

ORDER OF COMMISSION

In the matter of Objection No. 004 filed by International Union of Painters and Allied Trades District Council No. 58 on April 7, 2014, to Annual Wage Order No. 21, issued by the Division of Labor Standards, Department of Labor and Industrial Relations, and filed with the Secretary of State on March 10, 2014, pertaining to the wage rate, total fringe benefit, and overtime and holiday schedules for the occupational title of Painter in the Missouri County of Oregon – Section 075.

On April 7, 2014, an objection to Annual Wage Order No. 21 was filed on behalf of International Union of Painters and Allied Trades District Council No. 58 (Objector), with the Labor and Industrial Relations Commission (Commission).

The Objector and the Division of Labor Standards have agreed upon the wage rate, total fringe benefit, and overtime and holiday schedules for the occupational title of Painter in Oregon County. The consensus wage rate, total fringe benefit, and overtime and holiday schedules are reflected in the attached stipulation filed by the parties on May 6, 2014.

The Commission accepts the wage rate, total fringe benefit, and overtime and holiday schedules reflected in the stipulation, and orders those rates and schedules to be the prevailing rates and schedules for the occupational title of Painter in Oregon County.

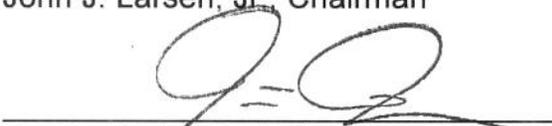
Given at Jefferson City, Missouri, this 9th of May 2014.

LABOR AND INDUSTRIAL RELATIONS COMMISSION

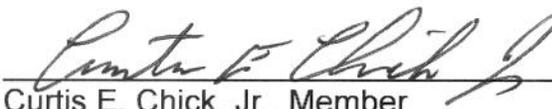




John J. Larsen, Jr., Chairman



James G. Avery, Jr., Member



Curtis E. Chick, Jr., Member

Attest:


Secretary

RECEIVED & FILED

JUN 10 2014

SECRETARY OF STATE
COMMISSIONS DIVISION

BEFORE THE
LABOR AND INDUSTRIAL RELATIONS COMMISSION
STATE OF MISSOURI

In the matter of:

Objections Filed By
International Union of Painters and Allied Trades District Council No. 58
Annual Wage Order No. 21 Section 075
Issued by the Division of Labor Standards for Oregon County

FILED

MAY - 6 2014

LABOR AND INDUSTRIAL
RELATIONS COMMISSION

STIPULATION OF FACT

Comes now the Missouri Department of Labor and Industrial Relations, Division of Labor Standards, together with the undersigned parties, and stipulates to the following facts:

1. That the Missouri Department of Labor and Industrial Relations, Division of Labor Standards, gathered information to establish the prevailing wage rates for Annual Wage Order No. 21 Section 075 to be issued pursuant to Section 290.262, RSMo, and that said wage order was filed with the Secretary of State on March 10, 2014. The prevailing wage rate for the occupational title of Painter was set in accordance with information on file.

2. That the above-mentioned survey information has been maintained continuously and has been updated with additional information as it has become available, and the rates issued in the above-stated Annual Wage Order reflects the information which was available to the Division of Labor Standards at the time of issuance and filing with the Secretary of State on March 10, 2014.

3. That pursuant to Section 290.262, RSMo, the Department of Labor and Industrial Relations, Division of Labor Standards, is charged with determining the prevailing rates in each locality, and to do so the Department shall ascertain and consider the applicable wage rates established by collective bargaining agreements, if any, and the rates that are paid generally within a locality.

4. That after conducting its survey and with further information received (See Exhibit A attached hereto and made a part hereof), the Department has determined that to accurately reflect the building construction wage rate for Painter in Oregon County the previously issued rate should be altered as set forth below:

OCCUPATIONAL TITLE	BASIC HOURLY RATE	TOTAL FRINGE BENEFITS
Painter	\$21.99	+ \$10.65
Overtime Rate Schedule	No. 106	
Holiday Rate Schedule	No. 62	

Objector's suggested fringe rate was reduced by \$1.16 per hour because: 1) the \$1.06 per hour vacation fringe is already included within the basic hourly rate; and, 2) the \$.10 "other" payment is a contribution to LMCF, not an amount directed to employees.

WHEREFORE, the parties pray the Commission issue an order finding that the prevailing rate for Oregon County is as stipulated above and authorize the Division of Labor Standards to issue the attached replacement page(s) for Oregon County setting forth the above-referenced wage rate for Painter.

CHRIS KOSTER
Attorney General



Jonathan M. Hensley
Assistant Attorney General
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Jefferson City, Missouri 65102
(573) 751-9163
jonathan.hensley@ago.mo.gov

ATTORNEY FOR MISSOURI
DEPARTMENT OF LABOR AND
INDUSTRIAL RELATIONS
DIVISION OF LABOR STANDARDS



James P. Faul
Attorney at Law
Missouri Bar No. 58799
4399 Laclede Avenue
St. Louis, MO 63108
(314) 531-1054
ATTORNEY FOR OBJECTORS
International Union of Painters and Allied
Trades, District Council No. 58, AFL-CIO

Dated:

May 5 2014

OCCUPATIONAL TITLE	** Date of Increase	*	Basic Hourly Rates	Over-Time Schedule	Holiday Schedule	Total Fringe Benefits
Asbestos Worker (H & F) Insulator			\$19.50	FED		\$2.64
Boilermaker			\$31.20	126	7	\$27.01
Bricklayer and Stone Mason			\$27.67	24	74	\$15.63
Carpenter			\$22.82	62	43	\$14.55
Cement Mason			\$13.00	FED		\$0.45
Communication Technician			\$24.15	21	48	\$11.80 + 10%
Electrician (Inside Wireman)			\$24.15	21	48	\$11.80 + 10%
Electrician (Outside-Line Construction\Lineman)			\$39.69	43	45	\$5.00 + 37.5%
Lineman Operator			\$34.26	43	45	\$5.00 + 37.5%
Groundman			\$26.49	43	45	\$5.00 + 37.5%
Elevator Constructor		a	\$43.345	26	54	\$25.095
Glazier			\$22.30	36	52	\$6.06
Ironworker			\$25.50	50	4	\$24.30
Laborer (Building)						
General			\$22.36	110	80	\$11.34
First Semi-Skilled			\$9.00	FED		\$0.20
Second Semi-Skilled			\$13.00	FED		\$0.40
Lather			\$22.82	62	43	\$14.55
Linoleum Layer and Cutter			\$22.82	62	43	\$14.55
Marble Mason			\$21.15	124	74	\$12.68
Millwright			\$22.82	62	43	\$14.55
Operating Engineer						
Group I			\$27.01	86	66	\$23.43
Group II			\$27.01	86	66	\$23.43
Group III			\$25.76	86	66	\$23.43
Group III-A			\$27.01	86	66	\$23.43
Group IV			\$24.78	86	66	\$23.43
Group V			\$27.71	86	66	\$23.43
Painter			\$21.99	106	62	\$10.65
Pile Driver			\$22.82	62	43	\$14.55
Pipe Fitter		b	\$34.75	91	69	\$26.28
Plasterer			\$23.50	121	20	\$9.55
Plumber		b	\$34.75	91	69	\$26.28
Roofer \ Waterproofer			\$22.50	15	73	\$10.87
Sheet Metal Worker			\$13.50	FED		\$0.41
Sprinkler Fitter - Fire Protection			\$31.13	33	19	\$18.90
Terrazzo Worker			\$28.15	124	74	\$14.32
Tile Setter			\$17.50	FED		\$1.41
Traffic Control Service Driver			\$25.685	22	55	\$9.045
Truck Driver-Teamster						
Group I			\$13.00	FED		\$0.51
Group II			\$14.00	FED		\$0.37
Group III			\$13.00	FED		\$0.45
Group IV		c	\$25.805	35	36	\$8.65

Fringe Benefit Percentage is of the Basic Hourly Rate

Attention Workers: If you are not being paid the appropriate wage rate and fringe benefits contact the Division of Labor Standards at (573) 751-3403.



MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS MAY -6 2014
 CONTRACTOR'S WAGE SURVEY

LABOR AND INDUSTRIAL RELATIONS COMMISSION

PROJECT INFORMATION

Contractor's Name, Address, and Telephone Number
 Midwest Painting & Wall Covering, Inc.
 2121 Bessie St.
 Cape Girardeau, MO 63701
 573-335-0057

Please Select One:
 Collective Bargaining Agreement Rate
 Non-Collective Bargaining Agreement Rate

County Oregon

Dates of Work Reported Below
 Beginning 8/19/2013 Ending 10/9/2013

Description Alton School, Alton, MO

Type of Construction: Building Heavy and Highway

E-mail midwestpaintinginc@msn.com Website N/A

Occupational Title(s)	No. of Employees	Total Hours	Basic Hourly Rate	Hourly Fringe Benefits Payments						
				H & W	Pension	Vacation	App. Tr.	Suppl.	Holiday	Other
Journeyman	1	32	21.34 21.99	5.81	4.40	1.06	0.44	0.00	0.00	0.10
Foreman	1	4	\$29.50	5.81	4.40	1.06	0.44	0.00	0.00	0.10

Certification

To the best of my knowledge, information and belief, I hereby certify that the number of hours, basic hourly rate, and fringe benefit payments listed above are true and correct and that the type of work performed by the number of employees identified above, relative to the Occupational Title(s) reported, is consistent with 8 CSR 30-3.060. I further recognize that any false statement or declaration made herein is punishable under Section 290.340, 570.090, 575.050, and 575.060, RSMo.

Tara A. Elfrink
 (Please check appropriate box)

- Signature of Contractor's Representative Who Prepared This Report
- Signature of Preparer of This Report

Date 4/4/14
 Printed Name Tara Elfrink
 Title Office Manager

Mail or fax completed form to:
 Missouri Department of Labor and Industrial Relations
 DIVISION OF LABOR STANDARDS
 Attn: Prevailing Wage Section
 P.O. Box 449
 Jefferson City, MO 65102-0449

Contact Information:
 Phone: 573-751-3403
 Fax: 573-751-3721
 E-mail: prevailingwage@labor.mo.gov
 Website: www.labor.mo.gov/DLS

Jim Faul

From: Dave Doerr <ddoerr@pdc2.org>
Sent: Monday, April 07, 2014 11:37 AM
To: Jim Faul
Subject: Fwd: RE: Prevailing wage
Attachments: DLS wage survey.pdf

----- Forwarded message -----

From: "MIDWEST PAINTING AND WALLCOVERING" <midwestpaintinginc@msn.com>
Date: Apr 7, 2014 11:30 AM
Subject: RE: Prevailing wage
To: "Dave Doerr" <ddoerr@pdc2.org>
Cc:

See attachment. The 2 different rates by Journeyman reflect the scale increase last September.

Thank you,

Tara Renner-Elfrink

Midwest Painting & Wallcovering, Inc.

Midwest Rental Properties, LLC

2121 Bessie St.

P O Box 218

Cape Girardeau, MO 63701

573-335-0057 phone

573-335-0058 fax