

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

Roofers, Waterproofers, and Allied)
Workers, Local 11,)
)
Petitioners,)
)
v.)
)
Michael D. Kleinik, Director of)
The Illinois Department of Labor, and)
The Illinois Department of Labor,)
)
Respondents.)

IDOL FILE NO.: 2021-H-RP08-2330

ORDER

IDOL File No.: 2021-H-RP08-2330 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 120.100, *et seq.*, the Notice of Hearing issued thereunder, all parties being on notice,

On September 10, 2020, Petitioners and Respondents entered into a Settlement Agreement, including a withdrawal of the Petition by Petitioners.

IT IS HEREBY ORDERED:

1. The Settlement Agreement is hereby accepted and entered and is attached hereto and made a part hereof.
2. The Petition is withdrawn.
3. The parties waive any further procedural steps before me.
4. IDOL File No.: 2021-H-RP08-2330 is closed.

Entered: October 14, 2020

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

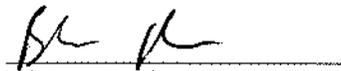
Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I, Blanca Rodriguez, a nonattorney, affirm, certify or on oath state, that I served notice of the attached Order or Decision upon all parties in IDOL File No.: 2021-H-RP08-2330, or their agents appointed to receive service of process, by email to the stated email addresses on October 14, 2020 prior to 4:30 p.m.

Roofers, Waterproofers, and Allied Workers, Local 11
c/o Karl E. Masters, Esq.
Johnson & Krol, LLC

masters@johnsonkrol.com

Illinois Department of Labor
Shayne L. Aldridge
Deputy General Counsel

Shayne.L.Aldridge@illinois.gov



Blanca Rodriguez
A nonattorney

**STATE OF ILLINOIS
ILLINOIS DEPARTMENT OF LABOR
160 N. LASALLE STREET, 13th FLOOR
CHICAGO, IL 60601**

Roofers, Waterproofers, and Allied Workers)	
Local 11,)	
)	
Petitioner(s))	IDOL File No: 2021-H-RP08-2330
)	
Michael D. Kleinik, Director of the Illinois)	
Department of Labor and The Illinois Dept.)	
of Labor,)	
)	
Respondents.)	

SETTLEMENT AGREEMENT

This is a settlement agreement (Agreement) between the Illinois Department of Labor (Department) and Roofers, Waterproofers, and Allied Workers Local 11 - Chicago (Local 11), relating to Department file number 2021-H-RP08-2330 and is effective upon full execution by the Parties on the date first written below. The Parties desire to settle and resolve the issues regarding the aforementioned prevailing wage rate determination dispute without any further proceedings or hearing on the matter and without any admission of liability as to the Department in posting the submitted prevailing wage rates. Based upon the terms and conditions hereinafter set forth, the Parties agree as follows:

RECITALS

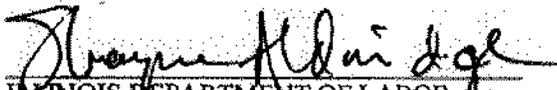
1. Local 11 is the duly recognized representative at least thirty percent (30%) of the workers under the "Roofers, Waterproofers, and Allied Workers" classification for specific geographical locations in Whiteside County, Illinois, namely the portion encompassing the cities of Sterling and Rock Falls.
2. Roofers, Waterproofers, and Allied Workers Local 32 (Rock Island) is also a duly recognized representative of at least thirty percent (30%) of the workers under the "Roofers, Waterproofers, and Allied Workers" classification for specific geographical locations in Whiteside County, Illinois, namely the portion encompassing all areas of Whiteside County, except the cities of Sterling and Rock Falls.
3. Local 11 and Local 32 have separate collective bargaining agreements that set the prevailing wage rates for their members within their own jurisdiction of Whiteside County.
4. Section 9 of the Prevailing Wage Act (820 ILCS 130/9), requires the Department to annually ascertain and make public the Prevailing Wage Rates for all the counties and geographical locations within the State of Illinois on or before July 15th.
5. On or about July 15, 2020, the Department ascertained the prevailing wage rate for Roofers, Waterproofers, and Allied Workers in Whiteside County as a whole using the Local 32 collective

bargaining agreement rates and did not differentiate the geographical jurisdictions previously agreed upon by Local 11 and Local 32.

6. On August 4, 2020, Local 11 filed a Section 9 Written Objection and Request for Hearing to dispute the Department's prevailing wage rate determination for the cities of Sterling and Rock Falls located within Whiteside County.
7. Local 32 has not filed a Motion to Intervene to contest Local 11's objection to the Department's prevailing wage determination.
8. The Parties acknowledge they are entering this Settlement Agreement for the sole purpose of settling this dispute and to avoid the burden, expense, delay, and uncertainties of litigation and that the Agreement is a non-confidential public record the Department may be required to release pursuant to a Freedom of Information Act request.

WHEREFORE, the Department and Local 11 desire to settle the matter and hereby agree:

1. The Department will honor the geographical jurisdictions previously agreed upon by Local 11 and Local 32.
2. The Department will establish the jurisdictional boundaries in the prevailing wage rate determination process, naming Local 11 – Whiteside County (Cities of Sterling and Rock Falls Only) and Local 32 – Whiteside County (Except the Cities of Sterling and Rock Falls).
3. The Department will report Local 11 "Roofers, Waterproofers, and Allied Workers" prevailing wage rate as those in its collective bargaining agreement.
4. Local 11 agrees to withdraw its Section 9 hearing request.
5. The signators to this Agreement represent and warrant that s/he are authorized to bind the parties on whose behalf the signature appears in this settlement agreement.


ILLINOIS DEPARTMENT OF LABOR
By: SHAYNE L. ALDRIDGE
DEPUTY CHIEF LEGAL COUNSEL

 / Karl Masters
ROOFERS, WATERPROOFERS, AND
ALLIED WORKERS LOCAL 11
By: Attorney

Date: 9-10-20

Date: 9/10/20

CERTIFICATE OF SERVICE

THE UNDERSIGNED hereby certifies that a copy of the foregoing was served via E-Mail on September 18, 2020, to the following:

Administrative Hearings Unit
160 N. LaSalle, C-1300
Chicago, IL 60602
dol.hearings@illinois.gov

Karl Masters
Johnson & Krol, LLC
Email: Masters@johnsonkrol.com



Shayne L. Aldridge
Deputy Chief Legal Counsel
Illinois Department of Labor
Shayne.L.Aldridge@illinois.gov