

DEPARTMENT OF INDUSTRIAL RELATIONS

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April 19, 2010

Keller-Wegley Consulting Engineers

209 South Locust

Visalia, California 93291

Attn.: Mike Cates, Senior Civil Engineer

RE: Application for Approval of Labor Compliance Program
LCP ID No. 2008.00620

Dear Mr. Cates:

In accordance with the provisions of Title 8, California Code of Regulations; section 16426(b), the application for approval of Keller-Wegley Consulting Engineers labor compliance program is hereby denied. This action is based on the program's failure to establish its ability and capacity to operate an effective labor compliance program in accordance with applicable legal requirements. In particular, the program's manual remains inadequate in that recent regulatory amendments have been incorporated verbatim without providing guidance or reflecting any understanding of how those requirements are to be implemented.

We would also like to call your attention to the current rulemaking proceeding to amend existing LCP regulations and adopt new regulations to implement the recent SBX2-9 legislation. Once these proposals become effective, they may significantly limit the manner in which awarding bodies may use third party LCPs to enforce state prevailing wage requirements. For additional information about these proposals, please visit our website at www.dir.ca.gov/lcp.asp.

If you have any questions about this determination, please contact me, at 415-703-5063.

Re: Application for Approval of Labor Compliance Program,
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April 19, 2010

Page: 2

Sincerely,

Nance Steffen by J. Chestnut

Nance S. Steffen, Special Assistant
to the Director of Industrial Relations

cc: Regional Manager, Division of Labor Standards Enforcement