

IN THE MATTER OF

D & D MASON CONTRACTORS, INC.,
and
THOMAS DEMARTINO
as an officer and one of the five largest shareholders of
D & D MASON CONTRACTORS, INC.,
and
DEMARTINO PROPERTY MANAGEMENT, INC.,
as a substantially owned-affiliated entity.

Prime Contractor – Respondent

A proceeding pursuant to article 8 of the Labor Law to determine whether a contractor paid the rates of wages or provided the supplements prevailing in the locality to workers employed on a public work project.

**DETERMINATION
&
ORDER**

Prevailing Rate Case
99-9260 Suffolk County

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

WHEREAS the Hearing Officer submitted the annexed Report & Recommendation dated February 9, 2009:

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

ORDERED that 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: June 25, 2009
Albany, New York

A handwritten signature in black ink that reads "M Patricia Smith". The signature is written in a cursive style with a large, stylized initial "M".

M. Patricia Smith
Commissioner of Labor
State of New York