

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

IN THE MATTER OF: )  
)  
CATHY JONES AND SCOTT JONES, )  
)  
PETITIONER(S), )  
)  
v. ) STATE FILE NO. 2018-H-PK07-1914  
)  
JOSEPH BEYER, DIRECTOR OF THE )  
ILLINOIS DEPARTMENT OF LABOR and )  
the ILLINOIS DEPARTMENT OF LABOR, )  
)  
RESPONDENT. )  
)

ORDER

**THIS MATTER COMING** on to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01-12 and Notice of Hearing issued thereunder; and, status order pursuant to 56 Illinois Administrative Code 120.400 (a) (1-6), all parties having been duly advised in the premises, the undersigned issues this order;

**FINDINGS:**

The parties made a verbal motion during the status conference that this matter be stayed due to civil suits currently pending in Cook and St. Clair Counties which the parties argue encompass a similar issue. In addition, a potential intervenor, Laborers' International Union of North America, Southern and Central Illinois Laborers, appeared at the status conference and also verbally agreed that this matter should be stayed. The potential intervenor provided additional reasons as to why this matter should be stayed. The potential intervenor currently has no standing at this time.

The undersigned raised the issue of whether this matter encompasses work performed by Petitioners in all counties in the State of Illinois or only in counties where Complainant's performed work during the relevant time period. The parties did not dispute that the Petitioner's performed work on public work contracts in the following counties during the relevant period: Carroll, Bureau, Henry, Knox, Warren, Mercer and Rock Island.

**IT IS HEREBY ORDERED:**

1. Any and all Petition(s) to Intervene shall be filed by all interested persons/entities as defined by 56 Ill. Adm. Code 120.320 on or before **September 29, 2017**.
2. All Petitions to Intervene shall comply with 56 Ill. Adm. Code 120.320. Any brief accompanying the response shall comply with 56 Ill. Adm. Code 120.301.
3. Failure to file the Petition in accordance with 56 Ill. Adm. Code 120.320 will result in the Petition not being in compliance with this order and subsequent denial.
4. Any Petition filed **after September 29, 2017** will be deemed untimely and will unduly delay or prejudice the adjudication of rights of the original parties 56 Ill. Adm. Code 120.320 (2).
5. Any and all written responses opposing timely Petition(s) to Intervene including but not limited to potential intervenor identified as Laborers' International Union of North America, Southern and

Central Illinois Laborers' shall be filed on or before **October 13, 2017**. Any brief accompanying the response shall comply with 56 Ill. Adm. Code 120.301.

6. The parties are under a continuing duty to notify the undersigned should this matter be stayed by an Illinois Court. Any such notification shall include a copy of the order issued by the Court.
7. All parties and the undersigned have agreed to accept service via email.
8. Respondent's Motion to Extend Answer Date is entered and continued.
9. A pre-hearing conference is scheduled for **October 26, 2017** at **11:30 a.m.** to address:
  - a. Petitions to Intervene;
  - b. Oral Motion(s) to Stay; and,
  - c. The scope or which counties are at issue in this hearing.

The undersigned will initiate the conference call. The same phone numbers previously provided will be utilized.

DATE: 9/18/17

/s/ Claudia D. Manley  
Claudia D. Manley  
Chief Administrative Law Judge

Claudia D. Manley  
Chief Administrative Law Judge  
Illinois Department of Labor  
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STATE OF ILLINOIS        )  
  )  
  )  
COUNTY OF COOK         )

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I Claudia Manley an 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. 2018-H-PK-07-1914 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 Order or on the Certificate of Service, having caused each envelope to be served by U.S. mail with postage prepaid at 100 W. Randolph Street, Chicago, Illinois on the 18<sup>th</sup> day of September, 2017 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/

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/s/ Claudia G. Manley