

DEPARTMENT OF INDUSTRIAL RELATIONS  
Office of the Director – Legal Unit  
455 Golden Gate Avenue, Suite 9516  
San Francisco, CA 94102  
Tel: (415) 703-4240  
Fax: (415) 703-4277

MAILING ADDRESS:  
P. O. Box 420603  
San Francisco, CA 94142-0603



October 17, 2008

**NOTICE OF FURTHER MODIFICATIONS TO TEXT OF PROPOSED  
AMENDMENTS TO LABOR COMPLIANCE PROGRAM REGULATIONS and  
NOTICE OF NEW MATERIALS ADDED TO RULEMAKING RECORD**

**TITLE 8, CALIFORNIA CODE OF REGULATIONS, CHAPTER 8,  
SUBCHAPTER 3, ARTICLE 6, and SUBCHAPTER 4  
(SECTIONS 16404 [proposed] and 16421 – 16439)**

Pursuant to the requirements of Government Code section 11346.8(c) and section 44 of Title 1 of the California Code of Regulations, the Director of the Department of Industrial Relations is providing notice of further changes made to the proposed amendments to regulations relating to Labor Compliance Programs. These proposals were the subject of a Notice of Proposed Rulemaking published in the California Regulatory Notice Register (Register 2007, No. 38-Z) on November 30, 2007, a written comment period commencing on November 30, 2007 and closing on January 23, 2008, a public hearing conducted in San Francisco on January 23, 2008, and another comment period with respect to modified text that commenced on April 4, 2008 and closed on April 21, 2008. In response to comments and other concerns about the clarity of the proposals, changes have been made to sections 16423, 16425, 16426, 16428, and 16434. The proposed new Appendix B following section 16423 has been deleted, and the subsequent Appendixes have been redesignated as B (following section 16432), C (following section 16434) and D (following section 16437). Non-substantive edits have also been made to sections 16404, 16421, 16422, 16424, 16425, 16426, 16427, 16428, 16432, 16434, 16435.5, and 16439, as well as to the Annual Report forms (accompanying section 16431) and the Request for Approval of Forfeiture form (Appendix D following section 16437).

Notice is also provided of the addition of the following items to the rulemaking record:

- Amended Initial Statement of Reasons (addressing the proposals as initially published on November 30, 2007)
- Legislative Analyst's Office Report entitled Implementing the 2006 Bond Package: Increasing Effectiveness Through Legislative Oversight (January 22, 2007) – section addressing labor compliance programs\*
- Legislative Analyst's Office Analysis of the 2007-08 Budget Bill, Capital Outlay Chapter (February 21, 2007) – section addressing labor compliance programs\*

\* Incorporation of the two excerpted Legislative Analyst's Office reports is being noted to clear up confusion over which report was referred to and relied upon in prior rulemaking documents. In fact, the relevant excerpted text pertaining to labor compliance programs is identical in both documents.

**Notice of Further Modifications to Text of Proposed Amendments to Labor Compliance Program Regulations and of New Materials Added to Rulemaking Record**

October 17, 2008

Page 2

The further modifications to the text of the proposed amendments and the additional items added to the rulemaking record will be available for public inspection through November 4, 2008, during regular business hours (Monday through Friday, from 9:00 a.m. to 5:00 p.m.) at the following location:

Department of Industrial Relations  
Office of the Director – Legal Unit  
455 Golden Gate Avenue, Suite 9516  
San Francisco, California 94102.

The further modifications to the text of the proposed amendments, the Amended Initial Statement of Reasons, and other rulemaking documents are also available for download on the Department's website at:

**[www.dir.ca.gov/LaborComplianceRegulations/LaborCompliance\\_regulations.htm](http://www.dir.ca.gov/LaborComplianceRegulations/LaborCompliance_regulations.htm)**.

If you have comments regarding the further proposed changes, the Director will accept written comments by mail, fax, or e-mail between October 20, 2008 and November 4, 2008. All written comments must be submitted by no later than November 4, 2008, and addressed to:

John Cumming, Counsel  
Department of Industrial Relations  
Office of the Director – Legal Unit

Mailing: 455 Golden Gate Avenue, Suite 9516  
San Francisco, CA 94102

Facsimile: (415) 703-4277

E-mail: LCPCComments@dir.ca.gov

All comments received by the end of the day on November 4, 2008, which pertain to the current proposed further changes will be reviewed and responded to as part of the compilation of the rulemaking file. Please limit your comments to the further modifications to the text of the proposed regulations and the added materials.