

BEFORE THE  
LABOR AND INDUSTRIAL RELATIONS COMMISSION  
STATE OF MISSOURI

HAND CARRIED

FILED

MAY 30 2014

LABOR AND INDUSTRIAL  
RELATIONS COMMISSION

In the matter of:

Objections Filed By  
BAC Local Union No. 15  
Annual Wage Order No. 21, Objections 038-121

Agreed Statement of Facts

Come now the Missouri Department of Labor and Industrial Relations, Division of Labor Standards ("Division"), and Objector, BAC Local Union No. 15 ("Objector"), through their respective counsel, and submit the following Agreed Statement of Facts with respect to Objections 038-121. While the Division does not wish to join in a Stipulation with Objector on these Objections, the parties jointly propose that the Commission consider and rule on Objector's Objections based on the pleadings, as well as on the exhibits and testimony filed at the prehearing conference, and Objector's Supplemental Affidavit, but without the necessity of the hearing currently scheduled for June 2, 2014. **However, please note that parties' agreement to this statement of facts is explicitly conditioned upon the Commission granting Objector's Motion to File Supplemental Affidavit ("Motion"), submitted simultaneously herewith. The Division consents to the filing of Objector's Supplemental Affidavit, though it does not adopt the statements therein. If Objector's Motion is not granted, the parties agree to proceed to hearing as scheduled.** In support of their joint request, the parties state as follows:

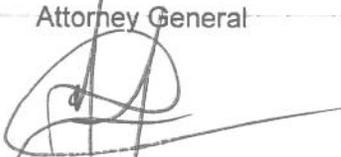
1. The Division gathered information to establish the prevailing wage rates and occupational titles for Annual Wage Order No. 21, pursuant to Section 290.262, RSMo. Said wage order was filed with the Secretary of State on March 10, 2014.

2. On or about April 9, 2014, Objector filed its Objections with the Commission, arguing that Annual Wage Order No. 21 should have provided occupational title of work descriptions for Marble Finisher, Terrazzo Finisher, and Tile Finisher. Objector suggested descriptions for these trades, as well as basic hourly rates, fringe benefits, overtime rates, and holiday rates.

3. On May 6, 2014, a pre-hearing conference was convened on Objector's Objections. During this pre-hearing conference, the parties submitted prepared testimony and exhibits, described in the Prehearing Order of Commission dated May 7, 2014.

WHEREFORE, the parties pray the Commission consider Objections 038-121 based on the pleadings, as well as on the exhibits, and testimony filed during the prehearing conference, and Objector's Supplemental Affidavit, and cancel the hearing set for June 2, 2014.

CHRIS KOSTER  
Attorney General

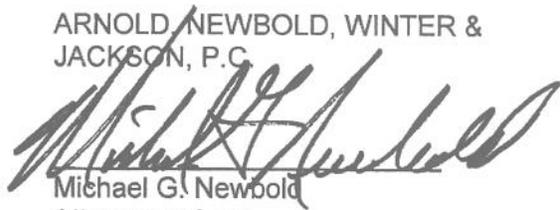


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Dated:

May \_\_\_\_\_ 2014