

**STATE OF ILLINOIS – DEPARTMENT OF LABOR
160 N. LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601**

IN THE MATTER OF:	)	
	)	
NORTHEASTERN ILLINOIS CHAPTER	)	
OF THE NATIONAL ELECTRICAL	)	
CONTRACTORS ASSOCIATION (NEIL-	)	
NECA), MCWILLIAMS ELECTRIC CO.,	)	
ELECTRIC, INC., REMCO ELECTRICAL CORP.	)	
INC., AND HOMESTEAD ELECTRICAL	)	
CONSTRUCTION, LLC	)	
	)	STATE FILE NO.: 2027-H-CC08-2366
	)	
OBJECTOR(S)	)	Administrative Law Judge
	)	John O'Meara Hearing Officer
	)	
v.	)	
	)	
JANE R. FLANAGAN, DIRECTOR OF THE	)	
ILLINOIS DEPARTMENT OF LABOR, AND	)	
THE ILLINOIS DEPARTMENT OF LABOR,	)	
	)	
RESPONDENTS.	)	

**INTERVENORS, IBEW LOCALS 117, 150 AND 701's
ADOPTION OF RESPONDENTS' PETITION, BRIEF AND REPLY IN SUPPORT
THEREOF DENYING OBJECTOR'S COMPLAINT AND MOTION TO EXTEND
AS UNTIMELY AND LACK OF JURISDICTION**

Now Comes the Intervenor, International Brotherhood of Electrical Workers Locals 117, 150 and 701, who are specifically named throughout in Objector's tardy filing, and adopts as their own, the Respondent Illinois Department of Labor's Motion, Brief and Reply Brief to Dismiss Objectors' Objections as Untimely and To Deny Objector's Motion for Extension of Time. In support of its Adoption of Respondent's Motion and Brief In Support of Dismissal, Intervenor state:

1. The statute provides for a strict 30 day statute of limitations for filing Objections to prevailing rates published by the Department of Labor on its website's July 15, 2026, 820 ILCS 130/9. It is a mandatory statutory jurisdictional pre-requisite and an inherent limitation on the Agency's authority.

2. 56 Ill. Admin. Code §120.130(a) sets forth with specificity the manner and method for filing specifically advises all:

"Filings received after 5:00 p.m. will be considered filed on the next business day."

3. Objector's Written Objections and Request for Hearing were filed August 17, 2026 as evidenced by the pleadings IDOL date stamp. This court lacks subject matter jurisdiction pursuant to 820 ILCS 130/9. The case must be dismissed as a matter of law.

4. As this court lacks subject matter over the Objection, it has no jurisdiction to waive or extend the statutory period by Objector's Motion to Extend Time. That Motion is a judicial admission that the Objection was untimely filed and Objector knew same.

5. Because the statutory window to file a proper objection has completely closed, the defect cannot be cured by an Amendment or Extension. Therefore, the dismissal must be final and with prejudice, so that the published wage rates of electricians and telecommunication technicians in the specific counties identified in Objector's untimely challenge at Paragraph 5, Page 3, as DuPage, Kane, Kendall, Lake, McHenry, Cook and Dekalb counties, Illinois stand as published.

6. For all the reasons stated in Respondent's Jane Flanagan, Director of the Illinois Department of Labor and the Illinois Department of Labor's Motion and Brief in Support of Dismissal and Reply is hereby adopted by Intervenors, IBEW Locals 117, 150 and 701.

WHEREFORE, Intervenor's pray:

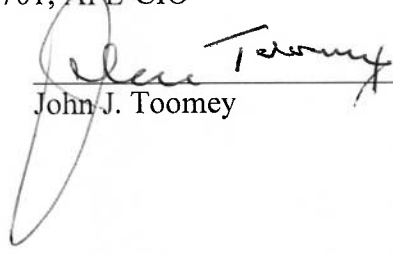
- A. Respondent Illinois Department of Labor's Motion to Dismiss Objections be granted and Intervenor's Motion to Adopt.
- B. Objector's untimely Complaint be dismissed with prejudice and Motion to Extend Time be denied and dismissed for lack of subject matter jurisdiction to consider such motion. Statutory limitations periods cannot be extended by a Motion to Extend Time.
- C. The July 15, 2026 IDOL published prevailing rates for wages, benefits and electrician and telecommunication technicians classifications in the counties of DuPage, Kane, Kendall, Lake, McHenry, Cook and DeKalb counties, Illinois stand as published.

JESSE LENART, as a Member and Business
Manager of IBEW Local 117 and the
INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL UNION
NO. 117, AFL-CIO

STEVE SMART, as a Member and Business
Manager of IBEW Local 150 and the
INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL UNION
NO. 150, AFL-CIO

FRANK GRAVINA, as a Member and Business
Manager of IBEW Local 701 and the
INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL UNION
NO. 701, AFL-CIO

By:


John J. Toomey

John J. Toomey
Arnold and Kadjan, LLP
35 E. Wacker, Suite 600
Chicago, Illinois 60601
(312) 236-0415
JToomey100@hotmail.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused the foregoing *Intervenors IBEW Locals 117, 150 and 701's Adoption of Respondents' Petition, Brief and Reply In Support Thereof Denying Objector's Complaint and Motion to Extend as Untimely and Lack of Jurisdiction* to be served pursuant to Section 56 Ill. Admin. Code §120.130 via email on September 16, 2026, prior to 4:00 p.m. as follows:

By email
DOL.Hearings@illinois.gov
Honorable John A. O'Meara
Administrative Law Judge
Illinois Department of Labor
115 S. LaSalle Street, 37th Floor
Chicago, Illinois 60601

By email
Jane.Flanagan@Illinois.gov
Jane Flanagan, Director
Illinois Department of Labor
115 S. LaSalle Street, 37th Floor
Chicago, Illinois 60601

By email
Stephanie.Barton@Illinois.gov
Stephanie Barton
Deputy General Counsel
Illinois Department of Labor
524 South 2nd Street, Suite 400
Springfield, Illinois 62701

By email
Sean.Imburgia@Illinois.gov
Sean Imburgia
Staff Attorney
Illinois Department of Labor
115 S. LaSalle Street, 37th Floor
Chicago, Illinois 60601

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

By email
mwilkes@lanerlaw.com
Megan M. Wilkes
Laner Law, Ltd.
515 North State Street, Suite 2400
Chicago, Illinois 60654

By email tryan@midwestlaborers.org
Timothy J. Ryan
Midwest Region Laborers'
#1 N. Old State Capitol Plaza, Suite 525
Springfield, Illinois 62701

By email GRapidis@LDCLMCC.com
George Rapidis
Chicago Laborers' District Council
Labor-Management Cooperation Committee
999 McClintock Drive, Suite 301
Burr Ridge, Illinois 60527

By email JC2@LIUNAFour.com

James Connolly, Jr.

By email JBarrera@LIUNACHicago.org

Joanna Barrera

By email CKilbride@LIUNACHicago.org

Mary Colleen Kilbride

Chicago Laborers District Council

Labor-Management Cooperation Committee

999 McClintock Drive, Suite 300

Burr Ridge, Illinois 60527

By email JEsparza@LaborersLocalOne.com

Jeremy Esparza

Laborers International Union of North America

Local 1

8618 W. Catalpa Avenue

Suite 1101

Chicago, Illinois 60656

By email Mbinetti@iiiiffc.com

Melissa Binetti

By email Mpoulos@iiiiffc.com

Marc Poulos

By email kprincipe@iiiiffc.com

Kara Principe

By email jsweeney@iiiiffc.com

Joseph Sweeney

International Union Operating Engineers 150 841

Indiana, Illinois Iowa Foundation

for Fair Contracting

6170 Joliet Road, Suite 200

Countryside, Illinois 60525

By email Mclelland@local134.org

Matthew J. Cleveland

IBEW Local 134

2722 S. Dr. Martin Luther King Jr. Drive

Chicago, Illinois 60616

By email astead@mkrlaborlaw.com

Ashley Stead

McGann, Ketterman & Rioux

111 E. Wacker Drive, Suite 2300

Chicago, Illinois 60601