

STATE OF ILLINOIS, DEPARTMENT OF LABOR
160 N. LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60725

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IN THE MATTER OF:)
)
ILLINOIS CHAPTER, NATIONAL)
ELECTRICAL CONTRACTORS)
ASSOCIATION, WEBER ELECTRIC, INC.,)
WILCOX ELECTRIC & SERVICE, INC., F.W.) STATE FILE: 2027-H-CC08-2368
ELECTRIC, INC., GLESCO ELECTRIC,)
INC., REMCO ELECTRICAL CORP., CAMP)
ELECTRIC AND ENGINEERING SERVICES,)
P.C., PALS ELECTRIC, INC. and PYRAMID)
ELECTRICAL CONTRACTORS, INC.,)
)
OBJECTORS,)
)
v.)
)
JANE R. FLANAGAN, DIRECTOR of the)
ILLINOIS DEPARTMENT OF LABOR, THE)
ILLINOIS DEPARTMENT OF LABOR,)
)
RESPONDENTS.)
)
)

PETITION TO INTERVENE

Petitioners Jim Fellows, a member and Business Manager of the International Brotherhood of Electrical Workers, Local Union No. 725, AFL-CIO, and the International Brotherhood of Electrical Workers, Local Union No. 725, AFL-CIO ("Local 725"), by and through their undersigned attorneys, submits their Petition to Intervene in the above-captioned matter, and in support state as follows:

1. Jim Fellows is a member of Local 725. He is also the elected Business Manager.
2. Local 725 is a labor organization with its principal office in Terre Haute, Indiana serving as exclusive representative of individuals performing work as Electricians and as

Electronic Systems Techs on prevailing wage projects throughout various Illinois counties, including the counties of Clark, Edgar, Crawford, Jasper, Lawrence, and Richland.

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 on public works in the locality shall be paid to all laborers, workers and mechanics engaged in the construction or demolition of public works.

4. On or about August 14, 2026, the Illinois Chapter, National Electrical Contractors Association (“NECA”) alongside Glesco Electric, Inc. (“Glesco”) and Pals Electric, Inc. (“Pals”) filed objections (“Objection”) with the Illinois Department of Labor (“Department”) to request the Department to ascertain and publish different prevailing rates for apprentices for the Electrician and Electronic System Tech and Telecommunications classifications pursuant to Sections 4 and 9 of the Act. The objections are State File No. 2027-H-CC08-2368.

5. 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.”

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

7. Local 725 has entered into collective bargaining agreements with employer associations, including NECA filing the objection at issue, that bargain on behalf of signatory contractors. Both Glesco and Pals have letters of assent to these agreements with Local 725. Members of Local 725, as well as the contractors and subcontractors who employ them,

currently perform work on public projects in these counties pursuant to these collective bargaining agreements.

8. By way of background, for years the Illinois Department of Labor took the position that apprentices on public works jobs must be paid full journeyman fringes. It posted the requirement on a FAQ on its website and found violations by contractors for not paying full fringes to apprentices.

9. The recent amendments to the state Prevailing Wage law merely codify the Department's lawful position for clarity.

10. Also by way of background, for years the Department of Labor has, pursuant to the Act, published prevailing wage schedules for counties and portions thereof setting wage and benefit amounts for various classifications, such as electrician, pipefitter, and sheetmetal worker. Those schedules list journeyperson wage and benefit amounts. The schedules do not include any separate apprentice classifications at different wage and/or benefit amounts.

11. In its Objections, Glesco and Pals claim that prevailing wage schedules should include apprentice classification with fringe benefit rates set forth in the CBAs.

12. It appears that Glesco and Pals, by their Objection, seek to avoid or negate the specific, express, and lawful requirement in the state Prevailing Wage law that apprentices be paid full journeyman annualized fringe benefits by requiring the Department to publish schedules with separate apprentice classifications with less than 100% fringe amounts.

13. If the Objection is successful, contractors, including Glesco and Pals, could pay Local 725's apprentices less than full fringes on prevailing wage jobs, thereby reducing apprentice compensation.

14. Local 725 moves to intervene to protect its interests and members' interests.

15. Local 725 will be adversely affected by a final order in Glesco and Pals' favor in this proceeding in that such an order would undercut wages and benefits due under the law to employees which Local 725 represents, and damage the livelihoods of those employees, and thereby undermine Local 725's status as their representative and its goal of obtaining for members higher compensation. The Objection also seeks to use the labor agreements to impose a lesser rate which the law may supersede.

16. Furthermore, because Glesco and Pals' Objection specifically seeks to alter the prevailing wage in Local 725's jurisdiction based on the CBAs, Local 725 is a necessary party to this proceeding. Glesco and Pals rely on collective bargaining agreements which Local 725 is party to.

17. Finally, as set forth above, there is a common question of law and fact that must be resolved prior to ruling on NECA's Objection. Local 725 intends to defend the requirement which NECA attacks – that apprentices receive full fringes. Further, there are common questions of fact, including the collective bargaining agreements which Local 725 is party to.

18. Local 725's motion is timely, by the September 2 deadline for motions.

19. Permitting Local 725 to intervene will not cause undue delay or prejudice and will result in a full and fair resolution of the issues.

WHEREFORE, Local 725 respectfully requests the Administrative Law Judge enter an Order granting this Petition to Intervene and for such other relief deemed appropriate and just.

Respectfully submitted,

Jim Fellows, a member and Business Manager of
the International Brotherhood of Electrical Workers,
Local Union No. 725, AFL-CIO, and the
International Brotherhood of Electrical Workers,
Local Union No. 725, AFL-CIO

By: SCHUCHAT, COOK & WERNER

/s/ Luke A. Klein

Luke A. Klein (6340224)
Christopher N. Grant (6277560)
555 Washington Ave., Suite 520
St. Louis, MO 63101
314-621-2626
Fax: 314-621-2378
lak@scwattorney.com
cng@scwattorney.com

Attorneys for Intervenors

TANYA YOUNG
3143569722
SCHUCHAT, COOK AND WERNER
555 WASHINGTON AVENUE
SAINT LOUIS MO 63101

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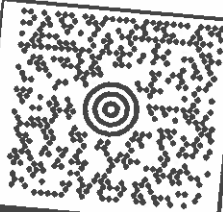
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HONORABLE JOHN A. O'MEARA
ILLINOIS DEPARTMENT OF LABOR
SUITE C-1300
160 NORTH LASALLE STREET
CHICAGO LOOP IL 60601-3114

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