



New York State Department of Labor  
David A. Paterson, Governor  
M. Patricia Smith, Commissioner

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September 24, 2009

[REDACTED]

Re: [REDACTED]  
Our File No. RO-09-0077

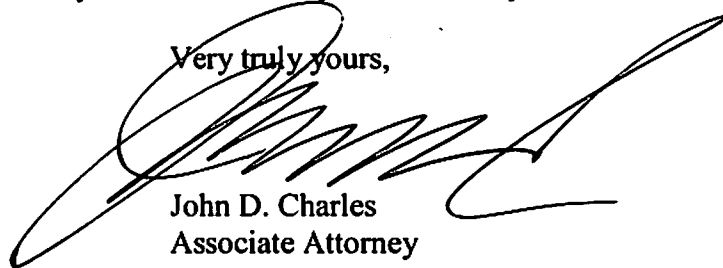
Dear [REDACTED]:

The letter I sent you dated September 21, 2009 with regard to the applicability of the prevailing wage law to association libraries, our Bureau of Public Work has pointed out an exception to the general rule stated therein. We said in that opinion letter that: "If the library building is in private ownership, the prevailing wage law currently would not apply to any project." The exception correctly noted by the Bureau is that if any municipality contracts for the work on behalf of an association library, even if the location of the work is in private ownership, then the employers and workers employed under that contract may be subject to the prevailing wage law.

I do not believe that this exception is applicable to your situation since the Library had contracted directly for the work to be performed.

Please accept my apologies for any inconvenience my omission may have caused.

Very truly yours,



John D. Charles  
Associate Attorney

cc: Chris Alund  
Dave Bouchard  
Fred Kelley  
Opinion File

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