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August 8, 2002



John M. Vittone
Chief Administrative Law Judge
Department of Labor
800 K Street, Suite 400
Washington, D.C. 20001-8002

Re: *U.S. Department of Labor, Office of Apprenticeship Training, Employer and Labor
Services v. California Department of Industrial Relations*
Case No. 2002-CCP-1

Dear Judge Vittone:

Enclosed for filing are the California Apprenticeship Coordinators Association's Request for Leave to Participate and the supporting declarations of Sandra Rae Benson and Michael Longueau in the above-entitled proceeding.

Please return the filed-endorsed copy for our records in the envelope provided.

Sincerely,



Patricia M. Gates

PMG/jys
opeiu 3 afl-cio(1)

Enclosures

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U.S. DEPT. OF LABOR
OFFICE OF ADMINISTRATIVE
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AUG 13 02

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8 IN PROCEEDINGS BEFORE THE
9 DEPARTMENT OF LABOR

10 *In the Matter of:*

11 DEPARTMENT OF LABOR, OFFICE OF) No. 2002-CCP-1
12 APPRENTICESHIP TRAINING, EMPLOYER)
AND LABOR SERVICES) REQUEST FOR LEAVE TO
) PARTICIPATE [29 CFR §§ 18.10 and
13 Prosecuting Party,) 18.12]
)
14 v.)
)
15 CALIFORNIA DEPARTMENT OF) Administrative
16 INDUSTRIAL RELATIONS) Law Judge: The Hon. John Vittone
)
17 Respondent.)
)
18 CALIFORNIA APPRENTICESHIP)
COORDINATORS ASSOCIATION,)
)
19 Amicus Curiae or Intervenor)

AUG 13 02
DEPARTMENT OF LABOR
ADMINISTRATIVE
LAW JUDGES

20 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

21 PLEASE TAKE NOTICE THAT the California Apprenticeship Coordinators Association
22 (“CACA”) hereby requests leave to participate in the above-entitled action as an amicus curiae
23 with the right to receive copies of all documents, correspondence and notices that are sent to the
24 parties to this action. If this Administrative Court denies CACA’s request to participate as an
25 amicus curiae and to receive all documents, correspondence and notices in this matter, then CACA
26 asks, in the alternative, leave to submit moving papers and be heard in oral argument on a motion

1 to intervene pursuant to the Code of Federal Regulations Title 29, Part 18 Section 10.

2 In support of this Request for Leave to Participate, CACA states that it has an interest in the
3 subject of this action as specifically and particularly set forth herein and in the attached Declaration
4 of Michael Longeuay in Support of Request for Leave to Participate.

5 CACA is a state-wide nonprofit public benefit corporation consisting of apprenticeship
6 coordinators and directors from building trades joint apprenticeship committees in California.
7 These programs currently train in excess of 40,000 registered apprentices under apprenticeship
8 agreements on file with the Division of Apprenticeship Standards (“DAS”) throughout the State of
9 California and have a direct interest in the California Director of Industrial Relations’ (“DIR”)
10 ability to certify apprenticeship programs approved by the California Apprenticeship Council. As
11 the supporting Declaration of Michael Longeuay (“Longeuay Decl.”) explains, CACA as an
12 organization of apprenticeship coordinators, and many of its members in their individual capacities
13 as administrators and coordinators of existing apprenticeship programs, have not been kept
14 informed of proceedings to date. (Longeuay Decl.). To date, Michael Longeuay, and to the best of
15 his knowledge, all other affected parties in California have never been notified by OATELS that
16 California requested a hearing and that a prehearing process has been initiated by the Department
17 of Labor. As the supporting declaration of Sandra Rae Benson explains, her request for “any and
18 all correspondence generated by your office relevant to this matter” in her role as General Counsel
19 to CACA has gone unheeded by OATELS. (Benson Decl. ¶ 4).

22 Derecognition of CDIR as a state agency empowered to register apprentices for federal
23 purposes will have a negative effect on California apprentices and their existing programs. If
24 CDIR’s certifying authority is removed by the Department of Labor, existing programs in
25 California will experience the following negative impacts: (1) California apprentices in the
26

1 building and construction trades will lose current employment opportunities on federal public
2 works projects; (2) Due to insufficient OATELS staff in California, existing programs will not get
3 a timely review and approval of their standards by the federal government; and, (3) California
4 apprenticeship programs will experience burdensome and duplicative paperwork requirements as
5 they apply to both the federal and state apprenticeship for review and approval of their standards.

6 This is a Request for Leave to Participate as an Amicus Curiae and to receive all
7 documents, correspondence and notices in this matter. If the request to Participate as an Amicus
8 Curiae and to receive all documents, correspondence and notices in this matter is denied, then
9 CACA requests the opportunity to submit moving papers and be heard in oral argument before this
10 administrative court on a motion to intervene as a party in this proceeding.

11 Dated: August 8, 2002

12 VAN BOURG, WEINBERG, ROGER & ROSENFELD
13 A Professional Corporation

14 By: *Sandra M. Benson*
15 SANDRA RAE BENSON
16 Attorneys for Amicus Curiae
California Apprenticeship Coordinators Association

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