

**State of California
Office of Administrative Law**

In re:
Labor and Workforce Development Agency

Regulatory Action:

Title 08, California Code of Regulations

Adopt sections:

Amend sections: 58800

Repeal sections:

NOTICE OF FILING AND PRINTING ONLY

Government Code Section 11343.8

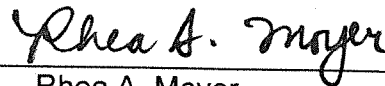
OAL Matter Number: 2021-1028-05

OAL Matter Type: File and Print Only (FP)

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing.

OAL filed this regulation(s) or order(s) of repeal with the Secretary of State and will publish the regulation(s) or order(s) of repeal in the California Code of Regulations.

Date: November 23, 2021



Rhea A. Moyer
Associate Governmental
Program Analyst

For: Kenneth J. Pogue
Director

Original: David Lanier, Secretary
Copy: Marc Pilotin

FILE PRINT

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2021-1028-05 FP	
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Labor and Workforce Development Agency			AGENCY FILE NUMBER (if any)

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

NOV 23 2021

1:13 PM

OFFICE OF ADMIN. LAW
2021 OCT 28 AM 9:38

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			NOTICE REGISTER NUMBER	PUBLICATION DATE
				2021, 35-2	8/27/21

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Conflict of Interest Code		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) Z-2021-0810-02	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 58800 per agency request <i>Rm</i>
	REPEAL 2 per agency request

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) 30 days after filing with SOS per 2 CCR 18750

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify)			

7. CONTACT PERSON Marc Pilotin		TELEPHONE NUMBER 916-653-9939	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Marc.Pilotin@labor.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Natalie Palugyai</i>	DATE 10/28/2021
TYPED NAME AND TITLE OF SIGNATORY Natalie Palugyai, Secretary	

For use by Office of Administrative Law (OAL) only

AUTHORIZED FOR FILING AND PRINTING

NOV 23 2021

Office of Administrative Law

TITLE 2, DIVISION 8, CHAPTER 99
CALIFORNIA LABOR AND WORKFORCE DEVELOPMENT AGENCY
CONFLICT OF INTEREST CODE

§58800. General Provisions.

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 Cal. Code Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendices in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the California Labor and Workforce Development Agency (Agency).

~~Designated employees shall file statements of economic interests with the Agency. The Secretary must file his/her statement of economic interests electronically with the Fair Political Practices Commission. Statements for all other designated employees shall be maintained by the Agency and made available for public inspection and reproduction upon request. All other individuals holding designated positions must file their statements with the Agency. All statements must be made available for public inspection and reproduction under Government Code Section 81008.~~

NOTE: Authority cited: Section 87300, Government Code.

Reference: Sections 87300-87302, and 87306, Government Code.

Labor and Workforce Development Agency
APPENDIX A-DESIGNATED POSITIONS

Classification	Category
Agency Secretary	1
Agency Undersecretary	1
General Counsel	1
Deputy Secretary	2
Associate Secretary	1
Assistant Secretary	2
Associate Governmental Program Analyst	2 4
<u>Agency Information Officer</u>	<u>4 3</u>
<u>Attorney (All Levels)</u>	<u>2</u>
<u>Chief Deputy Secretary</u>	<u>1</u>
<u>Information Technology Security Officer</u>	<u>3</u>
<u>Senior Advisor on Law & Policy</u>	<u>1</u>
<u>Staff Services Manager (All Levels)</u>	<u>4</u>
Assistant Secretary, Legislative and Inter-Governmental Affairs	1
Director	2
Staff Services Manager III	2
Staff Services Manager I (Specialist)	2
Staff Services Manager I	2
Special Assistant	2
Research Program Specialist II	2
Systems Software Specialist I (Technical)	4
Chair, Governor's Committee on Employment of People with Disabilities	3
Member, Governor's Committee on Employment of People with Disabilities	3
Chair, California Economic Strategy Panel	1

Member, California Economic Strategy Panel	1
Staff Services Manager II (Supervisor), California Business Investment Services (CalBIS)	1
Staff Services Manager I (Specialist), California Business Investment Services (CalBIS)	1
Associate Governmental Program Analyst, California Business Investment Services (CalBIS)	1
Consultant/New Position	1 *

~~*Consultants are included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations:~~

~~The Agency Secretary may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and base upon that description, a statement of the extent of disclosure requirements. The Agency Secretary's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.~~

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Agency Secretary may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this section. Such determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Agency Secretary's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Sec. 81008.)

APPENDIX B-DISCLOSURE CATEGORIES

CATEGORY 1:

~~Designated employees assigned to Category 1 shall report as follows:~~

All interests in real property in the State of California, as well as investments and business positions in, and income, including gifts, loans and travel payments, from any source.

CATEGORY 2:

~~Designated employees assigned to Category 2 shall report as follows:~~

Investments and business positions in, and income, including gifts, loans and travel payments, from any source.

CATEGORY 3:

~~Designated employees assigned to Category 3 shall report as follows:~~

~~Investments and business positions in, and income, including gifts, loans and travel payments, from any person or entity that is a service provider to persons with disabilities, as well as from any person or entity that is of the type to receive a grant, scholarship, or monetary award from the Governor's Committee on Employment of Disabled Persons.~~

Investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source provides information technology or telecommunication goods, products or services including computer hardware or software companies, computer consultant services, IT training companies, data processing firms and media services.

CATEGORY 4:

~~Designated employees assigned to Category 4 shall report as follows:~~

~~Investments and business positions in, and income, including gifts, loans and travel payments, from sources of the type to provide goods or services to the employee's administrative unit.~~

Investments and business positions in business entities and sources of income (including receipt of gifts, loans and travel payments) if the business entity or source provides leased facilities, products, equipment, vehicles, machinery or services (including training or consulting services) of the type utilized by the Agency.

This is the last page of the conflict-of-interest code for the **Labor and Workforce Development Agency**.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict-of-interest code for the **Labor and Workforce Development Agency** was approved on 10/15/ 2021.

A handwritten signature in black ink, appearing to read 'John M. Feser, Jr.', written over a horizontal line.

John M. Feser, Jr.

Senior Commission Counsel

Fair Political Practices Commission

Pursuant to Government Code Section 11346.2:

Secretary of State Filing Date:

Effective: