



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

STANDARDS, RULES, REGULATIONS & OPERATING PROCEDURES COMMITTEE MEETING

MINUTES

Wednesday– October 26, 2011 3:30 P.M.

I. Call To Order/ Roll Call

Commissioner Anne Quick standing in for Chairperson Aram Hodess called the meeting to order at 3:32 p.m.

Members present: Anne Quick, Julia Dozier, Pat McGinn, Donna Bechthold, Carl Goff, Jack Buckhorn, and Deputy Chief Glen Forman.

A quorum was met.

Members absent: Wayne Lindholm, Aram Hodess, and Neil Struthers

II. Review/Approval of the minutes of July 28, 2011

- Commissioner Bechthold made motion to approve the July 28, 2011 minutes. Commissioner McGinn seconded the motion. All were in favor. The motion carried.

III. New Business

- Rule Making changes as required by SB 56, Corbett, Apprenticeship Oversight

Commissioner Quick reported that changes to the bill were made in the way DAS currently randomly audits apprenticeship programs every 5 years. She continued with reading the changes of the bill. (The bill will is attached to these minutes posted on the web site.)

Comments from the Public

It was asked what DAS planned to do with the monthly reports. Deputy Chief Glen Forman stated that the information would allow them to keep their records updated and concise electronically and would also help the programs during an audit by being able to provide the auditor with the same information. He further stated that DAS apprenticeship numbers are off by approximately 4,000 - apprentices should have graduated over 2 years ago. Mr. Forman also reported that legislation becomes effective January 1, 2012.

Rachel Freeman, DAS Audit Manager commented that the bill specifically addresses building and construction trades and asked if the other programs were to be handled in the same manner. Deputy Chief Forman stated that the random

audit selection is different and the legislation does not address the other programs. He further stated that it is not a requirement.

Another comment raised the question of changing the “need”. Deputy Chief Forman stated that the needs requirement is still in place.

IV. Old Business

- Regulatory Action by the Office of Administrative Law

Commissioner Quick asked OD Legal or the Office of the Attorney General to give an update on the two recent regulatory actions. Lucy Wang, Office of the Attorney General reported that both rule making passages have been approved as of October 17, 2011 and both will be effective starting November 16, 2011. She further stated that the change to Title 8, California Code of Regulations Section 230.1 (a) which has the 8 hour minimum dispatch requirement and Title 8, California Code of Regulations Section 207.1 and Amended Sections 201, 202, 203, 207 made changes to the complaint process.

- DAS 13

Commissioner Quick reported that at a previous meeting it was discussed to have the DAS13 available electronically. The DAS 13 form is information that the awarding body provides to the Division of Apprenticeship Standards on projects that are awarded. The object is to make this information available electronically to programs or anyone in the public. Deputy Chief Glen Forman reported that DAS anticipates the form to be available in the early part of 2012. He further reported that it would take about 2 months before you would be able to see data on the new search screen. The new search screen will allow the public to view the information that DAS receives. The form has been revised to combine both DAS and DLSE information into one form due to the Compliance Monitoring Unit (CMU) requirements from the Division of Labor Standards Enforcement (DLSE). The form will be searchable to the contractor or county in the occupation that is being awarded on the contract.

Mr. Forman stated that DAS will be responsible for putting the form on line so the CMU will have the information they need and contacting the awarding bodies. It was suggested to have the 8 hour language put on the DAS 140 & DAS 142 forms which will allow the contractors to see the language. Mr. Forman stated that it would only affect the contracts that were awarded after the 16th of November which will be taken from the bid date.

Jeff Armstrong, Northern California Laborers JATC asked about filing complaints regarding the distribution of hours on a DAS 140. Deputy Chief Glen Forman stated that if the distribution appeared questionable then he should speak to the contractor. He further stated that a complaint is made on the whole project. The discussion continued with the ongoing issue of programs sending a coordinator to the job site and finding that the job is not complete. Mr. Forman directed the attendees to contact Pacia Parker for detailed information concerning criteria for filing a complaint.

Fred Lonsdale, OD Legal stated that the rule processes could take time and suggested to the attendees that if anyone found that the language needed to be clarified, that it should be brought up at the next committee meeting.

There was no further business.

V. Adjournment

A motion and a second were made to adjourn. All were in favor. The motion carried.

The meeting adjourned at 3:55 p.m.