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9 Attorneys for Amicus Curiae
10 California Apprenticeship
11 Coordinators Association

12 IN PROCEEDINGS BEFORE THE
13 DEPARTMENT OF LABOR

14 *In the Matter of:*

15 DEPARTMENT OF LABOR, OFFICE OF) No. 2002-CCP-1
16 APPRENTICESHIP TRAINING, EMPLOYER)
17 AND LABOR SERVICES) DECLARATION OF SANDRA RAE
18 Prosecuting Party,) BENSON IN SUPPORT OF REQUEST
19 v.) FOR LEAVE TO PARTICIPATE [29
20 CALIFORNIA DEPARTMENT OF) CFR §§ 18.10 and 18.12]
21 INDUSTRIAL RELATIONS)
22 Respondent.) Administrative
23) Law Judge: The Hon. John Vittone
24 CALIFORNIA APPRENTICESHIP)
25 COORDINATORS ASSOCIATION,)
26 Amicus Curiae or Intervenor)

27 I, Sandra Rae Benson, hereby declare:

28 1. That I am a partner in the law firm of Van Bourg, Weinberg, Roger & Rosenfeld
29 and the following facts are stated based upon my own information or belief.

30 2. I am General Counsel to the California Apprenticeship Coordinators Association
31 (“CACA”).

32 3. Various members of CACA who received letters dated May 13, 2002 and May 15,
33 2002 from Anthony Swoop, Administrator of the Office of Apprenticeship Training, Employer and

1 Labor Services ("OATELS") informing them that OATELS initiated proceedings to remove the
2 California Department of Industrial Relations ("CDIR") authority to register California
3 apprenticeship for federal purposes, forwarded these letters to me.

4 4. In response, I sent a letter to Anthony Swoop, Administrator of OATELS dated
5 May 23, 2002, wherein I identified myself as legal counsel to numerous California Apprenticeship
6 Committees and requested to be placed on a mailing list to receive copies of any and all
7 correspondence generated by your office relevant to the derecognition proceedings. (See Exhibit
8 A).

9 5. I have not received any documents or correspondence since May 23, 2002 from
10 OATELS. Instead, I learned OATELS had initiated a prehearing discovery process when I
11 received a courtesy copy of a memorandum prepared by John Rea, Chief Counsel to the Director
12 of Industrial Relations that was distributed to interested parties and was also distributed at the July
13 25, 2002 CACA meeting in Burlingame, California.

14 6. At no time have I received correspondence from OATELS despite my efforts to
15 communicate my interest in participating in this proceeding on behalf of CACA and despite my
16 request for copies of relevant correspondence.

17 7. CACA, its affiliated apprenticeship coordinators and the more than 40,000
18 apprentices they represent in the State of California, have a significant interest in the outcome of
19 these proceedings. (See Declaration of Michael Longeuay). Their interest can only be adequately
20 represented if CACA receives notice and relevant documents and is allowed to participate in these
21 proceedings by way of amicus curiae so their views can be adequately expressed.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed this 8
23 day of Aug., 2002 at Oakland, California

24 
25 _____
26 Sandra Rae Benson

9018/275639

VICTOR J. VAN BOURG (1931 - 1999)
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DAVID A. ROSENFELD
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CATHLEEN A. WILLIAMS, Of Counsel

GEORGE ALLEN (1924 - 1984)
STANFORD L. GELBMAN (1932 - 1992)

May 23, 2002

Anthony Swoope
Administrator
U.S. Department of Labor
Office of Apprenticeship Training,
Employer and Labor Services
200 Constitution Avenue, N.W.
Washington, DC 20210

Re: US Department of Labor/Initiation of Derecognition Proceedings Against California
Department of Industrial Relations

Dear Mr. Swoope:

This is to notify you that the law offices of Van Bourg, Weinberg, Roger & Rosenfeld in Oakland, California ("VBWRR") represent more than 100 apprenticeship committees in California and wish to participate in any proceedings undertaken by your office, the Office of Apprenticeship Training, Employer and Labor Services ("OATELS") against the California Department of Industrial Relations ("CDIR") under 29 CFR § 29.13. VBWRR does not believe that CDIR has failed to operate in conformity with the requirements of 29 CFR, Part 29. It is our experience that CDIR has maintained and expanded opportunities for all apprentices in California. CDIR has protected apprentices from transient and exploitative programs and has assured that only genuine programs achieve registration.

We oppose the action that the OATELS has already taken to initiate derecognition proceedings against CDIR. Our office would like to be placed on a mailing list so that we receive copies of any and all correspondence generated by your office relevant to this matter.

Sincerely,



Sandra Rae Benson

SRB/PMG/jys
opeiu 3 afl-cio(1)

1/267956

EXHIBIT A

LOS ANGELES OFFICE
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