



## TRANSMISSION

Urgent  Action Needed  Original will follow by mail  As You Requested  For Your Information

**DATE:** April 5, 2021

**TO:** Michael Scalzo, Executive Director  
NLCAA – CET  
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**FROM:** Raida Terencio, Research Data Analyst II

**SUBJECT:** Prevailing Wage for Acceptance Testing in Los Angeles County

**PAGES:** 2

### MESSAGE

This is in response to your email of January 12, 2021 requesting minimum rate of pay for work involving Acceptance Testing on public works projects in Los Angeles County.

Minimum rate of pay determinations are made on a case-by-case basis after analysis of the specific facts involved in a project. If you have a specific project that requires a rate of pay determination, please send us documents that can assist us in making our determination prior to or within 20 days of the commencement of bids on the project. The documents can include but are not limited to, construction contracts, plans or specifications, financial documents, and/or a detailed description of the duties to be performed.

When there are multiple crafts/classifications published in the Director's General Prevailing Wage Determinations at the time of the call for bids for a project that may perform a specific type of work and a minimum rate of pay decision was not requested or issued in accordance with the deadlines prescribed in Labor Code §1773.4, they may not be altered by a minimum rate of pay decision (*Sheet Metal Workers International Association, Local Union No 104 v. John Rea (2007), 153 Cal.App.4<sup>th</sup> 1071, 63 Cal. Rptr.3d 672*). As a result, any information provided will be given in a strictly advisory role.

The work as described in your letter include tasks common amongst multiple trades, which combined with the aforementioned circumstances, would preclude us from making a determination as to which craft(s) or classification(s) are responsible for the types of work described in your letter.

For work that involves performing required tests for lighting controls in nonresidential buildings in Los Angeles County as described in your letter, the scope of work provision for the craft(s)/classification(s) of Electrician: Inside Wireman may include similar types of work.

For work that involves performing required tests for mechanical systems in nonresidential buildings in Los Angeles County as described in your letter, the scope of work provision for the craft(s)/classification(s) of Plumber and Sheet Metal Worker may include similar types of work.

In accordance with Labor Code §1773.2, the awarding body shall specify what the general rate of per diem wages is for each craft, classification, or type of worker needed to execute the contract.

Please note that the craft listed above may not include all the tasks necessary in the scope of work to perform the type of work in question. If this is the case, the awarding body should refer to the general prevailing wage determinations in effect when the project was advertised for bid and the advisory scope of work provisions posted for the closest craft(s)/classification(s).

All workers on a public works project must be paid at the minimum the basic and total hourly rate for the type of work they perform. However, nothing shall prohibit the payment of more than the general prevailing rate of wages to any workman on public work.

If you have further questions, please contact the Office of the Director – Research Unit at (415) 703-4774. You may also visit our website at <http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm> to obtain current prevailing wage information.

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