

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:

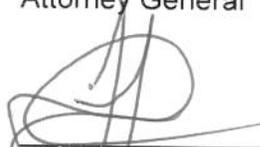
1. That the Missouri Department of Labor and Industrial Relations, Division of Labor Standards, gathered information to establish the prevailing wage rates for Annual Wage Order No. 21 Section 075 to be issued pursuant to Section 290.262, RSMo, and that said wage order was filed with the Secretary of 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
Missouri Bar No. 59810
Post Office Box 899
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.



**DIVISION OF
LABOR
STANDARDS**

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: <input checked="" type="checkbox"/> Collective Bargaining Agreement Rate <input type="checkbox"/> Non-Collective Bargaining Agreement Rate County <u>Oregon</u> |
| Dates of Work Reported Below Beginning <u>8/19/2013</u> Ending <u>10/9/2013</u> | Description <u>Alton School, Alton, MO</u> Type of Construction: <input checked="" type="checkbox"/> Building <input type="checkbox"/> Heavy and Highway |
| E-mail <u>midwestpaintinginc@msn.com</u> | Website <u>N/A</u> |

| 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 |
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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.

Sara 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