



New York State Department of Labor  
Kathy Hochul, *Governor*  
Roberta Reardon, *Commissioner*

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## **ENFORCEMENT GUIDANCE**

DATE: July 1, 2024  
FROM: Shaun McCready, Director of Public Work  
RE: Prevailing Wage Requirements for Solar Photovoltaic and Energy Storage Systems  
TO: All

This guidance is intended to supplement and supersede the guidance issued on November 9, 2023.

For installations of 1 Megawatt or greater ground-mounted Solar Photovoltaic Systems and Energy Storage Systems, the wage rates listed in this guidance shall be the presumptive rates enforced by the Bureau of Public Work for the enumerated tasks in all regions of New York State. However, all construction projects are unique and must be evaluated on a case-by-case basis. In certain situations, there may be other wage rates applicable to work performed on a solar array or energy storage project. The encouraged best practice is for letting entities and contractors to contact the Bureau of Public Work for guidance prior to contracting out the project or beginning work.

Please note, the applicable wage rates in this guidance are not a requirement that a worker in the listed trade complete the task. The Bureau of Public Work does not assign work to specific trades, rather the enumerated rates are the minimum prevailing wage rates that must be paid to anyone who performs the specified work. The wages rates listed for the tasks specified in this guidance are the rates the Bureau of Public Work had been enforcing prior to November 9, 2023, with the sole exception of the panel racking systems.

The presumptively applicable wage rates for Solar Photovoltaic and Energy Storage Systems, subject to projects specifics, are as follows:

Electrician rate applies for the following tasks:

- Installation of motors, grounding and bonding and controls for panel racking system
- Placement of solar panel modules and connection of panels to D.C. wiring harness
- Installation of wiring harnesses and combiner boxes
- Incidental excavation in pre-excavated trenches
- Installation of underground D.C. and A.C. cabling
- Terminating D.C. cabling, A.C. cabling, and inverter skids
- Start-up testing and commissioning (may also require a specialty contractor)
- Installation of underground raceways and all trenching and backfill done by hand
- Installation and assembly of battery packs
- Installation and assembly of energy storage system racking and equipment
- Welding of energy storage systems
- Cube to cube connections of all megapacks
- Installation of energy storage system inverters and transformers
- Installation of power cables and associated raceways above and below ground



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- Termination of power cabling and data cabling
- Installation of grounding and bonding systems including all related wiring and components
- Installation and testing of all monitoring and maintaining equipment
- Installation of electrical safety components
- Installation of electrically activated fire and smoke detecting and protection devices
- Installation of data cables and associated raceways both above and below ground
- Clean-up of electrical materials

Laborer Heavy/Highway rate applies for the following tasks:

- Installation of panel racking system\*
  - Mechanical assembly of post caps, bearings, torque tubes, purlins
  - Operation of Gators
- Placement of concrete
- Construction traffic control and signing

\*If construction on a project began prior to 11/9/23, then the Electrician rate applies.

Operating Engineer rate applies for the following tasks:

- Earth auguring and excavation
- All hoisting with cranes
- Operation of telehandlers and skidsteers
- Installation of panel racking system
  - Operation of telehandler for panel racking system installation
- Trenching with equipment for underground raceways

Laborer and Operating Engineer rates apply for the following tasks, dependent upon the specific part of the task and equipment used to complete it:

- Installation of stone and concrete foundations for solar panels, inverters, and storage units
- Installation of solar panel posts
- Unloading, unwrapping, and distribution of materials at the worksite
- Trenching for D.C. cables to inverter, trenching for A.C. cables to transformer and backfilling
- Backfilling and compaction of subsoil/topsoil at foundations
- Site restoration
- Temporary fencing

Electrician and Operating Engineer rates apply for the following tasks, dependent upon the specific part of the task and equipment used to complete it:

- Installation of inverter skids and transformers

Carpenter rate applies for the following tasks:

- Form setting



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Carpenter and Operating Engineer rates apply for the following tasks:

- Pile Driving

Ironworker rate applies for the following tasks:

- Installation of temporary and/or permanent chain-link fencing
- Installation and welding of structural steel supports and related structural components used to raise the racking system, to which the solar panel modules are attached, off the ground. For example, but not limited to, solar photovoltaic systems raised up and installed over parking lots.
- Metal lathing for concrete forms.

Please Note, in order to be paid an apprentice rate, a worker must be registered to a program of the same trade whose rate the Bureau enforces for the work performed, and the supervising journeyworker on site must also be of that trade.

For any questions on a specific project about what wage rate will apply for a specific task, please contact the local Bureau of Public Work district office.

Contact information and the prevailing wage schedule can be found at:

<https://dol.ny.gov/public-work-and-prevailing-wage>

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Director  
Bureau of Public Work