

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

IN THE MATTER OF:	)	
	)	
EASTERN ILLINOIS CHAPTER OF THE	)	
NATIONAL ELECTRICAL CONTRACTORS	)	
ASSOCIATION,	)	
	)	STATE FILE NO.: 2027-H-CC08-2370
	)	
PETITIONER-OBJECTOR	)	Administrative Law Judge John O'Meara
	)	
v.	)	
	)	
JANE R. FLANAGAN, DIRECTOR OF THE	)	
ILLINOIS DEPARTMENT OF LABOR, AND	)	
THE ILLINOIS DEPARTMENT OF LABOR,	)	
	)	
RESPONDENTS.	)	

**INTERVENOR, IBEW LOCAL 176'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 Local 176, who is 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 states:

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 Will, Grundy, Kankakee, LaSalle, Bureau, Putnam, Stark, Henry, Ford and Iroquois 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 Intervenor, IBEW Local 176.

WHEREFORE, Intervenor prays:

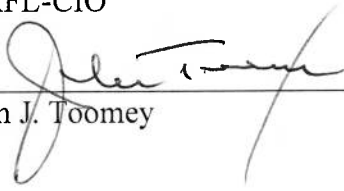
A. Respondent Illinois Department of Labor’s Motion to Dismiss Objections be granted and Intervenor’s Motion to Adopt.

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 classification in the Illinois counties of Will, Grundy, Kankakee, LaSalle, Bureau, Putnam, Stark, Henry, Ford and Iroquois stand as published.

ANDY RICO, as a Member and Business
Manager of IBEW Local 176 and the
INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL UNION
NO. 176, AFL-CIO

By:



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused the foregoing *Intervenor's IBEW Local 176 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
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By email
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