

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Labor Standards Enforcement

**SECOND NOTICE OF MODIFICATIONS TO TEXT OF
PROPOSED REGULATIONS**

**Subject Matter of Regulations:
Sexual Violence and Harassment Prevention Training for
Property Service Workers**

**TITLE 8, CALIFORNIA CODE OF REGULATIONS
New Sections 13820 - 13822**

NOTICE IS HEREBY GIVEN that the Labor Commissioner, Chief of the Division of Labor Standards Enforcement, Department of Industrial Relations, pursuant to the authority vested in her by Labor Code section 1422, and in accordance with Government Code section 11346.8(c), proposes to modify the text of the following proposed regulation within new Subchapter 13 of existing Chapter 6 of Division 1, of Title 8, California Code of Regulations, regarding Sexual Violence and Harassment Prevention Training for Property Service Workers:

Section 13820(f) Definition of “Trainers”

This further modification is in response to written comments regarding the proposed regulations received during the first 15-day public comment period that ended December 10, 2019.

**PRESENTATION OF WRITTEN COMMENTS AND DEADLINE FOR SUBMISSION OF
WRITTEN COMMENTS REGARDING MODIFICATIONS TO TEXT**

Members of the public are invited to present written comments regarding the proposed modifications identified below. **Only comments directly concerning the proposed modifications to the text of the regulations will be considered and responded to in the Final Statement of Reasons.**

Written comments should be addressed to:

Jennifer Stevens, Legislative Analyst and Regulations Coordinator
Department of Industrial Relations
Division of Labor Standards Enforcement, Legal Unit
2031 Howe Avenue, Suite 100
Sacramento, CA 95825

The Division’s contact person must receive all written comments concerning the proposed modifications to the regulations **no later than midnight on January 6, 2020**. Written comments may also be sent electronically (via email) using the following email address: DLSERegulations@dir.ca.gov

Written comments may be submitted via facsimile transmission (FAX), addressed to the above-named contact person at (916) 263-2920. Due to the inherent risks of non-delivery by facsimile

transmission, the Division suggests, but does not require, that a copy of any comments transmitted by facsimile transmission also be submitted by regular mail.

Comments sent to other email addresses or facsimile numbers will not be accepted. Comments sent by email or facsimile are subject to the deadline set forth above for written comments.

AVAILABILITY OF TEXT OF REGULATIONS AND RULEMAKING FILE

Copies of the original text and modified text with modifications clearly indicated, and the entire rulemaking file, are currently available for inspection at the Department of Industrial Relations, Division of Labor Standards Enforcement, 2031 Howe Avenue, Suite 100, Sacramento, California 95825, between 9:00 A.M. and 4:30 P.M., Monday through Friday. Please contact the Division's regulations coordinator, Ms. Jennifer Stevens, at (916) 263-3400 to arrange to inspect the rulemaking file.

FORMAT OF PROPOSED MODIFICATIONS

Proposed Text Noticed for this Second 15-Day Comment Period - Identifying Modified Text:

In this second 15-day public comment period, proposed additions are displayed in *bold italics* and proposed deletions are displayed in ~~single underline and double strikethrough~~.

SUMMARY OF PROPOSED TEXT CHANGES

Section 13820:

- Subsection (f) is modified to address a concern regarding clarity raised by commenters. Specifically, commenters noted that the statute is specific in stating that the Department of Industrial Relations will establish an internet website listing to indicate whether there are qualified peer trainers available to provide the mandated trainings. Commenters stated that the definition of "trainers" in the regulation should be equally explicit that the determination of availability is to be made by this website listing and not by an individual covered employer's own knowledge. The proposed modification reiterates the explicit mandate in the statute for purposes of clarity.

CONTACT PERSON FOR INQUIRIES REGARDING PROPOSED CHANGES

Inquiries regarding the proposed modifications may be directed to:

Laura Moskowitz, Staff Attorney
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415-703-5252
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