

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

IN THE MATTER OF:)
)
JAY ELDERS, PRESIDENT OF INTERNATIONAL)
UNION OF OPERATING ENGINEERS,) STATE FILE NO. 2024-H-RP08-2345
LOCAL 318)
)
OBJECTOR(S),)
)
BRIAN REHBEIN, SECRETARY TREASURER OF)
EGYPTIAN CONTRACTORS ASSOCIATION &)
FRANK KAZENSKE, DIRECTOR OF LABOR)
RELATIONS OF THE ASSOCATED GENERAL)
CONTRACTORS OF ILLINOIS)
)
PETITIONING INTERVENOR(S),)
)
v.)
)
JANE R. FLANAGAN, DIRECTOR of the)
ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR,)
)
RESPONDENTS.)
)

ORDER

IDOL File No.: 2024-H-RP08-2345 coming on August 15, 2023 to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01 – 12 (“the Act” or “PWA”), and in accordance with Article 10 of the Illinois Administrative Procedure Act, 5 ILCS 100/10-5 – 10-70 and the procedures stated in the Department of Labor’s Rules at 56 Ill Admin Code 120.100, *et seq.*, the Notice of Hearing issued thereunder, all parties being on notice, the parties having informed the undersigned that all matters in controversy have been resolved, I, issue this Order:

IT IS HEREBY ORDERED THAT:

1. All parties have agreed and consent to email service in lieu of messenger or U.S. mail service.
2. **The hearing date of SEPTEMBER 14, 2023 AT 9:00 a.m. shall stand.**
3. All petitions to intervene shall comply with 56 Il. Adm. Code 120.320.
4. Failure to file petition to intervene in accordance with 56 Il. Adm. Code 120.320 will result in the petition not being in compliance with this order and subsequent denial.

5. **Any and all petitions to intervene shall be filed by 5:00 p.m. on AUGUST 17, 2023.** Any petition to intervene filed after that date and time will be deemed untimely and will unduly delay or prejudice the adjudication of rights of the original parties 56 Il. Adm. Code 120.320(2).
6. For all documents produced in connection with the Hearing and in compliance with this order, no party is to assume that the Department or any other party has previously received a document. Under this Order, parties are to produce all relevant documents to me (in electronic format to DOL.Hearings@illinois.gov to my attention) and each other even if previously produced no later than **August 17, 2023 by 5:00 p.m.**
7. This matter is set for a telephonic **status conference on AUGUST 22, 2023 @ 9:00 a.m.** at which time an update on all matters will occur, any pending motions will be handled as well as discuss settlement, issuance of third-party subpoenas, exchange of exhibits and any other relevant issues. The undersigned will initiate the call at the numbers previously provided. If you have a different phone number for this conference, contact DOL.hearings@Illinois.gov on or before the close of business August 18, 2023.

DATE: August 15, 2023

/s/ Monica Silva

Monica Silva
Administrative law Judge
Illinois Department of Labor
160 N. LaSalle St., Ste C-1300
Chicago, I 60601
312-793-1805

STATE OF ILLINOIS)
)
COUNTY OF COOK)

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section I-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. 2024-H-RP08-2345 and a copy of the Certificate of Service in an email addressed to each party or party's agent at the respective email address shown on the order or on the Certificate of Service, having caused each Order and Certificate of Service to be served by email on the 15th day of August, 2023 prior to 4:30 p.m.

EMAILED

Nick Bedenk Nicholas.Bedenk@illinois.gov

Jay Elders Jay@IUOElocal318.com

Brian Rehbein brehbein@etsimonds.com

Frank Kazenske fkazenske@agcil.org

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