

**ORDER OF COMMISSION**

In the matter of Objection No. 005 filed by Laborers Local Union No. 579, on April 9, 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 Missouri Department of Labor and Industrial Relations, through its Division of Labor Standards (DLS), filed Annual Wage Order Number 21 (AWO 21) with the Missouri Secretary of State as required by § 290.262 RSMo.

On April 9, 2014, Laborer's Local Union No. 579 (objector) filed its Objection to Annual Wage Order No. 21, which we have designated and refer to herein as "Objection No. 5." On April 24, 2014, the Labor and Industrial Relations Commission (Commission) issued an order dismissing Objection No. 5 because it failed to comply with the requirement under § 290.262.5 RSMo that an objector identify the "specific grounds" for an objection to the DLS's annual wage order, and further failed to comply with our regulation 8 CSR 20-5.010(1) making clear that it is not sufficient merely to state that a wage rate is too high or too low, but that an objection must set forth how the objector reaches the conclusion that the rate is too high or too low.

On April 29, 2014, objector filed a "Motion To Reconsider," asking the Commission to reconsider the order dismissing Objection No. 5, and raising additional allegations to support objector's argument that Objection No. 5 was sufficient under the statute and regulations. To the extent that objector seeks, by raising these additional allegations, to supplement or amend Objection No. 5, we have not considered these additional statements, because the statutory period for filing objections under § 290.262.5 expired on April 9, 2014.

We have carefully reviewed the Motion To Reconsider. We note once again that Objection No. 5 does not contain any explanation how the objector reaches the conclusion that the rate it advances for painters in Buchanan County should prevail over that set forth in the DLS's AWO 21, but rather flatly declares that the rate is incorrect owing to an unspecified clerical error. We acknowledge that objector identifies a rate that it argues is correct, but objector wholly fails to identify the source for this rate, or even to allege that there are sufficient hours recorded in Buchanan County during the relevant period (or any other of the statutory criteria for determining which rates shall prevail) such that a modification of AWO 21 would be warranted.

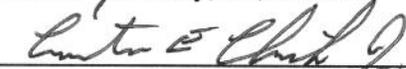
After careful consideration, we continue to be of the opinion that Objection No. 5 is insufficiently specific to provide adequate notice to interested parties of objector's grounds for objection, and thus falls short of the statutory and regulatory requirements. Accordingly, we deny objector's Motion To Reconsider.

Given at Jefferson City, State of Missouri, this 2nd day of May 2014.

LABOR AND INDUSTRIAL RELATIONS COMMISSION

  
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John J. Larsen, Jr., Chairman

  
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James G. Avery, Jr., Member

  
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Curtis E. Chick, Jr., Member

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JUN 10 2014

SECRETARY OF STATE  
COMMISSIONS DIVISION



Attest:

  
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Secretary