

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

IN THE MATTER OF: )  
)  
INTERNATIONAL UNION OF OPERATING )  
ENGINEERS, LOCAL 520, )  
)  
PETITIONER(S), )  
)  
v. ) STATE FILE NO. 2023-H-RP01-2338  
)  
)  
JANE R. FLANAGAN, 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, the parties Joint Motion for Entry of a Consent Decree; and pursuant to 56 Illinois Administrative Code 120.540, 120.301 and 120.400 all parties having been duly advised on the premises issues this order;

**IT IS HEREBY ORDERED:**

1. The Joint Motion for Entry of a Consent Decree is granted. The Consent Decree is entered, attached hereto and made a party hereof. The parties waive any further procedural steps before the undersigned.
2. The telephonic status conference scheduled for September 22, 2022 at 1:00 p.m. is stricken.
3. This matter is closed.

DATE: September 22, 2022 By: /s/ Claudia D. Manley  
Claudia D. Manley  
Chief Administrative Law Judge  
IDOL  
160 N. LaSalle St. Ste. C-1300  
Chicago IL 60601  
V: 312-793-1805  
P: 312-793-5257  
[Dol.hearings@illinois.gov](mailto:Dol.hearings@illinois.gov)

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 Karen Lewis, a non-attorney, affirm, certify or on oath state, that I served notice of the attached Consent Decree and Order upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Consent Decree and Order in Case No. 2023-H-RP01-2338 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. certified mail with postage prepaid at 100 W. Randolph Street, Chicago, Illinois on the 26<sup>th</sup> day of September, 2022 prior to 4:30 p.m.

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/s/Karen Lewis  
Office Specialist, Illinois Department of Labor

**STATE OF ILLINOIS – DEPARTMENT OF LABOR  
160 N. LASALLE STREET, SUITE C-1300  
CHICAGO, ILLINOIS 60601**

**IN THE MATTER OF:**

INTERNATIONAL UNION OF  
OPERATING ENGINEERS, LOCAL 520,

Petitioner(s),

v.

JANE FLANAGAN, ACTING DIRECTOR  
OF THE ILLINOIS DEPARTMENT OF  
LABOR and THE ILLINOIS  
DEPARTMENT OF LABOR,

Respondents.

IDOL FILE NO.: 2023-H-RP01-2338

**CONSENT DECREE**

The Petitioner, International Union of Operating Engineers, Local 520 (hereinafter “Union” or “Petitioner”) and the Respondent Jane Flanagan, Acting Director of the Illinois Department of Labor and the Illinois Department of Labor (hereinafter “IDOL” or “Respondent”), jointly agree to resolve Petitioner’s Section 9 Petition under the Illinois Prevailing Wage Act (820 ILCS § 130/4, 9) as follows:

WHEREAS, on or around August 1, 2022, Petitioner filed a request for hearing pursuant to Section 9 of the Illinois Prevailing Wage Act seeking to change the “explanation of classes” for the classifications of “operating engineers-building” and “operating engineers-highway” in the prevailing wage determination for the Counties of Bond, Calhoun, Clinton, Fayette, Greene, Jefferson, Jersey, Macoupin, Madison, Marion, Monroe, Montgomery, Perry, Randolph, St. Clair and Washington.

WHEREAS, as of the date of this Decree, Petitioner and Respondent have resolved all of the language discrepancies included in Petitioner's Section 9 filing;

WHEREAS, the Petitioner's filing requested that the "explanation of classes" for the classification of "operating engineers-building" be modified as reflected on Exhibit A hereto for the aforesaid counties, and that the "explanation of classes" for the classification of "operating engineers-highway" be modified as reflected on Exhibit B hereto for the aforesaid counties;

WHEREAS, the Respondent has reviewed the applicable documents submitted by Petitioner and has no objection to adopting Petitioner's proposed changes and further agrees to do so upon consent by the Administrative Law Judge.

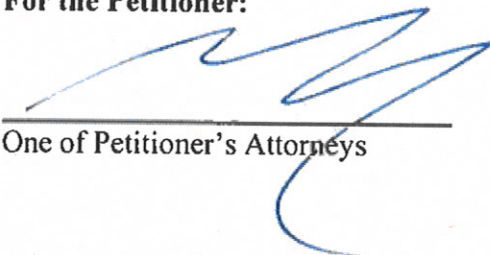
**NOW, it is ORDERED, ADJUDGED, and DECREED that:**

- 1) The Respondent is hereby ordered to modify the "explanation of classes" for the classifications of "operating engineers-building" and "operating engineers-highway" for the Counties of Bond, Calhoun, Clinton, Fayette, Greene, Jefferson, Jersey, Macoupin, Madison, Marion, Monroe, Montgomery, Perry, Randolph, St. Clair and Washington in the manner set forth on Exhibits A and B hereto.


DATED this 22nd day of September, 2022

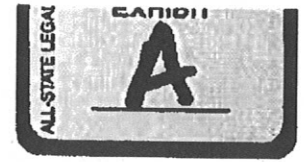
The undersigned apply for and consent to the entry of this Consent Order and Judgment this 22nd day of September, 2022:

**For the Petitioner:**

  
\_\_\_\_\_  
One of Petitioner's Attorneys

**For the Respondent:**

  
\_\_\_\_\_  
One of Respondent's Attorneys



## **GROUP I**

### **What it says now:**

Cranes, Dragline, Shovels, Skimmer Scoops, Clamshells or Derrick Boats, Pile Drivers, Crane-Type Backhoes, Asphalt Plant Operators, Concrete Plant Operators, Dredges, Asphalt Spreading Machines, All Locomotives, Cable Ways or Tower Machines, Hoists, Hydraulic Backhoes, Ditching Machines or Backfiller, Cherrypickers, Overhead Cranes, Roller - Steam or Gas, Concrete Pavers, Excavators, Concrete Breakers, Concrete Pumps, Bulk Cement Plants, Cement Pumps, Derrick-Type Drills, Boat Operators, Motor Graders or Pushcats, Scoops or Tournapulls, Bulldozers, Endloaders or Fork Lifts, Power Blade or Elevating Graders, Winch Cats, Boom or Winch Trucks or Boom Tractors, Pipe Wrapping or Painting Machines, Asphalt Plant Engineer, Journeyman Lubricating Engineer, Drills (other than Derrick Type), Mud Jacks, or Well Drilling Machines, Boring Machines or Track Jacks, Mixers, Conveyors (Two), Air Compressors (Two), Water Pumps regardless of size (Two), Welding Machines (Two), Siphons or Jets (Two), Winch Heads or Apparatuses (Two), Light Plants (Two), All Tractors regardless of size (straight tractor only), Fireman on Stationary Boilers, Automatic Elevators, Form Grading Machines, Finishing Machines, Power Sub-Grader or Ribbon Machines, Longitudinal Floats, Distributor Operators on Trucks, Winch Heads or Apparatuses (One), Mobil Track air and heaters (two to five), Heavy Equipment Greaser, Relief Operator, Assistant Master Mechanic and Heavy Duty Mechanic, self-propelled concrete saws of all types and sizes with their attachments, gob-hoppers, excavators all sizes, the repair and greasing of all diesel hammers, the operation and set-up of bidwells, water blasters of all sizes and their clutches, hydraulic jacks where used for hoisting, operation of log skidders, iceolators used on and off of pipeline, condor cranes, bow boats, survey boats, bobcats and all their attachments, skid steer loaders and all their attachments, creter cranes, batch plants, operator (all sizes), self propelled roto mills, operation of conveyor systems of any size and any configuration, operation, repair and service of all vibratory hammers, all power pacs and their controls regardless of location, curtains or brush burning machines, stump cutter machines, Nail launchers when mounted on a machine or self-propelled, operation of con-cover machines, and all Operators except those listed below).

### **What it needs to be changed to:**

Cranes, Draglines, Shovels, Skimmer Scoops, Clamshells or Derrick Boats, Pile Drivers, Crane-Type Backhoes, Asphalt Plant Operators, Concrete Plant Operators, Dredges, Asphalt Spreading Machines, Screws on Asphalt Spreading Machines, All Locomotives, Cable Ways or Tower Machines, Hoists, Hydraulic Backhoes, Ditching Machines, or Backfiller, Cherrypickers, overhead Cranes, Roller, Steam or Gas, Concrete Pavers, Excavator Concrete Breakers, Concrete Pumps, Bulk Cement Plants, Cement Pumps, Derrick-Type Drills, Boat Operators, Motor Graders or Pushcats, Scoops or Tournapulls, Bulldozers, Endloaders or Fork Lifts, Power Blade or Elevating Graders, Winch Cats, Boom or Winch Trucks or Boom Tractors, Pipe Wrapping or Painting Machines, Asphalt

Plant Engineer, Journeyman Lubricating Engineer, Drills (other than derrick type), Mud Jacks, or Well Drilling Machines, Boring Machines or Track Jacks, Mixers, Conveyors (two), Air Compressors (two) Water Pumps, regardless of size (two), Welding Machines (two), Siphons or Jets (two), Winch Head or Apparatuses (two), Light Plants (two), Waterblasters (two), all Tractors, regardless of size (straight tractor only), Fireman on Stationary Boilers, Automatic Elevators, Form Grading Machines, Finishing Machines, Power Sub-Grader or Ribbon Machines, Longitudinal Floats, Distributor Operators on Trucks, Winch Heads or Apparatuses (one), Mobil Track air and heaters (two to five), Heavy Equipment Greaser, Relief Operator, Assistant Master Mechanic and Heavy Duty Mechanic, Autonomous and semi-autonomous equipment, concrete saws of all types and sizes with their attachments, gob-hoppers, excavators all sizes, the repair, greasing, and fueling of all diesel hammers, the operation, set-up and cleaning of bidwells, concrete placement booms, the alterations, repair of all barges, water blasters of all sizes and their clutches, mobile lifts, hydraulic jacks where used for hoisting, diesel or gas powered flashing signs used for traffic control, micro pavers, log skidders, iceolators used on and off of pipeline, condor cranes, drill rigs of all sizes, bow boats, survey boats, ross carriers, bob-cats and all their attachments, skid steer loaders and all their attachments, creter crane, direct drive electric motors the bolting and unbolting the adjusting and shimming, (dewatering jobs, whirley crane, conveyor belts) etc., batch plants (all sizes), roto mills, conveyors systems of any size and any configuration, hydroseeders and straw-blowers all sizes, operation, repair, service of all vibratory hammers, all power pacs and their controls regardless of location, curtains or brush burning machines, stump cutter machines, grout machines regardless of size, Nail Launchers when mounted on a machine or self-propelled, con-cover machines, Goldhofer and similar S.P.M.T. (self-propelled modular transporters) heavy transport units and all Operators (except those listed below).

## **GROUP II STAYS THE SAME**

Assistant Operators

## **GROUP III STAYS THE SAME**

Air Compressors (one), Water Pumps, regardless of size (one), Water-blasters (one), Welding Machine (one), Mixers (one bag), Conveyor (one), Siphon or Jet (one), Light Plant (one), Heater (one), Immobile Track Air (one), and Self-Propelled Walk Behind Rollers.

## **GROUP IV**

**What is says now:**

Asphalt Spreader Oilers, Fireman on Whirlies and Heavy Equipment Oilers, Truck Cranes, Dredges, Monigans, Large Cranes - (Over 65-ton rated capacity) Concrete Plant Oiler, Blacktop Plant Oiler, and Creter Crane Oiler (when required).

**What it needs to be changed to:**

CCO-17 ton and below

**GROUP V**

**What is says now:**

Oiler

**What it needs to be changed to:**

CCO-17.5 to 35 Ton and Boom to 50'

**GROUP VI**

**What is says now:**

Operators on equipment with Booms, including jibs, 100 feet and over, and less than 150 feet long.

**What it needs to be changed to:**

CCO-35.5 to 75 Ton and Boom to 100'

**GROUP VII**

**What is says now:**

Operators on equipment with Booms, including jibs, 150 feet and over, and less than 200 feet long.

**What it needs to be changed to:**

CCO-75.5 to 125 Ton and Boom to 125'

**GROUP VIII**

**What is says now:**

Operators on Equipment with Booms, including jibs, 200 feet and over; Tower Cranes; and Whirlie Cranes.

**What it needs to be changed to:**

CCO-125.5 to 200 Ton and Boom to 100'

**GROUP IX**

**What is says now:**

Master Mechanic

**What it needs to be changed to:**

CCO-200.5 to 300 Ton and Boom to 100'

**GROUP X ADDING**

CCO-300.5 to 450 Ton and Boom to 150'

**GROUP XI ADDING**

Master Mechanic

**GROUP XII ADDING**

Operator Foreman, Licensed Boat Pilot

**GROUP XIII ADDING**

Track type hydraulic hoes & crawler gradealls prep time.

**GROUP XIV ADDING**

Fireman on Whirlies and Heavy Equipment Oilers, Truck Cranes, Dredges, Monigans, Large Cranes - (Over 65-ton rated capacity) Concrete Plant Oiler, Blacktop Plant oiler and Creter Crane Oiler (when required), barge tenders, oilers on drill rigs used for caisson or for pile driving and Oiler.





## **GROUP I**

### **What it says now.**

GROUP I. Cranes, Dragline, Shovels, Skimmer Scoops, Clamshells or Derrick Boats, Pile Drivers, Crane-Type Backhoes, Asphalt Plant Operators, Concrete Plant Operators, Dredges, Asphalt Spreading Machines, All Locomotives, Cable Ways or Tower Machines, Hoists, Hydraulic Backhoes, Ditching Machines or Backfiller, Cherrypickers, Overhead Cranes, Roller - Steam or Gas, Concrete Pavers, Excavators, Concrete Breakers, Concrete Pumps, Bulk Cement Plants, Cement Pumps, Derrick-Type Drills, Boat Operators, Motor Graders or Pushcats, Scoops or Tournapulls, Bulldozers, Endloaders or Fork Lifts, Power Blade or Elevating Graders, Winch Cats, Boom or Winch Trucks or Boom Tractors, Pipe Wrapping or Painting Machines, Asphalt Plant Engineer, Journeyman Lubricating Engineer, Drills (other than Derrick Type), Mud Jacks, Well Drilling Machines, Boring Machines, Track Jacks, Mixers, Conveyors (Two), Air Compressors (Two), Water Pumps regardless of size (Two), Welding Machines (Two), Siphons or Jets (Two), Winch Heads or Apparatuses (Two), Light Plants (Two), All Tractors regardless of size (straight tractor only), Fireman on Stationary Boilers, Automatic Elevators, Form Grading Machines, Finishing Machines, Power Sub-Grader or Ribbon Machines, Longitudinal Floats, Distributor Operators on Trucks, Winch Heads or Apparatuses (One), Mobil Track air and heaters (two to five), Heavy Equipment Greaser, Relief Operator, Assistant Master Mechanic and Heavy Duty Mechanic, self-propelled concrete saws of all types and sizes with their attachments, gob-hoppers, excavators all sizes, the repair and greasing of all diesel hammers, the operation and set-up of bidwells, water blasters of all sizes and their clutches, hydraulic jacks where used for hoisting, operation of log skidders, iceolators used on and off of pipeline, condor cranes, bow boats, survey boats, bobcats and all their attachments, skid steer loaders and all their attachments, creter cranes, batch plants, operator (all sizes), self-propelled roto mills, operation of conveyor systems of any size and any configuration, operation, repair and service of all vibratory hammers, all power pacs and their controls regardless of location, curtains or brush burning machines, stump cutter machines, Nail launchers when mounted on a machine or self-propelled, operation of con-cover machines, and all Operators (except those listed below).

### **What it needs to be changed to:**

Cranes, Draglines, Shovels, Skimmer Scoops, Clamshells or Derrick Boats, Pile Drivers, Crane-Type Backhoes, Asphalt Plant Operators, Concrete Plant Operators, Dredges, Asphalt Spreading Machines, Screws on Asphalt Spreading Machines, All Locomotives, Cable Ways or Tower Machines, Hoists, Hydraulic Backhoes, Ditching Machines, or Backfiller, Cherrypickers, overhead Cranes, Roller, Steam or Gas, Concrete Pavers, Excavator Concrete Breakers, Concrete Pumps, Bulk Cement Plants, Cement Pumps, DerrickType Drills, Boat Operators, Motor Graders or Pushcats, Scoops or Tournapulls, Bulldozers, Endloaders or Fork Lifts, Power Blade or Elevating Graders, Winch Cats, Boom or Winch Trucks or Boom Tractors, Pipe Wrapping or Painting Machines, Asphalt Plant Engineer, Journeyman Lubricating Engineer, Drills (other than derrick type), Mud Jacks, or Well Drilling Machines, Boring Machines or Track Jacks, Mixers, Conveyors (two), Air Compressors (two) Water Pumps, regardless of size (two), Welding Machines (two), Siphons or Jets (two), Winch Head or Apparatuses (two), Light Plants (two),

Waterblasters (two), all Tractors, regardless of size (straight tractor only), Fireman on Stationary Boilers, Automatic Elevators, Form Grading Machines, Finishing Machines, Power Sub-Grader or Ribbon Machines, Longitudinal Floats, Distributor Operators on Trucks, Winch Heads or Apparatuses (one), Mobil Track air and heaters (two to five), Heavy Equipment Greaser, Relief Operator, Assistant Master Mechanic and Heavy Duty Mechanic, concrete saws of all types and sizes with their attachments, gob-hoppers, excavators all sizes, the repair, greasing, and fueling of all diesel hammers, the operation, set-up and cleaning of bidwells, concrete placement booms, the alterations, repair of all barges, water blasters of all sizes and their clutches, mobile lifts, hydraulic jacks where used for hoisting, diesel or gas powered flashing signs used for traffic control, micro pavers, log skidders, iceolators used on and off of pipeline, condor cranes, drill rigs of all sizes, bow boats, survey boats, ross carriers, bob-cats and all their attachments, skid steer loaders and all their attachments, creter crane, direct drive electric motors the bolting and unbolting the adjusting and shimming, (dewatering jobs, whirley crane, conveyor belts) etc., batch plants (all sizes), roto mills, conveyors systems of any size and any configuration, hydroseeders and straw-blowers all sizes, operation, repair, service of all vibratory hammers, all power pacs and their controls regardless of location, curtains or brush burning machines, stump cutter machines, grout machines regardless of size, Nail launchers when mounted on a machine or self-propelled, con-cover machines, Goldhofer and similar S.P.M.T. (self-propelled modular transporters) heavy transport units and all Operators (except those listed below).

## **GROUP II STAYS THE SAME**

Assistant Operators

## **GROUP III STAYS THE SAME**

Air Compressors (one), Water Pumps, regardless of size (one), Water-blasters (one), Welding Machine (one), Mixers (one bag), Conveyor (one), Siphon or Jet (one), Light Plant (one), Heater (one), Immobile Track Air (one), and Self-Propelled Walk Behind Rollers.

## **GROUP IV**

**What it says now:**

Asphalt Spreader Oilers, Fireman on Whirlies and Heavy Equipment Oilers, Truck Cranes, Dredges, Monigans, Large Cranes - (Over 65-ton rated capacity) Concrete Plant Oiler, Blacktop Plant Oiler, and Creter Crane Oiler (when required).

**What it needs to be changed to:**

CCO-17 ton and below

## **GROUP V**

### **What it says now:**

Oiler.

### **What it needs to be changed to:**

CCO 17.5 to 35 Ton and Boom to 50'

## **GROUP VI**

### **What it says now:**

Operators on equipment with Booms, including jibs, 100 feet and over, and less than 150 feet long.

### **What it needs to be changed to:**

CCO 35.5 to 75 Ton and Boom to 100'

## **GROUP VII**

### **What it says now:**

Operators on equipment with Booms, including jibs, 150 feet and over, and less than 200 feet long.

### **What it needs to be changed to:**

CCO 75.5 to 125 Ton and Boom to 75'

## **GROUP VIII**

### **What it says now:**

Operators on Equipment with Booms, including jibs, 200 feet and over; Tower Cranes; and Whirlie Cranes.

### **What it needs to be changed to:**

CCO 125.5 to 200 Ton and Boom to 100'

**GROUP IX**

**What it says now:**

Mechanic

**What it needs to be changed to:**

CCO 200.5 to 300 Ton and Boom to 100'

**GROUP X ADDING**

CCO/ 300.5 to 450 Ton and Boom to 150'

**GROUP XI ADDING (Mechanic and Master Mechanic are the same)**

Master Mechanic, Working Foreman/Mechanic.

**GROUP XII ADDING**

Operator Foreman, licensed boat pilot.

**GROUP XIII ADDING**

Fireman on Whirlies and Heavy Equipment Oilers, Truck Cranes, Dredges, Monigans, Large Cranes - (Over 65-ton rated capacity) Concrete Plant Oiler, Blacktop Plant oiler and Creter Crane Oiler (when required), barge tenders, oilers on drill rigs used for caisson or for pile driving, and Oiler.