

CALIFORNIA APPRENTICESHIP COUNCIL

1515 Clay Street, Suite 301
Oakland, CA 94612
Tel: (415) 703-4920
Fax: (510) 286-1448

ADDRESS REPLY TO:
California Apprenticeship Council
P. O. Box 420603
San Francisco, CA 94142-0603



**CALIFORNIA APPRENTICESHIP COUNCIL
2019 SECOND QUARTERLY MEETING**

Monterey Tides
2600 Sand Dunes Drive
Monterey, CA 93940

Minutes

Thursday, April 25, 2019

9:00 A.M.

I. CONVENE QUARTERLY CAC MEETING

A. Pledge of Allegiance

B. Roll Call

Present: Jack Buckhorn, Susan Anderson, Richard Harris, Larry Hopkins, Paul Von Berg, Louis Ontiveros, Frank Quintero, Nick Esquivel, Chris Christophersen, Chip Martian, Derrick Kualapai, Yvonne DeLaPena, Frank Schetter, Dick Zampa, Scott Gordon, DAS Chief Eric Rood

Absent: Jim Hussey

DAS Chief Eric Rood swore in the new commissioners that were recently appointed.

C. Executive Session

The Council may recess to closed executive session pursuant to Government Code section 11126(q) to discuss litigation to which the Council is or may become a party.

D. Approval of minutes of previous meeting

A motion and a second for approval of the February 7, 2019 meeting minutes. All approved. The motion carried.

E. Announcements

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Deputy Chief Glen Forman requested MITC nominations to be submitted as soon as possible. If nominations are not received then the CAC Chair can make appointments at his discretion.

F. Communications

1. Re: Alex Gonzales vs Los Angeles Electrical Joint Apprenticeship
2. Re: Alex Gonzales vs Los Angeles Electrical Joint Apprenticeship

Communication is stating that the issue has been resolved.

III. BUSINESS SESSION**A. Legal Matters - Deputy Attorney General Heather Hoesterey**

Nothing to Report

B. Apprenticeship Complaint Findings / Decisions by the Administrator of Apprenticeship

1. Alex Gonzalez v. Los Angeles Electrical J.A. & E.T.C., DAS Case No. 2016-22
This determination was upheld.
2. Michael C. Harbaugh v. Central Valley – Motherlode Plumbers, Pipe & Refrigeration Fitters, JATC., DAS Case No. 2018-2
This determination was upheld.
3. Kauquane J. Butler v. San Mateo County J.A. & T. C. for the Electrical Construction Industry, DAS Case No. 2018-26
This determination was upheld.

B. Notice of Appeals during the Quarter

None

C. CAC Appeal Panel Decisions

1. Frank R. Avina v. Bay Area Sheet Metal JAC Smart Local 104, DAS Case No. 2018-03

Commissioner Buckhorn assigned Susan Anderson, Paul Von Berg and Scott Gordon to hear this appeal. Susan Anderson stated that after reviewing the

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record for this case and they made a unanimous vote. They made the recommendation for the CAC to overturn the decision of the administrator of apprenticeship and uphold the JAC decision for termination.

A motion and a second for overturn the decision of the administrator of apprenticeship and uphold the JAC decision for termination. All approved. The motion carried.

2. Thomas Coffey v. San Joaquin & Calaveras Counties Electrical JATC DAS Case No. 2018-12 CAC Case 2019-01

Commissioner Buckhorn assigned Susan Anderson, Paul Von Berg and Scott Gordon to hear this appeal. Susan Anderson stated that after reviewing the record for this case and they made a unanimous vote. They made the recommendation for the CAC to overturn the decision of the administrator of apprenticeship and uphold the JATC decision for termination.

A motion and a second for overturn the decision of the administrator of apprenticeship and uphold the JAC decision for termination. All approved. The motion carried.

F. Chief's Report – DAS Chief Eric Rood

(Please see the attached)

G. Old Business

1. Program Approvals Carried over from 1st Quarter.

Discussed Ad-Hoc Committee that was appointed. Stated that they recently had a conference call.

One of the things that they recently accomplished was to begin with is developing a cover sheet. Which kind of explain with the program is trying to accomplish with additional information of who are the partners within the apprenticeship agreement, who are the employers, is there any labor organizations that are involved as well committee based organization.

Three areas were focusing on:

- If it was a nontraditional program that apprentices could not be dispatched to a public works projects and be considered an apprentices.

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- Jack Buckhorn specifically looked at language that would prohibit that apprenticeship program for dispatching that apprentice to a licensed contractor or an employer that has a contractor state license. Our legal department is still reviewing that and had to had some concerns with the just the legality of the probity of certain employers just because it may have a contractor state license.
- The third is t any apprentice a graduates from a nontraditional program. Would not meet the skilled and trained requirements. That is both public works and private work as there is some areas where there are skilled and trained outside of the public works laws and have include our oil refineries work and under SB50 . as well as a believe it's SP35 on certain home developers that are developing homes. In lue of a certain environmental impact requirements that they would make the skills and training workforce as well as prevailing wage and apprentices as well.
- Chief Rood stated that he had a staff meeting to make sure that all of our consultants were all on the same page. Chief Rood and Lead manager Eric Elberg was tasked with the developing what that cover sheet was going to look like and we submitted it this week to the commissioners just for their reviews as well.
- Chief Rood stated that an addition to our policy was made that before we actually post any of our apprenticeship standards on our website we will need to have the approval of either Glenn Foreman or Chief Rood. To make sure that nothing goes up on that website that we see has any potential issues.
- Suggested that members of the apprenticeship community go to the website and subscribe to get the standards e-mailed to you.
<https://www.dir.ca.gov/das/email/DAS.asp>
- Ad Hoc committee was appointed that included Jack Buckhorn, Eric Rood, Heather Hoesterey, John Cummings, Commissioners Jim Hussey, Commissioners Derrick Kualapai, and Jack Davis to look at rule-making package required by SB56. Fix the flaws and resubmit to start the rule-making process again.

H. New Business

None

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**IV. FORUM****THE FUTURE OF APPRENTICESHIP IN CALIFORNIA presented by Vinz Koller**

Vinz Koller stated that California's new governor hopes to increase the number of apprentices in the state by nearly 500 percent in the next 10 years. This ambitious goal will require a rethinking of California's apprenticeship system, from how it works to who is involved.

He provided a report that explores the current strengths and limitations of California's system, as well as describes key features of a future apprenticeship system and provides a set of recommendations for policymakers and practitioners on how to get there.

"A comprehensive modern apprenticeship system in California is not just a change in scale. It will require a change in the way apprenticeships are designed, launched, and implemented."

https://center4apprenticeship.jff.org/documents/215/Closing_the_Gap_The_Future_of_Apprenticeship_in_CA_-_12-20-2018.pdf

A slide show presentation was also given discussing the white paper written that Vinz Koller had written.

Questions and comments were taken from the public.

V. EDUCATION AGENCIES REPORT**A. California Community Colleges – Nick Esquivel Coordinator of Apprenticeship Programs, California Community Colleges Chancellor's Office**

Nick Esquivel discussed the RSI Backfill, The proposed budget for next fiscal year that starts July 1st and the forecasts and projections

He stated that we are looking at \$113 million dollar budget for this current fiscal year. He stated that this is broken down into two schedules, salary Schedule 2 is the community colleges and Schedule 3 is the Department of Education.

He stated that whenever we talk about switch a programs sponsor either from a community college or from a K-12 or back-and-forth. The difficult part about it is, it is on two different salary schedules. That has not happened for about 10 years so to the extent that program stay on the sides of their budget makes things a lot easier.

The current fiscal year budget for the Community colleges fiscal year 18/19 that started on July 1 is \$27,840,000. The unfunded amount that goes all the way back to fiscal year 13/14 is \$9,875,000. Then the ongoing funding, which is now in statute is the California

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Apprenticeship Initiative. To the community colleges \$9,875,000 that's funding that apprenticeship program sponsors that had more hours than they had funding for ere eligible to . Some community college districts were able to fund programs even when they were underfunded.

and funding went out in December to the county departments but it just has not gone to the individual offices. Overall Montoya Funding for current fiscal year – \$79,642,000, an increase of 3% on both K-12 and community colleges; Hourly reimbursement rate is increasing starting July 1;

Additional \$15 million for the California Apprenticeship Initiative bringing that up to \$75 million;

Nick stated that the current projections show that we will be underfunded next fiscal year \$4 million on the community college side and 10 million on the K-12 side.

Questions regarding impact of non-traditional and innovated programs. What kind of impact well they have on CAI grantees? It was stated roughly \$425,000 or 62,000 hours.

VI. CAC STANDING COMMITTEE REPORTS

A. CAC/CCA Liaison Committee – Report from April 24, 2019– CCA Chairperson Alex Beltran

Roll Call, Introductions, Motion to approve minutes, motion to approve coffee expenses, discussion on evening network events, discussed breakout sessions. Motion was made and seconded to approve coffee service up to \$600 and to include ice tea and/or lemonade. Stated that the next conference will be held at Regency Monterey Resort and Spa on April 27, 2020- May 1, 2020. Evening networking event will take place at the Monterey Bay Aquarium up to 150 guests. Morning networking event will be a golf event located at the hotel. Currently working on breakout sessions for this event. Discussed nomination committee for hall of fame. Stated that we will discuss nominations at our October meeting. State that they found a candidate for Co-secretary Dr. Gracey Young.

B. Public Relations & Publicity -Report from April 24, 2019- Chairperson Jim Hussey

Jack Buckhorn chaired the meeting; the previous meetings minutes were approved. Jack encourage everyone to register for the apprenticeship newsletter. Request for content to be submitted to Esther Gamberutti via email: EGamberutti@dir.ca.gov

AdHoc was created on how to better market apprenticeship;

Discuss themes for newsletters. Also it was stated that testimonials worked very well – have apprentices or journeymen share success stories; strategies/goals on how to better market apprenticeship;

Discussed how the newsletters can be more frequent but depends on the content and if there's big events to advertise;

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C. Forums – Report from April 24, 2019– Chairperson Paul Von Berg

Meeting called to order. Minutes were approved. Suggestions for future forum topics. It was stated that Eric Rood and Larry Hopkins will work together to provide a forum speaker for the next meeting. With the suggested topic of new legislation regarding Non-Discrimination/ Non Harassment requirement.

D. Legislation Committee – Report from April 24, 2019– Chairperson Yvonne de la Peña

Meeting called to order. Minutes were approved. Reviewed the budget. Discussed DAS and fiscal impact on the department and their recent request for additional positions to help in the efforts of reaching the goal of 500k apprentices by the year 2020. Yvonne stated that she had put together a PowerPoint program to try to explain how apprenticeship works in the California Fire Service, regulations, oversight and funding and oversight. She stated that she would be happy to share this and make it available for any program that wants to utilize this to fit their standards.

E. EEO

Don't let the #MeToo move-in on "You" or your "Organization"-

Commissioner Susan Anderson Meeting called to order. They had a guest speaker Nettie Dokes, Consultant, Workforce-Alchemist, who was the first African American woman in the country to become a journey level Electric Lineman.

Her presentation was titled "Don't let the #MeToo move-in on "You" or your "Organization". She stated that this presentation is about workers safety and job site working conditions. It is our responsibility as employers; labor, nonprofit and other partners within the apprenticeship community to make sure our worksites our safe and our work practices create healthy conditions. The MeToo movement was discussed, She stated that MeToo is a code word for sexual harassment, sexual assault and violence against woman. Comments from the apprenticeship community were made.

F. Standards, Rules, Regulations & Operating Procedures Committee – Report from April 24, 2019 Chairperson Aram Hodess

Meeting called to order by Jack Buckhorn. Jim Hussy was not in attendance. A quorum was present. A motion second and carried to approve previous meeting minutes. Discussed DAS 14, proposed Reg change to 230

Discussion on AB235 and how it applies to CAC. Discussed that an ad hoc sub-committee on pre-apprenticeship would be created.

Discussion on how to nominate individuals to the apprenticeship hall of fame – publicity committee would receive the nomination and CAC would take actions on recommendations in July/October council meeting then January for the action, recommended Commissioner Hodess to Hall of Fame;

Please submit names to Glen Forman to get the minimum industry qualifications updated.

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**VII. REPORT OF ADMINISTRATIVE and COOPERATING AGENCIES****A. Division of Labor Standards Enforcement (DLSE) Public Works Unit**

No report.

B. U.S. Department Of Labor Employment and Training Administration Office of Apprenticeship (USDOL/ETA/OA) Nora L. Carlton, California State Director

Nothing new to report. Jack stated that Nora had provided him some great information regarding the new EEO regulations Title 29/Part 30 - EQUAL EMPLOYMENT OPPORTUNITY IN APPRENTICESHIP. It was stated that additional information could be found on the website <https://doleta.gov/oa/eoo/>

C. Tradeswomen Inc. Meg Vasey, Executive Director

Meg stated that 40% of woman in apprenticeship are in the service sector; 37% of women in the government sector (non firefighter); Tradeswomen Inc. tends to push for women in higher wage apprenticeship. Tradeswomen, Inc. is one of California's first organizations for women in the trades. Their mission is outreach, recruitment, retention and leadership development for women in blue-collar skilled craft jobs. Meg stated that they are working in partnership with Rising Sun on a workforce development grant and they recently graduated a class of 20 woman in an all woman's cohort. She stated that they currently have MOU's with the Carpenters and the carpenters have been hosting woman's only career fairs. She stated that they have been having lots of success and have increased numbers of woman applicants

D. Women in Non-Traditional Employment (W.I.N.T.E.R.) Nettie Dokes, Pre-Apprenticeship Instructor

Nettie stated that for this fiscal year they have had 21 placements.

W.I.N.T.E.R will be having its annual gala on October 24, 2019 in Southern California.

W.I.N.T.E.R had a new cohort that started April 1st. We expect them to complete the program mid-June.

E. California Association for the Advancement of Apprenticeship Training (CAAAT) Tracey Barrett, President

(Please see report attached.)

F. California Apprenticeship Coordinators Association (CACA) Lupe Corral, President

Lupe Corral reported that their meeting was held yesterday. They had 41 attendees present gave self-introductions. Minutes and treasury report were approved. A discussion was held regarding AB 2358. Regional reports were given.

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Jack Buckhorn stated that April 28th is Workers Memorial Day. Every year on April 28, Workers Memorial Day is to remember those who have suffered and died on the job and to renew our fight for safe workplaces.

Jack advised the apprenticeship community. Those who work in the building trades now have a flag to show support for the construction industry. The “thin green line” flag has been adopted as a symbol for safety as well as a show of support when an accident, injury or death occurs in the field. At last year’s 3rd quarter California Apprenticeship Council (CAC) meeting, a motion was made to adopt a thin line flag and the CAC unanimously approved it. More information can be found:

<https://www.dir.ca.gov/das/e-News/2019/Support-the-Building-Trades-With-Thin-Green-Line-Flag.pdf>

A moment of silence was made for the fallen workers.

IX. ADJOURNMENT