

**STATE OF CALIFORNIA**  
**DEPARTMENT OF INDUSTRIAL RELATIONS**

In the Matter of the Request for Review of:

**Qiana Marshall Riley individually  
and dba Astro Construction**

Case Nos. 16-0155-PWH

From a Civil Wage and Penalty Assessment issued by:

**Division of Labor Standards Enforcement**

**NOTICE OF NO ACTION ON REQUEST FOR RECONSIDERATION**

Affected contractor Qiana Marshall Riley individually and dba Astro Construction (Astro) seeks reconsideration of the Decision of the Director of Industrial Relations issued on July 10, 2010 (Decision) on the basis that the amount of prevailing wages and penalties found due under the Decision was excessive. Astro argues that factual errors were made that should result in an unspecified reduction of the amount found due. Under Labor Code section 1742, subdivision (b), the Director has 15 days from the issuance of the Decision to modify it or correct an error. After that time, the Director has no jurisdiction to modify a decision except to correct for clerical errors. Astro's request for reconsideration was submitted via email to the Director at 4:56 p.m. on July 24, 2020, the work day immediately preceding the day on which the 15-day time limit for reconsideration of the Decision lapsed. Due to the last minute nature of Astro's request for reconsideration, there was insufficient time to review the request, provide an opportunity for response by the Division of Labor Standards Enforcement, and make a decision before the Director lost jurisdiction.

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The Director no longer has jurisdiction to reconsider or modify the Decision and Astro's request for reconsideration is, therefore, denied by operation of law.

Dated: August 5, 2020

/s/ Katrina S. Hagen   
Katrina S. Hagen, Director  
Department of Industrial Relations