



**CALIFORNIA APPRENTICESHIP COUNCIL
2018 FOURTH QUARTERLY MEETING**

MONTEREY TIDES HOTEL

2600 Sand Dunes Drive

Monterey, CA 93940

Minutes

Thursday, October 25, 2018

I. CONVENE QUARTERLY CAC MEETING

- A. Pledge Of Allegiance
- B. Roll Call

The following Commissioners were present: Yvonne de la Peña, Jack Buckhorn, Susan Anderson, Pat McGinn, Scott Gordon, Jim Hussey, Aram Hodess, Nick Esquivel and DAS Acting Chief Eric Rood

Members absent: Richard Harris, Carl Goff, Paul Von Berg, Frank Quintero, Christopher Christophersen, Chip Martian, Hector Velez

C. Executive Session

The Council may recess to closed executive session pursuant to Government Code section 11126(q) to discuss litigation to which the Council is or may become a party.

D. Approval of minutes of previous meeting for August 2, 2018

A motion and a second were made to approve the minutes as amended. All were in favor.

E. Announcements

Nothing to Report.

F. Communications

Nothing to Report.

III. BUSINESS SESSION

A. Legal Matters - Deputy Attorney General Heather Hoesterey

Nothing to Report.

B. Apprenticeship Complaint Findings / Decisions by the Administrator of Apprenticeship

a. Frank R. Avina v. Bay Area Sheet Metal JAC Smart Local 104, DAS Case No. 2018-03

This complaint was upheld and Avina was to be reinstated.

b. Miguel A. Calderon v. California Tradeshow & Sign Crafts Joint Apprenticeship Training Committee, DAS Case No. 2018-23

This appeal was found without merit and the determination was upheld.

C. Notice of Appeals During the Quarter

a. Frank R. Avina v. Bay Area Sheet Metal JAC Smart Local 104, DAS Case No. 2018-03

Three member panel was appointed by Jack Buckhorn. Panel members are Susan Anderson, Scott Gordon and Paul Von Berg

D. CAC Appeal Panel Decisions

a. Santese M. Edwards v. The Joint Apprenticeship and Training Committee of the Plumbing and Pipe Fitting Industry U.A. Local 38, DAS Case No. 2018-7

Susan Anderson reported on the appeal panel decision. She stated that it was a unanimous vote to affirm the Director's decision and to deny the appeal.

A motion and a second were made to approve the appeal panel decision. All were in favor. The motion carried.

F. Chief's Report – DAS Chief Eric Rood

DAS Chief Eric Rood gave the Chief's report. Chief Rood stated copies of the report were provided in the back of the room and are made available to apprenticeship community. Please see attached.

G. Old Business

Nothing reported.

H. New Business

Jack Buckhorn announced that he had made a recommendation and assigned an ad-hoc committee for the new CAC chair. This committee will consist of Jim Hussy as Chair, Yvonne DeLaPena and Susan Anderson.

Jim Hussey gave a report and advised that after much deliberation their recommendation is to have Jack Buckhorn serve a second year as CAC chair.

A motion and a second were made to approve Jack Buckhorn to serve a second year as CAC chair. All were in favor. The motion carried.

Jack Buckhorn discussed AB235. The bill would revise the provisions relating to the California Apprenticeship Council (council) by increasing the membership of the council to include the Chairperson of the California Firefighter Joint Apprenticeship Committee, and removing the requirement that the council meet at the call of the director and aid the director in the formulation of policies with respect to apprentice regulation. The bill would specifically remove the authority of the council over apprenticeship programs in nonbuilding and nonfirefighter trades and would transfer that authority to the chief, but would continue to authorize the council to issue rules and regulations that establish standards for apprenticeship agreements in the building and construction trades and for firefighter occupations, subject to certain standards. The bill would authorize the chief, in consultation with the committee, to issue rules and regulations that establish minimum wages, maximum hours, and working conditions for apprenticeship agreements in nonbuilding and nonfirefighter trades subject to certain standards, and would provide that specified regulations remain in effect until new regulations are issued by the chief.

This bill would require the division, by January 1, 2019, to establish a preapprenticeship program for the purpose of establishing eligibility for any state programs, and would establish standards and procedures for the approval of a preapprenticeship program, such as requiring the program to include specified elements.

This bill would modify a process whereby decisions of the chief and the council relating to apprenticeship programs are posted, can be appealed, and become final. The bill would also establish standards governing how the term of apprenticeship may be measured.

This bill would declare that it is to take effect immediately as an urgency statute.

CAC wants to review and explore emergency regulations regarding the implementation of AB235.

Comments were taken from the public. Emergency regulations regarding the implementation of AB235 will be further discussed with the CAC legal counsel and DAS. The CAC council will decide if an executive session is in order or a special called Standards, Rules, Regulations & Operating Procedures committee meeting.

IV. FORUM

“Valley Transportation Agency (VTA) Transit Authority Apprenticeship”

Presented by David Ellis and Rob Gamble, Mission College

V. EDUCATION AGENCIES REPORT

A. California Community Colleges – Nick Esquivel Coordinator of Apprenticeship Programs, California Community Colleges Chancellor’s Office

Nick Esquivel wanted to thank Yvonne DeLaPena for all of her hard work as a lobbying for this new Governor’s Budget.

Nick Esquivel announced that Van Ton-Quinlivan is on special assignment from the California Community Colleges as executive in residence at the Institute for the Future during the Fall of 2018. While at the Institute for the Future, Ton-Quinlivan will examine issues influencing the Future of Work -- how technology impacts learners, learning institutions, employment and social cohesion -- while considering how to best position the California Community Colleges to make better decisions today.

Nick Esquivel announced that Lynn Shaw is the new Interim Director, Workforce and Economic Development.

Nick Esquivel announced that the next RFA will be release soon and this grant opportunity seeks to expand apprenticeship training program models throughout California’s rural regions and agricultural industry.

Nick Esquivel gave a brief report regarding the Governor’s Budget. There was discussion regarding Governor’s Budget on Fiscal Year 2018/19. Nick stated that the budget for this fiscal year is \$113,999,000 is going to apprenticeship programs. It is broken down in two schedules. Schedule 2 is for Chancellor’s for Community Colleges and Schedule 3 is for the LEA Department of Education. Nick stated that for schedule 2 in the fiscal year 2018-19 there is \$27,848,000 in RSI funds. As well as unfunded one time fiscal year 2013-14- FY 2017-18 in the amount of \$9,875,000.

Administration is continuing to support the California Apprenticeship Initiative (CAI) with an ongoing 15 million dollar allocation. CAI, which seeks to create new and innovative apprenticeship opportunities in priority and emerging industry sectors or areas in which apprenticeship training does not currently exist.

Nick stated that for schedule 3 in the fiscal year 2018-19 there is \$34,696,000 in RSI funds. As well as unfunded one time fiscal year 2013-14- FY 2017-18 in the amount of \$26,580,000.

Nick wanted to thank everyone who attended his apprenticeship road show. He held one in Los Angeles and yesterday in Monterey. He stated that he is anticipating on holding two additional roadshows in Butte County and in the CA Central Valley. He also thanked all of the panel members that participated.

Questions and Comments were made from the apprenticeship community.

VI. CAC STANDING COMMITTEE REPORTS

A. CAC/CCA Liaison Committee – Report from October 24, 2018– CCA Chairperson Alex Beltran

Scott Gordon wanted to thank Luis Reyes for the wonderful California Conference on Apprenticeship (CCA). A quorum was not met for this meeting. Jeffery Christophersen stated that the next conference will be held at Regency Monterey Resort and Spa on April 27, 2020- May 1, 2020. Jeffery Christophersen stated that he paid for the coffee service on his personal credit card yesterday and will seek reimbursement at the next CAC/CCA meeting. Due to not having a quorum.

B. Public Relations & Publicity -Report from October 24, 2018- Chairperson Jim Hussey

Chairperson Jim Hussey called meeting to order and approve the August 1, 2018 meeting minutes. E-Newsletter: Presentation by Esther Gamberutti discussed the success of the e-newsletter. She states that on the 1st edition of the e-newsletter they sent out 3202 e-newsletters and they had 3,062 deliveries. Looking for suggestions on how to do outreach and increase these numbers.

C. Forums – Report from October 24, 2018– Chairperson Paul Von Berg

Commissioner Buckhorn chaired that meeting. Paul Von Berg was not present. Approval of previous meeting minutes was made. We open the floor and ask the apprenticeship community to brainstorm on ideas for Forum topics for 2019.

- A Presentation from Department of Rehabilitation was suggested by Nick Esquivel
- New legislation regarding Non Discrimination/ Non Harassment requirements
- Cal-JAC Pre-Apprenticeship program
- New and Innovative Non-Traditional Apprenticeship Programs.

- Best Practices of Recruitment- Hospitality Apprenticeship program was suggested Culinary and Room Attendant program.
- DLSE enforcement process regarding apprenticeship.
- FTE's vs. RSI funding

D. Legislation Committee – Report from October 24, 2018– Chairperson Yvonne de la Peña

- Stated that she wanted to thank the apprenticeship community for all the letters of support for the new governor's budget for apprenticeship funding.
- A motion was made and seconded to approve the previous meeting minutes.
- Commissioner Yvonne de la Pena shared the governor's budget bill and overview on general apprenticeship legislation and stated copies of this report were provided and were made available to apprenticeship community. (Please see attached.)
- Discussed AB 235 – O'Donnell Apprenticeship and Pre-Apprenticeship
- Percentage Changes in ongoing RSI funding
 - Community Colleges: \$27,848,000 or an increase 57 percent
 - K-12 : \$34,696,000 or an increase of 57 Percent
 - RSI hourly rate increases: by \$0.36 from \$5.90 to \$6.26 an increased by 6 percent
- Commissioner Yvonne de la Pena shared that for the 2018–19 fiscal year the sum of \$36,455,000, is appropriated from the General Fund to the Board of Governors of the California Community Colleges. This is for allocation to reimburse local educational agencies for unfunded related and supplemental instruction hours (RSI) for the 2013–14 fiscal year to the 2017–18 fiscal year, inclusive.

E. Standards, Rules, Regulations & Operating Procedures Committee – Report from October 24, 2018 Chairperson Aram Hodess

Chairperson Aram Hodess stated that there was approval of previous meeting minutes was made with a correction to the reference to DAS 140 in last paragraph. A motion and a second were made to post a draft revision of the DAS 142 form to the DAS website. Glen Forman will correct reference to Project#. A motion and a second were made to have Glen Forman prepare and post the proposed, revised DAS 140 form in a format as required by OAL and for consideration at the next CAC meeting.

Under new Business proposed revisions to CAC Rules and Regulations as required under SB 56 were discussed. Attorney John Cumming, DIR Director's Office presented a redlined document showing recommended changes including those previously approved by the CAC in 2014.

The redlined document is posted on the DAS website and action on this item will be agendized for the February meeting.

VII. REPORT OF ADMINISTRATIVE and COOPERATING AGENCIES

A. Division of Labor Standards Enforcement (DLSE) Public Works Unit
No report.

B. U.S. Department Of Labor Employment and Training Administration
Office of Apprenticeship (USDOL/ETA/OA)
Nora L. Carlton, California State Director

She stated that that they just announced National Apprenticeship week, which will be Nov 12-18, 2018. This will give an opportunity for employers to show their support for registered apprenticeship. She stated that we would like to get to a thousand event. She stated that if you have trouble registering your event on the website please send it to her via email at: Carlton.Nora@dol.gov

C. Tradeswomen Inc.
Meg Vasey, Executive Director

Meg wanted to encourage everyone to celebrate Tradeswomen Inc.'s work to increase opportunities for women in construction and the skilled trades. She stated that the Tradeswomen Inc.'s Annual Celebration was held September 21, 2018 and was a success. She stated that woman in apprenticeship in California we are at 6.2% overall and for woman in construction we are at 2.8%. Which she stated this is an increase. She also stated that there is less than 3% woman in auto and manufacturing careers. As a part of the 4th National Apprenticeship Week, Tradeswomen Inc. is proud to proclaim Thursday, November 15, 2018, Women in Apprenticeship Day. She stated that we will be having events throughout the state.

D. Academic Senate for California Community Colleges
Craig Rutan, Secretary

Craig Rutan, stated that The Academic Senate has been engaging in conversations and negotiations with representatives of the Chancellor's Office and the California Apprenticeship Council (CAC) regarding the minimum qualifications for apprenticeship instructors, which are established in Title 5 section 53413. He stated that the minimum qualifications have been chaptered as of August 31st and they are effective now. He stated that it is their hope to continue to work with the apprenticeship council moving forward particularly as we see an expansion of apprenticeship programs at our 114 college campuses.

E. California Association for the Advancement of Apprenticeship Training (CAAAT) Tracey Barrett, President

A brief update on programs with CAAAT was given by Tracey Barrett. (Please see attached)

F. California Apprenticeship Coordinators Association (CACA)
Lupe Corral, President

Scott Lewis gave the report. He stated that the previous minutes were approved. Self-introductions were made by members present. All apprenticeship activities and events were reported throughout California by all members. Don Merrill, DAS reported on DAS activities, including staff training, working to fill open

positions and streamlining processes. Contributions to the CAC e-newsletter were also discussed. The treasury report was approved. The vacant seat for Secretary was filled by Jesus Fernandez.

G. Employment Training Panel (ETP)
Peter Cooper, Assistant Director

DAS Chief Eric Rood gave a brief report on behalf of Peter Cooper. He stated as you are aware, ETP this year has already funded over \$23 million through our Apprenticeship Program and since we started the program in 2012 ETP has supported 53,636 apprentices, journeymen and pre-apprentices with over \$94 million in funding.

Jack buckhorn stated that the next CAC meeting will be held February 6-7, 2019 in San Diego at the Best Western Island Palms Hotel & Marina. Please mark your calendars.

Jack buckhorn stated that he would like to recognize that October is National Breast Cancer Awareness Month. He stated that National Breast Cancer Awareness Month is a chance to raise awareness about the importance of detecting breast cancer early. Breast cancer is the second most common kind of cancer in women. About 1 in 8 women born today in the United States will get breast cancer at some point.

IX. ADJOURNMENT