

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

IN THE MATTER OF:	)	
	)	
SHEET METAL AND AIR CONDITIONING	)	
CONTRACTORS' NATIONAL ASSOCIATION	)	
OF GREATER CHICAGO, WESTSIDE	)	
MECHANICAL GROUP, INC. AND ADMIRAL	)	
HEATING & VENTILATING INC.,	)	
	)	
Objector(s),	)	State File No.: 2027-H-CC08-2365
	)	
v.	)	
	)	
JANE FLANAGAN, DIRECTOR of the	)	
THE ILLINOIS DEPARTMENT OF LABOR, and	)	
THE ILLINOIS DEPARTMENT OF LABOR.	)	
	)	
Respondents.	)	

PETITION TO INTERVENE

Petitioners Donald Finn, a member of the International Brotherhood of Electrical Workers, Local Union No. 134, AFL-CIO, and the International Brotherhood of Electrical Workers, Local Union No. 134, AFL-CIO ("IBEW Local 134"), by and through their attorneys, submit this petition to intervene in all proceedings conducted in the above-captioned matter, and in support of state as follows:

1. Donald Finn ("Finn") is a member and Business Manager/Financial Secretary of IBEW Local 134 and negotiates and enforces collective bargaining agreements on behalf of IBEW Local 134.
2. IBEW Local 134 is a labor organization and affiliate of the International Brotherhood of Electrical Workers representing individuals performing work as Electricians on prevailing

15, 2026, prevailing wage schedules to the extent they omit the apprentice Sheetmetal Worker rates established by the SMART 265 Prevailing CBA” (Objections ¶ 12-13).

8. In its Objections, the Association states “The Department’s failure to certify and publish the apprentice wage and relevant fringe benefit rates contained in the SMART 73 Prevailing CBA results in the publication of an incomplete and inaccurate prevailing wage determination for Sheetmetal Worker in the SMART 73 Affected Counties” and therefore “object[s] to IDOL’s July 15, 2026, prevailing wage schedules to the extent they omit the apprentice Sheetmetal Worker rates established by the SMART 73 Prevailing CBA” (Objections ¶ 25-26).

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

10. 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.”

11. Petitions to Intervene in this matter shall be filed by September 2, 2026.

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

13. Section 2 of the Act defines the terms “general prevailing rate of hourly wages”, “general prevailing rate of wages” or “prevailing rate of wages” as,

the hourly cash wages plus *full journeyman* annualized fringe benefits for training and apprenticeship programs registered with the Office of Apprenticeship within the U.S. Department of Labor's Employment and Training Administration with *full journeymen annualized fringe benefits for health and welfare, insurance, vacations and pensions* paid generally, in the locality in which the

18. The relief sought could adversely affect IBEW Local 134, its members, and its signatory contractors. Establishing a lower apprentice rate for work presently covered by existing Electrician classifications could require corresponding apprentice rates to be addressed throughout the IBEW Local 134 jurisdiction and could place signatory contractors at a competitive disadvantage relative to non-signatory contractors able to utilize the lower rate. Reduced competitiveness of signatory contractors directly affects the work opportunities of the IBEW Local 134's members. For these reasons, IBEW Local 134 is a necessary party to the hearing proceeding.

19. The objections also present a common question of law concerning whether the Department has authority under the Prevailing Wage Act, as amended by Public Act 104-0017 and Public Act 104-0434, to establish the classification and rate sought by the Objectors. IBEW Local 134 contends that the Objectors are asking the Department to take action that is not authorized under the Act as amended.

20. Accordingly, IBEW Local 134 satisfies Section 120.320(a)(1)(C) because they may be adversely affected by a final order arising from the hearing, they are a necessary party to the hearing proceeding, and claims and defenses and the main action share a common question of law and fact concerning whether the Department has statutory authority to grant the relief requested.

21. Permitting IBEW Local 134 to intervene will not cause undue delay or prejudice and will result in a full and fair resolution of the issues.

WHEREFORE, IBEW Local 134 respectfully requests the Administrative Law Judge to enter an Order granting this Petition to Intervene.

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State File No.: 2027-H-CC08-2365

CERTIFICATE OF SERVICE

Honorable Nichole Cain
Administrative Law Judge
Illinois Department of Labor
115 S. LaSalle Street, 37th FL
Chicago, IL 60601
DOL.Hearings@illinois.gov

Jane Flanagan, Director
Illinois Department of Labor
115 S. LaSalle Street, 37th FL
Chicago, IL 60601

Stephanie Barton, Esq.
Deputy General Counsel
Illinois Department of Labor
115 S. LaSalle Street, 37th FL
Chicago, IL 60601
Stephanie.Barton@illinois.gov

Sean Imburgian, Esq.
Staff Attorney
Illinois Department of Labor
115 S. LaSalle Street, 37th FL
Chicago, IL 60601
Sean.Imburgian@illinois.gov

Christina K. Wernick
Laner Muchin, Ltd.
515 North State Street
Suite 2400
Chicago, Illinois 60654
cwernick@lanerlaw.com



I.B.E.W. LOCAL 134
2722 S. DR. MARTIN LUTHER KING, JR. DR.
CHICAGO, ILLINOIS 60616



Jane Flannigan, Director
Illinois Department of Labor
115 S. LaSalle Street, 37th Fl.
Chicago, IL 60601

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