

TITLE 8. Industrial Relations

Division 1. Department of Industrial Relations

Chapter 8. Office of the Director

Subchapter 5. Department of Industrial Relations--Conflict of Interest Code

§17000. General Provisions.

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Department of Industrial Relations,

Pursuant to Section 4(A) of the standard Code, designated employees shall file statements of economic interests with the agency. Upon receipt of the statement of the Director, the agency shall make and retain a copy and forward the original of this statement to the Fair Political Practices Commission.

NOTE

Authority cited: Section 87306, Government Code. Reference: Sections 87300-87302 and 87306, Government Code.

HISTORY

1. New Group 5 (Articles 1-7, Sections 17000-17800, not consecutive) filed 12-2-77; effective thirtieth day thereafter. Approved by the Fair Political Practices Commission 1-19-77 (Register 77, No. 49).
2. Repealer of Group 5 (Articles 1-7, Sections 17000-17800, not consecutive) and new Group 5 (Section 17000 and Appendix) filed 2-26-81; effective thirtieth day thereafter. Approved by Fair Political Practices Commission 12-1-80 (Register 81, No. 9).
3. Repealer of section and Appendix and new section and Appendix filed 3-3-2003; operative 4-2-2003. Approved by Fair Political Practices Commission 12-19-2002 (Register 2003, No. 10).
4. Amendment of Appendix B filed 11-20-2003; operative 12-20-2003. Approved by Fair Political Practices Commission 9-17-2003 (Register 2003, No. 47).
5. Amendment of Appendix filed 11-8-2006; operative 12-8-2006. Approved by Fair Political Practices Commission 9-5-2006 (Register 2006, No. 46).

Appendix

Department of Industrial Relations

DISCLOSURE CATEGORIES

Category 1:

Designated employees assigned to Category 1 shall report as follows:

~~Investments, interests in real property, business positions and income, including gifts, loans, and travel payments.~~ All investments, interests in real property, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source that: (1) is subject to the authority of the Department of Industrial Relations or any of its organizational components; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Department of Industrial Relations or any of its organizational components; or (3) engages in or derives any of its income from providing consulting services or education seminars on matters subject to the authority of the Department of Industrial Relations or any of its organizational components.

Category 2:

Designated employees assigned to Category 2 shall report as follows:

~~Investments, business positions and income, including gifts, loans, and travel payments.~~ All investments, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source that: (1) is subject to the authority of the Department of Industrial Relations or any of its organizational components; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Department of Industrial Relations or any of its organizational components; or (3) engages in or derives any of its income from providing consulting services or educational seminars on matters subject to the authority of the Department of Industrial Relations or any of its organizational components.

Category 3:

Designated employees assigned to Category 3 shall report as follows:

~~Investments, interests in real property, business positions and income, including gifts, loans, and travel payments.~~ All investments, interests in real property, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source which has sold, rented, or leased goods, facilities, supplies or equipment to the Department of Industrial Relations, or any of its organizational components, within a two year period preceding the filing date of the designated employee's disclosure statement.

Category 4:

Designated employees assigned to Category 4 shall report as follows:

~~Investments, business positions and income, including gifts, loans, and travel payments.~~All investments, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source which sells, rents, or leases computer or information technology equipment, supplies, facilities, software, training or consulting services.

Category 5:

Designated employees assigned to Category 5 shall report as follows:

~~Investments, business positions and income, including gifts, loans, and travel payments.~~All investments, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source that: (1) is subject to the authority of the Division of Workers' Compensation or the Workers' Compensation Appeals Board, including but not limited to physicians (as defined in Labor Code §3209.3), medical facilities, language interpreters, vocational rehabilitation practitioners, investigators, medical billing and lien collection agencies, workers' compensation insurance carriers and claims administrators, and self-insured employers; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Division of Workers' Compensation or the Workers' Compensation Appeals Board; or (3) engages in or derives any of its income from providing consulting services or educational seminars on workers' compensation issues. Workers' Compensation Judges shall also comply with the California Code of Judicial Ethics.

Category 6:

Designated employees assigned to Category 6 shall report as follows:

~~Investments, business positions and income, including gifts, loans, and travel payments.~~All investments, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source that: (1) is subject to the authority of the Division of Labor Standards Enforcement; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Division of Labor Standards Enforcement; or (3) engages in or derives any of its income from providing consulting services or educational seminars concerning labor or prevailing wage law.

Category 7:

Designated employees assigned to Category 7 shall report as follows:

~~Investments, business positions and income, including gifts, loans, and travel payments.~~All

investments, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source that: (1) is subject to the authority of the Division of Workers' Compensation or the Office of Self Insurance Plans, including but not limited to physicians (as defined in Labor Code §3209.3), medical facilities, language interpreters, vocational rehabilitation practitioners, investigators, medical billing and lien collection agencies, workers' compensation insurance carriers and claims administrators, and self-insured employers; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Division of Workers' Compensation or the Office of Self Insurance Plans; or (3) engages in or derives any of its income from providing consulting services or educational seminars on workers' compensation issues.

Category 8:

Designated employees assigned to Category 8 shall report as follows:

~~Investments, business positions and income, including gifts, loans, and travel payments.~~ All investments, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source that: (1) is subject to the authority of either the Division of Occupational Safety and Health, the Occupational Safety and Health Standards Board, or the Occupational Safety and Health Appeals Board; (2) is an organization or association composed primarily of persons or entities subject to the authority of either the Division of Occupational Safety and Health, the Occupational Safety and Health Standards Board, or the Occupational Safety and Health Appeals Board; or (3) engages in or derives any of its income from providing consulting services or educational seminars concerning occupational safety and health, industrial hygiene, or safety engineering.

Category 9:

Designated employees assigned to Category 9 shall report as follows:

~~Investments, business positions and income, including gifts, loans, and travel payments, from any source that: (1) is subject to the authority of the State Mediation & Conciliation Service (2) is an organization or association composed primarily of persons or entities subject to the authority of the State Mediation & Conciliation Service; (3) engages in or derives any of its income from providing mediation, conciliation and arbitration services; (4) engages in or derives any of its income from providing consulting services or educational seminars concerning mediation, conciliation and arbitration issues; or (5) is received from providing labor relations consulting, mediation, arbitration, or election services to any employer or employee organization located in the State of California.~~

Category ~~409~~:

Designated employees assigned to Category ~~409~~ shall report as follows:

~~Investments, business positions and income, including gifts, loans, and travel payments,~~All investments, business positions in business entities, and sources of income (including receipt of gifts, loans, and travel payments) from any source that: (1) is subject to the authority of the Division of Apprenticeship Standards or the California Apprenticeship Council; (2) is an organization or association composed primarily of persons or entities subject to the authority of the Division of Apprenticeship Standards or the California Apprenticeship Council; or (3) engages in or derives any of its income from providing consulting services or educational seminars concerning matters subject to the authority of the Division of Apprenticeship Standards or the California Apprenticeship Council.

DEPARTMENT OF INDUSTRIAL RELATIONS

DISCLOSURE CATEGORIES CHART

<u>Division/Unit</u>	<u>Classification</u>	<u>Category</u>
** All Divisions:		
	Consultant/ <u>New Position</u> *	<u>4*</u>
California Apprenticeship Council:		
	Member	<u>109</u>
Commission on Health and Safety and Workers' Compensation [CHSWC]:		
	<u>Associate Governmental Program Analyst</u>	<u>2</u>
	Executive Officer	2
	Member	1
	Research Program Specialist (all levels)	2
	Industrial Relations Counsel (all levels)	2
	<u>Staff Services Manager I</u>	<u>2</u>
Division of Administration:		
	Accounting Administrator (all levels)	3
	Associate Governmental Program Analyst	2
	Chief, Division of Administration, CEA	1
	<u>Chief Financial Officer</u>	<u>1</u>
	<u>Senior Special Investigator – Civil Rights Office</u>	<u>2</u>
<u>Business Management</u>	Staff Services Manager (all levels) – <u>Business Management</u>	2
	<u>Staff Services Manager I – Facilities Unit</u>	<u>2</u>
<u>Return to Work</u>	Staff Services Manager (all levels) – <u>Return to Work</u>	3
	Staff Services Manager II	2
	Staff Services Manager III	2

* ~~Consultants are included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations: The director may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant’s duties and based upon that description, a statement of the extent of disclosure requirements. The director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.~~

* Consultant/New Position is included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Director may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov’t Code § 81008.)

Division of Apprenticeship Standards:

<u>Apprenticeship Consultant - District Offices</u>	<u>9</u>
<u>Apprenticeship Consultant – Headquarters</u>	<u>9</u>
Area Administrator	109
CEA (all levels)	109
Chief	1
Deputy Chief	109
Senior Apprenticeship Consultant	109
Staff Services Manager (all levels)	2

Division of Labor Standards Enforcement:

<u>Apprenticeship Consultant</u>	<u>6</u>
Assistant Chief	1
Assistant Chief Counsel	1
<u>Associate Governmental Program Analyst (all levels)</u>	<u>6</u>
<u>Auditor</u>	<u>6</u>
Chief Counsel - CEA	1
Chief (State Labor Commissioner)	1
Deputy Chief Labor Commissioner, CEA	1
Deputy Labor Commissioner (all levels)	6
Industrial Relations Counsel (all levels)	6
<u>Industrial Relations Representative - Bureau of Field Enforcement</u>	<u>6</u>
<u>Industrial Relations Representative - Licensing & Registration Section</u>	<u>6</u>
<u>Industrial Relations Representative - Public Works Unit</u>	<u>6</u>
<u>Industrial Relations Representative - Retaliation Complaints Investigation Unit</u>	<u>6</u>
<u>Industrial Relations Representative - Wage Claim Adjudication</u>	<u>6</u>
Labor Standards Investigator	6
Legal Counsel	6
<u>Senior Apprenticeship Consultant</u>	<u>6</u>
Special Assistant to the Labor Commissioner	6
Special Investigator (all levels)	6
<u>Staff Services Analyst (all levels)</u>	<u>6</u>
Staff Services Manager (all levels)	6

~~Division of Labor Statistics & Research:~~

Chief	4
Deputy Chief, CEA	4
Research Manager (all levels)	4
Research Program Specialist (all levels)	2

Division of Occupational Safety & Health:

Area Manager Cal/OSHA Consultation	8
<u>Assistant Industrial Hygienist – Compliance</u>	<u>8</u>
<u>Assistant Safety Engineer – Consultation Service</u>	<u>8</u>
<u>Assistant Safety Engineer – High Hazard</u>	<u>8</u>

<u>Associate Industrial Hygienist – Compliance</u>	8
<u>Associate Safety Engineer (all units)</u>	8
CEA (all levels)	8
CEA (all levels) Program Manager - Consultation	8
Chief	1
Deputy Chief, Health	8
Deputy Chief, Safety	8
Deputy Director of Management Relations	8
District Manager	8
Industrial Relations Counsel (all levels)	8
<u>Nurse Consultant II</u>	8
Nurse Consultant III	8
Principal Safety Engineer	8
Program Manager, Consultation, CEA	8
Program Manager, Engineering Services, CEA	8
<u>Public Health Medical Officer II</u>	8
Public Health Medical Officer III	8
Regional Manager	8
Research Manager	8
Senior Industrial Hygienist	8
Senior Safety Engineer	8
Senior Special Investigator	8
Special Investigator	8
Staff Services Manager (all levels)	8
Supervising Industrial Hygienist	8
Supervising Special Investigator	8

Division of Workers' Compensation:

Administrative Director	1
Area Supervisor Rehabilitation Unit	5
<u>Associate Chief Judge</u>	5
Associate Governmental Program Analyst	3
Associate Medical Director	5
Chief, Rehabilitation Bureau	5
CEA (all levels)	5
Chief Counsel	5
<u>Chief Judge</u>	5
Chief, Legislation and Policy	5
Chief, Programmatic Services, CEA (all levels)	5
Court Administrator	5
Deputy Administrative Director	5
<u>Chief Deputy Administrative Director</u>	1
Executive Medical Director	5
Health Education Consultant III	5
Industrial Relations Counsel (all levels)	5
Legal Counsel	5
<u>Nurse Consultant II</u>	5
Presiding Workers' Compensation Judge	5
<u>Research Analyst II - Medical Unit</u>	5
Regional Manager, Claims Adjudication	5
Research Manager (all levels)	5
Research Program Specialist (all levels)	5

*New language is underlined. Deleted language is lined out.

Research Scientist	5
Special Assistant to the Administrative Director	5
Special Investigator (all levels)	5
Senior Workers' Comp. Compliance Officer	5
Staff Services Manager (all levels)	5
Supervising Workers' Compensation Compliance Officer	5
Supervising Workers' Compensation Consultant	5
<u>Workers' Compensation Assistant – UEF Claims</u>	<u>5</u>
Workers' Compensation Compliance Manager	5
Workers' Compensation Compliance Officer (all levels)	5
Workers' Compensation Consultant (all units) – Collection Unit	5
Workers' Compensation Rehabilitation Consultant	5
Workers' Compensation Judge	5
Workers' Compensation Manager	5

Industrial Welfare Commission:

Chairperson & Members	1
Executive Officer	1

Information Systems:

Associate Governmental Program Analyst	4
Data Processing Manager I, II and III	4
Data Processing Manager IV	1

Occupational Safety & Health Appeals Board:

<u>Associate Governmental Program Analyst (all units)</u>	<u>8</u>
Chairperson	1
Executive Officer	1
Hearing Officer (all levels)	8
Industrial Relations Counsel (all levels)	8
<u>Legal Analyst</u>	<u>8</u>
Member	1

Occupational Safety & Health Standards Board:

<u>Associate Safety Engineer</u>	<u>8</u>
Chairperson	1
Executive Officer	1
Industrial Relations Counsel (all levels)	8
Member	1
Principal Safety Engineer	8
Senior Industrial Hygienist	8
<u>Senior Safety Engineer (Industrial)</u>	<u>8</u>
Staff Services Manager I	8

Office of the Director:

Associate Governmental Program Analyst	2
Chief Deputy Director	1
Deputy Director	1

*New language is underlined. Deleted language is lined out.

Director	1
Director of Communications	1
<u>Senior Management Auditor – Internal Audits</u>	<u>2</u>
Special Assistant to the Director	1
<u>Staff Services Manager I</u>	<u>2</u>
<u>Undersecretary, Green Jobs [LWDA]</u>	<u>1</u>
<u>Office of the Director – Research:</u>	
<u>Chief</u>	<u>1</u>
<u>Deputy Chief, CEA</u>	<u>1</u>
<u>Research Manager (all levels)</u>	<u>1</u>
<u>Research Program Specialist (all levels)</u>	<u>2</u>
Office of the Director – Legal Unit:	
Assistant Chief Counsel	1
Chief Counsel - CEA	1
Industrial Relations Counsel (all levels)	2
Legal Counsel	2
Special Investigator (all levels)	2
Supervising Special Investigator	2
<u>Office of Self Insurance Plans:</u>	
<u>Chief, Office of Self Insurance Plans, CEA</u>	<u>1</u>
<u>Associate Governmental Program Analyst</u>	<u>7</u>
Special Assistant to the Director	7
Supervising Workers' Compensation Compliance Officer	7
<u>Workers' Compensation Assistant – Headquarters</u>	<u>7</u>
Workers' Compensation Compliance Manager	7
Workers' Compensation Compliance Officer (all levels)	7
State Mediation & Conciliation Service:	
Conciliator	9
Presiding Conciliator	9
Supervisor of Conciliation, CEA [Chief]	4
Workers' Compensation Appeals Board:	
Associate Governmental Program Analyst	3
Chairperson	1
Deputy CEA (all levels)	5
Industrial Relations Counsel (all levels)	5
Member	1
<u>Workers' Compensation Administrative Law Judge</u>	<u>5</u>