BEFORE THE LABOR AND INDUSTRIAL RELATIONS COMMISSION OF MISSOURI

FILED

APR – 9 2014

LABOR AND INDUSTRIAL RELATIONS COMMISSION

IN RE: **OBJECTION TO ANNUAL WAGE ORDER NO. 21**)

Comes now Objector, **BAC Administrative District Council of Eastern Missouri**, an unincorporated association, by and through its representative member, Steve Bailey, and hereby objects to Annual Wage Order No. 21 as to the occupational title of work descriptions and as to wages in the Missouri Counties represented in Exhibits "A" and "B".

Objector specifically objects to the failure of Annual Wage Order No. 21 to provide for occupational title of work description of Marble Finisher, Terrazzo Finisher and Tile Finisher as set forth in Exhibits "C", "D" and "E".

Objector specifically objects to the failure of Annual Wage Order No. 21 to provide for the correct wages paid for building work done by Marble Finisher, Terrazzo Finisher and Tile Finisher employees, which is the Basic Hourly Rate, plus total fringe benefits and overtime and holiday rates as set forth on Exhibits "F", "G", "H" and "I".

ARNOLD, NEWBOLD, WINTER & JACKSON, P.C.

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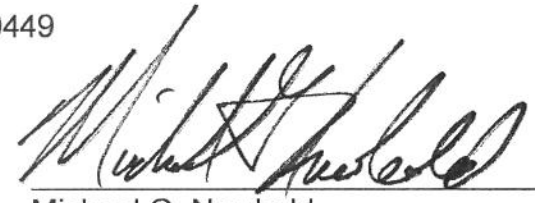
Attorneys for Objector

CERTIFICATE OF SERVICE

I hereby certify that on the **9th** day of **April, 2014** a copy of the foregoing **Objection to Annual Wage Order No. 21** was sent via facsimile (573-751-3721) and U.S. Mail, to:

Division of Labor Standards
P.O. Box 449
Jefferson City, Missouri 65102-0449



Michael G. Newbold

MARBLE FINISHER, TERRAZZO FINISHER AND TILE FINISHER

Cape Girardeau Chapter

Counties in the State of Missouri: Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, Scott, St. Francis, St. Genevieve, Stoddard, Washington and Wayne.

EXHIBIT "A"

MARBLE FINISHER, TERRAZZO FINISHER AND TILE FINISHER

St. Louis Chapter

Counties in the State of Missouri: Clark, Crawford, Franklin, Jefferson, Lewis, Lincoln, Marion, Pike, Ralls, St. Charles, St. Louis, St. Louis City and Warren.

EXHIBIT "B"

Counties Listed in Exhibit "A" – Cape Girardeau Chapter
Counties Listed in Exhibit "B" – St. Louis Chapter

Marble Finisher

Applies to workers who:

Prep floors, and/or walls by scraping, sweeping, grinding, and related methods for Marble Mason to install construction materials on floor and/or walls. Supplies and mixes construction materials for Marble Mason. Applies grout to installed marble. Moves marble installation materials, tools, machines, and work devices to work areas. Mixes grout, as required, following standard formulas and using manual or machine mixing methods. Moves mixed mortar or plaster to installation area, manually or using wheelbarrow. May assist Marble Setter in the selection of the marble slab for installation following numbered sequences or drawings. Drills holes and chisels channels in edges of marble slabs to install wall anchors, using power drill and chisel. May assist Marble Setter in bending or forming of wire to form metal anchors, using pliers; may assist Marble Setter in inserting anchors into holes of marble slab; and may assist Marble Setter to secure anchors in place with wooden stakes and plaster if in fact Marble Setter needs assistance. Moves marble slabs to install and removes excess grout, using wet sponge. May assist Marble Setter under Marble Setter's direction in grinding and polishing marble, using abrasives, chemical and/or manual, or may also assist Marble Setter in the assistance of machine grinding and/or in the assisting of polishing techniques. Cleans installed marble surfaces, work and storage areas, installation tools, machinery, and work aids, using water and cleaning agents. Stores marble, installation material tools, machines, and related items. May modify mixing, material moving, grouting, polishing, and cleaning metal pieces, using a torch, spatula, and heat sensitive adhesive and filler. May secure marble anchors to studding, using and covering ends of anchors with plaster to secure anchors in place. May assist Marble Mason to move and position marble. May erect scaffolding and related installation structures. Removes Marble Mason materials and related debris from immediate work area.

EXHIBIT "C"

Counties Listed in Exhibit "A" – Cape Girardeau Chapter
Counties Listed in Exhibit "B" – St. Louis Chapter

Terrazzo Finisher

Applies to workers who:

Prep floors and/or walls by scraping, sweeping, grinding, and related methods for Terrazzo Worker to install construction materials on floors, base and/or walls. Supplies and mixes construction materials for Terrazzo Worker. Applies grout finishes to surfaces of installed terrazzo. Moves terrazzo installation materials, tools, machines, and work devices to area, manually or using wheelbarrow. Measures designated amounts of ingredients for terrazzo or grout, using graduated containers and scale, following standard formulas and specs, and loads portable mixer using proper means of transport. Mixes materials according to experience and requests from Terrazzo Worker, dumps mixed materials that form base or top surface of terrazzo into prepared installation site, using wheelbarrow. Applies curing agent to installed terrazzo to promote even curing, using brush or sprayer. May assist Terrazzo Worker in grinding surfaces of cured terrazzo, and may also assist Terrazzo Worker in the use of powder grinders. Spreads grout across terrazzo to finish surface imperfections, using trowel. Fine grinds and polishes surface of terrazzo, when grout has set, using power grinders. Washes surface of polished terrazzo, using cleaner and water, and applies sealer, according to manufacturer specifications, using brush. Installs grinding stones in power grinders, using hand tools. Cleans installation site, and storage areas, tools, machines, and equipment. May modify mixing, grouting, grinding, and Cleaning position and secure moisture membrane and wire mesh prior to pouring base materials for terrazzo installation. Spread marble chips or other material over fresh terrazzo surface and press into terrazzo using roller. May cut grooves in terrazzo stairs, using power grinder, and fill groves with nonskid material. Removes Terrazzo Worker materials and related debris from immediate work area. Preparing, mixing by hand, by mixing machine or transporting of pre-mixed materials and distributing with shovel, rake, hoe or pail, all kinds of concrete foundations necessary for Mosaic and Terrazzo work.

EXHIBIT "D"

Counties Listed in Exhibit "A" – Cape Girardeau Chapter
Counties Listed in Exhibit "B" – St. Louis Chapter

Tile Finisher

Applies to workers who:

Prep floors and/or walls by scraping, sweeping, grinding, and related methods for Tile Setter to install construction materials on floors and walls. Supplies and mixes construction materials for Tile Setter. Supplies and mixes materials for Tile Setter, applies grout, and cuts installed tile. Moves tiles, tile setting tools, and work devices from storage area to installation site manually or using wheelbarrow. Mixes mortar and grout accordingly to standard formulas and request from Tile Setter using bucket, water hose, spatulas, and portable mixer. Supplies Tile Setter with mortar, using wheelbarrow and shovel. Applies grout between joints of installed tile, using grouting trowel. Removes excess grout from tile joints with a sponge and scrapes corners and crevices with a trowel. Wipes surfaces of tile after grouting to remove grout residue and polish tile, using non-abrasive materials. Cleans installation site, mixing and storage tools, and equipment, using water and various cleaning tools. Stores tile setting material machines, tools, and equipment. May apply caulk, sealers, acid, steam, or related agents to caulk, seal, or clean installed tile, using various application devices and equipment. May modify mixing, grouting, grinding, and cleaning procedures according to type of installation or material used. May assist Tile Setter to secure position of metal lath, wire mesh, felt paper, Dur/rock or wonderboard prior to installation of tile. Removes Tile Setter materials and related debris from immediate work area.

EXHIBIT "E"

MARBLE FINISHER AND TILE FINISHER

Cape Girardeau Chapter
Counties listed on Exhibit "A"

Basic Hourly Wage:		$25.91 per hour
Fringe Benefits:		
Health & Welfare	$6.70 per hour	
International Pension	$1.87 per hour	
International Masonry Institute	$ .39 per hour	
Apprenticeship	$ .20 per hour	
Retirement Savings	$1.00 per hour	
Total Fringe Benefits		$10.16 per hour

Marble Finisher:

Overtime and Holiday rates:	Same as Marble Mason Overtime and Holiday rates.

Terrazzo Finisher:

Overtime and Holiday rates:	Same as Terrazzo Workers Overtime and Holiday rates

Tile Finisher:

Overtime and Holiday rates:	Same as Tile Setter Overtime and Holiday Rates

EXHIBIT "F"

TERRAZZO FINISHER

Cape Girardeau Chapter
Counties listed on Exhibit "A"

Basic Hourly Wage:		$27.06 per hour
Fringe Benefits:		
Health & Welfare	$6.70 per hour	
International Pension	$1.87 per hour	
International Masonry Institute	$ .39 per hour	
Apprenticeship	$ .20 per hour	
Retirement Savings	$1.00 per hour	
Total Fringe Benefits		$10.16 per hour

Marble Finisher:

Overtime and Holiday rates:	Same as Marble Mason Overtime and Holiday rates.

Terrazzo Finisher:

Overtime and Holiday rates:	Same as Terrazzo Workers Overtime and Holiday rates

Tile Finisher:

Overtime and Holiday rates:	Same as Tile Setter Overtime and Holiday Rates

EXHIBIT "G"

MARBLE FINISHER AND TILE FINISHER

St. Louis Chapter
Counties listed on Exhibit "B"

Basic Hourly Wage:		$25.81 per hour
Fringe Benefits:		
Health & Welfare	$6.40 per hour	
International Pension	$1.56 per hour	
International Masonry Institute	$ .38 per hour	
Local Pension	$3.89 per hour	
Apprenticeship	$ .33 per hour	
Total Fringe Benefits		$12.56 per hour

Marble Finisher:

Overtime and Holiday rates:	Same as Marble Mason Overtime and Holiday rates.

Terrazzo Finisher:

Overtime and Holiday rates:	Same as Terrazzo Workers Overtime and Holiday rates

Tile Finisher:

Overtime and Holiday rates:	Same as Tile Setter Overtime and Holiday Rates

EXHIBIT "H"

TERRAZZO FINISHER

St. Louis Chapter
Counties listed on Exhibit "B"

Basic Hourly Wage:		$30.77 per hour
Fringe Benefits:		
Local Pension	$2.00 per hour	
Health & Welfare	$6.40 per hour	
International Pension	$1.80 per hour	
International Masonry Institute	$ .41 per hour	
Total Fringe Benefits		$10.61 per hour

Marble Finisher:

Overtime and Holiday rates:	Same as Marble Mason Overtime and Holiday rates.

Terrazzo Finisher:

Overtime and Holiday rates:	Same as Terrazzo Workers Overtime and Holiday rates

Tile Finisher:

Overtime and Holiday rates:	Same as Tile Setter Overtime and Holiday Rates

EXHIBIT "I"