

"REGISTER OF WAGE DETERMINATIONS UNDER THE SERVICE CONTRACT ACT By direction of the Secretary of Labor		U.S. DEPARTMENT OF LABOR EMPLOYMENT STANDARDS ADMINISTRATION WAGE AND HOUR DIVISION WASHINGTON D.C. 20210
Daniel W. Simms Director	Division of Wage Determinations	Wage Determination No.: 2004-0047
		Revision No.: 20
		Date Of Last Revision: 12/27/2022

Note: Contracts subject to the Service Contract Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658.

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	Executive Order 14026 generally applies to the contract. The contractor must pay all covered workers at least \$16.20 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 2023.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	Executive Order 13658 generally applies to the contract. The contractor must pay all covered workers at least \$12.15 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 2023.

The applicable Executive Order minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the Executive Orders is available at www.dol.gov/whd/govcontracts.

NATIONWIDE: This wage determination applies to the Coastline of the U.S., Alaska and Hawaii except DC, DE, FL, GA, MD, NC, SC and VA (Southern Areas) .

ALASKA AREA: Alaska Coastline.

GULF OF MEXICO AREA: All land areas adjacent to the Gulf of Mexico, except Gulf of Mexico area in Texas and Louisiana (see WDs numbers below).

NEW ENGLAND AREA: From the border of New Brunswick, Canada down to longitude that is parallel to the border between Massachusetts and Rhode Island so as to include Nantucket Island and Martha's Vineyard.

NEW YORK AREA: From the above down to the line between Monmouth and Ocean Counties, New Jersey.

NORTHERN CALIFORNIA AREA: From the above longitudinal parallel line extending out from the border of Oregon and California.

OREGON AREA: From the above longitudinal parallel line extending out from the border of Washington and Oregon.

SOUTHERN CALIFORNIA AND HAWAII AREA: From the border of Mexico to a line starting from the border between San Luis Obispo and Monterey Counties, California parallel to the latitudinal lines, including Hawaii.

WASHINGTON AREA: From the above to a longitudinal parallel line extending out from the border of Canada and Washington.

See WD 2002-0190 for Louisiana and WD 2002-0261 for Texas.

The Southeast Area has been removed which includes the Southern Area of New Jersey and can be located on WD 2007-0134.

****Fringe Benefits Required Follow the Occupational Listing****

Employed on contract for Diving services.

OCCUPATION CODE - TITLE	FOOTNOTE	RATE
47040 - Diver		
Alaska Area - Diver		82.15

Alaska Area - Stand-by-Diver	41.07
Gulf of Mexico Area - Diver/Helper	25.52
Gulf of Mexico Area - Journeyman Diver	27.02
Hawaii	45.20
New England Area - 60 feet or less -	50.74
Massachusetts-\$150.00/per Dive (8 hr shift)	
New York Area	54.63
Northern California Area	84.24
Northern California Area - Stand-by-Diver	42.12
Oregon Area - Diver	85.73
Oregon Area - Stand-by-Diver	42.87
Southern California Area - Diver	82.96
Southern California Area - Stand By Diver	41.48
Washington Area - Diver	93.76
Washington Area - Stand-by-Diver	46.88
47041 - Diver Tender	
Alaska Area - Assistant Tender	32.30
Alaska Area - Tender	39.97
Hawaii	40.25
New England Area	36.24
New York Area	39.18
Northern California Area - Assistant Tender	37.29
ROV Tender/Technician	
Northern California Area - Tender ROV	41.02
Operator/EMT Tech	
Oregon Area	40.41
Southern California - Assistant Tender	37.48
Southern California Area - Tender	40.48
Washington Area	42.10

Diver can negotiate pay under the following conditions:

For dives deeper than depths specified

For special penetration situations

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.

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

ALASKA AREA Fringe Benefits:

DEPTH PAY: 050 - 100 ft. - \$1.00/ft.

101 - 200 ft. - \$2.00/ft.

Over 200 Divers negotiated

HELIUM - OXYGEN SURFACE DIVING DEPTH PAY:

200 - 250 ft. - \$3.00/ft.

251 - 300 ft/ - \$4.00/ft.

In excess of 300 feet - Divers negotiate, but not less than \$4.00

per

foot

TUNNEL OR PIPE PAY (based on distance traveled from the entrance):

005 - 050 ft. - \$1.00/ft./per day
050 - 100 ft. - \$2.00/ft./per day
100 - 150 ft. - \$3.00/ft./per day
Over 150 ft. - Diver negotiated, but not less than \$3.00/ft/day

HEALTH AND WELFARE: \$7.87 per hour.

PENSION: \$9.28 per hour.

APPRENTICE TRAINING: \$.80 per hour.

GULF OF MEXICO AREA (except areas in Texas and Louisiana) Fringe Benefits:

HAZARD PAY: \$35.00 per eight hours shift for divers where work involves entry into any area where vertical ascent is not possible (tunnels, wrecks, etc.), live boating (diving from a moving vessel) or blasting.

DEPTH PAY: 050 - 100 ft. - \$1.00/ft.

100 - 150 ft. - \$2.00/ft.

151 - 200 ft. - \$3.00/ft.

201 - 250 ft. - \$4.00/ft.

251 - 350 ft. - \$6.00/ft.

351 - 400 ft. - \$7.00/ft.

401 - 500 ft. - \$8.00/ft.

500 ft. and over - Diver negotiated but not less than \$8.00/ft.

HEALTH AND WELFARE: \$4.54 per hour.

APPRENTICE TRAINING: \$0.50 per hour.

PENSION: \$2.30 per hour.

ANNUITY: \$2.10 per hour.

HAWAII AREA fringe benefits:

DEPTH PAY: 50 - 100 ft. - \$1.50 /ft. in excess of 50 ft.

100 - 150 ft.- \$100.00 plus \$2.00 per ft. in excess of 100 ft.

150 ft. 150 - 200 ft. - \$200.00 plus \$3.00 per ft. in excess of
designate his/her Over 200 ft. - the Diver shall have the right to
the own rate, but in no case shall that rate be lower than
above-specified rate for depths of less than 200 feet.

Pipe & Tunnel - Ability to stand erect:

5 ft. - 50 ft - \$5.00 per day
50 ft - 100 ft - \$7.50 per day
100 ft. - 150 ft - \$12.50 per day
150 ft - Additional - \$7.50 per day per 50 ft

Unable to stand erect.

5 ft - 50 ft - \$5.00
50 ft - 100 ft - \$7.50
100 ft - 150 ft - \$12.50
150 ft - 200 ft - \$15.00
200 ft - 300 ft - \$1.00
300 ft - 450 ft - \$1.50
450 ft - 600 ft - \$2.50

HEALTH AND WELFARE: \$5.92 per hour

VACATION AND HOLIDAY FUND: 5.25 per hour

APPRENTICESHIP AND TRAINING: \$0.71 per hour

401(k) FUND: \$1.50 per hour

NEW ENGLAND AREA Fringe Benefits:

Remote Observation Vehicles (ROV)
Autonomous Underwater Vehicles (AUV)
Atmospheric Dive Suits (ADS) and
Submersible Pilots & Robotic
Underwater Tools & Equipment

Also rates for Slurry/Effluent

Diver - \$76.11

Tender - \$54.36

DEPTH PAY: Over 60 ft. - 100 ft. - \$.55/ft./per dive.

Over 101 ft. - 150 ft. - \$1.05/ft./per dive

Over 151 ft. - 200 ft. - \$1.60/ft./per dive

Over 200 ft. - Diver/negotiated

PENETRATION PAY: 1 ft. - 150 ft. - \$.55/ft per dive

151 ft. and over - \$.80/ft per dive

Special situation - subject to negotiation per dive

HEALTH AND WELFARE: \$7.33 per hour

PENSION: \$5.51 per hour

ANNUITY: \$9.01 per hour

APPRENTICESHIP: \$.50

NEW YORK AREA Fringe Benefits:

AIR DIVES

060-74 FT. \$.25/ft./day from and over 60 ft.

75-125 FT. \$.78/ft./day from and over 75 ft.

MIXED GAS DIVES

75 ft - 125 ft. \$.78/ft./day

126 ft - 200 ft - \$1.60 per foot

AIR & MIXED GAS DIVES: Over 200 ft. - diver negotiated

HEALTH AND WELFARE: \$10.25 per hour

VACATION: \$6.66 per hour

PENSION: \$13.31 per hour

ANNUITY: \$7.10 per hour

APPRENTICESHIP: \$.70 per hour

SUPPLEMENTAL: \$.04 per hour

NORTHERN CALIFORNIA AREA Fringe Benefits:

DEPTH PAY: 050 - 100 ft. - \$2.00/ft.

101 - 150 ft. - \$3.00

151 - 220 ft. - \$4.00

Over 221 ft. - \$5.00

TUNNEL OR PIPE PAY: (based on distance traveled from the entrance):

0 - 25 ft. - no charge

26 - 300 ft. - \$1.00/ft

Where diver is unable to stand erect in tunnel or pipe or when it is necessary for a diver to enter any pipe or tunnel or other enclosure over 300 feet from the entrance or less than 48" in height, the premium will be by mutual agreement between the diver, the Union, and the contractor, but never less than \$1.00 per foot.

\$1.00/ft

MANIFOLD OPERATOR: \$37.29

MIXED GAS MANIFOLD TECHNICIAN/DECOMPRESSION CHAMBER

OPERATOR: \$42.29

HEALTH AND WELFARE: \$8.55 per hour.

VACATION: \$4.86 per hour.

PENSION: \$5.05 per hour.

APPRENTICE TRAINING: \$.53 per hour

ANNUITY: \$4.00 per hour.

OREGON AREA Fringe Benefits:

DEPTH PAY:050 - 100 ft. - \$1.00/ft.

101 - 150 ft. - \$1.50/ft.

151 - 200 ft. - \$2.00/ft.

Over 200 ft. - Diver negotiated

TUNNEL PAY (tunnel, pipe, or other enclosure in which there is
no vertical escape based on distance traveled from the entrance):

005 - 50 ft. - \$4.00/day

050 - 100 ft. - \$5.00/day

100 - 150 ft. - \$8.00/day

150 - 200 ft. - \$20.00/day

200 - 300 ft. - \$.40/ft.

300 - 450 ft. - \$.80/ft.

450 - 600 ft. - \$1.60/ft.

Over 600 ft. - Diver negotiated

HEALTH AND WELFARE: \$7.08 per hour.

PENSION: \$5.57 per hour.

APPRENTICE TRAINING: \$0.97 per hour

DRUG TEST: \$.10 per hour.

SOUTHERN CALIFORNIA Fringe Benefits:

The listed wage rates are for depths up to and including 50 feet.

DEPTH PAY:050 - 100 ft. - \$2.00/ft./day

101 - 150 ft. - \$3.00/ft./day

151 - 200 ft. - \$4.00/ft./day

221 - Deeper \$5.00

Manifold Operator - \$40.48

Gas Manifold Operator - \$45.48

TUNNEL OR PIPE PAY (based on distance traveled from the entrance):

0 - 25 ft. - No charge

25 - 300 ft. - \$1.00/foot

These premiums are per day

midnight to midnight.

Where diver is unable to stand erect in tunnel or pipe:

When it is necessary for diver to enter any pipe or tunnel or other enclosure

over 300 feet from entrance or less than 48" in height, the premium will be by

mutual agreement between the diver, the union and the contractor, but never less than \$1.00 per foot.

HEALTH AND WELFARE: \$4.54 per hour.

VACATION: \$3.30 per hour.

PENSION: \$1.91 per hour.

APPRENTICE TRAINING: \$.42 per hour.

WASHINGTON AREA Fringe Benefits:

DEPTH PAY: 050 ft - 100 ft. - \$2.00/ft.

101 ft - 150 ft. - \$3.00/ft.

151 ft - 220 ft. - \$4.00/ft.

221 ft - 299 ft - \$5.00/ft.

Over 299 ft. - Diver negotiate

TUNNEL OR PIPE PAY (based on distance traveled from the entrance)

000 - 025 ft. - N/C

025 - 300 ft. - \$1.00/per foot

100 - 150 ft. - \$8.00/day

Over 300 ft. or less than 48' in height - Negotiate

with Diver,

but not less than 1.00 per foot per/day .

HEALTH AND WELFARE: \$7.35 per hour.

PENSION: \$4.68 an hour.

APPRENTICE TRAINING: \$0.91 per hour.

SUBSTANCE ABUSE PROGRAM: \$0.64 per hour

**** 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.

**** NOTES APPLYING TO THIS WAGE DETERMINATION ****

Under the policy and guidance contained in All Agency Memorandum No. 159, the Wage and Hour Division does not recognize, for section 4(c) purposes, prospective wage rates and fringe benefit provisions that are effective only upon such contingencies as "approval of Wage and Hour, issuance of a wage determination, incorporation of the wage determination in the contract, adjusting the contract price, etc." (The relevant CBA section) in the collective bargaining agreement between (the parties) contains contingency language that Wage and Hour does not recognize as reflecting "arm's length negotiation" under section 4(c) of the Act and 29 C.F.R. 5.11(a) of the regulations. This wage determination therefore reflects the actual CBA wage rates and fringe benefits paid under the predecessor contract.

**** 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. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined (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 retroactive to the commencement date of the contract (See 29 CFR 4.6(b)(2)(iv)(C)(vi)). 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 Wage and Hour Division, U.S. Department of Labor, 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 decision to the contractor.

6) The contractor informs the affected employees.

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" (the Directory) 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."