

DEPARTMENT OF INDUSTRIAL RELATIONS

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June 8, 2010

Thomas Meikle, Manager of Purchasing
Mt. San Antonio College
1100 N. Grand Avenue
Walnut, CA 91789

Attn.: Thomas Meikle, Manager of Purchasing

RE: Approval of Labor Compliance Program
LCP ID No. 2010.00652

Dear Mr. Meikle:

In accordance with the provisions of Title 8, California Code Regulations, section 16425, approval of the Mt. San Antonio College Labor Compliance Program (LCP) is hereby granted, effective as of May 12, 2010. This approval is limited to compliance monitoring and enforcement on Mt. San Antonio College's *own* public works projects and applies only to state construction bond public works projects undertaken by Mt. San Antonio College. If Mt. San Antonio College wishes to monitor and enforce on any design-build project it chooses to undertake, it will need to apply for approval.

An LCP must comply with the requirements of Title 8, California Code of Regulations, sections 16421 through 16439, as well as with all other statutes and regulations pertaining to the enforcement of the state's prevailing wage requirements. Among other things, you are required to transmit the notices specified in section 16423 of the regulations promptly, and you must file an annual report in accordance with the requirements of section 16431 of the regulations, whether or not your LCP conducted any monitoring or enforcement during the preceding year. The annual reporting period for your program is June 1 to May 31 and your annual report will be due by no later than July 31.

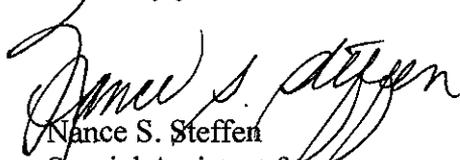
Please see the statement below for information about the use of legal counsel. Also, you should be aware that regulations have been submitted to the Office of Administrative Law to make further changes to the rules applicable to the Labor Compliance Programs. These changes will impact your use of third party labor compliance programs currently in use on your projects. We anticipate the changes will become effective on August 1, 2010. For additional information and resources, including training opportunities and regulatory updates, please consult our website at <http://www.dir.ca.gov/lcp.asp>. If you have other questions that cannot be answered through your counsel or the resource materials available on our website, please contact Victor Osorio, Program Analyst, (415) 703-5054.

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Sincerely yours,



Nance S. Steffen

Special Assistant for

John C. Duncan, Director of Industrial Relations

cc: Susan Nakagama, Regional Manager, Division of Labor Standards Enforcement

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.