

RECEIVED

SEP 02 2026

IDOL - CHICAGO OFFICE

STATE OF ILLINOIS – DEPARTMENT OF LABOR
115 S. LASALLE STREET, 37th FLOOR
CHICAGO, IL 60603

IN THE MATTER OF:)
)
NORTHEASTERN ILLINOIS CHAPTER)
OF THE NATIONAL ELECTRICAL)
CONTRACTORS ASSOCIATION (NEIL-NECA),) State File No.: 2027-H-CC08-2366
MCWILLIAMS ELECTRICAL CO., ELECTRIC,)
INC., REMCO ELECTRICAL CORP., INC., AND)
HOMESTEAD ELECTRICAL CONSTRUCTION,)
LLC)
)
Objectors,)
)
v.)
)
JANE R. FLANAGAN, DIRECTOR of the)
ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR,)
)
Respondents.)

OPERATOR'S PETITION TO INTERVENE

Petitioners John Ahlgrim, a member and Director of Contract Negotiations for the International Union of Operating Engineers, Local 150, AFL-CIO and the International Union of Operating Engineers, Local 150, AFL-CIO ("Local 150"), by and through their attorneys, submit this petition to intervene in the above-captioned matter, and in support state as follows:

1. John Ahlgrim is a member and Director of Contract Negotiations for the International Union of Operating Engineers, Local 150, AFL-CIO.
2. International Union of Operating Engineers, Local 150, AFL-CIO is a labor organization representing individuals performing work as Operating Engineers on prevailing wage projects throughout various Illinois counties, including Cook, DeKalb, DuPage, Kane, Kendall, Lake, and McHenry Counties.

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 21, 2026, the Illinois Department of Labor (the “Department”) issued a Notice of Webex Hearing stating that 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 filed written objections to the prevailing wage determinations published by the Department on its website and requested a hearing pursuant to Sections 4 and 9 of the Act.

5. The Department has scheduled a pre-hearing conference in this matter for September 8, 2026 at 9:30 a.m., and the hearing for September 25, 2026 at 9:30 a.m., before Administrative Law Judge John A. O’Meara.

6. 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.”

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

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

9. The Objectors request that the Department certify and publish graduated apprentice rates or, in the alternative, establish a new prevailing wage classification for “Electrician Apprentice” and “Communication Technician Apprentice” in each county covered

by the applicable collective bargaining agreement, where an existing prevailing wage classification covers the same scope of work and type of worker.

10. Local 150 has entered into collective bargaining agreements with signatory contractors whose members and employees perform Operating Engineer work on public works projects in counties within their respective jurisdictions. That work is performed under existing prevailing wage classifications established by the Department based on applicable collective bargaining agreements in the above-referenced counties.

11. The relief sought could adversely affect Local 150 its members, and their signatory contractors. Establishing a lower apprentice rate for work presently covered by existing Operating Engineer classifications could require corresponding apprentice rates to be addressed throughout the Local's jurisdictions 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 Locals' members. For these reasons, Local 150, is a necessary party to the hearing proceeding.

12. 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. Local 150 contends that the Objectors are asking the Department to take action that is not authorized under the Act as amended.

13. Accordingly, Local 150 satisfies Section 120.320(a)(1)(C) because it may be adversely affected by a final order arising from the hearing, it is 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.

14. Permitting Local 150 to intervene will not cause undue delay or prejudice and will result in a full and fair resolution of the issues presented while considering all impacted parties.

WHEREFORE, Local 150 respectfully request the Administrative Law Judge enter an Order granting this Petition to Intervene and for such other relief deemed appropriate and just.

Respectfully submitted,

JOHN AHLGRIM, as a member and Director of
Contract Negotiations of the International Union
of Operating Engineers, Local 150, AFL-CIO;
THE INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL 150,
AFL-CIO;

By: /s/ Joseph P. Sweeney
One of Their Attorneys

September 2, 2026

Marc R. Poulos (mpoulos@iiiffc.org)
Melissa L. Binetti (mbinetti@iiiffc.org)
Kara M. Principe (kprincipe@iiiffc.org)
Joseph P. Sweeney (jsweeney@iiiffc.org)
Indiana, Illinois, Iowa Foundation for Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
Phone: 815.254.3332
Fax: 815.254.3525