

In instances where prevailing local practice for a specific type of construction would be inappropriate to the use of the standard categories, W-H issues wage schedules for more specific categories of construction. This use of subcategories is restricted to the "heavy" classification of construction, a catch-all category. For example, separate heavy schedules have been issued on occasion for dams, water and sewer line projects, flood control projects, dredging, channel stabilization, river work, shipbuilding, water treatment plants, and well drilling. (See Chapter IV(C) "Area Practice Considerations").

In determining the appropriate schedule to issue, W-H considers wages being paid on analogous projects as an identification of the proper category. It also applies the principle put forth by the Wage Appeals Board (WAB Case No. 77-23) that wages are only one indication of the appropriate category of construction. It is also necessary to look at other characteristics of the project including the construction techniques, the material and equipment being used on the project, the type of skills called for on the project, and other similar factors which would indicate the proper category of construction. Particular care is necessary in determining the appropriate schedule to be applied to water and sewage treatment plants and similar projects which have characteristics of both heavy and building construction. See e.g., the decision of the Wage Appeals Board in Yuma Desalting Plant, WAB Case No. 84-23 (January 23, 1985).

The purpose of the wage schedule is to reflect wage rates being paid in the local area. In the great majority of cases this can be accomplished within the framework of the four major categories of construction. These classifications are defined here with illustrative listings of the kinds of projects that are generally included within the classifications. (See Memoranda 130 and 131 in Appendix D).

(a) Building Construction. Building construction generally is the construction of sheltered enclosures with walk-in access for the purpose of housing persons, machinery, equipment, or supplies. It includes all construction of such structures, the installation of utilities and the installation of equipment, both above and below grade level as well as incidental grading, utilities and paving, unless there is an established area practice to the contrary. Additionally, such structures need not be "habitable" to

be building construction. The installation of heavy machinery and/or equipment may not change the project's character as a building. (See Yuma Desalting Plant, WAB Case No. 84-23 (January 23, 1985).)

Alterations and additions to nonresidential buildings	City halls
Apartment buildings (5 stories and above)	Civic centers
Arenas (enclosed)	Commercial buildings
Auditoriums	Court houses
Automobile parking garages	Detention facilities
Banks and financial buildings	Dormitories
Barracks	Farm buildings
Churches	Fire stations
Hospitals	Power plants
Hotels	Prefabricated buildings
Industrial buildings	Remodeling buildings
Institutional buildings	Renovating buildings
Libraries	Repairing buildings
Mausoleums	Restaurants
Motels	Schools
Museums	Service stations
Nursing and convalescent facilities	Shopping centers
Office buildings	Stores
Out-patient clinics	Subway stations
Passenger and freight terminal buildings	Theaters
Police stations	Warehouses
Post offices	Water and sewage treatment plants (building only)

(b) Residential Construction. Residential projects for Davis-Bacon purposes are those involving the construction, alteration, or repair of single family houses or apartment buildings of no more than four (4) stories in height. This includes all incidental items such as site work, parking areas, utilities, streets and sidewalks, unless there is an established area practice to the contrary.

Town or Row houses
Apartment buildings (4 stories or less)
Single family houses
Mobile home developments
Multi-family houses
Student housing

For Davis-Bacon purposes the exterior height of residential buildings in terms of stories is a primary consideration. Therefore, when there is a question regarding the distinction between "residential" and "building", the following criteria will apply in order to determine a residential building's

height; (see WAB Case No. 85-11, 12/23/85, St. Francis Hospital).

First story (First Floor)

- A lowermost story is considered a first story (floor) if it is
 - a) primarily above exterior grade on one or more sides, and
 - b) contains at least 50% living accommodations or related nonresidential uses (laundry space, recreation/hobby rooms, commercial use, and/or corridor space).
- A lowermost story is considered a first story (floor) without regard to a percentage test if it is primarily above ground on two or more sides.
- A lowermost story is considered a first story (floor) if it contains the main entrance to the building.
- A lowermost story is considered a first story (floor) without regard to exterior grade if it is used for apartment space in a way substantially similar to the upper floors.

Basement

- Stories below grade used for storage, parking, mechanical systems/equipment, etc., are considered basement stories which are not used in determining a building's height.

Attic

- An attic is unfinished space located immediately below the roof. Such space is not used in determining a building's height even if used for storage purposes.

Half-Story

- A half-story over the building's fourth story would preclude a residential classification. A half-story is a story finished as living accommodations located wholly or partially within the roof frame with floor space at least half as large as the story below. (Space with less than 5 feet clear headroom shall not be considered as floor area.)

Top Story

- The top story, not finished for living accommodations, between the uppermost floor and the ceiling or the roof above, with floor space as large as the story below, is considered a story for purposes of determining a building's height.