

**STATE OF ILLINOIS – DEPARTMENT OF LABOR
115 N. LASALLE STREET, 37TH FLOOR
CHICAGO, ILLINOIS 60603**

IN THE MATTER OF:	)	
	)	
NORTHEASTERN ILLINOIS CHAPTER	)	
OF THE NATIONAL ELECTRICAL	)	
CONTRACTORS ASSOCIATION,	)	
	)	NO.: 2027-H-CC08-2366
	)	
PETITIONER-OBJECTOR	)	John O'Meara Hearing Officer
	)	
v.	)	
	)	
JANE R. FLANAGAN, DIRECTOR OF THE	)	
ILLINOIS DEPARTMENT OF LABOR, AND	)	
THE ILLINOIS DEPARTMENT OF LABOR,	)	
	)	
RESPONDENTS.	)	

IBEW LOCAL 461's PETITION TO INTERVENE

Come now Attorney Ashley Stead on behalf of Petitioner, International Brotherhood of Electrical Workers, Local 461 ("IBEW Local 461" or "Intervenor"), and submits this Petition to Intervene in all proceedings conducted in the above-captioned matter, and in support of said intervention, state as follows:

1. IBEW Local 461 is a labor organization, affiliate of the International Brotherhood of Electrical Workers representing individuals performing work as Electricians and Communication Technicians on prevailing wage projects throughout the electrical industry serving southern Kane and Kendall Counties. Its principal place of business is 591 Sullivan Road, Suite 100, Aurora, Illinois, 60506.

2. On August 17, 2026, Objectors, Northeastern Illinois Chapter of the National Electrical Contractors Association ("NECA"), McWilliams Electric Co., Inc. and Homestead electrical Construction, LLC (collectively, "Objectors") submitted their Written Objections and

Requests for Hearing Under Sections 4 and 9 (“Objections”) with the Illinois Department of Labor (“Department”) to the July 15, 2026 prevailing wage determinations pursuant to Sections 4 and 9 of the Act (820 ILCS 130/4 and 130/9).

3. In the Objections, Objectors stated that they had entered into various collective bargaining agreements with Local Unions No. 701, 117, 150 and 461 of the International Brotherhood of Electrical Workers (“IBEW”) concerning electrical and telecommunication work in DuPage, Kane, Kendall, Lake, McHenry, Cook and DeKalb Counties (“Affected Counties”) as set forth in the applicable collective bargaining agreements, attached as Group Exhibit A and Group Exhibit C to the Objections.

4. In their Objections, Objectors seeks to establish the separate classification of Electrician and Communication Technician Apprentice in the Affected Counties, and claims that the Department should create the new prevailing wage rate for said Apprentice classifications in said areas based upon the collective bargaining agreements between the Unions and Objectors.

5. However, doing so would run afoul of recent statutory amendments adopted by the Illinois General Assembly, which now requires apprentices to be paid fringe benefits at journeyman rates, irrespective of what rates are provided under a collective bargaining agreement in the locality. *See* 820 ILCS 130/2, amended by P.A. 104-0017.

6. Historically, apprentice wage progression is established through federally certified apprenticeship programs, not through the Department’s prevailing wage determinations. Creating the new classifications sought by Objectors would fundamentally alter the Department’s longstanding approach to administering the Prevailing Wage Act and directly impact Intervenor and its members.

7. Section 20(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.”

8. Pursuant to Section 9 of the Act, “any interested objectors may ... introduce such evidence as is material to the issue.”

9. In support of their Objections and request to establish the separate classifications in the above counties, Objectors submitted their collective bargaining agreements with several IBEW locals, including IBEW Local 461.

10. IBEW Local 461, is a party to a collective bargaining agreement with contractors in their jurisdictions where its members perform work that could conflict with the scope of work of a proposed “Apprentice” classification and is already covered under the existing Electrician and/or Communication Technician classification. IBEW Local 461’s members and their employer signatory contractors currently perform work on public projects in those Affected Counties pursuant to their collective bargaining agreements.

11. If Objectors’ petition is successful, some of this work performed by the Intervenor’s members may be encompassed by the Objectors request for the separate “Apprentice” rate classification.

12. Accordingly, IBEW Local 461 is a necessary party to this hearing because IBEW Local 461 is a party to collective bargaining agreements with signatory contractors in the Affected Counties.

13. Because IBEW Local 461 members perform work within the Affected Counties and if the Objectors' Objection is granted in whole or in part, a direct, adverse impact on the IBEW Local 461 and its members may occur.

14. As set forth above, IBEW Local 461 will suffer adverse effects and are a necessary party under the clear intent of the Prevailing Wage Act and there is a common question of law and fact that must be resolved in order to justly rule on the Objectors' Objection.

15. Permitting IBEW Local 461 to intervene will not cause undue delay or prejudice and will result in a full and fair resolution of the issues.

WHEREFORE, IBEW Local 461, respectfully requests the Administrative Law Judge to enter an Order granting this Petition to Intervene and for such other relief deemed appropriate and just.

Respectfully submitted,

International Brotherhood of
Electrical Workers, Local No. 461

By: /s/ Ashley L. Stead
Attorney for Intervenor

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THE ILLINOIS DEPARTMENT OF LABOR,	)	
	)	
Respondents.	)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that they served the above Petition to Intervene and Appearance on this 2nd day of September, 2026, by electronic mail and where noted to the following:

Emailed and Mailed:

Honorable John A. O'Meara
Administrative Law Judge
Illinois Department of Labor
115 S. LaSalle Street, 37th Floor
Chicago, IL 60603
(312) 793-1805
Dol.hearings@illinois.gov

Emailed to the following:

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c/o Stephanie Barton, Esq.
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Northeastern Illinois Chapter of the National
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Electric Co., Inc., and Homestead Electrical
Construction, LLC
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By : /s/ Ashley Stead
Attorney for Intervenor

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APPEARANCE

The undersigned attorney hereby enters the following appearance on behalf of the INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL NO. 461 in the above referenced case.

Ashley Stead
McGann, Kettermann & Rioux
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astead@mkrlaborlaw.com

I agree to accept service of all documents in this matter by electronic mail at the email address set forth above. By accepting and submitting this form, I affirm and certify that all information provided and the statements made herein are true, correct and complete.

/s/ Ashley Stead

September 2, 2026

CERTIFICATE OF SERVICE

The undersigned hereby certifies that they served the above Appearance on this 2nd day of September, 2026 via electronic mail to the following:

Honorable John A. O'Meara
Administrative Law Judge
Illinois Department of Labor
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Illinois Department of Labor and
Jane Flanagan, Director
c/o Stephanie Barton, Esq.
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