

STATE OF ILLINOIS – DEPARTMENT OF LABOR
160 N. LASALLE ST., STE. C-1300
CHICAGO, ILLINOIS 60601

IN THE MATTER OF:)	
)	
ADMINISTRATIVE DISTRICT COUNCIL 1 of)	
ILLINOIS of the INTERNATIONAL UNION OF)	
BRICKLAYERS and ALLIED CRAFTWORKERS)	
and its LOCAL 21,)	
)	
PETITIONER(S),)	STATE FILE NO. 2018-H-AS09-1973
)	
v.)	DATE OF NOTICE: <u>9/21/17</u>
)	
JOSEPH BEYER, ACTING DIRECTOR OF THE)	CERT. MAIL/RETURN RECEIPT:
ILLINOIS DEPARTMENT OF LABOR, and)	
THE ILLINOIS DEPARTMENT OF LABOR,)	<u>2017 145D 0000 6514 6054</u>
)	
RESPONDENTS.)	
)	

NOTICE OF HEARING

PLEASE TAKE NOTICE that Joseph Beyer, Acting Director of the Illinois Department of Labor, and the Illinois Department of Labor [hereinafter, "Respondents"] have received from Administrative District Council 1 of Illinois of the International Union of Bricklayers and Allied Craftworkers and its Local 21, [hereinafter, "Petitioner(s)"] written objections to the prevailing wage determinations posted by the Department on its website on August 15, 2017, rates effective September 1, 2017, rates effective September 1, 2017 and a request for hearing on those objections pursuant to Section 9 of the Prevailing Wage Act [hereinafter, "IPWA" or "Act"], 820 ILCS 130/0.01 et seq.

Pursuant to the PWA, Article 10 of the Illinois Administrative Procedure Act, 5 ILCS 100/10-5 et seq., and 56 Ill. Admin. Code 120.100 et seq., Respondents will convene a hearing on:

DATE: OCTOBER 25, 2017
TIME: 11:00 A.M.
PLACE: ILLINOIS DEPARTMENT OF LABOR
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601

ADMINISTRATIVE LAW JUDGE:

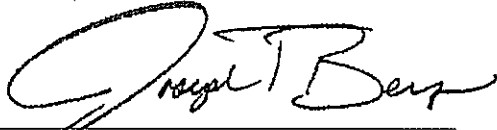
CLAUDIA D. MANLEY
CHIEF ADMINISTRATIVE LAW JUDGE
ILLINOIS DEPARTMENT OF LABOR
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601

The hearing involves the written objections and hearing request filed by Petitioner(s), attached hereto and made a part hereof (Exhibit A).

The parties and their respective representatives must be prepared to proceed at the hearing. The parties must present all information, documents, records or witnesses necessary to substantiate their position(s) at the hearing.

Pursuant to 56 Illinois Administrative Code 120.640, the administrative law judge shall issue a Decision and Order. In the event no timely or proper exceptions are filed, the findings, conclusions, recommendations and order of the administrative law judge shall automatically become the decision and order of the Director of Labor.

The proceedings are subject to judicial review in accordance with the provisions of the Administrative Review Law, 735 ILCS 5/3-101 et seq. The Director of Labor's determination on the objections is final and binding unless a party to this proceeding applies for and obtains judicial review of the final administrative decision in accordance with the provisions of the Administrative Review Law.

A handwritten signature in black ink, appearing to read "Joseph T. Beyer". The signature is written in a cursive style with a large initial "J" and "B".

Joseph Beyer
Acting Director of Labor

2018-H-AS09-1973

STATE OF ILLINOIS - DEPARTMENT OF LABOR
CONCILIATION/MEDIATION DIVISION
160 N. LASALLE ST. STE. C-1300
CHICAGO, IL 60601

IN THE MATTER OF:

Administrative District Council 1 of Illinois of)
of the International Union of Bricklayers and Allied)
Craftworkers and its Local 21)
)
)
Petitioners,)
)
and,)
)
JOE BEYER, Acting Director of the Illinois Department)
of Labor and the Illinois Department of Labor)
)
)
Respondents)
)

RECEIVED
SEP 14 2017
Illinois Department of Labor
CHICAGO OFFICE

WRITTEN OBJECTIONS AND REQUEST FOR SECTION 9 HEARING

Now comes Ronald M. Willis, as the attorney for Administrative District Council 1 of Illinois of the International Union of Bricklayers and Allied Craftworkers Union and its Local 21 (herein collectively referred to as "Petitioners") and submits these written objections to the prevailing wage schedule and certain of the rates published on the Illinois Department of Labor's official website to be effective September 1, 2017 as prevailing wage rates. The classifications to which these objections are addressed are the classifications of Ceramic Tile Finisher and Tile Mason a/k/a Tile Layer ("herein referred to as "Affected Classifications") in the nine (9) Counties of Cook, DuPage, DeKalb, Grundy, Kane, Kendall, McHenry, Lake and Will County ("Affected Counties"). The objections are based on the position that the published rates as identified below

EXHIBIT A

for the Affected Classifications in the Affected Counties require technical correction and/or do not reflect the current prevailing wage rates for purpose of the Illinois Prevailing Wage Act.

Petitioners' members perform the work in the classifications mentioned herein on public works and are, therefore, affected by the prevailing wage rates established by the Department for the Affected Classifications. The Department has historically used the work performed by and wages paid to Petitioners' members in the Affected Classifications when working on public works jobs in establishing the prevailing wage rates on public works in the State of Illinois in the Affected Classification in the Affected Counties.

The Petitioners states the following prevailing wage rates most recently published by the Department to be effective September 1, 2017, for the Affected Classifications in the Affected Counties do not reflect the prevailing wage rate:

1. The Base Wage, H/W Rate, and Pension Rate for the Classification Ceramic Tile

Finisher are incorrect, and the correct Prevailing Wage Rates for the Base Wage, H & W Rate, and Pension Rate for the Affected Classification for the Affected Counties are:

	Base Wage	H/W	Pension
Ceramic Tile Finisher	\$38.56	\$10.65	\$11.18

2. The Base Wage, Foreman Wage, Pension Rate, and Training Rate for the Classification Tile Mason a/k/a Tile Layer are incorrect, and the correct Prevailing Wage Rates for the Base Wage, Foreman Wage, Pension Rate and Training Rate for the Affected

Classification in the Affected Counties are:

	Base Wage	Foreman Rate	Pension	Training
Tile Mason	\$45.49	\$49.49	\$13.88	\$.86

Based upon these written objections, Petitioners request that an investigatory hearing be ordered and held in accordance with Sections 4 and Section 9 of the Illinois Prevailing Wage Act, 820 ILCS §130/4, 9 to correct the typographical errors and/or other errors in the setting the Prevailing Wage and/or to establish correct Prevailing Wage Rates for the Affected Classifications in the Affected Counties.

Respectfully submitted



Ronald M. Willis

Dated September 14, 2017

Barry M. Bennett
Ronald M. Willis
DOWD, BLOCH, BENNETT, CERVONE, AUERBACH & YOKICH
8 S. Michigan Avenue, 19th Floor
Chicago, IL 60613
312-372-1361
312-372-6599 (Fax)
RWillis@laboradvocates.com

CERTIFICATE OF SERVICE

I, Ronald M. Willis, an attorney, hereby certify that I caused a copy of WRITTEN OBJECTIONS AND REQUEST FOR SECTION 9 HEARING filed by Administrative District Council 1 of Illinois of the International Bricklayers and Allied Craftworkers and its Local 21 to be served on September 14, 2017 to the below listed at their respective addresses via Personal Delivery:

Joe Beyer, Acting Director
Illinois Department of Labor
160 N. La Salle Street, Ste. C-1300
Chicago, IL 60601

Beno Weisberg, General Counsel
Illinois Department of Labor
160 N. LaSalle Street, Ste. C-1300
Chicago, IL 60601

and by UPS mail to:

Joe Beyer, Acting Director
Illinois Department of Labor
900 South Spring Street
Springfield, IL 62704



Ronald M. Willis

Barry M. Bennett
Ronald M. Willis
DOWD, BLOCH, BENNETT, CERVONE, AUERBACH & YOKICH
8 S. Michigan Avenue, 19th Floor
Chicago, IL 60613
312-372-1361
312-372-6599 (Fax)
RWillis@laboradvocates.com

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I Ann Harrison, a non-attorney, affirm, certify or on oath state, that I served notice of the attached Notice of Hearing upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Notice of Hearing in Case No. 2018-H-AS09-1973 and a copy of the Certificate of Service in an envelope addressed to each party or party's agent at the respective address shown on the Certificate of Service, having caused each envelope to be served by U.S. mail certified mail return receipt requested and at 100 W. Randolph Street, Chicago, Illinois on the 21 day of September, 2017 prior to 4:30 p.m. and placed on the Illinois Department of Labor's official website at and placed on the Illinois Department of Labor's official website at www.state.il.us/agency/idol/

Adm. Dist Council 1/Bricklayers 21
c/o Ron Willis/Barry Bennett
Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich
8 S. Michigan Ave. 19th Fl.
Chicago, IL 60613
RWillis@laboradvocates.com

Via messenger:

Joseph Beyer
Director
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601

Benno Weisberg
Illinois Department of Labor
General Counsel
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601

Ann Harrison

Subscribed and Sworn to this 21 day of September, 2017

[Signature]
Notary Public

