

CALIFORNIA APPRENTICESHIP COUNCIL

CALIFORNIA CODE OF REGULATIONS, TITLE 8
CHAPTER 2, PART IV,
SECTION 230.1

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

As authorized by Government Code section 11346.9(d), the California Apprenticeship Council ("Council") incorporates the Initial Statement of Reasons prepared in this rulemaking. The following are the changes made to the proposed text of the Regulations as issued at the start of this rulemaking and no changes in the basis or rationale for the proposal.

Edited 230.1 (a) ... The written notice shall include the following information, but shall not require information not enumerated in Section 230.1: removed "DAS 142 or" to incorporate by reference.

Edited 230.1 (a) (2) Name, Address, Telephone number, and Facsimile number or Email address for the applicable apprenticeship committee; to address the submitted comments.

Edited 230.1 (a) (3) Name, Address, CSLB License #, Telephone number, and Facsimile number or Email address for Contractor requesting dispatch; to address the submitted comments.

Edited 230.1 (a) Edited 230.1 (a) (4) Project Information: Name of the Project, and Address; to address the submitted comments.

Added 230.1 (a) (5) PWC Project Number, Contract Number, Total Contract Amount, Sub-Contract Amount, for projects which have been registered with the Department of Industrial Relations in accordance with Labor Code section 1773.3: to address the submitted comments.

Renumbered (5) to (6) for consistent numbering.

Added after 230.1(a)(6) The DAS Form 142 (Rev. 6/24), hereby incorporated by reference, is an optional form to provide the foregoing information. to incorporate the DAS form 142 by reference, the DAS 142 Form has been available on our website and by request during the entire rulemaking process and was subject to comments, it was incorporated by reference due to the public's ability to produce the information with their internal data systems, and the ability to retrieve the form as needed from our website, also the form would be cumbersome to replicate in the CCR.

DOCUMENTS RELIED UPON

None.

LOCAL MANDATES DETERMINATION

The proposal does not impose a mandate on local agencies or school districts.

SUMMARY AND RESPONSE TO COMMENTS

The Council held public hearings on August 14, 2023, in Oakland and August 16, 2023 in Los Angeles. No comments were received at the public hearings, and two written comments were received during the 45-day comment period on the proposal.

COMMENTER No1:

Comment: Absolute HR Consulting & Services commented on the use of emails or facsimile numbers as several programs and contractors have eliminated fax numbers. And that a subcontractor may not have all of the information, such as the PWC Project Number, when it falls under the legacy Labor Compliance Programs. Several programs have rejected DAS142 submissions as “Noncompliant” if a PWC Project Number is not listed.

Response: Accept.

COMMENTER No2:

Comment: California Association for the Advancement of Apprenticeship and Training (CAAAT) commented it is concerned that contractors will not be able to provide the above listed information on projects that have not been registered with the Department of Industrial Relations in accordance with Labor Code section 1773.3 and, as a result, may have their DAS 142 forms rejected as incomplete. CAAAT also does not believe that said information is necessary for apprenticeship programs to be able to effectively evaluate and fulfill the requests for dispatch that they receive from contractors. CAAAT is thus concerned that requesting such information, particularly on projects where the information does not exist or is not publicly available, will serve to impede the timely dispatch of apprentices to public works projects.

Response: Accept.

The Notice of modification to the text of proposed regulations was sent on February 14, 2024, for a 15-day comment period ending March 1, 2024. Two comments were received.

Commenter 3

Comment: SLB Business Management Looks good to me.

Response Thank You

Commenter 4

Comment: The City of Los Angeles office of contract compliance, would like the following language inserted in 230.1(a), "On projects lasting longer than one year, such requests shall be made at least annually for the duration of the project."

Response: Comment is not germane to modification

ALTERNATIVES THAT WOULD LESSEN ECONOMIC IMPACT ON SMALL BUSINESS

No alternatives were proposed to the Council that would lessen any adverse economic impact on small business.

ALTERNATIVES CONSIDERED

The Council invited interested persons to present statements or arguments with respect to alternatives to the proposed standard. No alternative considered by the Council would be (1) more effective in carrying out the purpose for which the action is proposed; or (2) would be as effective as and less burdensome to affected private persons than the adopted action, or (3) would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Council was unable to come up with any alternatives or no alternatives were proposed by the public that would have the same desired regulatory effect.