

**STATE OF ILLINOIS – DEPARTMENT OF LABOR
HEARINGS DIVISION
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601**

In the Matter of:)
)
Stanley Simrayh, as Member of the Int’l Union)
Operating Engineers, Local 150, AFL-CIO and)
the Int’l Union of Operating Engineers, Local)
150 AFL-CIO)
)
and)
)
Associated General Contractors of Illinois, et al.)
)
 Petitioner(s),)
)
 v.)
)
Jane R. Flanagan, Acting Director of the)
Illinois Department of Labor, and the)
Illinois Department of Labor.)
)
 Respondent(s).)
)
and)
)
Martin Flanagan, as a Member of the Laborers)
Int’l Union of North America, et al.)
)
and)
)
Brian Dunn, as a Member of the Technical)
Engineering Division, Local 130 U.S.A.)
)
)
 Intervenors.)

State File No.: 2015-H-JN07-0853

ORDER

This matter coming to be heard for status, with Counsels for Petitioners, Respondents and Intervenors present:

IT IS HEREBY ORDERED:

1. The following Parties have reported that, after mediation, they have agreed to enter into a Consent Decree:
 - a. Stanley Simrayh and International Union of Operating Engineers, Local 150, AFL-CIO;
 - b. Brian Dunn and Technical Engineering Division, Local 130, UA;
 - c. Martin Flanagan and Laborers International Union of North America, as well as the Construction & General Laborers' District Council of Chicago & Vicinity, and Laborers' District Council Labor Management Cooperation Committee;
 - d. The Illinois Department of Labor;
 - e. Associated General Contractors of Illinois;
 - f. American Council of Engineering Companies of Illinois;
 - g. Illinois Society of Professional Engineers;
 - h. Southern Illinois Builders Association;
 - i. Illinois Professional Land Surveyors Association; and
 - j. Illinois Road & Transportation Builders Association.

2. The following parties, who have appeared in this matter through the law firm of Martone Legal, LLC (or its predecessor entity) did not participate in the mediation, and therefore, have not agreed to be a party to the Consent Decree:
 - a. Underground Contractors Association of Illinois
 - b. Individual Members
 - c. Advanced Asphalt Company
 - d. Alfred Benesch & Company
 - e. Ament, Inc.
 - f. Andrews Engineering, Inc.
 - g. ARC Design Resources, Inc.
 - h. Bowman, Barrett & Associates, Inc.
 - i. Chastain & Associates, L.L.C.

- j. Clark Dietz, Inc.
- k. Coombe-Bloxdorf, P.C.
- l. Crawford, Murphy & Tilly, Inc.
- m. Diamond Construction Company
- n. E.T. Simonds
- o. Farnsworth Group, Inc.
- p. Hartke Engineering and Surveying, Inc.
- q. Hermann & Associates, L.L.C.
- r. Kaskaskia Engineering Group, L.L.C.
- s. Klinger & Associates, P.C.
- t. Maurer-Stutz, Inc.
- u. McDonough-Whitlow, P.C.
- v. Oates Associates, Inc.
- w. Pi Surveying Group, P.C.
- x. Poepping, Stone, Bach & Associates, Inc.
- y. Prairie Engineers of Illinois, P.C.
- z. Robinson Engineering, Ltd.
- aa. SCI Engineering, Inc.
- bb. Shive-Hattery, Inc.
- cc. Tarlton Corporation
- dd. Tyson Engineering, Inc.
- ee. United Contractors of Midwest, Inc.
- ff. Woolpert, Inc.

(the parties identified in 2.a. - ff. hereinafter referred to as “Non-Participating Contractors”)

3. Martone Legal shall email and/or mail (via certified mail, return receipt requested) a copy of this Order to each of the Non-Participating Contractors at their last known addresses within seven (7) days of the date of this Order.
4. Each of the Non-Participating Contractors shall have until March 28, 2024, to notify Martone Legal that it agrees to be party to the Consent Decree or else it will be dismissed from this administrative proceeding.
5. This matter is set for a status on March 29, 2024, at 12:30 p.m. at which time Martone Legal shall provide a status on the responses of each of the Non-Participating Contractors, after which I will dismiss any parties as appropriate, and approve the Consent Decree.
6. On March 29, 2024, at 12:30 p.m. the following parties shall be called:

Melissa Binetti: 815-409-0258

Andrew Martone: 314-862-3295

Michael Tecson: 773-398-4775

Gregory W. Hose 312-319-7609

Nick Bedenk: 708-723-6399

ENTERED: /s/Moshe M. Liberman

/s/Moshe M. Liberman
Moshe M. Liberman
Chief Administrative Law Judge
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, Illinois 60601
dol.hearings@illinois.gov

STATE OF ILLINOIS)
)
)
COUNTY OF COOK)

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I Karen Lewis, a non-attorney, affirm, certify or on oath state, that I served notice of the attached Order upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Order in Case No.

2015-H-JN07-0853 and a copy of the Certificate of Service in an envelope addressed to each party or party's agent at the respective address having caused each envelope to be served by **U.S. regular mail** with postage prepaid at 555 W. Monroe, Chicago, Illinois 60661 on the **18th of March, 2024** and/or by email prior to 4:30 p.m.

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/s/ Karen Lewis
Karen Lewis, Office Specialist
Illinois Department of Labor