

STATE OF NEW YORK: DEPARTMENT OF LABOR

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In the Matter of

Charles A. Gaetano Construction Corp.

Prime Contractor,

for a determination pursuant to Article 8 of the Labor Law as to whether prevailing wages and supplements were required to be paid to employees on a project known as the Assured Information Security New Building project in Oneida County

DETERMINATION
&
ORDER

Prevailing Wage Rate
Case No. 2010500101
Case ID # PW07 2015006737
Oneida County

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In the Matter of

Charles A. Gaetano Construction Corp.

Prime Contractor,

and

Apple Roofing Corp.

Subcontractor,

for a determination pursuant to Article 8 of the Labor Law as to whether prevailing wages and supplements were required to be paid to employees on a project known as the Assured Information Security New Building project in Oneida County

Prevailing Wage Rate
Case No. 2010500101
Case ID #PW072014004920
Oneida County

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In the Matter of

Charles A. Gaetano Construction Corp.

Prime Contractor,

and

Riegler Electric, Inc.

Subcontractor,

for a determination pursuant to Article 8 of the Labor Law as to whether prevailing wages and supplements were required to be paid to employees on a project known as the Assured Information Security New Building project in Oneida County

Prevailing Wage Rate
Case No. 2010500101
Case ID # PW07 2014004923
Oneida County

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In the Matter of

Charles A. Gaetano Construction Corp.

Prime Contractor,

and

Savoy-Joseph, Inc.

Subcontractor,

for a determination pursuant to Article 8 of the Labor Law as to whether prevailing wages and supplements were required to be paid to employees on a project known as the Assured Information Security New Building project in Oneida County

Prevailing Wage Rate
Case No. 2010500101
Case ID # PW07 2014004921
Oneida County

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WHEREAS a hearing was held in the above-captioned matter; and

WHEREAS on November 12, 2015, the Hearing Officer rendered a determination concerning the Applications to Intervene as a Party of Corey Devoe and Michael Croniser; and

WHEREAS the Hearing Officer submitted the annexed Report & Recommendation dated November 1, 2016:

NOW, upon review of the entire record, and upon reading the Hearing Officer's Report & Recommendation, and due deliberation having been had thereon, it is

DETERMINED, that the Hearing Officer in this matter issued a determination on November 12, 2015, in which determination the Hearing Officer granted the Applications to Intervene as a Party of the National Electrical Contractors Association ("NECA") and the Associated General Contractors of New York State, LLC ("AGC"), and denied the Applications to Intervene as a Party of Corey Devoe and Michael Croniser; and it is

DETERMINED, that such determination was in error to the extent that the Applications to Intervene as a Party of Corey Devoe and Michael Croniser should have been granted by the Hearing Officer in that both workers have individual and organizational interests in the outcome of this proceeding; and it is further

DETERMINED, that, given the stipulations entered into by the parties, the evidence provided at the hearing, and the commonality of interests between NECA and the individual workers as shown by their representation by the same counsel, such failure to grant the Applications to Intervene as a Party of Corey Devoe and Michael Croniser did not result in error that would warrant the reopening of this proceeding; and it is further

ORDERED, that the Applications to Intervene as a Party of Corey Devoe and Michael Croniser shall be deemed to have been granted as of November 12, 2015; and it is

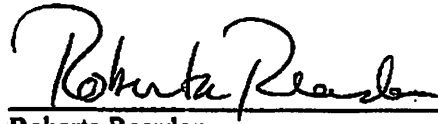
ORDERED that, other than as set forth above, the Hearing Officer's findings of fact and conclusions of law be, and hereby are, adopted; and it is further

ORDERED that the Hearing Officer's recommended determinations and orders be, and hereby are, adopted, and they shall constitute the final Determination & Order of the Commissioner of Labor as if fully set forth herein.

Dated:

11-4-16

Albany, New York

A handwritten signature in cursive script, reading "Roberta Reardon", written in black ink. The signature is positioned above a horizontal line.

Roberta Reardon,
Commissioner of Labor
State of New York