



Periodic Review / Retain Regulation Agency Background Document

Agency name	Department of Labor and Industry
Virginia Administrative Code (VAC) citation	16 VAC 20-10
Regulation title	Public Participation Guidelines
Document preparation date	March 23, 2007

This form is used when the agency has done a periodic review of a regulation and plans to retain the regulation without change. This information is required pursuant to Executive Orders 36 (2006) and 58 (1999).

Legal basis

Please identify the state and/or federal legal authority for the regulation, including (1) the most relevant law and/or regulation, and (2) promulgating entity, i.e., agency, board, or person.

This regulation is mandated by the Administrative Process Act, Code of Virginia section 2.2-4007 D. This section mandates that the Council will have Public Participation Guidelines and defines policies to be included. The regulation does not exceed the minimum requirements of the state mandate.

Alternatives

Please describe all viable alternatives for achieving the purpose of the existing regulation that have been considered as part of the periodic review process. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving the purpose of the regulation.

Because this regulation is mandated, there are no alternatives for achieving the purpose of the regulation.

Public comment

Please summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Please indicate if an informal advisory group was formed for purposes of assisting in the periodic review.

Commenter	Comment	Agency response

No public comments were received on this regulation during the public comment period. The agency and the Apprenticeship Council did not establish an informal advisory group for the purpose of assisting in the periodic review.

Effectiveness

Please indicate whether the regulation meets the criteria set out in Executive Order 36, e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.

The goals of the regulation are:

1. Provide maximum opportunity for the public to participate in the regulatory process.
2. Ensure that the public is informed of new regulations.
3. Ensure that the public has the opportunity to provide comments on regulatory changes.
4. Protect the public health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

The regulation has been effective in meeting these goals in that there have not been any complaints regarding the rule-making process and citizens have been aware of specific regulatory promulgation and have had input in the process. In addition, the regulation is clearly written and easily understandable.

Result

Please state that the agency is recommending that the regulation should stay in effect without change.

The Virginia Apprenticeship Council and the Department of Labor and Industry recommend that this regulation stay in effect without change.

Family impact

Please provide an analysis of the regulation’s impact on the institution of the family and family stability.

This regulation has no impact on the institution of the family or family stability.