

**COMMENTS OF THE INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS**

CONTROL NO. 1235-0015

The International Brotherhood of Electrical Workers, AFL-CIO, CLC (“IBEW”) submits these comments in response to the U.S. Department of Labor’s (“DOL”) proposal to revise the form used by the agency to solicit wage data for purposes of establishing the prevailing wage under the Davis-Bacon Act of 1931 and Related Acts (collectively, “DBA”). 87 Fed. Reg. 36,152 (June 15, 2022).

The IBEW is a labor organization that represents approximately 750,000 active members and retirees who work in a wide variety of fields such as utilities, telecommunications, manufacturing, broadcasting, and construction. Approximately 400,000 of the IBEW’s active members are employed in the construction industry. The IBEW’s construction members are highly skilled professionals employed in all facets of electrical construction. They assemble, install, erect, and maintain electrical wiring and conduit, electrical controls, distribution systems, transmission lines, and all types of electrical and power generation equipment. The IBEW therefore has a vested interest in the proper implementation of the DBA’s wage protections for construction workers. The IBEW adopts the recommendations of North America’s Building Trades Unions (“NABTU”), urging DOL to make additional changes and clarifications to the WD-10 form. The IBEW’s comments will focus on ways in which DOL can improve those sections of the Classification and Sub-Classification Directory (“Directory”) that directly affect workers in the electrical construction industry.

The IBEW supports DOL’s effort to expedite the survey process by developing a Directory that will help the agency’s wage analysts accurately identify the types of occupations being reported in the WD-10 form. In its current form, however, the Directory does not accurately reflect

the prevailing practice in the electrical construction industry. For example, the Directory lists “Low Voltage Wiring System Worker” (no. 2801) as a standalone classification. There is no such key classification within the electrical construction industry. Moreover, DOL should abandon that occupational title altogether because the term “low voltage” is ambiguous and will not accurately capture the electrical work performed in any given locality.

The term “low-voltage” has no fixed meaning within the electrical construction industry. Depending on the context, the term low-voltage can be used to identify anywhere between 24 to 600 volts, and sometimes more. The National Electric Code (“NEC”) – the most widely adopted code in the United States for the safe installation of electrical wiring and equipment – defines low-voltage in a variety of ways. With respect to small working spaces, NEC defines low voltage as ranging from 30 to 60 volts. NEC, Sec 110.26(b) (2022). With respect to the standard for the proper separation of low-voltage equipment from high-voltage equipment in vaults or enclosures, NEC states that equipment operating at up to 1,000 volts is considered low-voltage and anything higher is considered high-voltage. NEC, Sec. 110.34(B); *see also* NEC, Sec. 490.2. In the solar installation industry, voltage of over 1,000 volts may be considered low, and the IBEW’s model standards for apprenticeship define low-voltage as 24 volts or less. Moreover, not all electrical systems rely on voltage. For example, fiber optic systems rely on high-speed light signals transmitted through glass-lined fiber optic cables. Fiber optic systems may be used to transmit telephone signals, internet communication, and cable television signals.

Given the above, DOL should remove the “Low Voltage Wiring System Worker” (no. 2801) from the Directory and instead focus on the nature of the work performed. For example, the prevailing practice in several localities is to recognize the “Sound and Communications” worker. *See, e.g.*, Wage Determination (“WD”) No. CA20220018 (San Francisco County, CA);

WD No. OK20220040 (Johnston County, OK); WD No. MI20220086 (Jackson County, MI); WD No. WI20220011(Manitowoc, WI); WD No. PA20220064 (Snyder County, PA); WD No. DC20220002 (Washington, D.C.). As the name suggests, the Sound and Communications worker typically installs, maintains, and repairs electrical systems that are intrinsic to sound, intercom, telephone interconnect, and public announcement systems, radio systems, background music systems, burglar alarms, closed circuit TV, audio-video entertainment and other multi-media systems. Collectively, this scope of work is sometimes referred to as voice, data, and video (“VDV”). The work of the Sound and Communications worker generally falls under DOL’s building and residential construction categories which cover office buildings, hospitals, schools, and apartment buildings, among other structures.¹

DOL and the electrical construction industry have traditionally treated the Sound and Communications worker as a subclassification of the Electrician classification. For example, under the model standards for apprenticeship developed by the IBEW and its signatory contractors, an electrician is defined as someone who has completed a four or five-year registered apprenticeship program that includes at least 8,000 hours of on-the-job training (OJT), and an annual classroom learning component of at least 180 hours. Because of their extensive training, electricians (known journeymen or journey-level electricians) are able to perform all duties and tasks relating to electrical work in commercial, industrial, and residential construction. Journey-level electricians work with all voltage levels.

¹ In some wage determinations, the Sound and Communications worker is referred to as a “Teledata System” worker. *See, e.g.*, WD No. MA20220003 (Berkshire County, MA); WD No. WI20220013 (Pierce County, WI); WD No. RI20220001 (Rhode Island). To avoid confusion, IBEW recommends standardizing the term Sound and Communications worker and eliminating the term Teledata System from its classifications database.

Unlike the journey-level electrician who completes a four or five-year apprenticeship program, the Sound and Communications worker completes an abbreviated three-year program. As such, Sound and Communications workers do not have all the skills and competencies that journey-level electricians have. The scope of work for the Sound and Communications worker is generally limited to VDV work. Although the journey-level electrician can perform any of the VDV tasks that a Sound and Communications worker performs, the Sound and Communications worker – with his/her limited training – cannot perform all the tasks that a journey-level electrician can perform.

DOL should therefore add the Sound and Communications worker as a subclassification of the Electrician classification (no. 801). It should also be noted that some localities recognize two types of Sound and Communications worker: Sound and Communications Installer and Sound and Communications Technician. *See, e.g.*, WD No. CA20220018 (Alameda, Monterey, San Francisco, and Santa Cruz Counties, CA). Generally, the Technician will have a broader skills set in VDV work than the Installer. Finally, not all localities recognize the standalone Sound and Communications worker subclassification. In some localities, the prevailing practice is to utilize one single classification – the journey-level electrician – to perform *all* electrical work, including VDV. The survey submissions of contractors, local unions, and other interested parties will reveal what the prevailing practice is for each community.

The IBEW appreciates the opportunity to comment on DOL's revised WD-10 form and Directory and looks forward to working with the agency to develop a survey collection process that accurately reflects the electrical construction industry and protects the standard of living for hundreds of thousands of construction workers and their families.