

**STATE OF ILLINOIS
DEPARTMENT OF LABOR**

IN THE MATTER OF:	)	
	)	STATE FILE NO. 2027-H-CC08-2367
STUART DEAN COMPANY	)	
	)	DATE OF NOTICE: AUGUST 21, 2026
OBJECTORS,	)	
	)	
v.	)	
	)	
JANE R. FLANAGAN, DIRECTOR of the	)	
ILLINOIS DEPARTMENT OF LABOR, and	)	
THE ILLINOIS DEPARTMENT OF LABOR,	)	
	)	
RESPONDENTS.	)	

NOTICE OF WEBEX HEARING

PLEASE TAKE NOTICE that Jane R. Flanagan, Director of the Illinois Department of Labor, and the Illinois Department of Labor ("Respondents") have received from **STUART DEAN COMPANY** ("Objectors") written objections to the prevailing wage determinations published by the Department on its website, and a request for hearing on those objections pursuant to Sections 4 and 9 of the Prevailing Wage Act [hereinafter, "PWA" or "Act"], 820 ILCS 130/0.01 et seq.

Pursuant to the PWA, Article 10 of the Illinois Administrative Procedure Act, 5 ILCS 100/10-5 et seq., and 56 Ill. Admin. Code 120.100 et seq., Respondents will convene a hearing via Webex on:

DATE:	September 28, 2026
TIME:	9:00 a.m.
ADMINISTRATIVE LAW JUDGE:	Raymond Cyrus Administrative Law Judge Illinois Department of Labor
WEBEX INFORMATION:	https://illinois.webex.com/meet/raymond.cyrus Meeting Number: 806 590 306
	Phone Number: +1-312-535-8110 Toll +1-415-655-0002 Toll Access code: 806 590 306
OBJECTORS' ATTORNEY:	John M. Riccione, Esq. Briana M. Skelly, Esq. Elizabeth C. Wellhausen, Esq. Taft Stettinius & Hollister LLP
RESPONDENTS' ATTORNEY:	Stephanie Barton, Esq.

**Deputy General Counsel
Illinois Department of Labor**

**Sean Imburgia, Esq.
Staff Attorney
Illinois Department of Labor**

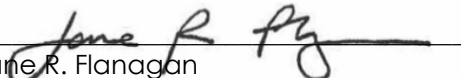
If you are unable to access Webex via the video link, you may join by calling the Webex phone numbers listed above.

The hearing involves the written objections and hearing request filed by Objector(s), attached hereto and made a part hereof (Exhibit A).

The parties and their respective representatives must be prepared to proceed at the hearing. The parties must present all information, documents, records or witnesses necessary to substantiate their position(s) at the hearing.

Pursuant to 56 Illinois Administrative Code 120.640, the Administrative Law Judge shall issue a Decision and Order. In the event no timely or proper exceptions are filed, the findings, conclusions, recommendations and order of the Administrative Law Judge shall automatically become the decision and order of the Director of Labor.

The proceedings are subject to judicial review in accordance with the provisions of the Administrative Review Law, 735 ILCS 5/3-101 et seq. The Director of Labor's determination on the objections is final and binding unless a party to this proceeding applies for and obtains judicial review of the final administrative decision in accordance with the provisions of the Administrative Review Law.


Jane R. Flanagan
Director of Labor

STATE OF ILLINOIS)
) ss
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, Davis Merced, a non-attorney, affirm, certify or on oath state, that I served notice of the attached Notice of Webex Hearing and Order upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Notice of Webex Hearing and Order in Case No. **2027-H-CC08-2367** in an envelope addressed to each party or party's agent at their respective address(es) having caused each envelope to be served by

☒ U.S. **regular** mail with postage prepaid being deposited in the U.S. mailbox at 555 W Monroe, Chicago, Illinois,

☐ **certified mail** return receipt requested and **regular mail** with postage prepaid at 555 W Monroe, Chicago, Illinois,

☒ via **email** addressed to each party or party's agent at the respective email address shown on the Certificate of Service,

on August 21, 2026, prior to 4:30 p.m.

Via Email:

OBJECTORS

STUART DEAN COMPANY,
c/o John M. Riccione, Esq.
Brianna M. Skelly, Esq.
Elizabeth C. Wellhausen, Esq.
Taft Stettinius & Hollister LLP
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bskelly@taftlaw.com
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RESPONDENTS

Illinois Department of Labor and Jane Flanagan, Director
c/o Stephanie Barton, Esq.
Deputy General Counsel
524 S 2nd Street Ste 400
Springfield, IL 62701
Stephanie.Barton@Illinois.gov

/s/Davis Merced
Davis Merced, Office Specialist
Illinois Department of Labor

STATE OF ILLINOIS
DEPARTMENT OF LABOR

IN THE MATTER OF:	)	
	)	STATE FILE NO. 2027-H-CC08-2367
STUART DEAN COMPANY	)	
	)	DATE OF NOTICE: AUGUST 21, 2026
OBJECTORS,	)	
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v.	)	
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JANE R. FLANAGAN, DIRECTOR of the	)	
ILLINOIS DEPARTMENT OF LABOR,	)	
THE ILLINOIS DEPARTMENT OF	)	
LABOR,	)	
	)	
RESPONDENTS.	)	

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to 56 Ill. Admin. Code § 120.400, a **Webex** pre-hearing conference shall be convened on **September 8, 2026** at **11:30 a.m.** The parties shall join via Webex using the following video link or dial-in phone number:

<https://illinois.webex.com/meet/raymond.cyrus>

Meeting Number: 806 590 306

Phone Number:

312-535-8110 Toll

415-655-0002 Toll

Access code: 806 590 306

2. The pre-hearing conference shall be held to consider: simplification of the issues; necessity or desirability of amending documents for purposes of clarification, simplification, or limitation; stipulations and admissions of fact and of contents and authenticity of documents; limiting the number of witnesses; propriety of prior mutual exchange between and among the parties who have prepared testimony or exhibits; and addressing such other matters as may tend to expedite the disposition of the proceedings and to assure a just conclusion.
3. Attorneys shall, pursuant to 56 Ill. Admin. Code § 120.220, file their appearances as soon as practicable.
4. Any Petitions to Intervene shall be filed by **September 3, 2026**.

DATE: August 21, 2026

By: /s/ Raymond Cyrus

Administrative Law Judge
Illinois Department of Labor
115 South LaSalle Street, 37th Floor
Chicago, IL 60603
V: 312-793-1805
Dol.hearings@illinois.gov



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

RECEIVED

AUG 17 2026

IDOL - CHICAGO OFFICE

IN THE MATTER OF:

STUART DEAN COMPANY,

Petitioner,

vs.

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

Respondents.

State File No. 2027-H-CC08-2367

**WRITTEN OBJECTION AND REQUEST FOR
HEARING UNDER SECTIONS 4 AND 9**

Stuart Dean Company (the “Petitioner”), by and through its undersigned counsel, submits this written objection to the prevailing wage schedule published by the Illinois Department of Labor (“Department”) on July 15, 2026 and requests a hearing pursuant to Sections 4 and 9 of the Prevailing Wage Act (the “Act”), 820 ILCS 130/01 *et seq.*, to establish a prevailing wage rate for the trade classification of metal maintenance and refinishing workers in Cook County.

BACKGROUND

1. Petitioner is an employer that performs various metal maintenance and refinishing services for public and private enterprises in Cook County. For over 20 years, Petitioner has performed these services at Harold Washington Library and for over 6 years at Midway Airport, among other locations.

2. Petitioner is one of five companies who perform similar metal maintenance and refinishing work in the Chicagoland area, and for purposes of collective bargaining, they associate as members of the Chicago Metal Contractors Bargaining Association (the "Association").

3. The employees of the Association members perform "metal refinishing" and were originally represented in collective bargaining by Local Union 8A-28A, Metal Refinishers, Polishers, Painters, Sign & Display, Production and Novelty Workers Union, IUPAT, AFL-CIO ("Local 8A-28A"). Local 8A-28A originated as a separate labor organization around 1940-1948 in New York. As a result of mismanagement and criminal activity committed by the then president of Local 8A-28A, Hector Lopez, it was placed into receivership under the supervision of the United States District Court in the Eastern District of New York. Following Local 8A-28A's receivership, in approximately 2000, Local 8A-28A was assigned to be administered through Painters District Council #14 (the "Union") which then, and now, represent(ed) employees of several companies that comprise the Finishing Contractors Association of Chicago ("FCA"). The Association and FCA, however, have at all times been parties to different, independently bargained agreements with the Union. Specifically, the employees of the Association members are NOT painters, nor laborers as will be shown below.

4. As part of the Association, Petitioner has entered into Collective Bargaining Agreements ("CBA") with the Union. A true and correct copy of the February 1, 2023 to January 31, 2027 CBA between these parties is attached hereto as **Exhibit A**. This CBA covers:

Employees engaged in polishing, buffing, stripping, coloring, lacquering, spraying, cleaning and maintenance of ornamental and architectural metals, iron, bronze, brass, nickel, aluminum and stainless steel and in metal specialty work, various stone and stone finishes, stone specialty work and any other specialty work pertaining to the finishing and refinishing of metals, stones, woods, and any window washing/ cleaning done in

conjunction with this work, excluding clerical and office employees, guards and supervisors.

Ex. A at 1.

5. The minimum rates of pay for these metal maintenance workers for the years covered by the current CBA are listed in Article 25 of the CBA and are as follows:

Table: A

Illinois, Indiana, Wisconsin, and Michigan (Maintenance)					
	February 1*	February 1	February1	February 1	February 1
Classification	2022	2023	2024	2025	2026
General Foreman (Field Mgr./					
Working Union Supervisor)	\$37.05	\$38.30	\$39.45	\$40.60	\$41.75
FOREMAN	\$35.05	\$36.30	\$37.45	\$38.60	\$39.75
JOURNEYMAN	\$31.30	\$32.55	\$33.70	\$34.85	\$36.00
Assistant Journeyman	\$30.30	\$31.55	\$32.70	\$33.85	\$35.00
The classifications listed above shall receive no less than the per hour rate increases listed in Article 24A for each year of this Agreement.					
Apprentices shall receive raises effective on the date of their Anniversary, the rates shall be those listed in this table.					

* Prior Contract year's rates.

Classification	2022	2023	2024	2025	2026
Apprentice IV (36 mo. - 48 mo.) .65 for each year plus yr 1 - .70; yr 2 - .70; yr 3 - .72; yr 4 - .73	\$22.07	\$23.42	\$24.77	\$26.14	\$27.52
Apprentice III (24 mo. - 36 mo.) .65 for each year plus yr 1 - .67; yr 2 - .67; yr 3 - .68; yr 4 - .70	\$20.89	\$22.21	\$23.52	\$24.85	\$26.20
Apprentice II (12 mo. - 24 mo.) .65 for each year plus yr 1 - .63; yr 2 - .63; yr 3 - .65; yr 4 - .66	\$19.72	\$21.00	\$22.28	\$23.58	\$24.89
Apprentice I (91 days - 12 mos.) .65 for each year plus yr 1 - .59; yr 2 - .59; yr 3 - .61; yr 4 - .62	\$18.51	\$19.75	\$20.99	\$22.25	\$23.52
Apprentice I (90 days) .65 for each year plus yr 1 - .55; yr 2 - .55; yr 3 - .57; yr 4 - .58	\$17.27	\$18.47	\$19.67	\$20.89	\$22.12

6. As noted in the above chart, there are five main classifications for metal maintenance and refinishing workers: Apprentice (levels 1, 2, 3 and 4), assistant journeyman, journeyman, foreman, and general foreman/field manager. Petitioner maintains an equal ratio of Assistant Journeymen, Journeymen, and Foremen. True and correct copies of the job descriptions for these classifications are attached hereto as **Exhibit B** at 3–6. These job descriptions list the various activities individuals within these classifications perform including preparing surfaces for the refinishing process, cleaning, oxidizing, and polishing metals, removing scratches from various metals, setting up jobsites and scaffolding, and spraying various coatings and finishes.

7. Under the CBA, Petitioner has the right to “decide upon methods, equipment, and procedures to be used in the performance of all work covered by this Agreement.” Ex. A at 5. Petitioner also has the right to “plan, direct and control all its work,” and “direct and assign work to employees.” *Id.* at 4.

Metal Maintenance Training

8. Petitioner provides newly-hired individuals with a Metal Restoration & Maintenance Training Manual (the “Manual”). A true and correct copy of the Metal Restoration & Maintenance New Hire Training Manual is attached hereto as **Exhibit C**¹. This Manual contains five modules focusing on the company, its policies, training and safety protocols, job set up and break down, masking, surface protection, restoration and maintenance basics and techniques, the coating removal process, the cleaning process, washing and waxing, and polishing.

9. Petitioner also maintains a Corporate Health and Safety Plan specifically for metal, stone, wood, and glass restoration. A true and correct copy of this Plan is attached hereto as **Exhibit**

¹ Exhibits C, D, E, & F of this Written Objection and Request for Hearing under Sections 4 and 9 are Petitioner’s confidential materials. As such, each of these exhibits are designated as confidential for this filing, and Petitioner intends to file a motion to seal after this Written Objection is accepted by the Department.

D. This plan contains a site-specific fall protection plan for Petitioners’ “employees and subcontractors performing metal, stone, wood, and glass restoration work on facades, roofs, and other elevated surfaces.” *Id.* at 34. It also contains a partial inventory list of chemicals used in the metal restoration process. *Id.* at 138. Lastly, this Plan includes Draft Procedures for Petitioner’s Safety Plan for Work Inside Elevators which notes that “[t]he elevator cab doors must be kept open at all times when stripping, refinishing, and spraying the returns and any metal inside the cab other than the doors” and otherwise describes safety protocols while conducting refinishing work in elevators. *Id.* at 172.

10. Petitioner also provides specific training documents for architectural metal restoration and maintenance work. A true and correct copy of the Architectural Metal Restoration and Maintenance training guide is attached hereto as **Exhibit E**. This document provides the fundamental principles for restoring and maintaining architectural metal surfaces (such as doors, frames, building facades, and light fixtures) including restoration techniques. Different metal surfaces change with time depending on a variety of factors including the type of metal, local climate, location, and exposure to direct sunlight. *Id.* at 1. The training manual then discusses the three most commonly used architectural metals—brass, aluminum, and stainless steel—including the preparation of the metal, the cleaning process, and the lacquer application.

11. While Petitioner provides its workers with the above-described training manuals, members of the National Association of Architectural Metal Manufacturers (NAAMM) along with the National Ornamental & Miscellaneous Metals Association (NOMMA) have developed a Metal Finishers Manual for Architectural and Metal Products. A true and correct copy of this manual is attached hereto as **Exhibit F**. This 116-page manual discusses the various finishes for aluminum,

copper alloys, stainless steel, carbon steel and iron including the care and maintenance of these finishes.

Scopes of Work

12. In Petitioner's work orders for various projects including the Harold Washington Library, the specific requirements, materials, specifications, and frequency of the work is described. True and correct copies of three of these work orders are combined and attached hereto as **Exhibit G**. In one of these work orders, the work to be performed includes the semiannual metal-cleaning and clear-coat maintenance of bronze exterior components of the Library. *Id.* at 10–13. The work includes cleaning and providing maintenance work for various windows, entrances, doors, and frames. Another work order notes that the various bronze items in the entrances and windows of the Library should be washed and waxed every 1-6 months. *Id.* at 1–9. The scope of services provided by Petitioner's metal maintenance workers is also described in Exhibit A to the Agreement with Service Contractor between Petitioner and CBRE Inc. for the Harold Washington Library. A true and correct copy of this scope of services is attached hereto as **Exhibit H**.

13. Because none of the existing classifications for prevailing wages in Cook County encompass this metal maintenance and refinishing work, and metal maintenance work is separate and unique from any of the existing classifications, as evidenced by the specific training, job duties, and scopes of work outlined above, a new classification is warranted.

ANALYSIS

14. The Illinois Prevailing Wage Act states that:

Not less than the general prevailing rate of hourly wages for work of a similar character on public works in the locality in which the work is performed, and not less than the general prevailing rate of hourly wages for legal holiday and overtime

work, shall be paid to all laborers, workers and mechanics employed by or on behalf of any public body engaged in the construction or demolition of public works.

820 ILS 130/3.

15. The Court in *Illinois Landscape Contractors Ass’n v. Department of Labor* noted that “[f]ew cases analyze the phrase ‘work of a similar character’ in detail, and no case interprets the phrase in the context of determining a new classification.” 372 Ill. App. 3d 912, 922 (2nd Dist. 2007). The court in that case opined that when determining the prevailing hourly wage for work of a similar character under the Prevailing Wage Act, the requisite skills, training, and knowledge may be considered. *Id.* at 923.

16. Here, the skills, training, and knowledge of metal maintenance workers are specifically tailored to the cleaning, refinishing and maintenance of various metals in building fixtures. As such, these workers need to know about the different types of metals, cleaning techniques, how to prepare the surfaces around the metal to protect them from the cleaning process, how to remove existing coatings, and what chemicals and cleaning supplies will not harm the metal surfaces. *See* Ex. C at 42–53.

17. As noted in *Illinois Landscape Contractors Ass’n*, there was crossover in the laborer and landscaper work which ultimately supported the court’s determination that the skills, training, and knowledge for these two categories of work were ‘of a similar character.’ *Id.* at 924.

18. The cleaning, waxing, and polishing process used as part of metal maintenance and refinishing is most similar to janitorial services. For example, in Article IV, Section 2(a) of the CBA between Building Owners and Managers Association of Chicago and Building Service Division, Service Employees International Union, janitorial employees are compensated for work involving “exterior metal refinishing.” A true and correct copy of this CBA is attached hereto as **Exhibit I.**

19. Janitors therefore perform some of the work performed by the metal maintenance workers, and either a similar rate to that of the janitors or the metal maintenance CBA rates is appropriate for a new classification of workers who perform metal maintenance work. At the very least, the rate of pay listed in the existing CBA between the Association and the Union should be applied to a new metal maintenance and refinishing classification.

20. Based on this written objection, Petitioner requests that the Department order an investigatory hearing in accordance with Sections 4 and 9 of the Illinois Prevailing Wage Act, 820 ILCS § 130/4, 9 to add Metal Refinishing and Maintenance to the list of Prevailing Wage Classifications for Cook County.

Date: August 14, 2026

Respectfully submitted,

By: /s/ John M. Riccione
One of Its Attorneys

John M. Riccione
Brianna M. Skelly
Elizabeth C. Wellhausen
Taft Stettinius & Hollister LLP
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ewellhausen@taftlaw.com

CERTIFICATE OF SERVICE

I, an attorney, hereby certify that I caused to be served the foregoing above Written Objection and Request for Hearing Under Sections 4 and 9 on this 14th day of August, 2026 via messenger and electronic mail to the following:

Jane R. Flanagan
Director of Labor
Illinois Department of Labor
160 N. LaSalle St., Ste C-1300
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Jane.Flanagan@illinois.gov

Robert Parrilli, Division Manager
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/s/ John M. Riccione

RECEIVED

AUG 17 2026

IDOL - CHICAGO OFFICE

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

IN THE MATTER OF:

STUART DEAN COMPANY,

Petitioner,

vs.

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

Respondents.

State File No.

NOTICE OF FILING

To: Please see Certificate of Service

PLEASE TAKE NOTICE that on the 14th day of August, 2026 the undersigned filed the attached Written Objection and Request for Hearing Under Sections 4 and 9, a copy of which is hereby served upon you and has been sent via electronic mail and messenger.

Date: August 14, 2026

Respectfully submitted,

By: /s/ John M. Riccione
One of Its Attorneys

John M. Riccione
Brianna M. Skelly
Elizabeth C. Wellhausen
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CERTIFICATE OF SERVICE

I, an attorney, hereby certify that I caused to be served the foregoing above Written Objection and Request for Hearing Under Sections 4 and 9 on this 14th day of August, 2026 via messenger and electronic mail to the following:

Jane R. Flanagan
Director of Labor
Illinois Department of Labor
160 N. LaSalle St., Ste C-1300
Chicago, IL 60601
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/s/ John M. Riccione



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AUG 17 2026

IDOL - CHICAGO OFFICE

August 14, 2026

VIA MESSENGER

Jane R. Flanagan
Director of Labor
Illinois Department of Labor
160 N. LaSalle St., Ste C-1300
Chicago, IL 60601
Jane.Flanagan@illinois.gov

RECEIVED

AUG 17 2026

IDOL - CHICAGO OFFICE

Dear Ms. Flanagan:

Please find enclosed two copies of Stuart Dean Company's Written Objection and Request for Hearing Under Sections 4 and 9 to the Prevailing Wage Schedule published by the Illinois Department of Labor on July 15, 2026.

Kindly return a file-stamped copy to my attention in the enclosed FedEx envelope. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Taft Stettinius & Hollister LLP

/s/ John M. Riccione

John M. Riccione

JMR:ETA
Enclosures
302523629v1

Attachments not
included.

Exhibits can found on
the Illinois

Department of Labor's
website.