

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

IN THE MATTER OF:)
)
ADMINISTRATIVE DISTRICT COUNCIL OF)
ILLINOIS OF THE INTERNATIONAL UNION)
OF BRICKLAYERS & ALLIED)
CRAFTWORKERS)
)
Objector(s),) State File No.: 2026-H-RP08-2354
)
v.)
)
JANE FLANAGAN, DIRECTOR of the)
THE ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR.)
)
Respondents.)

CERTIFICATE OF SERVICE

Honorable Michelle Bryant-Smith
Chief Administrative Law Judge
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PLEASE TAKE NOTICE that on this 13th day of August, 2025, the undersigned provided the above-listed parties copies of the attached *Petition to Intervene* and Appearances electronically where noted.

/s James Connolly Jr.

One of Their Attorneys

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PETITION TO INTERVENE

Petitioners Martin Flanagan, a member of the Laborers' International Union of North America ("LIUNA") Local 1 and the Construction and General Laborers' District Council of Chicago and Vicinity and its subsidiary and affiliate local unions ("the Chicago Laborers' District Council"), submit this petition to intervene in all proceedings conducted in the above-captioned matter, and in support of state as follows:

1. Martin Flanagan (Flanagan") is a member of LIUNA Local 1 and negotiates and enforces collective bargaining agreements on behalf of the District Council.
2. The Chicago Laborers' District Council is a labor organization representing individuals performing work as laborers on prevailing wage projects throughout nine Illinois counties, including Cook, DeKalb, DuPage, Grundy, Kane, Kendall, McHenry, and Will.

3. Pursuant to Section 3 of the Illinois Prevailing Wage Act (the “Act”), 820 ILCS 130/3, the general prevailing rate of hourly wages for work of a similar character shall be paid to all laborers, workers and mechanics engaged in the construction or demolition of public works.

4. On or about August 7, 2025, Objectors Administrative District Council 1 of Illinois of the International Union of Bricklayers and Allied Craftworkers, AFL-CIO (“the Bricklayers”) submitted its Written Objections and Requests for Hearing Under Sections 4 and 9 (“Objections”) with the Illinois Department of Labor (“IDOL”) to the July 15, 2025 prevailing wage determinations pursuant to Sections 4 and 9 of the Act (820 ILCS 130/4 and 130/9).

5. In its Objections, the Bricklayers seeks “to establish a prevailing wage rate for the trade classifications of Concrete Specialist Welder and Concrete Specialist Non-Welder (the “Affected Classifications”) in the nine (9) Counties of Cook, DeKalb, DuPage, Grundy, Kane, Kendall, Lake, McHenry, and Will” (Objections Page 1, see also ¶¶ 4-8).

6. In its Objections, the Bricklayers “submits that the classifications of Concrete Specialist Welder and Concrete Specialist Non-Welder should be added to the list of classifications in the Affected Counties with the prevailing wage rate as set forth above consistent with the Collective Bargaining Agreement which the Department has used to ascertain and to establish to be the prevailing wage rates for the Affected Work in the Affected Counties.” (Objections ¶ 8).

7. It is unclear on the face of the Bricklayers’ Objections whether its proposed classifications’ scopes of Concrete Specialist Welder and Concrete Specialist Non-Welder work are for Heavy/Highway, Building, or All.

8. It is unclear on the face of Bricklayers’ Objections how the proposed classifications for Concrete Specialist Welder and Concrete Specialist Non-Welder being performed in Cook,

DeKalb, DuPage, Grundy, Kane, Kendall, McHenry, and Will counties encompass scope(s) of work that differ from the Laborer classification which already exists in those counties.

9. The Chicago Laborers' District Council has long-standing collective bargaining agreements with contractors in Cook, DeKalb, DuPage, Grundy, Kane, Kendall, McHenry, and Will County where its members perform work that could conflict with the ambiguous scope of work that the Bricklayers' proposed Concrete Specialist Welder and Concrete Specialist Non-Welder classification and what is already covered under the existing Laborer (All) classification.

10. The Chicago Laborers' District Council has long-standing collective bargaining agreements with contractors in Cook, DeKalb, DuPage, Grundy, Kane, Kendall, McHenry, and Will County where the petition seeks to establish Concrete Specialist Welder and Concrete Specialist Non-Welder rate classifications. Chicago Laborers' District Council members and their employer signatory contractors currently perform work on public projects in these counties pursuant to collective bargaining agreements. This work is performed under existing prevailing wage classification for Laborer established by the IDOL based on these collective bargaining agreements.

11. If Bricklayers' petition is successful, some of this work performed by the Chicago Laborers' District Council's members may be encompassed by the Bricklayers' request for the Concrete Specialist Welder and Concrete Specialist Non-Welder rate classification.

12. Section 120.320(a)(1) of Title 56 of the Illinois Administrative Code states that a party may intervene in a Section 9 hearing in the following circumstances: "(A) The party is so situated that he or she may be adversely affected by a final order arising from the hearing; (B) The

party requesting intervention is a necessary party to the hearing proceeding; or (C) A party's claim or defense and the main action have a question of law or fact in common."

13. Pursuant to Section 9 of the Act, "any interested objectors may . . . introduce such evidence as is material to the issue." 820 ILCS 130/9.

14. As set forth above, there is also a common question of law and fact that must be resolved prior to ruling on the Objections.

15. Permitting the Chicago Laborers' District Council to intervene will not cause undue delay or prejudice and will result in a full and fair resolution of the issues.

WHEREFORE, the Chicago Laborers' District Council respectfully requests the Administrative Law Judge to enter an Order granting this Petition to Intervene

Respectfully submitted,

MARTIN FLANAGAN, as a Member of the
Laborers International Union of North America,
Local 1, and the CONSTRUCTION AND
GENERAL LABORERS' DISTRICT COUNCIL
OF CHICAGO AND VICINITY,

By: /s/ James Connolly Jr.
One of Their Attorneys

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