



**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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**MEMORANDUM NO. WSD 2014-02**

**TO:** All State and County Governmental Contracting Agencies and Contractors

**FROM:**   
Dwight Takamine, Director  
Department of Labor and Industrial Relations

**SUBJECT:** Applicability of Chapter 104, HRS, to Floor Layers on a Public Works Construction Project.

In order to promote consistency in the interpretation of the treatment of floor layers on a public construction project and pursuant to Section 12-22-8, Hawaii Administrative Rules (HAR), the Department of Labor and Industrial Relations (DLIR) is providing this notice to all governmental contracting agencies and contractors subject to Chapter 104, Hawaii Revised Statutes (HRS), Wages and Hours of Employees on Public Works Law.

**Floor Layer: Included Activities**

Based on new information provided to DLIR, **effective the date of this memorandum**, workers performing the following duties:

1. Demolition (e.g. tear out old floor covering);
2. Clean up and disposing of demolished floor covering;
3. Installing floor covering;
4. Waxing the floor covering, if applicable; and
5. Cleaning the new floor covering (e.g. vacuum cleaning, sweeping, mopping);

are to be classified as Floor Layer (Carpet, Linoleum & Soft Tile) as described in the Wage Rate Schedule and paid the applicable prevailing wage provided in the appropriate Wage Rate Schedule published by the DLIR.

Based on previously available information, contractors were allowed, but may no longer use the following classifications:

1. Demolition (e.g. tear out old floor covering) ..... Laborer II
2. Removal of demolished floor covering ..... Laborer II
3. Installation of floor covering ..... Floor Layer
4. Waxing of the floor covering ..... Light Cleanup Laborer
5. Cleaning of the new floor covering ..... Light Cleanup Laborer

To ensure compliance, contracting agencies should share this memo with all contractors. Contractors who are not in compliance should be advised to conduct a self-audit to correct any violations.

If you have any questions, please call the DLIR Wage Standards Division at (808) 586-8777. This document is available on the DLIR website at <http://labor.hawaii.gov/wsd/guidelines/>.