

DEPARTMENT OF INDUSTRIAL RELATIONS

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December 29, 2009

Labor Compliance Providers, Inc.
Attn.: James L. Reed, Administrator
1168 E. La Cadena Drive, # 201
Riverside, California 92507

Re: Approval of Program Update
ID No. 2002-00001

Dear Mr. Reed:

Labor Compliance Providers, Inc. has satisfied the updating requirements of Title 8, California Code of Regulations, Section 16426(f). Accordingly the status of this program has been converted from "extended initial approval" to "approved" without an expiration date. Please excuse our delay in providing this confirmation letter to you.

Your program must continue to comply with the requirements of Title 8, California Code of Regulations, sections 16421 through 16439, as well as with all other statutes and regulations requirements pertaining to the enforcement of the state's prevailing wage requirements. In particular, please note that any awarding body that contracts with your program is required to promptly transmit the notices specified in section 16423 of the regulations and to designate which principals or employees of your program have filing responsibilities under the Political Reform Act, as specified in section 16430 of the regulations. Your program also has a continuing obligation to submit timely annual reports pursuant to section 16431 of the regulations, whether or not your LCP conducted any monitoring or enforcement during the preceding year.

If you have any questions or concerns, please contact Nance Steffen at 415/703-5063.

Sincerely yours,

A handwritten signature in black ink that reads "Nance Steffen".

Nance Steffen
Special Assistant for
John C. Duncan, Director of Industrial Relations

cc: Susan Nakagama, Regional Manager DLSE
John Cumming, Counsel, Office of the Director – Legal Unit

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Availability of Competent Legal Support to Labor Compliance Program:

An LCP should rely upon its own legal counsel to answer public works coverage and enforcement questions and to handle any appeal following the issuance of a Notice of Withholding of Contract Payments pursuant to Labor Code Section 1771.6. This means that counsel should be familiar with prevailing wage law and with the procedures governing appeals under Labor Code Section 1742 and the prevailing wage hearing regulations at Title 8, California Code of Regulations, sections 17201 – 17270. Please note that an LCP must enforce prevailing wage requirements in a manner that is consistent with the practice of the Labor Commissioner, and that it is a practice of the Labor Commissioner to be represented by an attorney in enforcement proceedings. (8 Cal.Code Reg. §16434(a).) A pattern of failing to successfully defend enforcement actions or failing to comply with the procedural requirements in enforcement cases is grounds for revocation of approval under section 16428(a)(3) of the regulations.