

ORDER OF COMMISSION

In the matter of Objection No. 001 filed by G.A. Thompson Painting Contractor, Inc., on March 18, 2014, to Annual Wage Order No. 21 issued by the Department of Labor and Industrial Relations, Division of Labor Standards, filed with the Missouri Secretary of State on March 10, 2014, pertaining to the wage rate for the occupational title of Painter in the Missouri County of Buchanan – Section 011.

On March 10, 2014, the Division of Labor Standards (Division) filed with the Missouri Secretary of State a certified copy of Annual Wage Order No. 21 containing the initial determination of the prevailing hourly wages in each locality for each occupational title. On March 18, 2014, the Labor and Industrial Relations Commission (Commission) received an objection thereto filed on behalf of G.A. Thompson Painting Contractor, Inc. The objection is signed by Linda O'Meara, an individual who is not shown to be licensed to practice law in the State of Missouri.

Section 509.030 RSMo requires that all pleadings be signed. Under § 484.010.1 RSMo, the practice of law includes the "drawing of papers, pleadings or documents or the performance of any act in such capacity in connection with proceedings pending or prospective before any . . . commission . . ."

The law recognizes the right of natural persons to act for themselves in their own affairs, although the acts performed by them, if performed for others, would constitute the practice of law. A natural person may present his own case in court or elsewhere, although he is not a licensed lawyer. A corporation is not a natural person. It is an artificial entity created by law. Being an artificial entity it cannot appear or act in person. It must act in all its affairs through agents or representatives. *In legal matters, it must act, if at all, through licensed attorneys....*

Reed v. Labor and Industrial Relations Commission et al., 789 S.W.2d 19, 21 (Mo. 1990)(emphasis added).

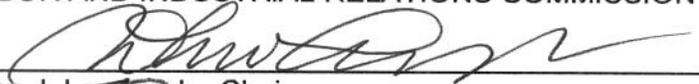
In addition, the Missouri Code of State Regulations states under 8 CSR 20-5.010(2)(B) that in proceedings under the Missouri Prevailing Wage Law, "[o]nly an attorney, licensed to practice in Missouri, may appear in a representative capacity" at hearings before the Commission.

G.A. Thompson Painting Contractor, Inc., is an artificial entity which cannot appear or act in person. Instead, it must act through its agents and representatives. Therefore, it is required by Missouri law to act through a Missouri-licensed attorney in these proceedings. Because the objection filed by G.A. Thompson Painting Contractor, Inc., is not signed by a Missouri-licensed attorney, we conclude that the objection is not properly before the Commission. Accordingly, the objection is hereby dismissed.

Given at Jefferson City, State of Missouri, this 25th day of March, 2014.



LABOR AND INDUSTRIAL RELATIONS COMMISSION



John J. Larsen, Jr., Chairman



James G. Avery, Jr., Member



Curtis E. Chick, Jr., Member

Attest:



Secretary

RECEIVED & FILED

JUN 10 2014

SECRETARY OF STATE
COMMISSIONS DIVISION