

Spring/Summer 2026

# The Monitor

RAISING THE BAR BY MONITORING THE CONSTRUCTION INDUSTRY

**Why America Must  
Invest in its Power Grid**

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# THE DEPARTMENT OF LABOR REOPENS THE INDEPENDENT CONTRACTOR DEBATE—AGAIN

The U.S. Department of Labor (USDOL) is once again proposing to change the federal rules used to determine whether a worker is an employee or an independent contractor. The proposal would rescind the Department's 2024 rule and replace it with an approach closer to one adopted in early 2021.

Under the proposal issued in February 2026, USDOL would apply the same worker-classification framework not only under the Fair Labor Standards Act (FLSA), but also under the Family and Medical Leave Act (FMLA) and the Migrant and Seasonal Agricultural Worker Protection Act (MSPA). All three statutes rely on the same broad definition of "employ," which is why the proposal could have consequences across multiple areas of federal labor law. At the federal level, these classification questions generally rely on the economic reality test. In practical terms, the question is whether a worker is genuinely operating an independent business or is economically dependent on the company for which they perform work. That federal framework differs from other tests employers may encounter. Some states, including Illinois and Indiana, use versions of the 3-part "ABC" test in certain legal settings, and the IRS applies a separate common-law test for tax purposes. In other words, this federal proposal would not replace every other classification standard, but it would shape how worker status is evaluated under key federal labor statutes.

The 2021 rule identified five factors but placed particular weight on two "core" considerations: first, the nature and degree of control over the work; and second, the worker's opportunity for profit or loss. If those two factors pointed in the same direction, the rule suggested that the answer would usually be clear. The 2024 rule moved away from that weighted approach. Instead, it adopted a broader six-factor,

totality-of-the-circumstances analysis and stated that no factor should automatically carry more weight than the others. The six factors included 1.) opportunity for profit or loss, 2.) investments by both parties, 3.) the permanence of the relationship, 4.) control, 5.) whether the work is integral to the employer's business, and 6.) the worker's skill and initiative. That rule reflected a more balanced inquiry into economic dependence rather than giving special emphasis to a smaller set of factors. The new 2026 proposal would largely return to the 2021 structure by again placing the greatest emphasis on control and profit or loss.

Worker classification directly affects labor standards, contractor compliance, and fair competition. When workers are misclassified, the consequences can include unpaid wages, payroll fraud, and failures to comply with unemployment insurance and workers' compensation requirements. Misclassification can also distort the bidding environment by allowing noncompliant contractors to undercut responsible contractors that properly classify and pay their workforce. Public agencies, contractors, labor organizations, and procurement professionals all have an interest in a classification framework that is both clear and fair. The way these rules are written and enforced can have real effects on wage compliance, benefit coverage, and the overall integrity of public construction contracting.

The Indiana, Illinois, Iowa Foundation for Fair Contracting will continue monitoring this rulemaking closely. Public comments are due in late April 2026, and additional legal or regulatory developments are likely. For now, the proposal does not settle the question of worker classification under federal law. It does, however, make one thing clear: the national debate over independent contractor status is far from over.



## FROM THE EXECUTIVE DIRECTOR:

# THE ENERGY DEMANDS OF THE DIGITAL AGE: WHY AMERICA MUST INVEST IN ITS POWER

From railroads and steel mills to computers and the internet, every major technological revolution in American history has depended on one essential ingredient: energy. Today, the next wave of innovation—driven by artificial intelligence, cloud computing, and massive data centers—is once again increasing the country's demand for electricity. As the digital economy expands across the United States, however, it is exposing a problem that has been building for decades: America has not consistently invested in the energy infrastructure needed to support long-term growth.

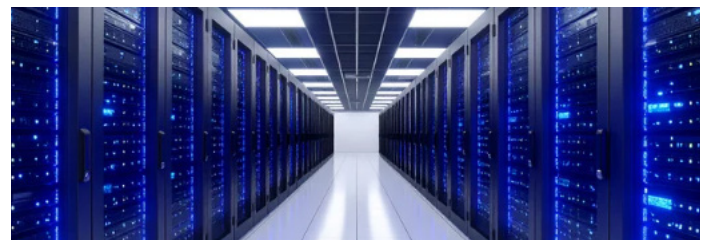
Data centers are the backbone of the modern digital economy. They power everything from online banking and streaming services to artificial intelligence systems and cloud storage. As AI technology advances and the demand for digital services grows, the electricity required to operate these facilities is increasing dramatically. According to research from Goldman Sachs, global power demand from data centers will increase 50% by 2027 and by as much as 165% by the end of the decade.<sup>1</sup> Analysts say the rapid expansion of artificial intelligence systems is a major reason for the surge in demand, as AI processing requires enormous computing power and significant energy for both operations and cooling.

Technology companies are racing to build new data centers to support cloud computing and AI development across the United States. Whether communities fully welcome them or not, these facilities are becoming a defining piece of modern infrastructure. Newer data centers are far more efficient than older facilities. Many use advanced cooling technologies, including closed-loop systems designed to reuse water and reduce overall energy consumption. These improvements have made modern data centers significantly more efficient than those built a decade ago. However, efficiency does not eliminate the scale of the demand. Large data center campuses can still require a lot of electricity.

The issue facing the United States is not necessarily the growth of data centers themselves, but whether the nation's energy infrastructure is prepared to support the surge in

electricity demand that comes with them. Much of the American electric grid was built decades ago for a very different economy. According to the U.S. Department of Energy, much of the country's transmission infrastructure dates back to the 1960s and 1970s, and a significant portion of transmission lines are now more than 25 years old.<sup>2</sup> These systems were designed for an era when electricity flowed primarily from large centralized power plants to homes and businesses. They were not built to support a digital economy filled with hyperscale data centers, electric vehicles, advanced manufacturing, and rapidly expanding computing infrastructure.<sup>3</sup>

Warnings about the consequences of insufficient investment in power infrastructure are not new. In fact, the United States has experienced the effects of strained electrical systems before. Rolling blackouts—planned outages that temporarily shut off power to certain areas to prevent a total grid collapse—have occurred periodically when demand exceeded available electricity supply. One of the most notable examples took place during the California electricity crisis from 2000-2001. During that period, a combination of market issues, supply shortages, and a lack of new power plant construction left the state unable to meet rising electricity demand. California had not significantly expanded its power generation capacity for years, even as the population and economy continued to grow. When demand surged during periods of high usage, utilities were forced to implement rolling blackouts across the state to stabilize the grid. Researchers analyzing the crisis later concluded that insufficient investment in generation capacity played a key role in the power shortages that led to those outages.<sup>4</sup>



1. Goldman Sachs. (2025). "AI to drive 165% increase in data center power demand by 2030." Retrieved from: <https://www.goldmansachs.com/insights/articles/ai-to-drive-165-increase-in-data-center-power-demand-by-2030>

2. U.S. Department of Energy. (2020). *Advanced Transmission Technologies Report to Congress*. Retrieved from: <https://www.energy.gov/oe/articles/advanced-transmission-technologies-report-508>

3. U.S. Department of Energy. (2021). *Next-Generation Grid Technologies*. Retrieved from: <https://www.energy.gov/sites/default/files/2022-05/Next%20Generation%20Grid%20Technologies%20Report%20051222.pdf>

4. National Geographic. "Case Study: California Blackouts." Retrieved from: <https://education.nationalgeographic.org/resource/case-study-california-blackouts/>



Rolling blackouts are not simply an inconvenience. They are a warning sign that the energy system has reached its limits. They occur when the grid can no longer reliably supply the electricity required by homes, businesses, and industry. Rolling blackouts still occur to this day in Texas and California with extreme weather and grid strains. While the United States has generally maintained one of the most reliable electrical systems in the world, events like these demonstrate what can happen when infrastructure investments fail to keep pace with economic and technological growth.

Today, the country finds itself approaching another turning point. After years of relatively flat electricity demand, the United States is entering a period where power consumption is expected to rise significantly once again.<sup>5</sup> Analysts and grid operators warn that without new power generation, expanded transmission networks, and modernized infrastructure, some regions may struggle to keep up with demand in the coming decades.

Meeting that challenge will also require a strong and highly skilled workforce capable of building and maintaining the infrastructure that powers the digital economy. Constructing power plants, expanding transmission lines, and developing new energy systems depends on trained electricians, operating engineers, and other skilled trades professionals. As new energy infrastructure and data center projects move forward, it is critical that these jobs remain good-paying careers that support local communities. Ensuring strong labor standards, apprenticeship training programs, and protections that prioritize local, skilled workers will help guarantee that the economic benefits of this infrastructure investment stay in the regions where these projects are built.

History shows that technological revolutions are always accompanied by large investments in infrastructure.

The industrial revolution required railroads, steel production, and new sources of energy. The automobile era required highways and a massive expansion of petroleum production and refining. The information age required fiber networks and global telecommunications systems. Today's digital economy driven by artificial intelligence and massive computing power requires something just as fundamental: reliable, abundant electricity.

Data centers may be one of the most visible symbols of this transformation, but they are only part of a much larger shift toward an increasingly electrified economy. Meeting the energy needs of this new era will require significant investment in power generation, expanded transmission capacity, grid modernization, and the skilled workforce needed to build and maintain these systems.

The United States has overcome infrastructure challenges before. The expansion of the national power grid, the interstate highway system, and rural electrification were all massive undertakings that reshaped the country and enabled decades of economic growth. The challenge facing the nation today is similar in scale. If the United States wants to lead the next technological revolution, it must first ensure that the energy infrastructure powering that future is ready. Because every technological breakthrough, from the steam engine to the supercomputer, ultimately runs on the same thing: power.



**Marc Poulos**  
EXECUTIVE DIRECTOR

5. U.S. Energy Information Administration. (2026). "After more than a decade of little change, U.S. electricity consumption is rising again." Retrieved from: <https://www.eia.gov/todayinenergy/detail.php?id=65264>

# IT'S TIME TO MAKE JOBSITE SAFETY A PRIORITY IN INDIANA

## PART ONE OF A TWO-PART SERIES

Construction is serious business. Even on the safest jobsites, a momentary distraction can result in a serious or fatal accident. As the saying goes, “accidents happen.” In general terms, an accident is an unexpected event that occurs by chance. In theory, safety is not complicated when workers are properly trained and employers effectively implement workplace safety protocols. But what happens where questions arise about training, oversight, or the consistent enforcement of safety requirements?

Last fall, at a large construction project in LaPorte County, a worker employed by an out-of-state contractor fell through an opening in the roof and landed on a concrete floor below. The fall was captured by on-site security cameras.

In the construction industry, falls are recognized as a leading cause of serious work related injuries and deaths. Employers have a duty under occupational safety and health regulations to prevent injuries from falls by utilizing various types of fall protection. In the construction industry, some of these requirements apply at heights of just 6 feet. Further, standard safety guidance and first aid protocols emphasize minimizing movement of an injured person unless necessary and promptly contacting emergency medical services. It is generally understood that falls can result in severe internal, spinal, or head injuries, even when the full extent of those injuries is not immediately visible.

The incident might not have come to the attention of authorities if not for a private security officer who learned of the situation

nearly an hour later and contacted 911. When law enforcement arrived, body camera footage captured conversations between responding officers and on-site security personnel. Based on conversations between the officers and security personnel, it did not appear that there was a company supervisor on site at the time to discuss what happened or who was involved.

According to available reports, the injured worker was transported to a hospital from the job site by coworkers before emergency personnel were contacted. It has been reported that no ambulance was initially called. The reasons for those actions, including the extent of the worker's injuries at the time, are not fully known. Without complete information, it is difficult to draw firm conclusions about the decision-making process in those moments. However, the situation raises questions about safety training, emergency response protocols, and how workers are prepared to respond to serious incidents on active jobsites.

Statements made in interactions with the responding officers indicated that cameras were set up on the roof but had been disabled or repositioned by workers at various times throughout the project. The extent to which any cameras were repositioned, or otherwise affected, and the reasons for doing so, remain unclear based on the available information.

Further, it was reported that a number of workers left the site following the incident, and that a complete list of individuals present at the time was not readily available. As a result, fully reconstructing the sequence of events and identifying all individuals involved may have been more difficult.



Myron Sutton  
REGIONAL MANAGER



Progression photos of the fall.

# PUBLIC BODY SPOTLIGHT

## Village of La Grange

The response from the Indiana Department of Labor (IDOL) and the Indiana Occupational Safety and Health Administration (IOSHA) also raises broader questions about reporting and enforcement processes. IOSHA did not receive a report of a workplace accident. Instead, IOSHA became aware of the incident after the III FFC raised concerns and provided information regarding potential safety issues at the site.

IOSHA conducted a jobsite inspection approximately 20 days after the fall. Following that inspection, IOSHA stated:

“During the course of the inspection, it was determined that the employer did not adequately assess the structural integrity of the walking/working surface prior to allowing employees to utilize it, and a citation was issued.”

That citation resulted in a \$2,100 penalty. IOSHA also stated that based on interviews with workers, the injured employee did not sustain injuries requiring overnight hospitalization and therefore did not trigger mandatory reporting requirements under applicable regulations.

In part two of this series, I will examine the structural and operational limitations under which IOSHA currently operates, including how timing, reporting requirements, and available evidence can affect the scope of an investigation. For now, it is worth considering how the timing of an inspection, nearly three weeks after a serious fall, and reliance on post-incident accounts can impact an agency’s ability to fully assess the conditions that existed at the time of the incident.

IOSHA serves an important role in protecting worker safety. At the same time, incidents like this highlight the challenges agencies face in investigating complex jobsite events and ensuring that safety standards are consistently understood and applied. These issues are critical to ensuring that workers across Indiana are protected.

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1. Occupational Safety and Health Administration (OSHA). (2026). "Fall Protection." Retrieved from: <https://www.osha.gov/fall-protection>

2. To view the police body-camera footage, you can visit III FFC’s website at <https://iiifc.org/wp-content/uploads/2026/04/Worker-Fall-12-9-25.mp4> or IUOE Local 150’s Facebook page at <https://www.facebook.com/share/v/1AZYvsTNjA/>

When communities invest taxpayer dollars into public infrastructure, they deserve projects that are completed safely, efficiently, and with high-quality workmanship. That’s why more municipalities are adopting stronger Responsible Bidder Ordinances (RBOs). RBOs are policies designed to ensure that public works projects are awarded not simply to the lowest bidder, but to qualified contractors.

The Village of La Grange recently approved new bidding requirements that strengthen the standards contractors must meet to work on public projects. The board voted 4-2 for the new rules. The new rules require contractors to provide documentation of workers’ compensation coverage, compliance with the Illinois Prevailing Wage Act, participation in apprenticeship programs, and demonstrated experience on similar projects within the past five years.

These requirements are safeguards for the community. Contractors who invest in apprenticeship training are far more likely to complete projects correctly the first time. Apprenticeship programs provide rigorous, hands-on training that prepares workers with the technical skills needed to perform complex construction work safely and efficiently. By prioritizing contractors who participate in these programs, communities help ensure that projects are completed by a highly trained workforce.

Responsible bidder standards also protect taxpayers. Too often, the lowest bid can lead to costly problems if an inexperienced contractor lacks the capacity to complete the job properly. Village President Mark Kuchler pointed out that contractors cannot simply “watch a YouTube video and pave a parking lot.” Public infrastructure requires expertise, proper training, and a proven track record.

Additionally, these policies help support skilled local workers and responsible contractors who play by the rules. By requiring compliance with prevailing wage laws and participation in apprenticeship programs, communities ensure that contractors who invest in workforce development and fair labor standards are not undercut by companies who cut corners.

Responsible Bidder Ordinances are ultimately good for taxpayers, workers, and the community as a whole. By setting clear standards for training and experience, the Village of La Grange is ensuring that public projects are completed by responsible contractors who deliver safe, high-quality work while strengthening the local workforce and Village’s economy.

# CONTRACTOR SPOTLIGHT

## RED ANTS BORING CO.

### A FAMILY-OWNED BUSINESS CARRYING FORWARD A LEGACY OF GRIT, PRIDE, & OPPORTUNITY

There are companies that build infrastructure, and then there are companies that build something even stronger with it—family, legacy, and opportunity. Red Ants Boring Company is firmly the latter. What started as one man's leap of faith has grown into a respected, family-run operation that continues to thrive because of the values it was built on.

At the center of that story is Pedro Montejano, a skilled operator who began his career in the trades in the mid-1990s. Pedro didn't come from a background of business ownership or formal education in running a company. He came from hands-on experience and learning how to operate equipment on his family farm as a kid. He learned how to do the work and took pride in doing it right. After years as an operator working under a contractor, he made the decision to take a risk and go out on his own, founding Red Ants Boring Company in 2010. It wasn't an easy path, but Pedro believed in himself, his craft, and the opportunity to build something for his family.

That belief extended to his children, P.J. and Casey, who were introduced to the trades at a young age. After graduating high school, P.J. followed directly in his father's footsteps, working in the field, learning the trade, and eventually becoming an owner-operator alongside him. Casey helped with the business side of the company

with her father. She would help handle the office, paperwork, and the complex logistics that come with running a growing company with their mother and father. Together, the Montejano family built Red Ants into a tight-knit operation rooted in trust, hard work, and shared purpose.

From its humble beginnings, Red Ants Boring Company has grown into a respected underground utility contractor with roughly 15 to 20 employees and a footprint that stretches across Illinois and into surrounding states like Wisconsin and Indiana. With yards in Beach Park and Newport Township near Zion, the company takes on projects ranging from water mains and storm sewer systems to conduit and utility casing. Their specialty of horizontal boring is a critical component of modern infrastructure, allowing crews to install utilities beneath roads, railroads, creeks, and even airport taxiways without disrupting what's above.

Their work can be found on major infrastructure projects across the region. From storm sewer work along the I-294 and I-88 corridor to projects at O'Hare International Airport and large-scale developments like the Foxconn data center in Wisconsin, Red Ants has built a reputation for taking on challenging jobs and delivering results. In 2024, that work was recognized with a Contractor of the Year Award from the Illinois Department of Transportation for their role in a major storm sewer project connecting I-55 to I-80.

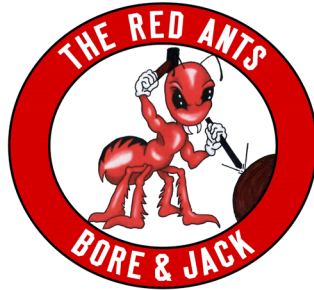
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*He built more than a company—he built a family that knows how to carry it forward.*

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*Red Ants Boring Company winning the Illinois Department of Transportation's 2024 Contractor of the Year Award DBE Contractor.*



*From left to right: Casey, Olga, and P.J. Montejano*

But behind the growth and success is a story marked by loss and resilience. In 2021, Pedro passed away, leaving behind not only a business but also a family suddenly tasked with carrying it forward. The transition was anything but easy. P.J. and Casey were forced to quickly learn every aspect of the business—from operations and labor agreements to navigating multiple jurisdictions and maintaining relationships across the industry.

In the face of those challenges, they stepped up. P.J. continued to lead in the field, just as his father had. He now runs the construction side of the business, while Casey has taken on an even greater role in managing the company's operations and office side of the business. Their mother, Olga, who has been there since the beginning, remains a guiding presence. She offers insight, support, and a connection to Pedro's original vision. Together, they turned uncertainty into strength.

In the years since Pedro's passing, the company has not only survived, but it continues to grow. Red Ants has earned Disadvantaged Business Enterprise (DBE) and Minority and Women-Owned Business Enterprise (M/WBE) certifications, opening new doors while maintaining the high standards Pedro set from day one. Casey also played a key role in securing a first-of-its-kind national agreement tailored to their specialized boring work, allowing the company to operate more efficiently across multiple regions while continuing to employ skilled union labor.

Through it all, the Montejano family has stayed true to what matters most. Pedro was known for never cutting corners—whether it was in the quality of work or how he treated his employees. He paid fair wages, upheld union standards, and took pride in being a good boss. He was tough, determined, and sometimes stubborn, but he never gave up. That same mindset lives on in his children today.

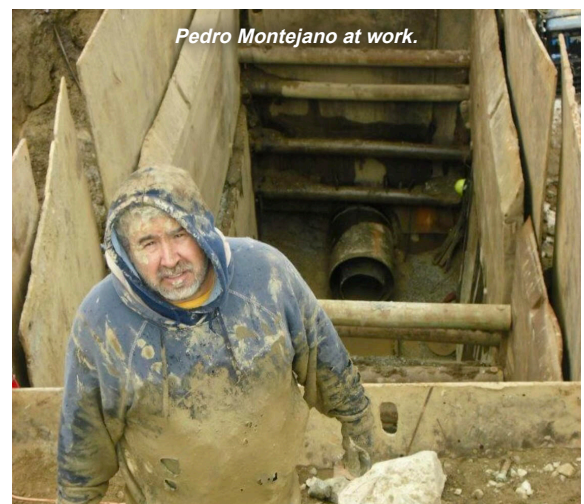
Red Ants Boring Company is still, at its core, a family business. It's a company where decisions are personal, where work ethic is passed down through generations, and where success is measured not just by growth, but by the people who make it possible.

Nearly five years after Pedro's passing, his presence is still felt in every project, every challenge, and every success. His story—from humble beginnings to building a company—serves as a reminder of what's possible through hard work, risk-taking, and belief in something bigger than yourself.

At Red Ants Boring Company, the work goes on, the family grows stronger, and the legacy of Pedro Montejano continues to guide the way forward.



*The Montejano Family.*



*Pedro Montejano at work.*

## BUILDING THE FUTURE: O'HARE EXPANSION CREATES THOUSANDS OF JOBS

Construction continues to surge in and around O'Hare International Airport, as major infrastructure projects reshape one of the busiest transportation hubs in the world. From critical roadway improvements outside the airport to the massive O'Hare 21 terminal modernization program, these investments are designed to improve mobility, strengthen regional infrastructure, and create thousands of good-paying construction jobs for years to come.

One of the major projects currently underway is a \$99.1 million reconstruction of Touhy Avenue and Mount Prospect Road, a key corridor that carries more than 32,000 vehicles daily through Elk Grove Village, Des Plaines, Elk Grove Township, and Chicago. Work on the project began this year and will take place in three major stages through 2027.

The improvements are designed to ease congestion and improve safety along a heavily traveled route that currently lacks turn lanes west of the Union Pacific tracks and must also accommodate heavy traffic from vehicles entering and exiting O'Hare Airport. As part of the project, new bridges will carry Touhy Avenue over the busy freight tracks as well as the future I-490 corridor, which will connect I-90 to I-294 on the west side of O'Hare.

At the airport itself, the O'Hare 21 modernization program continues to move forward. This historic \$8.5 billion initiative – estimated to be \$12.1 billion in today's dollars – is transforming Chicago's airport into a modern, world-class transportation hub while driving economic growth across the region. The program includes major upgrades such as a new Global Terminal and expanded concourses that will increase capacity, improve efficiency, and enhance the passenger experience.

O'Hare 21 is expected to create tens of thousands of jobs and generate approximately \$18 billion in economic activity by 2033. The program represents one of the largest infrastructure investments in Chicago's history and plays a critical role in maintaining the region's status as a global transportation and economic center.

A key component of the modernization effort is the construction of the new Concourse D, rising just south of Concourse C. The concourse is part of ORDNext, the next phase of O'Hare 21 and the largest terminal expansion in the airport's history. ORDNext aims to better connect travelers, accommodate future passenger growth, and modernize the airport's core terminal complex. Concourse D is the first of two planned satellite concourses and is scheduled for completion in late 2028.

Progress on the modernization program was further solidified in 2024 when Chicago's two primary airlines, United Airlines and American Airlines, reached an agreement with the City of Chicago to rephase the construction schedule. Under the updated plan, the new Global Terminal will take precedence, ensuring that funding is first directed toward the most critical elements of the project, including the Global Terminal and Satellite Concourse 1. United said in a statement that the agreement will "deliver the most impactful elements of the modernization project the quickest," helping move the long-term vision for O'Hare forward.

Beyond improving air travel, the impact of these projects extends throughout the regional economy. According to a study by the Illinois Economic Policy Institute, completing the O'Hare 21 program as originally planned would generate nearly \$18 billion in economic activity and support approximately 95,000 jobs by 2033. Of those, more than 53,000 would be good-paying local construction jobs, or about 5,300 construction jobs per year.

Taken together, these projects represent far more than infrastructure improvements. They are long-term investments in the region's workforce, economy, and future growth. For skilled tradespeople across the construction industry, the continued progress of the O'Hare 21 program means sustained opportunities to build critical infrastructure that supports millions of travelers each year. As construction continues in the years ahead, these projects will not only modernize O'Hare but also strengthen the economic foundation of the entire region while supporting a strong, highly skilled construction workforce.



Jodi Frailey

REGIONAL MANAGER

# STAFF SPOTLIGHT

## DEVEREAUX "DEV" JOHNSON

### *Construction Analyst*

For Devereaux “Dev” Johnson, a career has always been about one thing: helping people. Whether serving his country, protecting his community, or now working to ensure fairness and safety in the construction industry, Dev has consistently sought roles where he can make a meaningful difference.

His path to the Indiana, Illinois, Iowa Foundation for Fair Contracting (III FFC) began with service. After graduating high school, he joined the United States Marine Corps, serving as an infantry Marine from 2010 to 2014. At the time, he wanted to make the biggest positive impact he could on the world. He has a deep sense of pride in his service and deployment in Afghanistan, but the experience also shifted his perspective on how he wanted to help people.

After leaving the Marines, Dev spent about a year working various jobs before joining the Sheridan Police Department in Wyoming in 2015. He had not originally planned on a career in law enforcement, but the role quickly proved to be the right fit. Helping people had always been important to him and policing allowed him to serve his community directly.

Over the next decade, Dev built a successful career in law enforcement. In 2018, he moved to the Sheridan County Sheriff’s Office and eventually rose to the role of Undersheriff. Dev began to think more about balancing his commitment to public service and his career with time and safety after becoming a father. The years in his law enforcement career that followed the births of his two children were filled with many experiences, both positive and tragic. Each experience made Dev reflect on the risks of the job and ultimately led him to consider a different career path.

Around that same time, Dev and his wife, Cassidy, decided to move to Illinois with their two children to be closer to his wife’s family. His father-in-law introduced him to the work of III FFC and its mission to promote responsible contracting while protecting workers, taxpayers, and reputable contractors.



Dev now serves as a Construction Analyst for III FFC, covering Lake and McHenry counties. His work focuses on monitoring public construction work to ensure projects are awarded to responsible contractors and that workers are treated fairly. A typical workday for him includes reviewing upcoming bid openings, attending key bid meetings, visiting construction sites, and tracking contractors with histories of safety or wage violations.

Dev’s background in the Marine Corps and law enforcement prepared him well for his role at III FFC. He is particularly good at communication and navigating difficult conversations with public officials

and industry partners. One of the most rewarding parts of his job is presenting research and data to public bodies and seeing them reconsider working with unsafe or nonresponsible contractors. When officials choose responsible contractors after learning the facts, Dev knows his work is helping protect both workers and communities.

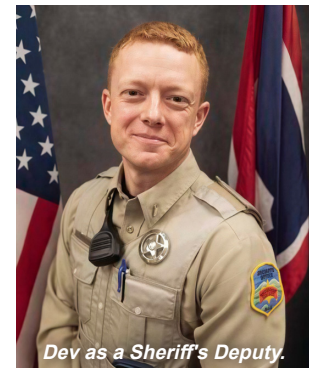
While the position came with a steep learning curve—especially since he did not grow up around unions or the construction industry—he has embraced the opportunity to learn about the construction industry and how responsible contracting benefits everyone involved.

Outside of work, Dev enjoys spending time outdoors with his family. Whether traveling in their camper, taking road trips, or fishing together, he values the time he can now spend with the people who matter most.

For Dev, the mission remains the same as it was when he first chose a life of service: finding ways to help others and make a positive impact.



*Dev and his family.*



*Dev as a Sheriff's Deputy.*

## THE ILLINOIS TRI TRADE SOLAR AGREEMENT

Utility scale solar development is one of the fastest growing segments of construction activity in Illinois and across the Midwest. As that growth has accelerated, it has raised a set of important questions for the industry: who is performing this work, how it is being structured, and whether workers are properly classified and paid prevailing wage consistent with long standing construction standards.

The Illinois Tri Trade Solar Agreement and its national successor, the National Tri Trade Solar Agreement, were developed to provide clear and consistent answers to those questions. This Legal Corner provides an overview of the agreement, its origins, and its practical implications for contractors, workers, and project owners operating in the expanding solar market.

### *The Problem the Agreement Was Designed to Address*

As solar development scaled in Illinois, industry stakeholders engaged in discussions regarding how work on these projects should be allocated. Those discussions revealed a divergence in approach. Some trades favored maintaining traditional craft based jurisdictional lines, while others proposed more consolidated models that would assign broader scopes of work to fewer trades.

Absent a defined framework, that divergence created a risk that established jurisdictional boundaries and the classifications tied to them could become inconsistent across projects. In response, the International Union of Operating Engineers, International Brotherhood of Electrical Workers, and Laborers' International Union of North America worked collaboratively to develop a structure that would preserve established craft jurisdictions, support prevailing wage compliance, and promote labor stability.

### *What the Illinois Tri Trade Solar Agreement Provides*

The Illinois Tri Trade Solar Agreement is a project labor agreement framework specifically tailored to utility scale solar construction. It allocates work among the signatory trades in a manner consistent with established jurisdictional practices and applicable prevailing wage classifications.

The agreement typically covers the full scope of solar construction, including site preparation and grading, installation of racking and mounting systems, panel installation, electrical systems and interconnection, and general site labor.

By establishing jurisdictional expectations at the outset, the agreement reduces the likelihood of work stoppages, jurisdictional disputes, and project delays. It provides a

predictable labor structure for developers and contractors, while ensuring that workers are employed under collectively bargained agreements with established wages, benefits, and safety standards.

The framework also supports compliance with the Illinois Prevailing Wage Act by aligning scopes of work with recognized classifications, while also supporting compliance with Illinois Power Agency requirements and federal Davis Bacon prevailing wage obligations tied to clean energy tax credits under the Inflation Reduction Act.

### *From Illinois to a National Model*

The Illinois framework has since been expanded into the National Tri Trade Solar Agreement, which applies a substantially similar structure across much of the country. Major developers and EPC contractors have increasingly adopted the national agreement as a standard component of utility scale project delivery.

For project owners and contractors, the national framework provides a defined labor structure and reduces the risk of jurisdictional disputes that can delay construction. For the trades, it helps ensure that established standards continue to apply as new energy technologies reshape the industry.

Its broader adoption reflects a practical reality: large, complex infrastructure projects benefit from clear and predictable labor arrangements that support both efficiency and compliance.

### *What This Means Going Forward*

Illinois is expected to see continued growth in utility scale solar development under policies such as the Climate and Equitable Jobs Act. The Tri Trade framework helps ensure that this growth occurs within a structure that respects established craft jurisdictions and maintains long standing labor standards.

More broadly, the agreement illustrates a central point: labor standards on major construction projects are not self executing. They depend on deliberate coordination, clearly defined agreements, and continued engagement by industry stakeholders.

The Illinois Tri Trade Solar Agreement and its national counterpart demonstrate how the construction industry can adapt to emerging technologies while preserving the standards that have long governed the work.

Joe Sweeney  
COUNSEL



# III FFC HONORS LEADERS AT 2026 APPRECIATION DINNER

On February 5, 2026, the Indiana, Illinois, Iowa Foundation for Fair Contracting (III FFC) had the privilege of hosting our Construction Industry and Public Official Appreciation Dinner at Bally's Quad Cities. The evening brought together local leaders, contractors, and labor representatives to celebrate the vital partnerships that drive our regional infrastructure forward while supporting a strong, highly skilled local workforce.

The 120 attendees heard from III FFC Executive Director Marc Poulos, who provided an insightful legislative update on key developments that took place in the Illinois capitol over the last year. A major highlight of his address was the continued progress on the long-awaited passenger rail service connecting Moline to Chicago, which is an exciting development for our region.

## Public Body of the Year. City of Rock Island

We were proud to name the City of Rock Island as our Public Body of the Year. The City has demonstrated an unwavering commitment to fair public procurement. Through the Illowa Impact Agreement, Rock Island ensures that all municipal projects adhere to local collective bargaining agreements, regardless of whether the successful bidding contractor is union or nonunion. This levels the playing field, ensuring fair compensation and guaranteeing taxpayers receive quality construction from responsible bidders.



## Project of the Year. South Slope Wastewater Treatment Plant

The Project of the Year was awarded to the City of Moline and IHC Construction Companies LLC for the South Slope Wastewater Treatment Plant. As a Moline resident, it is deeply rewarding to witness this caliber of critical investment right in our own backyard. Built by contractor IHC Construction Companies LLC, this massive public works initiative earned top honors for its immense scope and complex coordination. Operating



under a Project Labor Agreement, the South Slope project seamlessly integrated multiple union trades, keeping the work on schedule, on budget, and exceptionally safe.

## Industry Recognition: McClintock Trucking and Excavating

McClintock Trucking and Excavating were recognized for their high safety standards and steadfast commitment to their workforce. They not only provide jobs with excellent pay and strong benefits, but also actively cultivate a truly supportive work environment.

This dedication to teamwork was obvious when owner Randy McClintock accepted his award. In a standout moment, Randy brought his entire staff on stage with him, making it perfectly clear to everyone in the room that he simply could not do what he does without their daily hard work.



## Looking Ahead

Events like the Appreciation Dinner are a powerful reminder of our shared mission. By promoting responsible bidder ordinances, cooperative bidding, and prevailing wage compliance, we ensure local tax dollars support the workers and businesses that build our communities. Thank you to everyone who made the night a resounding success.



FOCUS ON



Andrew Waeyaert  
REGIONAL MANAGER

# ILLINOIS STRETCH ENERGY CODES

At the Indiana, Illinois, Iowa, Foundation for Fair Contracting (III FFC), we pay close attention to policy changes that may appear technical on the surface but carry significant long-term consequences for construction markets, public infrastructure, and responsible development. Illinois' stretch energy code is one of those issues. In simple terms, the Illinois Stretch Energy Code is an optional, more energy-efficient building code that municipalities and counties may adopt in place of the baseline Illinois Energy Conservation Code.

State law directs the Capital Development Board (CDB) to create the stretch code as a consistent statewide pathway for communities that want to require greater energy efficiency than the base code.

The program includes separate residential and commercial components, which local governments may adopt jointly or separately.



Mary Tyler  
POLICY COORDINATOR

Ultimately, stretch codes influence how buildings are designed, which systems are specified, and what kinds of infrastructure will be needed to support future development. A central component is that it requires buildings to be electric-ready, including having electrical panel capacity, wiring, and circuits needed for electric heating, electric water heating, and other electric appliances. Natural gas is not expressly banned by the stretch code, but the structure of the code plainly increases the role of electric-ready construction in new development.

The current 2023 Illinois Stretch Energy Code took effect on January 1, 2025. Under current state guidance, state-funded facilities must comply with the commercial stretch code, while privately funded commercial

and residential projects are subject to the stretch code only where a municipality has formally adopted it. The CDB is already developing the 2026 stretch code, which confirms that this is the beginning of an ongoing policy path.

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*What appears to be a technical code change today is shaping the future of infrastructure, energy use, and construction work across Illinois.*

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From the III FFC's standpoint, the central issue is not whether energy efficiency is a worthwhile goal. It is. Responsible contractors build to modern standards every day. The concern is whether the policy framework remains genuinely balanced and fuel-neutral, or whether it gradually channels the market toward a single energy pathway. And ultimately, these requirements can significantly increase building costs.

That directional shift deserves careful scrutiny. For years, the III FFC has raised concerns about policy approaches that discount the importance of natural-gas infrastructure. When building policy increasingly favors electric-ready design and stronger electrification pathways, it can reduce fuel flexibility over time. That has consequences not just for private construction choices, but for utility planning, service capacity, project cost, and the broader mix of work tied to balanced energy infrastructure. In our view, policymakers should be cautious about adopting frameworks that push communities toward greater dependence on electricity without fully accounting for reliability, affordability, resilience, and the continuing importance of diversified energy systems.

The III FFC will continue monitoring the development and local adoption of Illinois' stretch energy codes, along with any future revisions advanced by the CDB.



Dan Weksler  
POLICY ANALYST





# CONNECTING STUDENTS TO THE SKILLED TRADES

Chicago Hope Academy is helping build the next generation of skilled trades professionals through a hands-on partnership with the International Union of Operating Engineers Local 150, International Brotherhood of Electrical Workers Local 134, and Laborers' International Union of North America. The program is designed to give students early, meaningful exposure to construction careers while creating a clear pathway into union apprenticeship opportunities.

Students are introduced to the trades during their freshman and sophomore years through visits, demonstrations, and exposure to apprenticeship training facilities. This early experience allows them to explore different career paths and make informed decisions about their future. By their junior year, interested students can enroll in Construction Training 1, followed by Construction Training 2 as seniors. These courses help prepare students to transition directly into one of the participating trade pipelines after graduation.

Throughout the program, students receive both foundational and hands-on training. They learn essential skills such as reading a tape measure, identifying tools, understanding jobsite safety, and interpreting blueprints. As they advance, they gain practical experience in areas like bending conduit, working with pneumatic tools, performing basic heavy equipment maintenance, and even operating machinery. Chicago Hope Academy's trades program gives these students a well-rounded introduction to the industry.

In addition to classroom and field experience, students are connected with HIRE360 and the Illinois Works Program, which provide expanded access to the trades. These programs offer industry-recognized certifications and help remove common barriers to entry by assisting with transportation, work gear like boots and vests, and other essential needs.

By combining early exposure, hands-on training, and strong support systems, Chicago Hope Academy's trades program is creating real opportunities for students to step confidently into lifelong careers in the union construction industry.



Marcus Jordan  
DEIA OUTREACH COORDINATOR



# The Monitor

RAISING THE BAR BY MONITORING  
THE CONSTRUCTION INDUSTRY



**It's really quite simple.** Successful projects happen when Labor and Management share the same priorities. And when the highest priority is having a team of safe, well-trained workers on the jobsite, those projects are completed on time and on budget.

**We're the Indiana, Illinois, Iowa Foundation for Fair Contracting (IIFFC).**

We were established to increase market share for responsible contractors, work opportunities for skilled craftworkers, and value for taxpayers by executing a comprehensive program of procurement oversight, jobsite monitoring, market analysis, and public policy education.



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