



Oregon Bureau of Labor and Industries
REPORT ON RULEMAKING HEARING
Division 50: Proceedings for Apprenticeship and Training Division Hearings
July 1, 2021

Proposed Rule Action:**Permanent Rulemaking:**

New Administrative Rule: OAR 839-050-0450

Proceedings for Apprenticeship and Training Division Hearings

Background:

The Apprenticeship and Training Division (Division) has a disciplinary process for addressing a complaint against a committee, apprenticeship committee or training agent (OAR 839-011-0093). If a complaint is filed with the Division against an apprenticeship committee or training agent, the Division must investigate and make a determination. If the Division determines that the party is not operating in compliance with program standards, it must notify and make a reasonable effort to obtain compliance from the party. If the Division is unable to obtain compliance or the party appeals the finding of the Division, the matter is referred to the Oregon State Apprenticeship and Training Council (Council) to conduct a hearing to show cause. Upon conclusion of the hearing, the Council must decide by a majority vote of the members present whether to issue a determination that the apprenticeship committee or training agent is out of compliance with program standards.

At a recent Council meeting representatives for an apprenticeship committee appealed a determination made by the Division that it was out of compliance, requesting a hearing to show cause. However, the Division did not have administrative rules governing the proceedings for hearings because there is no record of the Council having ever conducted hearing to show cause. Therefore, it was necessary to adopt temporary rules.

The agency proposes to make the temporary rules permanent to ensure that the Division and parties to any future hearing have a clear understanding of the hearing proceedings and can participate in equitable and transparent process.

Summary of Hearing:

On June 18, 2021 at 10:00 a.m., I convened the rulemaking hearing on the above referenced administrative rule that has been proposed for adoption by BOLI.

The hearing was recorded and available for review.

Public Comment:

There was one person in attendance at the meeting, but no public comment was offered.

The meeting was adjourned at 11:00 a.m.

The public comment period closed on June 30, 2021. The agency did not receive any written comment from members of the public.



Final Action:

Having received no public comment regarding the proposed rule, the recommendation is to adopt the rule as proposed. Effective August 1, 2021.

Erin Seiler, Senior Policy Advisor



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Val Hoyle | Labor Commissioner