

**STATE OF ILLINOIS – DEPARTMENT OF LABOR
CONCILIATION/MEDIATION DIVISION
900 S. SPRING STREET.
SPRINGFIELD, ILLINOIS 62701**

IN THE MATTER OF:)
)
STANLEY SIMRAYH, as MEMBER OF)
THE INTERNATIONAL UNION OF)
OPERATING ENGINEERS, LOCAL #150)
and the INTERNATIONAL UNION OF)
OPERATING ENGINEERS, LOCAL #150,)
)
Petitioner(s),)
)
v.)
)
JOSEPH COSTIGAN, DIRECTOR OF)
LABOR and the ILLINOIS DEPARTMENT)
OF LABOR,)
)
Respondent.)

STATE FILE NO.: 2014-H-TW07-0031

**FIRST AMENDED PETITION TO ESTABLISH
PREVAILING WAGE RATES FOR SURVEY CREW MEMBERS**

Petitioners, Stanley Simrayh and the International Union of Operating Engineers, Local 150, AFL-CIO, state as follows:

1. On July 23, 2013, Petitioners filed their initial request for a section 9 hearing to add new sub-classifications for survey crew members to the existing classification of Operating Engineer (Highway), including: Rodman, Instrument Man, and Foreman.
2. A pre-hearing conference on this matter is scheduled on August 22, 2013 at 2:00 p.m.
3. This First Amended Petition narrows and renames the sub-classifications requested as follows: Instrument Man and Crew Chief.
4. Stanley Simrayh is a member of the International Union of Operating Engineers, Local 150, AFL-CIO (“Local 150”).
5. Local 150 members perform the work mentioned herein and are therefore affected by the absence of such classifications.
6. The Illinois Prevailing Wage Act covers construction work performed by laborers, workers and mechanics on public works projects. 820 ILCS 130/2, 3. Instrument Men and Crew Chiefs are directly employed by contractors or subcontractors on a public works job site and/or in anticipation of construction, and engaged in the transportation of materials and equipment to or from the site. 820 ILCS 130/3.

7. Instrument Men and Crew Chiefs are exposed to the same occupational hazards as other workers on a construction site, including prolonged exposure to natural elements during the workday, being struck by heavy equipment, vehicular traffic, etc.
8. Like other workers, Instrument Men and Crew Chiefs use various types of tools and equipment in the field to accomplish tasks, and must meet similar physical demands of other construction workers, as summarized below.
9. Tools or Equipment Used include:
 - Data collectors, G.P.S. and robotic instruments to measure direction and distance
 - Levels and transits
10. Physical Demands of Field Surveying include:
 - Standing for all but a small fraction of the workday
 - Walking and climbing over uneven grades and uphill
 - Carrying and wearing heavy objects, including “GPS” equipment, total station, tripod, prism pole, lathe rack, hub bag, hand tape, safety goggle, gloves
 - Bending and stooping
 - Working in inclement weather
11. The III FFC proposes the following sub-classifications are added to Illinois prevailing wage rates for Operating Engineers (Highway) statewide.
 - **Instrument Man:** Operates survey equipment including data collectors, G.P.S. and robotic instruments, as well as conventional levels and transits.
 - **Crew Chief:** Operates survey equipment, oversees survey crew operations, coordinates work with engineer to complete job on time
12. The III FFC proposes the following wage rates are added to the Illinois prevailing wage rates statewide:
 - **Instrument Man** hourly wage rate: \$37.00
 - **Crew Chief** hourly wage rate: \$39.10
 - **Instrument Man & Crew Chief** fringe benefit rates:
 - Health & Welfare: \$16.60
 - Pension: \$11.05
 - Vacation: \$1.90
 - Training: \$1.25

13. Based on the above and in accordance with Section 4 and 9 of the IPWA (820 ILCS 130/4; 820 ILCS 130/9), the III FFC requests an investigatory hearing to establish sub-classifications and prevailing wage rates for Instrument Man and Crew Chief statewide.

Date: August 22, 2013



Marc R. Poulos
Attorney for Petitioners

Marc R. Poulos
Indiana, Illinois, Iowa
Foundation for Fair Contracting
6170 Joliet Road, Suite 200
Countryside, IL 60525
Phone: 815.254.3332
Fax: 815.254.3525