

**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 FIRST QUARTERLY MEETING**

Best Western Island Palms Hotel & Marina

2051 Shelter Island Drive

San Diego, CA 92106

**Minutes**

**Thursday, February 7, 2019**

**I. CONVENE QUARTERLY CAC MEETING**

A. Pledge of Allegiance

B. Roll Call

Jack Buckhorn, Susan Anderson, Richard Harris, Larry Hopkins, Jim Hussey, Frank Quintero, Lynn Shaw, Yvonne DeLaPena, Dick Zampa, Scott Gordon,

Paul Von Berg, Pat McGinn, Chip Martian, Aram Hodess, Frank Schetter

C. Executive Session

No Executive session held this quarter.

D. Approval of minutes of previous meeting

A motion and a second for approval of the October 2018 meeting minutes. All approved. The motion carried.

E. Announcements

F. Communications

Email from Terry Seabury recommending State Electrical MITC Committee members.

Jack urged that members of the apprenticeship community to send names of industry experts to be considered for appointment to the Minimum Industry Standards Committee. Please email your recommendations to

[Gforman@dir.ca.gov](mailto:Gforman@dir.ca.gov)

**III. BUSINESS SESSION**

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**A. Legal Matters - Deputy Attorney General Heather Hoesterey**

None

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

1. Thomas Coffey v. San Joaquin & Calaveras Counties Electrical JATC, DAS Case No. 2018-12

*DIR Director ordered Coffey to be reinstated back to his previous position.*

2. Marcelino Lloyd v. U.A. Local 38 Joint Apprenticeship & Training Committee of the Plumbing & Pipe Fitting Industry, DAS Case No. 2018-25

*This determination was upheld.*

**C. Notice of Appeals during the Quarter**

- a. 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.

**D. CAC Appeal Panel Decisions**

- a. 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 items are still under review for this case and they will report their findings at the next CAC meeting.

**F. Chief's Report – DAS Chief Eric Rood**

(Please see the attached)

**G. Old Business**

None

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## H. New Business

### Proposed programs for consent

- California Rural Water Association
- Central Valley Maintenance Apprenticeship Committee
- Westside Works Apprenticeship Program

### Process for obtaining CAC consent for Program Standard Approval

Extensive discussion to recommend that CAC postpone consideration of non-traditional program standards and directed chief to work with proposed program sponsors to submit revised standards that would include specific information to ensure that current programs in building trades and firefighters will not be undermined: Specific information requested – the type of employers that apprentices would be referred to for OJT and a list of those employers that are known to give detailed descriptions of work that apprentices are trained to perform and a statement in the standards that the program apprentices will not be referred to OJT training with contractors that are licensed by Contractor’s State License Board or referred to public works projects. Motion was seconded and carried earlier and asked to take the motion up and issue direction to the chief on the proposed standards. If there’s substantial crossover then they shouldn’t be on the non-traditional track.

Should appoint subcommittee with a few commissioners to speak with the staff to speed the standards along. AB235 gives the chief discretion to approve programs after 30 days.

Chair of CAC can make appointments at any time – does not require a standing committee.

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>

Motion was approved.

- Proposed Revision of the CAC Regulations changes required by SB56

Consider what was posted on the website for rule-making proceedings.  
Motion to look at rule-making package required by SB56. Fix the flaws and resubmit to start the rule-making process again. Motion was approved.

## IV. FORUM

### i. “Virtual Reality Safety Training”

Travis Clawson presented a video presentation and talked about safety compliance. Described the safety compliance training that he provides that is a more interactive

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safety training and steps into a more virtual reality training. Current program is offered by CAT safety services. Estimated cost is about \$3000 dollars and comes with all the stuff in the program.

ii. **“New Agreement Submission Website”** presented by Raul Galvan Senior Consultant, DAS

New Agreement Submission Website was presented by Raul Galvan from DAS. He stated that the website is limited to your own programs/occupations only. Web-based system that DAS will provide you a username (email) with a default password that will be changed by you so you can register new apprentices and modify existing agreements, completions, cancellations, and amendments. The forms will still need to be entered within 30 days of the agreement date and kept in the apprentice files. After submission, you will get a confirmation number and can move on to the next one. To enroll: Email [DASWebAgr@dir.ca.gov](mailto:DASWebAgr@dir.ca.gov) with the DAS File Number, name of program, name of user, and e-mails.

Raul answered questions from the apprenticeship community. Raul stated that those using EDI do not have to use the new submission and there is only a two-user limit per program. The workforce development info will be on the DAS 1 eventually. DAS 1 will still be required due to the language on the agreement. There will be help screens on the website and the consultants will be trained to help the programs with their issues. Raul stated that they are still looking into the website but these are the 1<sup>st</sup> steps of improvement and he is not sure if the website will be used for pre-apprentice registration in the future.

A. California Community Colleges – Nick Esquivel Coordinator of Apprenticeship Programs, California Community Colleges Chancellor’s Office

Nick Esquivel discussed the RSI Backfill. He stated that \$113 million dollar budget 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;

FTS RSI – regulatory language is ready to roll out, legislation was passed on June 27<sup>th</sup> and taken 5 months to roll out the policy; Switch from K-12 to community college side – January 2016 passed administrative procedures that related to RSI and dictated dates that Nick needed to know for the switch;

Nick Esquivel stated that the California Community College (CCC) Chancellor Eloy Ortiz Oakley has announced the appointment of Sheneui Weber as the new Vice Chancellor for Workforce and Economic Development. Ms. Weber replaces former Executive Vice Chancellor Van Ton-Quinlivan who retired last month.

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Ms. Weber previously served as the Chief Operating Officer for Advancement and Economic Development at the Long Beach Community College District where she was responsible for the district's economic and workforce development strategy, programs, operations and public-private partnership development.

**VI. CAC STANDING COMMITTEE REPORTS**

Commissioner Buckhorn discussed that there has been some changes in some of the commissioners and requires some changes in the standing committees. He stated that he would like to expand the number of commissioners to serve on the committee. He also requested the commissioners to give input on what committees they would like to be a participant.

Discussed having someone apply from CAC to join the IACA subcommittee on pre-apprenticeship as well

A. CAC/CCA Liaison Committee – Report from February 6, 2019– CCA  
Chairperson Alex Beltran

Roll Call, Introductions, Motion to approve minutes, motion to reimburse treasurer for coffee expenses and not to exceed 450, discussion on evening network events, discussed breakout sessions. Discussed getting a flyer out by end of month to help people set their travel budget for 2019.

B. Public Relations & Publicity -Report from February 6, 2019- Chairperson Jim Hussey

A quorum was present and motion second were made to approve the previous meetings minutes. Mr. Hussey encourage everyone to register for the apprenticeship newsletter. Request for content to be submitted to Esther Gamberutti via email: [EGamberutti@dir.ca.gov](mailto:EGamberutti@dir.ca.gov);

discussion around themes for newsletters; testimonials worked very well – have apprentices or journeymen share success stories; strategies/goals on how to better market apprenticeship; wanted to include the I Built It campaign information and roll it out again as well as a digital media statewide to drive people to the newsletter/website;

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

Construction safety flag that was approved was discussed in having it published in various sources; meeting adjourned

C. Forums – Report from February 6, 2019– Chairperson Paul Von Berg

Meeting called to order. Minutes were approved. Suggestions for future forum topics

- models to achieve more apprentices

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- Prisons to employment- how to participate and help eliminate barriers to them getting to become productive members of society.
- how to keep apprentices out of drug/alcohol abuse

C. Legislation Committee – Report from February 6, 2019– Chairperson Yvonne de la Peña

Yvonne stated that the meeting called to order and they approved the previous meeting minutes. The budget was reviewed and a handout was given to the apprenticeship community. She discussed the \$25million dollars for California Workforce Development Board for apprenticeship and job training programs for workers and disadvantaged individuals paid from Greenhouse Gas Reduction Fund; SB1 – gas tax (0.12 cents tax over 5 years = \$5million) for pre-apprenticeship was proposed; LEAs were not included for SB1 (only community colleges) but for greenhouse gas tax it included all partners.

D. Standards, Rules, Regulations & Operating Procedures Committee – Report from February 6, 2019 Chairperson Aram Hodess

Meeting called to order by Jack Buckhorn. Aram Hodess was not in attendance. A quorum was present. A motion second and carried to approve previous meeting minutes. Old business – DAS 142 had been adopted and posted on website for use, proposed Reg change to 230 – notification of contract awards motion second and carried to the full CAC regarding changes to the DAS 140. Discussion and possible action on SB56 motion second and carried to CAC for rule-making proceedings;

In new business, there was a discussion on AB235 and how it applies to CAC. Recommended that CAC postponed consideration of non-traditional program standards and looking for the type of employers apprentices would be referred to for OJT and list of known employers, detailed description of work apprentices are trained to perform as well as detailed work processes, and a statement that program apprentices would not be referred to public works projects and ones with contractors state license board; approval on pre-apprenticeship program applications

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;

Don Merrill – request that commission reactivate the minimum industry training criteria subcommittees; need up to date work processes on each craft so that staff can make decisions on if the program is encroaching on pre-existing apprentice program's work

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. Employment Training Panel (ETP) Peter Cooper, Assistant Director**

ETP changes: materials passed out; rebranding process with new logo and marketing materials to better communicate work around apprenticeship in both traditional and non-traditional; over \$100 million dollars for classroom instruction and over \$30 million for this fiscal year for classroom portion of apprenticeship; Deborah Chaplin from building trades is working on a video to let policy makers and Californians know about apprenticeship and the role of ETP in supporting it; new unit at ETP and hiring – to facilitate processing of multiple employer contracts that are doing well 80-85% performance (especially the JATCs); unit is to streamline the process; contracted with Salesforce to create new system called Cal eForce that will be live in August or September; group of software experts called Integrators; has a process called stakeholder engagement so the Integrators will contact stakeholders to make sure the system is developed well; contracted with Social Policy Research Associates to do an outside evaluation of ETP; ETP is serving a thousand active contracts; contacting and engaging with apprenticeship programs throughout the state; March panel meeting – starting to use up all the funding \$105 million dollars for the year and the demand was \$80 million dollars above that and sending applicants to the next fiscal year waiting list, went above anticipated amount for apprenticeship funding

**B. Division of Labor Standards Enforcement (DLSE) Public Works Unit**

Deputy Labor Commissioner Jessica from public works unit reported 2018 calendar year statistics – assessed \$6,733,842.48 for labor code 1777.7 penalties for apprenticeship violations an increase from 19% from previous year and \$2,958,227.26 collected already – increase of 24%; training funds assessed \$608,259.61 with \$247,800.10 already collected – increase of 54% from 2017; new labor commissioner model questionnaire packet for pre-qualifications of contractors and launch of updated contractor registration system available on website.

**C. U.S. Department Of Labor Employment and Training Administration Office of Apprenticeship (USDOL/ETA/OA) Patty Garcia, Regional Director**

Nora Carleton discussed EEO regulations Title 29/Part 30 -

**EQUAL EMPLOYMENT OPPORTUNITY IN APPRENTICESHIP**

: was revised in 2016 and hasn't been revised since 1978 – sponsors must have individuals designated to maintain equal opportunity, maintain discrimination free and harassment free environment, provide anti-harassment training to apprentices and those who work with apprentices, ensure all selection procedures are non-discriminatory, conduct outreach to reach all potential qualified applicants, adopt the equal opportunity pledge, advise on how to submit a complaint, 5 or more apprentices programs must have a written affirmative action plan, etc.

She also discussed disability and The sponsor must comply with all other applicable Federal and State laws and regulations that require equal employment

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opportunity without regard to race, color, religion, national origin, sex (including pregnancy and gender identity, as applicable), sexual orientation, age (40 or older), genetic information, or disability. Failure to comply with such laws if such noncompliance is related to the equal employment opportunity of apprentices and/or graduates of such an apprenticeship programs under this part is grounds for deregistration or the imposition of other enforcement actions in accordance with § 30.15.

Website for FAQs – <https://doleta.gov/oa/eo/>

D. Tradeswomen Inc. Meg Vasey, Executive Director

5646 women/86935 total apprentices = 6.5% women in apprenticeship; CAC side is 1877/63499 in construction = ~3%; 332/9559 fire services apprentices = 3.47%; 3437/13877 = 24.77% in IACA side but most tend to be in service sector (lowest wage); 37% of women in the government sector (non firefighter); Tradeswomen Inc. tends to push for women in higher wage apprenticeship. Meg discussed the 40th year anniversary of Tradeswomen Inc. celebrating in September.

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

The meeting was called to order at 5:00 pm yesterday by CACA President Lupe Corral. 31 attendees present gave self-introductions. Minutes and treasury report were approved. A discussion was held regarding AB 2358. Regional reports were given. DAS reported on New and Innovative submission and review of program standards. Lengthy discussion ensued regarding new and Innovative programs, program standards and work process. New DAS Consultant hiring and training and Computer system updates. No old business. Under New Business, Scott Lewis presented on a main stream reporting mechanism for all regional Coordinators affiliates. This system will greatly improve communication of all regional activity reports that are to be presented at the quarterly CACA Meetings. The meeting was adjourned at 6:30 pm

## IX. ADJOURNMENT