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	)	
	)	
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' RESPONSE TO OBJECTOR'S REQUEST FOR REVIEW AND SUPPORTING AFFIRMANCE OF THE ALJ'S SEPTEMBER 29, 2026 ORDER OF DISMISSAL

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 Response to Objector's Request for Review and Exhibits supporting Dismissal of the Appeal of Objectors' Objections to the July 15, 2026 Prevailing Rate Determination as Untimely and Denying Objector's Motion for Extension of Time. In support of its Adoption of Respondent's Response, 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. This appeal of the ALJ's September 29, 2026 Order of Dismissal as untimely must be affirmed as a matter of law.

4. As this court lacks subject matter over the underlying untimely Objection and the Appeal, 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 was aware of same.

5. Because the statutory window to file a proper objection had completely closed, the defect cannot be cured by an Amendment, Extension or Appeal. Therefore, the September 29, 2026 dismissal is 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 and should not be reversed on appeal.

6. For all the reasons stated in Respondent's Response to Objector's Request for Review and Supporting Exhibits, the pleading is hereby adopted by Intervenor, IBEW Local 176.

WHEREFORE, Intervenor prays:

A. That Respondent Illinois Department of Labor's Response Supporting the Administrative Law Judge's September 29, 2026 Order Dismissing Objector's Objection and Motion for Extension of Time be affirmed and the Objector's appeal be denied.

B. That the July 15, 2026 IDOL published prevailing rates for wages, benefits for electrician and telecommunication technicians classifications in the counties of Will, Grundy, Kankakee, LaSalle, Bureau, Putnam, Stark, Henry, Ford and Iroquois counties, Illinois 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, IBEW Local 176's *Adoption of Respondents' Response to Objector's Request for Review and Supporting Affirmance the ALJ's September 29, 2026 Order of Dismissal* to be served pursuant to Section 56 Ill. Admin. Code §120.130 via email on October 21, 2026, prior to 4:00 p.m. as follows:

By email
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