

FAX Transmittal

Please deliver this fax transmittal to:

Name: Chief ALJ John M. Vitone Date: 9.18.02

Dept./Agency/Company: OALJ

FAX No.: 202-693-7385 Phone No.: 202-693-7372

From: Stephen Jones
U.S. Department of Labor
Office of the Solicitor
Div. Of Employment & Training Legal Services
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Subject: California derecognition proceeding 2002-CCP-1

No. of Pages, (including this page): 2

Comments: This is to transmit a copy of the 9/9/02 letter
sent to "clarify" the issues.

U.S. Department of Labor

Office of the Solicitor
Washington, D.C. 20210



SEP 9 2002

John M. Rea, Chief Counsel
California Department of Industrial Relations
Office of the Director- Legal Unit
Suite 9516
P.O. Box 420603
San Francisco, CA 94102

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

Dear Mr. Rea:

This letter responds to your request for clarification of issue (2), raised in Assistant Secretary DeRocco's June 24, 2002 letter (copy enclosed), referring your department's request for a hearing in the above matter to our Office of Administrative Law Judges. This issue concerns whether the California Department of Industrial Relations violated the apprenticeship program regulations at 29 C.F.R. § 29.12(a) by implementing the modification of its apprenticeship law, Cal. Lab. Code § 3075(b) (West 2002) (enacted 1999), without prior approval from the Office of Apprenticeship Training, Employer and Labor Services.

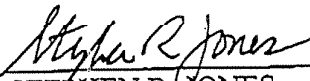
Issue (2) is a separate ground for derecognition in addition to issue (1), also identified in Ms. DeRocco's letter. The latter issue concerns whether Cal. Lab. Code § 3075(b) violates 29 C.F.R. § 29.1 by limiting, rather than promoting, apprenticeship opportunities.

I hope that this clarification is helpful.

Sincerely,

CHARLES D. RAYMOND
Associate Solicitor for
Employment and Training
Legal Services

By:


STEPHEN R. JONES
SCOTT GLABMAN
Attorneys