

Status Report on the Farm Labor Contractor System

October 5, 2015

FLC application processing

- FLC applications may be submitted electronically or via mail. Applications submitted electronically are reviewed in order of submission. Applications submitted via mail are manually uploaded to the electronic system by DLSE staff and reviewed in order of submission. Due to an increase in resources redirected to processing, applications are reviewed within 30 days of receipt.
- FLCs who submitted applications via mail in the previous year may renew online. Information is posted on the [website](#): Please email DLSElicensing@dir.ca.gov to request instructions and include the applicant's FLC license number and contact information.
- 90% of applications submitted have missing or inadequate information. These applications are defected via a letter of notice detailing the issues to the FLC. The FLC has 30 days to submit information to satisfy the outstanding requirements or the application will be defected a second time. If the FLC fails to submit a complete and satisfying application within the second period of 30 days, the license will not be issued. If documents are missing due to other agency backlogs, temporary licenses may be issued.

Temporary Licenses

- DLSE issues temporary licenses for many incomplete applications, pursuant to Labor Code section 1684.3.
- Temporary licenses are issued for 90 day periods, provided the FLC's workers' compensation insurance coverage is valid.
- Temporary licenses allow FLCs to continue operating when required documentation from other agencies is pending.
- Minimum requirements must be met to be issued a temporary license:
 - Complete FLC application
 - Full payment of annual fees
 - Proof of workers' compensation insurance coverage valid for more than 30 days beyond FLC license expiration date
- Temporary license holders are posted and updated weekly:
<http://www.dir.ca.gov/dlse/FLCTemporaryLicenseExtensionVerification.pdf>

License verification

- Active licenses may be verified via a single look-up public interface:
https://permits.dir.ca.gov/FLC_External/CreateVerificationSearchForm.do
 - FLC may elect to receive email verification of license
- Temporary licenses may be verified online:
<http://www.dir.ca.gov/dlse/FLCTemporaryLicenseExtensionVerification.pdf>

Application improvements

- Technical issues caused a number of uploaded documents to detach from their FLC application. A programming update has fixed this error to reunite all 'lost' documents with their respective applications.
- The county registration requirement is satisfied with either proof of application or proof of registration.
- Because of federal backlog, the IRS Clearance requirement was removed on June 5.
- DIR is meeting with CLRA to identify additional areas where the application can be simplified (without compromising quality control of application screening) to better enable good employers to receive license in timely manner.
- WCIRB database access now enables reviewers to directly check and confirm workers' compensation insurance coverage.

Website

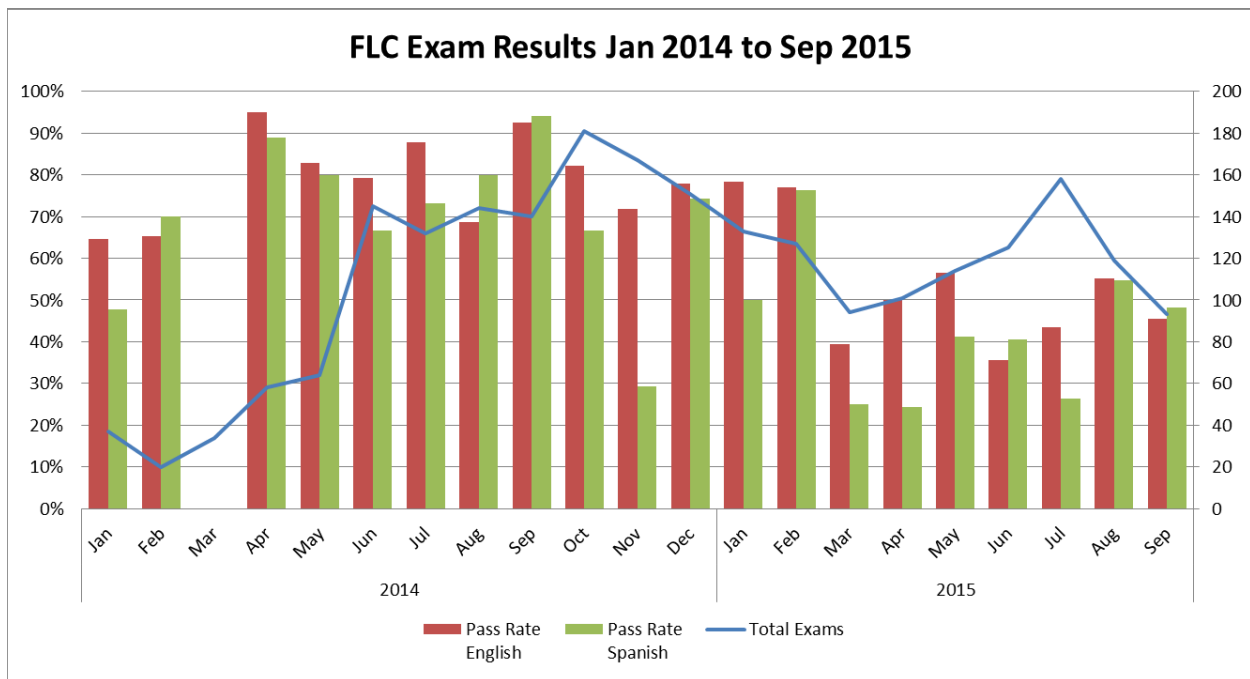
- Available in [English](#) and Spanish
- Online guide has been prepared and posted <http://www.dir.ca.gov/dlse/step-by-step-instructions.pdf>
- Key steps to success before beginning application:
 - Register with the federal government as a farm labor contractor
 - Take and pass the farm labor contractor exam (once every two years)
 - Have two current passport photos taken
 - Have fingerprints taken at a LiveScan facility
 - Obtain workers' compensation and a FLC bond in the appropriate amount or bond continuation (for renewals)
 - Participate in at least nine hours of relevant education classes for each license period
 - Register in each county to which the applicant will dispatch workers
 - Complete a sexual harassment disclosure statement
 - Provide copies of articles of incorporation statements of information.

Educational Information

- DIR and DOL are partnering on outreach opportunities for FLCs in California
- [Free FLC License Consulting](#) every Friday from 9-11am in the Fresno, CA office
 - Monthly collaboration with DOL FLC during this public event beginning Oct. 9
- Callers to the FLC unit are now answered by the DIR Call Center to expedite response rates. These calls are handled in multiple languages to assist the public. An [email account \(FLC@dir.ca.gov\)](#) has also been established for questions and status inquiries. Calls are returned and email responses are provided as soon as possible, usually within 48 hours.
- Outreach and education information are available through the new [FLC subscription service](#).

FLC Exams

- Exams and study guides are being reviewed for clarity and availability in English and Spanish.
- An online exam option is being researched. This would enable diagnosis of particular questions that may present challenges to all takers and allow for targeted improvements for clarity, in both English and Spanish. In addition, online processing would reduce staff time required for grading and offer immediate results to the FLC.
- Trends in pass/fail rates in 2015 have shown fewer than half pass, although slight improvement is noted in August and September following DLSE revisions to some known points of confusion. This underscores the importance of efforts to further review and clarify the exam.



Performance Measures

Topic	Description	Metric	Status
Processing mail in applications	DLSE staff enter mail in applications into online system	Average # days required to process	Within 15 days as of 9/28/15
Review of applications	DLSE and OD redirected staff review applications to approve or issue Defect 1 letters	Average # days required to review	For online submissions: within 30 days of submission; for mail-in applications, within 45 days weeks of receipt as of 9/28/15.*
Assist FLCs with questions	FLCs need to receive responses to questions	Track incoming calls, questions, and response times	All calls are answered by DIR Call Center and tracked (as of mid-September). Callers receive call back or email with 48 hours. New email account established

			and subscription service established. FAQ (Frequently asked questions) are in progress for posting on website
Assist FLCs with applications	FLCs need consultation for many application issues	Establish consulting session for FLCs	10/9 FLC license session scheduled in collaboration with DOL in Fresno from 9-11am
Assist FLCs with status updates	FLCs need to be able to inquire about status	48 hour turnaround time for status update requests	FLCs receive call backs within 48 hours as of 10/1. For missed calls, call back number is provided in voicemail as of 10/1.
Access to license verification	Public need to be able to easily verify approved licenses and temp licenses issued	Online search tool	Available online for temp licenses and approved FLC licenses.
Access to information in Spanish	Many FLCs would benefit from the availability of materials in Spanish	Translate FLC materials and info into Spanish	Website, exam and mail-in applications available in Spanish. Translation in progress for online application, exam study guide, FAQs and other materials into Spanish.
Reduce defect applications	90% of applications are defected at least one time; need to enable good FLCs to have licenses approved more expeditiously	Review legislative changes required	Review in progress.
Increase outreach	FLCs will benefit from greater outreach and education	Collaborative events hosted by Associations	DIR/DLSE look forward to partnering with community organizations and organizations to increase reach of educational efforts for FLCs

* Regulations provide 60 days to review an application, however the following is sustainable with adequate resources: Within thirty (30) calendar days of receiving an application, the Labor Commissioner shall inform the applicant in writing that either: (1) A license will be issued; or, (2) A license will be rejected; or, (3) Additional information will be required to meet the licensing requirements. NOTE: This timeframe reflects the recent trend in decreasing time for review: 60 days in 2010, 55 days in 2011, with 30 days in 2012.