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On September 3, 2026 the Respondent, IDOL, Moved to Dismiss for lack of jurisdiction as a Motion to Extend Time cannot extend a statutory limitation period. The Motion is fully briefed.

Judkins v. Holsten Management Corp., 2014 Ill. App. 13-223-U held a court may not judicially extend a statute of limitations beyond the time which has been established by the legislature no matter how it happened that the Complaint was filed late. Statutory limitations periods are rigid and cannot be bypassed by using standard procedural Motions for Extensions of Time.

The same set of circumstances surround NEIL NECA Chapter in 2027-H-CC08-2366 affecting IBEW Locals 117, 150, 701 and 461 for electricians and telecommunication technicians July 15, 2026 posted certified rates in 8 Illinois counties. A like fully briefed Motion to Dismiss is pending in 2027-H-CC08-2368. The Intervenor Unions herein Moved to Adopt Respondent IDOL's Motion and Briefs in both cases.

Expiration Bars The Claim: Once the statutory period expires, the legal right to bring the claim is typically extinguished, and the court loses the authority (jurisdiction) to hear the case. A judge has no discretionary power to grant a motion that resurrects or lengthens an expired statute of limitations.

The IDOL Cannot Waive Statutory Law: Administrative agencies are strict creatures of statute. While IDOL hearing officers have procedural rules that let them grant motions to extend internal schedules (like changing a briefing schedule or pushing back a hearing date), they **do not have the authority** to alter or disregard a fixed deadline written into an Illinois statute.

No Retrospective Extensions: Filing a motion *after* 30 days have already elapsed cannot retroactively cure the defect. Because the deadline was missed before the motion was filed, the claim or right to appeal is legally dead.

As dismissals are likely in both NECA Objectors' cases under an avalanche of statute of limitations law, Movants at the earliest point in time objected to the NECA Chapters Intervention in this third case, 2027-H-CC08-2368. Their rights were decided in their own cases and cannot be revived in another's timely action.

Dismissal of the two NECA Chapters' own cases leaves the June 15, 2026 certified rates for 17 counties, Will, Grundy, Kankakee, LaSalle, Bureau, Putnam, Stark, Henry, Ford, Iroquois, DuPage, Kane, Kendall, Lake, McHenry, Cook and DeKalb, Illinois, established as published and cannot be challenged or questioned via intervention in another action.

Petitioners are trying to use another Objector party's timely downstate filing in 2027-H-CC08-2368 to sneak back into court and litigate an issue they lost due to an untimely filing. Granting intervention would weaponize the rules to erode a mandatory statutory limitation deadline. It is a basis to deny permissive intervention and avoid delaying this case. They seek to accomplish indirectly what they could not do directly. It is an attempted end run around the hard and fast limitation period and not be condoned.

**DISMISSAL OF THE PRIOR ACTIONS
ENDS INTERVENTION IN 2027-H-CC08-2368**

It is an improper use of 56 Ill. Adm. Code 120.320 Intervention to sanction an end run around a statute of limitations which is clearly set forth in the Prevailing Wage Act, 820 ILCS 130/9. This is an improper use of a Petition to Intervene and should be denied. It is the Petitioning Intervenors burden to establish how they will be affected under 120.320(a)(1). Once dismissed in their own action, they (A) cannot be adversely affected; (B) they are not necessary parties; and (C) no longer share a claim or question of law as their rate is as published July 15,

2026. This eliminates so called “common questions”. They no longer have any say in the matter nor are they entitled to a second bite of the apple elsewhere by Intervention.

Under IDOL procedural rule, 56 Ill. Adm. Code 120.320(a)(1), an intervenor must demonstrates on the face of its Petition, a direct substantial and immediate economic or legal interest in the outcome of the specific proceeding, not a speculative future concern. Here the two NECA associations interest, if any, is purely academic or ideological which is insufficient for intervention. The wages and classifications in their 17 counties have been certified and cannot be assailed. They possess no legal interest in Case No. 2027-H-CC08-2368 as it does not apply to them. The former Objectors, NECA Chapters, can add nothing new. They will only delay and disrupt this action raising collateral issues that apply to their actions soon to be dismissed.

Denying intervention would cause the Proposed Intervenor NECA Chapter no harm. They can show no adverse by a Final Order from the hearing in Case No. 2027-H-CC08-2368 as their rates are already certified. It cannot use this proceeding to undermine or challenge those rates.

For that same reason, the NECA Chapters no longer share any common or claim or defense, or common question of law or fact in this main action, 2027-H-CC08-2368, being foreclosed in their own action in their Objection action.

Denial of permissive intervention would not harm the NECA Intervenor as the prevailing wage issue is settled in their geographic jurisdiction and would expedite these proceedings. If allowed to participate at all, NECA’s participation should be limited to no more than an Amicus Curiae which would provide them the ample opportunity to address a specific issue in this case, but not to attempt to change the certified rates in their 17 counties already made final. The NECA Intervenor have not requested any alternative remedy nor should one be extended absent such a demand.

Intervention should be denied because no extraordinary circumstances warrant intervention after dismissal of their own Objector Petitions. Intervention is usually permitted where the required impact on the Intervenor is clear from the face of the Application. Here it is not. There is no impact as their rates are certified in 17 counties

At bar it is just the opposite, having failed as Objectors in their own actions. They seek to back door the limitation statute and argue their case in this case 2027-H-CC08-2368.

The Proposed Intervenors have not established any vital or concrete interest in the downstate matter. Moreover, they cannot as a dismissal will establish the rates as certified July 15, 2026 in their geographic jurisdictions.

Objector/Intervenor; interests will not be directly affected by these proceedings because the rates are set in their 17 counties.

No strong basis for intervention is plainly established by Objector/Intervenors and they have failed to explain how the current Objector, NECA Chapter, will not adequately represent their interests, if and when Objectors' claims are dismissed.

CONCLUSION

Intervention should be denied the NECA Objectors/Intervenors as:

1. Objector/Intervenors attempt to circumvent the statute of limitations through intervention in another proceeding.
2. Intervenors have no vital and concrete interest that would be directly and vitally affected by the outcome of this litigation as its rates were set July 15, 2026.
3. The interests, if any, of the Intervenor are ably represented by Mr. Martone who represents the Employers' Trade Association in all but a few Illinois counties.
4. Intervention should be denied, but alternatively the ALJ may consider amicus curiae status if Objector/Intervenor so requests to brief the limited topic in which it claims to have a paramount interest, though not intended.

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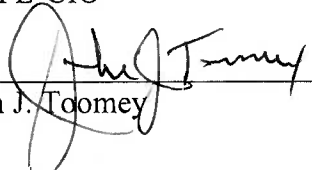
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By:

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused the foregoing IBEW Locals 117, 150, 176, 197 and 701's Reply to Eastern Illinois and Northeastern Illinois Chapters Intervention to be served pursuant to Section 56 Ill. Admin. Code §120.130 via email all on September 25, 2026, prior to 4:00 p.m. as follows:

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