

CALIFORNIA APPRENTICESHIP COUNCIL
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**STANDARDS, RULES, REGULATIONS & OPERATING
PROCEDURES COMMITTEE**

Minutes

Wednesday, October 6, 2021

9:00 a.m.

Hosted Via Teleconference

I. Call to Order/Roll Call

Meeting called to order by Commissioner Christopher Christophersen Sr.
at 9:03 a.m.

Roll Call of Commissioners was taken, commissioners present: Chip Martin,
Frank Quintero, Richard Harris, Christopher Christophersen Sr., Derrick
Kualapai, Larry Hopkins, Yvonne de la Pena, Jack Buckhorn, Jason Rafter
and Glen Forman for Eric Rood.

Commissioners absent: Louis Ontiveros Paul Von Berg, Eric Rood.

A quorum was established.

Other commissioner present: Sheri Learmonth .

II. Review/Approve Previous Minutes.

The minutes of September 1, 2021 were approved. All were in favor. The
motion carried.

III. Old Business

Review of CalPlan in view of AB 2358 proposed regulations.

Glen presented suggested changes to the CalPlan in view of the AB 2358
proposed regulations, there were some minor additions.

A motion and a second were made to approve the following amended
Sections.

Amend §212. Content of Apprenticeship Program Standards.

(2) the parties to whom the standards apply, the program sponsor's labor market area, ~~as defined by Section 215 appendix 2(l), for purposes of meeting equal employment opportunity goals in apprenticeship training and the program's geographic area of operation as defined by section 205(n);~~

(5) determining the qualifications of apprentice applicants and fair and impartial treatment of applicants for apprenticeship selected through uniform selection procedures, ~~which shall be an addendum to the standards, pursuant to Section 215;~~

Amend: §215. State Compliance State of California Plan for Equal Opportunity in Apprenticeship.

~~Selection procedures must be in writing, approved by the apprenticeship program sponsor, and must meet objective standards.~~

~~Apprenticeship programs must comply with the State of California Plan for Equal Opportunity in Apprenticeship adopted by the California Apprenticeship Council on April 26, 1986 to be effective September 28, 1986, as though expressly set forth herein and shall be considered as an appendix hereto and appropriately marked as such, including the month and year of adoption.~~

(a) Discrimination prohibited. It is unlawful for a sponsor of a registered apprenticeship program to discriminate against an apprentice or applicant for apprenticeship on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over forty years of age, military or veteran status, or sexual orientation with regard to all of the following:

- (A) Recruitment, outreach, and selection procedures.
- (B) Hiring or placement, upgrading, periodic advancement, promotion, demotion, transfer, layoff, termination, right of return from layoff, and rehiring.
- (C) Rotation among work processes.
- (D) Imposition of penalties or other disciplinary action.
- (E) Rates of pay or any other form of compensation and changes in compensation.
- (F) Conditions of work.
- (G) Hours of work and hours of training provided.
- (H) Job assignments.
- (I) Leaves of absence, sick leave, or any other leave.
- (J) Any other benefit, term, condition, or privilege

associated with apprenticeship.

(b) Each sponsor of an apprenticeship program shall include in its apprenticeship standards and apprenticeship opportunity announcements the following equal opportunity pledge:

[Name of program] will not discriminate against apprenticeship applicants or apprentices based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age for individuals over forty years of age, military or veteran status, or sexual orientation. [Name of program] will take affirmative steps to provide equal opportunity in apprenticeship.

(c) Selection of Apprentices

A sponsor's procedures for selection of apprentices must be included in the written plan for apprenticeship standards submitted to and approved by the Chief DAS, as required under section 212 of title 8 of the California Code of Regulations.

Sponsors may utilize any method or combination of methods for the selection of apprentices, provided that the selection method(s) used meets the following requirements:

(A) The selection procedure(s) must be uniformly and consistently applied to all applicants and apprentices within each selection procedure utilized.

(B) The selection procedure(s) must comply with title I of the ADA, EEOC's implementing regulations at 29 CFR part 1630, the Fair Employment and Housing Act, and the Fair Employment and Housing Council's implementing regulations at sections 11064, et seq. of title 2 of the California Code of Regulations as applicable to apprenticeship program sponsors.

(C) The procedure(s) must not screen out or tend to screen out an individual with a disability or a class of individuals with disabilities, on the basis of disability, unless the standard, test or other selection criteria, as used by the program sponsor, is shown to be job-related for the position in question and is consistent with business necessity.

(D) The selection procedure(s) must be facially neutral in terms of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age

for individuals over forty years of age, military or veteran status, or sexual orientation.

There was discussion on getting the information on the financial impact to the apprenticeship committees, Larry Hopkins had submitted his programs impact and discussed on how their committee came up with the analysis. And a further request from other committees to submit their analysis.

At the next meeting this committee will review all the changes for AB 2358 and the CalPlan and have them ready to present to the full council.

IV. New Business None

V. Adjournment

The next meeting is scheduled for Wednesday October 7, 2021

Commissioner Christopher Christophersen Sr. adjourned the meeting at 9:33 a.m.