

DEPARTMENT OF INDUSTRIAL RELATIONS

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**IMPORTANT NOTICE TO
AWARDING BODIES AND INTERESTED PARTIES
REGARDING
THE DEPARTMENT'S DECISION TO DISCONTINUE THE USE
OF PRECEDENT DETERMINATIONS**

“As part of the Department of Industrial Relations’ (“DIR”) continuing review of Office of Administrative Law determinations and Governor Schwarzenegger’s Executive Order S-2-03, the Division of Labor Statistics and Research (“DLSR”) will no longer rely on Government Code section 11425.60 and will no longer designate public works coverage determinations as “precedential.” The determinations should be considered advice letters directed to specific individuals or entities about whether a specific project or type of work is public work subject to prevailing wage requirements. DLSR is in the process of redesigning the web page for public works coverage determinations but, in the interim, will leave previously posted determinations on the website as a source of information for the public until the replacement web page is available.

Posted public works coverage determination letters provide an ongoing advisory service only. The letters present the Director of DIR’s interpretation of statutes, regulations and court decisions on public works and prevailing wage coverage issues and provide advice current only as of the date each letter is issued. In attempting to relate this advice to your own matter, care must be taken to ensure that the advice has not been superseded by subsequent legislative or administrative action or court decisions. Where there is an inconsistency between a statute, regulation or court decision and a public works coverage determination letter, statutory, regulatory or case law is controlling.”