



NEWS RELEASE

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BCAP Calls for State Hearing, Investigation for Broadband Expansion Projects

HARRISBURG – Working to ensure that the \$1.16 billion in federal broadband expansion grants reaches everyone in unserved and underserved areas with high-quality service, the Broadband Communications Association of Pennsylvania (BCAP) this week formally petitioned the state Department of Labor and Industry for a hearing and investigation for industry-specific wage classifications.

“For three years, BCAP has requested – formally and informally – that appropriate job classifications be applied for publicly funded broadband infrastructure projects, namely Capital Projects Funds of the Broadband Infrastructure Program and the Broadband Equity, Access and Deployment Program (BEAD),” said BCAP President Todd Eachus. “With the BEAD application window closing in the coming days, we needed to take bold action to ensure a level playing field and that taxpayer money is used to its maximum benefit.”

The Pennsylvania Department of Labor and Industry has repeatedly and flatly refused to consider the creation of appropriate job classifications, instead insisting upon the use of the “electric linemen” category, which covers different – and more dangerous – work that those within the broadband industry.

Using the electric lineman classification, unnecessarily high wage rates not only lead to the projects paying 30-40% more for labor, but also increase overall project costs and the 25% financial match required from the provider.

“Ultimately, these inflated prices will result in fewer homes and businesses being served by broadband, especially those in high-cost, more rural or mountainous areas,” Eachus explained. “We are not arguing against the use of prevailing wage, but we are simply asking that appropriate job classifications be used. Most all other states and the federal government recognize the separate job duties performed by broadband workers, but Pennsylvania is the outlier in refusing to do so.”

From BCAP’s perspective, the hearing and investigation sought by this recent petition would clearly show that separate wage classifications are warranted based on custom and usage of the industry in the construction of broadband infrastructure and to comply with the federal and state requirements and policies governing the BEAD projects.

This petition follows litigation initiated by Verizon last year regarding the job classifications in the Capital Projects Fund (CPF). That hearing showed that the custom and usage in the industry for the construction of broadband networks and physical plant is to use teledata linemen and teledata splicers. After nine days of evidentiary hearings and hundreds of exhibits, the matter is now before the Prevailing Wage Appeals Board, with a decision expected this fall.

“This entire matter could be resolved quickly and fairly if the Secretary of Labor and Industry would recognize that broadband workers perform different work than electric linemen,” Eachus explained. “Prevailing wage determinations are based on collective bargaining agreements, and the department knows that at least four collective bargaining agreements exist for broadband construction in Pennsylvania. Those CBAs spell out classifications and wages for teledata workers, including teledata linemen and teledata splicers or their equivalent job. It’s time for the administration to get out of its own way and get broadband done.”

The full petition is available online at https://www.bcapa.com/docs/Petition_for_Review.pdf.

The Broadband Communications Association of Pennsylvania, a member-driven organization based in Harrisburg, actively promotes broadband cable and telecommunications industry issues in Pennsylvania. BCAP – the nation’s first state cable association – represents cable operators, programmers and equipment suppliers that collectively provide service to nearly 3 million Pennsylvania households and businesses.

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