

# SPECTOR, WOLFE & McLAUGHLIN, L.L.C.

117 West Woodbine Avenue  
Kirkwood, Missouri 63122

ATTORNEYS AT LAW

Brian A. Spector  
Gary S. Wolfe\*  
Daniel M. McLaughlin\*  
John H. Fredrick, Jr.\*

\*Licensed in Missouri and Illinois

Illinois Office - Belleville, IL

April 5, 2013

FILED

RECEIVED

APR - 8 2013

APR - 8 2013

LABOR AND INDUSTRIAL RELATIONS COMMISSION DIVISION OF LABOR STANDARDS

Robert Bedell, Acting Division Director  
Missouri Department of Labor,  
Division of Labor Standards  
Attn: Prevailing Wage Program  
P.O. Box 449  
Jefferson City, MO 65102-0449

**Re: Objection to Occupational Title 8 CSR 30-3.060(8)(J) and Petition to Add to Occupational Title 8 CSR 30-3.060(8)(I)**

Dear Acting Director Bedell:

Please allow me to introduce myself; my name is Daniel M. McLaughlin and this law firm serves as general counsel to the Glaziers, Architectural Metal and Glassworkers Local Union No. 513 (the "Local"). In addition, pursuant to Section 290.262(3) RSMo, please allow this correspondence to serve as the Local's official written notification of objection to the determination of hourly rate and occupational title as issued in Prevailing Wage Order 20 and set forth in 8 CSR 30-3.060(8)(J) and (I).

By way of this correspondence, as well as accompanying documentation and evidence as required by 8 CSR 30-3.060(3), the Local objects to the current occupational title of the Ironworker in 8 CSR 30-3.060(8)(J) and alleges that based upon the evidence provided herein said title should be amended and deleted as follows:

**8 CSR 30-3.060(8)(J) - Ironworker** - Applied to workers who perform work in connection with field fabrication, erection, or both, installation, removal, wrecking and dismantling of structural, architectural and reinforcing iron and steel, ornamental lead, bronze, brass, copper and aluminum, and plastics or other materials when used in place of them. The work falling within the occupational title of work description includes:

- ...
- 4. Windows. The installation of metal windows (with the exception of store front display windows), ~~curtain walls~~ and metal panels. The caulking of metal-to-metal joints and metal-to-metal brick;
- ...

Additionally, the Local alleges that based upon the evidence provided herein the occupational title of the Glazier in 8 CSR 30-3.060(8)(I) should be amended, deleted from and added to as follows:



**8 CSR 30-3.060(8)(I) – Glazier** – Applies to workers who select, cut, prepare, handle, install or remove all window glass, plate and all other types of glass, including structural glass, mirror glass, tempered and laminated glass, safety and protection glass, all types of insulating glass units, all plastics or other similar materials when used in place of glass and when set or glazed with putty, moulding rubber, cement, lead and all types of mastic, or other materials used in place of same. The workers performing work within this occupational title of work description install these materials in windows, louvers, doors, partitions, skylights and on building fronts, **store fronts, punch windows,** walls, ceilings and tables, whether the materials are in set in wood, stone, cement or metal of all types. The work falling within the occupational title of work description includes:

...

5. The installing of metal window and door frames into which glass panels are to be fitted or sliding windows. **The cutting, fabrication, and assembly of all metals on the jobsite; the unloading, setting and installation of all metals in connection with store fronts systems, curtain wall systems and punch window systems. The unloading, setting, installation and glazing of skylights systems and all connectors for any and all glass holding materials (extruded aluminum, form steel).** The bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors.

...

In support of the proposed amendments, deletions and additions to the above-referenced occupational titles in 8 CSR 30-3.060(8)(J) and (I), and as previously set forth herein, the Local pursuant to 8 CSR 30-3.060(3) presents the following documentation:

- (A) The occupational title of the Glazier, and proposed changes thereto, as well as the proposed deletions to the occupational title of the Ironworker is set forth more fully above.
- (B) The physical duties currently performed by the Glaziers working under this title is as follows:

Those who are employed as Glaziers perform cutting, fabrication and assembly and installation of all metal products associated with hardware and associated with track assemblies as well as automatic and/or sliding doors and associated metal work. They further perform the installation and removal of all types of glass, mirrors, structural glass, obscure glass, insulated glass, skylight glass, wire glass and all similar glass products. The Glazier works on all types and all methods of re-glazing including removal of existing glass and putty, as well as the installation and removal of plastics and similar products used as a substitute for glass or when used for any other purpose. The work of a Glazier additionally consists of removing, cutting and setting of all glass or similar

products such as: prism glass, protection glass, plate glass, window glass, mirrors of all types, wired glass, colored glass, figured glass, glass shelving, obscure glass and opaque glass, glass chalk board, tempered glass doors, insulating glass units, plastics including mirrors and translucent panels, Kalwall, plexiglass and fiber glass panels. The work also includes the application of putty, Thiokol, Neoprene, double faced tapes and other patented sealants, caulking, moldings and rubber gaskets. It includes the use of all types of mastics, in or on wood, iron aluminum or sheet metal sash, skylights, doors, frames, wall cases, showcases, store fronts, partitions and fixtures when in the shop or on the jobsite, either temporary or permanent.

The work of a Glazier also includes the cutting, fabrication and assembly of all metals, either in the Employer's warehouse or other suitable location, or on the jobsite, the setting and installation of all metals in connection with store fronts, curtain walls and glazing of skylights, field welding, all connectors for any and all glass holding materials, as long as it is in the aluminum package, window walls, glass clad walls, window units, core-systems, skylights, special frames, doors, hardware, sills, side jambs, head jambs, vertical and horizontal mullions, muntins and division bars, any and all tubular type metals, trim molding, brake metal, fascia metals including metal column covers, or plastic covers, including insulation panels, porcelain panels, aluminum panels, special glass panels, extruded or rolled metals and all wall facing metals.. It includes the servicing and installation of all doors including automatic doors and equipment, including the associated hardware and associated track assemblies.

Finally, in addition to the material handling and unloading of all glass and glazing materials, metal framing systems and other accessories associated with the aforementioned work description, crated or otherwise, the Glazier regularly engages in all bed caulking and applications of caulk to seal, and/or weatherproof of all glass setting, either during the original glazing operation or at a later date to seal the glass setting. The Glazier also regularly performs the caulking of all metals that are installed by Glaziers.

- (C) See Exhibit A enclosed herein.
- (D) See Exhibit B enclosed herein.
- (E) The counties where the work described herein is regularly performed are as follows:

Dent, Franklin, Jefferson, Lincoln, SW half of Marion, Perry, Pike, St. Charles, St. Francois, Ste. Genevieve, St. Louis, St. Louis City, Warren, Washington, and Fort Leonard Wood in Pulaski County. In Central Missouri the counties include Audrain, Boone, Callaway, Cole, Crawford, Gasconade, Maries, Monroe, Montgomery, Osage, Phelps, Ralls and Shelby.

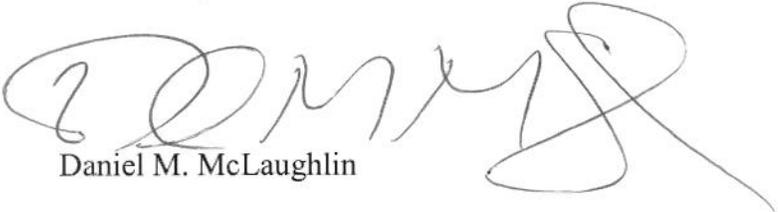
Robert Bedell, Acting Division Director  
April 5, 2013  
Page 4

Finally, in accordance with Section 290.262 RSMO, the Local hereby formally requests a hearing be held to adjudicate this matter in a timely fashion.

Thank you for your attention to this matter. Should you have any questions or comments, please do not hesitate to contact my office to discuss in further detail.

Very Truly Yours,

SPECTOR, WOLFE & McLAUGHLIN, LLC



Daniel M. McLaughlin

Enclosures

cc: Chris Simonds (w/ enclosures)

EMPLOYER	MONTHLY HOURS WORKED												TOTAL				
	Jan-12	Feb-12	Mar-12	Apr-12	May-12	Jun-12	Jul-12	Aug-12	Sep-12	Oct-12	Nov-12	Dec-12					
GLAZIERS LOCAL 513																	
MONTHLY PENSION HOURS WORKED																	
EMAIL TO CHRIS HARRIS @ IUPAT																	
ACME GLASS	1459.00	1749.25	3381.00	2050.50	2328.25	1262.00	1173.00	1201.00	640.00	1032.50	866.00	833.00	17975.50				
BROADWAY GLASS	913.00	710.00	593.00	714.50	605.75	745.50	725.00	617.50	852.00	320.00	454.50	720.00	7970.75				
BUDGET GLASS	1539.50	1423.50	1386.50	1692.00	2201.00	1470.50	1338.00	2989.50	1828.00	2076.00	1537.50	2271.00	21753.00				
CARTER GLASS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
COMMERCIAL GLASS CO	165.00	276.50	454.00	287.00	277.00	416.00	255.00	425.00	660.00	882.50	543.00	337.00	4978.00				
CUSTOM CURTAINWALL	125.00	212.00	195.00	148.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	680.00				
DRUCO DEVELOPMENT CO.	112.00	160.00	160.00	160.00	240.00	152.00	112.00	152.00	144.00	232.00	144.00	136.00	1904.00				
EAST MOLINE GLASS	290.50	320.00	201.00	0.00	0.00	0.00	400.00	380.00	160.00	200.00	64.00	788.00	2803.50				
GLASS CONCEPTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	112.00	120.00	152.00	384.00				
GLASSTEK GLAZING CO.	1268.00	1015.50	1112.50	904.00	1090.50	923.50	1004.50	900.50	926.50	1196.00	636.50	813.50	11791.50				
GLAZIERS LOCAL 513	40.00	0.00	0.00	8.00	0.00	0.00	0.00	0.00	0.00	104.00	0.00	0.00	152.00				
HORIZON GLASS CO.	1107.50	1375.00	1531.50	998.00	1108.00	1626.50	1084.00	774.00	577.00	1070.00	1222.50	1268.00	13742.00				
HUTSON GLASS CO.	0.00	0.00	0.00	0.00	0.00	16.00	144.00	320.00	200.00	160.00	136.00	132.00	1108.00				
MARION GLASS	61.25	105.50	133.75	326.25	577.50	384.00	392.00	193.50	143.25	131.50	0.00	7.00	2455.50				
MISSOURI VALLEY GLASS CO.	3228.00	3270.50	2622.00	3325.50	4145.00	4681.50	3387.50	4320.00	2457.50	2892.00	1669.50	2086.50	38085.50				
MODERN MIRROR & GLASS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
MT. VERNON GLASS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
NORTH SIDE GLASS	128.00	128.00	160.00	272.00	128.00	128.00	128.00	128.00	128.00	128.00	128.00	128.00	1712.00				
PARADISE GLASS	0.00	0.00	0.00	0.00	0.00	0.00	80.00	80.00	0.00	0.00	0.00	0.00	160.00				
PDC2	304.00	256.00	304.00	264.00	144.00	288.00	160.00	240.00	184.00	184.00	216.00	272.00	2816.00				
PHYSICAL SECURITY	173.00	170.00	146.25	233.75	180.00	186.00	243.00	204.00	286.50	192.00	207.00	212.00	2433.50				
QUALITY GLASS	152.00	75.00	197.00	96.00	188.00	192.00	141.00	163.00	152.00	160.00	138.00	112.00	1766.00				
S&K MIRROR & DOOR	140.00	140.00	140.00	140.00	140.00	140.00	140.00	140.00	140.00	140.00	140.00	140.00	1680.00				
SALEM PAINT & GLASS	118.00	504.00	574.00	232.00	296.00	238.00	304.00	0.00	96.00	88.00	48.00	128.00	2626.00				
SAMUEL GLASS & DOOR	184.00	136.00	216.00	136.00	144.00	48.00	0.00	104.00	112.00	176.00	120.00	156.00	1532.00				
SAMUEL GLASS & DOOR	3447.00	3155.50	4079.00	3280.50	4035.00	5033.00	6146.00	5851.50	5392.00	4465.50	3467.00	5585.50	53957.50				
ST. CHARLES GLASS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	224.00	224.00	328.00	776.00				
STL GLAZING																	
MONTHLY TOTALS	14954.75	15182.25	17586.50	15268.00	17848.00	17930.50	17357.00	19183.50	15078.75	16166.00	12081.50	16605.50	195242.25				

RECEIVED

APR - 2012

DIVISION OF LABOR STANDARDS



Percentage of work performed by scope

Signatory Contractor WOODRIVER GLASS CO

Total hours for 2012 5600

Percent of Man Hours:

\*Curtain Wall 39

\*Storefront 35

\*Punch Window 15

Miscellaneous to include but not limited to the bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors 3%

Glass Installation (Securing & Sealing, Etc) 24

Signature Neil J...

\*To include fabrication and installation

Includes 20%  
for installing & repair  
of Alum. Hm & Wood Doors

Percentage of work performed by scope

Signatory Contractor Quality Glass

Total hours for 2012 \_\_\_\_\_

Percent of Man Hours:

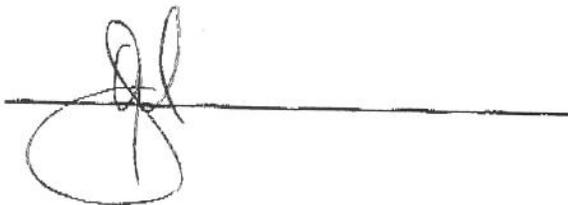
\*Curtain Wall .05%

\*Storefront .35%

\*Punch Window .10%

Miscellaneous to include but not limited to the bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors .25%

Glass Installation (Securing & Sealing, Etc) .25%

Signature 

\*To include fabrication and installation

Percentage of work performed by scope

Signatory Contractor ST Charles Glass and Glazing

Total hours for 2012 54,824

Percent of Man Hours:

\*Curtain Wall 25%

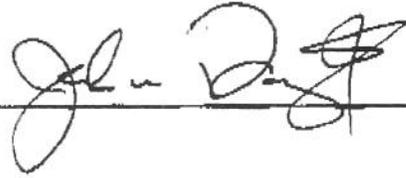
\*Storefront 35%

\*Punch Window 10% - pre glazed

Miscellaneous to include but not limited to the bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors 5%

Glass Installation (Securing & Sealing, Etc) 25%

\* All hours are based on estimates

Signature 

\*To include fabrication and installation

Percentage of work performed by scope

Signatory Contractor Salem Paint & Glass, Inc.

Total hours for 2012 4,972.

Percent of Man Hours:

\*Curtain Wall 25%

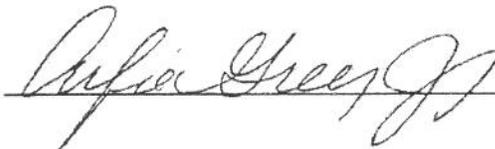
\*Storefront 40%

\*Punch Window 30%

Miscellaneous to include but not limited to the bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors

3%

Glass Installation (Securing & Sealing, Etc) 2%

Signature 

\*To include fabrication and installation

Percentage of work performed by scope

Signatory Contractor Missouri Valley Glass

Total hours for 2012 44190.5

Percent of Man Hours:

\*Curtain Wall 35%

\*Storefront 20%

\*Punch Window 15%

Miscellaneous to include but not limited to the bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors 3%

Glass Installation (Securing & Sealing, Etc ) 27%

Signature Michael Chen

\*To include fabrication and installation

Percentage of work performed by scope

Signatory Contractor Horizon

Total hours for 2012 \_\_\_\_\_

Percent of Man Hours:

\*Curtain Wall 14

\*Storefront 45

\*Punch Window 5

Miscellaneous to include but not limited to the bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors

1%

Glass Installation (Securing & Sealing, Etc ) 35%

Signature Timothy Brown  
Horizon Glass

\*To include fabrication and installation

Percentage of work performed by scope

Signatory Contractor Budget Glass + Door

Total hours for 2012 23,000 Hours (21,753)

Percent of Man Hours:

\*Curtain Wall 30%

\*Storefront 50%

\*Punch Window 5%

Miscellaneous to include but not limited to the bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors 5%

Glass Installation (Securing & Sealing, Etc) 10%

Signature 

\*To include fabrication and installation

Percentage of work performed by scope

Signatory Contractor Acme Glass Corp

Total hours for 2012 17,975.50

Percent of Man Hours:

\*Curtain Wall 10%

\*Storefront 80%

\*Punch Window 10%

Miscellaneous to include but not limited to the bolting of metal hinges, handles, locks and other hardware to prefabricated glass doors 10%

Glass Installation (Securing & Sealing, Etc) 50%

Signature [Handwritten Signature]

\*To include fabrication and installation

**ARTICLES OF AGREEMENT**  
**BETWEEN**  
**GLAZIERS, ARCHITECTURAL METAL**  
**AND**  
**GLASS WORKERS**  
**LOCAL UNION NO. 513**  
**AND**  
**THE GLAZING CONTRACTORS**  
**OF THE**  
**ST. LOUIS, MISSOURI AREA**  
**NOVEMBER 1, 2008**  
**THROUGH**  
**OCTOBER 31, 2013**

