



ILLINOIS DEPARTMENT OF LABOR

Bruce Rauner  
Governor

Joseph Beyer  
Acting Director

June 13 2017

FSG PAINTERS, LLC

4979 SOUTH ROBINSON PLACE  
WEST TERRE HAUTE, IN. 47885

RE: PAINTING PARK BUILDINGS AND EQUIPMENT-CLARK COUNTY PARK DISTRICT

CASE #: 2016-PW-RW05-1657

Dear CLIFFORD ALLISON:

I have reviewed your payroll forms and/or other information concerning the above referenced matter and have found that certain employees were paid less than the prevailing rate of wage. The total difference in wages is \$2,965.21 and is broken down as indicated on the enclosure.

Wages are to be disbursed within ten (10) calendar days of the date of this letter. Standard payroll checks in the names and amounts (less standard payroll deductions) listed on the enclosure, along with the current mailing address of each employee, should be mailed to the Conciliation & Mediation Division, Illinois Department of Labor, 900 SOUTH SPRING STREET, Springfield, Illinois 62704. The checks must contain both the employee's name and the Illinois Department of Labor and should be made payable in the following manner: **"EMPLOYEE NAME OR THE ILLINOIS DEPARTMENT OF LABOR"**. Making the checks payable in this manner will allow the department to deposit the payment into a state account if the employee cannot be located. The Illinois Department of Labor will then conduct a search for the worker and mail the payment to them when located.

Contractors are required to remit a separate penalty check which represents 20% of the total underpayment, made payable to the **"ILLINOIS DEPARTMENT OF LABOR"**. This amounts to \$593.04 for the above referenced project.

If the aforementioned checks for underpayments are not received in the above mentioned office within 30 calendar days of the date of this letter, an additional 2% of the 20% penalty, \$11.86, will be assessed on behalf of each of the above mentioned workers, and reassessed after each subsequent 30-day period during which the underpayment for wages has not been received in this office.

Should you have any questions, please feel free to contact me at 815-907-7072.

Sincerely,

Robert Wesselhoff  
Investigator

Michael A Bilandic Building  
160 North LaSalle, Suite C-1300  
Chicago, Illinois 60601-3150  
(312) 793-2800  
Fax: (312) 793-5257

900 South Spring Street  
Springfield, Illinois 62704-2725  
(217) 782-6206  
Fax: (217) 782-0596

Regional Office Building  
2309 West Main Street, Suite 115  
Marion, Illinois 62959  
(618) 993-7090  
Fax: (618) 993-7258

[illegible]

Illinois Department of Labor

Comments:

AUDIT DONE FOR NOT PAYING THE RIGHT WAGE OR BENEFITS

RE (Contractor): FSG PAINTERS LLC  
 Public Body: CLARK COUNTY PARK DISTRICT  
 Project: PAINTING PARK BUILDINGS AND EQUIPMENT  
 IDOL Case #: 2016-PW-RW05-1657  
 County of: CLARK  
 Months of: 4-2015  
 Labor Classification: PAINTERS

Reported			
Rates & Fringe	m-f	OT M-F>8 & Sat	Sun & Hol
Base	26.30		
Welfare		0.00	0.00
Pension		0.00	0.00
Vacation		0.00	0.00
Training		0.00	0.00
Total	\$26.30	\$0.00	\$0.00

Prevailing			
Rates & Fringe	m-f	OT M-F>8 & Sat	Sun & Hol
Base	26.00	39.00	52.00
Welfare	7.82	7.82	7.82
Pension	9.00	9.00	9.00
Vacation	0.00	0.00	0.00
Training	0.50	0.50	0.50
Total	\$43.32	\$56.32	\$69.32

REPORTED  
Hours Worked each Day

Worker	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	P.W. Hours	Non P.W. Hours	OT F>8 & M. (SUN)	Gross	Net (Paid)
4/02/2015		8	8	5.09			8	29.09			\$765.07	
4/17/2015		8	8	5.09			8	29.09			\$765.07	

Proper Pay					
ST Hours	OT M-F>8 & Sat (Sun)	OT Hours	Proper Pay	Back Pay	
29.09	0.00		\$1,260.18	\$495.11	
29.09	0.00		\$1,260.18	\$495.11	

# Illinois Department of Labor

Comments:

AUDIT DONE FOR NOT PAYING THE RIGHT WAGE OR BENEFITS

RE (Contractor): FSG PAINTERS LLC  
 Public Body: CLARK COUNTY PARK DISTRICT  
 Project: PAINTING PARK BUILDINGS AND EQUIPMENT  
 IDOL Case #: 2018-PW-RW05-1857  
 County of: CLARK  
 Months of: 4-2015  
 Labor Classification: PAINTERS

Reported			
Rates & Fringe	m-f	M-F>8 & Sat	Sun & Hol
Base	26.30		
Welfare		0.00	0.00
Pension		0.00	0.00
Vacation		0.00	0.00
Training		0.00	0.00
Total	\$26.30	\$0.00	\$0.00

Prevailing			
Rates & Fringe	m-f	M-F>8 & Sat	Sun & Hol
Base	26.00	39.00	52.00
Welfare	7.82	7.82	7.82
Pension	9.00	9.00	9.00
Vacation	0.00	0.00	0.00
Training	0.50	0.50	0.50
Total	\$43.32	\$56.32	\$69.32

REPORTED									
Hours Worked each Day									
Worker	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	Non P.W. Hours	OT M-F>8 & OT Hrs (SUN)
4/02/2015	8	8	8	8	8	8	8	40	\$1,052.00
									Net (Paid)
									\$1,052.00

Proper Pay				
ST Hours	OT M-F>8 & Sat	OT Hours (Sun)	Proper Pay	Back Pay
40.00	0.00	0.00	\$1,732.80	\$680.80

# Illinois Department of Labor

Comments:

RE (Contractor):  
Public Body:

Project:

IDOL Case #

County of:

Months of:

Labor Classification:

FSG PAINTERS LLC  
CLARK COUNTY PARK DISTRICT  
PAINTING PARK BUILDINGS AND EQUIPMENT  
2016-PW-RW05-1657  
CLARK  
4-2015  
PAINTERS

AUDIT DONE FOR NOT PAYING THE RIGHT WAGE OR BENEFITS

## Reported

		OT	
Rates &		M-F>8	Sun & Hol
Fringe	m-f		
Base	26.30		
Welfare		0.00	0.00
Pension		0.00	0.00
Vacation		0.00	0.00
Training		0.00	0.00
Total	\$26.30	\$0.00	\$0.00

## REPORTED

Hours Worked each Day

Worker	Week Of	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	P.W. Hours	Non P.W. Hours	OT M-F>8 & OT Hrs (SUN)	Gross	Net (Paid)
	4/02/2015		8	8	8	8	6.02	8	38.02			\$999.93	
	4/17/2015		8	8	8	8	6.02		38.02			\$999.93	

## Prevailing

		OT	
Rates &		M-F>8	Sun & Hol
Fringe	m-f		
Base	26.00	39.00	52.00
Welfare	7.82	7.82	7.82
Pension	9.00	9.00	9.00
Vacation	0.00	0.00	0.00
Training	0.50	0.50	0.50
Total	\$43.32	\$56.32	\$69.32

Proper Pay		OT		Proper Pay		Back Pay	
ST Hours	OT M-F>8 & Sat	OT Hours (Sun)					
38.02		0.00	\$1,647.03	\$647.10			
38.02		0.00	\$1,647.03	\$647.10			

[illegible]

**Comments:**

## AUDIT DONE FOR NOT PAYING THE RIGHT WAGE OR BENEFITS

**Prevailing**

	OT		
	M-F=8	Sun & Hol	
Rates & Fringe Base	m- <sup>1</sup> 26.00	& Sal 39.00	52.00
Wellfare	7.82	7.82	7.82
Pension	9.00	9.00	9.00
Vacation	0.00	0.00	0.00
Training	0.50	0.50	0.50
Total	\$43.32	\$56.32	\$69.32

## Hours Worked each Day

Proper Pay			
	OT M-F > 8 Hours	OT Hours (Sun)	
36.02		0.00	\$1,647.03
36.02		0.00	\$1,647.03
			\$647.10
			\$647.10

Illinois Department of Labor

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4/02/2015								38.02			\$989.93	
4/17/2015		8	8	8	8	6.02	8	38.02			\$989.93	

Proper Pay					
ST Hours	OT M-F>8 & Sat	OT Hours (Sun)	Proper Pay	Back Pay	
38.02		0.00	\$1,647.03	\$647.10	
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		M-F>8	Sun & Hol
Base	m-f	& Sat	
26.30			
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	4/02/2015		8	8	8	8	8	8	40				\$1,052.00	

Proper Pay					
ST Hours	OT M-F>8 & Sat (Sun)	OT Hours (Sun)	Proper Pay	Back Pay	
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Proper Pay					
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# USPS Tracking® Results

[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)[Track Another Package +](#)[Remove X](#)**Tracking Number:** 70141820000168529950**Delivered**

## Product & Tracking Information

[See Available Actions](#)**Postal Product:****Features:**  
Certified Mail™

DATE &amp; TIME

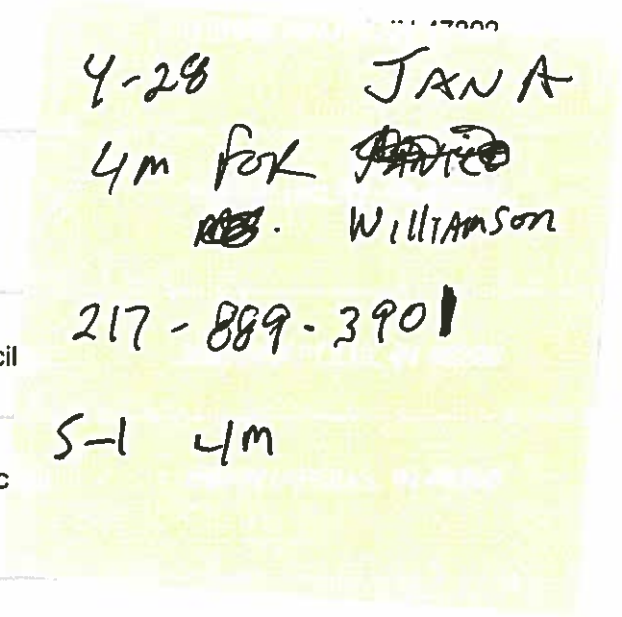
STATUS OF ITEM

LOCATION

**December 12, 2016, 11:12  
am****Delivered****WEST TERRE  
HAUTE, IN 47885**

Your item was delivered at 11:12 am on December 12, 2016 in WEST TERRE HAUTE, IN 47885.

**December 10, 2016, 12:31  
pm****Notice Left (No Authorized  
Recipient Available)****WEST TERRE  
HAUTE, IN 47885****December 10, 2016, 7:45  
am****Out for Delivery****TERRE HAUTE, IN 47802**

DATE & TIME	STATUS OF ITEM	LOCATION
December 10, 2016, 7:35 am	Sorting Complete	
December 10, 2016, 5:32 am	Arrived at Unit	
December 9, 2016, 5:30 pm	Departed USPS Facil	
December 9, 2016, 11:45 am	Arrived at USPS Fac	
December 9, 2016, 3:36 am	Departed USPS Facility	BEDFORD PARK, IL 60499
December 9, 2016, 12:28 am	Arrived at USPS Facility	BEDFORD PARK, IL 60499

[See Less ^](#)

## Available Actions

[See Less ^](#)

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs (<http://faq.usps.com/?articleId=220900>)**

## Clark County Prevailing Wage for April 2014

(See explanation of column headings at bottom of wages)

Trade Name	RG	TYP	C	Base	FRMAN	M-F>8	OSA	OSH	H/W	Pensn	Vac	Trng
=====	==	==	=	=====	=====	=====	==	==	=====	=====	=====	=====
ASBESTOS ABT-GEN		BLD		29.990	31.240	1.5	1.5	2.0	6.300	10.34	0.000	0.800
ASBESTOS ABT-MEC		BLD		21.500	22.500	1.5	1.5	2.0	6.500	5.700	0.000	0.650
BOILERMAKER		BLD		32.060	34.560	1.5	1.5	2.0	7.070	21.27	1.000	0.350
BRICK MASON		BLD		29.650	31.150	2.0	2.0	2.0	7.100	10.38	0.000	0.630
CARPENTER		BLD		29.600	31.850	1.5	1.5	2.0	7.700	13.65	0.000	0.520
CARPENTER		HWY		30.100	31.850	1.5	1.5	2.0	7.700	13.65	0.000	0.520
CEMENT MASON		BLD		30.410	32.160	1.5	1.5	2.0	7.100	8.500	0.000	0.500
CEMENT MASON		HWY		31.040	32.540	1.5	1.5	2.0	7.100	8.560	0.000	0.500
CERAMIC TILE FNSHER		BLD		28.830	0.000	1.5	1.5	2.0	7.100	8.200	0.000	0.000
COMM SYSTEMS TECH		BLD		26.350	29.000	1.5	1.5	2.0	5.600	5.690	0.000	0.290
ELECTRIC PWR EQMT OP	1	ALL		36.770	0.000	1.5	1.5	2.0	5.760	10.29	0.000	0.370
ELECTRIC PWR EQMT OP	2	ALL		32.820	0.000	1.5	1.5	2.0	5.760	9.190	0.000	0.330
ELECTRIC PWR GRNDMAN		ALL		27.020	0.000	1.5	1.5	2.0	5.760	7.570	0.000	0.270
ELECTRIC PWR LINEMAN		ALL		46.100	49.220	1.5	1.5	2.0	5.760	12.91	0.000	0.460
ELECTRICIAN		BLD		34.920	37.360	1.5	1.5	2.0	5.790	9.510	0.000	0.290
ELEVATOR CONSTRUCTOR		BLD		41.070	46.200	2.0	2.0	2.0	12.73	13.46	3.290	0.600
GLAZIER		BLD		25.860	27.360	1.5	1.5	2.0	6.410	6.410	0.000	0.400
HT/FROST INSULATOR		BLD		31.230	32.230	1.5	1.5	2.0	5.790	9.410	0.000	0.250
IRON WORKER		ALL		29.290	32.220	1.5	1.5	2.0	6.450	11.60	0.000	0.300
LABORER		BLD		27.990	29.240	1.5	1.5	2.0	6.300	10.34	0.000	0.800
LABORER		HWY		29.550	30.550	1.5	1.5	2.0	6.300	10.34	0.000	0.800
LATHER		BLD		29.600	31.850	1.5	1.5	2.0	7.700	13.65	0.000	0.520
MACHINIST		BLD		43.920	46.420	1.5	1.5	2.0	6.760	8.950	1.850	0.000
MARBLE FINISHERS		BLD		28.830	0.000	1.5	1.5	2.0	7.100	8.200	0.000	0.000
MARBLE MASON		BLD		30.330	0.000	1.5	1.5	2.0	7.100	8.200	0.000	0.000
MILLWRIGHT		BLD		29.620	31.870	1.5	1.5	2.0	7.700	14.09	0.000	0.520
MILLWRIGHT		HWY		31.400	33.150	1.5	1.5	2.0	7.700	14.74	0.000	0.520
OPERATING ENGINEER	1	ALL		36.950	0.000	1.5	1.5	2.0	7.250	8.700	0.000	0.800
OPERATING ENGINEER	2	ALL		23.900	0.000	1.5	1.5	2.0	7.250	8.700	0.000	0.800
PAINTER		ALL		26.000	27.500	1.5	1.5	2.0	7.820	9.000	0.000	0.500
PILEDRIIVER		BLD		30.100	32.350	1.5	1.5	2.0	7.700	13.65	0.000	0.520
PILEDRIIVER		HWY		31.100	32.850	1.5	1.5	2.0	7.700	13.65	0.000	0.520
PIPEFITTER		ALL		36.020	38.720	1.5	1.5	2.0	6.400	6.630	0.000	0.610
PLASTERER		BLD		30.500	32.500	1.5	1.5	2.0	7.100	10.27	0.000	0.500
PLUMBER		ALL		36.020	38.720	1.5	1.5	2.0	6.400	6.630	0.000	0.610
ROOFER		BLD		29.150	30.650	1.5	1.5	2.0	9.250	8.400	0.000	0.200
SHEETMETAL WORKER		BLD		31.390	32.960	1.5	1.5	2.0	7.350	7.690	0.000	1.090
SPRINKLER FITTER		BLD		37.120	39.870	1.5	1.5	2.0	8.420	8.500	0.000	0.350
STONE MASON		BLD		29.650	31.150	2.0	2.0	2.0	7.100	10.38	0.000	0.630
SURVEY WORKER		ALL		29.550	30.550	1.5	1.5	2.0	6.300	10.34	0.000	0.800
TERRAZZO FINISHER		BLD		28.830	0.000	1.5	1.5	2.0	7.100	8.200	0.000	0.000
TERRAZZO MASON		BLD		30.330	0.000	1.5	1.5	2.0	7.100	8.200	0.000	0.000
TILE LAYER		BLD		29.600	31.850	1.5	1.5	2.0	7.700	13.65	0.000	0.520
TILE MASON		BLD		30.330	0.000	1.5	1.5	2.0	7.100	8.200	0.000	0.000
TRUCK DRIVER	1	ALL		28.955	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TRUCK DRIVER	2	ALL		29.355	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TRUCK DRIVER	3	ALL		29.555	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TRUCK DRIVER	4	ALL		29.805	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TRUCK DRIVER	5	ALL		30.555	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TRUCK DRIVER	O&C 1			23.160	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TRUCK DRIVER	O&C 2			23.480	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TRUCK DRIVER	O&C 3			23.640	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TRUCK DRIVER	O&C 4			23.840	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250

TRUCK DRIVER	O&C 5	24.440	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250
TUCKPOINTER	BLD	29.650	31.150	2.0	2.0	2.0	7.100	10.38	0.000	0.630

**Legend:** RG (Region)

TYP (Trade Type - All, Highway, Building, Floating, Oil &amp; Chip, Rivers)

C (Class)

Base (Base Wage Rate)

FRMAN (Foreman Rate)

M-F&gt;8 (OT required for any hour greater than 8 worked each day, Mon through Fri.)

OSA (Overtime (OT) is required for every hour worked on Saturday)

OSH (Overtime is required for every hour worked on Sunday and Holidays)

H/W (Health &amp; Welfare Insurance)

Pensn (Pension)

Vac (Vacation)

Trng (Training)

**Explanations****CLARK COUNTY**

The following list is considered as those days for which holiday rates of wages for work performed apply: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Christmas Day and Veterans Day in some classifications/counties. Generally, any of these holidays which fall on a Sunday is celebrated on the following Monday. This then makes work performed on that Monday payable at the appropriate overtime rate for holiday pay. Common practice in a given local may alter certain days of celebration. If in doubt, please check with IDOL.

Oil and chip resealing (O&C) means the application of road oils and liquid asphalt to coat an existing road surface, followed by application of aggregate chips or gravel to coated surface, and subsequent rolling of material to seal the surface.

**EXPLANATION OF CLASSES**

ASBESTOS - GENERAL - removal of asbestos material/mold and hazardous materials from any place in a building, including mechanical systems where those mechanical systems are to be removed. This includes the removal of asbestos materials/mold and hazardous materials from ductwork or pipes in a building when the building is to be demolished at the time or at some close future date.

ASBESTOS - MECHANICAL - removal of asbestos material from mechanical systems, such as pipes, ducts, and boilers, where the mechanical systems are to remain.

**CERAMIC TILE FINISHER, MARBLE FINISHER, TERRAZZO FINISHER**

Assisting, helping or supporting the tile, marble and terrazzo mechanic by performing their historic and traditional work assignments required to complete the proper installation of the work covered by said crafts. The term "Ceramic" is used for naming the classification only and is in no way a limitation of the product handled. Ceramic takes into consideration most hard tiles.

**COMMUNICATION SYSTEMS TECHNICIAN**

Installation, operation, inspection, maintenance, repair, and service of radio, television, recording, voice sound and vision production and reproduction apparatus, equipment and appliances used for domestic, commercial, education, entertainment and private telephone systems.

**ELECTRIC POWER LINEMAN**

Construction, maintenance and dismantling of overhead and underground electric power lines, including high voltage pipe type cable work, and associated structures and equipment.

**ELECTRIC POWER EQUIPMENT OPERATOR - CLASS 1**





ILLINOIS DEPARTMENT OF LABOR

Bruce Rauner  
Governor

Hugo Chaviano  
Director

JUNE 6, 2016

Re: Project: **PAINTING PARK BUILDINGS & EQUIPMENT- MARSHALL, IL**  
Contractor: **FSG PAINTERS, LLC**  
IDOL Case No.: 2016-PW-RW05-1657

Dear CHARITY MURPHY:

Pursuant to the Illinois Prevailing Wage Act (820 ILCS 130/1--12) (Act), the Illinois Department of Labor is conducting an investigation regarding the above-mentioned project. The Department is seeking certain information concerning compliance with the wage, notice and recordkeeping requirements of the Act this a formal investigation under the Act, and your cooperation is appreciated. So as to avoid any possible interference with the investigation the Department requests that you do not notify the Contractor of this investigation or that an inquiry is being made by the Department into the project.

Accordingly, the Department is requesting for the project indicated the following:

- 1) Copy of your current year's prevailing wage resolution or ordinance; date of passage; date certified to the Secretary of State's Office; and date published;
- 2) Copy of the call for bids for the contract specifying the prevailing wage requirements;
- 3) Copy of the bid specifications calling for prevailing wage payments and the Contractor's bid.
- 4) Copy of any and all of written notices to the contractor(s)/sub-contractor(s) specifying the prevailing wage requirements or if they are contained in other documents please identify where.
- 5) Copy of the contracts for the above named project;
- 6) Copy of the Contractor's bond.
- 7) Contracting firm's name, address, contact person, and phone number;
- 8) Copy of the Contractor's Certified Payroll. **If you have not received a Certified Payroll, please provide a written statement to that effect and do not request the Name of Company provide a Certified Payroll in order to comply with this request.**
- 9) Identification of all sources of funding used to pay for the project.

If you receive any additional records from the Contractor after this letter, please provide the records and notify the Department of the date received.

Please return the above requested material within ten (10) calendar days from the date of this letter to the contact information listed below; information may be sent via e-mail. If you have any questions, contact my office at 815.907.7072.

Sincerely,

Robert Wesselhoff  
Labor Conciliator  
P.O. Box 272  
Manteno, IL. 60950  
robert.wesselhoff@illinois.gov

Michael A Bilandic Building  
160 North LaSalle, Suite C-1300  
Chicago, Illinois 60601-3150  
(312) 793-2800  
Fax: (312) 793-5257

900 South Spring Street  
Springfield, Illinois 62701  
(217) 782-6206  
Fax: (217) 782-0596

Regional Office Building  
2309 West Main Street, Suite 115  
Marion, Illinois 62959  
(618) 993-7090  
Fax: (618) 993-7258



ILLINOIS DEPARTMENT OF LABOR

Bruce Rauner  
Governor

Anna S. Hui  
Acting Director

April 13, 2017

Re: Project: PAINTING PARK BUILDINGS & EQUIPMENT- MARSHALL, IL  
Contractor: FSG PAINTERS, LLC  
IDOL Case No.: 2016-PW-RW05-1657

Dear CHARITY MURPHY:

Pursuant to the Illinois Prevailing Wage Act (820 ILCS 130/1--12) (Act), the Illinois Department of Labor is conducting an investigation regarding the above-mentioned project. The Department is seeking certain information concerning compliance with the wage, notice and recordkeeping requirements of the Act this a formal investigation under the Act, and your cooperation is appreciated. So as to avoid any possible interference with the investigation the Department requests that you do not notify the Contractor of this investigation or that an inquiry is being made by the Department into the project.

Accordingly, the Department is requesting for the project indicated the following:

- 1) Copy of your current year's prevailing wage resolution or ordinance; date of passage; date certified to the Secretary of State's Office; and date published;
- 2) Copy of the call for bids for the contract specifying the prevailing wage requirements;
- 3) Copy of the bid specifications calling for prevailing wage payments and the Contractor's bid.
- 4) Copy of any and all of written notices to the contractor(s)/sub-contractor(s) specifying the prevailing wage requirements or if they are contained in other documents please identify where.
- 5) Copy of the contracts for the above named project;
- 6) Copy of the Contractor's bond.
- 7) Contracting firm's name, address, contact person, and phone number;
- 8) Copy of the Contractor's Certified Payroll. **If you have not received a Certified Payroll, please provide a written statement to that effect and do not request the Name of Company provide a Certified Payroll in order to comply with this request.**
- 9) Identification of all sources of funding used to pay for the project.

If you receive any additional records from the Contractor after this letter, please provide the records and notify the Department of the date received.

Please return the above requested material within ten (10) calendar days from the date of this letter to the contact information listed below; information may be sent via e-mail. If you have any questions, contact my office at 815.907.7072.

Sincerely,

Robert Wesselhoff  
Labor Conciliator  
P.O. Box 272  
Manteno, IL. 60950  
robert.wesselhoff@illinois.gov

Michael A Bilandic Building  
160 North LaSalle, Suite C-1300  
Chicago, Illinois 60601-3150  
(312) 793-2800  
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Marion, Illinois 62959  
(618) 993-7090  
Fax: (618) 993-7258

Manteno, Il. 60950  
robert.wesselhoff@illinois.gov



ILLINOIS DEPARTMENT OF LABOR

Bruce Rauner  
Governor

Hugo Chaviano  
Director

Thursday, May 26, 2016

RE: FSG Painters, LLC.  
PROJECT: Park building and equipment  
IDOL CASE NO: 2016-PW-RW 05-1657

Dear [REDACTED]

This will acknowledge receipt of your recent request for an investigation on the above referenced matter.

Please be advised this complaint is assigned to the conciliator listed below. If you have any further questions or information, please contact The Department at the information below:

Illinois Department of Labor  
c/o Miriam Ramirez  
160 N. LaSalle St., Suite C-1300  
Chicago, IL 60601  
312-793-2800 (Phone)  
312-793-2081 (Fax)

Sincerely,

[REDACTED]  
Paul Kersey  
Division Manager  
Conciliation and Mediation Division

Michael A Bilandic Building  
160 North LaSalle, Suite C-1300  
Chicago, Illinois 60601-3150  
(312) 793-2800  
Fax: (312) 793-5257

900 South Spring Street  
Springfield, Illinois 62701  
(217) 782-6206  
Fax: (217) 782-0596

Regional Office Building  
2309 West Main Street, Suite 115  
Marion, Illinois 62959  
(618) 993-7090  
Fax: (618) 993-7258



ILLINOIS DEPARTMENT OF LABOR

Bruce Rauner  
Governor

Hugo Chaviano  
Director

December 1, 2016

Re: Project: PAINTING PARK BUILDINGS & EQUIPMENT- MARSHALL, IL  
Contractor: FSG PAINTERS, LLC  
IDOL Case No.: 2016-PW-RW05-1657

Dear CHARITY MURPHY:

Pursuant to the Illinois Prevailing Wage Act (820 ILCS 130/1--12) (Act), the Illinois Department of Labor is conducting an investigation regarding the above-mentioned project. The Department is seeking certain information concerning compliance with the wage, notice and recordkeeping requirements of the Act this a formal investigation under the Act, and your cooperation is appreciated. So as to avoid any possible interference with the investigation the Department requests that you do not notify the Contractor of this investigation or that an inquiry is being made by the Department into the project.

Accordingly, the Department is requesting for the project indicated the following:

- 1) Copy of your current year's prevailing wage resolution or ordinance; date of passage; date certified to the Secretary of State's Office; and date published;
- 2) Copy of the call for bids for the contract specifying the prevailing wage requirements;
- 3) Copy of the bid specifications calling for prevailing wage payments and the Contractor's bid.
- 4) Copy of any and all of written notices to the contractor(s)/sub-contractor(s) specifying the prevailing wage requirements or if they are contained in other documents please identify where.
- 5) Copy of the contracts for the above named project;
- 6) Copy of the Contractor's bond.
- 7) Contracting firm's name, address, contact person, and phone number;
- 8) Copy of the Contractor's Certified Payroll. **If you have not received a Certified Payroll, please provide a written statement to that effect and do not request the Name of Company provide a Certified Payroll in order to comply with this request.**
- 9) Identification of all sources of funding used to pay for the project.

If you receive any additional records from the Contractor after this letter, please provide the records and notify the Department of the date received.

Please return the above requested material within ten (10) calendar days from the date of this letter to the contact information listed below; information may be sent via e-mail. If you have any questions, contact my office at 815.907.7072.

Sincerely,

Robert Wesselhoff  
Labor Conciliator  
P.O. Box 272  
Manteno, IL. 60950  
[robert.wesselhoff@illinois.gov](mailto:robert.wesselhoff@illinois.gov)

Michael A Bilandic Building  
160 North LaSalle, Suite C-1300  
Chicago, Illinois 60601-3150  
(312) 793-2800  
Fax: (312) 793-5257

900 South Spring Street  
Springfield, Illinois 62701  
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Regional Office Building  
2309 West Main Street, Suite 115  
Marion, Illinois 62959  
(618) 993-7090  
Fax: (618) 993-7258



ILLINOIS DEPARTMENT OF LABOR

Bruce Rauner  
Governor

Hugo Chaviano  
Director

June 6, 2016

**FSG PAINTERS, LLC**  
4979 SO. ROBINSON PLACE  
WEST TERRE HAUTE, IN. 47885

Project: **PAINTING PARK BUILDINGS & EQUIPMENT-MARSHALL, IL.**  
IDOL Case No.: 2016-PW-RW05-1657

Dear CLIFFORD ALLISON:

Pursuant to the Illinois Prevailing Wage Act ("Act") (820 ILCS 130/1—12), the Illinois Department of Labor is conducting an investigation concerning the above-referenced project. The Act requires a contractor to provide to the Department records required to be maintained under the Act, and accordingly, the Department is seeking certain records regarding all workers who have performed or are performing work on the project. The Department is requesting from you, for the above referenced project, the following records beginning with the first payroll period and all subsequent periods until completion of the project:

- 1) Records which show each worker's name, address, phone number, social security number and labor classification;
- 2) Records which substantiate the gross and net wages paid each worker during each pay period;
- 3) Records showing each worker's number of hours worked each day;
- 4) Records showing each worker's starting and ending times of work each day;
- 5) Records showing each worker's hourly wage rate;
- 6) Records showing each worker's hourly overtime wage rate;
- 7) Records showing each worker's hourly fringe benefit rate for health and welfare, insurance, pension, vacation, and training;
- 8) Records showing any overtime hours worked for each worker on the project;
- 9) The name and address of each fringe benefit fund;
- 10) The plan sponsor of each fringe benefit, if applicable;
- 11) The plan administrator of each fringe benefit, if applicable;
- 12) Names, addresses and phone numbers of each subcontractor/lower tiered subcontractor;
- 13) Copies of the front and back of cancelled payroll checks paid to all workers for the duration of the project;
- 14) Copies of all written notices to and of your subcontractor/lower tiered subcontractors on the project specifying the prevailing wage requirements;
- 15) Identification of all sources of funding used to pay for this project (if known); and
- 16) A copy of the written notice provided to each worker indicating the prevailing wage rate for the project as well as an explanation of where it was posted.

The above referenced information should be accompanied with a certified affidavit signed by an officer or partner of the Contractor attesting to the accuracy of the records provided. Your failure to submit a sworn statement as to the accuracy of the records is a violation of Section 10 of the Act. In addition, please provide a copy of every Certified Transcript of Payroll maintained and submitted for the project in accordance with the Act. If you do not have a copy of a Certified Transcript of Payroll, you must explain the reason you do not have a copy and are unable to submit it. The records requested above and the required certification along with any Certified Transcript (s) of Payroll must be returned to the Investigator listed below within ten (10) calendar days from the date of this letter.

If you have any questions, contact my office at 815-907-7072. Your failure to submit the requested information and to comply with the provisions of the Act regarding providing records and information is a violation of the Act.

Sincerely,

Robert Wesselhoff  
P.O. Box 272

Michael A Bilandic Building  
160 North LaSalle, Suite C-1300  
Chicago, Illinois 60601-3150  
(312) 793-2800  
Fax: (312) 793-5257

900 South Spring Street  
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Fax: (217) 782-0596

Regional Office Building  
2309 West Main Street, Suite 115  
Marion, Illinois 62959  
(618) 993-7090  
Fax: (618) 993-7258

Manteno, IL 60950  
robert.wesselhoff@illinois.gov

STATE OF ILL  
DEPARTMENT OF  
160 N. LaSalle Street,  
Chicago, IL 606

IN THE MATTER OF:

HUGO CHAVIANO  
DIRECTOR OF LABOR AND  
THE ILLINOIS DEPARTMENT OF LABOR,

v.

**FSG Painters, LLC**

0516 2599 1000 6852 9950  
7014 1620 0001 6852 4101

U.S. Postal Service <sup>TM</sup>	
CERTIFIED MAIL <sup>®</sup> RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> <sup>®</sup>	
OFFICIAL USE	
Postage	\$ .46
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	6.46
Total Post	
Sent To	FSG Painters LLC
Street & Ap or PO Box	Clifford Allison
City, State	4979 S. Robinson Pl
	West Terre Haute, IN 47885

PS Form 3800, July 2014

CHICAGO, IL 60601-1199 DEC - 8 2016

**SUBPOENA DUCES TECUM**

TO: **FSG Painters, LLC**  
**Clifford Allison**  
**4979 South Robinson Place**  
**West Terre Haute, IN. 47885**

YOU ARE COMMANDED TO PRODUCE the following books, records, documents and papers in your possession, custody or control which the Illinois Department of Labor deems relevant and material to the investigation now being conducted by the Conciliation and Mediation Division, pursuant to the provisions of the Prevailing Wage Act, 820 ILCS 130/0.01 *et seq.* The requested documents shall be made available for inspection or copies may be produced by being sent to the Department's office at 160 N. LaSalle Street, C-1300, Chicago, Illinois, 60601, **Attn: Robert Wesselhoff** within 15 days of service of this subpoena.

"Project" means **painting park buildings and equipment for Clark County Park District**

**SEE EXHIBIT A**

YOUR FAILURE TO OBEY THIS SUBPOENA WILL CAUSE THE ILLINOIS DEPARTMENT OF LABOR TO PETITION THE CIRCUIT COURT OF COOK COUNTY, TO COMPEL OBEDIENCE BY PROCEEDINGS FOR CONTEMPT AS PROVIDED FOR UNDER ILLINOIS COMPILED STATUTE, 820 ILCS 130/10.

WITNESS,

  
Hugo Chaviano  
Director, Illinois Department of Labor



## **EXHIBIT A**

For the period of 3/27/2015 to 4/17/2015 provide:

- 1) The names, addresses, social security numbers phone numbers and labor classifications for all individuals employed by FSG Painters, LLC who performed work on the project.
- 2) Copies of all original time records showing hours worked each day, including the starting and ending time of work each day for all individuals employed by FSG Painters, LLC who performed work on the project for the duration of the project.
- 3) Complete copies of all payroll journals showing hours, hourly wages (gross and net) and deductions for all individuals employed by FSG Painters, LLC who performed work on the project for the duration of the project.
- 4) Copies of any and all documents showing information and data (name of funds and or programs, administrators, amounts, rates, and dates of payments) regarding fringe benefits (health/welfare, pension, and training) payments paid on the behalf of all individuals employed by FSG Painters, LLC who performed work on the project for the duration of the project.
- 5) Copies of front and back of canceled payroll checks for all individuals employed by FSG Painters, LLC who performed work on the project for the duration of the project.
- 6) Copies of canceled checks verifying payment of fringe benefits (health/welfare, pension, and training) payments paid on the behalf of all individuals employed by FSG Painters, LLC who performed work on the project for the duration of the project.
- 7) Copies of all written notices to your subcontractors/lower tiered subcontractors on the project specifying the prevailing wage requirements.
- 8) Identification of all sources of funding used to pay for this project.
- 9) Copies of Certified Transcript of Payroll maintained and submitted for the project.



*Farm Service Group Painters, LLC*  
4979 South Robinson Place  
W. Terre Haute, IN 47885  
T: 812-533-0111 • F: 812-533-3320

Mill Creek Park  
20482 N. Park Entrance Road  
Marshall, IL 62441

RE: Work performed at  
Mill Creek Park, Marshall, IL

The following is a summary of the work and materials used by FSG Painters, LLC.

Items to be completed

Powerwash, Scrap, Spot Prime, & Paint complete outside sides:  
4 – Bathrooms & 1 – Shower House, \$1,600  
Prime & Paint all doors (green) on (6) Bathrooms. \$600

Main Office Building

Powerwash, Spot Prime, & Paint complete outside sides, \$7,600  
Paint all trim green, Paint all doors green

Prime & Paint (3) gates green, \$125  
Scrap (2) wood fences & paint green \$125  
Prime & Paint Main Entry, Sign & Support green, \$230

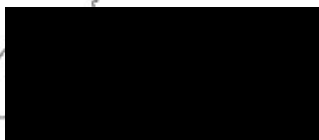
Items Donated

(6) Gallons of Safety Yellow Paint,  
(2) Gallons of Red Safety Paint,  
(1) Gallon of Blue Safety Paint,  
(5) Gallons of Tan Paint,  
(5) Gallons of Gray Paint,  
(6) Paint Brushes,  
(12) Wiz Roller Heads,  
(6) 9" Roller Heads,  
(2) Pain Pans,  
(3) Wiz Roller Handles,  
(3) 9" Roller Handles,  
(40) Gallons of Gray & Tan (for tables)  
(10) Gallons of Red Paint  
(5) Gallons of Blue Paint

<u>Items Completed Total:</u>	\$ 10,280.00
<u>Donated Total:</u>	\$ 2,623.00

Total Pricing:  
Materials and installation : \$ 12,903.00

Sincerely,  
Clifford Allison





**FSG**  
**Painters, LLC**

*Farm Service Group Painters, LLC*

4979 South Robinson Place

W. Terre Haute, IN 47885

T: 812-533-0111 • F: 812-533-3320

Mill Creek Park  
20482 N. Park Entrance Road  
Marshall, IL 62441

March 10, 2016

To Whom It May Concern,

The following are items donated by FSG Painters, LLC.

Items

- (6) Gallons of Safety Yellow Paint,
- (2) Gallons of Red Safety Paint,
- (1) Gallon of Blue Safety Paint,
- (5) Gallons of Tan Paint,
- (5) Gallons of Gray Paint,
- (6) Paint Brushes,
- (12) Wiz Roller Heads,
- (6) 9" Roller Heads,
- (2) Pain Pans,
- (3) Wiz Roller Handles,
- (3) 9" Roller Handles,
- (40) Gallons of Gray & Tan (for tables)
- (10) Gallons of Red Paint
- (5) Gallons of Blue Paint

Total:    \$ 2,623.00

Sincerely,  
Clifford Allison





*Mill Creek Park  
20482 N. Park Entrance Rd.  
Marshall, IL 62441*

May 1, 2017

Mr. Robert Wesselhoff, Conciliator  
Illinois Department of Labor  
P. O. Box 272  
Manteno, IL 60950

Dear Mr. Wesselhoff,

Per our phone conversation April 24<sup>th</sup> and the 28<sup>th</sup>, I have been unable to produce any payroll documents concerning this Project: Painting Park Buildings and Equipment - Marshall, IL.  
IDOL Case No: 2016-PW-RW05-1657

I started at the Park District June 6, 2016 and the only thing I knew, the buildings had all been freshly painted. When I asked the Executive Director at that time, Charity Murphy, about the job, she said FSG Painters had some outdated paint and she had traded campsites and rental docks for a few years for the paint and labor.

Please find attached a fax to Charity Murphy from Sonny Allison and a copy of the Director's Report from the April 16, 2015 Regular Monthly Board meeting.

Sincerely,

Jana Williamson  
Interim Executive Director  
Clark County Park District

jwilliamson@ccpd.org

- GR - NO PAYROLL

Done 5-2-17

- minutes

- fax from fsg to  
Charity - cancel  
all work

J  
Ratley

## FAX COVER SHEET

To: Charity

Fax: 217-889-3900

From: Sony

Date: 4-21-16

Fax: 812-533-3320

Message: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This fax and any files transmitted with it are confidential and intended solely for the individual or entity to which they are addressed. If you have received this fax in error destroy it immediately.



*Farm Service Group Painters, LLC*  
4979 South Robinson Place  
W. Terre Haute, IN 47885  
T: 812-533-0111 • F: 812-533-3320

April 21, 2016

Ms. Charity Murphy, Executive Director  
Clark County Park District  
20482 N. Park Entrance Road  
Marshall, IL 62441

Dear Charity,

It has come to my attention that the painting that FSG did for the park has become a source of controversy for you. Let this letter serve as notification that I will pay for the two camping spots for the 2016 season that were part of the agreement between FSG and Mill Creek as it relates to the trading of paint and services for camping. My family and I have enjoyed Mill Creek for many years, and are saddened to see so much negativity brought to the park by a few disgruntled individuals with nothing more than an axe to grind. I thank you for allowing me and FSG to be a part of something positive that you were trying to achieve in bringing a fresh look to what was a run-down place in major need of maintenance.

Per our conversation and agreement to paint the remaining buildings this year, in offering to pay for our camping for this season, this will terminate our agreement for the painting as well as the donation of additional paint and any future donations. I wish you nothing but the best as you try to continue to make improvements. I ask that you share this with your board. It is important that they know how the negativity of a few is impacting the desire to want to give back to a place as special as Mill Creek.

To the Board:

Your director has tried tirelessly to make much needed improvements around the park with limited staffing and resources. I hope that she will continue to look for ways to improve services and amenities for the future of your customers, as they are the ones lining out here due to a few self-serving people who have no clue how to engage a community. The approximate total of the painting that was to be done this year in exchange for \$3,920 in camping is \$10,800, at our cost for paint. In total, the park would have received \$23,703 in services in exchange for \$7,840 in camping, as I have sold our boat, which is \$15,863 to the good. It doesn't take a college graduate to do that math.

I have no idea who initiated this frivolous claim for an investigation but it is doing nothing but taking away from the efforts of Mill Creek. I can only imagine the good that could be done for the park if your director could spend her time and energy on implementing improvements instead of wasting it on negative crap. I wish Charity and Mill Creek nothing but the best.

God Bless.

Clifford Allison

FSG Painters



## **Director's Report**

April 16, 2015

### **Financial Update**

We continue to monitor our financial health, and are certainly in better condition than this same time last year. When we compare the figures in Janet's finance report, we are up 98% over last year overall, and up 102% in Checking and 128% in Hi-Fi. This is a significant success when compared to the anticipated financial status projected by Mark Badasch last September. You may recall that he projected that we would be out of money to operate by November, which would have required a loan to get through the off-season. He also anticipated that we would need to obtain a loan in order to complete the grant projects. With careful financial management, we managed to make it through the off season and are nearing completion of the mountain bike project, all without obtaining a loan to do so. Although we initially did not have the funds to provide the funding to the community parks, if approved at this meeting, the last two of the grants will be awarded. These are significant achievements, given the financial condition of the District last August.

Work is underway on preparation of the budget, and I anticipate we will plan a finance meeting by the end of the month. An initial draft will be sent out for review prior to our meeting.

### **Website Update**

Miller White, our website hosting company, is going out of business April 30. We have begun working with Paul Robinson, who has served as our IT support since last fall, to transition to a new webpage. This will benefit us financially in the end, as the service fee for hosting is much lower. Paul has done a fantastic job in taking care of our needs in a timely manner, so I do not anticipate any issues with the transition. The current website will still function as the new one is created.

### **Lease Lot Update**

Included in the board materials last month and again this month are the covenants approved at the February meeting, with a couple of minor changes. Page 3, Declaration was misspelled. Page 4, under the heading of Lot Tenant, "Association" was removed. Page 9, fifth paragraph, "Association" was changed to "Owner". Page 10, under the heading of Nuisances, "Association" was changed to "Owner". Under the heading of Waiver, "the Association" has been removed. Page 11, under the heading of

Enforcement, "the Association" has been removed. These changes have been incorporated into the updated covenants, as I felt that there was some confusion with these terms. The revised Covenants need to be voted on so that these covenants can be filed with the plat.

We have had an inquiry about leasing a lot, and as soon as the covenants are filed, I will meet with this individual to view the area. We will begin advertising as soon as we have all the necessary documents in place.

### **Lake Update**

As noted above, Banning Engineering performed a required inspection on the dam on March 20, along with a follow up inspection on the work completed to repair the dam. They've noted minor items to follow-up on, such as re-grading and seeding of the repaired area. I've been in touch with B&T Drainage, and once the ground is dry enough, these areas will be addressed, and our maintenance team will address the other items. (Inspection report is included in your board materials)

Lake dock inspections have begun, and I will be contacting anyone with maintenance issues, mowing concerns, or any other safety concerns. Also, application of riprap will commence as soon as the ground is dry enough to drive the loader down. It is too dangerous to do with a full load of riprap when the ground is unstable due to rain. Moving forward, I would like to look into a conveyor system to make the process safer. To date, we have a total of nine areas that are on the list to complete.

### **Staffing**

The Gatehouse is now open daily, and the Fuel Dock will be open regular hours beginning May 1, from 2 pm to 8 pm Monday through Thursday, and 8 am to 8 pm on Friday, Saturday and Sunday. Current fuel price has been dropped to \$3.49.

On Tuesday, April 7, I met with Gerrit Prince, our representative from PDRMA. The original purpose of this meeting was to discuss the Dam repairs as well as the inspection that was conducted on March 20, and to conduct our overall inspection, discuss staffing, training, and any other needs.

A couple of points that came from the meeting is the need for someone to serve as our safety coordinator. This role was formerly filled by the maintenance supervisor. With spring here and the park open, we will begin transitioning some roles, and revising responsibilities of others in an effort to better assist our patrons, as well as provide adequate staffing with the fewer number of team members this season. I will be sitting down with each team member over the next couple of weeks to discuss these changes, conduct evaluations, and discuss additional planning with regard to budgets and projects.

The maintenance supervisor position still needs to be filled, and I anticipate that he/she will take over much of what has been a shared responsibility the past several months.



(Approximately 50% of my time is spent on maintenance related items) Additionally, a new org chart is being rolled out reflecting the changes in responsibilities.

Many members of our team have asked for a raise, and I have included this for discussion on the agenda this week. The details of this request will be included under separate cover and discussed during executive session.

### **Facility and Maintenance Updates**

Improvements continue in the campground, as well as other areas around the park. All pit privies have been painted on the outside, and painting has begun on the inside. The shower house has been painted along with water posts, gates, and as many of you have noticed, the administration building has a fresh coat of paint as well. This work would not have been possible without the generosity of FSG Painting, who, at last count had donated 105 gallons of commercial-grade paint, along with several members of their team to complete these projects. The paint alone would have cost us more than \$4000 had we purchased it on our own, and the projects aren't complete, as there are still picnic tables and other items to address.

To date, there has been approximately 340 ton of gravel donated to improve camping sites, 100 of which was donated by Quality Lime. The park is coming along nicely, and we are receiving many positive comments about the improvements. Although he is very humble and doesn't wish to be recognized, Kent Waltz has devoted many personal hours, approximately 120, in fact, along with the use of his tractor to complete this project. Please take a moment to thank him when you see him for all of his hard work!

The playground improvement project is still on hold until things dry up. Kent Waltz will be working with us to complete this project as well.

Much work has been completed by volunteers. However, there are some needs that cannot be fulfilled by volunteers. In my work to overhaul our maintenance area, and to develop more structure, procedures and guidelines, I plan to develop a list of professionals that should be contacted for specific needs, such as electrical, plumbing, HVAC, among others. My thought process behind this list is that they will have provided us with a set rate schedule, including service fees, as well as provided documentation confirming they are licensed, bonded and insured, paying prevailing wage, etc. This will provide some guidance to our maintenance team when determining who to call.

I met with Dallas Richardson on Monday, April 14 to look at the road repairs needed in the campground. I expect to have a report from him next week so that we can make plans to move forward with completion of repairs. He is also going to make some recommendations on needed repairs to the launch area. We will need to contract these repairs out when we are ready to complete the project.

## **Events and Activities**

Many activities and events are planned for the season thanks to the help of Veda Rankin, Charlene Floyd, Cortney Palardy, and Marilyn Harris. We had approximately 150 children here for the Easter egg hunt. Special thanks go to Commissioner Yargus for serving as our Easter bunny! He did a great job with the kids, and I appreciate his time in doing so.

Coming up on April 25, there will be kite flying near the concession stand. A complete list of events is included in your board packet. I sincerely appreciate all the time and effort that our activities team has spent to organize these events.

The 3<sup>rd</sup> of July planning is underway, and donations are at \$6,450. We are continuing to work on the details for the events that weekend.

# U.S. Department of Labor

Wage and Hour Division

## PAYROLL

(For Contractor's Optional Use, See Instructions at [www.dol.gov/whd/forms/wh347instr.htm](http://www.dol.gov/whd/forms/wh347instr.htm))

Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number



Rev. Dec. 2008

NAME OF CONTRACTOR ☒ OR SUBCONTRACTOR ☐ ADDRESS 4979 S ROBINSON PL WEST TERRE HAUTE, IN 47885 OMB No 1235-0008 Expires 02/28/2018

PAYROLL NO. FOR WEEK ENDING 04/17/2015 PROJECT AND LOCATION MILL CREEK PROJECT OR CONTRACT NO.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g. LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) NO. OF WITHHOLDING EXEMPTIONS	(3) WORK CLASSIFICATION	(4) DAY AND DATE							(5) TOTAL HOURS WORKED EACH DAY	(6) TOTAL RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK		
			S	S	M	T	W	T	F				S	W	TH	SALE	ENTY		OTHER	TOTAL DEDUCTIONS
[REDACTED]	0	PAINTER									29.05	\$39.45	\$765.07	\$58.52	\$99.70	\$25.25	\$9.50	\$62.50	\$255.13	\$509.94
[REDACTED]	0	PAINTER									26.30	\$39.45	\$999.93	\$76.50	\$138.05	\$33.00	\$12.50	\$280.05	\$719.88	
[REDACTED]	0	PAINTER									38.02	\$39.45	\$999.93	\$76.50	\$138.05	\$33.00	\$12.50	\$280.05	\$719.88	

Under completion of Form WH-347 is optional. It is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. § 3.5 (a). The Copeland Act, (29 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete, and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOE and Federal contracting agencies receiving this information review the information to determine that employee have received legally required wages and fringe benefits.

### Public Burden Statement

We estimate that it will take an average of 5 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing the burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room 59502, 200 Constitution Avenue, NW, Washington, DC 20210.

Date 03/10/2016

GARY SHEPARD

PRESIDENT

(Name of Signatory Party)

(Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

FSG PAINTERS

(Contractor or Subcontractor)

on the

MILL CREEK

(Building or Work) that during the payroll period commencing on the

10TH

day of APRIL

2015

and ending the 15

day of APRIL

2015

all persons employed on said project have been paid the full weekly wages earned, that no retentions have been or will be made either directly or indirectly to or on behalf of said

FSG PAINTERS

(Contractor or Subcontractor)

from the full

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3.129 C.F.R. Subtitle A, issued by the Secretary of Labor under the Copeland Act, as amended, 48 Stat. 948, 63 Stat. 108, 72 Stat. 967, 76 Stat. 357, 40 U.S.C. § 3145, and described below.

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete, that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract, that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of Labor.

(4) That

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS



in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in section 4(c) below.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH



Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below.

(c) EXCEPTIONS

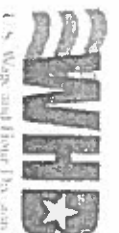
EXCEPTION (CAUSE)	EXPLANATION

REMARKS

NAME AND TITLE	GARY SHEPARD PRESIDENT
THE WHOLEFUL, FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

U.S. Department of Labor  
Wage and Hour Division

PAYROLL  
(For Contractor's Optional Use; See Instructions at [www.dol.gov/whd/intrms/wh347instr.htm](http://www.dol.gov/whd/intrms/wh347instr.htm))



Rev. Dec. 2008

OMB No. 1235-0008  
Expires 02/28/2018

NAME OF CONTRACTOR ☒ OR SUBCONTRACTOR ☐

FSG PAINTERS

ADDRESS 4979 S ROBINSON PL WEST TERRE HAUTE IN 47985

PAYROLL NO.

FOR WEEK ENDING

04/02/2015

PROJECT AND LOCATION

MILL CREEK

PROJECT OR CONTRACT NO.

(1) NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g. LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER	(2) SINGLE OR JOINT TENANTS	(3) WORK CLASSIFICATION	(4) DAY AND DATE										(5) TOTAL HOURS	(6) RATE OF PAY	(7) GROSS AMOUNT EARNED	(8) DEDUCTIONS					(9) NET WAGES PAID FOR WEEK	
			F S S M T W T							FICA	WITH- HOLDING TAX	STATE				CITY	OTHER	TOTAL DEDUCTIONS				
			HOURS WORKED EACH DAY																			
			27	28	29	30	31	1	2													
	0	PAINTER	0										29.00	\$39.45	\$765.07	\$58.52	\$99.30	\$25.25	\$9.56	\$62.50	\$235.13	\$500.94
	0	PAINTER	0										40.00	\$39.45	\$1,052.00	\$80.48	\$230.04	\$35.77	\$13.15	\$375.00	\$754.40	\$297.60
	0	PAINTER	0										38.02	\$39.45	\$999.91	\$76.50	\$138.05	\$13.00	\$12.50		\$280.05	\$719.88
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Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, a-a copy, and reviewing the collection of information. If you have any comments regarding this estimate of any other aspect of this collection, including suggestions for reducing the burden, send them to the Administration (U.S. Department of Labor, Room 53402, 700 Constitution Avenue, N.W., Washington, D.C. 20210).

(over)

Date 03/10/2016

GARY SHEPARD

PRESIDENT

(Name of Signatory Party)

(Title)

do hereby state:

(1) That I pay or supervise the payment of the persons employed by

FSG PAINTERS

(Contractor or Subcontractor)

on the

MILL CREEK

that during the payroll period commencing on the

27TH

day of March

2015

and ending the

2

day of

APRIL

2015

all persons employed on said project have been paid the full weekly wages earned that no rebates have been or will be made either directly or indirectly to or on behalf of said

FSG PAINTERS

(Contractor or Subcontractor)

from the full

weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person other than permissible deductions as defined in Regulations, Part 3.129, C.F.R., Subtitle A, issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948, 63 Stat. 108, 72 Stat. 967, 76 Stat. 357, 40 U.S.C. § 3145), and described below

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract that the classifications set forth therein for each laborer or mechanic conform with the work he performed

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized agency exists in a State are registered with the Bureau of Apprenticeship and Training, United States Department of Labor

(4) That

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS



in addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH



Each laborer or mechanic listed in the above referenced payroll has been paid, as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in section 4(c) below

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

REMARKS

NAME AND TITLE	GARY SHEPARD
	PRESIDENT
THE WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1007 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.	

## Clark County Prevailing Wage for July 2015

(See explanation of column headings at bottom of wages)

Trade Name	RG	TYP	C	Base	FRMAN	M-F>8	OSA	OSH	H/W	Pensn	Vac	Trng		
=====	==	===	=	=====	=====	=====	===	===	=====	=====	=====	=====		
ASBESTOS ABT-GEN		BLD		30.490	31.740	1.5	1.5	2.0	6.300	12.98	0.000	0.900		
ASBESTOS ABT-MEC		BLD		22.000	23.000	1.5	1.5	2.0	6.700	6.350	0.000	0.650		
BOILERMAKER		BLD		33.340	35.840	1.5	1.5	2.0	7.070	21.53	1.250	0.400		
BRICK MASON		BLD		29.810	31.310	2.0	2.0	2.0	7.200	10.61	0.000	0.850		
CARPENTER		BLD		31.700	33.950	1.5	1.5	2.0	8.000	14.15	0.000	0.520		
CARPENTER		HWY		32.100	33.850	1.5	1.5	2.0	8.000	14.15	0.000	0.520		
CEMENT MASON		BLD		31.010	32.760	1.5	1.5	2.0	7.200	9.050	0.000	0.500		
CEMENT MASON		HWY		31.630	33.130	1.5	1.5	2.0	7.200	9.050	0.000	0.500		
CERAMIC TILE FNSHER		BLD		29.580	0.000	1.5	1.5	2.0	7.200	8.200	0.000	0.000		
COMM SYSTEMS TECH		BLD		26.850	29.550	1.5	1.5	2.0	5.850	5.690	0.000	0.290		
ELECTRIC PWR EQMT OP		ALL	1	38.010	0.000	1.5	1.5	2.0	5.760	10.64	0.000	0.380		
ELECTRIC PWR EQMT OP		ALL	2	33.940	0.000	1.5	1.5	2.0	5.760	9.510	0.000	0.340		
ELECTRIC PWR GRNDMAN		ALL		27.970	0.000	1.5	1.5	2.0	5.760	7.830	0.000	0.280		
ELECTRIC PWR LINEMAN		ALL		47.620	50.830	1.5	1.5	2.0	5.760	13.33	0.000	0.480		
ELECTRICIAN		BLD		35.020	37.470	1.5	1.5	2.0	6.620	9.980	0.000	0.360		
ELEVATOR CONSTRUCTOR		BLD		41.690	46.900	2.0	2.0	2.0	13.57	14.21	3.340	0.600		
GLAZIER		BLD		25.860	27.360	1.5	1.5	2.0	6.410	6.410	0.000	0.400		
HT/FROST INSULATOR		BLD		31.230	32.230	1.5	1.5	2.0	5.790	9.960	0.000	0.250		
IRON WORKER		ALL		30.390	33.430	1.5	1.5	2.0	6.850	12.20	0.000	0.350		
LABORER		BLD		27.990	29.240	1.5	1.5	2.0	6.300	12.98	0.000	0.800		
LABORER		HWY		29.550	30.550	1.5	1.5	2.0	6.300	13.28	0.000	0.800		
LATHER		BLD		31.700	33.950	1.5	1.5	2.0	8.000	14.15	0.000	0.520		
MACHINIST		BLD		45.350	47.850	1.5	1.5	2.0	7.260	8.950	1.850	0.000		
MARBLE FINISHERS		BLD		29.580	0.000	1.5	1.5	2.0	7.200	8.200	0.000	0.000		
MARBLE MASON		BLD		31.080	0.000	1.5	1.5	2.0	7.200	8.550	0.000	0.000		
MILLWRIGHT		BLD		31.060	33.310	1.5	1.5	2.0	8.000	15.25	0.000	0.520		
MILLWRIGHT		HWY		33.060	34.810	1.5	1.5	2.0	8.000	15.67	0.000	0.520		
OPERATING ENGINEER		ALL	1	38.600	0.000	1.5	1.5	2.0	8.000	9.500	0.000	0.850		
OPERATING ENGINEER		ALL	2	24.750	0.000	1.5	1.5	2.0	8.000	9.500	0.000	0.850		
OPERATING ENGINEER		ALL	3	39.600	0.000	1.5	1.5	2.0	8.000	9.500	0.000	0.850		
PAINTER		ALL		26.300	27.800	1.5	1.5	2.0	7.870	9.650	0.000	0.500		
PILEDRIIVER		BLD		32.700	34.950	1.5	1.5	2.0	8.000	14.15	0.000	0.520		
PILEDRIIVER		HWY		33.100	34.850	1.5	1.5	2.0	8.000	14.15	0.000	0.520		
PIPEFITTER		ALL		36.520	39.260	1.5	1.5	2.0	6.650	6.630	0.000	0.610		
PLASTERER		BLD		31.000	33.000	1.5	1.5	2.0	7.200	10.77	0.000	0.500		
PLUMBER		ALL		36.520	39.260	1.5	1.5	2.0	6.650	6.630	0.000	0.610		
ROOFER		BLD		29.950	31.450	1.5	1.5	2.0	9.250	8.400	0.000	0.240		
SHEETMETAL WORKER		BLD		31.390	32.960	1.5	1.5	2.0	7.350	7.690	0.000	1.090		
SPRINKLER FITTER		BLD		37.120	39.870	1.5	1.5	2.0	8.420	8.500	0.000	0.350		
STONE MASON		BLD		29.810	31.310	2.0	2.0	2.0	7.200	10.61	0.000	0.850		
SURVEY WORKER		->NOT IN EFFECT			ALL	29.550	30.550	1.5	1.5	2.0	6.300	10.34	0.000	0.800
TERRAZZO FINISHER		BLD		29.580	0.000	1.5	1.5	2.0	7.200	8.200	0.000	0.000		
TERRAZZO MASON		BLD		31.080	0.000	1.5	1.5	2.0	7.200	8.550	0.000	0.000		
TILE LAYER		BLD		30.700	32.950	1.5	1.5	2.0	8.000	13.65	0.000	0.520		
TILE MASON		BLD		31.080	0.000	1.5	1.5	2.0	7.200	8.550	0.000	0.000		
TRUCK DRIVER		ALL	1	28.955	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		ALL	2	29.355	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		ALL	3	29.555	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		ALL	4	29.805	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		ALL	5	30.555	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		O&C	1	23.160	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		O&C	2	23.480	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		O&C	3	23.640	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		O&C	4	23.840	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TRUCK DRIVER		O&C	5	24.440	0.000	1.5	1.5	2.0	9.300	2.900	0.000	0.250		
TUCKPOINTER		BLD		29.810	31.310	2.0	2.0	2.0	7.200	10.61	0.000	0.850		

F-W

CTP

- Call

P.B.

Total

\$44.32

## Legend:

RG (Region)  
 TYP (Trade Type - All, Highway, Building, Floating, Oil & Chip, Rivers)  
 C (Class)  
 Base (Base Wage Rate)  
 FRMAN (Foreman Rate)  
 M-F>8 (OT required for any hour greater than 8 worked each day, Mon through Fri.)  
 OSA (Overtime (OT) is required for every hour worked on Saturday)  
 OSH (Overtime is required for every hour worked on Sunday and Holidays)

And 1/2  
 from  
 P.B.  
 CTP.  
 - Carl  
 P.B.

total  
 \$44.32





**ILLINOIS PREVAILING WAGE**  
Prevailing Wage Act (820 ILCS

F LABC

725

Print Form

idol/

2016 PW-RW05-1657

**PREFERENCE COMPLAINT FORM**

Preference Act (30 ILCS 570/1-7)

**COMPLAINANT INFORMATION**

ALLEGED VIOLATION:

☒ PREVAILING WAGE ACT

☐ CITIZENS PREFERENCE ACT

☐ FAILURE TO POST PREVAILING WAGE RATES

NAME: [REDACTED]

TITLE: [REDACTED]

ORGANIZATION:

ADDRESS: [REDACTED]

CITY: [REDACTED]

STATE: [REDACTED]

ZIP CODE: [REDACTED]

DAY PHONE # [REDACTED]

FAX #

OTHER #

**RECEIVED**

MAR 21 2016

DEPARTMENT OF LABOR  
GENERAL OFFICE

**CONTRACTOR/PROJECT INFORMATION**

NAME OF COMPANY: **FSG Painters, LLC**

OWNER: **Clifford Allison**

☒ GENERAL CONTRACTOR

☐ SUB-CONTRACTOR

ADDRESS: **4979 South Robinson Place**

CITY: **West Terre Haute**

STATE: **IN**

ZIP CODE: **47885**

DAY PHONE # **812-533-0111**

FAX #

OTHER #

PROJECT/CONTRACT NUMBER: **N/A**

COUNTY: **Clark**

LOCATION OF PROJECT: **20482 N Park Entrance Road**

CITY: **Marshall**

STATE: **IL**

ZIP CODE: **62441**

IS WORK CURRENTLY BEING DONE NOW?

☐ YES

☒ NO

IF NO, ENTER TIME COMPLETED: **April 16, 2015**

DATE OF SITE VISIT(S): **n/a**

NATURE OF PROJECT: **painting park buildings and equipment**

NUMBER OF WORKERS OBSERVED:

CLASSIFICATIONS: **PAINTER**

DESCRIBE WORK BEING PERFORMED DURING SITE VISIT (Use additional page if needed)

**PUBLIC BODY INFORMATION**

PUBLIC BODY: **Clark County Park District**

ADMINISTRATOR: **Charity Murphy**

ADDRESS: **20482 N. Park Entrance Road**

CITY: **Marshall**

STATE: **IL**

ZIP CODE: **62441**

DAY PHONE # **217-822-3700**

FAX #

OTHER #

**SUPPORTING DOCUMENTATION**

EMPLOYEE INTERVIEWS SHOULD BE SUBMITTED WITH THIS FORM WHENEVER POSSIBLE  
PLEASE CHECK THE BOX IDENTIFYING THE INFORMATION SUBMITTED WITH YOUR CLAIM

☐ EMPLOYEE INTERVIEWS

☐ CHECK STUBS

☐ PICTURES/VIDEO

☐ BIDDING REPORTS

☒ PUBLIC BODY DOCUMENTS

☐ SECRETARY OF STATE CORPORATE SEARCH

☐ PROJECT MANAGER REPORTS

☐ MINUTES FROM MEETINGS

☐ NEWS ARTICLES

☒ OTHER **Certified Payroll documents submitted to public body.**

Signature: [REDACTED]

Date: **3/16/16**



Illinois Department of Labor  
900 South Spring Street  
Springfield, IL 62704-2725

March 16, 2016

Re: Prevailing Wage Act Complaint

To whom it may concern,

I am filing the attached complaint for the following reasons:

- 1.) These forms were filed with the public body 11 months after the completion of the project (See date on forms), and only after much debate, lawsuit, and settlement did I finally receive them under the Freedom of Information Act.
- 2.) The forms are the incorrect format as required under the Illinois Prevailing Wage Act.
- 3.) The forms filed indicate that fringe benefits were not paid to the painters, therefore they were not paid prevailing wages as required under the Illinois Prevailing Wage Act.
- 4.) The public body appears to have failed to notify the contractor, FSG Painters LLC, that prevailing wage was required on the project.

I developed concerns when I, as a concerned citizen, was told by someone who was employed by the Clark County Park District, that despite the company FSG Painters, LLC being paid in free park services, the Director of the Clark County Park District, Charity Murphy, was claiming they were volunteering their services and donating some paint. They were given approximately \$4000 in free park services and were paid nothing else in the form of cash or check from the Clark County Park District. The services provided by FSG Painters, LLC were not discussed by the Clark County Park District Board and nor was their payment in free park services. Attached you will find an itemized listing from FSG Painters, LLC that was provided by the Clark County Park District through the Freedom of Information Act that exhibits that the project was, in fact, a public body project falling under the Prevailing Wage Act.

Respectfully Submitted,

