

STATE OF ILLINOIS – DEPARTMENT OF LABOR
160 N. LASALLE ST., STE. C-1300
CHICAGO, ILLINOIS 60601

IN THE MATTER OF:)
)
ROOFERS and WATERPROOFERS, LOCAL 11)
)
PETITIONER(S),)
)
v.)
)
JOSEPH BEYER, DIRECTOR OF THE)
ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR,)
)
RESPONDENTS.)
)

STATE FILE NO. 2019-H-PK09-2249

DATE OF NOTICE: September 28, 2018

CERT. MAIL/RETURN RECEIPT:

7017 2620 0001 0467 5655

NOTICE OF HEARING

PLEASE TAKE NOTICE that Joseph Beyer, Director of the Illinois Department of Labor, and the Illinois Department of Labor [hereinafter, "Respondents"] have received from Roofers and Waterproofers, Local 11 [hereinafter, "Petitioner(s)"] written objections to the prevailing wage determinations posted by the Department on its website on August 15, 2018, and a request for hearing on those objections pursuant to Section 9 of the Prevailing Wage Act [hereinafter, "IPWA" or "Act"], 820 ILCS 130/0.01 et seq.

Pursuant to the PWA, Article 10 of the Illinois Administrative Procedure Act, 5 ILCS 100/10-5 et seq., and 56 Ill. Admin. Code 120.100 et seq., Respondents will convene a hearing on:

DATE: OCTOBER 9, 2018
TIME: 1:00 P.M.
PLACE: ILLINOIS DEPARTMENT OF LABOR
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601

ADMINISTRATIVE LAW JUDGE:

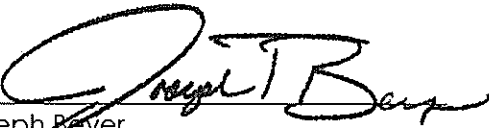
CLAUDIA MANLEY
ADMINISTRATIVE LAW JUDGE
ILLINOIS DEPARTMENT OF LABOR
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601

The hearing involves the written objections and hearing request filed by Petitioner(s), attached hereto and made a part hereof (Exhibit A).

The parties and their respective representatives must be prepared to proceed at the hearing. The parties must present all information, documents, records or witnesses necessary to substantiate their position(s) at the hearing.

Pursuant to 56 Illinois Administrative Code 120.640, the administrative law judge shall issue a Decision and Order. In the event no timely or proper exceptions are filed, the findings, conclusions, recommendations and order of the administrative law judge shall automatically become the decision and order of the Director of Labor.

The proceedings are subject to judicial review in accordance with the provisions of the Administrative Review Law, 735 ILCS 5/3-101 et seq. The Director of Labor's determination on the objections is final and binding unless a party to this proceeding applies for and obtains judicial review of the final administrative decision in accordance with the provisions of the Administrative Review Law.



Joseph Beyer
Director of Labor

September 11, 2018

Via Certified Mail

Mr. Joseph Beyer
Acting Director
Illinois Department of Labor
900 S. Spring Street
Springfield, IL 62704

Via Certified Mail and Email

Illinois Department of Labor
Administrative Hearings
160 N. LaSalle Street, C-1300
Chicago, IL 60601

EXHIBIT A

Re: Roofers and Waterproofers Local 11 – Petition for Section 9 Hearing and Objection to Prevailing Wage Schedule for Roofers and Waterproofers

Dear Mr. Beyer:

This firm represents the Roofers and Waterproofers Local 11 (“Local 11”). The purpose of this correspondence is to submit written objections and a request for a hearing pursuant to Section 9 of the Illinois Prevailing Wage Act (820 ILCS §130/4, 9). Copies of the current applicable Wage Sheets are enclosed.

1. Bureau County:
 - Base Wage is \$34.46, not \$33.26.
 - Foreman Wage is \$36.46, not \$35.26.
 - H/W is \$9.73, not \$0.00.
 - Pension is \$12.44, not \$6.30.
 - Vacation is \$0.00, not \$0.12.
 - Training is \$0.58, not \$0.00
 - Other Fringe Benefit is \$0.00, not \$14.8.
 - The contractor survey response submitted by Jim Geise Roofing did not include multiple current wage and contribution rates.
2. Carroll County:
 - Other Fringe Benefit is \$0.00, not \$0.42.
3. DeKalb County:
 - Training is \$0.53, not \$0.95.

4. Kane County:
 - Base Wage is \$43.65, not \$42.30.
 - Foreman Wage is \$47.65, not None.
 - H/W is \$9.73, not \$9.08.
 - Pension is \$12.44, not \$12.14.
 - Training is \$0.53, not \$0.58
 - The contractor survey response submitted by Showalter Roofing appears to contain 2017 wage rates and does not include multiple current wage and contribution rates.

5. Kankakee County:
 - Base Wage is \$43.65, not \$42.30.
 - Foreman Wage is \$47.65, not \$45.30.
 - Training is \$0.53, not \$0.58.
 - The contractor survey response submitted by Elens & Maichin Roofing appears to contain 2017 wage rates and does not include multiple current wage and contribution rates.

6. Kendall County:
 - Training is \$0.53, not \$0.95.

7. Jo Davies County:
 - Foreman Wage is \$47.65, not None.
 - Other Fringe Benefit is \$0.00, not \$0.42.
 - The contractor survey response submitted by Freeport Industrial Roofing appears to omit the Foreman Wage and incorrectly list \$0.42 in other fringe benefits.

8. Lee County:
 - Other Fringe Benefit is \$0.00, not \$0.42.

9. McHenry County:
 - Base Wage is \$43.65, not \$42.30.
 - Foreman Wage is \$47.65, not \$65.60.
 - H/W is \$9.73, not \$9.08.
 - Pension is \$12.44, not \$12.14.
 - Training is \$0.53, not \$0.58.
 - The contractor survey response submitted by Total Roofing Systems appears to contain multiple incorrect rates.

10. Ogle County:
 - Training is \$0.53, not \$0.95.

11. Stephenson County:
 - Other Fringe Benefit is \$0.00, not \$0.42.

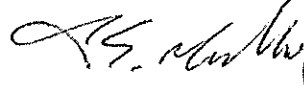
12. Whiteside County (E):
 - Base Wage is \$43.65, not \$26.75.
 - Foreman Wage is \$47.65, not \$28.75.
 - H/W is \$9.73, not \$0.00.
 - Pension is \$12.44, not \$6.30.
 - Vacation is \$0.00, not \$0.12.
 - Training is \$0.53, not \$0.00.
 - Other Fringe Benefit is \$0.00, not \$10.25.

13. Will County:
 - Vacation is \$0.00, not \$0.21.

14. Winnebago County:
 - Other Fringe Benefit is \$0.00, not \$0.42.

Please consider this correspondence as Local 11's objections to the rates posted by IDOL and request for hearing pursuant to Section 9. If you have any questions, please contact me at (312) 757-5462, or mallon@johnsonkrol.com.

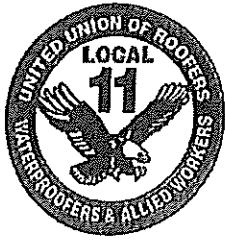
Very truly yours,



Joseph E. Mallon

Enclosures

cc: Gary Menzel, Local 11
Benno Weisberg (via email: Benno.Weisberg@illinois.gov)
Paul Kersey (via email: Paul.Kersey@illinois.gov)



United Union
of Roofers,
Waterproofers
and
Allied Workers
Local No. 11

Affiliated with AFL-CIO

2021 Swift Drive Suite A
Oak Brook, Illinois 60523
708/345/0970
Fax: 708/345-0981



June 1, 2018

IMPORTANT PLEASE READ

Gentlemen/Ladies:

The following is a breakdown of the wage schedule effective June 1, 2018 through November 30, 2018:

WAGE AND FRINGE BENEFIT PACKAGE

Local 11 Assessment: Effective 6/1/13-11/30/18: \$1.00 per hour (plus \$.35 Assessment Reallocation Total \$1.35 per hour.)

<u>JOURNEYMAN WAGE</u>	<u>FOREMAN WAGE</u>
\$43.65	\$47.65-Upon taking a class

POST APPRENTICE
\$34.92 -80% of Journeyman's wages

APPRENTICE WAGES

1 st 6 months	\$19.64	-45% of Journeyman's wages
2 nd 6 months	\$21.83	-50% of Journeyman's wages
2nd Year	\$26.19	-60% of Journeyman's wages
3rd Year	\$28.37	-65% of Journeyman's wages
4th Year	\$30.56	-70% of Journeyman's wages
5 th Year	\$34.92	-80% of Journeyman's wages

(Any questions concerning Apprentice Rates please contact Apprentice Office at 708-246-4488)

STUDENT APPLICANT
\$17.46 -40% of Journeyman's wages

PRE-APPRENTICE (EFFECTIVE MARCH 1, 2012)
\$15.00 \$1.98-NRIPP \$3.53-Health and Welfare

FRINGE BENEFITS (EFFECTIVE 6-1-18 through 11-30-18)

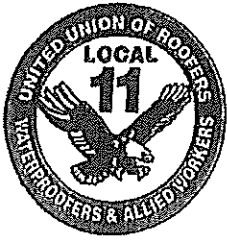
Health and Welfare	\$ 9.73	
Local No. 11 Pension	\$ 9.01	
N.R.I.P.P.	\$ 1.23	Wages \$43.65
N.R.I.S.P.P.	\$ 2.20	Fringes \$23.12
Advancement & Research	\$.21	TOTAL PACKAGE \$66.77
Apprenticeship & Training	\$.53	
Promotional & Organizational	\$.21	
TOTAL FRINGES	\$23.12	

(The above fringe benefits are to be paid for each hour worked by all qualified employees covered by the Agreement.)

Sincerely,

GARY MENZEL
President/Business Manager

GM:sb



United Union
of Roofers,
Waterproofers
and
Allied Workers
Local No. 11

Affiliated with AFL-CIO

2021 Swift Drive Suite A
Oak Brook, Illinois 60523
708/345/0970
Fax: 708/345-0981



LASALLE WAGE BREAKDOWN

May 18, 2018

IMPORTANT PLEASE READ

Gentlemen:

The following is a breakdown of the wage schedule effective June 1, 2018 through November 30, 2018.

WAGE AND FRINGE BENEFIT PACKAGE

Local 11 Working Assessment-Eff. 6/1/18-- 11/30/18-\$0.85¢ per hour

<u>JOURNEYMAN WAGE</u>	<u>FOREMAN WAGE</u>
\$34.46	\$36.46

APPRENTICE WAGES

1 st 6 months	\$15.51	-45% of Journeyman's wages
2nd 6 months	\$17.23	-50% of Journeyman's wages
2 nd year	\$20.68	-60% of Journeyman's wages
3 rd year	\$22.40	-65% of Journeyman's wages
4 th year	\$24.12	-70% of Journeyman's wages
5th Year	\$27.57	-80% of Journeyman's wages

PRE-APPRENTICE WAGE

-44% of Journeyman's wages (After 180 calendar days-full benefits are paid)
\$15.16

STUDENT APPLICANT

\$13.78 -40% Of Journeyman's wage

FRINGE BENEFITS (EFFECTIVE 6-1-18 through 11-30-18)

Health and Welfare	\$ 9.73	
Local No. 11 Pension	\$10.26	
International Pension(NRIPP)	\$ 1.28	Wages \$34.46
IL Valley Labor Mgmt.	\$.04	Fringes \$22.30
IL Valley Industry Adv. Fund	\$.20	TOTAL PACKAGE \$56.76
Apprenticeship & Training	\$.58	
Promotional & Organizational	\$.21	
TOTAL FRINGES	\$22.30	

(The above fringe benefits are to be paid for each hour worked by all qualified employees covered by the Agreement.)

Sincerely,

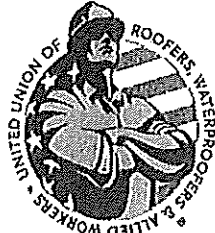
GARY MENZEL
President/Business Manager

GM:sb

1660 L Street, NW
Suite 800
Washington, DC
20036-5646

T 202.463.7663
F 202.463.6906

unionroofers.com



United Union of Roofers, Waterproofers & Allied Workers*

AFFILIATED WITH NORTH AMERICA'S BUILDING TRADES UNIONS

July 17, 2018

INTERNATIONAL PRESIDENT

Kinsey M. Robinson

**INTERNATIONAL
SECRETARY-TREASURER**

James A. Hadel

**INTERNATIONAL
VICE PRESIDENTS**

Douglas Ziegler

Thomas Pedrick

Paul F. Bickford

Richard R. Mathis

Daniel P. O'Donnell

Robert Peterson

Michael A. Vasey

Michael Stiens

Brent R. Beasley

Joseph Pozzi

Mr. Thomas Peat
Branch Chief
U.S. Department of Labor/ESA
Construction Wage Determinations
Room S-3014
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Dear Mr. Peat:

Enclosed you will find a copy of a letter showing the distribution of an increase effective June 1, 2018 for the LaSalle, Illinois area of Roofers Local No. 11 (formerly Roofers Local No. 55), making their wage and fringe benefit rates as follows:

Effective Date:
June 1, 2018

Expiration Date:
November 30, 2018

Wages:

Journeyman

\$34.46

Fringes:

Health & Welfare

\$ 9.73

Local No. 11 Pension

10.26

National Pension (NRIPP)

1.28*

IL Valley Labor Mgmt.

.04

IL Valley Industry Adv. Fund

.20

Apprenticeship & Training Fund

.58

Promotional & Organizational

.21

Joint Education Trust

.03

Joint Education Trust contribution taken out of NRIPP

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Mr. Phil Reddy
Certifying Officer
Illinois Department of Labor
State Regional Office Building
900 South Spring Street
Springfield, IL 62704

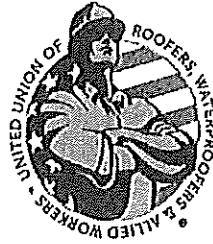
Dear Mr. Reddy:

Enclosed you will find four (4) copies of a letter showing the distribution of an increase effective June 1, 2018 for the LaSalle, Illinois area of Roofers Local No. 11 (formerly Roofers Local No. 55) located at 2021 Swift Drive, Suite A, Oak Brook, IL 60523, telephone (708) 345-0970, along with one completed copy of the Illinois Department of Labor Contract Certification form.

The rates for the LaSalle, Illinois area of Roofers Local No. 11 are as follows:

Effective Date:	Expiration Date:
June 1, 2018	November 30, 2018
Wages:	
Journeyman	\$34.46
Fringes:	
Health & Welfare	\$ 9.73
Local No. 11 Pension	10.26
National Pension (NRIPP)	1.28*
IL Valley Labor Mgmt.	.04
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Joseph Pozzi

Illinois Department of Labor
160 N. LaSalle C-1300
Chicago, IL 60601

Re: Prevailing Wage Certification Forms

To Whom it May Concern:

Enclosed you will find four (4) copies of a letter showing the distribution of an increase effective June 1, 2018 for the LaSalle, Illinois area of Roofers Local No. 11 (formerly Roofers Local No. 55) located at 2021 Swift Drive, Suite A, Oak Brook, IL 60523, telephone (708) 345-0970, along with one completed copy of the Illinois Department of Labor Contract Certification form.

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June 1, 2018	November 30, 2018
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Health & Welfare	\$ 9.73
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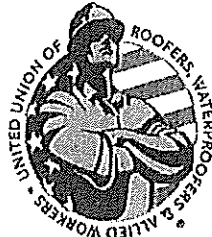
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Mr. Thomas Peat
Branch Chief
U.S. Department of Labor/ESA
Construction Wage Determinations
Room S-3014
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Dear Mr. Peat:

Enclosed you will find a copy of a letter from Roofers Local No. 11, for the Chicago, Illinois area, showing the distribution of their increase, making their wage and fringe benefit rates as follows:

Effective Date:
June 1, 2018

Expiration Date:
November 30, 2018

Wages:

Journeyman	\$43.65
Foreman	47.65

Fringes:

Health & Welfare	\$ 9.73
Local No. 11 Pension	9.01
National Pension (NRIPP)	1.23*
NRISPP	2.20
Advancement & Research Fund	.21
Apprenticeship & Training Fund	.53
Promotional & Organizational	.21
Joint Education Trust	.03

Joint Education Trust contribution taken out of NRIPP

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July 17, 2018

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Illinois Department of Labor
 160 N. LaSalle C-1300
 Chicago, IL 60601

Re: Prevailing Wage Certification Forms

To Whom it May Concern:

Enclosed you will find six (6) copies of a letter from Roofers Local No. 11 located at 2021 Swift Drive, Suite A, Oak Brook, IL 60523, telephone (708) 345-0970, showing the distribution of their increase, along with one completed copy of the Illinois Department of Labor Contract Certification form.

Their rates cover the Illinois counties of Boone, Carroll, Cook, DeKalb, DuPage, partial jurisdiction in Ford (covering the town of Cabery, Kempton, Mona, Piper City, Rodgers & Saxony), the northern three-fifths of Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Lake, Lee, partial jurisdiction in Livingston (covering the towns of Blair, Kempton, Mona, Reddick, Rodgers & Saxony), McHenry, Ogle, Stephenson, the cities of Sterling and Rock Falls in Whiteside, Will and Winnebago.

Effective Date:
 December 1, 2017

Expiration Date:
 May 31, 2018

Wages:

Journeyman	\$ 43.65
Foreman	47.65

Fringes:

Health & Welfare	\$ 9.73
Local No. 11 Pension	9.01
National Pension (NRIPP)	1.23*
NRISPP	2.20
Advancement & Research Fund	.21
Apprenticeship & Training Fund	.53
Promotional & Organizational	.21
Joint Education Trust	.03

Joint Education Trust contribution taken out of NRIPP

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July 17, 2018

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Mr. Phil Reddy
Certifying Officer
Illinois Department of Labor
State Regional Office Building
900 South Spring Street
Springfield, IL 62704

Dear Mr. Reddy:

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Their rates cover the Illinois counties of Boone, Carroll, Cook, DeKalb, DuPage, partial jurisdiction in Ford (covering the town of Cabery, Kempton, Mona, Piper City, Rodgers & Saxony), the northern three-fifths of Iroquois, Jo Daviess, Kane, Kankakee, Kendall, Lake, Lee, partial jurisdiction in Livingston (covering the towns of Blair, Kempton, Mona, Reddick, Rodgers & Saxony), McHenry, Ogle, Stephenson, the cities of Sterling and Rock Falls in Whiteside, Will and Winnebago.

Effective Date:
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Joint Education Trust	.03

Joint Education Trust contribution taken out of NRIPP

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CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I C.Y. Jackson, a non-attorney, affirm, certify or on oath state, that I served notice of the attached Notice of Hearing upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Notice of Hearing in Case No. 2019-H-PK09-2249 and a copy of the Certificate of Service in an envelope addressed to each party or party's agent at the respective address shown on the Certificate of Service, having caused each envelope to be served by U.S. mail certified mail return receipt requested and at 100 W. Randolph Street, Chicago, Illinois on the 28th day of September, 2018 prior to 4:30 p.m. and placed on the Illinois Department of Labor's official website at and placed on the Illinois Department of Labor's official website at www.state.il.us/agency/idol/

Roofers & Waterproofers Local 11
c/o Joseph E. Mallon
Johnson & Krol LLC
311 s. Wacker Dr., Ste. 1050
Chicago, IL 60606
joe@johnsonkrol.com

Via messenger:

Joseph Beyer
Director of Labor
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601

Illinois Department of Labor
c/o Benno Weisberg
General Counsel
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601

C.Y. Jackson

Subscribed and Sworn to this 26th day of September, 2018

Laura Kotelman
Notary Public

