

WD 15-2153 (Rev.-3) was first posted on www.wdol.gov on 01/03/2017

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REGISTER OF WAGE DETERMINATIONS UNDER		U.S. DEPARTMENT OF LABOR
THE SERVICE CONTRACT ACT		EMPLOYMENT STANDARDS ADMINISTRATION
By direction of the Secretary of Labor		WAGE AND HOUR DIVISION
		WASHINGTON D.C. 20210

Daniel W. Simms	Division of		Wage Determination No.: 2015-2153
Director	Wage Determinations		Revision No.: 3
			Date Of Revision: 12/30/2016

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Note: Under Executive Order (EO) 13658, an hourly minimum wage of \$10.20 for calendar year 2017 applies to all contracts subject to the Service Contract Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2015. If this contract is covered by the EO, the contractor must pay all workers in any classification listed on this wage determination at least \$10.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in calendar year 2017. The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

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States: American Samoa, Hawaii

Area: American Samoa Statewide

Hawaii Statewide

OCCUPATION NOTE:

STEVEDORING AND LONGSHOREMEN: Wage rates and fringe benefits can be found on Wage Determination 2000-0085

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**Fringe Benefits Required Follow the Occupational Listing**		
OCCUPATION CODE - TITLE	FOOTNOTE	RATE
01000 - Administrative Support And Clerical Occupations		
01011 - Accounting Clerk I		14.20
01012 - Accounting Clerk II		15.93
01013 - Accounting Clerk III		17.40
01020 - Administrative Assistant		26.48
01035 - Court Reporter		18.59
01051 - Data Entry Operator I		13.16
01052 - Data Entry Operator II		14.36
01060 - Dispatcher, Motor Vehicle		17.10
01070 - Document Preparation Clerk		13.15
01090 - Duplicating Machine Operator		13.79
01111 - General Clerk I		12.53
01112 - General Clerk II		13.67
01113 - General Clerk III		15.45
01120 - Housing Referral Assistant		23.77
01141 - Messenger Courier		12.47
01191 - Order Clerk I		13.18
01192 - Order Clerk II		14.38
01261 - Personnel Assistant (Employment) I		15.79
01262 - Personnel Assistant (Employment) II		17.88
01263 - Personnel Assistant (Employment) III		19.68
01270 - Production Control Clerk		18.86
01290 - Rental Clerk		15.79
01300 - Scheduler, Maintenance		19.05

01311	- Secretary I	19.05
01312	- Secretary II	21.31
01313	- Secretary III	23.77
01320	- Service Order Dispatcher	14.05
01410	- Supply Technician	25.82
01420	- Survey Worker	17.10
01460	- Switchboard Operator/Receptionist	15.40
01531	- Travel Clerk I	14.78
01532	- Travel Clerk II	15.97
01533	- Travel Clerk III	17.12
01611	- Word Processor I	14.36
01612	- Word Processor II	16.11
01613	- Word Processor III	18.03
05000	- Automotive Service Occupations	
05005	- Automobile Body Repairer, Fiberglass	22.19
05010	- Automotive Electrician	22.43
05040	- Automotive Glass Installer	22.00
05070	- Automotive Worker	22.00
05110	- Mobile Equipment Servicer	18.99
05130	- Motor Equipment Metal Mechanic	24.41
05160	- Motor Equipment Metal Worker	22.00
05190	- Motor Vehicle Mechanic	25.65
05220	- Motor Vehicle Mechanic Helper	17.39
05250	- Motor Vehicle Upholstery Worker	20.80
05280	- Motor Vehicle Wrecker	22.00
05310	- Painter, Automotive	23.19
05340	- Radiator Repair Specialist	22.00
05370	- Tire Repairer	13.78
05400	- Transmission Repair Specialist	24.37
07000	- Food Preparation And Service Occupations	
07010	- Baker	14.87
07041	- Cook I	13.17
07042	- Cook II	15.29
07070	- Dishwasher	12.05
07130	- Food Service Worker	11.14
07210	- Meat Cutter	18.70
07260	- Waiter/Waitress	12.01
09000	- Furniture Maintenance And Repair Occupations	
09010	- Electrostatic Spray Painter	17.41
09040	- Furniture Handler	11.71
09080	- Furniture Refinisher	19.15
09090	- Furniture Refinisher Helper	14.19
09110	- Furniture Repairer, Minor	16.63
09130	- Upholsterer	17.41
11000	- General Services And Support Occupations	
11030	- Cleaner, Vehicles	10.89
11060	- Elevator Operator	12.89
11090	- Gardener	16.40
11122	- Housekeeping Aide	14.00
11150	- Janitor	14.00
11210	- Laborer, Grounds Maintenance	13.55
11240	- Maid or Houseman	14.49
11260	- Pruner	12.13
11270	- Tractor Operator	16.43
11330	- Trail Maintenance Worker	13.55
11360	- Window Cleaner	15.25
12000	- Health Occupations	
12010	- Ambulance Driver	20.70
12011	- Breath Alcohol Technician	20.70
12012	- Certified Occupational Therapist Assistant	19.67
12015	- Certified Physical Therapist Assistant	18.41

12020 - Dental Assistant	14.80
12025 - Dental Hygienist	30.34
12030 - EKG Technician	26.02
12035 - Electroneurodiagnostic Technologist	26.02
12040 - Emergency Medical Technician	22.19
12071 - Licensed Practical Nurse I	18.51
12072 - Licensed Practical Nurse II	20.70
12073 - Licensed Practical Nurse III	23.09
12100 - Medical Assistant	14.83
12130 - Medical Laboratory Technician	19.74
12160 - Medical Record Clerk	17.82
12190 - Medical Record Technician	19.93
12195 - Medical Transcriptionist	19.74
12210 - Nuclear Medicine Technologist	31.72
12221 - Nursing Assistant I	11.39
12222 - Nursing Assistant II	12.81
12223 - Nursing Assistant III	13.98
12224 - Nursing Assistant IV	15.69
12235 - Optical Dispenser	20.03
12236 - Optical Technician	14.91
12250 - Pharmacy Technician	17.19
12280 - Phlebotomist	15.69
12305 - Radiologic Technologist	29.04
12311 - Registered Nurse I	29.29
12312 - Registered Nurse II	35.82
12313 - Registered Nurse II, Specialist	35.82
12314 - Registered Nurse III	43.34
12315 - Registered Nurse III, Anesthetist	43.34
12316 - Registered Nurse IV	51.94
12317 - Scheduler (Drug and Alcohol Testing)	25.66
13000 - Information And Arts Occupations	
13011 - Exhibits Specialist I	19.61
13012 - Exhibits Specialist II	23.29
13013 - Exhibits Specialist III	28.49
13041 - Illustrator I	20.71
13042 - Illustrator II	25.67
13043 - Illustrator III	31.40
13047 - Librarian	28.71
13050 - Library Aide/Clerk	14.17
13054 - Library Information Technology Systems Administrator	21.89
13058 - Library Technician	17.36
13061 - Media Specialist I	15.86
13062 - Media Specialist II	17.74
13063 - Media Specialist III	19.78
13071 - Photographer I	14.00
13072 - Photographer II	16.54
13073 - Photographer III	19.61
13074 - Photographer IV	23.99
13075 - Photographer V	28.99
13110 - Video Teleconference Technician	20.30
14000 - Information Technology Occupations	
14041 - Computer Operator I	17.54
14042 - Computer Operator II	19.62
14043 - Computer Operator III	22.80
14044 - Computer Operator IV	24.81
14045 - Computer Operator V	27.45
14071 - Computer Programmer I	(see 1) 27.62
14072 - Computer Programmer II	(see 1)
14073 - Computer Programmer III	(see 1)
14074 - Computer Programmer IV	(see 1)

14101 - Computer Systems Analyst I	(see 1)	
14102 - Computer Systems Analyst II	(see 1)	
14103 - Computer Systems Analyst III	(see 1)	
14150 - Peripheral Equipment Operator		17.54
14160 - Personal Computer Support Technician		24.81
15000 - Instructional Occupations		
15010 - Aircrew Training Devices Instructor (Non-Rated)		30.83
15020 - Aircrew Training Devices Instructor (Rated)		37.30
15030 - Air Crew Training Devices Instructor (Pilot)		43.09
15050 - Computer Based Training Specialist / Instructor		30.83
15060 - Educational Technologist		25.80
15070 - Flight Instructor (Pilot)		43.09
15080 - Graphic Artist		22.97
15090 - Technical Instructor		19.66
15095 - Technical Instructor/Course Developer		24.05
15110 - Test Proctor		19.47
15120 - Tutor		19.47
16000 - Laundry, Dry-Cleaning, Pressing And Related Occupations		
16010 - Assembler		11.72
16030 - Counter Attendant		11.72
16040 - Dry Cleaner		14.51
16070 - Finisher, Flatwork, Machine		11.72
16090 - Presser, Hand		11.72
16110 - Presser, Machine, Drycleaning		11.72
16130 - Presser, Machine, Shirts		11.72
16160 - Presser, Machine, Wearing Apparel, Laundry		11.72
16190 - Sewing Machine Operator		15.45
16220 - Tailor		16.27
16250 - Washer, Machine		12.67
19000 - Machine Tool Operation And Repair Occupations		
19010 - Machine-Tool Operator (Tool Room)		24.08
19040 - Tool And Die Maker		30.25
21000 - Materials Handling And Packing Occupations		
21020 - Forklift Operator		20.84
21030 - Material Coordinator		21.89
21040 - Material Expediter		21.89
21050 - Material Handling Laborer		16.89
21071 - Order Filler		13.51
21080 - Production Line Worker (Food Processing)		20.84
21110 - Shipping Packer		15.22
21130 - Shipping/Receiving Clerk		14.69
21140 - Store Worker I		13.23
21150 - Stock Clerk		18.58
21210 - Tools And Parts Attendant		20.84
21410 - Warehouse Specialist		20.84
23000 - Mechanics And Maintenance And Repair Occupations		
23010 - Aerospace Structural Welder		28.74
23021 - Aircraft Mechanic I		27.03
23022 - Aircraft Mechanic II		28.74
23023 - Aircraft Mechanic III		30.43
23040 - Aircraft Mechanic Helper		19.51
23050 - Aircraft, Painter		25.27
23060 - Aircraft Servicer		22.63
23080 - Aircraft Worker		24.16
23110 - Appliance Mechanic		21.94
23120 - Bicycle Repairer		15.16
23125 - Cable Splicer		28.39
23130 - Carpenter, Maintenance		30.99
23140 - Carpet Layer		24.86
23160 - Electrician, Maintenance		28.25
23181 - Electronics Technician Maintenance I		26.83

23182 - Electronics Technician Maintenance II	28.69
23183 - Electronics Technician Maintenance III	30.56
23260 - Fabric Worker	20.95
23290 - Fire Alarm System Mechanic	23.46
23310 - Fire Extinguisher Repairer	19.40
23311 - Fuel Distribution System Mechanic	27.68
23312 - Fuel Distribution System Operator	21.58
23370 - General Maintenance Worker	18.45
23380 - Ground Support Equipment Mechanic	27.03
23381 - Ground Support Equipment Servicer	22.63
23382 - Ground Support Equipment Worker	24.16
23391 - Gunsmith I	19.40
23392 - Gunsmith II	22.51
23393 - Gunsmith III	25.64
23410 - Heating, Ventilation And Air-Conditioning Mechanic	24.07
23411 - Heating, Ventilation And Air Contditioning Mechanic (Research Facility)	25.52
23430 - Heavy Equipment Mechanic	28.29
23440 - Heavy Equipment Operator	34.11
23460 - Instrument Mechanic	29.96
23465 - Laboratory/Shelter Mechanic	24.07
23470 - Laborer	16.49
23510 - Locksmith	23.45
23530 - Machinery Maintenance Mechanic	24.70
23550 - Machinist, Maintenance	24.58
23580 - Maintenance Trades Helper	14.93
23591 - Metrology Technician I	29.96
23592 - Metrology Technician II	31.76
23593 - Metrology Technician III	33.49
23640 - Millwright	25.64
23710 - Office Appliance Repairer	21.56
23760 - Painter, Maintenance	25.29
23790 - Pipefitter, Maintenance	27.69
23810 - Plumber, Maintenance	25.71
23820 - Pneudraulic Systems Mechanic	25.64
23850 - Rigger	25.64
23870 - Scale Mechanic	22.51
23890 - Sheet-Metal Worker, Maintenance	28.46
23910 - Small Engine Mechanic	20.91
23931 - Telecommunications Mechanic I	27.52
23932 - Telecommunications Mechanic II	28.05
23950 - Telephone Lineman	24.18
23960 - Welder, Combination, Maintenance	25.04
23965 - Well Driller	25.14
23970 - Woodcraft Worker	25.64
23980 - Woodworker	17.67
24000 - Personal Needs Occupations	
24570 - Child Care Attendant	11.62
24580 - Child Care Center Clerk	15.14
24610 - Chore Aide	11.40
24620 - Family Readiness And Support Services Coordinator	16.19
24630 - Homemaker	20.11
25000 - Plant And System Operations Occupations	
25010 - Boiler Tender	26.42
25040 - Sewage Plant Operator	21.94
25070 - Stationary Engineer	26.42
25190 - Ventilation Equipment Tender	19.25
25210 - Water Treatment Plant Operator	21.94
27000 - Protective Service Occupations	

27004 - Alarm Monitor	18.69
27007 - Baggage Inspector	12.13
27008 - Corrections Officer	21.67
27010 - Court Security Officer	23.28
27030 - Detection Dog Handler	15.35
27040 - Detention Officer	21.67
27070 - Firefighter	23.69
27101 - Guard I	12.13
27102 - Guard II	15.35
27131 - Police Officer I	23.97
27132 - Police Officer II	26.64
28000 - Recreation Occupations	
28041 - Carnival Equipment Operator	12.47
28042 - Carnival Equipment Repairer	13.26
28043 - Carnival Worker	9.93
28210 - Gate Attendant/Gate Tender	15.40
28310 - Lifeguard	15.84
28350 - Park Attendant (Aide)	17.23
28510 - Recreation Aide/Health Facility Attendant	13.19
28515 - Recreation Specialist	21.44
28630 - Sports Official	13.72
28690 - Swimming Pool Operator	17.14
30000 - Technical Occupations	
30010 - Air Traffic Control Specialist, Center (HFO) (see 2)	35.77
30011 - Air Traffic Control Specialist, Station (HFO) (see 2)	24.66
30012 - Air Traffic Control Specialist, Terminal (HFO) (see 2)	27.16
30021 - Archeological Technician I	16.98
30022 - Archeological Technician II	19.43
30023 - Archeological Technician III	24.08
30030 - Cartographic Technician	24.08
30040 - Civil Engineering Technician	21.55
30061 - Drafter/CAD Operator I	16.86
30062 - Drafter/CAD Operator II	19.43
30063 - Drafter/CAD Operator III	21.67
30064 - Drafter/CAD Operator IV	26.66
30081 - Engineering Technician I	15.91
30082 - Engineering Technician II	18.64
30083 - Engineering Technician III	22.50
30084 - Engineering Technician IV	29.74
30085 - Engineering Technician V	32.60
30086 - Engineering Technician VI	39.41
30090 - Environmental Technician	22.21
30210 - Laboratory Technician	23.01
30240 - Mathematical Technician	25.78
30361 - Paralegal/Legal Assistant I	18.66
30362 - Paralegal/Legal Assistant II	23.13
30363 - Paralegal/Legal Assistant III	28.30
30364 - Paralegal/Legal Assistant IV	34.23
30390 - Photo-Optics Technician	25.78
30461 - Technical Writer I	22.86
30462 - Technical Writer II	27.96
30463 - Technical Writer III	33.84
30491 - Unexploded Ordnance (UXO) Technician I	22.74
30492 - Unexploded Ordnance (UXO) Technician II	27.51
30493 - Unexploded Ordnance (UXO) Technician III	32.97
30494 - Unexploded (UXO) Safety Escort	22.74
30495 - Unexploded (UXO) Sweep Personnel	22.74
30620 - Weather Observer, Combined Upper Air Or (see 2)	21.67
Surface Programs	
30621 - Weather Observer, Senior (see 2)	24.08
31000 - Transportation/Mobile Equipment Operation Occupations	

31020 - Bus Aide	12.94
31030 - Bus Driver	18.43
31043 - Driver Courier	14.10
31260 - Parking and Lot Attendant	9.16
31290 - Shuttle Bus Driver	14.98
31310 - Taxi Driver	11.77
31361 - Truckdriver, Light	14.98
31362 - Truckdriver, Medium	17.26
31363 - Truckdriver, Heavy	18.27
31364 - Truckdriver, Tractor-Trailer	18.27
99000 - Miscellaneous Occupations	
99030 - Cashier	10.93
99050 - Desk Clerk	18.46
99095 - Embalmer	22.34
99251 - Laboratory Animal Caretaker I	12.41
99252 - Laboratory Animal Caretaker II	17.67
99310 - Mortician	24.57
99410 - Pest Controller	17.33
99510 - Photofinishing Worker	13.86
99710 - Recycling Laborer	19.19
99711 - Recycling Specialist	23.10
99730 - Refuse Collector	17.18
99810 - Sales Clerk	14.39
99820 - School Crossing Guard	15.03
99830 - Survey Party Chief	24.01
99831 - Surveying Aide	13.13
99832 - Surveying Technician	17.99
99840 - Vending Machine Attendant	12.64
99841 - Vending Machine Repairer	15.06
99842 - Vending Machine Repairer Helper	12.64

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Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors, applies to all contracts subject to the Service Contract Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is the victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$1.78 per hour, or \$71.02 per week, or \$308.53 per month for all employees on whose behalf the contractor provides health care benefits pursuant to the Hawaii prepaid Health Care Act. For those employees not receiving mandated health care benefits mandated by the Hawaii prepaid Health Care Act, the new health and welfare amount will remain at \$4.27 per hour.

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor, 3 weeks after 10 years, and 4 weeks after 15 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the

performance of similar work at the same Federal facility. (See 29 CFR 4.173)

HOLIDAYS: A minimum of ten paid holidays per year: New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

THE OCCUPATIONS WHICH HAVE NUMBERED FOOTNOTES IN PARENTHESES RECEIVE THE FOLLOWING:

1) COMPUTER EMPLOYEES: Under the SCA at section 8(b), this wage determination does not apply to any employee who individually qualifies as a bona fide executive, administrative, or professional employee as defined in 29 C.F.R. Part 541. Because most Computer System Analysts and Computer Programmers who are compensated at a rate not less than \$27.63 (or on a salary or fee basis at a rate not less than \$455 per week) an hour would likely qualify as exempt computer professionals, (29 C.F.R. 541.400) wage rates may not be listed on this wage determination for all occupations within those job families. In addition, because this wage determination may not list a wage rate for some or all occupations within those job families if the survey data indicates that the prevailing wage rate for the occupation equals or exceeds \$27.63 per hour conformances may be necessary for certain nonexempt employees. For example, if an individual employee is nonexempt but nevertheless performs duties within the scope of one of the Computer Systems Analyst or Computer Programmer occupations for which this wage determination does not specify an SCA wage rate, then the wage rate for that employee must be conformed in accordance with the conformance procedures described in the conformance note included on this wage determination.

Additionally, because job titles vary widely and change quickly in the computer industry, job titles are not determinative of the application of the computer professional exemption. Therefore, the exemption applies only to computer employees who satisfy the compensation requirements and whose primary duty consists of:

(1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;

(2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and related to user or system design specifications;

(3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or

(4) A combination of the aforementioned duties, the performance of which requires the same level of skills. (29 C.F.R. 541.400).

2) AIR TRAFFIC CONTROLLERS AND WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

\*\* HAZARDOUS PAY DIFFERENTIAL \*\*

An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordnance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordnance, explosives,



and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives. Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving re-grading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with, or in close proximity to ordnance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordnance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance, explosives, and incendiary material differential pay.

#### \*\* UNIFORM ALLOWANCE \*\*

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

#### \*\* SERVICE CONTRACT ACT DIRECTORY OF OCCUPATIONS \*\*

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations", Fifth Edition (Revision 1), dated September 2015, unless otherwise indicated.

#### \*\* REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE, Standard Form 1444 (SF-1444) \*\*

#### Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination (See 29 CFR 4.6(b)(2)(i)). Such conforming procedures shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees

(See 29 CFR 4.6(b)(2)(ii)). The Wage and Hour Division shall make a final determination of conformed classification, wage rate, and/or fringe benefits which shall be paid to all employees performing in the classification from the first day of work on which contract work is performed by them in the classification. Failure to pay such unlisted employees the compensation agreed upon by the interested parties and/or fully determined by the Wage and Hour Division retroactive to the date such class of employees commenced contract work shall be a violation of the Act and this contract. (See 29 CFR 4.6(b)(2)(v)). When multiple wage determinations are included in a contract, a separate SF-1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order the proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the U.S. Department of Labor, Wage and Hour Division, for review (See 29 CFR 4.6(b)(2)(ii)).
- 4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.
- 5) The contracting officer transmits the Wage and Hour Division's decision to the contractor.
- 6) Each affected employee shall be furnished by the contractor with a written copy of such determination or it shall be posted as a part of the wage determination (See 29 CFR 4.6(b)(2)(iii)).

Information required by the Regulations must be submitted on SF-1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" should be used to compare job definitions to ensure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination (See 29 CFR 4.152(c)(1)).