

STATE OF ILLINOIS - DEPARTMENT OF LABOR
HEARINGS DIVISION
160 NORTH LASALLE STREET SUITE C-1300
CHICAGO, ILLINOIS 60601

In the Matter of:)
)
Administrative District Council 1 of Illinois)
of the International Union of Bricklayers and)
Allied Craftworkers; Administrative District)
Council No. 1 Illinois Local No. 21 of the)
International Union of Bricklayers and Allied)
Craftworkers; and District Council No. 1)
Illinois Ceramic Tile Layers/Tile Finishers)
Union Local 21 of the International Union of)
Bricklayers and Allied Craftworkers,)
)
Petitioner(s),)
)
v.)
)
Jane R. Flanagan, Acting Director of the)
Illinois Department of Labor, and The)
Illinois Department of Labor.)
)
Respondents.)

State File No.: 2023-H-RP08-2341

ORDER

This matter coming to be heard on September 23 2022, upon receipt of the parties' Joint Motion for Entry of Consent Decree,

IT IS HEREBY ORDERED:

1. The Joint Motion for Entry of Consent Decree is Granted. Accordingly, the Department's published prevailing rates for the Affected Classifications in the Affected Counties shall have their names changed to reflect the current and correct names in the Affected Classifications to avoid any possible confusion regarding the Affected Classifications and the proper prevailing wage rates applicable thereto.
2. The parties have agreed to resolution of this matter and a Consent Order to that effect has been filed and entered on September 22, 2022.
3. This matter is dismissed and the status in this matter is hereby stricken.

ENTERED: September 29, 2022

/s/Moshe M. Liberman

Moshe M. Liberman
Administrative Law Judge
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, Illinois 60601
dol.hearings@illinois.gov

**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 I of Illinois of of the International Union of Bricklayers and Allied Craftworkers, AFL-CIO and its Local 21.)	
)	
Petitioners.)	
)	
v.)	2022-II-RPO8-2341
)	Administrative Law Judge
Jane R. Flanagan, Acting Director of the Illinois Department of Labor and the Illinois Department of Labor.)	Moshe Liberman
)	
)	
Respondents.)	
)	

CONSENT DECREE

Petitioners, Administrative District Council I of Illinois of the International Union of Bricklayers and Allied Craftworkers, AFL-CIO and its Local 21 and Respondents Jane R. Flanagan, Acting Director of the Illinois Department of Labor, and the Illinois Department of Labor ("IDOL"), resolve the above referenced matter pursuant to 56 Ill. Adm. Code 120.540 by entering into this Consent Decree. The parties agree as follows:

1. This matter arises under the Illinois Prevailing Wage Act ("IWPA"), as amended, 820 ILCS §130.01 *et. seq.*
2. Petitioners timely filed pursuant to section 9 of the IWPA, objections to the Classifications of Tile Mason, Marble Mason, and Terrazzo Mason (herein "Affected

Classifications”) in the nine (9) Counties of Cook, DeKalb, DuPage, Kane, Lake, McHenry, and Grundy, Will and Kendall County (“Affected Counties”) for which the Department published on its official web site prevailing wage rates effective July 15, 2022.

3. Pursuant to Section 9 of the Illinois Prevailing Wage Act, the Department issued a Notice of Hearing, scheduled a hearing on Petitioner’s Objections, and provided notice to the public of by posting the date, time, location, and other pertinent information regarding the Petitioner’s Objections and the hearing on Petitioner’s Objections on IDOL’s official web site.
4. The Department has recognized and has ascertained the prevailing wage rates for the Affected Classifications in the Affected Counties based upon Petitioners’ certifications to the Department and the attachments, including collective bargaining agreements submitted. The Petitioner bases its certifications upon collective bargaining agreements entered into between Petitioners and employer associations. The Department has recognized such collective bargaining agreements in ascertaining the prevailing wage for the Affected Classifications in the Affected Counties under Section 4(a) of the Act.
5. The parties agree that the Department’s published rates for the Affected Classifications in the Affected Counties require technical correction, because the Affected Classification do not reflect the correct and current names of the Affected Classifications, as set forth in the current collective bargaining agreements for covered work performed under this Act.
6. Therefore, it is determined that the Classification of Tile Mason shall be changed to Ceramic Tile Layer, the Classification of Marble Mason shall be changed to Marble

Setter, and the Classification of Terrazzo Mason shall be changed to Terrazzo Mechanic, in the Affected Counties, thereby reflecting the current names of the classifications as set forth in the current collective bargaining agreements.

7. The Department shall implement and enforce the determination set forth in paragraph 6 above upon entry of the Consent Decree.
8. The Decision and Order disposing of this proceeding shall have the same force and effect as an Order made after a full hearing.
9. The parties waive:
 - a. Further procedural steps before the Administrative Law Judge, and
 - b. Any right to challenge or contest the validity of this Consent Decree or the Decision and Order entered in accordance herewith.
10. The parties agree that the Consent Decree may be executed in one or more counterparts, all of which shall be considered to be one and the same document binding on all parties hereto, notwithstanding that all parties are not signatories to the same counterpart.

Dated this 23rd day of September, 2022.

Illinois Department of Labor

Administrative District Council 1 of Illinois of
of the International Union of Bricklayers and
Allied Craftworkers, AFL-CIO and its Local 21

By: 

Yolanda Carrillo
Chief Legal Officer

By: 

Ronald M. Willis
Attorney for Petitioners



Moshe Lieberman
Administrative Law Judge

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 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. 2023-H-RP08-2341 and a copy of the Certificate of Service in an email 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 email to be delivered on the 29nd day of September, 2022 prior to 4:30 p.m.

Adm. Dist. Council 1
Of IL, Int'l Union of Bricklayers
And Allied Craftworkers, AFL-CIO, LOCAL 21
Attn: Ronald M. Willis, Esq.
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HAND DELIVERED/EMAILED:

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Jane R. Flanagan
Acting Director of Labor
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/s/Karen Lewis
Karen Lewis, Office Specialist
Illinois Department of Labor