

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

IN THE MATTER OF: )  
)  
WILLIAM HABEL, as a member of the )  
INTERNATIONAL BROTHERHOOD OF )  
ELECTRICAL WORKERS, LOCAL 701, )  
)  
PETITIONER(S), ) STATE FILE NO. 2018-H-PK08-1961  
)  
v. )  
)  
JOSEPH BEYER, ACTING DIRECTOR OF THE )  
ILLINOIS DEPARTMENT OF LABOR, and )  
THE ILLINOIS DEPARTMENT OF LABOR, )  
)  
RESPONDENTS. )  
ORDER

**THIS MATTER COMING** on to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01-12 and Notice of Hearing issued there under; and, pursuant to Respondent's Motion to Reconsider, 56 Illinois Administrative Code 120.130 all parties having been duly advised in the premises issues this order;

1. By agreement of the parties, the Order entered dismissing this matter on October 3, 2017 is stricken and the order vacated.
2. By agreement of the parties, the rate posted by the Illinois Department of Labor on its website **September 25, 2017** regarding the classification of **General Communication Technician in DuPage County** will remain in effect and will not be changed during the pendency of these proceedings.
3. This matter will proceed forward with all deliberate speed.
4. Respondent shall file an **answer** on or before **November 17, 2017**.
5. General discovery (e.g., deposition, interrogatories or request to produce or admit) is not permitted. 56 Ill. Adm. Code 120.410 (a).
6. Any discovery dispute is to be addressed with the opposing party prior to filing a motion. Evidence demonstrating said outreach will be required before a motion will be entertained regarding same.
7. All Petitions to Intervene shall comply with 56 Ill. Adm. Code 120.320.
8. Failure to file the Petition to Intervene in accordance with 56 Ill. Adm. Code 120.320 will result in the Petition not being in compliance with this order and subsequent denial.

9. Any **Petition to Intervene** filed after **November 21, 2017** will be deemed **untimely** and will unduly delay or prejudice the adjudication of rights of the original parties 56 Ill. Adm. Code 120.320 (2).
10. Each party shall provide the opposing party with a copy of any **document** that it may offer into evidence. The parties shall exchange documents on or before **December 1, 2017**. Each party shall provide newly discovered documents, except for witness statements, as they become known to the party intending to introduce the document. Any newly discovered documents must be produced on or before **December 30, 2017**. A party will require leave of the administrative law judge to provide any documents after this date, except for documents obtained pursuant to a third-party subpoena.
11. The parties shall file **motions for third party subpoenas**, along with a draft copy of a subpoena (the subpoena shall show on its face the name and address of the party) at whose request the subpoena was issued with the undersigned on or before **December 15, 2017**. The parties maintain a duty to supplement document exchange wherein documents have been obtained in this fashion. In any case, those documents shall not be produced to the opposing parties after **January 29, 2018** without leave of the administrative law judge or as agreed to among the parties.
12. Subpoenas for the attendance and testimony of witnesses shall be filed on or before **January 4, 2018**. The subpoena shall show on its face the name and address of the party at whose request the subpoena was issued.
13. Each party shall provide to the opposing party and the undersigned a witness list containing the name, address and affiliation with the matter of any witness who may be called to testify on or before **January 16, 2018**. Witnesses not on these lists will require leave of the administrative law judge to be allowed to testify.
14. This matter is set for a telephonic status conference on **January 23, 2018 at 11:30 a.m.** at which time all outstanding issues will be discussed as well as any pending motions. The undersigned will initiate the conference at previously provided phone numbers.
15. Written stipulations shall be provided to the undersigned on or before **February 4, 2018**.
16. This matter is scheduled for in person hearing on **February 6, 2018 at 9:00 a.m.** at the Illinois Department of Labor, 160 N. LaSalle St., Ste. C-1300, Chicago, IL 60601. The parties shall be prepared to proceed.

DATE: 11/7/17

/s/ Claudia D. Manley

Claudia D. Manley

Chief Administrative Law Judge

Claudia D. Manley  
Chief Administrative Law Judge  
Illinois Department of Labor  
160 N. LaSalle St., Ste. C-1300  
Chicago, IL 60601  
V: 312-793-1805  
[DOL.hearings@illinois.gov](mailto:DOL.hearings@illinois.gov)

NOTE: Entrance into the building requires security screening and production of valid government issued photo identification.

STATE OF ILLINOIS        )  
  )  
  )  
COUNTY OF COOK         )

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 Order upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Order in Case No. 2018-H-PK-08-1961 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 Order or on the Certificate of Service, having caused each envelope to be served by U.S. mail with postage prepaid at 100 W. Randolph Street, Chicago, Illinois on the 8 day of November, 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/

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Via Hand Delivery:

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*/s/ Ann Harrison* *ah*  
Executive Secretary II  
Illinois Department of Labor