

# DEPARTMENT OF CONSUMER AFFAIRS



## MEMBER ORIENTATION AND REFERENCE MANUAL

FOR THE

## BUREAU OF HOUSEHOLD GOODS AND SERVICES ADVISORY COUNCIL

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# DEPARTMENT OF CONSUMER AFFAIRS

## MISSION

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Provide outstanding support services, oversight, and innovative solutions to entities that regulate California professionals and vocations, so that through this partnership all Californians are informed, empowered, and protected.

## VISION

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Together, protecting California consumers.

## VALUES

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- ACCOUNTABILITY
- COMMUNICATION
- CONSUMER PROTECTION
- DIVERSITY
- EQUITY
- INCLUSION
- INNOVATION
- INTEGRITY
- LEADERSHIP
- TEAMWORK
- TRANSPARENCY
- TRUST

# **BUREAU OF HOUSEHOLD GOODS AND SERVICES**

## **MISSION**

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To protect and serve consumers while ensuring a fair and competitive market.

## **VISION**

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To be an efficient organization that effectively protects consumers and improves the marketplace through quality customer service, prompt licensing, and enforcement of the law.

## **VALUES**

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- **ACCOUNTABILITY**
- **CONSUMER PROTECTION**
- **EFFECTIVENESS**
- **INTEGRITY**
- **PROFESSIONALISM**
- **SERVICE**
- **EDUCATION**

# GENERAL OVERVIEW

The Bureau of Household Goods and Services (Bureau) was initially created by the California Legislature as the Bureau of Home Furnishings and Thermal Insulation in 1911 in response to unscrupulous manufacturing in the mattress industry. There were no requirements at the time to disclose the materials used in the contents of the mattresses, which were widely recognized as contributors to fires following the 1906 San Francisco earthquake. The Bureau's regulatory authority has expanded over time and now includes administration of three acts within the Business and Professions Code (BPC): 1) Electronic and Appliance Repair Dealer Registration Law (BPC § 9800 et seq.); 2) Home Furnishings and Thermal Insulation Act (BPC § 19000 et seq.); and 3) Household Movers Act (BPC § 19225 et seq.), collectively referred to as "practice acts."

The Bureau adheres to the following principle, which is included in each of its practice acts (§ 9810.1, § 19004.1, and § 19234.1):

*Protection of the public shall be the highest priority for the Bureau of Household Goods and Services in exercising its licensing, regulatory, and disciplinary functions under this chapter. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.*

The Bureau is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (Department or DCA), and part of the Business, Consumer Services and Housing Agency under the aegis of the Governor. The Department provides administrative oversight and centralized services to its Bureaus, including, but not limited to, budget, legal, training, legislative affairs, and communications.

## PURPOSE

The Advisory Council is an informal, voluntary council dedicated to assisting the Bureau by providing perspective information and insight into the electronic and appliance repair, service contract, household mover, and the upholstered furniture, bedding and thermal insulation markets in California.

Members may represent industry by holding a current Bureau license, registration, or permit, or be a member of an industry association. An Advisory Council member may also be a public member, one who has a background in consumer protection or other knowledge of the regulated industries. The number of Advisory Council members can vary depending on Bureau needs and demonstrated interest of qualified participants.

# MEMBERSHIP INFORMATION

The Bureau Chief shall preside at all Advisory Council meetings and supervise all business affairs of the Advisory Council.

## TIME COMMITMENT

Participation as an Advisory Council member requires an annual commitment of six to 10 days to prepare for and attend meetings and training. Members are expected to attend meetings at various locations throughout the state. On average, the Bureau schedules two to three Advisory Council meetings per year. This number may change based on the Bureau's needs.

## DUTIES

The Advisory Council provides professional and technical assistance to the Bureau on issues it regulates in California. Members serve in an advisory capacity on policy matters, making non-binding recommendations directly to the Bureau Chief. Advisory Council members provide:

- Perspective and advice on consumer and market issues, trends, and business practices of the Bureau's regulated industries;
- Creative solutions to consumer and industry problems; and
- Recommendations on a broad range of policy issues including consumer education, industry outreach, and regulatory compliance.

## APPOINTMENT TERMS

The Director (Director) of the Department of Consumer Affairs appoints members who serve two-year terms. However, the Director may elect to re-appoint a member to consecutive terms. In making appointments, the Director shall strive to compose the Advisory Council of members of the public and consumer advocacy groups and members of industry – with equal representation of the electronic and appliance repair, service contract, household mover, home furnishings, and thermal insulation industries.

## MEMBER COMPENSATION

As a volunteer appointee to the Advisory Council, members will not receive a salary or per diem for attending meetings or required training. Members will not be entitled to unemployment benefits upon termination of their service. Members understand that they are not replacing a regular departmental employee. Members do not have civil service status and are not eligible for promotional state examinations.

The Advisory Council is not mandated by statute, and no law or regulation requires the Bureau to hold meetings. Consequently, members may not be reimbursed for travel. Members understand they are responsible for any and all costs incurred to attend and participate in Advisory Council meetings.

### MEMBER RULES OF CONDUCT

Advisory Council members should be familiar with these guidelines and conduct themselves accordingly.

1. If a member is unable to attend a meeting, they must notify the Bureau Chief or his/her designee with as much notice as possible before the meeting.
2. Arrive at least 15 minutes before each in person meeting is scheduled to start to allow time to take care of any possible pending issues. If the meeting is online, log in at least 15 minutes before the scheduled start time to work out any technical issues.
3. Speak audibly and clearly during the meeting to enable everyone in the room or online to hear and understand the member.
4. Respect the Bureau Chief's or his/her designee's right to control the process of the meeting.
5. Refrain from peripheral or sidebar discussions during the meeting.
6. Be respectful of the public, Bureau staff, and other Advisory Council members, including ensuring all members have an opportunity to participate in discussions.
7. Be respectful of differences in points of view whether between Advisory Council members, the public, or Bureau staff.
8. Members must refrain from calling or otherwise contacting other members on a one-to-one basis or conducting meetings to discuss or deliberate outside an Advisory Council meeting on a subject matter of the Bureau.
9. Do not use cell phones, laptops, tablets, or any other electronic device for personal use during a meeting that could give the impression that you are not giving your full attention to the meeting's proceedings.

### MEMBER REMOVAL

All Advisory Council members serve at the pleasure of the Director. The Director may remove any member from the Advisory Council with or without cause. Consistent attendance by members is vital to the Bureau's success. Members who miss two consecutive meetings may be removed from the Advisory Council at the Director's discretion.

### MEMBER RESIGNATION

If an Advisory Council member must resign, a letter shall be sent to the Director with the effective date of the resignation. A copy of this letter shall also be sent to the Deputy Director of Board and Bureau Relations and the Bureau Chief.

# MEETINGS

Although the Advisory Council is voluntary and not considered an official “state body,” the Bureau follows Department policies regarding relationships with the public. This includes adhering to meeting notification requirements, allowing public participation in meetings, and posting its agenda and materials in compliance with the Bagley-Keene Open Meetings Act.

## MEETING NOTICE AND MATERIALS

All Advisory Council meetings will be announced on the Bureau's website, [www.bhgs.dca.ca.gov](http://www.bhgs.dca.ca.gov), ten days prior to the scheduled meeting. The Bureau will make every effort to post meeting materials on the same schedule.

## MEETING RECORDS

The Bureau will also make every effort to keep meeting minutes and post them on the Bureau's website. Minutes are a summary, not a transcript, of each Advisory Council discussion held during the meeting. The minutes are prepared by Bureau staff and submitted for review by Advisory Council members before the next meeting. The purpose of review is to determine whether the minutes accurately reflect the Advisory Council's discussion at the previous meeting. The minutes shall serve as the official record of the meeting.

## PUBLIC PARTICIPATION AND ACCESS

It is the intent of the Department of Consumer Affairs and the Bureau to hold open, public meetings of the Advisory Council. Meetings are open to the public and all attendees shall be afforded an opportunity to comment on the meeting's agenda items, as well as items that are not on the agenda. Meetings will be held in facilities that are accessible to persons with disabilities in accordance with the *Americans with Disabilities Act*.

Meetings will be recorded and transmitted publicly via webcast when resources permit. Those recordings are then posted to the Bureau's website.

## MEETING FORMATS

Meetings may be held exclusively in person, exclusively online, or as a hybrid in-person/online format. Please note the format of each individual meeting as posted on the agenda. When a meeting is hybrid, a member must inform the Bureau Chief or his/her designee how they plan to attend. This will allow the Bureau to ensure room and other accommodations can be made to support those attending in person.



# REQUIRED TRAINING

There are several trainings that new and continuing Advisory Council members are required to complete.

## ETHICS TRAINING

Each Advisory Council member must complete a course on ethics offered through the Department. Upon appointment to the Advisory Council, the new member must complete the course within six months. All members must retake the course every two years during their term. Records concerning the attendance of this course must be kept on file for five years. Training information is available on <http://ag.ca.gov/ethics/>.

## SEXUAL HARASSMENT PREVENTION TRAINING

Each Advisory Council member must complete a sexual harassment prevention course offered through the Department within six months of appointment. Continuing Advisory Council members must complete the sexual harassment prevention course every odd year during their term.

## DCA's BOARD MEMBER ORIENTATION TRAINING

The Department provides an orientation session for new board members. The California Business and Professions Code requires that this course must be taken within one year of assuming office and within one year of any subsequent reappointment to the board. Although the Advisory Council is not a board, the Department has opened this training to the Bureau's Advisory Council members.

The training covers the functions, responsibilities, and obligations that come with being a member of a DCA board or bureau. The Department also has a website for board members:

[http://www.dca.ca.gov/pubs/board\\_members/orientation.htm](http://www.dca.ca.gov/pubs/board_members/orientation.htm)

# COMMUNICATION WITH OTHER INDIVIDUALS/ ORGANIZATIONS/MEDIA

Interested parties may request to meet with an Advisory Council member on a matter under the Bureau's jurisdiction. Advisory Council members are advised to refrain from expressing their personal opinions as a Bureau policy. Any member who is contacted by any of the above should inform the Bureau Chief who will respond (if individuals or organizations) or work with the DCA Division of Communications to respond to media requests.