

Requested Changes to 230.1

Excerpts from a letter to Chief Rood from Oscar De La Torre, Business Manager LIUNA67

I write to you in my capacity as Business Manager of the Northern California District Council of Laborers and implore you to clarify the regulations and close the loopholes that lend a biased burden of apprenticeship on signatory contractors by virtue of it being a requirement of the collective bargaining agreement. Signatory contractors are being held to train, support, and bear the cost of providing a present and future skilled and trained workforce to the State of California. It affects their bottom line and ability to be competitive in the public works marketplace while non-signatory contractors submit incomplete forms and are absolved of their responsibility in the training of apprentices.

We urge the Office of the Director to redress its current direction and support apprenticeship community stakeholders and the DAS in achieving its stated mission to "develop a skilled workforce with viable career pathways to increase productivity and strengthen our economy." With the current direction of the Office of Director decisions, the regulations do not serve any purpose and become a burden with no benefit to workers, contractors, apprenticeship committees or California taxpayers.

Suggested changes to regulations would include:

- Request for dispatch must be unconditional.
- Request for dispatch must contain required information, including actual specific date, time and location for apprentice to report.
- Request for dispatch may be on the DAS Form 142 or equivalent, as long as the request contains the same information as the DAS Form 142.
- Apprentices may only be requested to report on a date and at a time when journeymen in the same apprenticeable craft are employed on the project.

**Excerpts from a letter to Chief Rood from Justin Diston, Vice President, Operating Engineers
Local 3**

I write to you in my capacity as Vice President of the Operating Engineers Local Union No. 3 and implore you to clarify the regulations and close the loopholes that lend a biased burden of apprenticeship on signatory contractors by virtue of it being a requirement of the collective bargaining agreement. Signatory contractors are being held to train, support, and bear the cost of providing a present and future skilled and trained workforce to the State of California. It affects their bottom line and ability to be competitive in the public works marketplace while non-signatory contractors submit incomplete forms and are absolved of their responsibility in the training of apprentices.

We urge the Office of the Director to redress its current direction and support apprenticeship community stakeholders and the DAS in achieving its stated mission to "develop a skilled workforce with viable career pathways to increase productivity and strengthen our economy." With the current direction of the Office of Director decisions, the regulations do not serve any purpose and become a burden with no benefit to workers, contractors, apprenticeship committees or California taxpayers.

Suggested changes to regulations would include:

- Request for dispatch must be unconditional.
- Request for dispatch must contain required information, including actual specific date, time location and whom the apprentice needs to report.
- Request for dispatch may be on the DAS Form 142 or equivalent, as long as the request contains the same information as the DAS Form 142.
- Apprentices may only be requested to report on a date and at a time when journeymen in the same apprenticeable craft are employed on the project.

Email from Sarah Rolin Contractor Compliance Solutions

Can you please enlighten me on a situation that we are seeing pop-up quite often where contractors have submitted the DAS 142 as required by law, but instead of getting an apprentice on the date requested - apprentices are being sent a month to months after the date requested.

The contractor, not needing an apprentice any long, is being pressured into "correcting" this issue by the committees in a very predatory manner.

What documentation can be provided to remind the committees that if they do not respond to the initial request, they cannot come to the job site and start harassing contractors?

The contractors I work with understand the importance of the apprenticeship program and complete the DAS 140 and 142 as required, but they cannot be expected to host an apprentice if the committee doesn't send them on the date requested.