

1 STATE OF CALIFORNIA

2 DEPARTMENT OF INDUSTRIAL RELATIONS

3 4 Bitwise Industries Apprenticeship 5 Programs	6 DECISION ON DEREGISTRATION 7 DAS File Nos. 100657 and 100937
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8 **INTRODUCTION**

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10 The Chief of the Division of Apprenticeship Standards (DAS) submitted a
11 Report and Recommendation on the Deregistration of Bitwise Industries
12 Apprenticeship Programs (DAS File Nos. 100657 & 100937), wherein the Chief
13 recommends the deregistration of the Bitwise Industries Apprenticeship Programs.
14 The deregistration of the Bitwise Industries Apprenticeship Programs cancels the
15 approval of those programs to operate and automatically terminates each apprentice’s
16 individual registration. Now, having considered the report, findings of fact, and
17 recommendation submitted by the Chief, I adopt the recommendation and deregister
18 the Bitwise Industries Apprenticeship Programs.

19 **FINDINGS OF FACT**

20 1. DAS learned in July of 2023 that the Bitwise Industries Apprenticeship
21 Programs had terminated all employees and apprentices, ceased operations, ceased
22 the provision of all instruction, and had no personnel carrying out the administration of
23 the Bitwise Industries Apprenticeship Programs.

24 2. On August 7, 2023, DAS served the sponsor of the Bitwise Industries
25 Apprenticeship Programs with a 30-Day Notice of Deregistration (30-Day Notice)
26 pursuant to California Code Regulations, title 8, section 212.4, subdivision (b)(1).

27 3. The 30-Day Notice cited the following violations: all apprentices had
28 been terminated and the Bitwise Industries Apprenticeship Programs had ceased all

1 operations, apprentices were no longer receiving on-the-job training or related and
2 supplemental instruction, and were not able to advance towards graduation as
3 journeypersons.

4 4. The 30-Day Notice provided the sponsor of the Bitwise Industries
5 Apprenticeship Programs with an opportunity to correct the alleged violations by
6 resuming operations and providing on-the-job training and related and supplemental
7 instruction to their apprentices.

8 5. The 30-Day Notice was properly served upon the sponsor of the Bitwise
9 Industries Apprenticeship Programs.

10 6. Having received no response from the Bitwise Industries Apprenticeship
11 Programs, or their sponsor, DAS served a Notice of Deregistration on the sponsor of
12 the Bitwise Apprenticeship Programs on September 12, 2023. The Notice of
13 Deregistration recounted the violations specified previously in the 30-Day Notice, and
14 provided the sponsor of the Bitwise Industries Apprenticeship Programs with an
15 opportunity to request a hearing within fifteen (15) days of the date of the Notice of
16 Deregistration, as required by California Code of Regulations, title 8, section 212.4,
17 subdivision (b)(4).

18 7. The Notice of Deregistration was properly served upon the sponsor of
19 the Bitwise Industries Apprenticeship Programs. Having received no communications
20 from the Bitwise Industries Apprenticeship Programs, the Chief prepared a Report and
21 Recommendation on the Deregistration of Bitwise Industries Apprenticeship Programs
22 (Report and Recommendation), delivered to the Administrator of Apprenticeship on
23 October 3, 2023, as required by California Code of Regulations, title 8, section 212.4,
24 subdivision (b)(5).

25 8. The Report and Recommendation specified the following findings:
26 Bitwise Industries Apprenticeship Programs have ceased all operations; Bitwise
27 Industries Apprenticeship Programs apprentices are no longer receiving on-the-job
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1 training or related and supplemental instruction; and Bitwise Industries Apprenticeship
2 Programs apprentices can no longer advance towards graduation as journeypersons.

3 9. In his Report and Recommendation, the Chief referred the Bitwise
4 Industries Apprenticeship Programs to the Administrator of Apprenticeship and
5 recommended deregistration of the Bitwise Industries Apprenticeship Programs for the
6 specified violations, and a failure to correct such violations.

7 **DISCUSSION**

8 The Chief has the duty to “foster, promote, and develop the welfare of the
9 apprentice and industry, improve the working conditions of apprentices, and advance
10 their opportunities for profitable employment.” (Lab. Code, § 3073, subd. (a).)

11 The Chief also must ensure that each apprenticeship program “is complying
12 with its standards, that all on-the-job training is supervised by journeypersons, that all
13 classroom instruction required by the apprenticeship or preapprenticeship standards
14 is being provided, that all work processes in the standards are being covered, that
15 graduates have completed the program’s requirements, and that any funds received
16 under this chapter were properly obtained and are being expended appropriately.”
17 (Lab. Code, § 3073.1, subd. (a).)

18 In any case in which a program has willfully violated any of the laws,
19 regulations, or orders that govern apprenticeship programs, govern the funding
20 provided to apprenticeship programs, or that govern apprentices or applicants for
21 apprenticeship, DAS “may initiate the deregistration process to withdraw state
22 approval of the program.” (Lab. Code, § 3073.1, subd. (b).)

23 The Bitwise Industries Apprenticeship Programs have had ample opportunity
24 to rebut or correct the alleged violations by filing a written response or requesting a
25 hearing but have failed to do so. The Bitwise Industries Apprenticeship Programs are
26 no longer providing their apprentices with on-the-job training or related and
27 supplemental instruction. The Bitwise Industries Apprenticeship Programs’
28 apprentices can no longer advance towards graduation as journeypersons. As such,

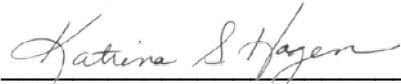
1 the Chief has properly referred, and appropriately recommended the Bitwise
2 Industries Apprenticeship Programs for deregistration.

3 **DECISION**

4 Having duly considered the Chief's Report and Recommendation on the
5 Deregistration of Bitwise Industries Apprenticeship Programs, I find the Chief's
6 recommendation meritorious and in this decision I adopt said recommendation and
7 deregister the Bitwise Industries Apprenticeship Programs. The deregistration of the
8 Bitwise Industries Apprenticeship Programs cancels the approval of those programs to
9 operate and automatically terminates each apprentice's individual registration.
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13 10/9/2023

14 Date



15 KATRINA S. HAGEN
16 Director of Industrial Relations
17 Administrator of Apprenticeship
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