



UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA

Douglas J. McCarron
General President

August 10, 2022

Submitted via email to: WHDPRAComments@dol.gov
Division of Regulations, Legislation and Interpretation
Wage and Hour Division
U.S. Department of Labor, Room S-3502
200 Constitution Avenue, NW
Washington, DC 20210

RE: Report of Construction Contractor's Wage Rates (ICR Control No. 1235-0015)

Dear Sir or Madam:

On June 15, 2022, the Department of Labor ("DOL" or "Department") published a notice and request for comments in the *Federal Register* on its proposed revision of information collection request ("ICR") "Report of Construction Contractor's Wage Rates" WD-10 form and a new WD-10A form.¹ Please, consider this submission to be the United Brotherhood of Carpenters and Joiners of America's ("UBC") comments regarding the ICR.

The UBC supports the ICR with some adjustments that we will describe below.

I. Statement of Interest.

With nearly 450,000 members employed primarily in the construction and wood products industries, the UBC is one of North America's largest building-trades unions. The UBC has a continent-wide presence composed of its international union headquarters in Washington, D.C., and approximately twenty-three councils, and 450 local unions. Since its founding, the UBC has led efforts to improve standards and curb the abuse of labor in the construction industry.

¹ *Agency Information Collection Activities; Comment Request: Report of Construction Contractor's Wage Rates*, 87 Fed. Reg. 36152 (June 15, 2022)(hereinafter "ICR").

The UBC has consistently encouraged improvements to make America's construction markets fairer, safer, more productive, and more favorable for both workers, honest employers and owners. To that end, the UBC and its affiliated councils and local unions frequently engage with construction workers, community leaders, contractors, lawmakers and federal and state agencies to create job opportunities leading to middle-class livelihoods.

The UBC is in favor of the Department's proposed WD-10 form with modifications to the classification section. We are also in favor of the proposed new optional pre-survey WD-10A form which requests from contractors the subcontractors on their projects who may or may not have construction worker wages to report.

II. Modifications of the Classification Section Will Avert Confusion

A. Carpenter Classification

Under the Carpenter 501 classification there are sub-classifications for Drywall Installation 502 and Interior Systems 505. This will cause confusion for employers completing the form, because drywall installation is a subclassification to interior systems. Interior systems work includes metal stud installation, drywall installation and finishing and installing ceiling systems. Ceiling systems can include installing acoustical ceiling tile or drywall to ceilings. Many times the same carpenter will install the metal studs and attach drywall to the studs. Left as is, contractors will need to discern, for instance, whether metal-stud framing should be in drywall installation or interior systems. Inaccurate data will be the result. Our recommendation is to remove "Drywall Installation." If both are to remain as subclassifications there needs to be some clarification that drywall installation only includes attaching drywall to studs, walls or ceilings.

B. Millwright Classification

No subclassifications are listed for Millwright 1701. The millwright business includes the rigging and moving of heavy machinery. Under Ironworker 1401, there is a subclassification for Machinery Movers/Riggers 1405. There needs to be a similar subclassification for millwrights.

C. Piledrivers

There are no subclassifications for Pile Drivers 1901. Like millwrights, piledrivers do rigging. Also, if the auger is operated from a power pack, it is done by pile drivers. If the auger is operated from the crane, it is done by the crane operator. Pile Drivers needs a subclassification for rigging and auger.

III. Conclusion.

The proposed WD-10 form will be easier to complete. We therefore support the Department's ICR with the above clarifying modifications to the classification section of the WD-10 to forestall any confusion resulting in inaccurate data.

Respectfully submitted,

Matthew F. Capece

Matthew F. Capece, Esq.
Representative of the General President
United Brotherhood of Carpenters and Joiners of America