

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

| | | |
|-------------------------------------|---|---------------------------------|
| ROAD SPRINKLER FITTERS |) | |
| LOCAL UNION #669, |) | |
| |) | |
| PETITIONERS, |) | IDOL FILE NO.: 2020-H-RP08-2322 |
| |) | |
| v. |) | |
| |) | |
| MICHAEL D. KLEINIK, DIRECTOR OF THE |) | |
| ILLINOIS DEPARTMENT OF LABOR, and |) | |
| THE ILLINOIS DEPARTMENT OF LABOR, |) | |
| |) | |
| RESPONDENTS. |) | |

ORDER

IDOL File No.: 2020-H-RP08-2322 coming on to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01 – 12 (“the Act” or “PWA”), and in accordance with Article 10 of the Illinois Administrative Procedure Act, 5 ILCS 100/10-5 – 10-70 and the procedures stated in the Department of Labor’s Rules at 56 Ill Admin Code 120.400(a)(1-6), the Notice of Hearing issued and the parties’ Joint Motion for Entry of A Consent Decree, I issue this Order

IT IS HEREBY ORDERED:

1. The Joint Motion for Entry of the Amended Consent Decree is granted. The Consent Decree is hereby entered and is attached hereto and made a part hereof. The parties waive any further procedural steps before me.

2. This matter is closed.

Entered: October 23, 2019

By: */s/ Raymond C. Cyrus*
Raymond C. Cyrus
Administrative Law Judge
Illinois Department of Labor
160 N. LaSalle St, Suite C-1300
Chicago, IL 60601
312-793-1805
DOL.Hearings@illinois.gov

CERTIFICATE OF SERVICE

To The Parties in IDOL File No.: 2020-H-RP08-2322

Road Sprinkler Fitters, Local 669
c/o Joseph E. Mallon, Esq.
Johnson & Krol, LLC

mallon@johnsonkrol.com

Illinois Department of Labor
c/o Audrey Cosgrove, Esq.
Asst. General Counsel
Illinois Department of Labor

audrey.cosgrove@illinois.gov

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I, C.Y. Jackson, a nonattorney, 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 IDOL File No.: 2020-H-RP08-2322 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 23rd day of October, 2019 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/

/s/ C.Y. Jackson

C.Y. Jackson, a nonattorney
Illinois Department of Labor

**STATE OF ILLINOIS – DEPARTMENT OF LABOR
LAW DIVISION – HEARINGS SECTION
160 N. LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601**

| | | |
|----------------------------------|---|---------------------------------|
| IN THE MATTER OF: |) | |
| |) | |
| ROAD SPRINKLER FITTERS LOCAL |) | IDOL FILE NO.: 2020-H-RP08-2322 |
| UNION #669, |) | |
| |) | |
| Petitioner(s), |) | |
| |) | |
| v. |) | |
| |) | |
| MICHAEL D. KLEINIK, DIRECTOR OF |) | |
| THE ILLINOIS DEPARTMENT OF LABOR |) | |
| and THE ILLINOIS DEPARTMENT OF |) | |
| LABOR, |) | |
| |) | |
| Respondents. |) | |

AMENDED CONSENT DECREE

The Petitioner, Road Sprinkler Fitters Local Union #669 (hereinafter “Union” or “Petitioner”) and the Respondent Michael D. Kleinik, Director of the Illinois Department of Labor and the Illinois Department of Labor (hereinafter “IDOL” or “Respondent”), jointly agree to resolve Petitioner’s Section 9 Petition under the Illinois Prevailing Wage Act (820 ILCS § 130/4, 9) as follows:

WHEREAS, on or around August 8, 2019, Petitioner filed a request for hearing pursuant to Section 9 of the Illinois Prevailing Wage Act seeking to have prevailing rates posted by the Respondent changed;

WHEREAS, Petitioner and Respondent resolved all of the rates included in Petitioner’s Section 9 filing;

WHEREAS, the Petitioner’s filing requested that Respondent change the posted prevailing wage rates for approximately ninety-four (94) specified Counties as follows:

| | | | | | |
|-----------------------------|--------------------------------|------------------------|--------------------------------|-------------------------|------------------------|
| Base: \$44.26/hr. | Foreman: \$47.01/hr. | O/T M-F: 1.5 | O/T Sa: 1.5 | O/T Su: 2.0 | O/T Hol: 2.0 |
| H/W: \$10.02/hr. | Pension: \$12.39/hr. | Vac: \$0.00 | Training: \$0.52/hr. | Other: \$0.00 | |

WHEREAS, on or about September 9, 2019, Respondent and Petitioner submitted a Consent Decree to the Hearings Division agreeing to change the applicable rates in all of the specified Counties, which the Administrative Law Judge consented to on or about September 10, 2019;

WHEREAS, it has been brought to Respondent and Petitioner’s attention that eleven (11) of the Counties included in the Section 9 Petition and Consent Decree fall within the jurisdiction of the Sprinkler Fitters Local 268 in St. Louis, Missouri;

WHEREAS, Petitioner and Respondent have prepared an Amended Consent Decree removing those eleven (11) Counties; and

WHEREAS, the Respondent has previously reviewed the applicable Collective Bargaining Agreement and Wage Sheets submitted by Petitioner and has no objection to posting the Petitioner’s rates for the specified Counties and further agrees to post the new rates upon consent by the Administrative Law Judge.

NOW, it is ORDERED, ADJUDGED, and DECREED that:

- 1) The Respondent is hereby ordered to post the following prevailing wage rates of the Petitioner in the below specified Counties:

| | | | | | |
|-----------------------------|--------------------------------|------------------------|--------------------------------|-------------------------|------------------------|
| Base: \$44.26/hr. | Foreman: \$47.01/hr. | O/T M-F: 1.5 | O/T Sa: 1.5 | O/T Su: 2.0 | O/T Hol: 2.0 |
| H/W: \$10.02/hr. | Pension: \$12.39/hr. | Vac: \$0.00 | Training: \$0.52/hr. | Other: \$0.00 | |

Adams, Alexander, Boone, Brown, Bureau, Carroll, Cass, Champaign, Christian, Clark, Clay, Coles, Crawford, Cumberland, DeKalb, Dewitt, Douglas, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Fulton, Gallatin, Hamilton, Hancock, Hardin, Henderson, Henry, Iroquois, Jackson, Jasper, Jefferson, JoDavie, Johnson, Kankakee, Knox, LaSalle, Lawrence, Lee, Livingston, Logan, Macon, Marion, Marshall, Mason, Massac, McDonough, McLean, Menard, Mercer, Montgomery, Morgan, Moultrie, Ogle, Peoria, Perry, Piatt, Pike, Pope, Pulaski, Putnam, Richland, Rock Island, Saline, Sangamon, Schuyler, Scott, Shelby, Stark, Stephenson, Tazewell, Union, Vermilion, Wabash, Warren, Wayne, White, Whiteside, Williamson, Winnebago and Woodford.

DATED this 25th day of September, 2019

The undersigned apply for and consent to the entry of this Consent Order and Judgment this 25th day of September, 2019:

For the Petitioner:

/s/ Joseph E. Mallon
One of Petitioner's Attorneys
Joseph E. Mallon
Johnson & Krol, LLC
311 S. Wacker Dr., Suite 1050
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(312) 757-5462
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For the Respondent:

Audrey Cosgrove
One of Respondent's Attorneys
Audrey Cosgrove
Illinois Department of Labor
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