 06/01/2010

	Rates	Fringes
ROOFER, Including Built Up, Composition and Single Ply Roofs.....	\$ 37.75	28.86

SHEE0028-002 07/29/2010

	Rates	Fringes
SHEET METAL WORKER		
BUILDING CONSTRUCTION.....	\$ 48.15	36.03
RESIDENTIAL CONSTRUCTION....	\$ 27.22	16.48

 TEAM0282-001 07/01/2009

	Rates	Fringes
Truck drivers:		
TRUCK DRIVERS:		
Asphalt.....	\$ 35.40	29.2025+a+b
Euclids & Turnapulls.....	\$ 35.50	29.2025+a+b
High Rise.....	\$ 42.21	29.2025+a+b

FOOTNOTES:

PAID HOLIDAYS: New Year's Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Election Day, Veterans' Day (Armistice Day), Thanksgiving Day and Christmas Day. Employees working two (2) days in the calendar week in which a holiday falls are to be paid for such holiday, provided that they shape each remaining workday during such calendar week.

b. VACATION: For each 15 days worked within the contract year an employee will receive one day's vacation with pay with a maximum vacation of 3 weeks per year.

 TEAM0813-001 12/01/1998

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 19.49	3.61+a
GROUP 2.....	\$ 19.76	3.61+a
GROUP 3.....	\$ 19.90	3.61+a
GROUP 4.....	\$ 20.23	3.61+a
GROUP 5.....	\$ 20.40	3.61+a
GROUP 6.....	\$ 21.29	3.61+a
GROUP 7.....	\$ 22.40	3.61+a
GROUP 8.....	\$ 19.90	3.61+a

FOOTNOTE:

a. PAID HOLIDAYS: New Year's Day, Martin Luther King, Jr.'s Birthday, Presidents' Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Thanksgiving Day, Christmas Day, Employee's Birthday, Two (2) Personal Days, and any holiday or day of mourning proclaimed as such by the State or Federal Government.

TRUCK DRIVER CLASSIFICATIONS

GROUP 1: Closed body trucks with self contained loading unit up to and including 22 yard capacity

GROUP 2: Open trucks, rack body or trucks with no self

contained mechanical loading device, up to 22 yard capacity. One-container tractor hoist

GROUP 3: 10 wheel, open trucks, container loaders, dino-master, over-cab loaders, rack body trucks, or any trucks 22 yards to and including 25 yards capacity

GROUP 4: Rubbish and garbage trucks, 26 yards to and including 31 yards

GROUP 5: Single axle working non-compactor containers up to 15 yards capacity on rubbish and garbage removal

GROUP 6: Roll-off trucks up to and including 42 yard capacity

GROUP 7: Roll-off truck with more than 42 yard capacity or any tractor trailer trucks

GROUP 8: One-container tractor hoist on construction and alteration debris removal

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.
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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION