

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

**IN THE MATTER OF:** )  
 )  
**AC PAVEMENT STRIPING COMPANY AND** )  
**MARKING SPECIALISTS CORPORATION, AND** )  
**MAINTENANCE COATINGS COMPANIES 820,** )  
 )  
**PETITIONER(S),** ) **STATE FILE NO. 2019-H-PK09-2296**  
 )  
**v.** )  
 )  
**JOSEPH BEYER, DIRECTOR OF THE** )  
**ILLINOIS DEPARTMENT OF LABOR, and** )  
**THE ILLINOIS DEPARTMENT OF LABOR,** )  
 )  
**RESPONDENTS.** )  
 )  
**ORDER**

**THIS MATTER COMING** on to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01-12 and Notice of Hearing issued there under; the parties Joint Motion for Entry of a Consent Decree and Consent Decree, and, 56 Illinois Administrative Code 120.130 all parties having been duly advised in the premises issues this order;

**FINDINGS:**

The parties have mutually resolved the issues contained in Petitioners' Objection and have jointly entered into a Consent Decree (attached). The parties waive any further procedural steps before the Administrative Law Judge.

56 Ill. Adm. Code 120.540 provides:

If the parties to the proceeding resolve, settle or compromise their dispute and as part of the settlement agreement and the parties desire the Administrative Law Judge to enter a consent decree in order to resolve the matter, the Administrative Law Judge shall enter the Consent Decree as long as the proposed Consent Decree does not violate the Act under which the contested case was brought and rules adopted under that Act.

The undersigned is without authority to enter final orders. Consent decrees are generally not final appealable orders, whereas a dismissal order entered pursuant to a settlement agreement is a final order. The entry of a consent decree is not a judicial determination of party rights and does not represent the judgment of the decision maker. "It is merely the court's recordation of the private agreement of the parties. *Ad-Ex, Inc. v. City of Chicago*, 152 Ill. Dec 136, 565 N.E. 2d 669, 207 Ill.App.3d 163, 177.

**IT IS HEREBY ORDERED:**

The Consent Decree signed between the parties is entered. The case on this matter is closed and is stricken from the docket.

DATE: 11/29/2018

*/s/ Claudia D. Manley*

Claudia D. Manley  
Chief Administrative Law Judge

Claudia D. Manley  
Chief Administrative Law Judge  
Illinois Department of Labor  
160 N. LaSalle St., Ste. C-1300  
Chicago, IL 60601  
V: 312-793-1805  
[DOL.hearings@illinois.gov](mailto:DOL.hearings@illinois.gov)

## 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 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. 2019-H-PK09-2296 and a copy of the Certificate of Service addressed to each party or party's agent via email address shown on the Certificate of Service, having caused each to be served via email from 100 W. Randolph Street, Chicago, Illinois on the 29th day of November, 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/](http://www.state.il.us/agency/idol/)

Petitioner(s) Attorney:

Jeffrey Risch  
[JRisch@salawus.com](mailto:JRisch@salawus.com)

Respondent Attorney:

Benno Weisberg  
[benno.weisberg@illinois.gov](mailto:benno.weisberg@illinois.gov)

*/s/ C. Y. Jackson*  
C.Y. Jackson, Office Specialist  
Illinois Department of Labor