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APR 29 2019

LABOR AND INDUSTRIAL  
RELATIONS COMMISSIONBEFORE THE  
LABOR AND INDUSTRIAL RELATIONS COMMISSION  
JEFFERSON CITY, MISSOURI

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In the Matter of:

Objection to Annual Wage Order No. 26, Issued in March 2019, as it Pertains to the Occupational Title of "Glazier" in Cape Girardeau County, Missouri, Wherein the Objector performs building and construction

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## STIPULATION OF FACT

Come now the Missouri Department of Labor and Industrial Relations, Division of Labor Standards and Cape Paint & Glass, Inc., a/k/a Cape Paint & Glass Company ("Objector") ("Objector"), and stipulate to the following facts:

1. Objector is a business in good standing located in Cape Girardeau, Missouri who performs and provides building and construction services the Occupational Title of "Glazier," as defined in 8 C.S.R. 30-3.060, throughout Cape Girardeau Missouri of the type covered by R.S.Mo. § 290.210, *et seq.* (the "Missouri Prevailing Wage Law").

2. Cape Girardeau is subject to the Missouri Prevailing Wage Law.

3. On March 8, 2019, the Missouri Department of Labor and Industrial Relations issued its proposed Annual Wage Order No. 26 for Cape Girardeau.

4. The rate in proposed Annual Wage Order No. 26 for the "Glazier" Occupational Title in Cape Girardeau County is \$23.12. The Division of Labor Standards used this rate because fewer than 1,000 hours were submitted pursuant to R.S.Mo. § 290.257.2.

5. On March 27, 2019, Objector filed a timely objection to the "Glazier" occupational title in Cape Girardeau County.

6. In support of its objection, Objector submitted evidence that in 2018, 6,428.5 hours of reportable hours of "Glazier" construction work was performed by Objector's employees within Cape Girardeau County.

7. According to the evidence and reportable hours Objector submits, during the period of January 1, 2018 through August 31, 2018, Objector paid Glazier employees at the rate of \$21.88 in wages and \$12.50 in fringe benefits benefiting the Objector's employees. During the period of September 1, 2018 through December 31, 2018, Objector paid Glazier employees at the rate of \$21.88 in wages and \$13.39 in fringe benefits benefiting the Objector's employees. The above-mentioned reportable hours were worked pursuant to Objector's collective bargaining agreement with the Painters District Council No. 58.

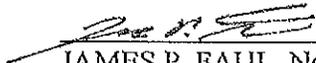
8. Objector submitted these reportable hours to the Missouri Department of Labor and Industrial Relations on or about March 28, 2019.

9. The parties stipulate that the issue before the Commission is whether the reportable hours Objector submitted should be considered and if the hours are considered what is the appropriate rate for the "Glazier" occupational title in Cape Girardeau County.

WHEREFORE, the parties submit the above stipulation of fact and respectfully request that the Labor and Industrial Relations Commission consider the issues and documents previously submitted with the Objector's objection submitted by the parties.

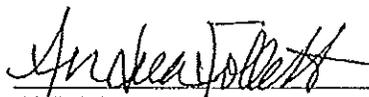
Respectfully submitted,

HARTNETT REYES-JONES, LLC

  
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Attorney for Missouri Department  
of Labor and Industrial Relations,  
Division of Labor Standards

CERTIFICATE OF SERVICE

On April <sup>28</sup>~~26~~, 2019, a copy of the foregoing was 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 U.S. Mail.

  
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