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

IN THE MATTER OF:

UNITED ASSOCIATION OF PLUMBERS & PIPEFITTERS, LOCAL 149,

PETITIONER(S),

v.

JOSEPH BEYER, DIRECTOR OF THE ILLINOIS DEPARTMENT OF LABOR, and THE ILLINOIS DEPARTMENT OF LABOR,

RESPONDENTS.

STATE FILE NO. 2019-H-PK08-2239
DATE OF NOTICE: September 28, 2018
CERT. MAIL/RETURN RECEIPT:
707 2620 0001 0467 5563

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 the United Association of Plumbers & Pipefitters, Local 149 [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 9, 2018
TIME: 1:00 p.m.
PLACE: ILLINOIS DEPARTMENT OF LABOR
160 NORTH LASALLE STREET, SUITE C-1300
CHICAGO, ILLINOIS 60601

ADMINISTRATIVE LAW JUDGE:

CLAUDIA MANLEY
CHIEF 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.

Joseph Beier
Director of Labor
August 27, 2018

Via Certified Mail
Mr. Joseph Beyer
Acting Director of the Department of Labor
Illinois Department of Labor
900 S. Spring Street
Springfield, IL 62704

Via Certified Mail
Illinois Department of Labor
Administrative Hearings
160 N. LaSalle, C-1300
Chicago, IL 60601

Re: Local 149 Request for a Section 9 Hearing and Objection to Prevailing Wage Schedule for Plumbers and Pipefitters in all applicable counties

Dear Mr. Beyer:

This firm represents the United Association of Plumbers & Pipefitters Local 149 ("Local 149"). The purpose of this correspondence is to submit written objections and a request for a hearing pursuant to Section 9 of the Illinois Prevailing Wage Act (820 ILCS §130/4, 9). A copy of the current wage rate sheet is enclosed.

Specifically, Local 149 objects to the following:

1. **Champaign County**
   - Pipefitter Training is $2.03, not $1.53.
   - Plumber Training is $2.03, not $1.63.

2. **Coles County**
   - Pipefitter Training is $2.03, not $1.83.
   - Plumber Training is $2.03, not $1.99.
   - Plumber Base Wage is $43.59, not $41.54.
   - Plumber Foreman Wage is $46.09, not None.
   - Plumber H/W is $7.25, not $7.1.
   - Plumber Pension is $10.25, not $11.45.

3. **Cumberland County**
   - Pipefitter Training is $2.03, not $1.83.
   - Plumber Training is $2.03, not $1.99.
   - Plumber Base Wage is $43.59, not $41.54.
-Plumber Foreman Wage is $46.09, not $44.04.
-Plumber H/W is $7.25, not $7.1.
-Plumber Pension is $10.25, not $11.45.

4. Effingham County
  -Pipefitter Training is $2.03, not $1.83.
  -Plumber Base Wage is $43.59, not $41.54.
  -Plumber Foreman Wage is $46.09, not None.
  -Plumber OT Su is 2, not 1.5.
  -Plumber OT Hol is 2, not 1.5.
  -Plumber H/W is $7.25, not $1.54.
  -Plumber Pension is $10.25, not $0.73.
  -Plumber Vacation is 0, not $0.98.
  -Plumber Training is $2.03, not 0.
  -Plumber Other Fringe Benefits is 0, not $18.27.

5. Ford County
  -Pipefitter Training is $2.03, not $1.83.
  -Plumber Training is $2.03, not $1.83.

6. Piatt County E.
  -Pipefitter Training is $2.03, not $1.83.
  -Plumber Training is $2.03, not $2.09.
  -Plumber Base Wage is $43.59, not $41.54.
  -Plumber Foreman Wage is $46.09, not None
  -Plumber H/W is $7.25, not $7.1.
  -Plumber Pension is $10.25, not $11.45.

If you have any questions or concerns, please contact me. I am available via telephone at (312) 757-5462, or via email at mallon@johnsonkrol.com.

Very truly yours,

Joseph E. Mallon

Enclosures

cc: Matthew J. Kelly, Business Manager, Local 149
    Benno Weisberg, IDOL General Counsel
    Paul Kersey (via e-mail at Paul.Kersey@illinois.gov)
**UA Local 149 2018 Commercial Wage Sheet**

With regard to the Economic Package, the following will be in effect June 1, 2018.

*Article 3, Section 3.1:*

**Journeyman from June 1, 2018 through May 31, 2019**

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wages per hr.</td>
<td>$43.59</td>
</tr>
<tr>
<td>P&amp;P National Pension Fund per hr.</td>
<td>2.00</td>
</tr>
<tr>
<td>E.C.I.P.T. Pension Fund per hr.</td>
<td>8.25</td>
</tr>
<tr>
<td>E.C.I.P.T. Health &amp; Welfare Fund per hr.</td>
<td>7.25</td>
</tr>
<tr>
<td>Education Fund per hr.</td>
<td>1.53</td>
</tr>
<tr>
<td>Employer Fund per hr.</td>
<td>.10</td>
</tr>
<tr>
<td>International Training Fund per hr.</td>
<td>.10</td>
</tr>
<tr>
<td>Substance Abuse Prevention Corp. Fund per hr.</td>
<td>.10</td>
</tr>
<tr>
<td>Training Facility Fund per hr.</td>
<td>.30</td>
</tr>
</tbody>
</table>

**TOTAL PACKAGE** $63.22

- E.C.I.P.T. 401-k Fund (deduct from gross with Authorization Form)
  - $1.00 to $10.00 in dollar increments

- Working Assessment/Dues *(deduct from gross)* 4.5%

- Market Recovery Program *(deduct from gross)* $0.35 per hour

*Article 3, Section 3.2:*

**Apprentices from June 01, 2018 through May 31, 2019 (starting before May 31, 2018)**

<table>
<thead>
<tr>
<th>Apprentices Grade</th>
<th>Percentage</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Year Apprentice</td>
<td>50%</td>
<td>$21.79</td>
</tr>
<tr>
<td>Second Year Apprentice</td>
<td>60%</td>
<td>26.15</td>
</tr>
<tr>
<td>Third Year Apprentice</td>
<td>70%</td>
<td>30.51</td>
</tr>
<tr>
<td>Fourth Year Apprentice</td>
<td>80%</td>
<td>34.87</td>
</tr>
<tr>
<td>Fifth Year Apprentice</td>
<td>90%</td>
<td>39.23</td>
</tr>
</tbody>
</table>

**Apprentices from June 01, 2018 through May 31, 2019 (starting after May 31, 2018)**

<table>
<thead>
<tr>
<th>Apprentices Grade</th>
<th>Percentage</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Year Apprentice</td>
<td>45%</td>
<td>$19.61</td>
</tr>
<tr>
<td>Second Year Apprentice</td>
<td>55%</td>
<td>23.97</td>
</tr>
<tr>
<td>Third Year Apprentice</td>
<td>65%</td>
<td>28.33</td>
</tr>
<tr>
<td>Fourth Year Apprentice</td>
<td>75%</td>
<td>32.69</td>
</tr>
<tr>
<td>Fifth Year Apprentice</td>
<td>85%</td>
<td>37.05</td>
</tr>
</tbody>
</table>

*Working Assessment/Dues *(deduct from gross)* 4.5%
Article 3, Section 3.3:

Supervision from June 01, 2018 through May 31, 2019

<table>
<thead>
<tr>
<th>Position</th>
<th>Wage Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreman</td>
<td>$2.50/hr. above Journeyman Wage Rate</td>
</tr>
<tr>
<td>General Foreman</td>
<td>4.50/hr. above Journeyman Wage Rate</td>
</tr>
<tr>
<td>Superintendent</td>
<td>6.50/hr. above Journeyman Wage Rate</td>
</tr>
</tbody>
</table>

Supervision from June 01, 2019 through May 31, 2023

<table>
<thead>
<tr>
<th>Position</th>
<th>Wage Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreman</td>
<td>6.20%/hr. above Journeyman Wage Rate</td>
</tr>
<tr>
<td>General Foreman</td>
<td>10.70%/hr. above Journeyman Wage Rate</td>
</tr>
<tr>
<td>Superintendent</td>
<td>15.20%/hr. above Journeyman Wage Rate</td>
</tr>
</tbody>
</table>

Article 17, Section 17.2:

ECIPT Pension Apprentice Contributions from June 01, 2018 through May 31, 2019

Apprentice contribution rates shall mirror the ratio of pay scale.

Apprentices that started BEFORE May 31, 2018:

<table>
<thead>
<tr>
<th>Apprentice Level</th>
<th>Contribution Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Year Apprentice</td>
<td>50%</td>
</tr>
<tr>
<td>Second Year Apprentice</td>
<td>60%</td>
</tr>
<tr>
<td>Third Year Apprentice</td>
<td>70%</td>
</tr>
<tr>
<td>Fourth Year Apprentice</td>
<td>80%</td>
</tr>
<tr>
<td>Fifth Year Apprentice</td>
<td>90%</td>
</tr>
</tbody>
</table>

Apprentices that started AFTER May 31, 2018:

<table>
<thead>
<tr>
<th>Apprentice Level</th>
<th>Contribution Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Year Apprentice</td>
<td>45%</td>
</tr>
<tr>
<td>Second Year Apprentice</td>
<td>55%</td>
</tr>
<tr>
<td>Third Year Apprentice</td>
<td>65%</td>
</tr>
<tr>
<td>Fourth Year Apprentice</td>
<td>75%</td>
</tr>
<tr>
<td>Fifth Year Apprentice</td>
<td>85%</td>
</tr>
</tbody>
</table>

Trainees:

<table>
<thead>
<tr>
<th>Trainee Level</th>
<th>Wages Percentage</th>
<th>Wages</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Year Trainee (DT-MESS)</td>
<td>70% of Journeyman Wages</td>
<td>$30.51</td>
</tr>
<tr>
<td>Second Year Trainee (DT-MESS)</td>
<td>80% of Journeyman Wages</td>
<td>$34.87</td>
</tr>
<tr>
<td>Third Year Trainee (DT-MESS)</td>
<td>90% of Journeyman Wages</td>
<td>$39.23</td>
</tr>
</tbody>
</table>

*Working Assessment/Dues (deducted from gross)  4.5%
**Full fringe benefits like a journeyman.
***If prevailing wage job, trainees receive journeyman wages.
ARTICLE 18

Education Fund

Section 18.1 (a) Each Employer covered by this Agreement shall pay

3.6% of the current Journeyman wage rate (refer to Article 3, Economic Package) for each hour worked by and for all Employees covered by this Agreement. These payments shall be made no later than the 10th day of each month following the month for which payment is being made.

Section 18.1 (b) Payments received by this Fund shall be used for purpose of conducting training programs for Journeymen, Apprentices, and any other category of Employees covered by this Agreement and for the hiring and employment of training coordinators and instructors who are to conduct such programs.
CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I, C. J. 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-PK08-2239 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 28th day of September, 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/.

United Assoc. of Plumbers & Pipefitters, Local 149
c/o Joseph E. Mallon, Esq.
Johnson & Krol LLC
311 S. Wacker Dr., Ste. 1050
Chicago, IL 60606
joe@johnsonkrol.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

[Signature]

Subscribed and Sworn to this 26th day of September, 2018

[Signature]
Notary Public