

**STATE OF ILLINOIS
DEPARTMENT OF LABOR**

IN THE MATTER OF:	)	
	)	
NATIONAL ELECTRICAL CONTRACTORS	)	STATE FILE NO. 2027-H-CC08-2358
ASSOCIATION, NORTHERN ILLINOIS CHAPTER	)	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 **NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION, NORTHERN ILLINOIS CHAPTER** ("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 25, 2026
TIME:	9:30 a.m.
ADMINISTRATIVE LAW JUDGE:	John A. O'Meara Administrative Law Judge Illinois Department of Labor
WEBEX INFORMATION:	https://illinois.webex.com/meet/john.omeara Meeting Number: 1333 63 2591
	Phone Number: +1-312-535-8110 Toll +1-415-655-0002 Toll Access code: 1333 63 2591
OBJECTORS' ATTORNEY:	Christina K. Wernick, Esq. Laner Muchin, Ltd.

RESPONDENTS' ATTORNEY:

**Stephanie Barton, Esq.
Deputy General Counsel
Illinois Department of Labor**

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

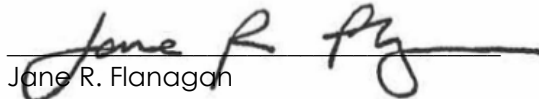
If you are unable to access Webex via the video link, you may join by calling the Webex phone numbers listed above.

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-CC08-2358** 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

**National Electrical Contractors Association,
Northern Illinois Chapter**

c/o Christina K. Wernick, Esq.

Laner Muchin, Ltd.

515 North State Street, Suite 2400

Chicago, Illinois 60654

Email: cwernick@lanerlaw.com

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-CC08-2358
NATIONAL ELECTRICAL	)	
CONTRACTORS ASSOCIATION,	)	DATE OF NOTICE: AUGUST 21, 2026
NORTHERN ILLINOIS CHAPTER	)	
	)	
OBJECTORS,	)	
	)	
v.	)	
	)	
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 **9:00 a.m.** The parties shall join via Webex using the following video link or dial-in phone number:

<https://illinois.webex.com/meet/john.omeara>

Meeting Number: 1333 63 2591

Phone Number:

312-535-8110 Toll

415-655-0002 Toll

Access code: 1333 63 2591

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/ John A. O'Meara

John A. O'Meara

Administrative Law Judge

Illinois Department of Labor

115 South LaSalle Street, 37th Floor

Chicago, IL 60603

V: 312-793-1805

Dol.hearings@illinois.gov



Northern Illinois Chapter, Inc.

NATIONAL ELECTRICAL CONTRACTORS ASS'N., INC.

4864 COLT ROAD • ROCKFORD, ILLINOIS 61109 • DIAL (815) 874-8400
www.nilneca.org

File no. 2027-H-CC08-2369



August 12, 2026

Jane R. Flanagan, Director, Illinois Department of Labor and
The Illinois Department of Labor
160 North LaSalle Street, Suite C-1300
Chicago, IL 60601

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AUG 14 2026

IDOL - CHICAGO OFFICE

**WRITTEN OBJECTION AND PETITION FOR HEARING
UNDER SECTIONS 4 AND 9 OF THE PREVAILING WAGE ACT**

The National Electrical Contractors Association, Northern Illinois Chapter submits this written objection to the prevailing rate of wages for the classifications of Communication Technician and Electrician and 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.

The National Electrical Contractors Association, Northern Illinois Chapter seeks to clarify the wages so that they are accurately reflected in the wages on the Illinois Department of Labor’s website as those set forth in the collective bargaining agreements between the National Electrical Contractors Association, Northern Illinois Chapter and International Brotherhood of Electrical Workers Local Union 364. The affected counties are all of Winnebago County, Stephenson County, Boone County, Ogle County and parts of Lee County, DeKalb County, JoDaviess County, Carroll County and Whiteside County.

820 ILCS Section 4 establishes how a prevailing wage rate is to be determined:

“Sec. 4. Ascertaining prevailing wage.

(a) The prevailing rate of wages paid to individuals covered under this Act shall not be less than the rate that prevails for work of a similar character on public works in the locality in which the work is performed under collective bargaining agreements or understandings between employers or employer associations and bona fide labor organizations relating to each craft or type of worker or mechanic needed to execute the contract or perform such work, and collective bargaining agreements or understandings successor thereto, provided that said employers or members of said employer associations employ at least 30% of the laborers, workers, or mechanics in the same trade or occupation in the locality where the work is being performed.

(b) If the prevailing rates of wages and fringe benefits cannot reasonably and fairly be applied in any locality because no such agreements or understandings exist, the Department of Labor shall determine the rates and fringe benefits for the same or most similar work in the nearest and most similar neighboring locality in which such agreements or understandings exist. The Department of Labor shall keep a record of its findings available for inspection by any interested party in the office of the Department of Labor.

(c) In the event it is determined, after a written objection is filed and hearing is held in accordance with Section 9 of this Act, that less than 30% of the laborers, workers, or mechanics in a particular trade or occupation in the locality where the work is performed receive a collectively bargained rate of wage, then the average wage paid to such laborers, workers, or mechanics in the same trade or occupation in the locality for the 12-month period preceding the Department of Labor's annual determination shall be the prevailing rate of wage.”

820 ILCS Section 9 establishes how the Department of Labor is to “effectuate the purpose and policy” of the Act:

“Sec. 9. To effectuate the purpose and policy of this Act the Department of Labor shall, during the month of June of each calendar year, investigate and ascertain the prevailing rate of wages for each county in the State and shall publish the prevailing wage schedule ascertained on its official website no later than July 15 of each year. If the prevailing rate of wages is based on a collective bargaining agreement, any increases directly ascertainable from such collective bargaining agreement shall also be published on the website. Further, if the prevailing rate of wages is based on a collective bargaining agreement, the explanation of classes on the prevailing wage schedule shall be consistent with the classifications established under the collective bargaining agreement.

At any time within 30 days after the Department of Labor has published on its official web site a prevailing wage schedule, any person affected thereby may object in writing to the determination or such part thereof as they may deem objectionable by filing a written notice with the Department of Labor stating the specified grounds of the objection. A person filing an objection alleging that the actual percentage of laborers, workers, or mechanics that receive a collectively bargained rate of wage is below the required 30% shall have the burden of establishing such and shall support the allegation with competent evidence. During the pendency of any objection and until final determination thereof, the work in question shall proceed under the rate established by the Department. It shall be the duty of the Department of Labor to set a date for a hearing on the objection after giving written notice to the objectors at least 10 days before the date of the hearing and said notice shall state the time and place of such hearing. Such hearing by the Department of Labor shall be held within 45 days after the objection is filed, and shall not be postponed or reset for a later date except upon the consent, in writing, of all the objectors and the Department of Labor.”

The National Electrical Contractors Association, Northern Illinois Chapter is an industry trade group representing multiple employers in collective bargaining with the International Brotherhood of Electrical Workers Local Union 364 in the electrical and telecommunications industries. We represent over 250 employers which employ more than 1,300 electricians and more than 450 technicians and employee approximately 92% of electrical industry employment in our jurisdiction.

Given that The National Electrical Contractors Association, Northern Illinois Chapter represents employers employing significantly more than 30% of the electrical industry employment in its jurisdiction, the “prevailing rate of wages...shall not be less than the rate that prevails for work of a similar character on public works in the locality in which the work is performed under [its] collective bargaining agreements or understandings...in the same trade or occupation in the locality where the work is being performed.” Thus, our collective bargaining agreements or understandings are the prevailing wage rates.

The Department of Labor is to “investigate and ascertain the prevailing rate of wages for each county in the State and shall publish the prevailing wage schedule ascertained on its official website...” “...if the prevailing rate of wages is based on a collective bargaining agreement, the explanation of classes on the prevailing wage schedule shall be consistent with the classifications established under the collective bargaining agreement.”

The Department of Labor violated Section 4 by not thoroughly investigating and ascertaining the prevailing wages or by providing an explanation of classes on the prevailing wage schedule. Such schedule is to be consistent with the classifications established within the collective bargaining agreements between the National Electrical Contractors Association, Northern Illinois Chapter and International Brotherhood of Electrical Workers Local Union 364.

A thorough investigation would reflect more than simply Communication Technician and Electrician trade titles on the Department of Labor's published prevailing wage schedule.

The collective bargaining agreements between the National Electrical Contractors Association, Northern Illinois Chapter and International Brotherhood of Electrical Workers Local Union 364 contain specific wages and benefits to be paid to other classifications that are "above" and "below" the published classifications for work performed "of a similar character on public works in the locality in which the work is performed under [its] collective bargaining agreements or understandings...in the same trade or occupation in the locality where the work is being performed."

The Department of Labor has the collective bargaining agreement between the National Electrical Contractors Association, Northern Illinois Chapter and International Brotherhood of Electrical Workers Local Union 364. The Department of Labor chose to only publish the trade titles of Communication Technician and Electrician and ignore all other classifications.

Per Section 9, the National Electrical Contractors Association, Northern Illinois Chapter hereby files this objection in a timely manner.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "John Robinson", with a long horizontal flourish extending to the right.

John Robinson
Executive Director

cc: Craig Colbrook, Bureau Chief, Illinois Department of Labor
Ron Ward, Labor Conciliator, Illinois Department of Labor
Board of Directors, NECA, Northern Illinois Chapter

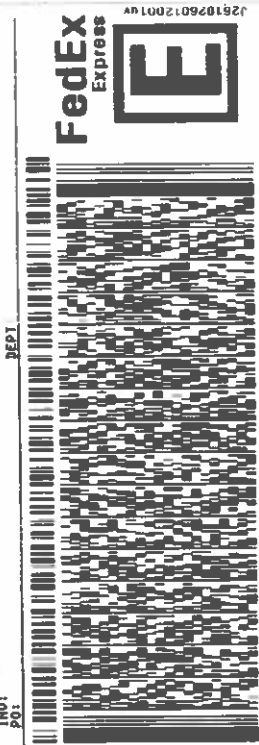


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ORIGIN ID: RFDA (815) 608-5848
SHIP DATE: 12AUG26
ACTING: 015
JOHN ROBINSON
CRD: 6572176/ROSA2710
14786 PRAIRIE WAY
SOUTH BLOOMINGTON, IL 61080
UNITED STATES US
TO JANE R. FLANAGAN
ILLINOIS DEPT OF LABOR
160 NORTH LASALLE STREET
SUITE C-1300
CHICAGO IL 60601
REF: (312) 788-2800
PO:



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