



Date issued: September 20, 2002

CASE NO.: 2002-CCP-1

In the Matter of:

**U.S. DEPARTMENT OF LABOR,
OFFICE OF APPRENTICESHIP TRAINING,
EMPLOYER AND LABOR SERVICES,**
Prosecuting Party

v.

**CALIFORNIA DEPARTMENT OF
INDUSTRIAL RELATIONS,**
Respondent.

**MEMORANDUM OF CONFERENCE CALL
AND
ORDER ESTABLISHING PROCEDURES FOR PUBLIC ACCESS TO FILINGS**

On September 18, 2002, the undersigned conducted a telephone conference call with counsel for the parties of record in this matter. The subject of the conference call was the best means by which to make available to interested persons or entities copies of filings and orders in this matter. The posting of such documents on the Office of Administrative Law Judges web site for public access was discussed, and it was agreed by all parties that such a procedure would be appropriate in this case.

Accordingly, the following process shall be followed when filing documents in this matter.

1. All service and filings shall be made as they normally would be in accordance with the Department of Labor apprenticeship regulations at 29 C.F.R. Part 29 and the OALJ Rules of Practice and Procedure at 29 C.F.R. Part 18. Paper filings in this matter will be considered timely if postmarked by the final day of any filing period required by an order issued by the undersigned, unless otherwise stated in the order.¹

¹ Mail delivery to Washington, DC has occasionally been delayed due to scanning of mail for anthrax contamination.

2. In addition to the filing of documents in paper form, all documents filed with the undersigned in this matter shall also be filed in electronic format in the form of an e-mail attachment to OALJ-filings@oalj.dol.gov.
 - A. The format for filings shall be Adobe PDF.
 - B. Documents created by the submitter from a word processing application or similar application shall be converted directly into PDF.
 - C. Documents submitted from hard copy, such as exhibits and attachments, shall be scanned and converted into PDF.²
 - D. Parties shall make every effort to create the PDF documents for submission. If, however, a party is unable to submit a document in PDF format, OALJ will assist in converting the document into PDF for electronic filing. OALJ will assist in creating PDF documents for a party, however, only after the party has averred that it does not have the capacity to create PDF documents.³
 - E. Filings with OALJ by e-mail shall also be copied on counsel for all counsel of record in the matter who have supplied an e-mail address for service. Orders issued by the undersigned will be served both by regular mail to all standard recipients, and by e-mail to counsel for parties who supply an e-mail address for service.
 - F. The PDF versions of documents may be cited in filings by all parties.
3. Upon receipt of an electronic filing, OALJ will review the document, and then post it on the OALJ web site (www.oalj.dol.gov) for public access. Any orders issued by the undersigned in this matter will likewise be posted to the web site in Adobe PDF format.
4. If a filing in this matter is not appropriate for posting on the Internet (e.g., a social security number, trade secret, etc.), the submitter shall take appropriate steps to timely notify OALJ of the issue and to seek any action necessary by the undersigned in

² For purposes of accessibility, it is preferable to create PDF documents directly from an electronic source, such as a word processing, spreadsheet or similar application. Scanned documents are not easily accessible to vision impaired persons.

³ Adobe Acrobat 5 is required to create PDF files. It is advertised at \$249.00 on the Adobe web site. The Acrobat Approval software at \$49.00 discussed at the conference call does not include the capacity to create PDF files. Microsoft Word 2000 and Corel WordPerfect 9 both have the capacity to save documents in PDF without additional software.

protecting the information from public dissemination, such as entry of a protective order.

During the conference call, it was also determined that the Department of Labor shall have until October 18, 2002 to supply a copy of the administrative record in this matter to the parties of record and to the undersigned. A copy of this record shall be placed on the OALJ web site in PDF format for public access. Documents already contained in the hearing record will also be scanned and placed on the OALJ web site.

SO ORDERED.

JOHN M. VITTON
Chief Administrative Law Judge