

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

IN THE MATTER OF: )  
)  
IRONWORKERS DISTRICT COUNCIL OF )  
CHICAGO AND VICINITY )  
)  
OBJECTOR(S), )  
)  
INDIANA, ILLINOIS, IOWA FOUNDATION )  
FOR FAIR CONTRACTING & )  
INTERNATIONAL )  
UNION OF OPERATING ENGINEERS, )  
LOCAL 150 )  
)  
INTERVENOR(S), )  
)  
MARTIN FLANAGAN & THE )  
CONSTRUCTION & GENERAL LABORERS' )  
DISTRICT COUNCIL OF CHICAGO & )  
VICINITY & ITS SUBSIDIARY & ITS )  
AFFILIATE LOCAL UNIONS, ET AL. )  
)  
INTERVENING PETITIONER(S), )  
)  
v. )  
)  
JANE R. FLANAGAN, DIRECTOR of the )  
ILLINOIS DEPARTMENT OF LABOR, and )  
THE ILLINOIS DEPARTMENT OF LABOR, )  
)  
RESPONDENTS. )  
)

STATE FILE NO. 2024-H-RP07-2344

ORDER

This matter coming on October 5, 2023, upon Entry of the Consent Decree,

IT IS HEREBY ORDERED:

1. This matter is closed/dismissed.
2. The hearing in this matter is hereby stricken.

ENTERED: October 5, 2023

/s/Moshe M. Liberman

Moshe M. Liberman

Chief 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: )  
)  
IRONWORKERS DISTRICT COUNCIL OF )  
CHICAGO & VICINITY, ) STATE FILE NO. 2024-H-RP07-2344  
)  
Objector(s) )  
)  
v. )  
)  
JANE R. FLANAGAN, DIRECTOR of the )  
ILLINOIS DEPARTMENT OF LABOR, and )  
THE ILLINOIS DEPARTMENT OF LABOR, )  
)  
Respondent. )

**CONSENT DECREE**

Objectors, Ironworkers District Council of Chicago & Vicinity, Respondents Jane R. Flanagan, Director of the Illinois Department of Labor, Intervenors Stanley Simrayh, as a member of the International Union of Operating Engineers, Local 150 AFL-CIO (“Local 150”) and Local 150, Martin Flanagan, as a member of Laborers’ Local 1 and the Construction and General Laborers’ District Council of Chicago and its subsidiary and the Great Plains Laborers’ District Council and their Affiliates, resolve the above-captioned matter pursuant to 56 Ill. Admin. Code 120.540 as follows:

1. This matter arises under the Illinois Prevailing Wage Act (“IPWA”), as amended, 820 ILCS 130/0.01, *et seq.*
2. Pursuant to Sections 4 and 9 of the IPWA, and the request of the Department, Petitioner timely filed written objections to the prevailing wage rates effective July 15, 2023 pertaining to establishing a new rate for Ironworker in the counties of DuPage, Kendall, Northern Ford, Iroquois, Kankakee, Eastern Livingston, Bureau, LaSalle, Southern Lee, Western Livingston, Northeast Marshall, Putnam, Northeast Stark, Eastern Whiteside, Grundy, Will, Boone, Eastern Carroll, Northwest Dekalb, Eastern Jo Daviess, Kane, Northern Lee, Western McHenry, Ogle, Stephensen, Eastern Whiteside and Winnebago Counties, Illinois and establishing a new prevailing wage for an Ironworker – Fence Erector in Boone, Eastern Carroll, Northwest Dekalb, Eastern Jo Daviess, Kane, Northern Lee, Western McHenry, Ogle, Stephenson, Eastern Whiteside, and Winnebago Counties, Illinois.
3. Pursuant to Section 9 of the IPWA, the Department scheduled a hearing on Petitioner’s objections, issued a Notice of Hearing to Petitioners, and provided notice of the hearing to

the public by posting the date, time, location, and other pertinent information regarding the Section 9 hearing on Petitioner's objections on IDOL's official website.

4. It is determined that the prevailing wage rate for Ironworker set by the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers Local Union 393 for the counties of DuPage, Kendall, and Will shall be disregarded and determined to be null and void.
5. It is determined that in the counties of DuPage, Kendall, Northern Ford, Iroquois, Kankakee, Eastern Livingston, Bureau, LaSalle, Southern Lee, Western Livingston, Northeast Marshall, Putnam, Northeast Stark, Southeast and Northeast Whiteside, Grundy, Will, Boone, Eastern Carroll, Northwest Dekalb, Eastern Jo Daviess, Kane, Northern Lee, Western McHenry, Ogle, Stephensen, Eastern Whiteside and Winnebago Counties the prevailing wage classifications and rate determinations published (posted) by the Department for Ironworker shall be consistent with classifications established under the applicable collective bargaining agreement – which is the area-wide collective bargaining agreement by and between Iron Workers Local Union No. 1, Iron Workers Local Union No. 63, Iron Workers Local Union No. 444, and Iron Workers Local Union No. 498, and their respective employer associations.
6. The prevailing wage and fringe benefit rates applicable to the Ironworker shall be those rates as set forth in the area-wide collective bargaining agreements by and between The Contractors Association of Will and Grundy Counties and the Iron Workers Local Union No. 444. Rates for the counties of Will, Grundy, and Southern Kendall as of July 15, 2023, are the following:

Base Wage: \$49.00  
Overtime M-F: 2x base rate  
Overtime Saturday and Sunday: 2x base rate  
Overtime Holiday: 2 x base rate  
Foreman: \$53.90  
Health & Welfare: \$13.81  
Pension: \$29.18  
Training: \$1.00

7. The prevailing wage and fringe benefit rates applicable to the Ironworker shall be those rates as set forth in the area wide collective bargaining agreement by and between The Contractors Association of Will and Grundy Counties and the Iron Workers Local Union No. 444. Rates for the following counties of Northeastern and Southern Dekalb and Northern Kendall, as of July 15, 2023, are the following:

Base Wage: \$51.00  
Overtime M-F: 2x base rate  
Overtime Saturday and Sunday: 2x base rate  
Overtime Holiday: 2 x base rate  
Foreman: \$56.10

Health & Welfare: \$13.81  
Pension: \$28.79  
Training: \$1.00

8. The prevailing wage and fringe benefit rates applicable to the Ironworker shall be those rates as set forth in the area-wide collective bargaining agreements by and between The Kankakee Area Contractors Association, Inc. and the Iron Workers Local Union No. 444. Rates for the counties of Northern Ford, Iroquois, Kankakee and Eastern Livingston, as of July 15, 2023, are the following:

Base Wage: \$46.70  
Overtime M-F: 2 x base rate  
Overtime Saturday and Sunday: 2 x base rate  
Overtime Holiday: 2 x base rate  
Foreman: \$51.37  
Health & Welfare: \$13.81  
Pension: \$26.03  
Training: \$1.00

9. The prevailing wage and fringe benefit rates applicable to the Ironworker shall be those rates as set forth in the area-wide collective bargaining agreements by and between Illinois Valley Contractors Association and the Iron Workers Local Union No. 444. Rates for the counties of Bureau, LaSalle, Southern Lee, Western Livingston, Northeast Marshall, Putnam, Northeast Stark, and Southeast Whiteside, as of July 15, 2023, are the following:

Base Wage: \$46.70  
Overtime M-F: 2 x base rate  
Overtime Saturday and Sunday: 2 x base rate  
Overtime Holiday: 2 x base rate  
Foreman: \$51.37  
Health & Welfare: \$13.81  
Pension: \$25.13  
Training: \$1.00

10. The prevailing wage and fringe benefit rates applicable to the Ironworker shall be those rates as set forth in the area-wide collective bargaining agreements by and between the Northern Illinois Building Contractors Association, Inc. and the Iron Workers Local Union No. 498. Rates for the counties of Boone, Eastern Carroll, Eastern Jo Daviess, Northern Lee, Western McHenry, Ogle, Stephenson, Northeast Whiteside, and Winnebago Counties, as of July 15, 2023, are the following:

Base Wage: \$45.18  
Overtime M-F: 2 x base rate  
Overtime Saturday and Sunday: 2 x base rate  
Overtime Holiday: 2 x base rate  
Foreman: \$50.60

Health & Welfare: \$13.06  
Pension: \$32.22  
Training: \$1.80

11. The prevailing wage and fringe benefit rates applicable to the Ironworker shall be those rates as set forth in the area-wide collective bargaining agreements by and between the Northern Illinois Building Contractors Association, Inc. and the Iron Workers Local Union No. 498. Rates for the counties of Northwest Dekalb and Kane Counties, as of July 15, 2023, are the following:

Base Wage: \$51.99  
Overtime M-F: 2 x base rate  
Overtime Saturday and Sunday: 2 x base rate  
Overtime Holiday: 2 x base rate  
Foreman: \$58.23  
Health & Welfare: \$13.06  
Pension: \$29.22  
Training: \$1.80

12. The prevailing wage and fringe benefit rates applicable to the Ironworker shall be those rates as set forth in the area-wide collective bargaining agreements by and between the Associated Steel Erectors Chicago, Illinois and the Iron Workers Local Union No. 1. Rates for the counties of DuPage and Eastern McHenry, as of July 15, 2023, are the following:

Base Wage: \$57.00  
Overtime M-F: 2 x base rate  
Overtime Saturday and Sunday: 2 x base rate  
Overtime Holiday: 2 x base rate  
Foreman: \$59.00  
Health & Welfare: \$17.05  
Pension: \$25.56  
Training: \$.49

13. The prevailing wage and fringe benefit rates applicable to the Ornamental Iron Worker shall be those rates as set forth in the area-wide collective bargaining agreements by and between the Iron League of Chicago and the Iron Workers Local Union No. 63. Rates for the counties of DuPage, Eastern Kane and Eastern McHenry, as of July 15, 2023, are the following:

Base Wage: \$55.01  
Overtime M-F: 2 x base rate  
Overtime Saturday and Sunday: 2 x base rate  
Overtime Holiday: 2 x base rate  
Foreman: \$57.51  
Health and Welfare: \$14.23  
Pension: \$26.00

Training: \$2.00

14. It is determined that in the counties of Boone, Eastern Carroll, Eastern Jo Daviess, Northern Lee, Western McHenry, Ogle, Stephenson, Northeast Whiteside, Winnebago, Northwest Dekalb and Kane Counties, the prevailing wage classifications and rate determinations published (posted) by the Department shall include a new classification. The Department shall recognize: Ironworker - Fence Erector type trade work, consistent with classifications established under the applicable collective bargaining agreement – which is the area-wide collective bargaining agreement by and between the Northern Illinois Building Contractors Association, Inc. and the Iron Workers Local Union No. 498 covering Ironworker—Fence Erector.
15. For enforcement purposes, in the counties of Boone, Eastern Carroll, Eastern Jo Daviess, Northern Lee, Western McHenry, Ogle, Stephenson, Northeast Whiteside, Winnebago, Northwest Dekalb, and Kane Counties the Ironworker- Fence Erector ALL classification published (posted) by the Department:
  - a. shall include work that has historically been performed by the Ironworker and been within the classification of Ironworker—Fence Erector;
  - b. shall not include work done by heavy equipment operators that has traditionally been covered exclusively within the classification of Operating Engineer;
  - c. shall not be construed to encroach upon work that has historically been within the classification of Operating Engineer;
  - d. shall not include work done by Laborers that has traditionally been covered within the classification of Laborer ALL, heavy/highway, and building where applicable; and
  - e. shall not be construed to encroach upon work that has historically been within the classification of Laborer ALL, heavy/highway, and building where applicable;.
16. The prevailing wage and fringe benefit rates applicable to the Ironworker--Fence Erector shall be those rates as set forth in the area-wide collective bargaining agreement by and between the Northern Illinois Building Contractors Association, Inc. Rates for the counties of Boone, Eastern Carroll, Eastern Jo Daviess, Northern Lee, Western McHenry, Ogle, Stephenson, Northeast Whiteside and Winnebago, as of July 15, 2023, are the following:

Base Wage: \$41.04  
Overtime M-F, Sat: 1.5x base rate  
Overtime Sunday: 2x base rate  
Overtime Holiday: 2x base rate  
Foreman: \$45.96  
Health & Welfare: \$13.06  
Pension: \$27.05

17. The prevailing wage and fringe benefit rates applicable to the Ironworker—Fence Erector shall be those rates as set forth in the area-wide collective bargaining agreement by and between the Northern Illinois Building Contractors Association, Inc. Rates for the counties of Northwest Dekalb and Kane Counties, as of July 15, 2023, are the following:

Base Wage: \$47.12  
Overtime M-F: 1.5 x base rate  
Overtime Saturday and Sunday: 1.5 x base rate  
Overtime Holiday: 1.5 x base rate  
Foreman: \$52.77  
Health & Welfare: \$13.06  
Pension: \$25.13.

18. The rate determinations shall apply effective July 15, 2023, through the next subsequent rate determination by the Department. Subsequent rate determination periods shall be subject to Section 4(a) and Section 9 rate ascertainment and determinations.
19. The Decision and Order disposing of this proceeding shall have the same force and effect as an Order made after a full hearing.
20. 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.

Dated this 5th day of October, 2023.

/s/ Nicholas Bedenk  
Illinois Department of Labor

/s/ Michael McGuire  
Iron Workers District Council of Chicago and Vicinity

/s/ Joanna Barrera  
Construction and General Laborers' District Council of Chicago and its subsidiary



/s/ Michael McNally  
International Union of Operating Engineers, Local 150

/s/ Tim Ryan  
Great Plains Laborers' District Council and their Affiliates

Entered by:

/s/ Moshe M. Liberman  
Chief Administrative Law Judge

Date: October 5, 2023

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 and Consent Decree upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Order and Consent Decree in Case No. 2024-H-RP07-2344 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 certified mail return receipt requested and regular mail with postage prepaid 555 W. Monroe, Chicago, Illinois, 60661 on the 6th day of October, 2023 prior to 4:30 p.m.

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

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