

BEFORE THE JOINT ARBITRATION BOARD
OF THE
PLUMBING CONTRACTORS' ASSOCIATION
OF CHICAGO AND COOK COUNTY
AND
CHICAGO JOURNEYMEN PLUMBERS'
LOCAL UNION 130, U.A.

IN THE MATTER OF:
Mr. Elham Ayyad
Ayyad Plumbing, Inc.
240 Cardinal Drive
Bloomington, Illinois 60108

DECISION AND AWARD

After receipt of a notice of dispute concerning violation of the Collective Bargaining Agreement by Ayyad Plumbing, Inc. (hereinafter "Employer") and after notice to all parties on May 27, 2009, all parties were permitted to appear and present any and all evidence relevant to the charges at a hearing before the Joint Arbitration Board, as a result of which the Joint Arbitration Board finds:

1. The Employer has violated the contribution and deduction sections of the applicable Collective Bargaining Agreements with the Union by failing to make payments for unreported hours worked by licensed journeymen or apprentice plumbers for the period from N/A through N/A to each of the following entities in the amounts indicated:

Plumbers' Pension Fund, Local Union 130, U.A.	\$	- 0 -
Plumbers' Welfare Fund, Local Union 130, U.A.	\$	- 0 -
Trust Fund for Apprentice and Journeymen Education and Training, Local Union 130, U.A.	\$	- 0 -
The Plumbing Council of Chicagoland	\$	- 0 -
Local Union 130, U.A. Savings Plan	\$	- 0 -

Exhibit B

Local Union 130, U.A. Working Dues	\$ - 0 -
Legal Fund (Group Legal Service Plan Fund)	\$ - 0 -
Total Contributions Due	\$ - 0 -

2. Pursuant to the Collective Bargaining Agreements, liquidated damages of 8% of the amounts stated in Paragraph 1 are due and are hereby assessed, payable to Local 130 Contribution Account.

3. Pursuant to the Collective Bargaining Agreements, interest on the amounts stated in Paragraph 1 is due and is hereby assessed, payable to Local 130 Contribution Account.

4. The Employer has violated the applicable Collective Bargaining Agreements by permitting subcontractors not party to Collective Bargaining Agreement or persons having an ownership interest in Employer or employees other than licensed journeymen or apprentice plumbers to perform work within the jurisdiction of the Union for the period from July 01, 2005 through March 31, 2008 and shall pay a fine to each of the following entities in the amounts indicated:

Plumbers' Pension Fund, Local Union 130, U.A.	\$ 54,469.95
Plumbers' Welfare Fund, Local Union 130, U.A.	\$ 94,052.42
Trust Fund for Apprentice and Journeymen Education and Training, Local Union 130, U.A.	\$ 11,146.89
The Plumbing Council of Chicagoland	\$ 6,323.09
Legal Fund (Group Legal Service Plan Fund)	\$ 6,414.59
Total Fines Due	\$ 172,406.94

5. An additional fine of 8% of the amounts stated in Paragraph 4 is due and is hereby assessed, payable to Local 130 Contribution Account.

6. As an additional penalty interest on the amounts stated in Paragraph 4 is assessed at the rate set forth in the Collective Bargaining Agreement for late contribution payments and is hereby due, payable to Local 130 Contribution Account.

The Employer is hereby directed and ordered to take the following remedial action:

- I. Pay to Local 130 Contribution Account the sum of \$ 258,159.88 of:
 - A. The contributions due to the entities named in Paragraph 1.
 - B. The fines assessed in Paragraph 4.
 - C. The amount of \$ 13,792.56, which is the total is the total of the amounts assessed in Paragraphs 2 & 5.
 - D. The amount of \$ 71,960.38, which is the total of the amounts assessed in Paragraphs 3 & 6 (interest calculated through May 15, 2009, which interest continues to accrue at the rate of \$ 2,586.10 per month after June 28, 2009, until full payment of all amounts due to this Decision and Award.
- II. Cease and desist from violating the Collective Bargaining Agreement in any like or similar manner.

It is further ORDERED that if the Employer does not pay the amounts found due within 30 days after the date this Decision and Award is signed, the Employer shall pay and reimburse the Funds, the Union, and the employee all costs, fees, and expenses incurred by any of them in enforcing this DECISION AND AWARD, including, but not limited to, audit fees, attorneys' fees, and court costs.

JOINT ARBITRATION BOARD

By: Kevin C. Sherlock
Kevin C. Sherlock
Secretary

Signed at Chicago, Illinois, this 28th day of May 2009