

ORDER OF COMMISSION

In the matter of Objection No. 115 filed by International Union of Painters and Allied Trades District Council #58 on April 7, 2015, to Annual Wage Order No. 22, pertaining to the wage rate for the occupational title of Painter Fitter in the Missouri County of Camden – Section 015, issued by the Division of Labor Standards, Department of Labor and Industrial Relations; filed with the Secretary of State on March 10, 2015.

On April 7, 2015, an objection to Annual Wage Order No. 22 was filed on behalf of International Union of Painters and Allied Trades District Council #58 (Objector), with the Labor and Industrial Relations Commission (Commission).

The Objector and the Division of Labor Standards have agreed upon the wage rate, overtime schedules, and holiday schedules for the occupational title of Painter in Camden County. The consensus wage rate, overtime schedules, and holiday schedules are reflected in the attached stipulation filed by the parties on May 4, 2015.

The Commission accepts the wage rate, overtime schedules, 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 Camden County.

Given at Jefferson City, Missouri, this 7th of May 2015.

LABOR AND INDUSTRIAL RELATIONS COMMISSION

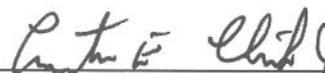




John J. Larsen, Jr., Chairman

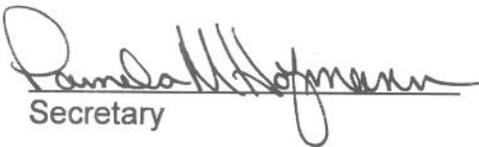


James G. Avery, Jr., Member



Curtis E. Chick, Jr., Member

Attest:



Secretary

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 #58 ("Objector")
Annual Wage Order No. 22 Section 015
Issued by the Division of Labor Standards for Camden County
Objection No. 115

FILED

MAY - 4 2015

LABOR AND INDUSTRIAL
RELATIONS COMMISSION

STIPULATION OF FACT

Come now the Missouri Department of Labor and Industrial Relations, Division of Labor Standards, and the undersigned Objector, and in resolution of Objector's objection, stipulate to the following:

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. 22 Section 015 to be issued pursuant to Section 290.262, RSMo, and that said wage order was filed with the Secretary of State on March 10, 2015. 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, 2015.
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 Camden County the previously issued rate should be altered as set forth below:

OCCUPATIONAL TITLE	BASIC HOURLY RATE		TOTAL FRINGE BENEFITS
Painter	\$26.99	+	\$13.62
Overtime Rate Schedule	No. 105		
Holiday Rate Schedule	No. 16		

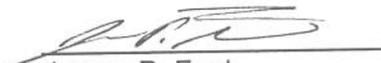
WHEREFORE, the parties pray the Commission issue an order finding that the prevailing rate for Camden County is as stipulated above and authorize the Division of Labor Standards to issue the attached replacement page(s) for Camden County setting forth the above-referenced wage rate for Painter.

CHRIS KOSTER
Attorney General

/s/ Jonathan M. Hensley
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

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



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Telephone (314) 531-1054
Facsimile (314) 531-1131
ATTORNEY FOR OBJECTOR
International Union of Painters and Allied
Trades District Council #58

Dated:

May _____ 2015



**DIVISION OF
LABOR
STANDARDS**

MISSOURI DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
CONTRACTOR'S WAGE SURVEY

PROJECT INFORMATION	
Contractor's Name, Address, and Telephone Number T.J. WIES CONTRACTING, INC. 200 TCW CT. LAKE ST. LOUIS, MO 63367	Please Select One: <input checked="" type="checkbox"/> Collective Bargaining Agreement Rate <input type="checkbox"/> Non-Collective Bargaining Agreement Rate County <u>CAMDEN COUNTY</u>
Dates of Work Reported Below Beginning <u>01 / 01 / 2014</u> Ending <u>12 / 31 / 2014</u>	Description _____ Type of Construction: <input checked="" type="checkbox"/> Building <input type="checkbox"/> Heavy and Highway
E-mail _____	Website _____

Occupational Title(s)	No. of Employees	Total Hours	Basic Hourly Rate	Hourly Fringe Benefits Payments						
				H & W	Pension	Vacation	App. Tr.	Suppl.	Holiday	Other
PAINTER		71	26.99	6.29	5.05	1.50	.43	.05		

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.

Date 4-3-15
 Printed Name CARL FARRELL
 Title ASST. BMST PAINTERS DISTRICT COUNCIL 58

(Please check appropriate box.)
 Signature of Contractor's Representative Who Prepared This Report
 Signature of Preparer of This Report

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

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 DIVISION OF LABOR STANDARDS
 ADMINISTRATION

EXHIBIT A

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ARTICLE V

CLASSIFICATIONS, WAGES, AND WORKING CONDITIONS

SECTION 1. CLASSIFICATIONS:

1. Stage men are defined as Employees who perform exterior work on swing stages or window jacks. The appropriate rate shall apply to all such work performed from the ground up. The rate shall not apply to men performing groundwork only.
2. Steel men are defined as Employees who perform work on all exterior erected structural steel, and interior erected structural steel.
3. The Sand Blasting rate shall include all work performed by air, steam, abrasive, aggregate and/or sand blasting. It also includes all rigging, covering and erection of scaffolding.
4. Taper applies to the craftsman who performs work involving materials identified with, but not limited to the drywall industry.

SECTION 2. WAGE. For Journeyman Painters, Decorators and Paperhangers, the following rates of wages shall be paid by Employer:

Classifications:

	Apr. 1 2012	Apr. 1 2013	Apr. 1 2014
Base Rate			
Brush & Roll Paperhanging Taping	\$20.95	\$21.35	\$22.00
Spray	\$21.70	\$22.10	\$22.75
Epoxy or any Two (2) Part Coating	\$21.95	\$22.35	\$23.00
	Apr. 1 2012	Apr. 1 2013	Apr. 1 2014
Tapers using AMES or Comparable Tools (Bazookas, etc.)	\$21.45	\$21.85	\$22.50
Sandblasting	\$21.95	\$22.35	\$23.00

EXHIBIT A

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Structural Steel (Over 50 Feet High)	\$21.45	\$21.85	\$23.50
Bridges, Dams, Locks Or Powerhouses	\$22.95	\$23.35	\$24.00
Stage or other Aerial Work – Platforms over 50 Feet High	\$21.95	\$22.35	\$23.00
Lead Abatement	\$21.95	\$22.35	\$23.00

***** \$.70 increase in Wages or Fringes at the Union option.**

Foreman Pay – Where three (3) or more Employees are required on the jobsite, one (1) Journeyman shall be designated as Foreman and paid at the rate of One Dollar and Seventy-Five cents (\$1.75) per hour above the rates set forth in Article V, Section II.

The Employer shall furnish paperhanging tools. However, if the Employer does not supply such tools, then individual paperhangers shall be paid at the rate of Twenty-Five Cents (\$0.25) per hour above the rates set forth in Article V, Section II.

Two Employees must be used when performing work on any swinging stage.

When Employer requires Employees to perform work out of the jurisdiction of the Union as specified by this Agreement, then, and in that event, Employer shall furnish transportation for said Employees, or agree to pay travel mileage pay at the rate of Fifteen Cents (\$0.15) per mile, per vehicle (and not per passenger) one way by the nearest accessible route measured from the jurisdiction line to the project. If the Employee determines it will be necessary to remain overnight on the job project, due to excess mileage from home, the Employee will be allowed reasonable expenses therefore; however, prior to the allowance of any such expenses, approval shall be first obtained from Employer and from the Union Business Representative.

No Employee performing highly dangerous or hazardous work shall be required to perform such work unless they are within reasonable voice communication distance of another person who could reasonably come to the Employee's assistance in the event of an emergency.

Fringe Benefits:

	Apr. 1 2012	Apr. 1 2013	Apr. 1 2014
Health & Welfare	\$6.32	\$6.62	\$6.62

Pension	\$4.73	\$4.73	\$4.78
Labor Management Corp.	\$0.10	\$0.10	\$0.10
Apprent./Journeyman Training	\$0.32	\$0.32	\$0.32
CISAP (Construction Industry Substance Abuse Program)	\$0.05	\$0.05	\$0.05

***** \$.70 increase in Wages or Fringes at Union's option.**

SECTION 3 The Employer agrees to the Apprenticeship scale, as follows:

1 st Six Months	50% of Journeymen Wage
2 nd Six Months	60% of Journeymen Wage
3 rd Six Months	70% of Journeymen Wage
4 th Six Months	80% of Journeymen Wage
5 th Six Months	85% of Journeymen Wage
6 th Six Months	90% of Journeymen Wage

1. The term Apprentice as herein applied shall be defined as any person 18 years of age or older who may be employed by an Employer subject to the rules and conditions of Union's By-Laws, the Joint Apprenticeship Committee, and the Constitution of the International Union of Painters and Allied Trades of America, AFL-CIO.
2. No Apprentice shall be permitted to work on any job unless there is a Journeyman on the job at all times.
3. No Apprentice shall be permitted to operate a spray gun, or an imitation acoustical spray machine, unless there is a Journeyman assigned to the spray gun or machine.
4. Employers who hire Apprentices shall obtain them through the Joint Apprenticeship Committee as established herein below.

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UNION OF PAINTERS AND ALLIED TRADES OF AMERICA

ADDENDUM 1185

Counties: Camden, Crawford, Dent, Laclede, Maries, Miller, Phelps, Pulaski, and Texas

<u>Classification</u>	<u>Base Rate:</u>	<u>Total Base Pay:</u>	<u>Total Package:</u>
❖ Brush and Roll	\$25.99 + \$1.50 Per Hour Vacation Pay*	\$27.49	\$39.71
❖ Taping, Paperhanging	\$26.99 + \$ 1.50 Per Hour Vacation Pay*	\$28.49	\$40.71
❖ Floor Work	\$26.49 + \$1.50 Per Hour Vacation Pay*	\$27.99	\$40.21
❖ Spray	\$27.49 + \$1.50 Per Hour Vacation Pay*	\$28.99	\$41.21
❖ Structural Steel	\$27.24 + \$1.50 Per Hour Vacation Pay*	\$28.74	\$40.96
❖ Sandblasting	\$27.24 + \$1.50 Per Hour Vacation Pay*	\$28.74	\$40.96
❖ All Tank Work	\$27.24 + \$1.50 Per Hour Vacation Pay*	\$28.74	\$40.96
❖ Lead Abatement	\$28.24 + \$1.50 Per Hour Vacation Pay*	\$29.74	\$40.96

*=Vacation Pay to be added to the check, taxed, and then deducted and paid to Painters Local Union No. 1265

Employer Contributed Benefits:

<u>Health & Welfare:</u>	<u>Vacation:</u>	<u>Pension:</u>	<u>Apprenticeship</u>	<u>L.M.C.F.</u>	<u>Total:</u>
			<u>Training:</u>		
\$6.29/Hr.	\$1.50/Hr.	\$5.40/Hr.	\$0.43/Hr.	\$0.10/Hr.	\$13.72/Hr.

13.62

Employee Contributed Assessments:

Administrative Dues Check-Off

4% of Gross Pay

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EXHIBIT A

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940 California Ave. Collinsville, IL 62234
Phone: (618) 345-6646 Fax: (618) 345-5962
www.dc58iupat.net



Gregg A. Smith
Business Manager
Secretary Treasurer

Representing the
members of:

- Local 32
- Local 85
- Local 90
- Local 115
- Local 120
- Local 124
- Local 288
- Local 363
- Local 471
- Local 513
- Local 774
- Local 910
- Local 1156
- Local 1168
- Local 1185
- Local 1199
- Local 1292
- Local 1705
- Local 2007
- Local 2341

CONTRACT MODIFICATIONS

LOCAL 1185 WAGE ADDENDUM

Effective July 1, 2014 through March 31, 2015

Wage Increase	\$.75
LMCF add \$.05 (total)	\$. 10
Foreman – 3 or more employees	\$1.00 per hour

Apprenticeship 3 year: change percentage increase

- 50%
- 60%
- 70%
- 80 %
- 85%
- 90%

Formalize 4% check off language

Eliminate EOPR Fund

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CHIEF OF DISTRICT COUNCIL

EXHIBIT A

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OCCUPATIONAL TITLE	** Date of Increase	*	Basic Hourly Rates	Over-Time Schedule	Holiday Schedule	Total Fringe Benefits
Asbestos Worker (H & F) Insulator			\$24.97	56	28	\$11.00
Boilermaker			\$33.36	57	7	\$27.95
Bricklayer and Stone Mason			\$28.30	59	7	\$15.93
Carpenter			\$24.36	60	15	\$15.05
Cement Mason			\$26.33	9	3	\$11.50
Communication Technician			\$31.04	28	7	\$12.52 + 13%
Electrician (Inside Wireman)			\$31.04	28	7	\$12.52 + 13%
Electrician (Outside-Line Construction/Lineman)			\$41.08	43	45	\$5.00 + 36.5%
Lineman Operator			\$35.46	43	45	\$5.00 + 36.5%
Groundman			\$27.42	43	45	\$5.00 + 36.5%
Elevator Constructor		a	\$42.940	26	54	\$28.335
Glazier			\$18.70	FED		\$3.37
Ironworker			\$27.50	50	4	\$27.35
Laborer (Building):						
General			\$20.36	111	4	\$11.12
First Semi-Skilled			\$21.86	111	4	\$11.12
Second Semi-Skilled			\$21.86	111	4	\$11.12
Lather			USE CARPENTER RATE			
Linoleum Layer and Cutter			\$30.33	92	26	\$14.95
Marble Mason			\$21.55	124	74	\$12.79
Marble Finisher			\$14.01	124	74	\$9.21
Millwright			\$36.05	63	68	\$15.05
Operating Engineer						
Group I			\$25.45	84	4	\$12.03
Group II			\$23.81	84	4	\$12.03
Group III			\$23.10	84	4	\$12.03
Group III-A			\$23.81	84	4	\$12.03
Group IV						
Group V			\$15.27	84	4	\$12.03
Painter			\$26.99	105	16	\$13.62
Pile Driver			\$36.05	63	68	\$15.05
Pipe Fitter		b	\$35.75	91	69	\$26.68
Plasterer			\$30.56	67	3	\$17.08
Plumber		b	\$35.75	91	69	\$26.68
Roofer \ Waterproofer			\$29.30	12	4	\$14.55
Sheet Metal Worker			\$31.40	17	22	\$13.13
Sprinkler Fitter - Fire Protection			\$31.75	33	19	\$18.90
Terrazzo Worker			\$28.73	124	74	\$14.38
Terrazzo Finisher			\$18.68	124	74	\$14.38
Tile Setter			\$21.55	124	74	\$12.79
Tile Finisher			\$14.01	124	74	\$9.21
Traffic Control Service Driver			\$16.35	48	49	\$2.75
Truck Driver-Teamster						
Group I			\$19.45	98	4	\$4.72
Group II						
Group III			\$19.45	98	4	\$4.72
Group IV			\$19.45	98	4	\$4.72

Fringe Benefit Percentage is of the Basic Hourly Rate

**Annual Incremental Increase