



ILLINOIS DEPARTMENT OF LABOR

JB Pritzker
Governor

Michael D. Kleinik
Director

December 7, 2020

Kalmer HVAC Services
Christopher Kalmer
15012 Rod and Gun Road
Breese, IL 62230

RE: **AMENDED NOTICE OF FIRST VIOLATION**¹

Certified Mail Receipt No.:

9489 0090 0027 6163 8393 47

Public Body: City of Highland

Project: Installing capping on wall mounted line sets.

IDOL Case No.: 2020-PW-WA09-2576

Dear Christopher Kalmer:

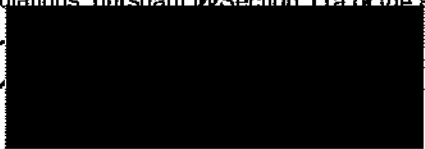
This letter is formal notice of the determination by the Illinois Department of Labor (IDOL) that Kalmer HVAC Services, (hereinafter referred to as "You" or "Your") violated the Illinois Prevailing Wage Act (820 ILCS 130/1 *et seq.*) ("PWA"). This letter constitutes a **NOTICE OF FIRST VIOLATION** and is issued by IDOL pursuant to Section 11a of the PWA, and the Prevailing Wage Hearing Procedures, 56 Ill. Adm. Code 100 for the following reasons:

You violated Section 3 of the PWA by failing to pay the prevailing rate of the wages for Madison County to workers on the public works project. The Department determined that the total amount of wages by which workers were underpaid was \$10,383.25. This amount represents the difference between actual wages paid and the amount required under the PWA. The assessed 20% statutory penalty amounted to \$2,076.65. The total amount assessed against You was \$12,459.9.

Although the Department has received payment of the underpaid amounts, the violations found during the investigation require issuance of this Notice of Violation.

Also, You violated Section 5 of the PWA by failing to provide all records required under Section 5 of the Act, specifically you failed to provide IDOL with: the worker's name(s), the worker's address(s), the worker's telephone number(s) when available, the worker's social security number(s), the worker's classification(s) or classifications, the worker's gross and net wages paid in each pay period, the worker's number of hours worked each day, the worker's starting and ending times of work each day, the worker's hourly wage rate(s), the worker's hourly overtime wage rate(s), and the worker's hourly fringe benefit rates, the name and address of each fringe benefit fund, and the plan administrator of each fringe benefit, if applicable.

If the Department determines that You committed a second violation of the PWA within five (5) years of the date of this Notice of First Violation, You will be subject to a summary debarment for a period of four (4) years, during which time You shall not be awarded any contracts for public works. This letter is to advise You and put You on notice that if You are debarred, the debarment includes all directors, officers, agents, representatives or other controlling persons who acted through or on Your behalf as set forth in 56 Ill. Adm. Code 100.26(a). An administrative hearing is not available upon the issuance of a First Notice of Violation, but if the Department issues a Notice of Second Violation, You have the right to request a hearing to contest the violations underlying the Notices of First and Second Violation as well as the issuance of the Notices of Violations pursuant to Section 11a of the PWA and the Prevailing Wage Hearing Procedures.



Michael D. Kleinik
Director

¹ Amended to correct County name

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