

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

IN THE MATTER OF:)
)
ROOFERS AND WATERPROOFERS)
LOCAL 11, and)
ROOFERS LOCAL UNION 69)
)
PETITIONERS) IDOL FILE NO. 2020-H-RP01-2326
)
v.)
)
MICHAEL D. KLEINIK, DIRECTOR OF THE)
ILLINOIS DEPARTMENT OF LABOR, and)
THE ILLINOIS DEPARTMENT OF LABOR)
)
RESPONDENTS)

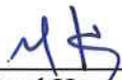
ORDER

This matter comes before me on the joint motion of all parties for entry of a proposed Consent Decree, executed by all parties on February 4, 2020, resolving all issues and disputes between the parties raised by Petitioners' Petition in this matter.

The motion is granted. The executed Consent Decree, which is attached to and made a part of this Order, is hereby entered.

Under the terms of the Consent Decree, the parties have waived further procedural steps before me, the administrative law judge. The previously scheduled hearing date of February 18, 2020 is hereby vacated, and the matter is hereby closed.

Entered: FEBRUARY 5, 2020



Michael Haggerty, Administrative Law Judge
Illinois Department of Labor
160 N. LaSalle St., C-1300
Chicago, IL 60601

312-793-1805
DOL.hearings@illinois.gov

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

IN THE MATTER OF:)	
)	
ROOFERS AND WATERPROOFERS)	IDOL FILE NO.: 2020-H-RP01-2326
LOCAL 11; and the ROOFERS LOCAL)	
UNION 69,)	
)	
Petitioners,)	
)	
v.)	
)	
MICHAEL D. KLEINIK, DIRECTOR OF)	
THE ILLINOIS DEPARTMENT OF LABOR)	
and THE ILLINOIS DEPARTMENT OF)	
LABOR,)	
)	
Respondents.)	

CONSENT DECREE

Pursuant to 56 Ill. Admin Code. 120.540, the Petitioners, the Roofers and Waterproofers Local 11 and the Roofers Local Union 69 (hereinafter the “Unions” or “Petitioners”) and the Respondents Michael D. Kleinik, Director of the Illinois Department of Labor and the Illinois Department of Labor (“IDOL”), jointly agree to resolve Petitioners’ Section 9 petition under the Illinois Prevailing Wage Act (820 ILCS § 130/4, 9) as follows:

WHEREAS, on or around January 3, 2020, the Petitioners filed a request for hearing pursuant to Section 9 of the Illinois Prevailing Wage Act seeking to have certain prevailing wage rates posted for the Roofers trade in Livingston County, West of Route 47 posted by the IDOL effective December 16, 2019 changed;

WHEREAS, the rates posted by the IDOL effective December 16, 2019 increased for all Roofers in Livingston County;

WHEREAS, as of the date of this Decree, Petitioners and Respondents have reached agreement on all the rates included in the Petitioners' Section 9 filing;

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

1) In light of the above, it is determined that Respondents will establish prevailing wage rates for the Roofers trade in Livingston County, West of Route 47 only, as follows:

- a. Base at \$31.50
- b. Foreman at \$33.08 (Level 1)
- c. Foreman at \$34.65 (Level 2)
- d. OT M-F at 1.5
- e. OT Sa at 1.5
- f. OT Su at 2.0
- g. OT Hol at 2.0
- h. H/W at \$9.50
- i. Pension at \$10.14
- j. Vac at \$0.00
- k. Train. at \$0.30
- l. Other at \$0.00

2) The determinations set forth in this Consent Decree shall be implemented and enforced by IDOL effective upon entry of the Order approving this Consent Decree.

3) The Decision and Order disposing of this proceeding shall have the same force and effect as an Order made after a full hearing.

4) The parties waive:

- a. Further procedural steps before the Administrative Law Judge; and
- b. Any right to challenge or contest the validity of this Consent Decree or the Decision and Order entered in accordance herewith.

DATED this _____ day of February 2020

The undersigned apply for and consent to the entry of this Consent Order and Judgment this 4th day of February, 2020:

For the Petitioners:

/s/ Joseph E. Mallon
One of Petitioner's Attorneys
Joseph E. Mallon
Johnson & Krol, LLC
450 E. 96th Street, Suite 450
Indianapolis, IN 46240
(317) 218-4779
mallon@johnsonkrol.com

For the Respondents:

/s/ Yolanda Carrillo
One of Respondent's Attorneys
Yolanda Carrillo
Illinois Department of Labor
160 N. LaSalle – 13th Floor
Chicago, IL 60601
(312) 793-1002
Yolanda.carrillo@illinois.gov

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I Blanca Rodriguez non-attorney, affirm, certify or on oath state, that I served the attached Order and Consent Decree upon all parties in Case No. 2020-H-RP01-2326 (or upon their agent authorized to receive service of process) by enclosing a copy of the same, along with a copy of this Certificate of Service, in an envelope addressed to each party (or party's agent) at the address shown below, and by having caused each envelope to be either hand-delivered **or** placed in the U.S. mail (certified mail, return receipt requested) at 100 W. Randolph Street, Chicago, Illinois, on the 6th day of February, 2020 prior to 4:30 p.m. I **also** caused the same documents to be placed on the Illinois Department of Labor's official website at www.state.il.us/agency/idol/.

Via U.S. Certified Mail:

ROOFERS AND WATERPROOFERS
LOCAL 11, and ROOFERS LOCAL UNION 69

c/o Joseph E. Mallon, Esq.
Johnson & Krol, LLC
450 E. 96th Street, Suite 450
Indianapolis, IN 46240

9489 0090 0027 6162 5456 76

Via Hand-Delivery:

MICHAEL D. KLEINIK, DIRECTOR OF LABOR
and THE ILLINOIS DEPARTMENT OF LABOR
c/o Yolanda Carrillo, Chief Legal Counsel
Illinois Department of Labor
160 N. LaSalle St., Ste. C-1300
Chicago, IL 60601

Blanca Rodriguez

Subscribed and Sworn to this 6th day of February, 2020

Crystal Y. Jackson
Notary Public

