

FILED

MAR 27 2019

BEFORE THE
LABOR AND INDUSTRIAL RELATIONS COMMISSION
JEFFERSON CITY, MISSOURI

LABOR AND INDUSTRIAL
RELATIONS COMMISSION

In the Matter of: **Objection to Annual Wage Order No. 26, Issued in March 2019, as it Pertains to the Occupational Title of "Ironworker" in Pike County, Missouri, Which County Within the Geographic Jurisdiction of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 396**

On Behalf of: **International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 396**

Objector.

OBJECTION

COMES NOW the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Local 396 ("Objector") and files its Objections to Annual Wage Order No. 26, issued in March 2019 by the Missouri Division of Labor Standards, and for its Objection states as follows:

1. Objector is an unincorporated association representing members who perform work in the construction trades and specifically under the Occupational Title of "Ironworker," as defined in 8 C.S.R. 30-3.060, throughout the eastern half of the State of Missouri of the type covered by R.S.Mo. § 290.210, *et seq.* (the "Missouri Prevailing Wage Law"). These individual bargaining unit members also perform work of the type at issue in this Objection on a regular basis. Through well-established precedent, the Objector has historically been permitted to represent the interests of its members before the Labor and Industrial Relations Commission, as have other unincorporated associations, on matters of Objections to proposed Annual Wage Orders.

2. Pike County is subject to the Missouri Prevailing Wage Law.

3. A review of the hours submitted on a project by a contractor working in Pike County, Missouri reveals that the basic hourly rates and total fringe benefits in proposed Annual Wage Order No. 26 are incorrect in that they do not take into consideration those hours worked in ironworking in Pike County, Missouri.

A. The rate in proposed Annual Wage Order No. 26 for the "Ironworker" Occupational Title in Pike County is \$19.06. The Division of Labor Standards used this rate because fewer than 1,000 hours were submitted pursuant to R.S.Mo. § 290.257.2.

B. In 2018, 2,387.5 hours of work designated as "Ironworker" construction work was performed by employees of PJR & Associates, Inc. within Pike County. During the period of January 1, 2018 through July 31, 2019, PJR & Associates, Inc. paid Ironworkers at the rate of \$33.96 in wages and \$25.92 in fringe benefits. During the period of August 1, 2018 through December 31, 2018, PJR & Associates, Inc. paid Ironworkers at the rate of \$33.96 in wages and \$27.42 in fringe benefits. All hours were submitted pursuant to PJR & Associates, Inc.'s collective bargaining agreement with Objector. As such, all the aforementioned hours should be considered a single rate with the greater rate prevailing under R.S.Mo. § 290.262.8. Objector is prepared to present evidence in the forms of payroll and contractor surveys to establish the following hours actually worked and the foregoing rate in Pike County.

C. These rates, as described, are not only the appropriate rates, there are also workmen ready, willing and able to perform work in Pike County at such rates. Such workmen, in fact, have performed such work at such rates, as evidenced in the attached contractor surveys. Workers performed at these rates in these localities to a greater extent than work performed at the published rate in the objected to proposed Annual Wage Order, and such work has been performed to a greater extent at all times pertinent to the Annual Wage Order at issue. These 2,387.5 hours are

reflective of the objected hours that prevail in the geographic jurisdiction at issue and performed under an appropriate collective bargaining agreement.

WHEREFORE, it is respectfully requested that the Labor and Industrial Relations Commission consider favorably the Objection of Objector and revise the basic hourly rate and total fringe benefit in Pike County for the "Ironworker" classification, as described herein, to reflect the prevailing practices throughout the geographic jurisdiction in question, and for such other changes as are deemed appropriate.

Respectfully submitted,

HARTNETT REYES-JONES, LLC



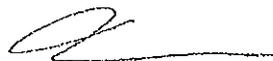
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Attorneys for Objector

CERTIFICATE OF SERVICE

An original and two (2) copies of the foregoing were served on the Administrative Secretary, Labor and Industrial Relations Commission, 3315 West Truman Boulevard, P.O. Box 599, Jefferson City, MO 65102-0599, *via facsimile* at 573-751-7806 and by UPS, and copies were served on the following by placing same, postage prepaid, in the U. S. Mail this 27th day of March, 2019:

Taylor Burks, Director
Division of Labor Standards
3315 West Truman Boulevard
P.O. Box 449
Jefferson City, MO 65102-0449



3/25/2019

Missouri Labor | Contractor's Wage Survey Form - Thank You / Print Preview # 17672

Thank You for using our online Contractor's Wage Survey Form, your survey was successfully submitted

Registration Information			
Name:	Jaime Lodge	Job Title:	President
Company Name / Organization:	PJR & Associates, Inc.		
Address:	PO Box 9		
City, State - ZIP:	Campbell Hill, IL - 61926		
Primary Phone:	(618)426-3325	Secondary Phone:	0
E-mail Address:	pjr@pjassoc.com	Website:	

Project Details	
Selected CBA:	<input checked="" type="checkbox"/> Collectively Bargained Agreement <input type="checkbox"/> Non-Collectively Bargained Agreement
County:	PIKE
Description:	Champ Clark Bridge Project
Type of Construction:	<input checked="" type="checkbox"/> Building <input type="checkbox"/> Heavy and Highway
Dates of Work Reported:	Beginning: 1/1/2018 Ending: 6/30/2018

Survey Details										
Occupational Title	Total Hours	Basic Hourly Rate	Hourly Fringe Benefits Payments							
			H & W	Pension	Vacation	App. Tr.	Suppl.	Holiday	Other	Expl.
Iron Workers	1856.5	\$33.96	\$9.710	\$9.150	\$0.000	\$0.600	\$0.000	\$0.000	\$6.460	Annuity 6.25 IMPACT .21

Additional Information / Documentation
Attach other information related to this survey: No Attachments were sent

Signature of person submitting survey
By entering my name Jaime Lodge and submitting this electronically, I do hereby affirm under penalties of perjury that the above-stated information is true and correct to the best of my knowledge, information, and belief. Date Submitted: 3/25/2019 4:30:58 PM

3/25/2019

Missouri Labor | Contractor's Wage Survey Form - Thank You / Print Preview # 17671

Thank You for using our online Contractor's Wage Survey Form, your survey was successfully submitted

Registration Information										
Name:	Jaime Lodge			Job Title:	President					
Company Name / Organization:	PJR & Associates, Inc.									
Address:	PO Box 9									
City, State - ZIP:	Campbell Hill, IL - 61926									
Primary Phone:	(618)426-3325			Secondary Phone:	0					
E-mail Address:	pjr@pjrassoc.com			Website:						
Project Details										
Selected CBA:	* Collectively Bargained Agreement			Non-Collectively Bargained Agreement						
County:	PIKE									
Description:	Champ Clark Bridge Project									
Type of Construction:	Building			Heavy and Highway						
Dates of Work Reported:	Beginning: 7/1/2018			Ending: 7/31/2018						
Survey Details										
Occupational Title	Total Hours	Basic Hourly Rate	Hourly Fringe Benefits Payments							
			H & W	Pension	Vacation	App. Tr.	Suppl.	Holiday	Other	Expl.
Iron Workers	80	\$33.96	\$9.710	\$9.150	\$0.000	\$0.600	\$0.000	\$0.000	\$6.460	Annuity 6.25 IMPACT .21
Additional Information / Documentation										
Attach other information related to this survey: No Attachments were sent										
Signature of person submitting survey										
By entering my name Jaime Lodge and submitting this electronically, I do hereby affirm under penalties of perjury that the above-stated information is true and correct to the best of my knowledge, information, and belief. Date Submitted: 3/25/2019 4:27:29 PM										

3/25/2019

Missouri Labor | Contractor's Wage Survey Form - Thank You / Print Preview # 17673

Thank You for using our online Contractor's Wage Survey Form, your survey was successfully submitted

Registration Information			
Name:	Jaime Lodge	Job Title:	President
Company Name / Organization:	PJR & Associates, Inc.		
Address:	PO Box 9		
City, State - ZIP:	Campbell Hill, IL - 62916		
Primary Phone:	(618)426-3325	Secondary Phone:	0
E-mail Address:	pjr@pjassoc.com	Website:	

Project Details		
Selected CBA:	<input type="checkbox"/> Collectively Bargained Agreement	<input type="checkbox"/> Non-Collectively Bargained Agreement
County:	PIKE	
Description:	Champ Clark Bridge project	
Type of Construction:	<input type="checkbox"/> Building	<input type="checkbox"/> Heavy and Highway
Dates of Work Reported:	Beginning: 8/1/2018	Ending: 12/31/2018

Survey Details										
Occupational Title	Total Hours	Basic Hourly Rate	Hourly Fringe Benefits Payments							
			H & W	Pension	Vacation	App. Tr.	Suppl.	Holiday	Other	Expl.
Iron Workers	451	\$33.96	\$10.210	\$9.400	\$0.000	\$0.600	\$0.000	\$0.000	\$7.210	Annuity 7.00 - IMPACT .21

Additional Information / Documentation
Attach other information related to this survey: No Attachments were sent

Signature of person submitting survey
By entering my name Jaime Lodge and submitting this electronically, I do hereby affirm under penalties of perjury that the above-stated information is true and correct to the best of my knowledge, information, and belief. Date Submitted: 3/25/2019 4:33:35 PM