



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

LEGISLATION COMMITTEE MEETING MINUTES

Wednesday, July 29, 2015 2:30 P.M.

I. Call To Order/ Roll Call

Commissioner Yvonne de la Peña called the meeting to order at 2:32 P.M.

Members present: Yvonne de la Peña, Christopher Christophersen, Richard Harris, and Chief Diane Ravnik. A quorum was met.

Members absent: Paul Von Berg, Hector Velez, Aram Hodess and Carl Goff

II. Review/Approve Minutes – April 22, 2015

1. Commissioner Yvonne de la Peña made motion to approve April 22, 2015 minutes. The motion carried.

III. Budget 2015 - 2016

Commissioner de la Peña reported that the budget was signed by the Governor. The budget essentially-restores the funding for Apprenticeship back to the 2007-2008 levels.

The Budget increased the appropriation for Apprenticeship by \$29,289,000: from \$22,868,000 to a total of \$52,157,000. It also increases the hourly RSI rate to \$5.46 up from \$5.04 which is essentially equivalent to the community college non-credit hourly rate. Further, the appropriation includes an additional \$15,000,000 (found in the community college budget schedule) to "...develop and implement innovative apprenticeship training demonstration projects..." Both colleges and K-12 entities are eligible to receive funding for this purpose.

The appropriation provides for the following:

1. Funding for K-12 increased by \$4,957,000 from \$15,694,000 to \$20,651,000 (31.7 % increase)
2. Funding for community colleges increased by \$9,332,000 from \$7,174,000 to \$16,506,000 (130.1% increase)
3. The hourly rate increases the number of new fundable RSI hours for K-12 by 907,875 hours and community colleges by 1,709,157 hours.

Other statutory amendments related to reporting funding information for apprenticeship by the Chancellor of the California Community Colleges.

1. The Chancellor is required to notify participating LEA's of their initial allocation within 30 days of the enactment of the annual Budget Act so they will know how much money they have going into the fiscal year.
2. The Chancellor is also required to report to the California Apprenticeship Council within 30 days of each apportionment period the following information for each participating local educational agency:
 - (1) The number of related and supplemental instruction hours allocated to the local educational agency.
 - (2) The number of related and supplemental instruction hours reported by the local educational agency.
 - (3) At the final or recalculation apportionment, the hourly rate paid for related and supplemental instruction hours reported above the local educational agency's initial allocation of hours for related and supplemental instruction.

The other important statutory provision is related to the Adult Education Block Grant. Assembly Bill 104-Omnibus Education Trailer Bill changed the title of Adult Education program area (5), of the block grant statute, from "program for apprentices" to "pre-apprenticeship". This language, for all practical purposes, insures that the appropriation for apprenticeship remains separate and is not rolled into the Adult Education Block Grant.

IV. Review of New and Pending Bills

Commissioner de la Peña gave a short overview on general apprenticeship legislation that is new and currently pending. Commissioner de la Peña advised that if anyone had any additional details regarding these bills to please feel free to comment.

[AB 93](#) (Weber D) Budget Act of 2015.

Current Text: Chaptered: 6/24/2015

Introduced: 1/7/2015

Last Amend: 5/21/2015

Status: 6/24/2015-Chaptered by Secretary of State - Chapter 10, Statutes of 2015

Summary: This bill would make appropriations for the support of state government for the 2015-2016 fiscal year. This bill would declare that it is to take effect immediately as a Budget Bill.

[AB 104](#) (Committee on Budget) Education finance: education omnibus trailer bill.

Current Text: Chaptered: 6/24/2015

Introduced: 1/9/2015

Last Amend: 6/16/2015

Status: 6/24/2015-Chaptered by Secretary of State - Chapter 13, Statutes of 2015

Summary: Current law provides supplemental funding to qualifying California state preschool classrooms, and requires a part-day preschool program to provide parenting education and to provide staff development for teachers in participating classrooms as a

condition of receiving funds. This bill would include within the meaning of parenting education for these purposes improving parental knowledge of local resources for the identification of and services for developmental disabilities, and would include as part of staff development the development of improved behavioral strategies and the provision of interventions for young children to improve kindergarten readiness.

[AB 151](#) (Rodriguez D) Income taxes: credits: apprenticeships.

Current Text: Amended: 5/20/2015

Introduced: 1/15/2015

Last Amend: 5/20/2015

Status: 5/28/2015-Joint Rule 62(a), file notice suspended. (Page 1613) In committee: Held under submission.

Summary: Current law provides for the establishment of apprenticeship programs in various trades, to be approved by the Chief of the Division of Apprenticeship Standards in any trade in the state or in a city or trade area whenever the apprentice training needs justify the establishment. This bill, for taxable years beginning on or after January 1, 2016 and before January 1, 2020, would allow a credit against the taxes imposed under those tax laws in an amount equal to \$1 for each hour a registered apprentice worked in the taxable year, up to \$2,000 each for up to 10 registered apprentices, as defined, trained by the taxpayer in the taxable year.

[AB 509](#) (Perea D) California Private Postsecondary Education Act of 2009: exemptions.

Current Text: Amended: 6/23/2015

Introduced: 2/23/2015

Last Amend: 6/23/2015

Status: 7/13/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 1.)

(July 13). Re-referred to Com. on APPR.

Summary: Would exempt from the provisions of the California Private Postsecondary Education Act a bona fide organization, association, or council that offers pre-apprenticeship training programs on behalf of one or more labor-management apprenticeship programs that are approved by the Division of Apprenticeship Standards if the organization, association, or council satisfies specified requirements.

[AB 520](#) (Levine D) Apprenticeship.

Current Text: Introduced: 2/23/2015

Introduced: 2/23/2015

Status: 6/8/2015-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Current law provides for apprenticeship programs within the Division of Apprenticeship Standards within the Department of Industrial Relations, sponsored by specific entities and employers, and requires the Chief of the Division of Apprenticeship Standards to perform various functions with respect to apprenticeship programs and the welfare of apprentices. This bill would require the report to include an analysis of any apprenticeship standards or regulations that were proposed or adopted in the previous year. This bill contains other current laws.

[AB 566](#) (O'Donnell D) School facilities: leasing property: construction contracts.

Current Text: Amended: 6/17/2015

Introduced: 2/24/2015

Last Amend: 6/17/2015

Status: 7/13/2015-In Assembly. Concurrence in Senate amendments pending. Maybe considered on or after July 15 pursuant to Assembly Rule 77.

Summary: Current law, until January 1, 2019, requires the instrument, if funds for the instrument derive from the Leroy F. Greene School Facilities Act of 1998 or from any future state school bond for a public project that involves a projected expenditure of \$1,000,000 or more, to provide that the person, firm, or corporation that constructs the building shall comply with specified prequalification requirements. This bill would, until January 1, 2019, require the instrument and agreement to provide that the person, firm, or corporation that constructs the building to comply with specified prequalification requirements in this context regardless of the funding source for the public project.

[AB 907](#) (Burke D) Career training: adult students.

Current Text: Amended: 4/30/2015

Introduced: 2/26/2015

Last Amend: 4/30/2015

Status: 6/17/2015-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Would authorize the Superintendent of Public Instruction to certify, by name, any regional occupational center or program, county office of education, or adult education program, that provides a program of training to prepare adult students for gainful employment in a recognized occupation, to legally authorize the center, program, or office to provide an educational program beyond secondary education, as specified. This bill contains other related provisions.

[AB 987](#) (Levine D) Employment discrimination: unlawful employment practices.

Current Text: Chaptered: 7/16/2015

Introduced: 2/26/2015

Last Amend: 5/27/2015

Status: 7/16/2015-Chaptered by Secretary of State - Chapter 122, Statutes of 2015

Summary: Would prohibit an employer or other covered entity from retaliating or otherwise discriminating against a person for requesting accommodation of his or her disability or religious beliefs, regardless of whether the accommodation request was granted. The bill would make related findings and declarations. This bill contains other existing laws.

[AB 1017](#) (Campos D) Employers.

Current Text: Amended: 7/8/2015

Introduced: 2/26/2015

Last Amend: 7/8/2015

Status: 7/14/2015-Read second time. Ordered to third reading.

Summary: Would prohibit an employer from seeking salary history information from an applicant for employment and from releasing the salary history of any current or former employee without written authorization from the current or former employee or without first obtaining certification from the prospective employer that the prospective

employer has obtained written authorization from the current or former employee to disclose that information. The bill would specify that a violation of its provisions would not be subject to the misdemeanor provision.

AB 1181 (Calderon D) Career technical education.

Current Text: Amended: 3/26/2015

Introduced: 2/27/2015

Last Amend: 3/26/2015

Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 4/6/2015)

Summary: Current law provides that the Legislature declares that a regional occupational center will serve the state and national interests in providing career technical and technical education to students, including, but not limited to, high school students. This bill would instead provide that the Legislature declares that the regional occupational center will serve the state and national interests in providing secondary and postsecondary career technical and technical education to those pupils. This bill contains other related provisions and other current laws.

AB 1270 (Garcia, Eduardo D) California Workforce Innovation and Opportunity Act.

Current Text: Chaptered: 7/14/2015

Introduced: 2/27/2015

Last Amend: 4/6/2015

Status: 7/14/2015-Chaptered by Secretary of State - Chapter 94, Statutes of 2015.

Summary: Would update statutory references to the Workforce Investment Act of 1998 to instead refer to the Workforce Innovation and Opportunity Act of 2014 and make related conforming changes. This bill contains other related provisions and other existing laws.

AB 1308 (Perea D) Apprenticeship programs: approval.

Current Text: Chaptered: 7/16/2015

Introduced: 2/27/2015

Last Amend: 6/23/2015

Status: 7/16/2015-Chaptered by Secretary of State - Chapter 126, Statutes of 2015

Summary: Would revise specified conditions for when the apprentice training needs in the building and construction trades justify a new apprentice program. This bill would also remove the authority of the California Apprenticeship Council to approve a new apprenticeship program justified by special circumstances by regulation.

- Chief Ravnik stated that this bill was revised and this bill deals with program approvals and takes away the exception of the special circumstances. One of the primary reasons for not approving a new program has to do with demonstrating needs. One of the key components of that has to do with if a program dispatches. This new provision brought some new clarity: to dispatch it actually calls for existing apprenticeship programs approved, that serve the same craft or trade and geographic area, do not have the capacity, or neglect or refuse, to dispatch sufficient apprentices to qualified employers at a public works site who have requested apprentices and are willing to abide by the applicable apprenticeship standards, as shown by a *sustained pattern of unfilled requests*.
- The other thing the definition of “same craft or trade” an existing apprenticeship program serves the “same craft or trade” as a proposed apprenticeship program

when there would be substantial overlap in the work processes covered by the programs or when graduates of the existing program would be qualified to perform a substantial portion of the work that would be performed by graduates of the new program.

[AB 1354](#) (Dodd D) Discrimination: equal pay: state contracting.

Current Text: Amended: 7/7/2015

Introduced: 2/27/2015

Last Amend: 7/7/2015

Status: 7/14/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 3.) (July 14). Re-referred to Com. on APPR.

Summary: Would enact the Equal Pay for Equal Work Act of 2015. The bill would require an employer with 100 or more employees, prior to becoming a contractor or subcontractor with the state, to submit a nondiscrimination program to the Department of Fair Employment and Housing and to submit periodic reports no more than annually of its compliance with that program. The bill would authorize the department to require approval and certification of the program. The bill would permit the department to require an employer with fewer than 100 employees to submit a nondiscrimination report.

[AB 1431](#) (Gomez D) Local Agency Public Construction Act: job order contracting.

Current Text: Amended: 7/16/2015

Introduced: 2/27/2015

Last Amend: 7/16/2015

Status: 7/16/2015-Read second time and amended. Ordered to third reading

Summary: The Local Agency Public Construction Act authorizes job order contracting, as provided, by the Los Angeles Unified School District (LAUSD), until December 31, 2020. This bill would repeal the provisions relating to the LAUSD and would instead authorize job order contracting in a similar manner for school districts until January 1, 2022.

[AB 1514](#) (Committee on Insurance) Employment Development Department: training benefits: reports.

Current Text: Enrolled: 7/9/2015

Introduced: 3/5/2015

Last Amend: 3/26/2015

Status: 7/6/2015-In Assembly. Ordered to Engrossing and Enrolling.

Summary: The California Training Benefits Program, until January 1, 2019, authorizes an unemployed individual, who is otherwise eligible for unemployment benefits, to apply to the Employment Development Department for a determination of potential eligibility for benefits during a period of training or retraining. This bill would recast these provisions to permit eligibility for a member of a union or trade association, a participant in training sponsored by an employer, or an individual who is a participant in a state or federally approved apprenticeship program. This bill contains other related provisions and other existing laws.

[SB 45](#) (Mendoza D) Workforce development: Federal Workforce Innovation and Opportunity Act.

Current Text: Amended: 3/9/2015

Introduced: 12/12/2014

Last Amend: 3/9/2015

Status: 5/14/2015-Referred to Coms. on L. & E. and J., E.D., & E.

Summary: Would require the state, in conformity with WIOA and after consultation with local boards and chief elected officials, to identify planning regions. The bill would require local boards and chief elected officials to prepare regional plans for those planning regions, as specified. By imposing this requirement on local government, the bill would impose a state-mandated local program. The bill would also require the board to aid the Governor in facilitating system alignment across the core programs of WIOA, as defined, and make related and conforming changes. This bill contains other related provisions and other existing laws.

SB 81 (Committee on Budget and Fiscal Review) Postsecondary education: budget.

Current Text: Chaptered: 6/24/2015

Introduced: 1/9/2015

Last Amend: 6/16/2015

Status: 6/24/2015-Chaptered by Secretary of State - Chapter 22, Statutes of 2015

Summary: Current law requires the Chancellor of the California Community Colleges to allocate the hours for instruction related and supplemental to on-the-job training, to be paid from funds appropriated by the Legislature directly to participating local educational agencies and community colleges that contract with apprenticeship programs. This bill would require the chancellor to notify participating local educational agencies and community colleges of the initial allocation of related and supplemental hours within 30 days of the enactment of the annual Budget Act.

SB 342 (Jackson D) California Workforce Investment Board: responsibilities.

Current Text: Amended: 7/1/2015

Introduced: 2/23/2015

Last Amend: 7/1/2015

Status: 7/9/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (July 8). Re-referred to Com. on APPR.

Summary: Current law requires the California Workforce Investment Board to assist the Governor in targeting resources to specified industry sectors and providing guidance to ensure that services reflect the needs of those sectors. This bill would additionally require the board to assist the Governor in helping individuals with barriers to employment achieve economic security and upward mobility by implementing policies that encourage the attainment of marketable skills relevant to current labor market trends.

SB 618 (Pavley D) Educational apprenticeships: grant program.

Current Text: Introduced: 2/27/2015

Introduced: 2/27/2015

Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)

Summary: Would establish a statewide grant program for educational apprenticeship programs under the administration of the Superintendent of Public Instruction. The bill would require that a grant allocated by the Superintendent under this bill to be distributed on a competitive basis, subject to funding being made available in the annual Budget Act. The bill would specify certain criteria to be applied by the

Superintendent to determine the competitive value of an application for a grant under the bill.

Commissioner de la Peña asked the attendees if there were any questions or other bills that they would like to discuss.

Juli Broyles states that there were additional bills that dealt with apprenticeship that this sub-committee needed to track. They are bills that address “skilled and trained workforce” issues.

- SB54 - Percentage of skill and trained workforce Public accommodations: construction-related accessibility standards: tax credit.
- AB1431 - Existing law declares the need to have a well-educated and highly skilled workforce in the state. Existing law also declares specified principle to guide the state’s workforce investment system.
- SB7- Housing: water meters: multiunit structures. In this bill they are trying to insert language that says that apprentices have to be used on private construction.
- She also suggested AB1185 as a possible bill to track.

There are additional bills that she will be sending to Commissioner de la Peña to track. She states that the reason they are important is that she believes that it is going to be hard for contractors to meet the percentages on these different projects starting in 2016.

A member of the audience asked the legislative committee how can we go about creating a bill for next year. He was suggesting a bill that would address the issue of a school getting paid the same for an apprentice in a class versus an open enrollment student? The initial idea was to get paid full time equivalency and that has been ruled as not legal. I think that the courses should be credited. Should we try to attach this to the next budget bill next year or should we do this bill on our own?

John Dunn states that we are currently getting a non-credited amount for apprentices that are taking apprenticeship classes at the community college which is a good improvement. This is an item well be discussed thru out the next year and we welcome any ideas or suggestions that anyone has.

Commissioner de la Peña asked the attendees to send her any information on issues they would like to discuss. The website <http://www.leginfo.ca.gov/> was given to all attendees to find the bills and get more information. Commissioner de la Peña stated that on this website you can sign up for alerts that can notify you of any updates to the bills.

V. Adjournment

A motion and a second were made to adjourn the meeting. The meeting adjourned at 2:56 p.m.