

FILED

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

APR - 9 2012

LABOR AND INDUSTRIAL
RELATIONS COMMISSION

**IN RE: Objection to Annual Wage order No. 19, Issued on March 9, 2012, as
it pertains to the Occupational Title of "Electrician" (Inside wireman)
For All Counties Within the State of Missouri.**

**On Behalf Of: International Brotherhood of Electrical Workers Local No. 124;
International Brotherhood of Electrical Workers Local No. 257;
International Brotherhood of Electrical Workers Local No. 350;
International Brotherhood of Electrical Workers Local No. 453;
International Brotherhood of Electrical Workers Local No. 95;
International Brotherhood of Electrical Workers Local No. 545;**

Objectors.

OBJECTION TO ANNUAL WAGE ORDER NO. 19

COMES NOW the International Brotherhood of Electrical Workers Local No. 124, the International Brotherhood of Electrical Workers Local No. 257, International Brotherhood of Electrical Workers Local No. 350, International Brotherhood of Electrical Workers Local No. 453, International Brotherhood of Electrical Workers Local No. 95, and International Brotherhood of Electrical Workers Local No. 545 (hereinafter collectively referred to as "Objectors") and files their Objection to Annual Wage Order No. 19 and states therefor as follows:

1. The International Brotherhood of Electrical Workers Local No. 124 is an unincorporated association representing members who perform work in the electrical industry, specifically under the Occupational Title of Electrician within Northwest Missouri of the type covered by Section 290.210 RSMo., et seq. (the "Missouri Prevailing Wage Law").
2. The International Brotherhood of Electrical Workers Local No. 257 is an unincorporated association representing members who perform work in the electrical industry,

specifically under the Occupational Title of Electrician throughout Central Missouri of the type covered by Section 290.210 RSMo., et seq. (the “Missouri Prevailing Wage Law”).

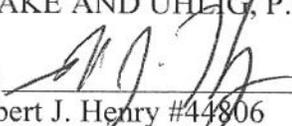
3. The International Brotherhood of Electrical Workers Local No. 350 is an unincorporated association representing members who perform work in the electrical industry, specifically under the Occupational Title of Electrician throughout Northeast Missouri of the type covered by Section 290.210 RSMo., et seq. (the “Missouri Prevailing Wage Law”).
4. The International Brotherhood of Electrical Workers Local No. 453 is an unincorporated association representing members who perform work in the electrical industry, specifically under the Occupational Title of Electrician within South Central of the type covered by Section 290.210 RSMo., et seq. (the “Missouri Prevailing Wage Law”).
5. The International Brotherhood of Electrical Workers Local No. 95 is an unincorporated association representing members who perform work in the electrical industry, specifically under the Occupational Title of Electrician within Southeastern Missouri, of the type covered by Section 290.210 RSMo., et seq. (the “Missouri Prevailing Wage Law”).
6. The International Brotherhood of Electrical Workers Local No. 545 is an unincorporated association representing members who perform work in the electrical industry, specifically under the Occupational Title of Electrician within Northwest Missouri of the type covered by Section 290.210 RSMo., et seq. (the “Missouri Prevailing Wage Law”).

7. Together, the Objectors represent members who perform work in the electrical industry under the Occupational Title of Electrician of the type covered by Section 290.210 RSMo. in the overwhelming majority of Missouri's counties.
8. Attached hereto as *Exhibit 1* is a jurisdiction map establishing the jurisdiction of the Objectors, respectively.
9. The Objectors specifically object to the Occupational Title of Work Description contained within Annual Wage Order No. 19 for Inside wireman - 8 C.S.R. §30-3.060(G)(1).
10. It is the position of the Objectors that the Occupational Title of Work Description omits types of work that is commonly being performed by Inside wireman within the State of Missouri.
11. A review of the applicable collective bargaining agreements, which must be considered pursuant to § 290.260 RSMo., and construction practices throughout the State of Missouri reveals that changes must be made in the Occupational Title of Work Description to bring the proposed Annual Wage Order into conformity with general practice and collective bargaining agreements of Objectors. It is proposed that the language contained in *Exhibit 2*, attached hereto, be adopted to replace the existing Occupational Title of Work Description for "Electrician – Inside wireman" under 8 C.S.R. §30-3.060(G)(1). The proposed additions to the Work Description are detailed in red.
12. The foregoing proposed changes to Annual Wage Order No. 19 are reflective of the Objectors' collective bargaining agreements with signatory employers. *See Exhibit 3, 4, 5, 6, 7, and 8 and Attachments thereto.*

13. The wage rates reflected within Annual Wage Order No. 19 for the classification of Inside wireman are accurate. The Objectors are solely objecting to the current language within the Occupational Title Work Description.

WHEREFORE, it is respectfully requested that the Labor and Industrial Relations Commission consider favorably the Objection of Objectors and revise the Occupational Title of "Electrician – Inside wireman" in Annual Wage Order No. 19 to reflect the collective bargaining agreements, and prevailing practices throughout the jurisdiction in question, and for such other changes as are deemed appropriate.

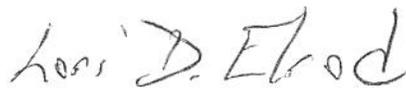
Respectfully Submitted,
BLAKE AND UHLIG, P.A.

By: 
Robert J. Henry #44806
Lori D. Elrod #61192
753 State Ave., Ste. 475
Kansas City, KS 66101
Telephone: (913) 321-8884
Facsimile: (913) 321-2396
mea@blake-uhlig.com

Attorneys for Objectors

CERTIFICATE OF SERVICE

I hereby certify that on the 7^h day of April, 2012, the original and three (3) copies of the foregoing **Objection to Wage Order No. 19** was sent by UPS Overnight mail to the Labor and Industrial Relations Commission, 3315 West Truman Blvd. Room 214, P.O. Box 599, Jefferson City, MO 65102-0599, and copies were served on the same day via UPS Overnight Mail to the Division of Labor Standards, 3315 W. Truman Boulevard, Room 205, Jefferson City, MO 65109.



Lori D. Elrod

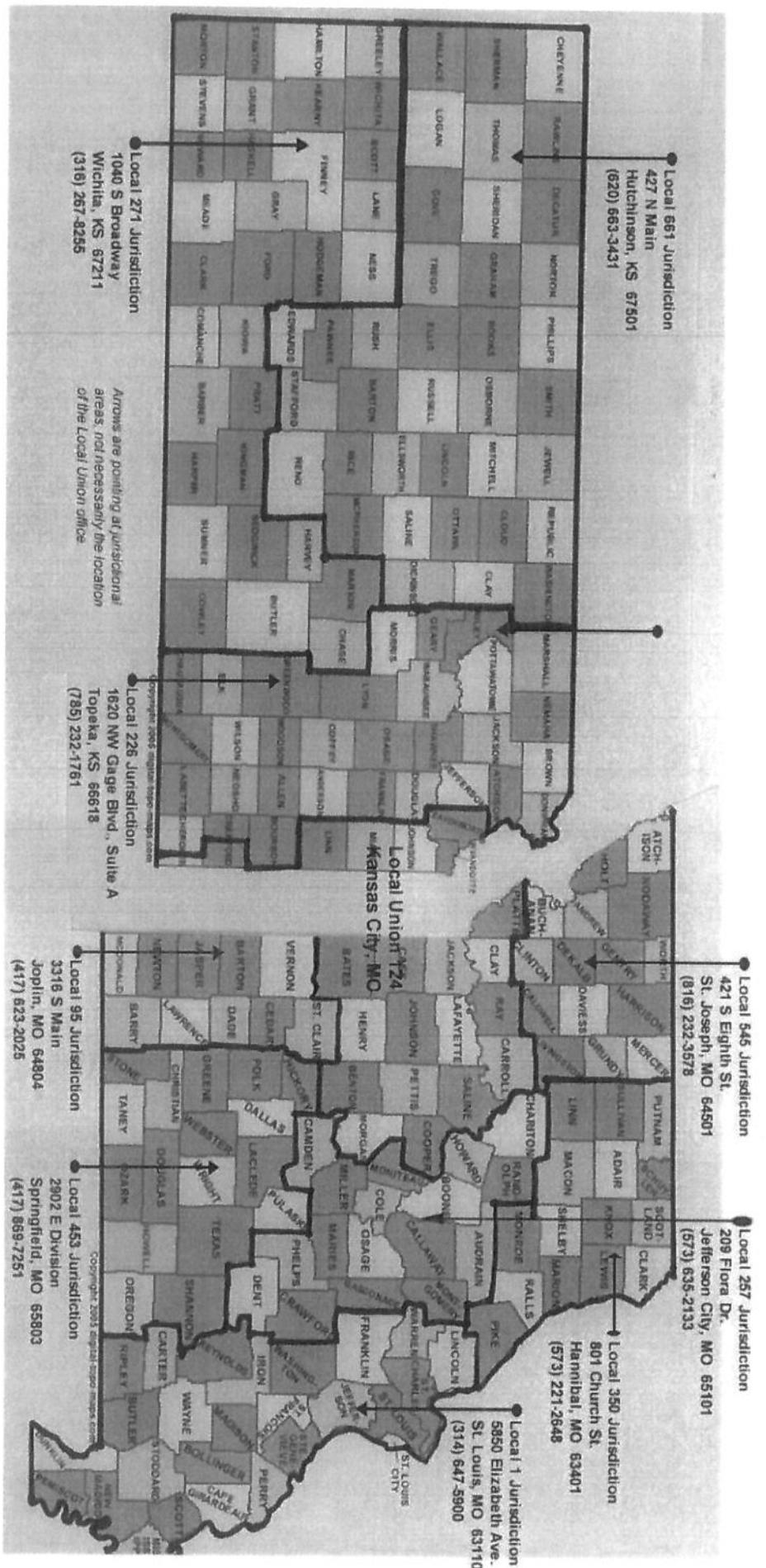


EXHIBIT 1

**Revision to Lineman Occupational Title Regulation
8 CSR 30-3.060(G)(2), New Section (E)**

Rules of Department of Labor and Industrial Relations
Division 30—Division of Labor Standards
Chapter 3—Prevailing Wage Law Rules
8 CSR 30-3.060 Occupational Titles of Work Descriptions

(G) Electrician—Encompasses two (2) subclassifications as follows, Inside Wireman and Outside-Line Construction/Lineman:

1. Inside wireman—Applies to workers who are involved in the construction, installation, handling, wiring, operation and assembly of all equipment, material and devices involved in the use, generation and production of electricity including renewable sources such as wind towers, solar energy, biomass, and fuel cells. Applies to workers who are responsible for installation, assembly, construction, inspection, operation and repair of all electrical work within the property lines of any given property (manufacturing plants, commercial buildings, schools, hospitals, power plants, parking lots). This scope of work shall begin at the secondary site of the transformer when the transformer is furnished by the local utility and the service conductors are installed underground. When service conductors are installed overhead in open air from wooden poles, this scope of work shall start immediately after the first point of attachment to the buildings or structures. The work falling within this occupational title of work description includes:

A. Planning and layout of electrical systems that provide power and lighting in all structures. This includes cathodic protection systems utilized to protect structural steel in buildings and parking structures;

B. All handling, moving, loading and unloading of any electrical materials, materials used in association with an electrical system, electrical equipment, and electrical apparatus on the job site, whether by hand or where power equipment and rigging are required;

C. Welding, burning, brazing, bending, drilling and shaping of all copper, silver, aluminum, angle iron and brackets to be used in connection with the installation and erection of electrical wiring and equipment;

D. Measuring, cutting, bending, threading, forming, assembling and installing of all electrical raceways (conduit, wireways, cable trays), using tools, such as hacksaw, pipe threader, power saw and conduit bender;

E. Installing wire in raceways (conduit, wireways, troughs, cable trays). This wire may be service conductors, feeder wiring, subfeeder wiring, branch circuit wiring;

F. Chasing and channeling necessary to complete any electrical work, including the fabrication and installation of duct banks and manholes incidental to electrical, electronic, data, fiber optic and telecommunication installation;

G. Splicing wires by stripping insulation from terminal leads with knife or pliers, twisting or soldering wires together and applying tape or terminal caps;

H. Installing and modifying of lighting fixtures. This includes athletic field lighting when installed on stadium structures or supports other than wooden poles, or both;

I. Installing and modifying of all electrical/fiber optic equipment (AC-DC motors, variable frequency drives, transformers, reactors, capacitors, motor generators, emergency generators, UPS equipment, data processing systems, and annunciator systems where sound is not a part thereof);

J. Installing of raceway systems utilizing conduit, conduit bodies, junction boxes, device boxes for switches and receptacles. This also may include wiring systems utilizing other methods and

materials approved by the *National Electrical Code* (MC cable, AC cable, BX or flexible metal tubing or electrical nonmetallic tubing);

K. Installing of main service equipment, distribution panels, subpanels, branch circuit panels, motor starters, disconnect switches and all other related items;

L. Installing and wiring of instrumentation and control devices as they pertain to heating, ventilating, air conditioning (HVAC) temperature control and energy management systems, building automation systems, and electrically or fiber optic operated fire/smoke detection systems where other building functions or systems are controlled;

M. Installing conduit or other raceway greater than ten feet (10') when used for the following: fire alarm systems, security systems, sound systems, closed circuit television systems or cable television systems, or any system requiring mechanical protection or metallic shielding (telephone systems);

N. Testing continuity of circuit to insure electrical compatibility and safety of components. This includes installation, inspecting and testing of all grounding systems including those systems designed for lighting protection; and

O. Removing electrical systems, fixtures, conduit, wiring, equipment, equipment supports or materials involved in the transmission and distribution of electricity within the parameters of the building property line if reuse of any of the existing electrical system is required. This may include the demolition and removal and disposal of the electrical system;

P. The construction, installation and wiring of all wind tower, solar power, biomass, and fuel cells. The construction, installation, wiring, operation, handling and assembly of any source which generates, produces or uses electricity, including renewable sources.