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CERTIFICATE OF SERVICE

Honorable Monica Silva
Administrative Law Judge
Illinois Department of Labor
115 S. LaSalle St., Chicago, IL 60603
Dol.hearings@illinois.gov

Stephanie Barton, Esq.
Deputy General Counsel
Illinois Department of Labor
524 S. 2nd Street, Ste. 400
Springfield, IL 62701
Stephanie.Barton@illinois.gov

Mechanical Contractors Assoc. *et al.*
Christina K. Wernick, Esq.
Laner Muchin, Ltd.
515 North State Street, Suite 2400
Chicago, IL 60654
cwernick@lanerlaw.com

John Ahlgrim and the International Union of
Operating Engineers, Local 150, AFL-CIO, *et al.*

By: /s/ Joseph Sweeney
One of Their Attorneys

Joseph Sweeney (jsweeney@iiffc.org)
Indiana, Illinois, Iowa Foundation for Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
Ph. 815-254-3332

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STATE OF ILLINOIS - DEPARTMENT OF LABOR
160 N. LASALLE STREET., STE. C-1300
CHICAGO, IL 60603

IN THE MATTER OF:

MECHANICAL CONTRACTORS
ASSOCIATION OF CHICAGO, ILLINOIS,
AND DAHME MECHANICAL
INDUSTRIES, INC.,

Objectors,

v.

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

Respondents.

State File No.: 2027-H-CC08-2363

OPERATORS PETITION TO INTERVENE

Petitioners John Ahlgrim, a member and Director of Contract Negotiations for the International Union of Operating Engineers, Local 150, AFL-CIO and the International Union of Operating Engineers Local 150, AFL-CIO ("Local 150"), Brian Gilham, a member and President/Business Manager for the International Union of Operating Engineers, Local 841, AFL-CIO and the International Union of Operating Engineers Local 841, AFL-CIO ("Local 841"), and Tony O'Brian, a member and Business Manager for the International Union of Operating Engineers, Local 649, AFL-CIO and the International Union of Operating Engineers Local 649, AFL-CIO ("Local 649"), by and through their attorneys, submit this petition to intervene in the above-captioned matter, and in support state as follows:

1. John Ahlgrim is a member and Director of Contract Negotiations for the International Union of Operating Engineers, Local 150.

1. IUOE Local 150 is a labor organization representing individuals performing work as Operating Engineers on prevailing wage projects throughout various Illinois counties, including Cook, DeKalb, DuPage, Grundy, Kankakee, Kane, Kendall, Lake, LaSalle, Livingston, McHenry, and Will Counties.

2. Brian Gilham is a member and President/Business Manager for the International Union of Operating Engineers, Local 841.

3. IUOE Local 841 is a labor organization representing individuals performing work as Operating Engineers on prevailing wage projects throughout various Illinois counties, including Iroquois County.

4. Tony O'Brian is a member and Business Manager for the International Union of Operating Engineers, Local 649.

5. IUOE Local 649 is a labor organization representing individuals performing work as Operating Engineers on prevailing wage projects throughout various Illinois counties, including Bureau, Putnam, Marshall, and Woodford Counties.

6. 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.

7. On or about August 20, 2026, the Illinois Department of Labor issued a Notice of Webex Hearing stating that Mechanical Contractors Association of Chicago, Illinois and Dahme Mechanical Industries, Inc. filed written objections to the prevailing wage determinations published by the Department on its website and requested a hearing pursuant to Sections 4 and 9 of the Act ("Petition").

8. The Department's Notice identifies the Objectors as Mechanical Contractors Association of Chicago and Dahme Mechanical Industries, Inc.

9. The Department has scheduled the hearing in this matter for September 25, 2026 at 9:30 a.m.

10. 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."

11. Petitions to Intervene in this matter shall be filed by August 27, 2026.

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

13. The Objectors are requesting that the Department establish a new prevailing wage classification for Pipefitter Apprentice where an existing prevailing wage classification covers the same scope of work and type of worker.

14. Local 150, Local 841, and Local 649 have entered into collective bargaining agreements with signatory contractors whose members and employees perform Operating Engineer work on public works projects in counties within their respective jurisdictions. That work is performed under existing prevailing wage classifications established by the Department based on applicable collective bargaining agreements in the above-referenced counties.

15. The relief sought could adversely affect Local 150, Local 841, Local 649, their members, and their signatory contractors. Establishing a lower apprentice rate for work presently covered by existing Operating Engineer classifications could require corresponding apprentice

rates to be addressed throughout the Locals' jurisdictions and could place signatory contractors at a competitive disadvantage relative to non-signatory contractors able to utilize the lower rate. Reduced competitiveness of signatory contractors directly affects the work opportunities of the Locals' members. For these reasons, Local 150, Local 841, and Local 649 are necessary parties to the hearing proceeding.

16. The objections also present a common question of law concerning whether the Department has authority under the Prevailing Wage Act, as amended by Public Act 104-0017 and Public Act 104-0434, to establish the classification and rate sought by the Objectors. Local 150, Local 841, and Local 649 contend that the Objectors are asking the Department to take action that is not authorized under the Act as amended.

17. Accordingly, Local 150, Local 841, and Local 649 satisfy Section 120.320(a)(1)(C) because they may be adversely affected by a final order arising from the hearing, they are a necessary party to the hearing proceeding, and claims and defenses and the main action share a common question of law and fact concerning whether the Department has statutory authority to grant the relief requested.

18. Permitting Local 150, Local 841, and Local 649 to intervene will not cause undue delay or prejudice and will result in a full and fair resolution of the issues presented while considering all impacted parties.

WHEREFORE, Local 150, Local 841, and Local 649 respectfully request the Administrative Law Judge enter an Order granting this Petition to Intervene and for such other relief deemed appropriate and just.

Respectfully submitted,

JOHN AHLGRIM, as a Member and Director of
Contract Negotiations of the International Union of

Operating Engineers, Local 150, AFL-CIO; THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 150, AFL-CIO;

BRIAN GILHAM, as a Member and President/Business Manager of the International Union of Operating Engineers, Local 841, AFL-CIO; THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 841, AFL-CIO; TONY O'BRIAN, as a Member and Business Manager of the International Union of Operating Engineers, Local 649, AFL-CIO; and THE INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 649, AFL-CIO

By: /s/ Joseph P. Sweeney
One of Their Attorneys

August 26, 2026

Marc R. Poulos (mpoulos@iiffc.org)
Melissa L. Binetti (mbinetti@iiffc.org)
Kara M. Principe (kprincipe@iiffc.org)
Joseph P. Sweeney (jsweeney@iiffc.org)

Indiana, Illinois, Iowa Foundation for Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
Phone: 815.254.3332
Fax: 815.254.3525

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APPEARANCES

The undersigned attorneys hereby enter the following appearances on behalf of John Ahlgrim and the International Union of Operating Engineers, Local 150, AFL-CIO, *et al.* in the above-referenced matter.

Marc R. Poulos (ARDC No. 6282061)
mpoulos@iiffc.org
815-254-3332

Kara M. Principe (ARDC No. 6302769)
kprincipe@iiffc.org
815-342-9140

Joseph Sweeney (ARDC No. 6324730)
jsweeney@iiffc.org
815-409-0258

Melissa Binetti (ARDC No. 6282533)
mbinetti@iiffc.org
773-892-5174

Indiana, Illinois Iowa Foundation for Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
(815) 254-3332 (office)

We agree to accept service in this matter by electronic mail at the e-mail addresses set forth above. I further affirm and certify that all information provided and the statements made herein are true, correct, and complete.

/s/ Joseph Sweeney 8/26/2025