

1 **STATE OF CALIFORNIA**

2 **DEPARTMENT OF INDUSTRIAL RELATIONS**

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Hair Design by Orli	DAS File No. 5247 DECISION ON DEREGISTRATION
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8 **INTRODUCTION**

9 The Chief of the Division of Apprenticeship Standards (DAS or Division)
10 submitted a Report and Recommendation to Deregister the Hair Design by Orli
11 Apprenticeship Program (DAS File No. 5247). The deregistration of the Hair Design
12 by Orli Apprenticeship Program cancels the approval of the program to operate and
13 automatically terminates each apprentice’s individual registration. Now, having
14 considered the report, findings, and recommendation submitted by the Chief, I adopt
15 the recommendation and deregister the Hair Design by Orli Apprenticeship Program.

16 **FINDINGS OF FACT**

17 1. The Division received information that the Hair Design by Orli
18 Apprenticeship Program had not had any active apprentices for a period of at least
19 two (2) years.

20 2. On April 26, 2024, the Division sent Hair Design by Orli a 30-Day Notice
21 of Deregistration via certified mail. The 30-Day Notice of Deregistration served as
22 written notice to Hair Design by Orli that the Division had information that the Hair
23 Design by Orli Apprenticeship Program has had no active apprentices for a period of
24 two (2) years, and that the Hair Design by Orli Apprenticeship Program will be
25 deregistered unless the program can show good cause within thirty (30) days why it
26 should not be deregistered.

27 3. Hair Design by Orli never responded to the notice and did not show
28 good cause for why its program should not be deregistered. Not having had active

1 apprentices for a period of two (2) years “shall be considered grounds for
2 deregistration.” (Cal. Code Regs., tit. 8, § 212.4.)

3 4. On June 10, 2024, the Division sent Hair Design by Orli a Notice of
4 Recommendation to Deregister pursuant to California Code of Regulations, title 8,
5 section 212.4, subdivision (b)(4) via certified mail. The Notice explained to Hair
6 Design by Orli that the Chief will be recommending that the Administrator of
7 Apprenticeship deregister its program, unless Hair Design by Orli requested a
8 hearing within fifteen (15) days of the Notice. Hair Design by Orli failed to respond to
9 the Notice of Recommendation to Deregister.

10 5. Having received no communications from Hair Design by Orli, the Chief
11 prepared a Report and Recommendation on the Deregistration of the Hair Design by
12 Orli Apprenticeship Program (Report and Recommendation) and delivered the Report
13 and Recommendation to the Administrator of Apprenticeship on July 1, 2024, as
14 required by California Code of Regulations, title 8, section 212.4, subdivision (b)(5).

15 6. The Report and Recommendation included the record of notices sent to
16 Hair Design by Orli and the manner of service of those notices. Also included was
17 evidence from the Division’s records that the Hair Design by Orli Apprenticeship
18 Program did not have any active apprentices for a period of at least two (2) years.

19 7. In his Report and Recommendation, the Chief recommended that the
20 Administrator of Apprenticeship deregister the Hair Design by Orli Apprenticeship
21 Program for not having had any active apprentices for a period of at least two (2)
22 years, failing to show good cause for why the program should not be deregistered,
23 and failure to respond to the Division’s notices.

24 **DISCUSSION**

25 **A. The Division’s Power to Deregister Programs**

26 The Chief and the Division “shall foster, promote, and develop the welfare of
27 the apprentice and industry, improve the working conditions of apprentices, and
28 advance their opportunities for profitable employment.” (Lab. Code, § 3073, subd.

1 (a.) In fulfilling this statutory mandate, the Division has been granted broad authority
2 to oversee apprenticeship programs and monitor whether they comply with relevant
3 laws and standards. For instance, the Division is responsible for evaluating
4 apprenticeship programs to “ensure that the program evaluated is complying with its
5 standards.” (§ 3073.1, subd. (a).) The Division may also obtain a civil injunction
6 against any violation of apprenticeship laws. (§ 3084.5.)

7 As the state agency that grants approval of apprenticeship programs (§ 3075),
8 the Division may also withdraw state approval through what are known as
9 “deregistration” proceedings. (See Regulation § 212.4.) Among other grounds, if an
10 apprenticeship program has willfully violated any relevant laws, regulations, or orders,
11 the Division “may initiate the deregistration process to withdraw state approval of the
12 program.” (§ 3073.1, subd. (b).) Inactive programs that have essentially ceased
13 operations may also be deregistered, as inactive programs no longer serve the
14 apprenticeship community: “Where the Chief has information that a program has had
15 no active apprentices for a period of two (2) years, that shall be considered grounds
16 for deregistration.” (Cal. Code Regs., tit. 8, § 212.4, subd. (b)(1).)

17 **B. The Deregistration Process for Inactive Programs**

18 To initiate the deregistration process for inactive programs, the Chief first
19 sends a notice of deregistration by certified mail to notify the program that it has not
20 had any active apprentices for a period of two years and that it will be deregistered
21 unless it shows good cause within 30 days why it should not be deregistered.
22 (Regulation § 212.4, subd. (b)(1).)

23 If the program fails to show good cause within 30 days of the notice, the Chief
24 must then send to the program a notice of intent to recommend deregistration via
25 certified mail. (Regulation § 212.4, subd. (b)(4).) This notice must explain to the
26 program that the Chief will recommend that the program be deregistered unless the
27 program requests a hearing within 15 days of the notice. (*Ibid.*)

28 Whether or not a hearing is requested, the Chief must “transmit to the

1 Administrator a report containing all pertinent facts and circumstances concerning the
2 violation, including the findings and recommendation for deregistration, and copies of
3 all relevant documents and records.” (Regulation § 212.4, subd. (b)(5).) If no hearing
4 is requested, the Administrator issues a decision on the record. (*Ibid.*) If a hearing is
5 requested, the Administrator will hold a hearing and issue a decision thereafter on the
6 basis of the record. (Regulation § 212.2, subd. (b)(6).)

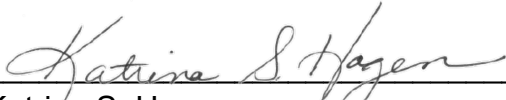
7 **C. The Program Has Not Had Any Active Apprentices for Over Two Years**

8 As detailed above, the Hair Design by Orli Apprenticeship Program has not
9 had any active apprentices for a period of two years. All notices were served on Hair
10 Design by Orli properly via certified mail and provided Hair Design by Orli with an
11 opportunity to show cause why its program should not be deregistered. Hair Design
12 by Orli failed to respond. There being no reason why the program should not be
13 deregistered, my decision is to deregister and withdraw state approval of the Hair
14 Design by Orli Apprenticeship Program.

15 **CONCLUSION AND DECISION**

16 Having duly considered the Chief’s Report and Recommendation on the
17 Deregistration of the Hair Design by Orli Apprenticeship Program, I find the Chief’s
18 recommendation meritorious and in this decision, I adopt the recommendation to
19 deregister and withdraw state approval of the Hair Design by Orli Apprenticeship
20 Program. The deregistration of the Hair Design by Orli Apprenticeship Program
21 cancels the approval of the program to operate and automatically terminates each
22 apprentice’s individual registration.

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25 Date: July 2, 2024



Katrina S. Hagen
Director of Industrial Relations
Administrator of Apprenticeship