

STATE OF NEW YORK DEPARTMENT OF LABOR

IN THE MATTER OF

JAMESWAY GLASS CORP., d/b/a
MONSEY GLASS & WINDOW CO., INC.
Prime Contractor

and

SIERRA ERECTORS, INC.
and
THOMAS ASCHMONEIT
as an officer and shareholder of
SIERRA ERECTORS, INC.
Subcontractor

**DEFAULT
DETERMINATION
&
ORDER**

Prevailing Rate Case
01-04660 Orange County

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.

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

WHEREAS the Hearing Officer submitted the annexed Default Report & Recommendation dated April 14, 2009:

NOW, THEREFORE, upon review of the Hearing Officer's Default Report & Recommendation, the Notice of Hearing and evidence submitted in support thereof, and upon the Respondents' (Sierra Erectors, Inc., and Thomas Aschmoneit, as an officer and shareholder of Sierra Erectors, Inc., ("Sub") a subcontractor of Jamesway Glass Corp., d/b/a Monsey Glass and Window Co., Inc. ("Prime")) failure to appear to controvert any of the allegations set forth in the Notice of Hearing, or to serve an Answer raising any denials or defenses thereto, or to tender any evidence contesting any of the foregoing, and upon the entire record of this proceeding, it is

ORDERED that the Hearing Officer's findings and conclusions 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: April 16, 2009
Albany, New York



M. Patricia Smith
Commissioner of Labor
State of New York