

DAS Women in Construction Advisory Committee

June 27, 2023
3.00 p.m. to 5.00 p.m.



State of California
Gavin Newsom
Governor

Agenda

- I. Welcome and Introductions**
- II. Women in Construction – Purpose of this Committee**
- III. Equal Representation in Construction Apprenticeship (ERiCA) Grant, *Eric Rood, Chief of Division of Apprenticeship Standards***
- IV. California Apprenticeship Council, Equal Opportunity in Apprenticeship Subcommittee, *Sheri Learmonth, Chairperson***
- V. Public Comment (limited to 3 min per person)**
- VI. Next Steps**
- VII. Adjourn**

I. Welcome and Introductions

Bagley-Keene Open Meeting Act – An Overview

Kumani Armstrong, DIR Special Counsel

I. What is Bagley Keene?

1. The Bagley-Keene Open Meeting Act ("the Act") is set forth in Government Code sections 11120-11133.

- The Act covers multimember bodies. **A multimember body is three or more people. Examples: state boards, commissions, advisory committees, councils, panels.
- The body must be created by statute or required by law to conduct official meetings.
- Generally, the Act ensures transparency and requires that these bodies publicly notice their meetings, prepare agendas, accept public testimony, and conduct their meetings in public unless specifically authorized by the Act to meet in closed session.
- Currently, the Act permits meetings to be conducted via teleconference and members can appear remotely.

I. What is Bagley Keene? (continued)

2. What is a Meeting? Broad Interpretation.

The issue of what constitutes a meeting is one of the more complicated subjects under the Act.

- A meeting occurs when a quorum (majority) convenes, either serially or all together, in one place, to address issues under the body's jurisdiction.
- A meeting includes gatherings where members discuss issues or receive information relevant to the business of the advisory committee.

II. Pitfalls and Things to Avoid

- 1. Serial Meetings – The Act expressly prohibits the use of direct communication, personal intermediaries, or technological devices that are employed by a majority of the members of the state body to develop a collective concurrence as to action to be taken on an item by the members of the state body outside of an open meeting.**
 - Typically, a serial meeting is a series of communications, each of which involves less than a quorum of the committee, but which taken as a whole involves a majority of the body's members.
 - Example 1: A chain of email communications involving contact from member A to member B who then communicates with member C would constitute a serial meeting in the case of a five-person body.
 - Example 2: When a person acts as the hub of a wheel (member A) and communicates individually with the various spokes (members B and C), a serial meeting has occurred.
 - Example 3: Intermediaries for board members have a meeting to discuss issues. When a representative of member A meets with representatives of members B and C to discuss an agenda item, the members have conducted a serial meeting through their representatives acting as intermediaries.

II. Pitfalls and Things to Avoid (continued)

2. Public contact of individual members.

- A communication from a member of the public to discuss an issue does not violate the Act. The difficulty arises when the individual contacts a quorum of the body. So long as the body does not solicit or orchestrate such contacts, they would not constitute a violation of the Bagley-Keene Act. Because of the high risk of impermissible contacts, it is not advisable for a body to allow these individual contacts to occur.

III. Key Takeaways

Avoid talking about any advisory committee business or potential advisory committee business with other members outside of a public meeting.

- Goal is transparency
- Use common sense
- To the extent feasible, avoid discussing advisory committee business with the public outside of a public meeting.
- When in doubt, do not discuss advisory committee business outside of a public meeting and seek legal counsel.
- The Act provides for remedies and penalties in situations where violations occur. The decision of the body may be overturned, violations may be stopped or prevented, costs and fees may be awarded, and in certain situations, there may be criminal misdemeanor penalties imposed as well with the intent to deprive the public of information.

II. Women in Construction

– Purpose of this Committee

Labor Code Section 107.7.1

107.7.1. (a) Upon appropriation by the Legislature, the department shall establish a Women in Construction Priority Unit, overseen by the director, to coordinate and help ensure collaboration across the department's divisions, and maximize state and federal funding to support women and nonbinary individuals in the construction workforce.

(b) (1) Upon appropriation by the Legislature, to assist with the establishment of the unit, the director shall, by July 1, 2023, convene an advisory committee to make recommendations to advance the unit's objectives.

(2) The advisory committee shall be composed of representatives from recognized or certified collective bargaining agents who represent construction workers, construction industry employers or employer associations, labor-management groups in the construction industry, nonprofit organizations that represent women in the construction industry, and other related subject matter experts. The advisory committee shall also include representatives of the Division of Labor Standards Enforcement, the Division of Occupational Safety and Health, and the Department of Fair Employment and Housing.

(Added by Stats. 2022, Ch. 67, Sec. 7. (SB 191) Effective June 30, 2022.)

III. Equal Representation in Construction Apprenticeship (ERiCA) Grant

*Eric Rood, Chief of Division of
Apprenticeship Standards*

Growing Apprenticeship in CA

2016
Investment in CA
Apprenticeship Initiative
Grants

2019
“Let’s encourage businesses to become creators, not just consumers of talent by establishing an audacious goal of 500,000 earn-and-learn apprenticeships by 2029.”
- Governor Gavin Newsom

2018
Creation of Interagency
Advisory Committee on
Apprenticeship (IACA)
and Competency
Based Programs

2022-2025
Creation of
Apprenticeship
Innovation Funding and
Youth Apprenticeship

Advancing Apprenticeship in CA

A Five-Point Action Plan



Support Regional and Sectoral
Apprenticeship Intermediaries



Expand New and Innovative
Apprenticeships



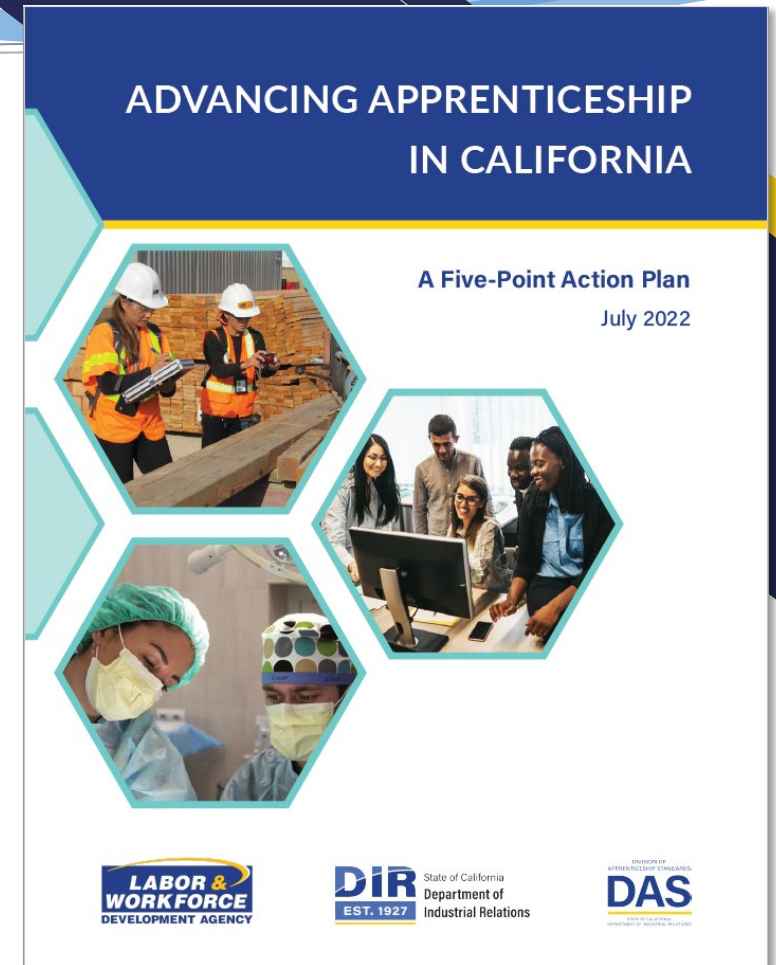
Grow and Expand Access to Traditional
Construction Apprenticeships



Support Youth Apprenticeship for In-School
and Out-of-School Youth



Expand State and Local Public Sector
Apprenticeships



DIVISION OF
APPRENTICESHIP STANDARDS

DAS

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS

Apprenticeship Committees

The California Apprenticeship Council (CAC)

- Oversee traditional apprenticeships in the building and fire trades

Interagency Advisory Committee on Apprenticeship (IACA)

- Advises on new and innovative (sometimes referred to as “non-traditional”) apprenticeship
- Includes sectors such as healthcare, technology, education, advanced manufacturing and any sector that is not the building and fire trades.

Grow and Expand Access to Traditional Construction Apprenticeships

4% of CAC apprentices identify as women and non-binary in 2021



- Work with the Equal Employment Opportunity (EEO) subcommittee of CAC
- Develop metrics to evaluate the effectiveness of interventions aimed at improving gender diversity in construction and firefighting apprenticeships.
- Identify funding for pre-apprenticeship and apprenticeship programs that support more women getting into building and firefighting trades.

Women in Construction Priority Program

Creation of a Women in Construction Priority Program within DIR with the mandate to:

- Coordinate and help ensure collaboration across the department's divisions, and maximize state and federal funding to support women and nonbinary individuals in the construction workforce*.
- Establishment of an advisory committee by July 2023
- **\$15 Million in funding** for 2022-2023 and ongoing to fund this work

On March 14, DIR/DAS announced the **Equal Representation in Construction Apprenticeships (ERiCA) Grant** award recipients to encourage opportunity with two focus areas:

- Supportive Resources for Childcare for Apprenticeship and PreApprenticeship Programs
- Outreach and Community Building

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB191

*The programmatic funding will be focused on creating opportunities for women and non-binary individuals but will be made available to all



Support Youth Apprenticeship for In-School and Out-of-School Youth



Average age of an apprentice in California in 2021 was 33 years old.
Youth Apprenticeship is defined as Apprentices age 16-24

Foundational Work:

- Gather a working group to:
 - Develop a provisional definition and quality criteria to support youth apprenticeship pilots
 - Consider a legislative definition of high school apprenticeship in California
- Create an ongoing interagency working group on youth apprenticeship that includes
 - DAS
 - California Department of Education (CDE)
 - CA Community Colleges Chancellor's Office (CCCCO)

Open Public Comment Period on Youth Apprenticeship Grant Program through July 14.

Youth Apprenticeship in 2022-2023 budget



Priority

- Youth apprenticeship shall be a key priority for DAS with a goal of creating a framework and increasing the number of youth apprentices

Committee

- DAS will convene a committee to develop recommendations on definitions, structure of work, and use of funds

Funding

- \$65 Million over 3 years to fund Youth Apprenticeship and PreApprenticeship programs with a focus on Opportunity Youth

Related and Supplemental Instruction Funding

- RSI Funding has been increased to align with the for-credit community college rate as opposed to the noncredit rate.
- RSI hourly rate proposed increased by \$1.16 from \$8.82 to \$9.98 (8.13% COLA) 23/24
 - \$8.82/training hour in 22/23
 - \$6.77/training hour in 21/22



Increased Investment in Apprenticeship

Budget Years 2021-2025

Funding	2021-2022	2022-2023	2023-2024	2024-2025	4 Yr Total
CA Apprenticeship Initiative (CAI)	\$30M	\$30M	\$30M	\$30M	
Related and Supplemental Instruction (RSI)	\$67.6M (\$6.77/hr)	\$88.1M (\$8.82/hr)	\$99.6M (\$9.98/ hour)	~\$99.6M	
Employment Training Panel (ETP) Appr	\$25.2M	\$23.2M	\$20M+/-	TBD	
Apprenticeship Innovation Funding (AIF)		\$55M	\$40M	\$40M	\$135M
Youth Apprenticeship (YA)		\$20M	\$20M	\$25M	\$65M
Women in Construction Priority Program	\$15M	\$15M	\$15M	\$15M	\$60M
Total	\$137.8M	\$231.3M			

Apprenticeship Funding Overview

Organizations

Pay for

Possible Funding Sources

Employer(s)

Apprentices Wages,
Benefits and Mentorship

← ~100%

Employer(s)

Intermediary

Overhead of running
program staffing for:
reporting, recruiting
apprentices, convening
employers, etc

**Community College
Or Training Partner**

Classroom
training (RSI) and
Reporting

← 100%

Learning-Aligned Employment Program

US Department of Labor Grants

Workforce Development Boards (HRTP)

Philanthropy & Foundations

Apprenticeship Innovation Funding - Support

Youth Apprenticeship Grant Program

California Apprenticeship Initiative

Strong Workforce Funding

Apprenticeship Innovation Funding - Training

CC Apportionment Funding

RSI Funding

Employment Training Panel

Available
Nationally

Only
available in
CA and with
LEA

Apprenticeship Funding Overview

Possible Funding Sources

Employer(s)

CC Apportionment Funding

Montoya Funds - RSI

Learning-Aligned Employment Program

Employment Training Panel

Apprenticeship Innovation Funding - Support

Apprenticeship Innovation Funding - Training

Workforce Development Boards

Strong Workforce Funding

Youth Apprenticeship Grant Program

Philanthropy & Foundations

California Apprenticeship Initiative

US Department of Labor

Sustainable and ongoing funding source

Grant cycles to tap into but can be ongoing funding source

Large one time funds, but not sustainable

More sustainable

Operational financing

Startup Costs

Thank you!

Please email questions to
DASAWI@dir.ca.gov



IV. California Apprenticeship Council, Equal Opportunity in Apprenticeship Subcommittee

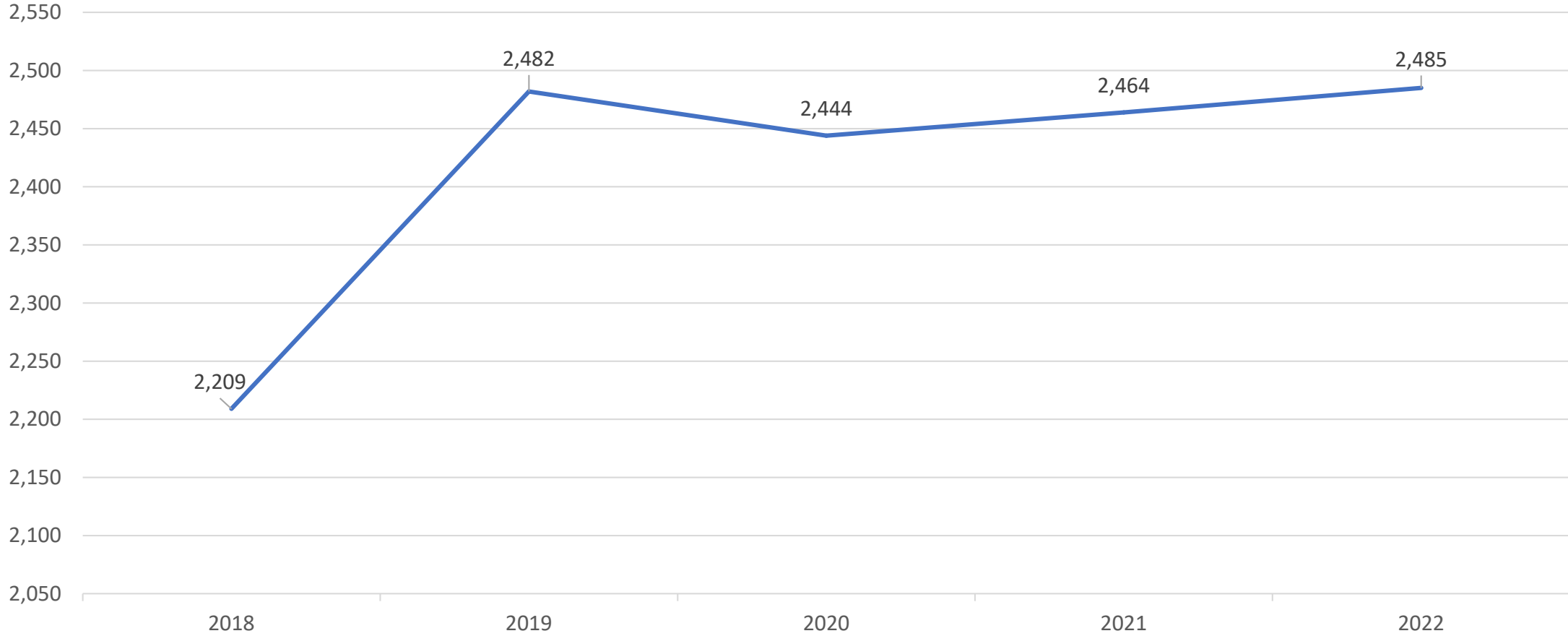
Sheri Learmonth, Chairperson

California Apprenticeship Council

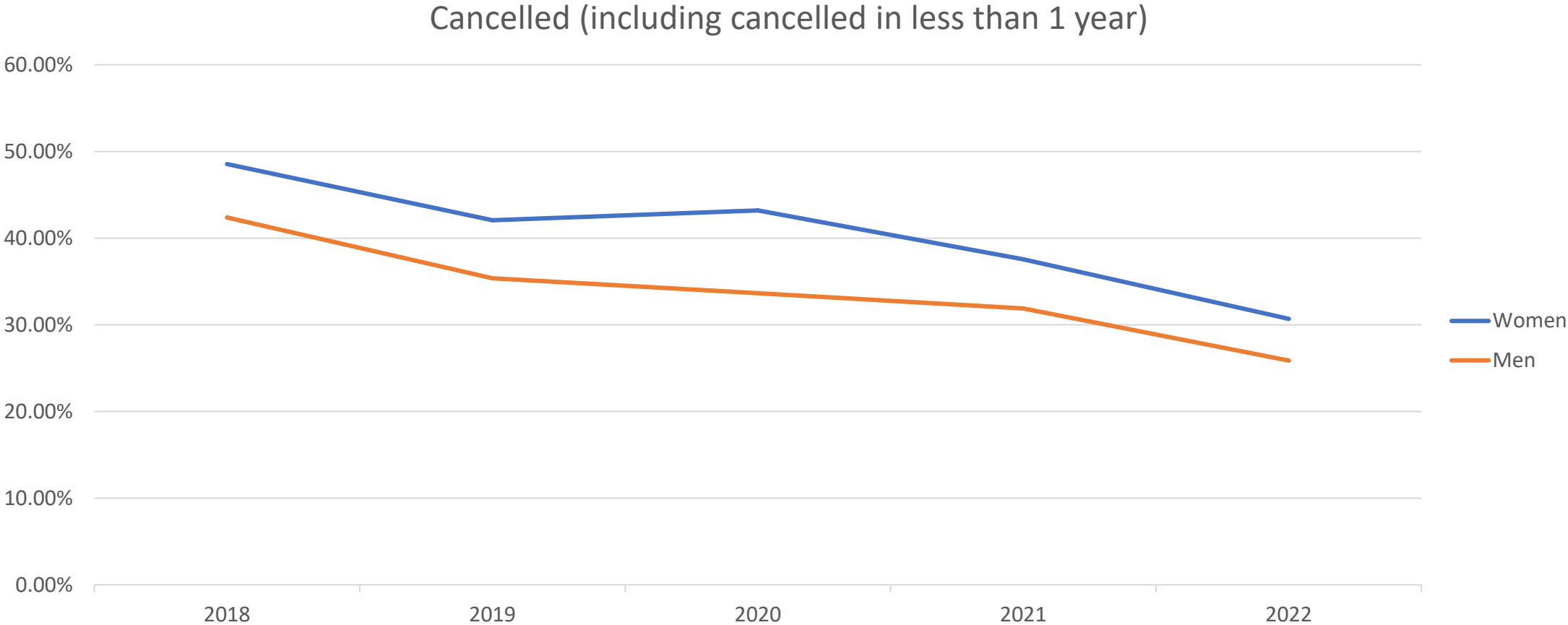


Equal Opportunity in Apprenticeship Committee

Active Women in Construction over 5 years

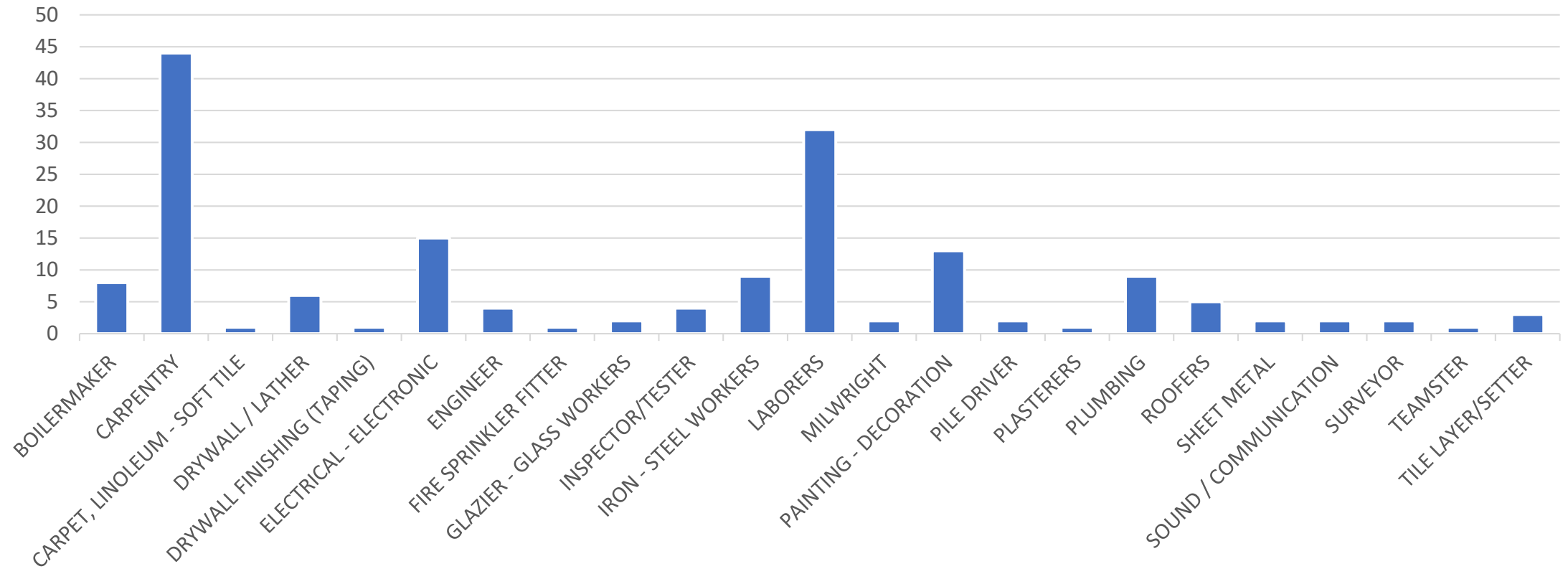


Cancelled Apprentices over 5 years



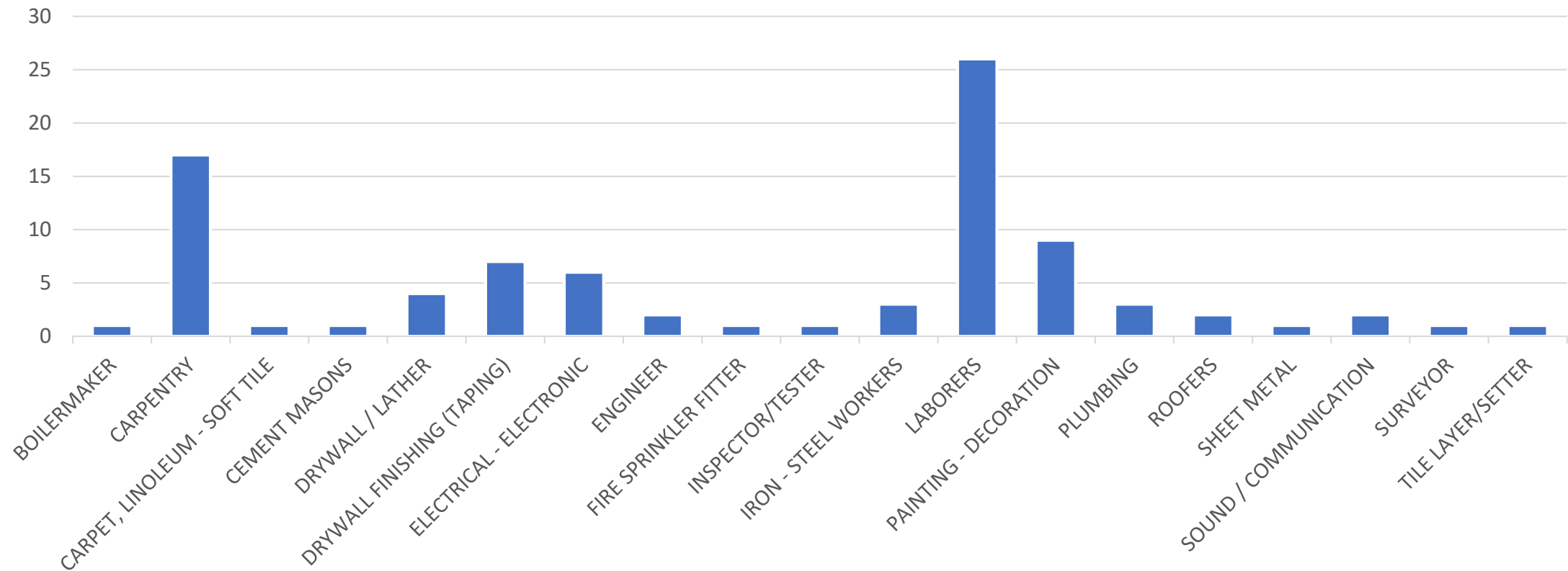
2022 4th Quarter

Active # of Women App

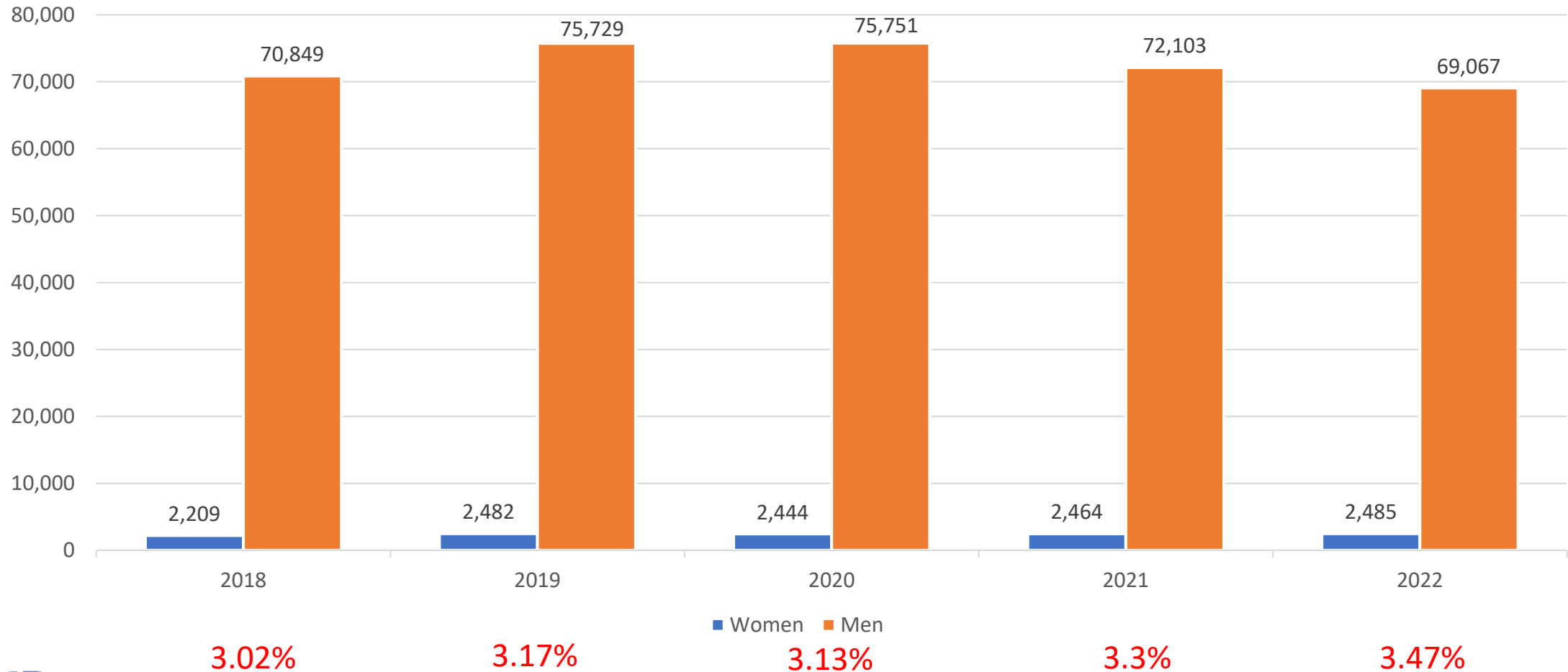


2022 4th Quarter

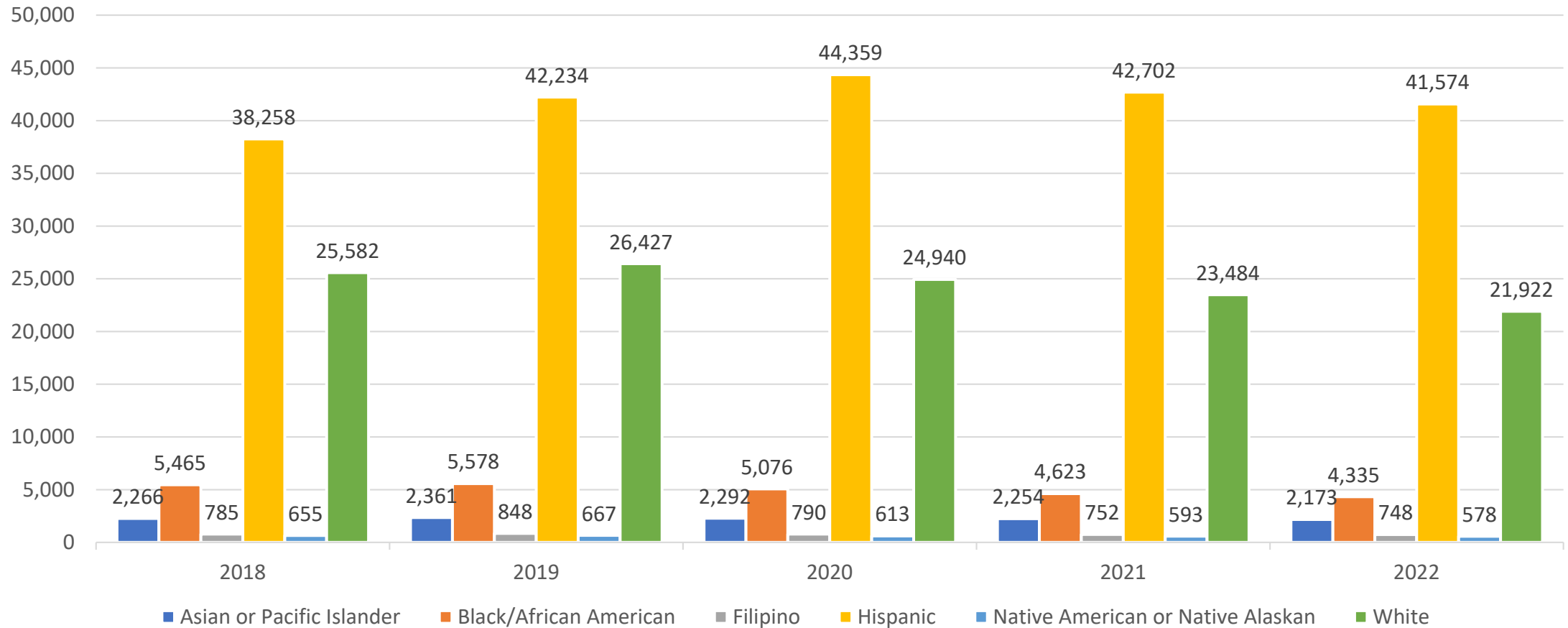
Cancelled (including Cancelled in less than 1 year) Women App



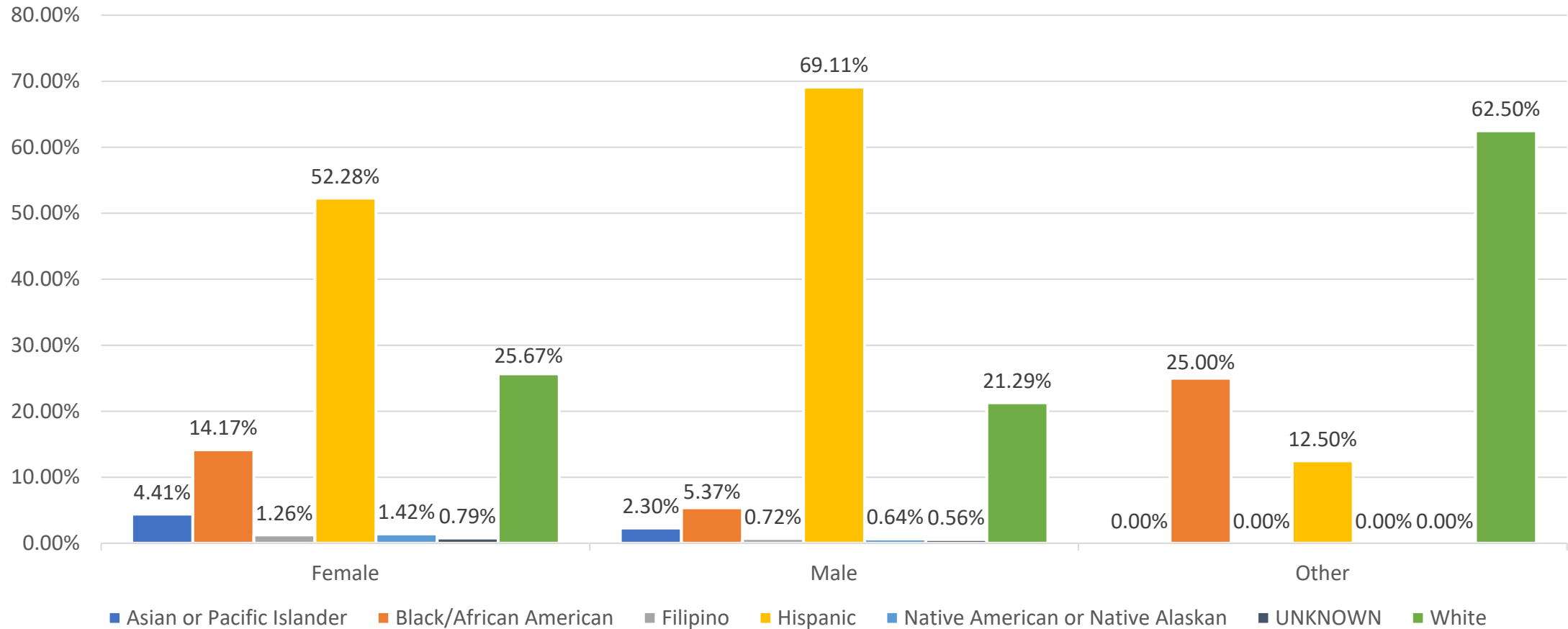
CAC Active Apprentices by Gender 5 years



CAC by Race/Ethnicity 5 years



2022 Gender Race/Ethnicity



Discussion

V. Public Comment (Limited to 3 minutes per person)

VI. Next Steps

VII. Adjournment

Thank you for participating!

Please email us at
WIC@dir.ca.gov **if you have any**
questions or comments.