

DEPARTMENT OF INDUSTRIAL RELATIONS
Office of the Director – Research Unit
455 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102

ADDRESS REPLY TO:

P.O. Box 420603
San Francisco CA 94142-0603



SCOPE OF WORK PROVISION

FOR

OPERATING ENGINEER,

**CRANES, PILE DRIVING AND HOISTING EQUIPMENT
(OPERATING ENGINEER),**

TUNNEL (OPERATING ENGINEER),

**BUILDING/CONSTRUCTION INSPECTOR AND FIELD SOILS
AND MATERIAL TESTER**

IN

SAN DIEGO COUNTY

MASTER LABOR AGREEMENT

**between
ASSOCIATED GENERAL CONTRACTORS OF AMERICA
SAN DIEGO CHAPTER, INC.**

**and
INTERNATIONAL UNION OF OPERATING ENGINEERS
LOCAL UNION NO. 12**

THIS AGREEMENT entered into this 1st day of July, 2013, by and between signatory members of the Associated General Contractors of America, San Diego Chapter, Inc., (hereinafter referred to as the "Employers"), and the International Union of Operating Engineers, Local Union No. 12, affiliated with the Building and Construction Trades Department of the AFL-CIO, (hereinafter referred to as the "Union").

B. Coverage:

1. This Agreement shall cover and apply in San Diego County, California.
2. This Agreement shall cover and apply to all work falling within the recognized jurisdiction of the Union.
 - a. It shall cover work on building, heavy highway and engineering construction, including the construction of, in whole or in part, or in improvement or modification thereof, including any structure or operations which are incidental thereto, the assembly, operation, maintenance and repair of all equipment, vehicles and other facilities, including helicopters, used in connection with the performance of the aforementioned work and services and including without limitation the following types of classes of work.
 - b. Street and highway work, grading and paving, excavation of earth and rock, grade separation, elevated highways, viaducts, bridges, abutments, retaining walls, subways, airport grading, surfacing and drainage, electric transmission line and conduit projects, water supply, water development, reclamation, irrigation, drainage and flood control projects, dams, aqueducts, canals, reservoirs, intakes, channels, levees, revetments, quarrying of breakwater or riprap stone, foundations, pile driving, piers, locks, dikes, rivers and harbor projects, breakwaters, jetties, dredging, tunnels, soil testing and building/construction inspector. The handling, cleaning, erection, installation and

dismantling of machinery, equipment and all work on robotics, included but not limited to the rigging, handling, installation, maintenance, programming and the use of all stationary and/or portable robots. This shall include the use of all robots used in any industry, including the nuclear field.

c. It shall cover all work with the exception of the initial setting, positioning and programming of the base station in conjunction with Global Positioning Systems/GPS on the job site.

d. The construction, erection, alteration, repair, modification demolition, addition or improvement, in whole or in part, of any building structure including Power Plants, mines, solar energy installations and appurtenances, oil or gas refineries and incidental structures, also including any grading, excavation, or similar operations which are incidental thereto, or the installation, operation, maintenance and repair of equipment and other facilities used in connection with the performance of such building construction.

e. All concrete form work, including but not limited to, the fabrication, construction, placing, erection, rigging and hoisting, stripping and removing of all forms and operation of the forklift, loed, pettibone or mobile equipment in reference to all of the above work.

f. All work in connection with tiltup slabs, including but not limited to benchmarks, layout, setting of all forms, blockouts, metal door and window jambs, templates for bolts, lift points, knee braces, all stripping of forms (whether or not to be reused) rigging, setting, plumbing, and lining, welding, drilling, ledger bolts, setting of expansion joints and caulking. Also to include forms for stairs and loading docks (setting and stripping), installation of all doors including roll-up, installation of laminated beams or precast structures, and operation of the fork lift in reference to all of the above work.

g. All work in connection with the hoisting of materials which are to be used for the Carpenters or Building Trades men will be rigged, guided and handled by employees covered by this Agreement.

h. The layout, rigging, tagging, signaling, cutting, burning, welding, chain sawing, driving, setting and pulling of all soldier piles, sheet piles, soldier beams and casings, together with all necessary walling, shoring, underpinning, struts, bracing, capping and lagging necessary for construction of subterranean structures of all types to include, but not limited to, subways, subway stations, buildings, storm drains, sewers, pipelines and all open cut and cover construction projects. Fabrication, construction, removal and stripping of all forms both inside and outside the tunnels and drains to include form liners and membranes, whether they be spray on, glue on, tack on, composed of any and all building materials to include plastic, neoprene, high density polyethylene, vinyl cork or any other natural or artificial material. Construction of all

covers and access mats to include all necessary rigging for setting and removing, whether intermittently or regularly. Installation and removal of all timber decking.

i. All office modular furniture systems including, but not limited to: the unloading by any means, stockpiling, distribution to point of erection, carrying, handling, transportation, uncrating, installation, cleaning, and/or staging of all office, commercial, industrial, institutional, and hotel furniture systems, furnishings, etc., including (but not limited to) all component parts (regardless of their materials or method or manner of installation, attachment or connection). Also included will be layout work including the use of level, transit and any other instrument or tool (or adaptable tool) required for the work herein described.

j. The placing, handling, moving and erection of all materials which fall within the description of work set forth in the Agreement from the site of delivery on the job to the point of the job where the work is to be performed. The erecting and moving of all scaffolds and the moving and handling of all materials to be used in erection of scaffolding.

3. This Agreement shall also include work in the Contractors' yards and shops and field survey work, asphalt, concrete and screening plants, forest fires, floods, and emergency work.

a. Survey work is considered bargaining unit work. If survey work is subcontracted by the Employer, said subcontractor shall be signatory to, and shall perform said work in compliance with the terms and conditions of the current Master Survey Agreement between the Southern California Association of Civil Engineers and Land Surveyors and the Operating Engineers, Local Union No. 12. If survey work is not subcontracted, the terms and conditions contained in Article XV, Section S of this Agreement shall apply.

b. In addition to the above, this Agreement shall also cover all soils and materials testing, construction inspection, and building inspection work performed in connection with any and/or all of the types of work otherwise covered by this Agreement as set forth hereinabove, without exception. Such work shall be defined by the type of work being performed, and shall not be excluded from this Agreement by virtue of the fact that the awarding agency or developer, or the employer or contractor, chooses to call such work by a different name, such as "quality control work" or "quality assurance work".

7. Equipment Transportation and Repair:

a. So far as it is within the control of the Contractor, the loading and unloading of equipment which is operated by employees covered by this Agreement, or the transportation of such equipment by means of its own power, from job-to-job, yard-to-yard, shall be performed by employees covered by this Agreement. Nothing herein contained shall be construed to prohibit the normal delivery of freight by common carrier.

b. Nothing in this Agreement shall limit the right of Contractors to utilize machinery and equipment dealers to perform major repairs on machinery and equipment on or off the jobsite. All other maintenance and repairs which are normally and customarily performed by persons in the classification of Heavy Duty Repairman/Welder shall be performed by employees covered by this Agreement. In the event this Paragraph proves unworkable during the life of this Agreement the parties hereto agree that the provision contained in Article XVII will prevail in resolving the issues at hand.

d. For hazardous waste removal or remediation, those new methods of operation, systems, procedures, equipment, technology, or other changes are developed, introduced or utilized by a Contractor or Subcontractor which replace, modify or add to the work covered by this Agreement, this Agreement shall apply to such new methods and only employees covered by this Agreement shall perform such work.

ARTICLE II Union Recognition

A. The Contractors hereby recognize the Union as the sole and exclusive collective bargaining representative of all employees and persons employed to perform work covered by this Agreement by the Contractors over whom the Union has jurisdiction, including such jurisdiction as defined by the Building and Construction Trades Department of the AFL-CIO (including, but not limited to electric transmission lines, conduit projects, sub-stations and power plants).

All work performed under this Agreement shall be done by employees of the Contractor or Subcontractor doing work covered by this Agreement. When the Contractor leases equipment it must be operated repaired and maintained by employees of the Contractor or of a Subcontractor as defined above.

9. Combination Mixer and Compressor Operator on Gunite work shall be classified as Concrete Mobile Mixer Operator.

10. The necessity for the use of an employee as a Signaller shall be determined by the Contractor. When used, he shall be an Engineer-Oiler, as defined herein, who assists in giving or relaying signals by mechanical means (also by means of hand signals on excavation work), directly to the Operator of hoisting equipment only.

13. Dewatering System:

a. A Dewatering System shall be operated by a Pump Operator at all times that the Dewatering System is being operated.

b. For the purpose of this Article, a Dewatering System is defined as a combination of one (1) or more pumps of any type, size or motive power, including but not limited to Wellpoint Pumps, Submersible Pumps, Well Pumps, Ejector or Eductor Pumps, in combination with wells, wellpoints, sumps, piping and/or other appurtenances, powered by Diesel, electric, gasoline or any other type of motive power to control water on any and all types of construction work, except when submersible or well pumps are operated with public electrical power, an Operating Engineer will not be required. When an employee is required he shall be an Operating Engineer.

c. In the event that pumps are not used for Dewatering projects, pumps that are gasoline or Diesel driven shall be maintained, serviced and operated by an Operating Engineer from the preferred classification, regardless of the purpose for which they are used. When a single small unit is used for filling of a water tank or water trucks, an Operating Engineer will not be required. When an employee is required, he will be an Operating Engineer.

R. Special Working Rules and Conditions for Tunnels and Sealed Air Pressure Bores:

1. All terms and conditions of this Agreement shall apply to all employees employed on a tunnel job or project, unless otherwise specified in this Section R.

2. This section covers jobsite work on construction, alteration, repair, modification or demolition of tunnels, shaft, tunnel shafts, adits, silos, raises, subways, underground power houses, including the lining of same which falls within the jurisdiction of the Union. Where open cutwork is covered over or decked with wood, steel or other substitute materials and workmen are required to work under such cover, they shall work and be paid in accordance with the terms and conditions of this Agreement. For all excavation and work related to the excavation, without limiting the scope of the work covered hereby, it is agreed that this Agreement shall cover but not be limited to the construction of, in whole or in part, or the improvement or modification thereof, including any structure or operations which are incidental thereto, the assembly, operation, maintenance and repair of all equipment, vehicles and other facilities used in connection with the performance of the aforementioned work and services and including without limitation the following types of classes or work.

3. The manning, running and/or handling of all boring equipment, mole machines, mining machines, mucking machines, heading shields, all drilling (except jackleg and jumbo), all diamond core drilling, grinding and sharpening of bits, slushers, tuggers (except in breast board or crown bar headings), all conveyors and conveyor belts, locomotives, rubber-tired equipment, including man trip vehicles, mobile power jumbos, Athey Wagons and tractors, all concrete placing equipment such as Rex Pumpcrete and all pneumatic placers (flowcrete) Kemper, Hackley-Presswell and all similar equipment. The jacking of pipe in tunnels, all ground support work including cutting, welding, hauling and hoisting of all liner plate and other materials, all work performed under compressed air which falls within the jurisdiction of the Union. The manning of all hoisting equipment including cherry pickers and/or carpassers, mobile powered heading switches, concrete screeds, agitator cars, the moving, raising and setting of forms including slip forms in tunnels and tunneling operation. The operation, tending and maintenance of all pumps, generators, compressors and ice plants in or on tunnels and tunnel shaft projects.

4. Any and all emplacements commonly described as underground silos in which missiles are placed, housed, stored and/or their component parts, shall be covered

by the terms of this Agreement. All power hoisting and jobsite hauling of all tools, equipment, material, workmen and other personnel and the operation of all equipment primarily used therefore shall be considered the jurisdiction of the Union and shall be covered by the terms and conditions of this Agreement.

5. In addition to the above, this section shall also include work in the Contractors' portal yards and shops, tunnel survey work such as the placing, setting and adjusting of Laser Beams, Gyroscopes, Geodimeters, Electrotape and all other instruments used therefore, including Grade Checkers and/or Shift Engineers.

6. Tunnels shall be defined as an underground passageway, except for jacking operations under highways, railroads, embankments, etc., excavated by workmen and equipment working below the earth's surface that provides subterranean route along which workmen, equipment or substances can move other than passageways excavated by mine or quarry operations in connection with such operations.

7. All work of site preparation, mobilization and installation of plant and equipment and the removal of same shall be performed under the terms of this Section R.

8. After tunnel work has begun, work outside the tunnel consisting of batch plant crews, the construction, repair and maintenance of the equipment outside the tunnel, subway, shaft, raise, etc., and the hauling and hoisting of the material to be used inside the tunnel, subway, shaft, raise, etc., or construction, repair or demolition of said tunnel, subway, shaft, raise, etc., shall come under the tunnel provisions and shall work under the tunnel shift conditions, either single or multiple.

a. Employees assigned to batch plant operations shall work under the terms and conditions of the tunnel provisions except when a batch plant is established in an area to provide material for a project consisting of a tunnel or tunnels, and other outside concrete batching operations, and the batch plant crew or any member of it had not participated in the driving of the tunnel, such employees shall be covered by the regular jobsite concrete batch plant provisions of this Agreement.

h. Employees covered by this Agreement shall perform all repair and service work on equipment, including the washing of all boilers and/or scrubbers.

b. On tunnel headings where the operating, repair or servicing of equipment is performed, the tunnel repairman or other employees covered by these tunnel provisions shall be utilized.

c. No one other than an Operating Engineer covered by this Agreement shall operate a locomotive on a tunnel project.



23-63-3

WM. C. WAGGONER
Business Manager
and
General Vice-President

**INTERNATIONAL UNION OF
OPERATING ENGINEERS**

October 4, 2013

UPS OVERNIGHT

Department of Industrial Relations
DIVISION OF LABOR STATISTICS AND RESEARCH
455 Golden Gate Avenue, 9th Floor
San Francisco, California 94102

RECEIVED
Department of Industrial Relations

OCT 07 2013

Office of the Director-Research

Attn: Ramil Noche, Research Analyst

RE: SAN DIEGO MASTER LABOR AGREEMENT/2013-2014

Dear Mr. Noche:

We are in receipt of your facsimile request dated September 19, 2013, regarding the request for additional information on classifications for the prevailing wage determination in San Diego County for the Operating Engineers.

We are enclosing copies of pictures, equipment descriptions and specifications, assignment letters and dispatch slips for the following classifications in review:

GROUP VIII

- ✓ Barrier Rail Mover (BTM Series 200 or similar types – one (1) additional Employee covered by this Agreement required)
- ✓ Hydraulic Operated Grout Plant

GROUP XIV

- ✓ Geothermal Drill Rig



Dept. of Industrial Relts.
Div. of Labor Stats. & Research
RE: San Diego MLA/2013-2014
October 4, 2013
Page 2

Thank you for your immediate attention and assistance in this matter and we hope this information will be helpful for review in the consideration for publication for the Operating Engineers.

If you require any further information, please do not hesitate to contact our office.

Very truly yours,

Wm. C. Waggoner, Business Manager
I. U. O. E., Local Union No. 12
and General Vice President

A handwritten signature in cursive script, appearing to read "Dan E. Hawn".

By: Dan E. Hawn, Financial Secretary
I. U. O. E., Local Union No. 12

WCW:DEH:kld

Encls.

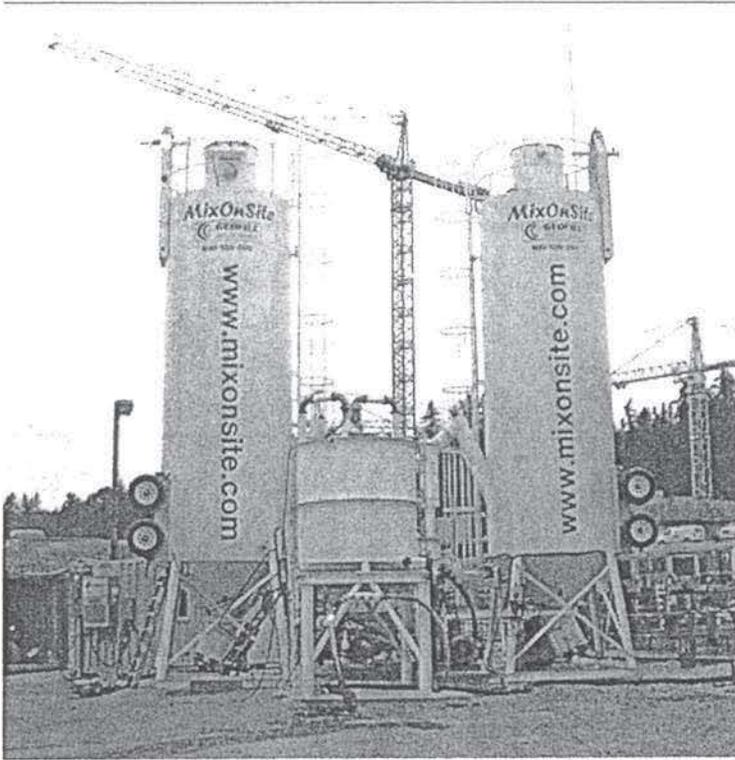
cc: Maria Robbins, Deputy Chief
Tim Stahlheber, Research Manager
Agreement Department

COMPACTION GROUTING

A soil remediation system to increase the bearing capacity of soils. The compaction application is accomplished by pumping a low slump cement grout, under intense pressure, into a particularized location of ground to compact its surrounding areas of soil. This method is also known as low mobility grouting.

Subsurface issues may include potential and active sinkholes, poorly placed fill materials, loose and settling soil from construction, liquefiable soils, and open voids.





10/4/2013

Friday, October 04, 2013

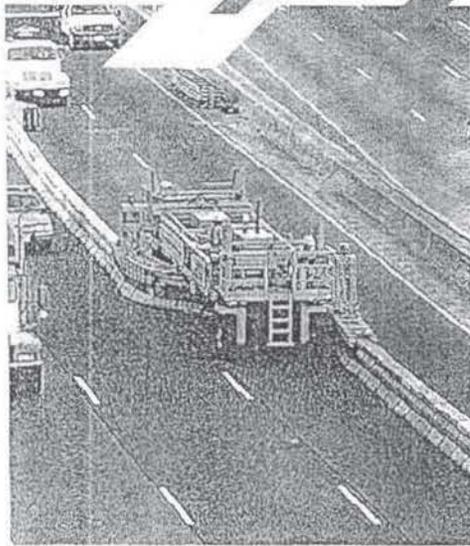


10/4/2013

Friday, October 04, 2013

Movable Barriers in Work Zones

Interconnected sections make repositioning barriers easier



Movable barrier technology allows for quick barrier adjustments to create protected work spaces or to reallocate travel lanes in the work zone to match time-of-day traffic flow fluctuations. Unlike traditional barriers, which are difficult and time consuming to reposition, movable barrier sections are interconnected and designed to be picked up and moved as a unit using a conveyer system.

Traditional concrete traffic barriers are used in many work zones to provide separation between work areas and moving traffic as well as between opposing directions of travel. They serve two purposes:

- To create or expand protected work spaces for highway crews during offpeak traffic periods by positioning the barrier outside of the travel lane during the peak-period, then moving it into the traffic lane for the period of work activity. The barrier is then moved back off of the roadway before the start of the next peak period to allow traffic to use more or all of the travel lanes.
- To create a median separating two opposing traffic flows where peak-period travel is higher in one direction in the morning and in the opposite direction in the afternoon. In this situation, the movable barrier positioned in the middle of the roadway can be moved to borrow a lane from the offpeak direction and allocate it to the peak direction of traffic flow. When the next peak period arrives, the process is reversed. This allows the space allocated to traffic to be used more efficiently, and allows a larger work space to be created for highway crews.

Movable barriers are constructed from a series of interconnected sections of barrier hinged together with steel pins to create a movable "chain." The T-shaped top of the barrier is specially designed to allow it to be picked up

and moved laterally on a conveyer system by a self-propelled barrier transfer machine (BTM). As the BTM moves along the roadway, rubber wheels run along the underside of the T-shaped top, lift the barrier several inches off of the ground, and move it through an elongated "S" shape until it is repositioned laterally in its desired location. The amount of lateral shift of the barrier can range from 4 to 18 feet. The BTM can move at speeds up to 5 miles per hour (mi/h), allowing protected work spaces to be created in a matter of minutes.

The following projects show the improved efficiencies highway agencies and contractors can realize when they employ movable barriers:

- In 2005, moveable barriers were used to reallocate travel lanes for peak-period travel during a bridge reconstruction project on Interstate 94 in Wisconsin. This allowed the contractor to work on one span of the bridge at a time while the other span carried the traffic. Use of the barrier allowed travel speeds to remain acceptable during peak periods (51 mi/h). The project was completed in one construction season instead of two.
- Movable barriers were used during the widening of I-66 in Virginia just outside of Washington, DC. The barrier was positioned in the median and moved out to close the median travel lane during 4-hour midday work periods and longer work periods at night. Construction was completed 30 percent faster than expected, about 5 months ahead of schedule. Public interest in the commuter-friendly equipment used during the project resulted in a request to have it displayed at the local county fair.



Contact

Chung Eng
Team Leader, Work Zone Mobility and Safety
Office of Operations
FHWA
202-366-8043
chung.eng@dot.gov

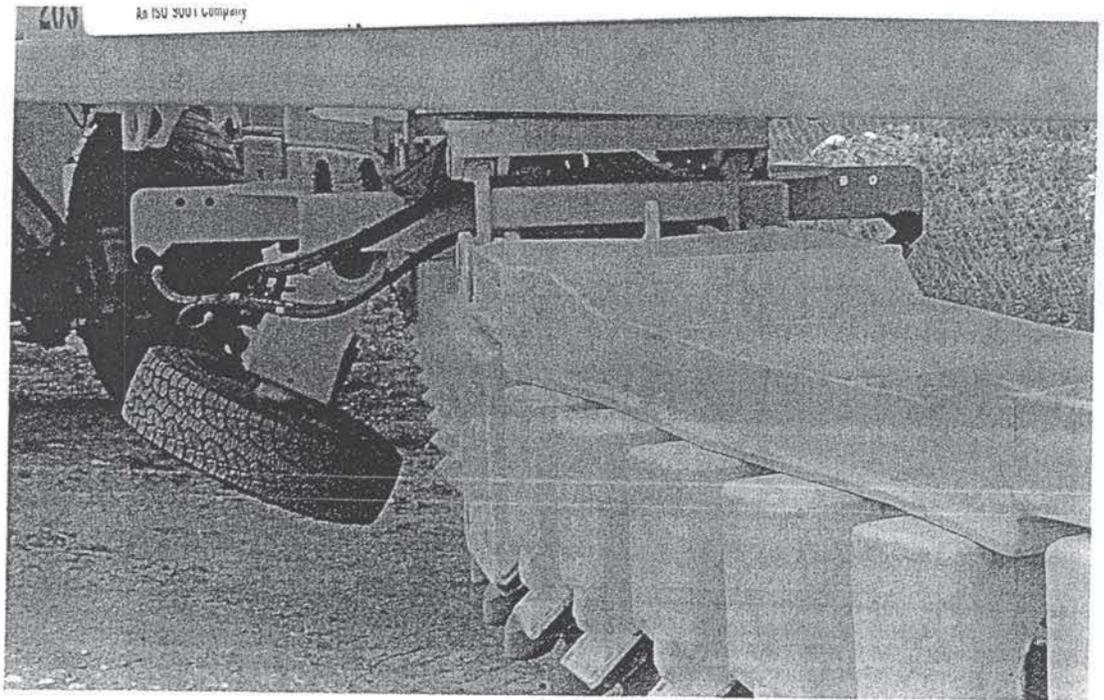
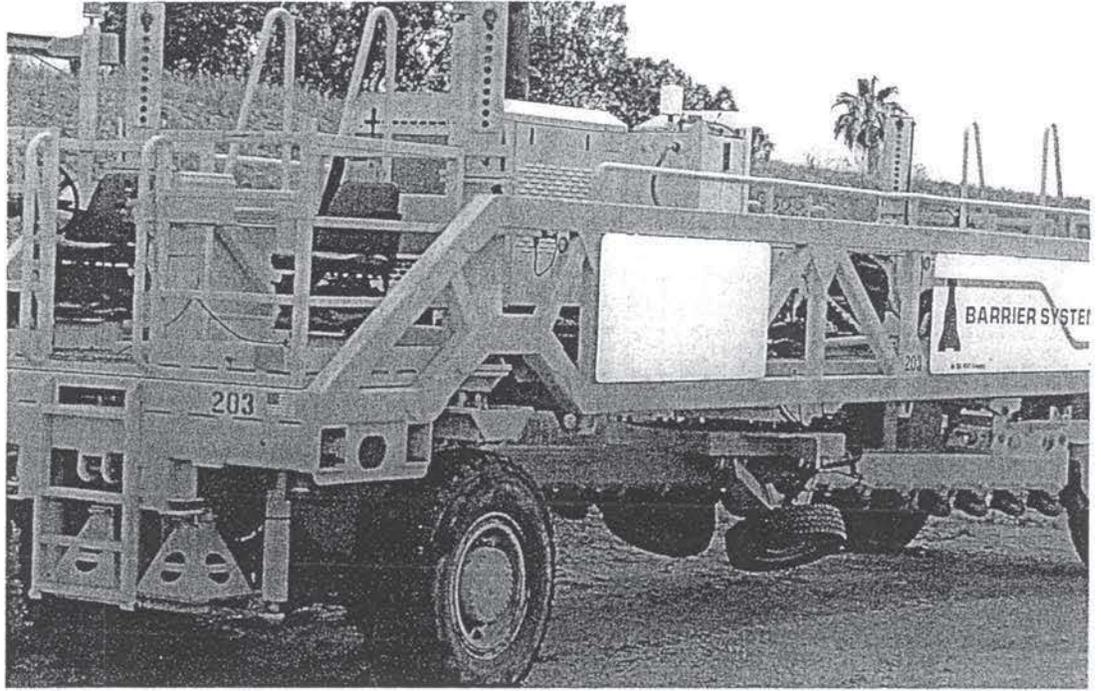


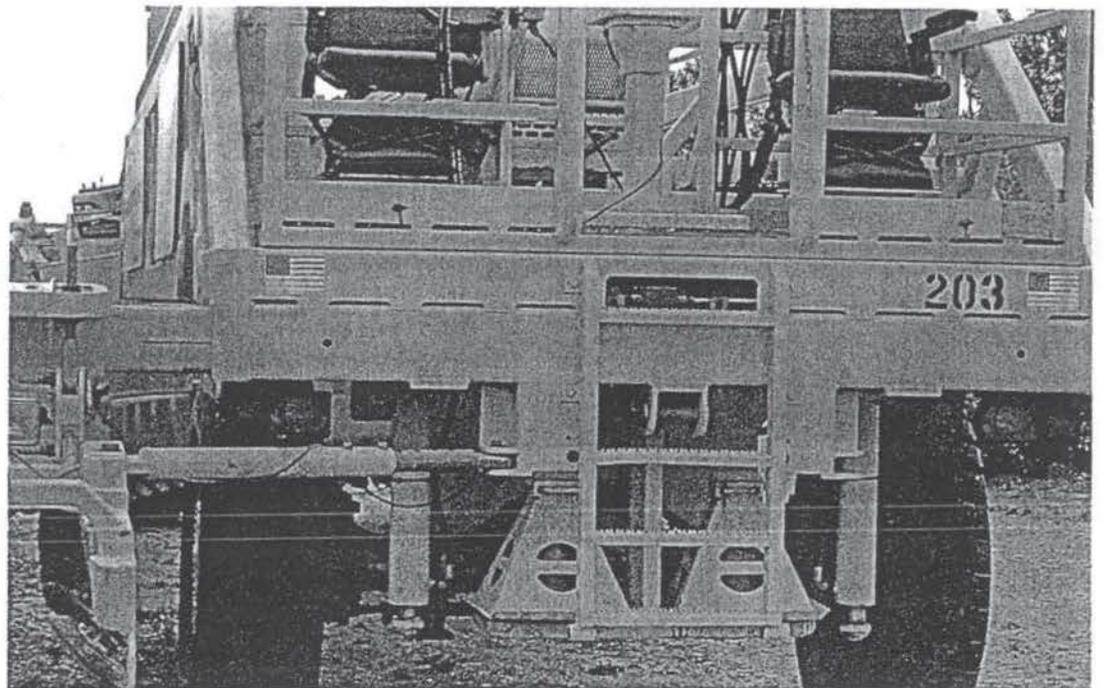
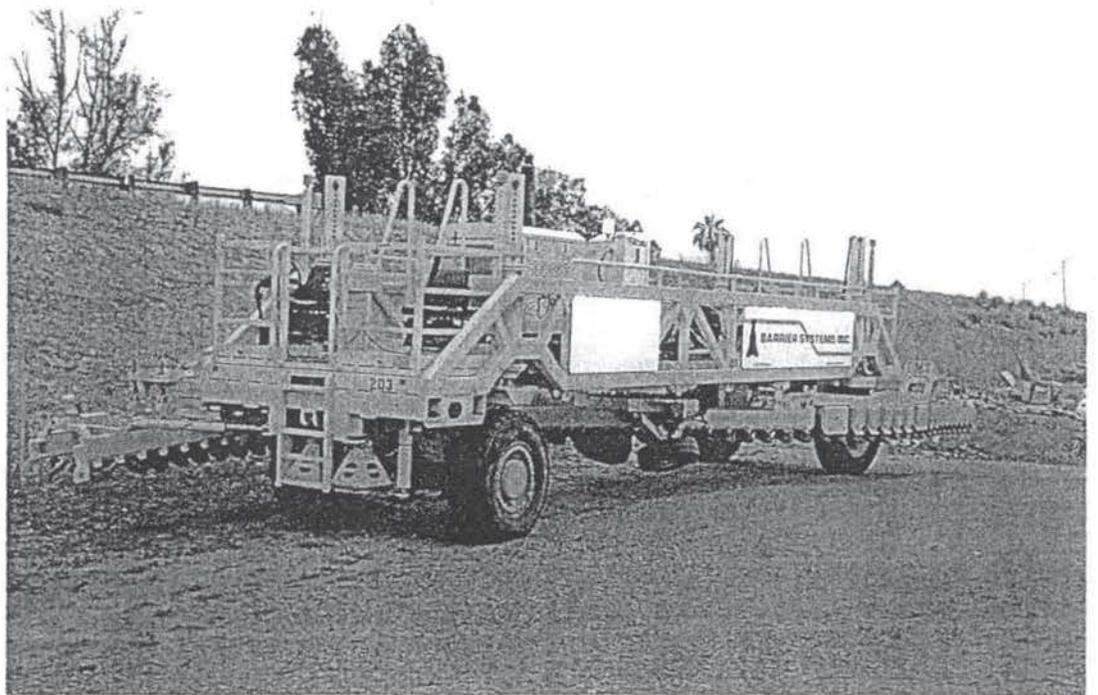
For more information

- "Movable Barriers for High-Traffic Work," *Public Works*, February 2000
- "Improving Highway Safety," *Construction Today*, December 2006, pp. 200-201
- Movable barriers Web site, www.barriersystemsinc.com

**HIGHWAYS
FOR LIFE**

Accelerating Innovation for the
American Driving Experience.





RECEIVED
Department of Industrial Relations

FACSIMILE TRANSMISSION

OCT 15 2013

Cover Sheet

DATE: October 15, 2013

Office of the Director-Research

RUSH []



TO: Department of Industrial Relations

ATTN: David Mar

PHONE NO: (415) 703-1603

FAX NO: (415) 703-4771

FROM: INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL NO. 12

Name: Dan E. Hawn, Financial Secretary (Karen D.)

150 East Corson Street, Pasadena, CA 91103

Telephone: (626) 792-8900 FAX #: (626) 792-9039

REMARKS: Per our telephone conversation this morning, we are sending

you an explanation regarding the Geothermal Drill Rig. I hope this explanation

is useful in making the determination for the Operating Engineers. Thank you.

NUMBER OF PAGES 2 + Cover Sheet

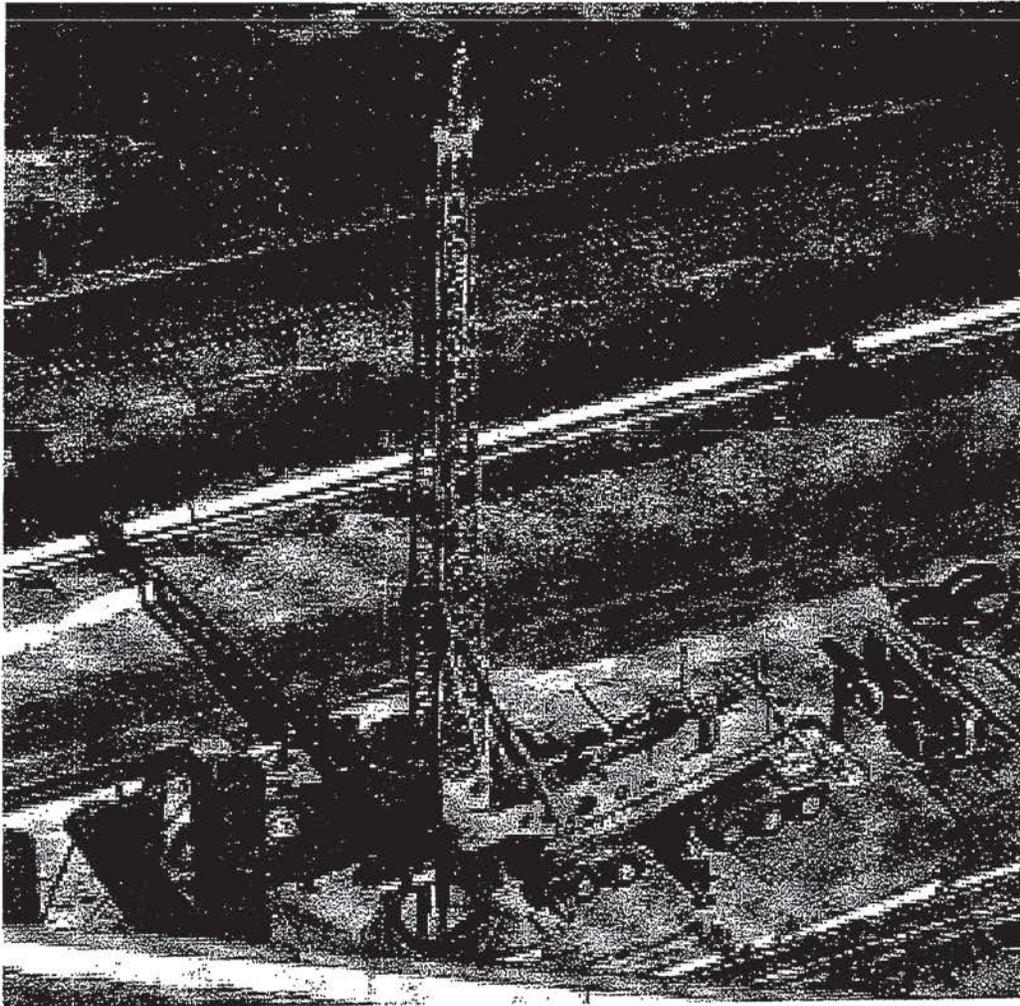
Please call (626) 792-8900 if all of the pages were not received.

RESPONSE REQUESTED: YES ___ NO ___

INTERNATIONAL UNION OF
OPERATING ENGINEERS

RE: SAN DIEGO MASTER LABOR AGREEMENT/2013-2014
GROUP XIV - Geothermal Drill Rig

Our intention is to distinguish the Geothermal Drill Rig from the Drilling Machine Operator classifications found in Groups VI through Group XII. As you will note, each group is depth specific. Although the drill rigs in those groups appear to be similar to the Geothermal Drill Rig, the functions are different. The Geothermal Drill Rig utilize smaller drill steel to install pipes at deeper depths, while the current classification of drills are used for caissons, installation for footings, bridges and parking structures.



Drilling Machine Operator - Groups VI through Group XII
(drilling for caissons for bridge structure)

DEPARTMENT OF INDUSTRIAL RELATIONS

Office of the Director

455 Golden Gate Avenue, 10th Floor

San Francisco, CA 94102

Tel: (415) 703-5050 Fax: (415) 703-5059/8

MAILING ADDRESS:
P. O. Box 420603
San Francisco, CA 94142-0603

August 22, 2005

**IMPORTANT NOTICE TO AWARDING BODIES AND OTHER INTERESTED
PARTIES REGARDING CHANGES TO
THE DIRECTOR'S GENERAL PREVAILING WAGE DETERMINATIONS**

The classifications of work listed below, as identified in the Master Labor Agreement between the Associated General Contractors of America San Diego Chapter, Inc. and International Union of Operating Engineers Local No. 12, were not published or recognized by the Department of Industrial Relations in the August 22, 2005 issuance of the San Diego Operating Engineers' general determination, SD-23-63-3-2005-1. The rates associated with these unrecognized classifications **SHALL NOT** be applied or used on public works projects for the associated type of work.

San Diego County – Determination SD-23-63-3-2005-1

Boring System Electronic Tracking Locator (Group 4)

Horizontal Directional Drilling Machine (Group 4)

For public works projects advertised on or after September 1, 2005, the prevailing rate of pay for horizontal directional drilling work in San Diego County is that of the Horizontal Directional Drilling craft and is published in the following wage determination:

Southern California¹ Counties (including San Diego) – Determination SC-23-102-1184-2005-1

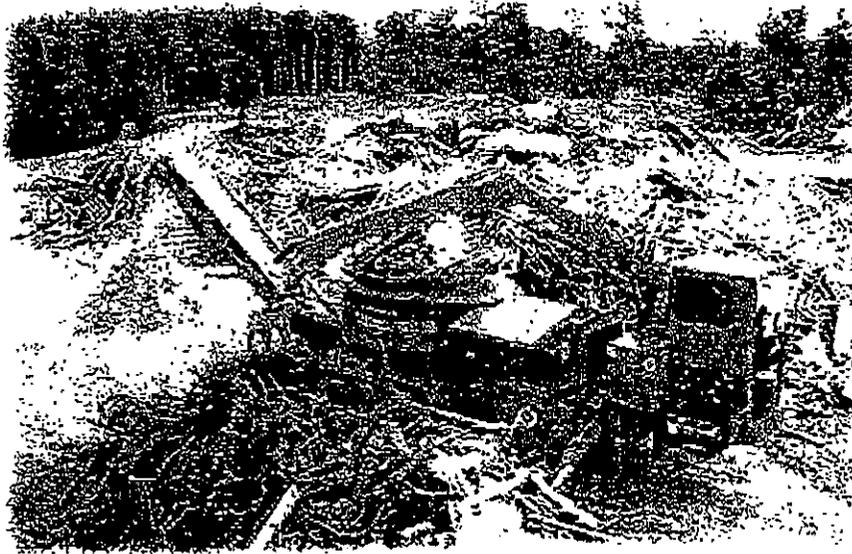
¹ The Southern California Counties include Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara, and Ventura.

MEMORANDUM

INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL UNION NO. 12

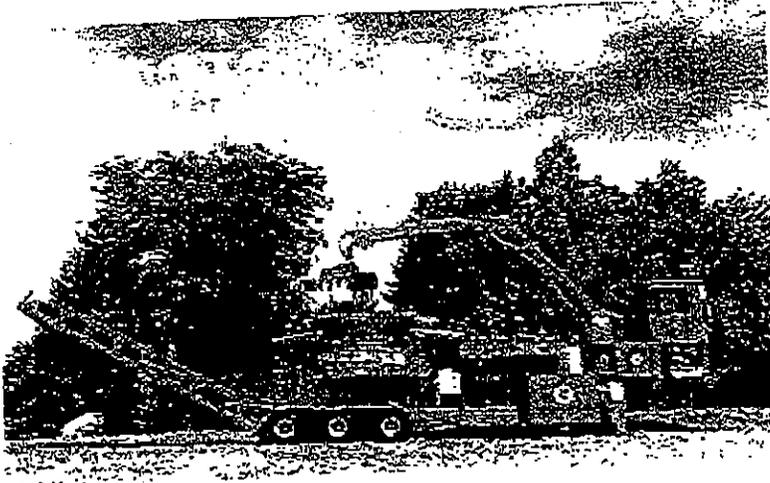
Attached please find photographs of mobark chippers or similar types. These are of a particular model. Our classification includes this model and other similar types.

Model 1200XL Tub Grinder



Power	600 - 750 HP
Length	39'6"
Height	13'5"
Width	11'11"
Gross Weight	63,940 lbs.
Tongue Weight	17,060 lbs.
Axle Weight	46,880 lbs.
Maneuvering Opening	32" x 52"
Discharge	Dual auger to belt
Trailer	Tri-axle; 60,000 lbs. Suspension
Tires	(12) 225-75R x 22.5, 15 ply radial
Brakes	Air
Stabilizer Legs	(2) Hydraulic
Towing Arrangement	Fifth wheel
Engine	Caterpillar or Cummins
Drive	Direct with torque limiter
Fuel Tank Capacity	300 gallon
Hydraulic Oil Tank Capacity	220 gallon
Auxiliary Air Compressor	11 HP
Optional Features	Tub cover for debris containment

AUG-02-2004 10:19



DEPARTMENT OF INDUSTRIAL RELATIONS
OFFICE OF THE DIRECTOR
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

ADDRESS REPLY TO:

P.O. Box 420603
San Francisco CA 94142-0603



February 8, 2002

**IMPORTANT NOTICE TO AWARDING BODIES AND OTHER INTERESTED PARTIES
CONCERNING INSPECTION AND SOILS AND MATERIALS TESTING**

Dear Public Official/Other Interested Party:

This notice provides clarification to many questions from the public regarding the scope of work of the testing and inspection determinations. In addition, it answers many questions from the public regarding work performed by architects and engineers.

Attached please find letters from Operating Engineers Local Union No. 3 dated February 4, 2002, and Operating Engineers Local Union No. 12 dated December 6, 2001, clarifying the scope of work for the following determinations:

**SOUTHERN CALIFORNIA
BUILDING/CONSTRUCTION INSPECTOR AND FIELD SOILS AND MATERIAL TESTER, page 10E**

**SAN DIEGO COUNTY
BUILDING CONSTRUCTION INSPECTOR AND FIELD SOILS AND MATERIAL TESTER, page 27C**

**NORTHERN CALIFORNIA
OPERATING ENGINEER (Heavy and Highway Work): Group 6 (Soils and Materials Tester), page 39
OPERATING ENGINEER (Building Construction): Group 6 (Soils and Materials Tester), page 40A**

Scope of work for each of these classifications has been posted on the Internet at <http://www.dir.ca.gov/DLSR/PWD>. This information may also be requested from the Division of Labor Statistics and Research, Prevailing Wage Unit by calling (415) 703-4774, by faxing a request to (415) 703-4771 or by writing to:

California Department of Industrial Relations
Division of Labor Statistics and Research
Prevailing Wage Unit
P.O. Box 420603
San Francisco, CA 94142

When referring to questions 7 and 8 in the letters from Operating Engineers Local No. 3 and Local No. 12 respectively, please note that testing and inspection is covered at off-site manufacturing and/or fabrication facilities only if the off-site facility is determined covered under prevailing wage laws. If there are any questions pertaining to this area please contact the Division of Labor Statistics and Research at the above address. Please include all relevant documents including but not limited to the contract, financial documents, plans, specifications, as well as contact information for the Awarding Body.

Please refer to an Important Notice dated December 29, 2000 for additional information pertaining to testing, inspection, and field surveying.

Sincerely,

A handwritten signature in black ink that reads "Chuck Cake".

Chuck Cake
Chief Deputy Director



INTERNATIONAL UNION OF
OPERATING ENGINEERS

WM. C. WAGGONER
Business Manager
and
General Vice-President

December 6, 2001

R E C E I V E D
Department of Industrial Relations

DEC 11 2001

Div. of Labor Statistics & Research
Chief's Office

Via Fax & U.S. Postal Service

Maria Y. Robbins, Deputy Chief
State of California Department of Industrial Relations
Division of Labor Statistics & Research
455 Golden Gate Avenue, Eighth Floor
San Francisco, CA 94102

Re: Building Construction Inspector (BCI) and Field Soils and Material Tester (FSMT) Classifications

Dear Ms. Robbins:

Pursuant to your request for clarification contained in your November 20, 2001 correspondence we submit the following:

1. *What is the difference between the Building Construction Inspector (BCI) and the Field Soils and Materials Tester (FSMT) classifications? There appears to be some overlap of duties. Could you summarize the intent of the coverage between Southern California Contractors Association, Inc. and the International Union of Operating Engineers Local No. 12, which serves as the basis for the prevailing wage determination?*

As stated in our June 5, 2001 correspondence to your office, a Building Construction Inspector (BCI) is a licensed inspector who generally works under the direction of a registered civil engineer. The BCI is used when higher stresses are involved, e.g., welding, reinforced concrete, masonry, non-destructive testing and other related disciplines. The term "building inspector" or "construction inspector" has the same meaning as "special inspector." The BCI classification is meant to include inspection of all structures, including but not limited to, residential and commercial buildings, bridges, piers, warehouses, oil/water tanks, docks, refineries, heavy highway construction, underground construction, water works, sewers, water reclamation, flood control, dams, dredge, etc.

A field soils and material tester (FSMT) performs a variety of duties. They include special grading, excavation filling, soils used in construction, concrete sampling, density testing and various types of verification tests.

Occasional overlap of duties may occur between the BCI and FSMT, such as taking concrete specimens in the field, however, one must look at the overall scope of work/duties to determine the proper prevailing wage/rate classification.

2. *How is grading inspection different when performed by a BCI or by a FSMT?*

"Grading inspection is generally the work of a FSMT. The City of Los Angeles certifies/licenses grading inspectors whose duties are similar, but more stringent than those of the FSMT. The grading inspector in the Los Angeles area is covered under the BCI classification/wage rate.

3. *Please define the following and identify which classification performs this work:*

- a) *Magnetic particle testing*
- b) *Nondestructive inspection*
- c) *Ultrasonic testing*
- d) *Keying*
- e) *Benching*
- f) *Scarifying*
- g) *"Rolling of slopes"*
- h) *One-pointer*
- i) *"Correction for rock"*

a) b) c) Magnetic and ultrasonic testing are two different forms of non-destructive testing (NDT). They use mechanical devices to check defects in structures such as welds. The use of magnetic and ultrasonic waves in the evaluation process does not cause any damage to the structure, hence, the term non-destructive testing. Other forms of non-destructive testing include radiography (x-rays) and penetrant testing. All of this work is that of the BCI.

d) Keying in is benching into existing material while filling up an adjacent fill, to bind the two areas (materials) together, eliminating the chance of a soft or uncompacted area in between the two materials or areas. A "stair-step" procedure is usually used.

e) Benching is using a piece of equipment (usually a dozer) to cut into existing material while filling up an adjacent fill, to bind the two areas (materials) together. This eliminates the chance of soft or uncompacted area in-between the two materials or areas. A "stair-step" procedure is usually used.

f) Scarifying is a procedure performed by equipment that rips up existing material approximately one foot deep, then processing that material by watering and mixing it.

g) Rolling of Slopes is a compaction technique used on the slopes of a new fill area. The time required for compaction on the slope of a fill is the same as the required compaction on the top of the fill.

h) A One-Pointer is one test made on the soil by a field soils and material tester (or FSMT).

i) Correction for Rock is a calculation made for oversized rock in soil, done by a field soils and material tester (FSMT).

Items a, b and c are performed by the BCI. Items d, e, f, g, h and i are performed by the FSMT.

To perform items a, b, and c, the individual would have to obtain certification as required by the agency. If certified, for example, in "Ultrasonic Testing," one could perform FSMT work and then move to BCI work if certified to do so.

4. *Does lab work fall within the jurisdiction of the BCI? Does the on/off site location of the lab make a difference?*

No, lab work is not covered. If a lab is located on-site and the individual stays "inside" the lab, there is no coverage. However, if the individual goes on-site and performs "field work," then he or she is covered for all hours worked.

5. *What is the civil engineer's job when working with the BCI or FSMT? Is the civil engineer covered under the scope of the BCI or FSMT sections of the collective bargaining agreement (CBA)?*

The civil engineer usually acts in a supervisory role, directing the BCI or FSMT activities. The civil engineer work would not be covered unless he or she performs "field work."

6. *The Master Labor Agreement (page 5) lists employees excluded from coverage. Does this imply that engineers, architects, project managers and off-site laboratory workers are excluded?*

Yes.

7. *Some signatories perform mechanical & electrical inspections. Are these jobs covered under the Operating Engineers agreement? If so, how is work performed?*

Not covered.

8. *When inspectors visit manufacturing sites, is the inspection of the plant and its processes covered under the agreement? Is that the intent of SB 1999?*

Yes, pursuant to the agreement. The intent of SB1999 was to further define coverage in the public work arena.

9. *Are the following inspectors included in the scope of the agreement: Geotechnical, Concrete, Painting, Steel and Electrical?*

Geotechnical, yes. Concrete, yes. Painting, no. Steel, yes. Electrical, no.

10. *Is visual observation inspection (e.g., using tape measures) covered?*

Yes. Visual inspection is a component of the Inspector's duties.

11. *What is the difference between a Geotechnical Inspector and a Geotechnical Engineer? Are they covered under the Operating Engineer agreement?*

A Geotechnical Inspector is "on-site" performing the "field work" and is covered. The

Geotechnical Engineer is usually "in-house," a supervisory position, "off-site."

12. *Is a project manager whose duties include weekly meetings, approving contracts, managing engineers, managing subcontracts and preparing monthly reports covered under the CBA?*

No.

13. *Is a resident engineer whose duties include logging correspondence amongst contractors and subcontractors, performing soil, concrete, masonry and HVAC tests, and acting as a liaison between contractors and engineers covered?*

When a Resident Engineer logs correspondence among contractors and subcontractors, the work is not covered. When the Resident Engineer acts as a liaison between contractors and engineers, the work is not covered. When performing soil, concrete or masonry tests, the work is covered. HVAC tests are not covered.

14. *Is the BCI an apprenticeable classification?*

Yes.

15. *Is the FSMT an apprenticeable classification?*

Yes.

16. *Is inspection of bridges and piers covered under the BCI and/or FSMT classifications under your agreement?*

Yes. Please see the coverage language in the CBA. Both classifications are covered pertaining to bridge work.

We hope the information provided herein is beneficial to you. Please call this office if you should have any questions.

Sincerely,



Fred C. Young, Financial Secretary
I. U. O. E., Local Union No. 12

FCY:smc

cc: David Lanham, Contract Compliance