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IDOL - CHICAGO OFFICE

STATE OF ILLINOIS - DEPARTMENT OF LABOR
115 S. LASALLE STREET, 37th Floor
CHICAGO, ILLINOIS 60601

IN THE MATTER OF:	)	
	)	
NATIONAL ELECTRICAL CONTRACTORS	)	
ASSOCIATION, NORTHERN ILLINOIS	)	
CHAPTER	)	
	)	
Objector(s),	)	State File No.: 2027-H-CC08-2358
	)	
v.	)	
	)	
JANE FLANAGAN, DIRECTOR of the	)	
THE ILLINOIS DEPARTMENT OF LABOR, and	)	
THE ILLINOIS DEPARTMENT OF LABOR.	)	
	)	
Respondents.	)	

PETITION TO INTERVENE

Petitioners Martin Flanagan, a member of the Laborers' International Union of North America ("LIUNA") Local 1 and the Construction and General Laborers' District Council of Chicago and Vicinity and its subsidiary and affiliate local unions ("the Chicago Laborers' District Council"), submit this petition to intervene in all proceedings conducted in the above-captioned matter, and in support of state as follows:

1. Martin Flanagan (Flanagan") is a member of LIUNA Local 1 and negotiates and enforces collective bargaining agreements on behalf of the District Council.
2. The Chicago Laborers' District Council is a labor organization representing individuals performing work as laborers on prevailing wage projects throughout nine Illinois counties, including Boone County.

3. Pursuant to Section 3 of the Illinois Prevailing Wage Act (the “Act”), 820 ILCS 130/3, the general prevailing rate of hourly wages for work of a similar character shall be paid to all laborers, workers and mechanics engaged in the construction or demolition of public works.

4. On or about August 14, 2026, Objector National Electrical Contractors Association, Northern Illinois Chapter (“Association”) submitted its Written Objections and Requests for Hearing Under Sections 4 and 9 (“Objections”) with the Illinois Department of Labor (“IDOL”) to the July 15, 2026 prevailing wage determinations pursuant to Sections 4 and 9 of the Act (820 ILCS 130/4 and 130/9).

5. In its Objections, the Association states “for the absence of a “C” class for the classifications of Communication Technician and Electrician certified by the Illinois Department of Labor effective July 15, 2026” and “requests a hearing pursuant to Section 9 of the Illinois Prevailing Wage Act to clarify the published rates within the jurisdictional boundaries of its shared jurisdiction with the International Brotherhood of Electrical Workers Local Union 364.” (Objection Page 1).

6. The objections also state that the collective bargaining agreement between NECA, Northern Illinois Chapter and the International Brotherhood of Electrical Workers Local Union 364 (“IBEW Local 364”) “contain specific wages and benefits to be paid to other classifications that are ‘above’ and ‘below’ the published classifications for work performed”

7. The objections do not include a copy of the applicable collective bargaining agreement and do not specify the type of work performed under a “C” class.

8. The Department has scheduled the hearing in this matter for September 25, 2026, at 9:30 a.m.

9. Section 120.320(a)(1) of Title 56 of the Illinois Administrative Code states that a party may intervene in a Section 9 hearing in the following circumstances: “(A) The party is so situated that he or she may be adversely affected by a final order arising from the hearing; (B) The party requesting intervention is a necessary party to the hearing proceeding; or (C) A party’s claim or defense and the main action have a question of law or fact in common.”

10. Petitions to Intervene in this matter shall be filed by September 3, 2026.

11. Pursuant to Section 9 of the Act, “any interested objectors may . . . introduce such evidence as is material to the issue.” 820 ILCS 130/9.

12. The Chicago Laborers’ District Council has long-standing collective bargaining agreements with contractors in Boone County where its members perform work that could conflict with the scope of work of a “C” class Communication Technician and Electrician and is already covered under the existing Laborer (All) classification.

13. The Chicago Laborers’ District Council has long-standing collective bargaining agreements with contractors in Boone County where the petition seeks to establish “C” class Communication Technician and Electrician rate classifications. (Objections Pg. 1). Chicago Laborers’ District Council members and their employer signatory contractors currently perform work on public projects in these counties pursuant to collective bargaining agreements. This work is performed under existing prevailing wage classification for Laborer (All) established by the IDOL based on these collective bargaining agreements.

14. It is unclear on the face of Association’s Objections how the proposed classifications for “C” class Communication Technician and Electrician rate classifications being

performed in Boone County encompass scope(s) of work that differ from the Laborer (All) classification which already exists in those counties.

15. It is unclear on the face of the Association's Objections whether its proposed classifications' scopes of "C" class Communication Technician and Electrician rate classifications work are for Heavy/Highway, Building, or All.

16. If Association's petition is successful, some of this work performed by the Chicago Laborers' District Council's members may be encompassed by the Association's request for the "C" class Communication Technician and Electrician rate classifications rate classification.

17. The relief sought could adversely affect the Chicago Laborers' District Council, its members, and its signatory contractors. Establishing a new classification for work presently covered by existing Laborers (All) classifications could place signatory contractors at a competitive disadvantage relative to non-signatory contractors able to utilize "C" class Communication Technician and Electrician at a possible lower rate. Reduced competitiveness of signatory contractors directly affects the work opportunities of the Locals' members. For these reasons, the Chicago Laborers' District Council is a necessary party to the hearing proceeding.

18. Accordingly, the Chicago Laborers' District Council satisfies Section 120.320(a)(1)(C) because they may be adversely affected by a final order arising from the hearing, and they are a necessary party to the hearing proceeding.

19. The Association's Objections raise common questions of law and fact that must be resolved prior to ruling on the objections, including whether the proposed classification is covered under the existing classifications of Laborer(All), or Communication Technician or Electrician. 820 ILCS 130/4(m).

20. The Objections also present a common question of fact and law concerning whether the Department has authority under the Prevailing Wage Act, to establish a rate “below” the published classifications of Communication Technician and Electrician for the scope of work performed.

21. Permitting the Chicago Laborers’ District Council to intervene will not cause undue delay or prejudice and will result in a full and fair resolution of the issues.

WHEREFORE, the Chicago Laborers’ District Council respectfully requests the Administrative Law Judge to enter an Order granting this Petition to Intervene.

Respectfully submitted,

MARTIN FLANAGAN, as a Member of the Laborers International Union of North America, Local 1, and the CONSTRUCTION AND GENERAL LABORERS’ DISTRICT COUNCIL OF CHICAGO AND VICINITY,

By: /s/ George Rapidis
One of Their Attorneys

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Respondents.	)	

APPEARANCE

Joanna Barrera will appear on behalf of Martin Flanagan and the Construction and General Laborers' District Council of Chicago and Vicinity and its subsidiary and affiliate local unions, *et al.* Joanna Barrera is a member in good standing of the Illinois State Bar, ARDC No. 6332338. Please send all future correspondence to Ms. Barrera at the following business location:

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/s Joanna Barrera
Joanna Barrera
Attorney for Intervenors

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THE ILLINOIS DEPARTMENT OF LABOR, and
THE ILLINOIS DEPARTMENT OF LABOR.

Respondents.

State File No.: 2027-H-CC08-2358

APPEARANCE

Jeremy Esparza will appear on behalf of Martin Flanagan and the Construction and General Laborers' District Council of Chicago and Vicinity and its subsidiary and affiliate local unions, *et al.* Jeremy Esparza is a member in good standing of the Illinois State Bar, ARDC No. 6335842. Please send all future correspondence to Mr. Esparza at the following business location:

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/s Jeremy Esparza
Jeremy Esparza
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APPEARANCE

Mary Colleen Kilbride will appear on behalf of Martin Flanagan and the Construction and General Laborers' District Council of Chicago and Vicinity and its subsidiary and affiliate local unions, *et al.* Mary Colleen Kilbride is a member in good standing of the Illinois State Bar, ARDC No. 6327151. Please send all future correspondence to Ms. Kilbride at the following business location:

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APPEARANCE

George Rapidis will appear on behalf of Martin Flanagan and the Construction and General Laborers' District Council of Chicago and Vicinity and its subsidiary and affiliate local unions, *et al.* George Rapidis is a member in good standing of the Illinois State Bar, ARDC No. 6353797 Please send all future correspondence to Mr. Rapidis at the following business location:

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APPEARANCE

James Connolly Jr. will appear on behalf of Martin Flanagan and the Construction and General Laborers' District Council of Chicago and Vicinity and its subsidiary and affiliate local unions, *et al.* James Connolly Jr. is a member in good standing of the Illinois State Bar, ARDC No. 6327859. Please send all future correspondence to Mr. Connolly at the following business location:

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/s James Connolly Jr.
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Attorney for Intervenors

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Respondents.

Honorable John A. O'Meara
Administrative Law Judge
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PLEASE TAKE NOTICE that on this Third day of September, 2026, the undersigned provided the above-listed parties copies of the attached *Petition to Intervene* and Appearances electronically where noted.

/s George Rapidis
One of Their Attorneys

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