

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

IN THE MATTER OF:)
)
MID-ILLINI MECHANICAL CONTRACTORS)
ASSOCIATION, WARNER MECHANICAL, LLC,)
RUYLE MECHANICAL SERVICES, INC.)
AND THE PIPCO COMPANIES, LTD.)
)
)
PETITIONER(S),)
)
v.)
)
JOSEPH BEYER, DIRECTOR OF THE)
ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR,)
)
RESPONDENTS.)
)

STATE FILE NO. 2019-H-PK08-2302

DATE OF NOTICE: 10/2/2018

CERT. MAIL/RETURN RECEIPT:

7017 2620 0001 0467 7048

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 Mid-Illini Mechanical Contractors Association, Warner Mechanical, LLC, Ruyle Mechanical Services, Inc., And The Pipco Companies, Ltd. , [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 25, 2018
TIME: 2:00 P.M.
PLACE: ILLINOIS DEPARTMENT OF LABOR
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601

ADMINISTRATIVE LAW JUDGE:

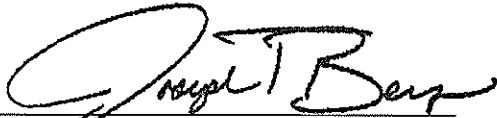
CLAUDIA MANLEY
ADMINISTRATIVE LAW JUDGE
ILLINOIS DEPARTMENT OF LABOR
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601

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.

A handwritten signature in black ink, appearing to read "Joseph Meyer". The signature is written in a cursive style with a large initial "J" and "M".

Joseph Meyer
Director of Labor

STATE OF ILLINOIS – DEPARTMENT OF LABOR
CONCILIATION/MEDIATION DIVISION
160 N. LASALLE ST., STE. C-1300
CHICAGO, IL 60601

IN THE MATTER OF:)
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MID-ILLINI MECHANICAL CONTRACTORS)
ASSOCIATION, WARNER MECHANICAL,)
LLC, RUYLE MECHANICAL SERVICES, INC.,)
AND THE PIPCO COMPANIES, LTD.,)
)
Petitioners,)
)
v.)
)
JOE BEYER, DIRECTOR OF LABOR and the)
ILLINOIS DEPARTMENT OF LABOR,)
)
Respondents.)
)

EXHIBIT A

2019-H-PR09-2302

OBJECTIONS AND REQUEST FOR SECTION 9 HEARING

Petitioners, Mid-Illini Mechanical Contractors Association (the “Association”), Warner Mechanical LLC, Ruyle Mechanical Services, Inc. and The PIPCO Companies, Ltd. (collectively “Petitioners”), by and through the undersigned counsel, submit these objections to the prevailing wage schedule published by the Illinois Department of Labor on its website, and request a hearing pursuant to Section 9 of the Illinois Prevailing Wage Act (820 ILCS 130/9), and in support of state as follows:

1. The Association is a multi-employer trade association representing over twenty-five construction contractor companies that perform heating, ventilation and air conditioning work on state and local public construction projects in Peoria County and the following nine surrounding counties: Fulton, Hancock, Marshall, McDonough, Schuyler, Stark, Tazewell and Woodford.

2. During the period June 1, 2017 through May 31, 2018 (the “Measurement Period”), the Association’s constituent members employed over 9,000 hours of union pipefitters to perform work on various public works projects in Peoria County.

3. Warner Mechanical LLC, Ruyle Mechanical Services, Inc., and The PIPCO Companies, Ltd. are members of the Association.

4. During the Measurement Period, Warner Mechanical LLC, Ruyle Mechanical Services, Inc., and The PIPCO Companies, Ltd. collectively employed over 8,954 hours of union pipefitters to perform work on various public works projects in Peoria County.

5. Section 9 of the Illinois Prevailing Wage Act states, “The Department of Labor shall during the month of June of each calendar year, investigate and ascertain the prevailing rate of wages for each county in the State.” 820 ILCS 130/9.

6. Prevailing wage rate means: “the hourly cash wages plus annualized fringe benefits for training and apprenticeship programs approved by the U.S. Department of Labor, Bureau of Apprenticeship and Training, health and welfare, insurance, vacations and pensions *paid generally, in the locality* in which the work is being performed, to employees engaged in work of a similar character on public works.” 820 ILCS 130/2 (emphasis added). Prevailing wage is the wage, benefits and overtime, paid to *the majority* of workers, within a particular area.

7. The Illinois Administrative Code governing the Department defines the prevailing wage rate as “the hourly cash wages plus fringe benefits ... most frequently (numerically occurring), in the county in which the public work is performed, to employees engaged in public works.” 56 Ill. Adm. Code 100.22

8. Historically, in furtherance of the Section 9 process, the Association has submitted Prevailing Wage Certification forms on behalf of its collective constituent members listing

collectively bargained wage rates and fringes benefits for the Pipefitters certified in conjunction with the Steamfitters Local 353 (“Steamfitters”) to the Illinois Department of Labor (“Department”) in May or June of each year.

9. The Association performed this service to its members so that each of them would be relieved from the administrative burden of completing and submitting virtually identical forms, the Department would not be flooded with numerous identical submissions from each constituent member and the risk of clerical or other error could be reduced.

10. The Prevailing Wage Forms submitted by the Association and the Steamfitters contained information not only relating to wage rates and fringe benefits but also the counties covered by the job classifications and the number of workers covered.

11. Historically, the Association, in conjunction with the Steamfitters, submitted copies of its collective bargaining agreement(s) (“CBA(s)”) in support of the information contained on the Prevailing Wage Certification forms.

12. As recently as 2017, the Department accepted the Prevailing Wage Certification forms and CBA(s) submitted by The Association and the Steamfitters.

13. In the past, after receipt of the information submitted by the Association and the Steamfitters, and as recently as 2017, the Department published prevailing wage rates for the ten counties listed above consistent with information submitted by the Association and the Steamfitters.

14. Consistent with past practice, in June 2018, the Association submitted information to the Department for its prevailing wage survey. See Exhibit A attached hereto. The information submitted by the Association to the Department in June 2018 was consistent with information submitted in prior years. The Steamfitters also submitted information disclosing that 300 union

members performed pipefitters work on public projects in Peoria County during the Measurement Period. See Exhibit A attached hereto.

15. On or about August 15, 2018, the Department published the following prevailing wage schedule on its website:

<https://data.illinois.gov/dataset/idol-2018-prevailing-wage-rates/resource/0c95f063-aed9-4db7-adc3-c224acee8fc2>

16. The Department accepted the Association's and the Steamfitters' submissions and established the prevailing wage for pipefitters based on those submissions in Fulton, Hancock, Marshall, McDonough, Schuyler, Stark, Tazewell, and Woodford Counties. The Department correctly established the prevailing pipefitters wages for those counties as follows:

Hourly Wage	Foreman Hourly Wage	Overtime Type	Monday through Friday OT Rate	Saturday OT Rate	Sunday OT Rate	Holiday or OT Rate	Health Insurance Hourly Fringe	Pension / Retirement Hourly Fringe	Vacation Hourly Fringe	Training Hourly Fringe	Other Hourly Fringe
39.50	43.85	After 8 hours in a day	1.50	1.50	2.00	2.00	7.25	12.78	0.00	1.16	0

17. In none of those counties did the Department receive a pipefitter's submission from a contractor.

18. However, in Peoria County, Department ignored the Association's and the Steamfitters' submissions and established the prevailing wage based on an out-of-county contractor's submission, that was based on 43 pipefitter hours performed in Peoria County at McLean County pipefitter rates.

19. To establish the prevailing wage for Peoria County pipefitters, the Department arbitrarily and unreasonably ignored the over 9,000 hours of Peoria County pipefitters hours in favor of 43 McLean County pipefitter hours that may have been worked in Peoria County.

Proposed Peoria County Pipefitters Prevailing Wage

Hourly Wage	Foreman Hourly Wage	Overtime Type	Monday through Friday OT Rate	Saturday OT Rate	Sunday OT Rate	Holiday or OT Rate	Health Insurance Hourly Fringe	Pension / Retirement Hourly Fringe	Vacation Hourly Fringe	Training Hourly Fringe	Other Hourly Fringe
42.30	46.53	After 8 hours in a day	1.50	1.50	2.00	2.00	7.25	12.78	0.00	1.16	0

Correct Peoria County Pipefitters Prevailing Wage

Hourly Wage	Foreman Hourly Wage	Overtime Type	Monday through Friday OT Rate	Saturday OT Rate	Sunday OT Rate	Holiday or OT Rate	Health Insurance Hourly Fringe	Pension / Retirement Hourly Fringe	Vacation Hourly Fringe	Training Hourly Fringe	Other Hourly Fringe
39.50	43.85	After 8 hours in a day	1.50	1.50	2.00	2.00	7.25	12.78	0.00	1.16	0

20. The 2018 proposed wage for Peoria pipefitters is not representative of the prevailing wages paid generally to pipefitters in Peoria County. And it is not the wage paid most frequently (numerically occurring), in Peoria County, to pipefitters engaged in public works. 56 Ill. Adm. Code 100.22.

21. The Movants therefore object to the 2018 prevailing wage schedule and request that the Peoria County pipefitters rates be modified.

22. Moreover, on August 21, 2018, the Department published its “methodology” with respect to the way it “investigated” and “ascertained” the prevailing wage rate for 2018. The Department stated:

The Department’s determinations were based on the following criteria, which were applied uniformly and consistently across each of the 6000+ combinations:

- If the Department received one—and only one—valid response from a contractor for the combination, the Department published the wage and fringe benefit rates contained in that response as the prevailing wage rates for the combination.
- If the Department received more than one valid response from contractors for the combination, the Department published the wage and fringe benefit rates contained in the response submitted by the contractor indicating that

it had worked the most hours in the combination between June 1, 2017 and May 31, 2018 as the prevailing wage rates for the combination.

- If the Department received no valid responses from contractors, and a valid response from one—and only one—union, for the combination, the Department published the wage and fringe benefit rates contained in that response as the prevailing wage rates for the combination.
- If the Department received no valid responses from contractors, and a valid response from more than one union, for the combination, the Department published the wage and fringe benefit rates contained in the response submitted by the union who, Department records indicated, had, in prior years, submitted wage and fringe benefit rates that the Department had published as the prevailing wage rates for the same combination in those years.
- Finally, if the Department received no valid responses at all for the combination, the Department republished the previously published rates for the combination.

23. The Department’s new methodology amounts to a rule ostensibly established under Department’s rulemaking authority.

24. The new rule used by the Department to investigate and ascertain the prevailing wage rate in June 2018 deviated from the methodology used in previous years in investigating and ascertaining the prevailing wage rate and was unreasonable and arbitrary in the following ways.

a. The Department failed to inform the public that the unwritten part of the “rule” was that in counties and classifications where a trade association or union submitted and a contractor also submitted, the Department ignored the trade associations’ and unions’ submission out of hand in favor of the contractor’s submission. Thus, the Department’s secret rule was to use trade association and union submissions only where no contractors made a submission.

i. The Department applied this unstated rule for Pipefitters in Peoria, Fulton, Hancock, Marshall, McDonough, Schuyler, Stark, Tazewell

and Woodford Counties and for many other trade classifications and counties throughout Illinois.

- b. Even where multiple contractors submitted, the Department made no effort to determine whether the contractor with the largest number of hours was at all representative of the prevalent community of like contractors (use words from the definition of prevailing wage here) in the area. For example, the Department's published data demonstrate that in the DuPage County Carpenters classification, Department selected the prevailing wage based on one contractor that reported 5,559 hours at that rate, while ignoring 14,461 hours submitted by seventeen other contractors, all of which submitted the same rates.
- c. The Department also set prevailing rates based on contractor submissions that contained a *de minimis* number of hours while ignoring submissions of contractor trade associations and unions on multiple occasions. For example, the Department set the prevailing rate for elevator constructors in Champaign County based upon one contractor's submission of only 14 hours and did not consider the submission by the IUEC Local 55. It set the rate for Will County plasterers based on one out-of-state contractor's submission of only 30 plasterer hours and ignored the submission of the contractors' trade association.

25. The Department acted unreasonably and arbitrarily in the way that it implemented its new arbitrary and unreasonable rule. For years, the Department and union contractors had relied on the trade associations and unions to submit wage data on behalf of the contractors. This

practice mutually benefitted both the Department and the contractors because the contractors were relieved from the administrative burden of completing and submitting virtually identical forms, the Department was not flooded with numerous identical submissions from each constituent member and the risk of clerical or other error was reduced.

26. This practice of the trade associations and unions submitting area-wide wages data and the Department accepting and utilizing those submissions when establishing the prevailing wage rates existed for so long as to establish a well-known custom and practice in the Illinois construction industry.

27. The Department provided no notice and public comment period for its new and secret rule.

28. The Department made little or no effort to inform the hundreds of contractors and trade associations throughout Illinois of the Department's new and secret rule of ignoring the submissions of trade associations and unions where at least one contractor also submitted prior to implementing that new and secret rule.

29. The Department made little or no effort to solicit Illinois union contractors to abandon the well-known custom and practice of delegating this administrative task to their trade associations, and to devote the considerable administrative resources to this new regulatory obligation on an individual basis. Some contractors never received a solicitation to submit and never learned about the Department's new program until after the prevailing wages for 2018 had been announced.

30. As a result, of the Department's failure to inform the construction community of Department's new and secret rule and the new obligation to submit data on an individual basis, Department unreasonably and arbitrarily insured that the data that it received and on which it

would base its decisions would not accurately reflect the wages being paid to the majority of workers in each classification in the various communities throughout Illinois.

31. The Association objects to the arbitrary and unreasonable rule used by the Department in investigating and ascertaining the prevailing wage rates for 2018 and to the arbitrary and unreasonable way in which the new secret rule was rolled out to the Illinois commercial construction community.

32. The rates as published on the Department's website do not reflect the current and prevalent rate for pipefitters in Peoria County.

33. The Petitioners and Association's other signatory contractors are at a competitive disadvantage resulting from the Department's posting of incorrect rates obtained using an arbitrary and unreasonable methodology.

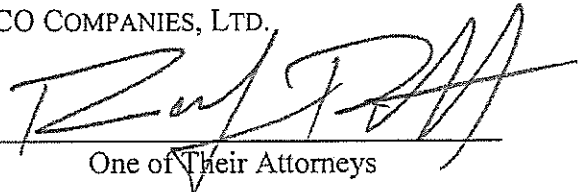
For the reasons set forth above, Petitioners object to the prevailing wage schedule posted on the Department's website on or about August 15, 2018, as well as the arbitrary and unreasonable methodology so used and respectfully request: 1) a hearing on these objections; 2) a recalculation of the 2018 prevailing wages for Peoria County Pipefitters; and 3) an order declaring the 2018 prevailing wages determination to be improper, preventing the Department from using its new and

arbitrary rule, and ordering the Department to reset within 14 days the 2018 prevailing wage rates based on the rates submitted by Association.

Respectfully submitted,

MID-ILLINI MECHANICAL CONTRACTORS,
WARNER MECHANICAL, LLC, RUYLE
MECHANICAL SERVICES, INC., and THE
PIPCO COMPANIES, LTD.

By:


One of Their Attorneys

Richard L. Samson
Randolph E. Ruff
Jonathan M. Mraunac
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
155 N. Wacker Drive, Suite 4300
Chicago, IL 60606-1731
richard.samson@ogletree.com
randolph.ruff@ogletree.com
jonathan.mraunac@ogletree.com
(312) 558-1220

Dated: September 13, 2018

35581249.1

STATE OF ILLINOIS – DEPARTMENT OF LABOR
CONCILIATION/MEDIATION DIVISION
160 N. LASALLE ST., STE. C-1300
CHICAGO, IL 60601

IN THE MATTER OF:)
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Petitioners,)
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v.)
)
JOE BEYER, DIRECTOR OF LABOR and the)
ILLINOIS DEPARTMENT OF LABOR,)
)
Respondents.)

RECEIVED
SEP 13 2018
Illinois Department of Labor
CHICAGO OFFICE

CERTIFICATE OF SERVICE

The undersigned, on oath, states that on September 13, 2018, I caused copies of the foregoing:


- OBJECTIONS AND REQUEST FOR SECTION 9 HEARING

to be served by hand delivery, upon:

Illinois Department of Labor
c/o Joe Beyer, Director
160 N. LaSalle St., Suite C 1300
Chicago, IL 60601


Joe Beyer
Director of the Illinois Department of Labor
160 N. LaSalle St., Suite C 1300
Chicago, IL 60601

State of Illinois)
) ss
County of Cook)



Brandon Hudson

SUBSCRIBED AND SWORN
To before me this 13th day of
September, 2018.


Notary Public

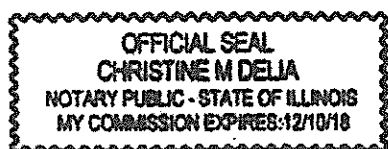


Exhibit A

NEGOTIATED PREVAILING WAGE CERTIFICATION FORM

In accordance with the memorandum of agreement between the State of Illinois' Department of Central Management Services and the Trades Coalition, this form constitutes the official certification by the below listed organization of the wages and benefits paid to workers, laborers, and mechanics working on Public Works Jobs and who are covered by collective bargaining agreements with the certifying organization. Rates or benefits paid on private/Non-Public Works jobs as defined by statute should not be included. As a courtesy, please attach a copy of any collective bargaining agreement covering the workers and if there is an employer association, please identify and provide contact information and have the association confirm the information provided by signing the sheet. Please indicate on the second page the counties or portion of counties (e.g. N, S, E, W, NW, SE, NE, SW) where these wages and benefits are to be paid and are applicable to this certification.

Please check all applicable to this submittal.

Title Code	Title	<input type="checkbox"/>	Title Code	Title	<input type="checkbox"/>
04100	Baker	<input type="checkbox"/>	32800	Plasterer	<input type="checkbox"/>
04250	Barber	<input type="checkbox"/>	32900	Plumber	<input type="checkbox"/>
04350	Beautician	<input type="checkbox"/>	38500	Roofer	<input type="checkbox"/>
04910	Boiler Safety Specialist	<input type="checkbox"/>	40500	Sewage Plant Operator	<input type="checkbox"/>
05200	Brickmason	<input type="checkbox"/>	40960	Sign Painter	<input type="checkbox"/>
06650	Carpenter	<input type="checkbox"/>	40970	Sign Painter Helper	<input type="checkbox"/>
06660	Carpenter Foreman	<input type="checkbox"/>	42600	Stationary Engineer	<input type="checkbox"/>
06860	Cement Finisher	<input type="checkbox"/>	42605	Stationary Engineer-Assistant Chief	<input type="checkbox"/>
13200	Electrician	<input type="checkbox"/>	42610	Stationary Engineer-Chief	<input type="checkbox"/>
18500	Highway Construction Equipment Operator	<input type="checkbox"/>	42650	Stationary Fireman	<input type="checkbox"/>
23050	Laborer	<input type="checkbox"/>	42800	Steamfitter	<input checked="" type="checkbox"/>
23060	Laborer (Building)	<input type="checkbox"/>	45000	Teacher of Barbering	<input type="checkbox"/>
23085	Laborer Foreman	<input type="checkbox"/>	45050	Teacher of Beauty Culture	<input type="checkbox"/>
24750	Machinist	<input type="checkbox"/>	45550	Tinsmith	<input type="checkbox"/>
25510	Maintenance Worker (Power Plant)	<input type="checkbox"/>	45700	Trades Tender	<input type="checkbox"/>
30800	Painter	<input type="checkbox"/>	49050	Water Plant Operator	<input type="checkbox"/>
30801	Painter Foreman	<input type="checkbox"/>			

Certifying Organization: Steamfitters

Local #: 353

Address: 6304 W. Development Dr.
Peoria, IL 61604

Phone: 309-633-1353

Email: ewooding@ua353.com

Effective Date: 5/1/2018

Journeyman Wage Rate: \$ 39.50

Foreman Wage Rate: \$ 43.85

Health/Welfare: \$ 7.25

Total Pension: \$ 12.78

Overtime (Show 1.5 or 2.0)

M - F (Over 8 hours): \$ 59.25 (1.5)

Saturday: \$ 59.25 (1.5)

Sunday: \$ 79.00 (2.0)

EXHIBIT A

Please check all applicable to this submittal.

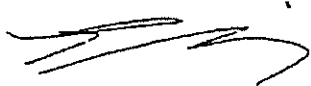
Work County			
001 Adams	<input type="checkbox"/>	035 Hardin	<input type="checkbox"/>
002 Alexander	<input type="checkbox"/>	036 Henderson	<input type="checkbox"/>
003 Bond	<input type="checkbox"/>	037 Henry	<input type="checkbox"/>
004 Boone	<input type="checkbox"/>	038 Iroquois	All <input checked="" type="checkbox"/>
005 Brown	<input type="checkbox"/>	039 Jackson	<input type="checkbox"/>
006 Bureau	<input type="checkbox"/>	040 Jasper	<input type="checkbox"/>
007 Calhoun	<input type="checkbox"/>	041 Jefferson	<input type="checkbox"/>
008 Carroll	<input type="checkbox"/>	042 Jersey	<input type="checkbox"/>
009 Cass	<input type="checkbox"/>	043 Jo Daviess	<input type="checkbox"/>
010 Champaign	<input type="checkbox"/>	044 Johnson	<input type="checkbox"/>
011 Christian	<input type="checkbox"/>	045 Kane	<input type="checkbox"/>
012 Clark	<input type="checkbox"/>	046 Kankakee	<input type="checkbox"/>
013 Clay	<input type="checkbox"/>	047 Kendall	<input type="checkbox"/>
014 Clinton	<input type="checkbox"/>	048 Knox	<input type="checkbox"/>
015 Coles	<input type="checkbox"/>	049 Lake	<input type="checkbox"/>
016 Cook	<input type="checkbox"/>	050 LaSalle	<input type="checkbox"/>
017 Crawford	<input type="checkbox"/>	051 Lawrence	East <input checked="" type="checkbox"/>
018 Cumberland	<input type="checkbox"/>	052 Lee	<input type="checkbox"/>
019 DeKalb	<input type="checkbox"/>	053 Livingston	<input type="checkbox"/>
020 DeWitt	<input type="checkbox"/>	054 Logan	All <input checked="" type="checkbox"/>
021 Douglas	<input type="checkbox"/>	055 Macon	<input type="checkbox"/>
022 DuPage	<input type="checkbox"/>	056 Macoupin	All <input checked="" type="checkbox"/>
023 Edgar	<input type="checkbox"/>	057 Madison	<input type="checkbox"/>
024 Edwards	<input type="checkbox"/>	058 Marion	<input type="checkbox"/>
025 Effingham	<input type="checkbox"/>	059 Marshall	South <input checked="" type="checkbox"/>
026 Fayette	<input type="checkbox"/>	060 Mason	North <input checked="" type="checkbox"/>
027 Ford	<input type="checkbox"/>	061 Massac	<input type="checkbox"/>
028 Franklin	<input type="checkbox"/>	062 McDonough	All <input checked="" type="checkbox"/>
029 Fulton	All <input checked="" type="checkbox"/>	063 McHenry	<input type="checkbox"/>
030 Gallatin	<input type="checkbox"/>	064 McLean	<input type="checkbox"/>
031 Greene	<input type="checkbox"/>	065 Manard	<input type="checkbox"/>
032 Grundy	<input type="checkbox"/>	066 Mercer	<input type="checkbox"/>
033 Hamilton	<input type="checkbox"/>	067 Monroe	<input type="checkbox"/>
034 Hancock	East <input checked="" type="checkbox"/>	068 Montgomery	<input type="checkbox"/>
		069 Morgan	<input type="checkbox"/>
		070 Moultrie	<input type="checkbox"/>
		071 Ogle	<input type="checkbox"/>
		072 Peoria	All <input checked="" type="checkbox"/>
		073 Perry	<input type="checkbox"/>
		074 Piatt	<input type="checkbox"/>
		075 Pike	<input type="checkbox"/>
		076 Pope	<input type="checkbox"/>
		077 Pulaski	<input type="checkbox"/>
		078 Putnam	<input type="checkbox"/>
		079 Randolph	<input type="checkbox"/>
		080 Richland	<input type="checkbox"/>
		081 Rock Island	<input type="checkbox"/>
		082 St. Clair	<input type="checkbox"/>
		083 Saline	<input type="checkbox"/>
		084 Sangamon	<input type="checkbox"/>
		085 Schuyler	East <input checked="" type="checkbox"/>
		086 Scott	<input type="checkbox"/>
		087 Shelby	<input type="checkbox"/>
		088 Stark	All <input checked="" type="checkbox"/>
		089 Stephenson	<input type="checkbox"/>
		090 Tazewell	All <input checked="" type="checkbox"/>
		091 Union	<input type="checkbox"/>
		092 Vermilion	<input type="checkbox"/>
		093 Wabash	<input type="checkbox"/>
		094 Warren	<input type="checkbox"/>
		095 Washington	<input type="checkbox"/>
		096 Wayne	<input type="checkbox"/>
		097 White	<input type="checkbox"/>
		098 Whiteside	<input type="checkbox"/>
		099 Will	<input type="checkbox"/>
		100 Williamson	<input type="checkbox"/>
		101 Winnebago	<input type="checkbox"/>
		102 Woodford	West <input checked="" type="checkbox"/>

Statewide (Applicable in all Illinois work counties)

I hereby certify that the foregoing information is correct.

Print Name: Evan R. Wooding

Title: Business Manager, Steamfitters Local 353

Signature: 

Date: March 15, 2018

Please return to:

Email (Preferred): CMS.NPRCertification@illinois.gov

Mail:

Department of Central Management Services
Compensation Section
504 Stratton Bldg.
Springfield, IL 62704

PREVAILING WAGE CERTIFICATION FORM

Illinois Department of Labor
900 South Spring Street
Springfield Illinois 62704

CIRCLE SOC. NO.

This form constitutes the official certification by the below listed organization of the wages and benefits paid to workers, laborers, and mechanics working on Public Works Jobs and who are covered by collective bargaining agreements with the certifying organization. Rates or benefits paid on private/Non-Public Works jobs as defined by statute should not be included. As a courtesy please attach a copy of any collective bargaining agreement covering the workers and if there is an employer association, please identify same and provide contact information and have the association confirm the information provided by signing the sheet. Please indicate on reverse side counties where wages and benefits were paid and are applicable to this certification.

<u>SOC. NO.</u>	<u>TRADE</u>
8711	ASBESTOS ABT-MEC
8712	ASBESTOS ABT-GEN
6814	BOILERMAKER
6412	BRICK MASON
6422	CARPENTER
6463	CEMENT MASON
A025	CERAMIC TILE FINISHER
A001	COMMUNICATIONS TECHNICIAN
A002	COMMUNICATION SYSTEMS TECH
A003	COMMUNICATION ELECTRICIAN
6432	ELECTRICIAN
6433	ELECTRIC PWR LINEMAN
6434	ELECTRIC PWR GRNDMAN
8311	ELECTRIC PWR EQMT OP
8211	ELECTRIC PWR TRK DRV
6157	ELECTRONIC SYSTEM TECH
6176	ELEVATOR CONSTRUCTOR
6491	FENCE ERECTOR
A009	FLOOR LAYER
6464	GLAZIER
6465	HEAT/FROST INSULATOR
6471	IRON WORKER
8710	LABORER
A007	LABORER, SKILLED
6424	LATHER
6179	MACHINERY MOVER
6813	MACHINIST
6415	MARBLE MASON
A087	MARBLE FINISHER
A005	MATERIAL TESTER 1
A006	MATERIAL TESTER 2
6178	MILLWRIGHT
8310	OPERATING ENGINEER
6492	ORNAMENTAL IRON WORKER
6442	PAINTER
6445	PAINTER PWR EQMT
6446	PAINTER OVER 30 FT.
6863	PAINTER - SIGNS
6476	PILEDRIVER
6444	PLASTERER
6450	PLUMBER
6451	PIPEFITTER
6468	ROOFER
6472	SHEETMETAL WORKER
6493	SIGN HANGER
6452	SPRINKLER FITTER
6473	STEEL ERECTOR
6413	STONE MASON
8217	TRAFFIC SAFETY WORKER
6481	TUCKPOINTER
6461	TERRAZZO MASON
A008	TERRAZZO FINISHER
6423	TILE LAYER
6414	TILE MASON
8210	TRUCK DRIVER

CERTIFYING ORGANIZATION Steamfitters LOCAL # 353

ADDRESS 6304 W. Development Dr.
Peoria, IL 61604

PHONE 309-633-1353 E-Mail ewooding@ua353.com

TYPE: ALL (1) FLT (4)
BLD (2) ✓ RIV (5)
HWY (3) O&C (6)

EFFECTIVE DATE: May 1, 2018

NUMBER OF PERSONS COVERED: 351

WAGE RATE: \$ 39.50

FOREMAN: \$ 43.85

HLTH/WLFR: \$ 7.25

PENSION:
Local \$ 10.28
National \$ 2.50
Annuity \$ 0 N/A
NEBF \$ 0 N/A

TOTAL PENSION \$ 12.78

VACATION: \$ 0

BAT APPRENTICESHIP \$ 1.06

OVERTIME: (Show 1.5 or 2.0)

M - F OVER 8 HOURS 1.5
SATURDAY 1.5
SUNDAY/HOLIDAY 2.0

001 ADAMS	035 HARDIN	069 MORGAN
002 ALEXANDER	036 HENDERSON	070 MOULTRIE
003 BOND	037 HENRY	071 OGLE
004 BOONE	038 IROQUOIS	072 PEORIA All
005 BROWN	039 JACKSON	073 PERRY
006 BUREAU	040 JASPER	074 PIATT
007 CALHOUN	041 JEFFERSON	075 PIKE
008 CARROLL	042 JERSEY	076 POPE
009 CASS	043 JODAVIESS	077 PULASKI
010 CHAMPAIGN	044 JOHNSON	078 PUTNAM
011 CHRISTIAN	045 KANE	079 RANDOLPH
012 CLARK	046 KANKAKEE	080 RICHLAND
013 CLAY	047 KENDALL	081 ROCK ISLAND
014 CLINTON	048 KNOX	082 ST. CLAIR
015 COLES	049 LAKE	083 SALINE
016 COOK	050 LASALLE	084 SANGAMON
017 CRAWFORD	051 LAWRENCE	085 SCHUYLER East
018 CUMBERLAND	052 LEE	086 SCOTT
019 DEKALB	053 LIVINGSTON	087 SHELBY
020 DEWITT	054 LOGAN	088 STARK All
021 DOUGLAS	055 MACON	089 STEPHENSON
022 DUPAGE	056 MACOUPIN	090 TAZEWELL All
023 EDGAR	057 MADISON	091 UNION
024 EDWARDS	058 MARION	092 VERMILION
025 EFFINGHAM	059 MARSHALL South	093 WABASH
026 FAYETTE	060 MASON North	094 WARREN
027 FORD	061 MASSAC	095 WASHINGTON
028 FRANKLIN	062 MCDONOUGH All	096 WAYNE
029 FULTON All	063 MCHENRY	097 WHITE
030 GALLATIN	064 MCLEAN	098 WHITESIDE
031 GREENE	065 MENARD	099 WILL
032 GRUNDY	066 MERCER	100 WILLIAMSON
033 HAMILTON	067 MONROE	101 WINNEBAGO
034 HANCOCK East	068 MONTGOMERY	102 WOODFORD West

I, Evan Wooding, hereby certify that the foregoing information is correct.
(Print Name)

(Signature)

Association confirmation: SM Lal
(Signature)

Mid-Illini Contractors Association
Attn: Scott Larkin, Exec. V.P
PO Box 7 Lincoln, IL 62656

Exhibit B

Edit Union Trade (Screen C)

Please correct any of the following information for the Union Trade and press "Save" to record your entry or press "Cancel" to return to the Union Trades List without saving.

Union/Local: Steamfitters:Local 353

DOL USER ID: UN38898765

* Required Fields. Please provide accurate information in ALL required fields.

County* Peoria ▼

Trade* PIPEFITTER ▼

If you have selected a County and the Trade drop down list is empty, please wait 5-10 seconds and click on the Trade drop down list again. (The time to populate will depend on your Internet speed.)

Geographic Division* All ▼

Type* BLD ▼

Class* None ▼

GENERAL INFORMATION

1. Number of Workers in this trade and county who performed work on public works job(s) from 6/1/2017 to 5/31/2018*	300
2. Hourly wage rate paid during the month of June 2018 on public works job(s) \$/hr*	39.50
3. Hourly wage rate paid during the month of June 2018 to foremen on public works job(s) \$/hr*	43.85
4. Employer hourly cost for health insurance/welfare \$/hr*	7.25
5. Employer hourly cost for pension/retirement \$/hr*	12.78
6. Employer hourly cost for vacation \$/hr*	
7. Employer hourly cost for training \$/hr*	1.16

Ogletree Deakins

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

Attorneys at Law

155 N. Wacker Drive
Suite 4300
Chicago, IL 60606
Telephone: 312.558.1220
Facsimile: 312.807.3619
www.ogletree.com

Randolph E. Ruff
312.558.1228
randolph.ruff@ogletree.com

September 13, 2018

RECEIVED

SEP 13 2018

Via Hand Delivery

Illinois Department of Labor
CHICAGO OFFICE

Illinois Department of Labor
c/o Joe Beyer, Director
160 N. LaSalle St., Suite C-1300
Chicago, IL 60601

Joe Beyer
Director of the Illinois Department of Labor
160 N. LaSalle St., Suite C-1300
Chicago, IL 60601

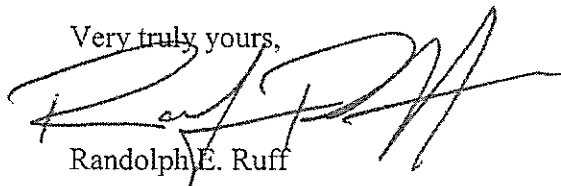
RE: Objections and Request for Section 9 Hearing

Dear Mr. Beyer:

Please be advised that our office represents the Mid-Illini Mechanical Contractors Association, Warner Mechanical, LLC, Ruyle Mechanical Services, Inc., The PIPCO Companies, Ltd. in connection with their enclosed Objections and Request for Section 9 Hearing pursuant to the Illinois Prevailing Wage Act, 820 ILCS 130/1, *et seq.* ("Act").

Kindly consider the enclosed to be written notice of objection per Section 9 of the Act concerning the Department of Labor's determination of the 2018 Prevailing Wage Rates published on August 15, 2018. Please feel free to contact me with any questions or concerns.

Very truly yours,



Randolph E. Ruff

RER:laf
Enclosure

cc (e-mail): Scott Larkin
Scott Cicciarelli
Chris Benson
Jeff Frieden

35576236.1

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-PK08-2302 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 2nd day of October, 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/

Mid-Illini Mechanical Contractors Association,
Warner Mechanical, LLC, Ruyle Mechanical Services, Inc.,
And The Pipco Companies, Ltd.
c/o Richard L. Samson, Esq.
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
155 N. Wacker Drive, Suite 4300
Chicago, IL 60606-1731
richard.samson@ogletree.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 1st day of Oct., 2018

Laura Kotelman
Notary Public

