

APR - 9 2009

**BEFORE THE
MISSOURI LABOR AND INDUSTRIAL RELATIONS COMMISSION
JEFFERSON CITY, MO**

**LABOR AND INDUSTRIAL
RELATIONS COMMISSION**

Objection to Annual Wage Order Number 16

By

The Plumbing Industry Council

OBJECTOR

Comes now the Plumbing Industry Council (hereinafter referred to as "PIC") and files its objections to Annual Wage Order Number 16 as it relates to the prevailing wages to be paid on Saturdays for the occupational title of Plumber and Pipefitter within the City of St. Louis and the Missouri Counties of Adair, Audrain, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Camden, Carter, Chariton, Clark, Cole, Cooper, Crawford, Dent, Dunklin, Franklin, Gasconade, Grundy, Howard, Howell, Iron, Jefferson, Knox, Lewis, Lincoln, Linn, Livingston, Macon, Madison, Maries, Marion, Mercer, Miller, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Charles, St. Francois, Ste. Genevieve, St. Louis, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Sullivan, Texas, Warren, Washington, Wayne, and all other territories that may have been allotted by the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting industry of the United States and Canada (hereinafter referred to as the "PIC Counties"). In support of its objections, the PIC states the following:

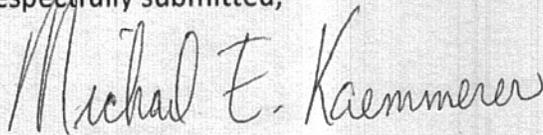
1. The PIC, with its principal office located in St. Louis County, MO, is a non-profit construction trade association representing union affiliated plumbing and mechanical contractors incorporated in the state of Missouri. Members of the PIC employ individuals who work as "Plumbers" as that term is defined in 8 CSR-30-3.060 (R). The

PIC is also party to a collective bargaining agreement covering "Pipefitters" as that term is defined in 8 CSR-30-3.060 (T).

2. Wage Order Number 16 sets out the proposed prevailing hourly wage rates in the PIC Counties for individuals classified as Plumbers and Pipefitters. Wage Order Number 16 states that Plumbers and Pipefitters shall be governed by Overtime Schedule Number 91. Overtime schedule Number 91 provides, among other things, that work performed on a Saturday shall be paid at double (2) times the rate of pay.
3. The PIC asserts that the correct prevailing wage for Plumbers and Pipefitters performing work in the PIC Counties on a Saturday is time and one-half (1 ½).
4. The PIC's assertion is based upon the terms of the collective bargaining agreement, attached hereto and marked Exhibit A, which has been in effect between the PIC and Plumbers' & Pipefitters' Local #562 ("Local #562") since January 1, 2000, and which remains in effect through June 30, 2010. Article VI of the collective bargaining agreement states that work performed by Plumbers and Pipefitters on a Saturday with in the PIC Counties shall be paid at a rate of time and one-half (1 ½).
5. The practice of time and one-half (1 ½) pay for work performed by Plumbers and Pipefitters on a Saturday with the PIC Counties is a long-standing practice, in that even the previous collective bargaining agreement between the Plumbing Industry Council and Plumbers' Local #35, attached hereto and marked Exhibit B, effective 1996, provided with Article 10 for pay at only time and one-half (1 ½) for work performed by Plumbers on a Saturday in PIC Counties.

6. For all of the foregoing reasons, the PIC respectfully requests the Wage Order Number 16 is modified to reflect the Plumbers and Pipefitters receive overtime pay for work performed on a Saturday within the PIC Counties at time and one-half (1 ½) and not double (2) time.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michael E. Kaemmerer".

Michael Kaemmerer

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