

CALIFORNIA APPRENTICESHIP COUNCIL  
1515 Clay Street, Suite 301  
Oakland, CA 94612  
Tel: (415) 703-4920  
Fax: (510) 286-144



STANDARDS, RULES, REGULATIONS & OPERATING  
PROCEDURES COMMITTEE

Minutes

Wednesday, February 3, 2021

3:30 p.m.

Hosted Via Teleconference

I. Call to Order/Roll Call

Meeting called to order by Commissioner Jim Hussey at 3:30 p.m.

The following Commissioners were present: Jim Hussey, Jack Buckhorn, Larry Hopkins, Dick Zampa, Derrik Kualapai, Paul Von Berg, Frank Schetter, Chip Martin, Yvonne De La Pena, Christopher Christophersen and DAS Chief Eric Rood

Members absent: Susan Anderson, and Frank Quintero

II. Review/Approve Previous Minutes.

A motion and a second were made to approve the minutes of December 3, 2020 meeting. All were in favor. The motion carried.

III. Old Business

- Update / Status Rulemaking Packages

Commissioner Hussey asked for Chief Eric Rood to give updates on all rulemaking packages. Chief Rood stated that with SB 56, we are making some final edits to the table of contents and final statement of reasons. We hope to have this filed with the office of administrative law early next week. This will allow the office of administrative law to give final

**CALIFORNIA APPRENTICESHIP COUNCIL**

1515 Clay Street, Suite 301  
Oakland, CA 94612  
Tel: (415) 703-4920  
Fax: (510) 286-144



approval by the end of February and the new regulations would take effect April 1, 2021.

Chief Eric Rood also discussed the Public Works rulemaking package. He stated that he has reached out to labor agency and that this package is still under review with the labor agency. We still need the signature on the 399 financial impact form. We have confirmed with the Department of Industrial Relations budgets office that the Labor Agency would work directly with the Department of Finance. We are coming close to the deadline right now. He stated that the deadline to file with Office of Administrative Law is March 1, 2021. We do not anticipate receiving any extensions for this deadline. At this time, there are no other updates.

Questions and comments were than received from the public.

Discussed possibly pulling the rule-making package that was submitted to resubmit the document to reset the clock of the filing and approval time line.

Ken Lau gave an overview of the Rulemaking process and answered some questions received from the Commissioners.

Ken stated that there was rulemaking package that was discovered that the council can authorize that did not go thru we requested that that rulemaking needs to be placed on the agenda because there are slight changes that we think needs to be made. This is implementing AB1870, which changed the way CAC Training Fund Contributions are distributed. We are going to move forward with a rule 100 rulemaking, which is an expedited process and we hope that will move forward on this very quickly. Unfortunately, this item was not placed on today's agenda. Once this item is approved this item will be expedited to OAL.

Ken Lau gave possible suggestion on improving the rule making process. He suggested that we host special called meetings due to the CAC meeting quarterly. Which could help with the rulemaking timeline.

Jim Hussey suggested rulemaking training for all CAC commissioners.

During the discussion, it was acknowledged by the committee that OAL conducts training sessions for the rulemaking process. Chief Rood agreed to

**CALIFORNIA APPRENTICESHIP COUNCIL**

1515 Clay Street, Suite 301  
Oakland, CA 94612  
Tel: (415) 703-4920  
Fax: (510) 286-144



convey the request to DIR Director Katie Hagen, to have at least two CAC commissioners from this committee to attend OAL training.

The committee heard from the attorney general's office regarding the relationship between section 215 CalPlan federal Regulation 29 part 30 and merits of updating the CalPlan as a means to implement rulemaking for AB 2458. The reports adjusted the CalPlan was duplicative and no longer necessary and therefore, not the best vehicle for any rulemaking that might be needed to implement AB 2358. This prompted lengthy discussions about several intertwined topics:

- Discussed whether the section 215 CalPlan should be dropped.
- Federal regulations that may place investigative burdens on the DAS.
- Requirements within AB2358 that need rulemaking.
- The need to expedite a successful rulemaking package.
- The possibility of separating rulemaking for AB2358 from the review.
- Update or elimination of section 215 CalPlan.

After a lengthy discussion, DAS Deputy Chief Forman agreed to prepare a red line of AB2358 and notes on the implementing regulations and DIR Legal counsel Ken Lau agreed to review and update the summary he presented at the December 2020 committee meeting.

A motion and a second were made to hold meetings on the 1st Wednesday of every month until the rulemaking process for AB2358 is complete. All were in favor. The motion carried.

Before adjourning the meeting, DAS Deputy Chief Forman agreed the red line AB2358 document would be distributed 10 days before the March 3, 2021 meeting.

It was stated; that AB2358 is 97% based on the updated federal regulations but this does not cover everything that CFR 29-30 covers.

It was also discussed that PowerPoint summary from the December committee meeting would remain available on the DAS web page.

**CALIFORNIA APPRENTICESHIP COUNCIL**

1515 Clay Street, Suite 301  
Oakland, CA 94612  
Tel: (415) 703-4920  
Fax: (510) 286-144



It was proposed by the chair that future quarterly committee meetings would begin earlier in the day so that this committee could have a bit more time for discussions.

The committee members agreed that the March 3, 2021 meeting should begin at 9:00 a.m.

IV. New Business

Because of the time, new business items were tabled until the March 3, 2021 meeting.

V. Adjournment

Jim Hussey adjourned the meeting at 5:35 pm.