

BEFORE THE
LABOR AND INDUSTRIAL RELATIONS COMMISSION
JEFFERSON CITY, MISSOURI

HAND CARRIED

In the Matter of: Objection to Annual Wage Order No. 21

On Behalf of:

Eastern Missouri Laborers' District Council
And its affiliated Local Unions,
Objectors.

FILED

APR - 9 2014

LABOR AND INDUSTRIAL
RELATIONS COMMISSION

OBJECTION TO ANNUAL WAGE ORDER NO. 21

COMES NOW Objectors, Eastern Missouri Laborers' District Council and its affiliated Local Unions, and files its objection to Annual Wage Order No. 21 for Miller County and states as a basis therefore the following:

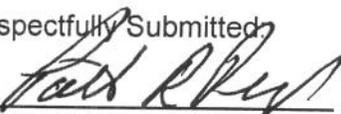
1. A review of Annual Wage Order No. 21, as filed with the Secretary of State, indicates that the Division of Labor Standards set the Building Construction wage rate for the Occupational Title of Laborer Second Semi-Skilled in Miller County at a \$23.26 Basic Hourly Rate and \$10.79 Total Fringe Benefits, with overtime schedule #110 and holiday schedule #80. It is the belief of Objector that this rate was set by a review of the previous six annual wage order reporting periods in the adjoining county of Osage pursuant to Section 290.262.4(c) R.S.Mo. Upon such review wages consisting of 876 hours were found to have been reported in 2013.
2. The adjoining county Cole had during the same reporting period a total of 10857.25 hours reported under the Occupational Title of Laborer Second Semi-Skilled; 1873.75 hours were reported at a \$21.81 Basic Hourly Rate and \$11.54 Total Fringe Benefits; 8983.50 hours were reported at a \$21.81 Basic Hourly Rate and \$12.09 Total Fringe

Benefits. Said hours reported were also paid pursuant to a Collective Bargaining Agreement.

3. Section 290.262.4(c) R.S.Mo. requires that the department shall examine hours and wages reported in **all adjacent Missouri** counties during the same periods. Clearly an examination of the number of hours reported in Cole county for the Occupational Title of Laborer Second Semi-Skilled outnumber the hours reported in Osage county and/or any other Missouri county adjacent to Miller county. Therefore, the prevailing wage rate (the most reported hours) submitted to be used in determining the published prevailing wage rate was \$21.81 Basic Hourly Rate and \$12.09 Total Fringe Benefits
4. Section 290.262.11R.S.Mo. provides that any annual wage order made for a particular occupational title in a locality that is based on the number of hours worked under a collective bargaining agreement may be altered once each year. In consideration of the fact that the wage rate in Miller county should be determined by the hours submitted in Cole county and said hours were paid pursuant to a collective bargaining agreement the published wage rate for the Occupational Title of Laborer Second Semi-Skilled in Miller county should be \$22.06 Basic Hourly Rate and \$12.49 Total Fringe Benefits with overtime schedule #42 and holiday schedule #44.

WHEREFORE, Objectors respectfully request the Commission to issue an Order changing the Building Construction Wage Rate for the Occupational Title of Laborer Second Semi-Skilled in Miller County to \$22.06 Basic Hourly Rate and \$12.49 Total Fringe Benefits with overtime schedule #42 and holiday schedule #44.

Respectfully Submitted,


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Certificate of Service

The original and two (2) copies of the foregoing were filed with the Administrative Secretary, Labor and Industrial Relations Commission, 3315 West Truman Boulevard, Jefferson City, MO 65102. Copies were furnished to the Division of Labor Standards this 9th day of April 9, 2014.