

changes must be made in some of the wage rates with respect to the Occupational Titles of “Sprinkler Fitter” within that county. Specifically, the following changes must be made:

A. Annual Wage Order 21 for review currently states the collectively bargained rate and prevailing rate within Franklin County for the occupational title of “Sprinkler Fitter” is \$31.13 per hour, plus \$18.90 per hour fringe benefits based upon 1147 hours found in the survey pursuant to LU699 collectively bargained rate. Annual Wage Order 21 for review also lists the applicable overtime schedule as No. 33 and applicable holiday schedule as No. 19. Objector maintains these wage rates, overtime schedule and holiday schedule are in error and must be changed.

B. The current prevailing levels for Sprinkler Fitter – Fire Protection should be and reflect the rates as established by collective bargaining agreement with Objector, and hours actually worked, which rates applied to Franklin County and which are on file with the Missouri Division of Labor Standards. Objector is prepared to present evidence in the form of Steward Reports, Wage Surveys, other payroll records, affidavits and testimony that establish the following hours actually worked at the forgoing rates in Franklin County in the applicable time period and occupational title for AWO 21:

2,210 hours at the Objector’s collectively bargained rate (\$38.78 in wages and \$20.65 in fringe benefits from January 1, 2013 through August 31, 2013 and \$40.03 in wages and \$20.90 due to annual increase from September 1, 2013 through December 31, 2013 as anticipated in 290.262 RSMo, et seq. (690 hours were submitted in the original survey for AWO 21 and an additional 1302 hours pursuant to LU268 will be presented).

C. The current overtime and holiday schedules for Sprinkler Fitter – Fire Protection should be at and reflect the schedules as established by collective bargaining agreement with Objection, and hours actually worked, which schedules applied to Franklin County and which are on file with the Missouri Division of Labor Standards. Objector is

prepared to present evidence in the form of Steward Reports, Wage Surveys and other payroll records that establish that the following overtime and holiday schedules in Franklin County in the applicable time period and occupational title for AWO 21:

Overtime: NO. 66: Means eight (8) hours shall constitute a day's work beginning at 7:00 a.m. (or 8:00) A.M. and ending at 3:30 (or 4:30) P.M. The work week shall be forty (40) hours beginning Monday at 7:00 a.m. (or 8:00) A.M. and ending Friday at 3:30 (or 4:30) P.M. The Employer at his option may use a flexible starting time between the hours of 6:00 a.m. and 8:00 a.m. All overtime, that is worked outside of the above established working hours of Monday through Friday, shall be paid at double (2) time, including Saturdays, Sundays and Holidays.

Holiday: NO. 18: All work done on New Year's Day, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving Day, the Friday following Thanksgiving and Christmas Day shall be paid at the double time rate of pay. When one of the above holidays falls on Sunday, the following Monday shall be considered the holiday, and when one of the above holidays falls on Saturday, the preceding Friday shall be considered the holiday, and all work performed on said day(s) shall be paid at the double time rate.

3. Objector notes specifically, aside from the fact that the rates in question are the collectively bargained rates of the Objector for the titles of "Sprinkler Fitter – Fire Protection" and therefore, must be considered pursuant to Section 290.260, RSMo, that there was significant work performed under Objector's collective bargaining agreement at the occupational titles of Sprinkler Fitter – Fire Protection in Franklin County during the pendency of Annual Wage Order No. 20 and which must be considered in determining Annual Wage Order No. 21, which hours were not previously recorded. The published rates under Annual Wage Order No. 20 were the collectively bargained wage rates for the Objector for the occupational title for Sprinkler Fitter – Fire Protection occupational title in Franklin County, Missouri.

4. The proposed changes to Annual Wage Order No. 21 wage and fringe benefit rates as described above are reflective of the Objector's collective bargaining agreement when read in conjunction with 8 C.S.R. 30-3.060 and said collective bargaining agreements with

signatory employers applies throughout the geographic area of this Objection as well as hours actually worked.

WHEREFORE, it is respectfully requested that the Labor and Industrial Relations Commission consider favorably the Objection of Objector and amend the Wage Rates and Fringe Benefits as described herein to reflect the practice, collective bargaining agreement, and prevailing wage rates throughout the geographic jurisdiction of Objector and for such other changes as are deemed appropriate.

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CERTIFICATE OF SERVICE

An original and two (2) copies of the foregoing were served on Administrative Secretary, Labor and Industrial Relations Commission, 3315 West Truman Boulevard, P.O. Box 599, Jefferson City, Missouri 65102-0599, by **Hand Delivery**; and a copy was served on the following individuals by placing same, postage prepaid, in the U.S. mails this 2 day of April, 2014:

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