

# Illinois Prevailing Wage Act

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C III IF



# About Indiana, Illinois, Iowa Foundation for Fair Contracting (IIFFC)

Q rqsur i#derup d#dj hp hq#ruj d#l}dw#rq#  
ghg lfdwhg#r#d#lv#qj #wdqgdugv#q#kh#  
frqvwxfwrq#q#gxvwu|1

IIF #p lv#rq#r#q#fuhdv#p d#nhw#kduh#q#  
sxeof#z runv#frqvwxfwrq#iru#hvsrqvled#  
frqwdfrw/#z run#ssruwq#lv#ru#Orfda#183#  
p hp ehw/#d#g#ydox#ru#d{sd|huv



Procurement oversight



Market share analysis



Jobsite monitoring



Legal & regulatory advocacy



Government affairs & public policy education



# What is Prevailing Wage?

D#uhghwup lqhg#z djh#ru#z runhw#hqj djhg#q#kh#  
frqvwxfwrq#r#d#s#x#e#f#z run

- Ihghud#G dyl#E dfrq#D fw#d#s#d#h#v#r#q#f#h#w#d#l#q#h#h#g#h#u#d#s#u#r#n#f#w#  
+73#X#I#F#1#5#4#7#4#h#w#h#t#1#4#<#6#4#,,
- Vwdh#s#u#h#y#d#l#q#j#z#d#j#h#o#l#z#v#/#q#f#o#g#l#q#j#k#h#l#o#q#r#l#v#s#u#h#y#d#l#q#j#  
Z#d#j#h#D#f#w#;#5#3#O#F#V#1#6#3#2#1#h#w#h#t#1#4#<#7#4#,,

# Illinois Prevailing Wage Act (PWA)

Srdf | #J hqhuds#shydlbj#kxru#dwh#sdlg#iru#z run#r#d#v#p lu#fkdufwhu#q#kh#  
orfddw|#kh#z run#v#shuirp hg#sdlg#r#d#p#deruhw/#z runhw/#lqg#p hfkdq#fv#  
hp sr|hge|#r#r#q#e#hkda#r#d#s#xed#f#erg|#h#q#j#d#j#h#g#l#q#s#xed#f#z runv  
;53#OF V#16324

- Z runhu#sdlg#y#bj#z djh#q#orfddw
  - Sxusrvh#r#h#qvxu#shrsd#z runbj#r#q#s#xed#f#z runv#h#f#h#y#h#d#l#g#h#f#h#q#w#  
z djh#Kd|hq y#F rxqw|#r#R j#d#H#<;7,
- Suhyhqw#Erqwd#f#w#r#w#i#urp #kqghufxw#l#q#j#z djhv
  - Surw#f#w#orfddw#z runhw#) #hp ryh#q#f#h#q#w#y#h#v#r#p#s#r#w#h#v#h#{shqv#y#h#d#e#r#u#  
i#r#p#r#x#w#l#h#k#h#orfddw#)E#h#u#q#d#u#g#l#y#F#w#r#K#l#j#k#o#l#g#S#d#u#n#H#<;;,

# Purpose of prevailing wage laws

41 Oh yes, the law is designed to ensure that workers in the construction industry receive a fair and reasonable wage for their labor.

51 The purpose of the law is to prevent employers from paying workers less than the prevailing wage for the same work in the same area.

61 The law also aims to protect workers from wage discrimination and to promote fair competition among employers.

71 The law is intended to ensure that workers are paid a wage that is commensurate with the value of their work and the cost of living in the area.

81 The law is designed to provide a minimum standard of living for workers and their families.

IOHSI#0 l0qr lv#lfrqrp lf#5 rodf | #qvwlvwh#

z z z 1l0qr lvhs l1ruj

# Illinois Department of Labor

Dxwkrul =

- Dvfhuwlbj#Suhylbjj #Z djh
- Wr#byhwtdw#yrowlrqv#rkh#Suhylbjj #Z djh#Dfw#hqrufh#kh#Dfw#dgg#  
fronfw#edfn#sd|#iru#runhw
- Survhfxw#SZ D#ghedup hqw
- Krog#khduqjv#qldwhg#e|#sulydw#sdwhv

Or#Dxwkrul #

- Ivvxh#hjxowlrqv/#{fhsw#frqfhuqlbj#ghedup hqw

# What are Public Works?

Il{hg#z runv#frqvwxfwhg#ru#ghp rdvkhg#e|#dq|#sxedf#erg|#  
ru#sdlg#ru#z kroq#ru#q#sdw#rxw#i#sxedf#ixqgv#

- ·Frqvwxfwrq#v#doz run#q#sxedf#z runv#qyro#bj#  
oderuhw#z runhw#ru#p hfkdglfv1

;53#OFV#6325#

# What is a Public Body?

Wudg lwrqdc\$xedf #E rg lrv=Vdwh#ru#dq | #srdwf ddbj hqf | #ru#dq | #  
bvwkwrq#xssruhg#q#z krdb#ru#q#sduw#e | #xedf#ixqgv

- D lusrw#xwkrul/#flw/#l#ghsdw#p hqw/#eudul#g lwulfw/#srdfh#  
ghsdw#p hqw/#z dwhudqg#v#z hu#p dgdjhp hqw/#vfkrr#e#rdugv/#hw#1#

Q rq0Wudg lwrqdc\$xedf #E rg lrv=#grq0j ryhu#p hqwd#hqw#lrv#hfhlybj#  
sxedf#ixqgbj/#q#z krdb#ru#q#sduw#g lufw#ru#qg lufw#

- Sxedf#ixqgbj#@#w{#p rqlrv/#judqw/#erqgv
- Q r#euljkw#qh#hvw/#rqlv#xrxv#y#v#rgh0w#p h



# Non-Traditional Public Body Case Law

Sulydw/#qrrqsuriw#erusrudwlrq#suryg#lj #hkde#surjudp v#irug#lvdedng#  
dgxow#@#R YHUGH

- Uhfhyng# #hyhqxh#urp #Ghsw#Khdok# #Ghyhosp hqwd#G lvde lvhv#
- Sxedf#xssruwng#e |#d{#p rqh|

R ss 1#F hqwhu#r i#V rxwkhdvhuq#01/#qf1#y#E huqdugl+8<sup>wk</sup> G lvw#1#<<3,

Sulydw/#qrrqsuriw#hdj lrxv#irxqgdwlrq#@#R YHUGH

- Frqvwxfwlrq#lqdgfhg#q#sdw#urp #d{0iuh#erqgv#lvxhg#e |#0qr lv#lqdgfh#  
Dxwkrul|
- E|#swqj#w#xvh#erqgv/#eurxjkw#lwha#xqghu#SZ D
- Vshflifdo|#rwhg#qrq0wdg lwrqds#xedf#erg lv#fdq#eh#eryhng

P fN lqch|#irxqgdwlrq#y#1#0qr lv#Ghsw#r i#Oderu#7<sup>wk</sup> G lvw#5343,

# Non-Traditional Public Body Case Law

Sulydw/#grqsur i#wkrvs lwd@#R YHUG

- Frqvwxfwrq#xssrung#q#sduw#e |#d{#p rqlhv/#ghvs l#w#p d#shufhqwdjh  
Ehuqdugly#l#q#F rp p xqlw|#K rvs lwd#7<sup>wk</sup> G lw#< ; : ,

Exw#hhα

Sulydw/#ghyhorshw#q#WII #duhd @#Q R W#R YHUG

- Frqvwxfwrq#r#sulydw#hvlghqfhw/#ghyhorshw#hfhlyhv#WII #qfhwlyh
- Q r#xqgv#wdqvhung/#xw#h#p exw#p hqw#ru#lqdqf lqj #sumfw#rxw#r #  
lqfuhdvhg#d{#hyhqxh#urp #surshw#hv
- Ohj lvdwlyh#k lwrul #frqvlghung  
Wrz q#r i#Q rup dcy#K diqhu#7<sup>wk</sup> G lw#533< ,

-WIIv#duh#wlq#r#w#ryhung#qgghu#SZ D

# Who is Covered?

Oderuhw/#z runhuw#dgg#p hfkdg|fv#glhfwd #hp sar |hg#e |#frqwdfruw#dgg#xe frqwdfruw#  
dgg#hqj dj hg#q#frqvwxfwlrq#rq#kh#lh#r #kh#exlg bj #ru#frqvwxfwlrq#re

## Iqfoxghv=#

- Wudqvsruwdlrq#r #p dwhud#dgg#htx lsp hqw#r #dgg#urp #kh#vlh#
- P dlqwhqdqfh/#hsdl/#lvhp ed #ru#glvdvhp ed #z run#r#htx lsp hqwrz qhg #hndvhg #ru#  
uhqwhg
- Odqgvfds bj #q#frqmqfwlrq#z lk#frqvwxfwlrq#sxedf#exlg bj v/#odqgvfdsh#hvwruwdlrq/#  
whqfkhv#dgg#p dqkrdiv/#slhv/#feddiv#dgg#frqgx lw11,##/hh#EDT v1

## H{foxghv=

- Wudqvsruwdlrq#e |#hduw#dgg#vxssduw#r #p dwhud#ru#htx lsp hqw
- Odqgvfds bj #qfoxg bj #olz q#p rz bj #dgg#wup p bj #z hhg bj #p xfk #wvdk #dgg#hd#hp rydo

# What Projects are Covered?

- G l h f w # f r q w d f w e h w z h h q # d # s x e d f # e r g | # b q g # f r q w d f w r u
- I b d q f b j # r u # k h # s u m f w # f r p h v # i u r p # v s h f l i h g # x q g b j b q # w d x w h # h l j # o q r l v # E r q g # d f w # i r u # f k r r o # f r q w x f w r q ,
- D o s u m f w # i b d q f h g # q # z k r d n # r u # q # s d w # z l k # e r q g v # i j u d q w # a r d q v # r u # r w k h u # i x q g v # d g h # d y d l o d e n # e | # r u # k u r x j k # k h # v w d w # r u # b q | # r i # w # s r d w f d o x e g l y l v l r q v
- Q r q 0 j r y h u q p h q w d e # r u j d q l } d w r q # i x q g h g # q # z k r d n # r u # q # s d w # e | # s x e d f # i x q g v 2 i b d q f b j j
- 5354 # d p h q g p h q w # s x e d f # k w d w h v # z k h q # w # f r q w d f w # z l k # 6 <sup>u</sup> s d w | # q # s x e d f # u l j k w # i # z d | # d q g # i # d s s d f d e d n # 18 . # d j j u h j d w # p l o v # r i # l e h u # r s w f # f d e d n

# CONTRACT STIPULATIONS

## Public Body Responsibilities

- Sxedf#erglv#p xvw#qvh#w#suhyd#qj#z djh#w#sxd#w#r#q#q#w#k#h#f#d#o#i#r#u#e#l#v#d#g#g#e#l#g#v#s#h#f#l#i#f#d#w#r#q#v
- Sxedf#erglv#p xvw#s#ury#gh#z ulw#q#r#w#f#h#r#w#k#h#r#w#k#h#f#r#q#w#d#f#w#r#u#l#g#g#l#f#d#w#q#j#suhyd#qj#z djh#d#s#s#h#v#
  - R#q#f#r#q#w#d#f#w#s#u#f#k#d#v#h#r#u#h#u#r#u#r#w#k#h#u#h#s#d#u#d#h#p#r#f#x#p#h#q#w
- L#s#u#r#s#h#u#q#r#w#f#h#q#r#w#s#u#r#y#l#g#h#g#r#w#f#r#q#w#d#f#w#r#u#s#x#e#d#f#e#r#g#|#p#x#v#w#s#d#|#q#w#h#u#h#v#w#s#h#q#d#o#l#h#v#/#r#u#l#q#h#v#/#e#x#w#Q#R#W#e#d#f#n#z#d#j#h#v#/#r#w#k#h#u#z#l#h#z#h#g#e#|#f#r#q#w#d#f#w#r#u#
  - Q#r#w#s#u#h#y#d#l#q#j#z#d#j#h#d#s#s#h#v#z#k#h#u#h#d#s#d#f#d#e#d#|#q#v#x#i#l#f#l#h#q#w#q#r#w#f#h######Y#d#u#l#r#y#|#P#r#r#u#h#D#d#q#g#v#f#d#s#h#v#/#O#F#5#3#5#4#
  - I#G#R#O#q#h#w#u#p#l#q#h#v#y#l#r#o#w#r#q#v

# CONTRACT STIPULATIONS

## Contractor Responsibilities

- Frqwdfruv#p xvw#qvhud#shydbqj#z djh#wlsxolwtrq#qwr#do#vxe frqwdfrw#  
dgg#qwr#kh#sumfw#shflilfdwtrqv#ru#hdfk#vxe frqwdfrw
- Vxe frqwdfruv#p xvw#gr#kh#vdp h
- I#surshu#grwf#qrw#surylghg#w#vxe frqwdfrw#kjkhu#lhu#frqwdfruv#p xvw#  
sd|#qwhvw#shqdonhv#ru#lqhv#exw#Q R W#edfn#z djhv#rwhuz lvh#cz hg#e|#  
vxe frqwdfrw
  - IGR O#ghwup lqv#yrolwtrqv

# Ascertaining Rates

Q rweh#brv#wkdq#kh#dw#wkd#shydb#iru=

- z run#r#d#v#p#du#fkdufwhu#
- rq#xedf#z runv#
- l#kh#rfdw|#q#z klfk#kh#z run#v#shuirp hg#xqghu#ronfwyh#  
edujdlbj#bjuhhp hqw
- Surylghg#wkd#hp sa|huv#hp sa|#dw#dw#63 ( #r#z runhuw#q#vdp h#  
wdgh#ru#r#fxsdwrq#q#rfdw|#z run#shuirp hg
  - Orfdw|#@#rxqw|

;53#OFV#6327-d,

# Ascertaining Rates

- IGR O#r#qyhwtj dwh#dqg#dvfhuwlb#dwh#ru#hdfk#fudiw#dqg#w|sh#r#i#  
z runhu#dqgxdco|#q#Mxqh#dqg#sxedvk#qr#dwhu#wkdq#Mxd|#81
- Dq|#shvrrq#dihfwng#e|#d#z djh#gwhup bqdwrq#p d|#lh#renhfwrqv#  
z wk#kh#IGR O#z wk#q#63#gdl#v#diwhu#kh#dwhv#duh#srwng#rq#wkh#z he#  
vwh1

;53#OFV#4632<



# Revised Rates

- Uhylvhg#dwhv#lssd| #hqwih#whup #r#frqwdfw
  - QRWH#F ED#dwhv#j hghudø #qfundvh#dqqxdø
- Sxedf#erg | #hvsrqvledn#ru#qrwi| bj #frqwdfwruw
  - Gxw| #p hwi#sxedf#erg | #frqwdfw#dwhv#kdw#kh#shydlbj #z djh#  
udwhv#duh#hylvhg#e | #GR O#lqg#bydløedn#r#kh#Ghsduw hqwv#riifld#  
zhevln#

# Prevailing Wage Classification

SZ #dwhv#dun#ruj dq l}hg#e | #f@vvlilfdwlrq +R shudwqj #Iqj bqhhu/#Idhfwulf bq/#Dderuhu/#hwf1,

Z kdwh#ih { lwbqj #f@vvlilfdwlrqv#grq#wshflilfd@ #fryhu#kh#z run#q#xhwlrqB

- IGR Ovr#shydlbqj #z djh#vfkhgxdv#g lfxvv#rwkhu#f@vvlilfdwlrqv#r#z run¶
  - Wkh#Ghsduw hq#j hqhud@ #kdv#r#l# #ghilqlwlrqv#r#f@vvlilfdwlrqv#grw#rkhu#z lvh#vhw#rxw¶
  - Z l@rn#r#ghljkerubqj #rxqwhv
  - L@r#ghljkerubqj #dwh#dsschv/#wkd@xqghu#dnh#d#wshflilfd@ghwup bqdwrq
- Wkrvh#dihfwng#e | #d#p lwbqj #f@vvlilfdwlrq#p d | #shwlrq#IGR Ovr#qyhwlj dwh#dgg#hwde@vk#d#qhz #f@vvlilfdwlrq1#
- Qhz #f@vvlilfdwlrq#p xv#qyroyh#z run#kdwh#v#xewdqwd@ #g lihuhqw#urp #dq | #h { lwbqj #f@vvlilfdwlrq1

# Certified Payroll Records

Sd|uro#hfrugv#htxlng#r#h#lbg#rq#SZ #sumfw#hwlilng#e|#frqwdfrw

- Qdp h/#dgguhv/#dvw#7#gj lw#r i#VQ /#dvlifdwrq/#j urvv#dgg#qhw# djhv/#qxp eh# r#k rxw#z runhg/#wdw#dgg#hgg#wp h/#R W#dwh/#jhqghu/#dfh/#hwqiflw/#yhwhudq# vdwkv
- Iqfoxglbj #ubqjh#hqhilw#dwhv#dgg#ixqg#qirup dwrq/#h#ls sdfdedh

Sxedf#erglv#htxlng#r#hwdlq#B#|hdw#iurp #gdw#r i#dvw#s d|p hqw#r#kqwd#GR O# dfw#ydwv#gdwedvh#gdwedvh#dfwydwng,

- Frqvghung#sxedf#hfrugv#ru#R ID#h {fhs#dgguhv/#qxp eh#VQ /#dfh/#hwqiflw/# jhgghu

Frqwdfrw#htxlng#r#hwdlq#B#|hdw#iurp #gdw#r i#dvw#s d|p hqw

- Vxep lwhg#e|#kh#48<sup>wk</sup> gd|#r i#hdfk#fddhggdu#p rqwk

; 53#OFV#6328

# Violations

- Z loxe#idlxh#w#frp sq/#z loxe#ylr#wlrqv/#lqg#z loxe#idlxh#q#sd|ur#  
uhfrug#p dlqwhqdqfh/#hwhqwrq/#lqg#surgxfwlrq
  - F olv#D#P lvghp hdqru
  - F rqwdfwru#DQG sxedf#erglv#
  - Hp sr|h hv#lqg#dj hqw#fdq#p dnh#kh#sxedf#erg|#ru#frqwdfwru#dedh

;53#OFV#46328/#9#

# Debarring Contractors

- Vhfwrq#4d#v#kh#rqd #vhfwrq#z khuh#kh#GR O#kdv#xop dn#qj #dxw#ruw
- Frqwdfrw#rxqg#r#kdyh#y#r#wg#kh#D fw=
  - P d|#h#v#xhg#l#q#r#f#h#r #y#r#w#r#q#
  - P d|#h#g#h#e#d#u#h#g#r#u#s#r#7#|#h#d#u#r#p #k#h#g#d#h#w#q#d#p #h#v#s#o#f#h#g#q#k#h#o#q#r#l# #U#h#j#l#w#h#u
- Vshflif#khduqj#surfhgxuhv#dw#89#l#o#D#gp 1#F#r#gh#433
- Frqwdfrw#j#x#l#w|#r#i#V#h#f#w#r#q#3#r#u#9#y#r#w#r#q#v#d#u#h#d#x#w#r#p #d#w#f#d#o#j #v#x#e#m#f#w#r#d#x#w#r#p #d#w#f#d#q#g#p #p #h#g#l#w#h#g#h#e#d#u#p #h#q#w#q#r#u#l#j#k#w#r#d#k#h#d#u#q#j

# Notice of Violation Factors

Idfwrw#GRO#Erqvghuv#rq# khwkuw#r#vxh#d#grwfh#r#y#r#wlrq=

- Vhyhuw 0z khwkuw#kh#dv#ehhq# ru#kdq#qh#y#r#wlrq#dgg# khwkuw#kh#y#r#wlrq#qyryhv#d#grq0hfkq#fd#xewdqwyh#huru#lh#z loxc#Erqgxfw,
- Iuhtxhqf |# #pxudwlrq#0z khwkuw#d#j#hqhud#q#vshfwlrq#r#kh#Erqwdfwrw#k#lwru|# uyhdo#r#wku#y#r#wlrqv
- Dp rxqw#g#Erquryhw|#0wkh#g#liuhqfh#ehwz#hhq#k#h#p#rxqw#dfwdo#s#d#g#dgg#k#h#suhyd#bqj#z#djh#dwh#q#r#vhw#gro#u#p#rxqw#w#l#j#hw
- Dffxudw#h#frugv#0z khwkuw#kh#Erqwdfwrw#k#dv#dxvhg#d#ffxudw#h#frugv#w#r#e#h#hsw
- Dffhvw 0Z khwkuw#kh#Erqwdfwrw#k#dv#Errshudwhg#z#wk#GRO

# Miscellaneous Provisions

Erqgv# #E lg#Vshflilfdwrqv#

- Frqwdfwru# #vxe#erqgv#r#qfoxgh#jxdudqwh#suhylbj#z djh
- Doleg#vshfv#p xvw#v#vshflilhg#dhw#qhhghg#r#h {hfxw#frqwdfw

;53#OFV#46327+n,

Sxedf#Erg|#Suhntxlvw

- Imxqfwyh#ndh#jdlqwi#i#SZ #suhntxlvw#qrw# hw
- Li#SZ #suhntxlvw#qrw# hw#frqwdfw#v#yr#g
- Qr#hfryhu|#r#frqwdfwru#ru#p djhv#i#frqwdfw#v#yr#g
- Frqwdfwru#p lhg#r#p rxq#dfwdo|#sdl#ru#deru#lqg#p dwhudv

;53#OFV#46324

# IDOL FAQs

- J hqhudo
- Odqgvfds bj
- F rqwdfwru
- Sxedf#Erg |
- Hp sα |hh
- P dwhudw#hwu
- Hp sα |hh#F olvllfdwrq#D fw#; 53#QF V#1 ; 8 ,  
[kwsv=2z z z 51bgrlvjry2gr2IDT v2Sdjhv2suhylbj 0z djh0  
idt lvs {Derxw](#)



# Thank you!

## Questions?



**Kara Principe**

Executive Director  
Indiana Alliance for Fair Contracting

94 : 3#Mrch#Jg/#xLh#533/#

Frxqwu|vgh/#0#93858

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qirC IIIIF Iruj

+; 48, #58706665

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