

STATE OF ILLINOIS - DEPARTMENT OF LABOR  
115 S. LASALLE STREET, 37<sup>TH</sup> FLOOR  
CHICAGO, IL 60603

IN THE MATTER OF:

SHEET METAL AND AIR CONDITIONING  
CONTRACTOR'S NATIONAL ASSOCIATION  
GREATER CHICGO, WESTSIDE  
MECHANICAL GROUP, INC. AND  
ADMIRAL HEATING & VENTILATING, INC.,

Objector(s),

v.

JANE R. FLANAGAN, DIRECTOR OF THE  
ILLINOIS DEPARTMENT OF LABOR, AND  
THE ILLINOIS DEPARTMENT OF LABOR

Respondent(s).

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State File No.: 2027-H-CC08-2365

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that they served the above Petition to Intervene and Appearance on this 31st day of August 2026, by electronic mail and mail where noted to the following:

**Emailed and Mailed:**

Honorable Nichole Cain  
Administrative Law Judge  
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Sheet Metal and Air Conditioning Contractors'  
National Association of Greater Chicago Westside  
Mechanical Group, Inc. and Admiral Heating &  
Ventilating, Inc.,  
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By: /s/ Timothy J. Ryan  
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STATE OF ILLINOIS - DEPARTMENT OF LABOR  
115 S. LASALLE STREET, 37<sup>TH</sup> FLOOR  
CHICAGO, IL 60603

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|--------------------------------------|---|----------------------------------|
| IN THE MATTER OF:                    | ) |                                  |
|                                      | ) |                                  |
| SHEET METAL AND AIR CONDITIONING     | ) |                                  |
| CONTRACTOR'S NATIONAL ASSOCIATION    | ) |                                  |
| GREATER CHICGO, WESTSIDE             | ) |                                  |
| MECHANICAL GROUP, INC. AND           | ) |                                  |
| ADMIRAL HEATING & VENTILATING, INC., | ) |                                  |
|                                      | ) |                                  |
|                                      | ) |                                  |
| Objector(s),                         | ) | State File No.: 2027-H-CC08-2365 |
|                                      | ) |                                  |
| v.                                   | ) |                                  |
|                                      | ) |                                  |
| JANE R. FLANAGAN, DIRECTOR OF THE    | ) |                                  |
| ILLINOIS DEPARTMENT OF LABOR, AND    | ) |                                  |
| THE ILLINOIS DEPARTMENT OF LABOR     | ) |                                  |
|                                      | ) |                                  |
| Respondent(s).                       | ) |                                  |

**PETITION TO INTERVENE**

Comes now Attorney Tim Ryan, Intervener, for the LIUNA Great Plains Laborers District Council and its subsidiary and affiliate local union ("Laborers"), and submit this petition to intervene in all proceedings conducted in the above-captioned matter, and in support of said intervention, state as follows:

1. The Laborers are a labor organization representing individuals performing work as laborers on prevailing wage projects throughout the thirty-five Illinois counties which comprise the Great Plains Laborers District Council, including the Illinois Counties of Iroquois (LIUNA Local 751), Kankakee (LIUNA Local 751), and Livingston (LIUNA Local 996).
2. 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.

3. On or about August 14, 2026, Objector, submitted a written notice of Objection and Request for Hearing under Sections 4 & 9 of the Prevailing Wage Act "... to require the publication and certification of the apprentice rates established by the Agreements between SMART Local Nos. 265 and 73 and SMACNA Greater Chicago (Objectors Exh. A pg. 1). In the alternative, Objector requests for the establishment of a separate apprentice classification in each of the contested counties (Objectors Exh. A Pg. 1).

4. Section 20(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."

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

6. In support of the Objector's request, the Objector indicate in their petition that the classification should reflect the Collective Bargaining Agreement that has been signed with the association (Objector's Exh. A Pg. 2).

7. In the counties listed in Section 1 above, the Objector in their Petition to support their request states that the signed Collective Bargaining Agreement reflects the trade classification of "...graduated apprentice Sheetmetal Worker" which was omitted from the Departments website (Objectors Exh. A Page 3).

8. Laborers' and its subsidiary and affiliate local unions are necessary parties to this hearing because the Laborers are a party to collective bargaining agreements with signatory contractors in the counties referenced in Section 1 above.

9. Because the Laborers perform work within the counties referenced in Section 1 above and if the Objector's written notice of objections is granted in whole or in part, a direct, adverse impact on the Laborers', and its subsidiary and affiliated local unions and their members may occur.

10. It is unclear from the Petition what scope of work the new classification of "Sheetmetal Worker Apprentice" (Objectors Exh. A Pg. 8).

11. As set forth above, the Laborers' will suffer adverse effects and are a necessary party under the clear intent of the Illinois Prevailing Wage Act and there is a common question of law and fact that must be resolved in order to justly rule on the Petitioner's Petition.

12. Permitting the Laborers' and its subsidiary and affiliate local unions to intervene will not cause undue delay or prejudice in this matter and will result in a full and fair resolution of the issues.

WHEREFORE, the Laborers' and its subsidiary and affiliate local union respectfully request the Administrative Law Judge to enter an Order granting this Laborers' Petition to Intervene.

Respectfully submitted,

The Great Plains Laborers' District Council and its  
subsidiary and affiliate local unions,

By: /s/ Timothy J. Ryan  
Attorney for Intervenors

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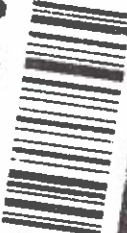
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