

Date of Hearing: June 10, 2026

ASSEMBLY COMMITTEE ON PUBLIC EMPLOYMENT AND RETIREMENT

Tina S. McKinnor, Chair

SB 1227 (Durazo) – As Amended April 16, 2026

**SENATE VOTE:** 38-0

**SUBJECT:** Department of Industrial Relations: apprenticeship pilot program

*The committee is informed that this bill is also referred to the Assembly Committee on Labor and Employment. As such, this writing only discusses matters that are germane to the jurisdiction of this committee and defers to that committee to discuss matters that are germane to its jurisdiction.*

**SUMMARY:** Establishes the Department of Industrial Relations (DIR) Apprenticeship Pilot Program to, among other things, address shortages that undermine the department’s ability to enforce California labor law, among other provisions. Specifically, **this bill:**

- 1) Requires, on or before January 1, 2028, the DIR and the California Department of Human Resources (CalHR) to partner with bargaining units (BUs) representing DIR employees to design and develop an apprenticeship program that addresses the DIR’s staffing challenges for filling positions in civil service classifications, including, but not limited to, industrial hygienist.
- 2) Requires the design, development, and administration of the program to meet all of the following requirements:
  - a) Use the meet and confer process, collective bargaining, and joint apprenticeship committees in a manner consistent with the state employer-employee relations act, i.e., Ralph C. Dills Act (commonly referred to as the “Dills Act.”); the Shelley-Maloney Apprenticeship Labor Standards Act of 1939, and provisions of the Labor Code governing apprenticeships.
    - (i) Be consistent with the constitutional merit principle, including but not limited to the following: (i) selection for participation in an apprenticeship, which must be in accordance with court interpretations of the constitutional merit principle, and (ii) completion of an apprenticeship under the program, which must be merit-based in accordance with court interpretation of the constitutional merit principal.
  - b) Must be implemented subject to an agreement between the DIR and the exclusive representative, notwithstanding an expired or new collective bargaining agreement or the parties to the agreement reaching an impasse.
- 3) Requires a joint apprenticeship committee operating under these provisions to have all powers afforded to it pursuant to the Labor Code and regulations pertaining to such committees arising from the Labor Code.

- 4) Authorizes incumbent state employees and prospective employees not yet employed in the civil service to be included, subject to the prescribed selection for apprenticeship participation that must be in accordance with the constitutional merit principle.
- 5) Defines “apprenticeship program” or “program,” “CalHR,” “constitutional merit principle,” and “department” for these purposes.
- 6) Includes uncodified legislative findings and declarations for these purposes.

**EXISTING LAW:**

- 1) Establishes the Division of Apprenticeship Standards (DAS) within the Department of Industrial Relations to oversee apprenticeship programs and requires the Chief of the Division (Chief) to perform various functions to promote the welfare of apprentices. (Sections 3070 et seq., Labor Code.)
- 2) Creates, within the DAS, the Interagency Advisory Committee on Apprenticeship (IACA), which provides advice and guidance to the Administrator of Apprenticeship and Chief on the development and administration of standards governing preapprenticeship, certification, and on-the-job training and retraining programs outside the building and construction trades and firefighters. (Section 3071.5, Labor Code.)
- 3) Requires the DAS to evaluate apprenticeship programs to ensure compliance with specified standards, including that all on-the-job training is properly supervised, classroom instruction is provided, and funds were properly obtained and expended. (Section 3073.1, Labor Code.)
- 4) Authorizes a joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer to administer an apprenticeship program, and authorizes the Chief to approve programs in any trade in the state or in a city or trade area, whenever the apprentice training needs justify the establishment. In addition, where a collective bargaining agreement exists, a program must be jointly sponsored unless either party to the agreement waives its right to representation in writing. (Section 3075(a), Labor Code.)
- 5) Defines “apprentice” to mean a person at least 16 years of age who has entered into a written agreement, or apprentice agreement, with an employer or program sponsor, and requires the Chief to approve the term of apprenticeship for each apprenticeable occupation, as specified. (Section 3077, Labor Code.)
- 6) Provides that the term of apprenticeship may be measured either through the completion of the industry standard for hours of on-the-job learning and related and supplemental instruction, attainment of competency, or a hybrid blend of the time-based and competency-based approaches, as specified, but that programs in the building and construction trades and for firefighters must use the time-based approach. (Section 3078.5, Labor Code.)
- 7) Requires the local joint apprenticeship committee, or the parties to a collective bargaining agreement, or the administrator where there is no collective bargaining agreement, or joint committee to approve apprentice agreements, and every apprentice agreement to be signed

by the employer or their agent, or by a program sponsor, as specified, and by the apprentice. (Section 3079, Labor Code.)

- 8) Provides that neither existing law nor approved apprentice agreements can operate to invalidate any apprenticeship provision in any collective bargaining agreement between employers and employees setting higher apprenticeship standards. (Section 3086, Labor Code.)
- 9) Provides that acceptance of an application for entrance into an apprenticeship program must not be predicated on the payment of any fee, but that reasonable costs for expense incurred may be charged after an applicant has been accepted into the program. (Section 3091, Labor Code.)
- 10) Allows apprenticeship sponsors to include local educational agencies (LEAs), institutions of higher education (IHEs), labor organizations, and nonprofits, and encourages alignment of apprenticeship programs with affirmative action and public sector workforce needs. (Sections 3075 and 3075.1, Labor Code.)
- 11) Creates the state civil service that includes every officer and employee of the state except a limited number of specified, exempted officers and employees. Existing law also requires that the state make “permanent appointment and promotion in the civil service under a general system based on merit ascertained by competitive examination.” Case law and custom refer to this provision as the merit principle and it governs the administration of the state’s civil service system. (Sections 1 and 4, art. VII, Cal. Const.)
- 12) Creates the State Personnel Board (SPB) to enforce the civil service statutes and prescribe probationary periods and classifications, adopt other rules authorized by statute, and review disciplinary actions. (Sections 2 and 3, art. VII, Cal. Const.)
- 13) Establishes the State Civil Service Act to facilitate the operation of the Constitution’s merit principle for the state civil service. (Sections 18500 et seq., Gov. Code.)
- 14) Creates the CalHR and vests it with the powers, duties, and authorities necessary to operate the state civil service system pursuant to Article VII of the Cal. Const., the Gov. Code, the merit principle, and applicable rules duly adopted by the SPB. (Section 18502, Gov. Code.)
- 15) Requires the SPB to establish minimum qualifications for determining the fitness and qualifications of employees for each class of position, including education, experience, knowledge, and abilities that each applicant is required to have to be considered eligible for a classification, and grants discretionary authority to the CalHR to require applicants for examination or appointment to provide documentation as it deems necessary to establish their qualifications. (Sections 18931, Gov. Code.)
- 16) Requires that an employee serve a probationary period under the following circumstances:
  - (a) when the employee enters or is promoted in the state civil service by permanent appointment from an employment list;
  - (b) upon reinstatement after a break in continuity of service resulting from a permanent separation, or
  - (c) after any other type of appointment situation not specifically excepted from the probationary period requirement by statute or by SPB rule. (Section 19171, Gov. Code.)

- 17) Requires the SPB to establish for each class the length of the probationary period but also provides that the probationary period that shall be served upon appointment shall be six months unless the board establishes a longer period of not more than one year. (Section 19170, Gov. Code.)
- 18) Governs collective bargaining in the private sector under the federal National Labor Relations Act (NLRA), but leaves it to the states to regulate collective bargaining in their respective public sectors. (Sections 151 et seq., Title 29, United States Code.) While the NLRA and the decisions of its National Labor Relations Board (NLRB) often provide persuasive precedent in interpreting state collective bargaining law, public employees have no collective bargaining rights absent specific statutory authority establishing those rights.
- 19) Provides several statutory frameworks under California law to provide public employees collective bargaining rights, govern public employer-employee relations, and limit labor strife and economic disruption in the public sector through a reasonable method of resolving disputes regarding wages, hours and other terms and conditions of employment between public employers and recognized public employee organizations or their exclusive representatives. These include the Dills Act governing employment relations for certain executive branch (state) employees. (Sections 3512 et seq., Gov. Code.)
- 20) Establishes the PERB, a quasi-judicial administrative agency charged with administering certain statutory frameworks governing employer-employee relations, resolving disputes, and enforcing the statutory duties and rights of public agency employers, employees, and employee organizations, but provides the City and County of Los Angeles a local alternative to PERB oversight. (Sections 3541 et seq., Gov. Code.)

**FISCAL EFFECT:** According to the Senate Committee on Appropriations, the DIR would incur administrative costs to work with specified entities to design and develop the apprenticeship program (special fund). The department has yet to identify the magnitude, but costs minimally would reach the hundreds of thousands of dollars (special fund). The CalHR would incur first-year costs of \$173,000, and \$166,000 annually thereafter, to implement the provisions of the bill (General Fund).

#### **COMMENTS:**

Information provided by the author states, “[the] DIR has faced persistent challenges adequately staffing its labor law enforcement operations, particularly at [the Division of Labor Standards Enforcement (DLSE)] and [the Division of Occupational Safety and Health (DOSH)]. High vacancy rates and insufficient staffing have negatively affected its ability to respond timely to retaliation and wage claims and have limited its capacity to investigate workplace health and safety hazards. In recent years, [the] DIR has had department-wide vacancy rates greater than 25 percent with hundreds of budget-authorized positions remaining vacant. Vacancy rates in some divisions and offices have been even higher, surpassing 30 percent on occasion. Recent audits of [the] DLSE and DOSH by the California State Auditor have found the following:<sup>1</sup>

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<sup>1</sup> [\*“The California Labor Commissioner’s Office: Inadequate Staffing and Poor Oversight Have Weakened Protections for Workers.” Report 2023-104, California State Auditor \(May 2024\).\*](#)

- Wage claims often take two years or longer to resolve.
- [Labor Commissioner’s Office] has a backlog of tens of thousands of wage claims.
- DLSE does not have adequate staff to process its rapidly growing backlog.
- DLSE needs hundreds of additional staff to address both backlogged and new wage claims.
- Low salaries and inefficient hiring pose challenges to staffing at DLSE.
- DOSH can take weeks or even months to initiate complaint and accident inspections.
- Staffing shortages and process deficiencies are root causes of DOSH’s operational problems.”

Further, “[this bill] will provide [the] DIR with another tool to address its staffing challenges [by requiring the] DIR to partner with state worker unions to develop apprenticeship pathways into DIR job classifications vital to labor law enforcement and ensures that these apprenticeship programs abide by the merit principle in the state constitution.”

### **The State Civil Service or Merit System**

Civil service systems, commonly referred to as “merit systems,” covering various public employees are typically found in statutes, local government ordinances or charters, or personnel rules of a public agency. These statutes or local provisions establish specific guidelines on, among other things, the processes of employing individuals in the civil service.

What are “merit systems?” To combat the “spoils system” that permeated most California civil service jobs prior to 1913 when most state jobs awarded were based on the applicant’s political allegiance or personal relationships, in 1913, the Legislature enacted the Civil Service Act to address this activity. However, that act was not operating as the Legislature intended, i.e., jobs were being filled based on factors other than the individual’s qualifications and, in 1934, voters approved the State Civil Service Act to replace the original 1913 version. The basic provisions of that initiative remain in effect today. In sum, the merit system and principle is essential for maintaining fair and effective civil service in California. It ensures that hiring and promotion decisions are based on merit, which enhances the integrity of the civil service, fosters trust in government operations, and effectively serves the public interest. For state civil service employees, the merit system is established in the Cal. Const. and codified in the Gov. Code.<sup>2</sup>

Among other responsibilities, the CalHR administers the merit system for the state civil service.

### **This Bill**

To address long-standing vacancies in the DIR, which has undermined the department’s ability to enforce California’s labor laws, this bill proposes to address recruitment and, perhaps, retention via a pilot apprenticeship program targeted specifically to that department.

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<sup>2</sup> Art. VII *ibid.*, and Sections 19570 *et seq.*, Gov. Code.

Apprenticeship programs offer many individuals a direct opportunity to obtain necessary skills, experience, or educational requirements to overcome barriers to employment, and an ability to become increasingly competitive in the employment market. Participation in such programs provide an alternate avenue to obtaining gainful employment in both the public and private sectors. Apprenticeship programs also may supplement other recruitment efforts to assist with filling employment vacancies.

While acknowledging the laudable objectives of this proposed statute, there exists several defects that must be cured through amendments, as discussed below.

### **Amendments Proposed by the Committee**

To maintain historical, practical, operational, and statutory consistency in these regards, the committee proposes the following technical and clarifying amendments:

- Strike subdivision (b) of Section 3151.  
*Rationale:* This amendment removes the unnecessary definition of “CalHR,” as abbreviated.
- Amend subdivision (a) of Section 3152 to read:

**3152.** (a) On or before January 1, 2028, the department and ~~CalHR~~ the Department of Human Resources shall partner with the bargaining units representing employees of the department to design and develop an apprenticeship program that addresses the department’s staffing challenges for filling positions in civil service ~~classifications, including, but not limited to, industrial hygienist.~~ classifications

*Rationale:* First, this amendment removes the abbreviation of “CalHR” in favor of that department’s formal long-form title for purposes of statutory consistency and clarity.

Second, this amendment also removes questionable and concerning verbiage “including, but not limited to, industrial hygienist” to resolve concerns relating to the specific and sole identification of one civil service classification in statute, but not others, towards maintaining fairness in collective bargaining consistent with the bill’s provisions regarding meet and confer in Section 3152 (b) (1) and (e)(1), among other reasons discussed immediately below.

As previously discussed, the state civil service or merit system exists for various prudent public policy reasons. Although the proposed apprenticeship program would be external to the historical and traditional state civil service employment process, it is intended to operate as a supplement to that system while maintaining consistency with the constitutional merit system principle. However, statutorily identifying a single classification and no other raises material questions, concerns, and suspicions regarding: (i) intent to maintain absolute consistency with the constitutional merit principle that ensures equitable opportunity and consideration for applicants or candidates and where the program ultimately involves and could result in the hiring of individuals into the state civil service; and, (ii) the term “civil service classifications,” in and of itself, is appropriately and sufficiently broad; thus,

inclusive of all of civil service classifications and where the various full class titles among “industrial hygienist” is one among many.<sup>3</sup>

Further, because Section 3152(b)(1) requires the CalHR, DIR, and exclusive representatives to partner to develop the program through the Dills Act’s meet and confer process, this amendment supports that any DIR-relevant civil service classifications of interest to the parties for this program’s purposes would be applicable as mutually identified, bargained for, and agreed to – subject to meeting and conferring, which affords the CalHR, DIR, and exclusive representatives increased flexibility regarding classifications.

- Amend subparagraphs (A) and (B) of paragraph (2) of Section 3152(b) to read:

(A) Selection for participation in an ~~apprenticeship, which shall be in accordance with court interpretations of the constitutional merit principle.~~ apprenticeship.

(B) Completion of an apprenticeship under the ~~program, which shall be merit based in accordance with court interpretation of the constitutional merit principle.~~ program.

*Rationale:* Concurring with concerns raised and discussed in the analysis of this bill by the Senate Committee on Labor, Public Employment and Retirement, this amendment removes unnecessary, duplicative, and convoluting verbiage relating to the merit principle and a decision of a court and, instead, simplifies and clarifies these program requirements that must be consistent with the constitutional merit principle, as already required in Section 3152(b)(2).

- Amend paragraph (3) of subdivision (b) of Section 3152 to read:

Notwithstanding subdivision (b) of Section 3517.8 of the Government Code, be implemented subject to an agreement ~~between the department~~ between the parties consistent with Chapter 10.3 (commencing with Section 3512) of Division 4 of Title 1 of the Government Code).

*Rationale:* Section 3517.8 of the Gov. Code relates to expired memoranda of understanding and negotiations impasse within the Dills Act. Pursuant to that act, it is the Governor, or its designee as may be properly designated by law, who is required to meet and confer in good faith with exclusive representatives regarding matters within the scope of representation. (Section 3517, Gov. Code.) It is noted that Section 3151(d) of this bill expressly defines “department” to mean the DIR. However, historically through present day, as part of its duties to administer the civil service for the executive branch, the CalHR has been, and continues to be, responsible for performing labor relations, i.e., collective bargaining with state civil service employee exclusive representatives, under that act – not the DIR. (Sections 19815 through 19815.8, Gov. Code.) This amendment clarifies by maintaining the role and purposes of the CalHR to, among other things, negotiate agreements on behalf of the administration with exclusive representatives of state civil service employees pursuant to that act and appropriately incorporates the Dills Act statute.

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<sup>3</sup> List of state civil service classifications and pay scale (as of May 18, 2026), [CalHR website](#).

### **Statement by the Author**

The author’s statement is substantially similar to information provided immediately under the heading “COMMENT,” above.

### **Comments by Supporters**

Among other things, a coalition of labor organizations, workplace safety organizations, and others state, “[t]he crisis at the Division of Occupational Safety and Health (Cal/OSHA) underscores the urgency of action. As of November 1, 2025, 100 field inspector positions remain vacant – a 33 percent vacancy rate – and nine district offices report vacancy rates of 50 percent or higher. California has just one field inspector for every 99,000 workers, far fewer than peer states. These shortages delay enforcement: investigations into workplace complaints and accidents can take weeks or even months to initiate, leaving workers exposed to unsafe conditions. The consequences are clear – most complaints are handled through “letter investigations” rather than on-site inspections, citations in high-hazard industries are declining, and deterrence of unsafe practices is weakening. The staffing crisis extends across DIR’s enforcement agencies. At the Division of Labor Standards Enforcement (DLSE), chronic understaffing has produced a backlog of tens of thousands of wage claims, with workers often waiting two years or longer for resolution. [The] DLSE does not have adequate staff to process its rapidly growing caseload and needs hundreds of additional positions to address both existing backlogs and new claims. High vacancy rates across field offices, combined with low salaries and inefficient hiring processes, continue to hinder recruitment and retention. As a result, wage theft too often goes unremedied, weakening enforcement of core labor standards and denying workers timely justice. [This bill] offers a forward-looking, proven solution by leveraging registered apprenticeship to build a strong, qualified pipeline into these essential enforcement roles. Apprenticeship is a time-tested, skills-based training model that combines hands-on, on-the-job learning with structured instruction. It allows workers to progressively demonstrate competency through real world application—an approach that aligns squarely with California’s merit based civil service system.”

The California Chamber of Commerce states that [it is] “supportive of efforts to address the staffing challenges that the department presently faces to ensure that wage claims are being reviewed and adjudicated in a timely manner. It is critical for both employees and employers that we have an effective wage claim process.”

### **Comments by Opponents**

None on file.

### **Prior or Related Legislation**

Senate Bill 75 (Smallwood-Cuevas, 2025) proposed to require the Department of Corrections and Rehabilitation (CDCR), in partnership with the DIR and recognized building and construction trades councils to establish the Preapprenticeship Pathways to Employment Pilot Program to provide incarcerated individuals with access to pre-apprenticeship training aligned with state-registered apprenticeships in the building and construction trades, no later than January 1, 2028. The Governor vetoed the bill stating:

*“Providing the incarcerated population with skills to use upon release is critical to the successful reintegration of these individuals back into their communities. In this spirit, California has made significant, targeted investments over the past several years to support multiple educational and work-based programs within the state prison system. This includes the Adult Basic Education program, partnerships with institutions of higher education, the availability of Career Technical Education courses, and apprenticeship work opportunities.*

*“While I am proud of this ongoing work, I appreciate the author's commitment to expand rehabilitative programming and career pathways - and I acknowledge there is more work to be done. However, this bill would establish a structure that cannot be implemented, conflicts with existing work, and creates cost pressures exceeding several million dollars annually to establish and operate a new pre-apprenticeship pilot program. I encourage the Legislature to revisit this issue as part of next year's budget process, so that targeted investments in CDCR's rehabilitative programming can be considered in the context of ongoing work to assist the incarcerated population with reentry into the community.”*

Assembly Bill 291 (Gipson, 2025) proposed to establish the Credentialed Educator Apprenticeships Act to require the Commission on Teacher Credentialing (CTC) and the DAS to disseminate, approve, and monitor credentialed educator apprenticeship programs in California. This bill was held in the Senate Committee on Appropriations.

Assembly Bill 694 (Gipson, 2024) proposed to authorize the establishment of a Teacher Residency Apprenticeship Program to address shortages in the educator workforce, expand the pipeline into the teaching profession, and grow a diverse, local pathway into teaching. This bill was held in the Senate Committee on Appropriations.

Assembly Bill 3041 (W. Carrillo, 2024) proposed to establish the Career Development Apprenticeship Program (CDAP) to be administered and overseen by the CalHR by providing an alternative to the traditional civil service examination appointment process, and required the DAS within the DIR to issue rules and regulations pursuant to, and consistent with, provisions governing the CDAP, among other provisions. This bill was held in the Assembly Committee on Labor and Employment.

Assembly Bill 1493 (W. Carrillo, 2023) proposed to establish the CDAP, administered and overseen by the CalHR to provide an alternative to the traditional civil service examination appointment process, among other provisions. This bill was held in the Assembly Committee on Public Employment and Retirement.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Asian Pacific Environmental Network  
 California Association of Professional Scientists, UAW 1115  
 California Chamber of Commerce  
 California Nurses Association  
 California Rural Legal Assistance Foundation  
 California Federation of Teachers – a Union of Educators and Classified Professionals, AFT,  
 AFL-CIO  
 Inland Empire Labor Council, AFL-CIO

International Longshore and Warehouse Union, Local 26  
National Council on Occupational Safety and Health  
Service Employees International Union, Local 1000  
SMART, California State Legislative Board  
Southern California Coalition for Occupational Safety and Health  
Sunflower Alliance  
United Steelworkers Local, 675  
United Steelworkers, District 12  
Worksafe

**Opposition**

None on file.

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