

## 8 CCR 206 Approval and Registration of Apprentice Agreements

### (a) Agreements approved by Joint Apprenticeship Committee

(1) An apprentice agreement in an approved joint apprenticeship program shall be approved by the joint apprenticeship committee if the agreement complies with the apprenticeship program standards and Chapter 4 of Division 3 of the Labor Code and its implementing regulations under Title 8, California Code of Regulations, Section 200 et seq; and where there are adequate related and supplemental instruction and an assurance of employment to provide on-the-job training.

(2) After approval by the joint apprenticeship committee, the agreement shall be sent to DAS for registration within thirty (30) days of its execution by the apprentice.

(3) DAS shall register the agreement if DAS determines that it was approved in accordance with the requirements set out above, under subsection (a)(1), and it was submitted to DAS within thirty (30) days of its execution by the apprentice.

(4) Within thirty (30) days of receipt of the agreement, DAS shall either register the agreement or return it to the program sponsor with the reasons for non-registration. If DAS registers the agreement, the registration shall be effective as of the date of its execution by the apprentice.

### (b) Agreements approved by the Administrator

(1) If there is no joint apprenticeship committee, the apprenticeship agreement shall be sent to DAS for approval by the Administrator within thirty (30) days of its execution, and shall be approved if the Administrator determines that it complies with the requirements set out above, under subsection (a)(1), and it was submitted to DAS within thirty (30) days of its execution by the apprentice.

(2) If approved, the agreement shall be considered registered as of the date of its execution by the apprentice. A copy of the approved agreement shall be filed with the CAC for its review. If the Administrator does not approve the agreement, it shall not be registered and shall be returned to the program sponsor within 30 days of the date of receipt with the reasons for non-approval.

**(c) (1) DAS may suspend registrations of new agreements by providing written notice of the reasons for the suspension. DAS shall provide such notice at least 10 days before the suspension is effective and serve the notice on the program sponsor by electronic mail, or by mail if the program sponsor does not have an electronic mail address on file.**

**(2) If DAS does not initiate deregistration proceedings within 45 days of the effective date of the suspension, the suspension is lifted.**

**(3) If deregistration proceedings are pending when the notice of suspension is served, or DAS initiates deregistration proceedings within 45 days of the effective date of the suspension, the suspension will remain in effect until:**

**(A) A decision on the deregistration is final;**

**(B) DAS provides written notice that it has dismissed deregistration proceedings;**

**(C) DAS lifts the suspension, upon a showing of good cause.**

**(4) A program sponsor affected by a suspension under this section may appeal to the Administrator within 10 days of the effective date of the suspension. If the Administrator does not act within 30 days of the appeal, the appeal is deemed denied.**

#### §212.4. Deregistration of Programs.

The deregistration of a program cancels the approval of a program to operate.

(a) The Chief DAS shall deregister an apprenticeship program upon the request of the sponsor as long as within fifteen days of the Chief's acknowledgment of the request for deregistration, the sponsor shall inform each apprentice in writing of the deregistration, the proposed effective date of the deregistration and the names and addresses of other programs in the area. The Chief shall not deregister the program unless the sponsor complies with this requirement.

(b) The Chief may deregister an apprenticeship program, if the program is not conducted, operated and administered in accordance with applicable federal and state law and regulations or the program's approved apprenticeship standards, or if a program has had no active apprentices for a period of two (2) years, except that deregistration proceedings for violation of equal opportunity requirements shall be processed in accordance with Section 215:

(1) If the Chief has information that a program is not being operated in accordance with applicable federal and state law and regulations, **including violations of Labor Code section 3073.9**, or the program's approved apprenticeship standards, the Chief shall so notify the program sponsor in writing sent by registered or certified mail, with return receipt requested. The notice shall identify the violation and the action needed to correct the violation. The notice shall state that the program will be deregistered unless corrective action is completed within thirty days. Upon a showing of good cause, the Chief may grant the sponsor a reasonable extension of time to achieve corrective action. **In conjunction with the deregistration process, the Chief may also suspend registrations of new apprentice agreements under the procedure set forth in Section 206.** Where the Chief has information that a program has had no active apprentices for a period of two (2) years, that shall be considered grounds for deregistration and the Chief shall notify the program sponsor in writing as set forth above that the program will be deregistered unless the program can show good cause within thirty (30) days why it should not be deregistered;