

**Comments of the Midwest Region of the Laborers' International Union of North America (LiUNA!)
on the Illinois Power Agency's
March 14, 2023 Draft Program Guidebook
for Illinois Shines (Adjustable Block Program)**

The LiUNA! Midwest Region appreciates the intricacies of the task that the Agency has undertaken in the drafting of this document. We also appreciate the fact that the Program Administrator may audit a project to ensure compliance with the Prevailing Wage Act (PWA). That said, should the Program Administrator have reason to believe that a violation of the PWA is to have occurred on an Illinois Shines project, said potential violation should be reported to the Illinois Department of Labor (IDOL) as opposed to leaving it up to the discretion of the Program Administrator. Therefore, we recommend changing the paragraph on p. 48 beginning with the words, "Failure to comply with prevailing wage requirements..." to read as follows:

"Failure to comply with prevailing wage requirements... ~~While the~~ The IPA may shall refer potential violations of the PWA to the DOL for further investigation and enforcement. Further, the IPA may also..."

It is important that the Program Administrator, as well as Approved Vendors, their contractors and subcontractors that are unfamiliar with the PWA understand that the DOL establishes the rates of pay for particular job tasks. Therefore, the IPA should instruct the reader to consult with the DOL for the project in question rather than provide a general guideline for compliance with the PWA. Therefore, Page 48 of the Draft Guidebook should be changed to read as follows:

"Completing Certified Transcripts of Payroll

Approved Vendors and their Designees working to complete Certified Transcripts of Payroll ("CTPs") will find that there is not currently a labor categorization for solar installers as it relates to prevailing wage rates. Therefore, it is recommended that Approved Vendors, their contractors and subcontractors consult with the Illinois Department of Labor about the appropriate rates of pay. Additionally, the work that laborers on a job site perform may have different distinctions due to multiple roles, as such the closest category that applies to the work performed should be used. The below should be used as a guide while completing CTPs:

- ~~• Use "Electrician"...~~
- ~~• Use "Operating Engineer"...~~
- ~~• Use "Laborer"..."~~