

1 for why its program should not be deregistered. Not having had active apprentices for
2 a period of two (2) years “shall be considered grounds for deregistration.” (Cal. Code
3 Regs., tit. 8, § 212.4.)

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

10 5. KC Beauty failed to respond to the Notice of Recommendation to
11 Deregister.

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

17 7. The Report and Recommendation included the record of notices sent to
18 KC Beauty and the manner of service of those notices to KC Beauty. Also included
19 was evidence from the Division’s records that the KC Beauty Apprenticeship Program
20 did not have any active apprentices for a period of at least two (2) years.

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

26 **DISCUSSION**

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

28 The Chief and the Division “shall foster, promote, and develop the welfare of

1 the apprentice and industry, improve the working conditions of apprentices, and
2 advance their opportunities for profitable employment.” (Lab. Code, § 3073, subd.
3 (a).) In fulfilling this statutory mandate, the Division has been granted broad authority
4 to oversee apprenticeship programs and monitor whether they comply with relevant
5 laws and standards. For instance, the Division is responsible for evaluating
6 apprenticeship programs to “ensure that the program evaluated is complying with its
7 standards.” (§ 3073.1, subd. (a).) The Division may also obtain a civil injunction
8 against any violation of apprenticeship laws. (§ 3084.5.)

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

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

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

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

1 program requests a hearing within 15 days of the notice. (*Ibid.*)

2 Whether or not a hearing is requested, the Chief must “transmit to the
3 Administrator a report containing all pertinent facts and circumstances concerning the
4 violation, including the findings and recommendation for deregistration, and copies of
5 all relevant documents and records.” (Regulation § 212.4, subd. (b)(5).) If no hearing
6 is requested, the Administrator issues a decision on the record. (*Ibid.*) If a hearing is
7 requested, the Administrator will hold a hearing and issue a decision thereafter on the
8 basis of the record. (Regulation § 212.2, subd. (b)(6).)

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

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

16 **CONCLUSION AND DECISION**

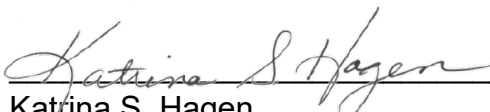
17 Having duly considered the Chief’s Report and Recommendation on the
18 Deregistration of the KC Beauty Academy Unilateral Committee Apprenticeship
19 Program, I find the Chief’s recommendation meritorious and in this decision, I adopt
20 the recommendation to deregister and withdraw state approval of the KC Beauty
21 Academy Unilateral Committee Apprenticeship Program. The deregistration of the KC
22 Beauty Academy Unilateral Committee Apprenticeship Program cancels the approval
23 of the program to operate and automatically terminates each apprentice’s individual
24 registration.

25

26 Date: July 2, 2024

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Katrina S. Hagen
Director of Industrial Relations
Administrator of Apprenticeship