



# Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

July 16, 2010

## **CIRCULAR LETTER 2010-05**

### **EMPLOYMENT OF ILLINOIS WORKERS DURING PERIODS OF EXCESSIVE UNEMPLOYMENT**

COUNTY ENGINEERS/SUPERINTENDENTS OF HIGHWAYS  
MUNICIPAL ENGINEERS/DIRECTORS OF PUBLIC WORKS/MAYORS  
CONSULTING ENGINEERS

Public Act 096-0929, effective June 16, 2010, amends the Employment of Illinois Workers on Public Works Act by requiring 90% Illinois laborers on all public work contracts during a period of excessive unemployment. Any public works project financed in whole or in part by federal funds administered by the state of Illinois is covered under the provisions of this Act to the extent permitted by any applicable federal law or regulation. According to the Federal Highway Administration, the hiring preference in this Act violates the competition requirements of 23 USC 112, 23 CFR 635.104 and 23 CFR 635.117(b); therefore, this requirement does not apply to federally--funded projects.

For non-federally-funded projects, all public works contracts shall contain a provision requiring that such labor be used. On local let projects, LR107-6 "Selection of Labor" shall be used for all lettings after August 1, 2010 instead of Check Sheet LRS #13. On state let projects, BDE 80264 "Selection of Labor" shall be used for the July 30, 2010 and all subsequent lettings in addition to Check Sheet #5.

The Department of Labor is responsible for enforcement of this Act. Therefore, enforcement questions should be directed to the Department of Labor. Please contact the Local Policy and Technology Unit at [DOT.LocalPolicy@illinois.gov](mailto:DOT.LocalPolicy@illinois.gov) with any questions concerning the special provisions.

Sincerely,

Darrell W. Lewis, P. E.  
Acting Engineer of Local Roads and Streets

Attachments