



February 23, 2011

**MADIGAN: SUBCONTRACTOR ARRAIGNED ON THEFT AND FORGERY
CHARGES IN O'HARE CONSTRUCTION PROJECT*****Investigation Reveals Almost \$270,000 Stolen in Scheme to
Cheat Carpenters Out of Wages***

Chicago — Following an investigation by Attorney General Lisa Madigan, a longtime foreman and subcontractor for a Melrose Park construction company was charged with theft and forgery for allegedly cheating employees out of their proper wages and pocketing more than \$270,000 in excess payroll funds.

Attorney General Lisa Madigan said her office began investigating Classic Gutter Co. for possible prevailing wage violations in connection with a city of Chicago contract to soundproof residences around the airport as part of the O'Hare Residential Sound Insulation Program. The investigation revealed that Mark Zwirecki, 44, of Chicago, acted on his own to devise a scheme to pay 10 carpenters he supervised far less than the prevailing wage of \$57.51/hour they were entitled to under terms of the contract. According to Madigan's investigation, the carpenters were of Polish descent and most did not speak English. Zwirecki's ability to speak Polish helped him carry out his scheme.

Between December 2008 and May 2009, Zwirecki received the weekly payroll checks from Classic Gutter to deliver to the employees, but unbeknownst to the company, Zwirecki duped the employees and kept much of the money for himself. Records presented to a grand jury indicated that Zwirecki deposited more than \$150,000 in payroll checks into his bank accounts after forging the workers' endorsements and then paid the carpenters with checks drawn on his own account. In all, the total amount stolen was nearly \$270,753.

"Our investigation showed that the defendant sought to pad his own pockets at the expense of hard-working men and women," Madigan said. "With the state aiming to spend billions on publicly funded construction projects to help revitalize our economy, workers around the state are critical in those efforts. My office will continue to enforce our state's prevailing wage laws to ensure they're paid fairly for a day's work."

Zwirecki was arraigned and pleaded not guilty to one count of theft over \$100,000, a Class 1 felony, punishable by four to 15 years in the Illinois Department of Corrections, and 10 counts of Forgery, a Class 3 felony, punishable by two to five years. Cook County Judge Dennis Porter set bail at \$10,000 and scheduled the next hearing for April 7, 2011.

The investigation was conducted by Attorney General Madigan's Public Integrity Bureau in conjunction with the City of Chicago Inspector General. Assistant Attorney General David Navarro is handling the case for Madigan's Public Integrity Bureau.

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