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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15990.3] (Division 3 added by Stats. 1945, Ch. 111.)

PART 8.5. LABOR AND WORKFORCE DEVELOPMENT AGENCY [15550 - 15563.6] (Part 8.5 added by Stats. 2002, Ch. 859, Sec. 8.)

CHAPTER 2. Powers and Duties [15554 - 15562.5] (Chapter 2 added by Stats. 2002, Ch. 859, Sec. 8.)

15554. The secretary has the power of general supervision over, and is directly responsible to the Governor for, the operations of each department, office, and unit within the agency. The secretary may issue those orders as the secretary deems appropriate to exercise any power or jurisdiction, or to assume or discharge any responsibility, or to carry out or effect any of the purposes vested by law in any department in the agency. However, except with respect to the Workforce Investment Board, nothing in this part authorizes the secretary to exercise any power or jurisdiction, or assume or discharge any responsibility related to the administration of the state Compensation Insurance Fund, or to investigation, adjudication, rulemaking, or legal representation that is vested by other provisions of law exclusively in any board, commission, council, or other appointive multimember body that is organizationally located within the Labor and Workforce Development Agency or within any of its departments.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15555. The secretary shall advise the Governor on, and assist the Governor in, establishing major policy and program matters affecting each department, office, or other unit within the agency, and shall serve as the principal communication link for the effective transmission of policy problems and decisions between the Governor and each department, office, or other unit.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15556. The secretary shall exercise the authority vested in the Governor in respect to the functions of each department, office, or other unit within the agency, including the adjudication of conflicts between or among the departments, offices, or other units, and shall represent the Governor in coordinating the activities of each department, office, or other unit within the agency with those of other agencies, whether federal, state, or local.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15557. The secretary shall be generally responsible for the sound fiscal management of each department, office, or other unit within the agency. The secretary shall review and approve the proposed budget of each department, office, or other unit. The secretary shall hold the head of each department, office, or other unit responsible for management control over the administrative, fiscal, and program performance of his or her department, office, or other unit. The secretary shall review the operations and evaluate the performance at appropriate intervals of each department, office, or other unit, and shall seek continually to improve the organizational structure, the operating policies, and the management information systems of each department, office, or other unit.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15558. Other duties of the secretary include, but are not limited to, reviewing personnel management, acting as public advisor and providing public information in connection with all functions of the agency, overseeing the implementation of the workforce investment system to ensure that it better responds to the employment, training, and education needs of its customers, and consolidating service points and One-Stop Taxpayer Service Centers for employers and workers by adding services that are within the agency's authority.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15559. The secretary shall develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formulation in the matters of public interest related to the agency. To

accomplish this end, the secretary may hold public hearings, consult with and use the services and cooperation of other state agencies, employ staff and consultants, and appoint advisory and technical committees to assist in the work.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15560. For the purpose of administration, the secretary shall organize the agency, subject to the approval of the Governor, in the manner he or she deems necessary to segregate and conduct the work of the agency. The secretary may require any department, office, or unit to assist in enforcing any law within the jurisdiction of the agency, except as provided in Section 15554.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15561. The secretary and any other officer or employee within the agency designated in writing by the secretary shall have the power of a head of a department pursuant to Article 2 (commencing with Section 11180) of Chapter 2 of Part 1.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15562. Whenever a power is granted to the secretary, the power may be exercised by an officer or employee within the agency as designated in writing by the secretary.

(Added by Stats. 2002, Ch. 859, Sec. 8. Effective January 1, 2003.)

15562.5. (a) (1) On or before July 1, 2023, the agency shall establish an advisory committee to study and evaluate the effects of heat on California's workers, businesses, and the economy.

(2) The advisory committee shall meet to recommend the scope of a study to the agency. The committee shall meet at least once after the study is complete.

(3) In considering the effects of heat on California's workers, businesses, and the economy, the advisory committee shall recommend a study that addresses some or all of the following topics:

(A) How to improve data collection regarding worker injuries, illnesses, or deaths as well as losses to businesses and the economy to more accurately capture those traceable to heat.

(B) Time away from work and lost wages due to heat.

(C) The frequency at which different types of occupational injuries and illnesses occur at given temperatures and humidity levels, including injuries and illnesses not directly attributable to heat exposure.

(D) Underreporting of heat illnesses and injuries covered by workers' compensation, especially among low-income employees, including the underreporting of occupational heat exposure with effects on workers after their shifts.

(E) Evidence-based methods of minimizing the effect of heat on workers.

(4) The committee shall be composed of the following members:

(A) The Secretary of Labor and Workforce Development, or their designee.

(B) One representative from, and appointed by, the Department of Industrial Relations.

(C) One representative from, and appointed by, the Division of Occupational Safety and Health.

(D) One representative from, and appointed by, the Employment Development Department.

(E) One representative from, and appointed by, the Business, Consumer Services and Housing Agency.

(F) One representative from, and appointed by, the Division of Workers' Compensation.

(G) One representative from the Climate Change and Health Equity Section, within and appointed by the State Department of Public Health.

(H) One representative appointed by the Labor and Workforce Development Agency, from a labor union, who has demonstrated expertise in high heat-related exposure.

(I) One representative appointed by the Labor and Workforce Development Agency, from a business, who has demonstrated expertise in high heat-related exposure.

(J) Three scholars, including at least one economist, appointed by the Labor and Workforce Development Agency, who have demonstrated expertise in high heat-related exposure.

(K) One representative from, and appointed by, the Governor's Office of Planning and Research.

(b) The advisory committee may contract with academic institutions or other researchers to complete its work.

(c) (1) The advisory committee shall issue and submit a report of its findings to the Legislature, including, but not limited to, the Assembly Labor and Employment Committee and the Senate Labor, Public Employment and Retirement Committee, no later than January 1, 2026.

(2) The report required pursuant to paragraph (1) shall be submitted in compliance with Section 9795.

(d) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

(Added by Stats. 2022, Ch. 263, Sec. 1. (AB 1643) Effective January 1, 2023. Repealed as of January 1, 2027, by its own provisions.)