

COMMERCIAL METALS CO

Form 8-K

September 08, 2011

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**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 20549  
FORM 8-K  
CURRENT REPORT PURSUANT  
TO SECTION 13 OR 15(D) OF THE  
SECURITIES EXCHANGE ACT OF 1934  
Date of report (Date of earliest event reported) September 1, 2011  
Commercial Metals Company**

(Exact Name of Registrant as Specified in Its Charter)  
**Delaware**

(State or Other Jurisdiction of Incorporation)

**1-4304**

(Commission File Number)

**75-0725338**

(IRS Employer Identification No.)

**6565 N. MacArthur Blvd.  
Irving, Texas**

(Address of Principal Executive Offices)

**75039**

(Zip Code)

**(214) 689-4300**

(Registrant's Telephone Number, Including Area Code)

**Not Applicable**

(Former Name or Former Address, if Changed Since Last Report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
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**Item 5.02 Departure of Directors or Certain Officers; Election of Directors; Appointment of Certain Officers; Compensatory Arrangement of Certain Officers.**

On September 1, 2011, Commercial Metals Company (the Company ) entered into a Third Amendment to Employment Agreement (the Third Amendment ) with Joseph Alvarado in connection with Mr. Alvarado s appointment as President and Chief Executive Officer of the Company effective September 1, 2011. The Third Amendment amends the Employment Agreement between the Company and Mr. Alvarado, which was filed as Exhibit 10.4 to the Company s Form 10-Q filed on July 9, 2010 and provides for the following: (i) extending the initial duration of the Employment Agreement to August 31, 2013 and (ii) increasing Mr. Alvarado s minimum annual base salary to \$750,000.

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**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

**COMMERCIAL METALS COMPANY**

Date: September 8, 2011

By: /s/ Ann J. Bruder

Name: Ann J. Bruder

Title: Senior Vice President of Law,  
Government Affairs and Global  
Compliance, General Counsel and  
Corporate Secretary