

THE VIRGINIA APPRENTICESHIP COUNCIL MINUTES

The Virginia Apprenticeship Council met on Thursday, September 16, 2021

COUNCIL MEMBERS PRESENT:

Dudley Harris, Chairman
Laura Duckworth, Vice-Chair
Christopher Cash
Todd Estes
Ellen Marie Hess, VEC Commissioner
Steve Martin
Michael Mays
Dr. Latitia McCane
Dr. Ken Nicely
Dr. Jameo Pollock
Gerald Simpson
Ray Davenport, Commissioner

STAFF PRESENT:

Patricia Morrison, Director
Kathleen Eddington, Assistant Director
Sean McCusty, Craft Grant Alignment Director

CALL TO ORDER AND INTRODUCTIONS:

Chairman Dudley Harris called the meeting to order at 10:03 am and welcomed the council.

PUBLIC COMMENT:

No public comment.

COUNCIL COMMENTS:

No comments.

APPROVAL OF MINUTES:

The approval of the meeting minutes will occur at the next in-person council meeting on March 31, 2022.

CORRESPONDENCE:

None

OLD BUSINESS:**NEW BUSINESS:** Speaker

Eric Olson, Executive Director

Board of Contractors

Department of Professional and Occupational Regulations

The Board for Contractors is a policymaking board housed at the Department of Professional Occupational Regulation. Currently, there are about 89,000 licensees in the construction industry, which includes both individuals and businesses. The Board has been tasked recently with two things. One is to reduce regulations by 25% if they can, and the second thing is to support workforce development. And one of the ways the Board looked at doing this is to look at apprentices currently exempt from licensure examination. The council exempts specific apprenticeship programs from taking the licensing exam, which the Board adopted in 1995. Still, the Board is looking at expanding the answer that any graduate, successful graduate, or individual completed a Department of Labor and Industry or US Department of Labor or military apprenticeship program. Have them be exempt from the journeyman exam.

We find that one of the biggest hurdles, and one of the most significant barriers that cause trade people to refrain from getting their license, even after they've completed the program, is the exam. It doesn't mean that they're not talented enough to do it. But historically, we've been tracking the data since 1995. With respect to complaints, tradespeople are just not a problem. Since 1995, the Board had about 25 complaints against a tradesman for trade-related work, where we've had about 14,000 complaints against contractors or contractor work. Before the Board went forward with the proposal, they wanted me to speak to the council. We are not sure if a notice of regulatory action has been submitted yet, we are simply telling the public that we're going to go ahead and look at changing the regulations. The Department of Planning and Budget's interpretation of the law is that exempt apprentices should not be the only ones exempt from the exam. Many years prior, the General Assembly passed legislation that shifted the council's authority over to the Commissioner. Their interpretation of the regulation is that any program that the Commissioner approves is exempt from the regulations. But what the Board wants is to discuss getting the door up for everybody. There is ample support from the industry, including both the unions and the traditional trade associations, but the board wanted to get feedback from the council.

REPORTS:

Virginia Employment Commission (VEC):

Virginia's unemployment rate for the month of August will be published tomorrow, September 17. Until that time the information is embargoed, meaning the most recent economic data is from July when Virginia's seasonally adjusted unemployment rate fell 0.1 percentage points in July to 4.2 percent, which is 3.7 percentage points below the rate from a year ago. According to household survey data in July, the labor force increased by 7,818 to 4,241,686, as the number of unemployed residents decreased by 7,595. The number of employed residents increased by 15,413 to 4,065,473. Virginia's seasonally adjusted unemployment rate continues to be below the national rate, which decreased to 5.4 percent.

Virginia nonagricultural wage and salary employment, from the monthly establishment survey, increased by 2,300 jobs in July to 3,902,500. June's preliminary estimate was revised upward by 6,000 jobs, adding to that month's job gains. In July, private sector employment increased by 11,100 jobs to 3,207,000, while public sector payrolls decreased by 8,800 to 695,500.

Initials claims continue their trend downward and are on track to return to prepandemic levels.

As you are no doubt aware, the VEC has been administering federal pandemic unemployment benefits in addition to regular state benefits since the spring of 2020. All of the federal benefits expired this past weekend. In addition the waiting week and the work search have been put back on.

In the period since the outbreak of the pandemic VEC has paid out more than 14 billion dollars on 1.9 million claims and administered 25 million weekly claims. The agency has received millions of calls each month. We have nearly doubled the size of the agency staff, procured call center and adjudication staff contracts and rented an additional 120,000 square feet of office space to accommodate new staff while maintaining social distance.

As mentioned at the last meeting that the pandemic impact was being felt by women and communities of color more than men and white communities. New data indicates that the pandemic has had a disproportional impact on lower wage workers. Pre pandemic wages of unemployment claimants averaged about \$20 per hour. Wages of claimants during the pandemic period are on average closer to \$12 per hour.

The agency continues to operate in a hybrid status with staff who can telework doing so. The others report to an office. The agency is conducting or participating in job fairs and hiring events both in person and virtually. If you or someone you know is looking for your next career you should go to vec.virginia.gov and check out the hiring events and other job services available to you.

In conclusion I want to acknowledge and commend the incredible public service of the men and women at the VEC. They have worked tirelessly for more than 18 months to insure that our fellow Virginians received the benefits they needed at this most critical period in our history. The staff endured outbreaks and death threats in addition to the overwhelming workload but as true public servants kept their heads down and served the people of Virginia.

Virginia Community College System (VCCS):

Mr. Estes reported the following:

The academic semester kicked off at the end of August, within the context of the COVID environment today. All of our colleges went back to the in-person with mitigating strategies in place. Many community college campuses have mask mandates in place. One of the things that our colleges have been dealing with is the state employee mandate for vaccines, which had some somewhat unique effects on our colleges that covers all state employees, which would also cover adjunct instructors, which a lot of the skilled trades in accelerated programs are taught by part-time or adjunct instructors. VCCS enforces the vaccine requirement for all those folks, and some

have decided not to come back for that reason. It's complicated for part-time employees who teach a class or two a year. They may not be inclined to either divulge information or get vaccinated. Due to the mandate, it's easier for that person to choose not to teach classes with the community colleges and continue with their regular work, which has been a challenge in some areas. G-3 is now fully underway.

As of July one, 70% of the student aid had been allocated for credit programs within the targeted programs, and 35% of the non-credit areas have been allocated. Other funding sources are good through the end of the calendar year, which targeted non-credit training. Colleges are strategically maximizing the use of those funds until the funds expire at the end of this calendar year. G 3 funds will be used in the spring; all of the funding will be used and get to students in the form of student aid. Chancellor Glenn Dubois announced his retirement; since our last meeting, he will retire next year.

Division of Registered Apprenticeship (DOLI):

Director Morrison reported the following:

Since the last meeting, we were truly hoping to have a “Renaissance” of all things normal in Registered Apprenticeship. We were lured into thinking COVID 19 was going to drift away. Instead, it got a second wind. We have kept our reliance on virtual meetings and hybrid teleworking in order to keep distance from each other, but still remain connected.

Commonwealth Registered Apprenticeship Future Talent (CRAFT) Grant

This quarter in the grant, we wrapped up the Annual Report which has been made available to you. We are still seeing good responses in the CS/IT/Cyber sector and surprisingly the one Health Care Intermediary that is grant related has put on approximately 90 apprentices in the Specialty CNA position. With respect to the Returning Citizen Registered Apprenticeship Initiative, there have been three apprentices employed. Right after this meeting, Kathleen and I are attending the Roanoke County Apprenticeship Signing Day. Ten Employer/Sponsors and 21 apprentices will be signing their registration documents and embarking on a journey together, all to create the next best employees for their region.

The Virginia Department of Aging and Rehabilitative Services (DARS) has been awarded an invitation to participate in a national Public Sector Consortium sponsored by the Council of State Governments (CSG), in partnership with the Urban Institute. DOLI was a partner in the application and will be a partner in this initiative. The goal of this consortium is to develop and implement additional public sector apprenticeships in Virginia. The overarching goal will be to create an action plan for expanding public sector apprenticeships that cross federal, state and local levels and increase opportunities for individuals with disabilities.

Brown Bag Series

In June, the topic was Related Technical Instruction led by Dr. Tom Cecere and Caly Emerson, the Education Specialists with the Division. Dr. Jameo Pollock's contribution was well received and we thank him for being a part of the program. In July, Sean McCusty presented a “Wheels of Workforce” segment that focused on how all the workforce, education, economic, business and community partners can mesh and create a robust referral system to help potential apprentices along with Employers. In August, the topic

covered the USMAPS (navy) RA program, the Department of Veterans Services and Smoothstack, a private IT company that recruits veterans and military spouses for its program. All of these recorded audio sessions are available on the hot link tab of the DOLI website under Registered Apprenticeship. The September session will be run by the RA Consultants for a look at the RA program in each of our regions. October's Brown Bag will be to honor National Disability Employment Awareness Month and DARS will be the guests for that panel.

Information for our fourth annual Outstanding Apprentice Awards has been launched and we will get those nomination forms emailed to the council. The theme of a "Registered Apprenticeship Renaissance" has been selected.

Other Events: Chairman Harris and Director Morrison were guests at an event at Virginia Technical Academy.

We are currently finishing the fourth quarter in our Federal FY which applies to our RAPIDS database. This is now the format that we report up to the Secretary of Labor:

Metrics:

The Division of Registered Apprenticeship relies on the National database for apprenticeship registrations - RAPIDS. The time period used is federal fiscal year. Metrics YTD from October 1, 2020 are as follows:

| | |
|-------------------------------|-------|
| Active Apprentices: | 11211 |
| Completions issued: | 1437 |
| Registered Employer/Sponsors: | 2712 |
| New Sponsors: | 297 |

The Advanced search with demographics is always available and you can contact me for that.

Department of Labor and Industry (DOLI):

Commissioner Davenport reported the following:

Our staff are continuing to stagger shifts and telework where possible. Prior to this most recent surge we were slowly bringing more staff back into our offices. However, with the most recent surge we have hit the pause button encouraging the return. Most of our staff that choose to get vaccinated have been vaccinated. We continue to encourage our staff to get vaccinated. Since the Governor has mandated all state employees to be vaccinated or be tested weekly by September 1st. We have seen an uptick in vaccinations. Initial survey indicated we were at about 89% vaccination rate. We expect that will improve in the next two weeks. We have worked with our VOSH medical vendor to set up testing in various locations across the state. Initially there were some kinks in the system, we expect those to be worked out.

As of September 10, 2021, our VOSH Program has handled 13,781 phone calls and investigated 2,136 COVID-19 complaints. 222 COVID-19 VOSH Inspections have been initiated and are ongoing.

On June 10, OSHA issued an ETS focused on health care settings, and to update their existing guidance for all other industries.

Last week, President Biden announced implementing a six-pronged, comprehensive national strategy that employs the same science-based approach that was used to successfully combat previous variants of COVID-19 earlier this year. This plan ensure that we are using every available tool to combat COVID-19 and save even more lives in the months ahead, while also keeping schools open and safe, and protecting our economy from lockdowns and damage.

Requiring All Employers with 100+ Employees to Ensure their Workers are Vaccinated or Tested Weekly

The Department of Labor's Occupational Safety and Health Administration (OSHA) is developing a rule that we believe will likely be in the form of an ETS that will require all employers with 100 or more employees to ensure their workforce is fully vaccinated or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work. OSHA will issue an Emergency Temporary Standard (ETS) to implement this requirement. This requirement will impact over 80 million workers in private sector businesses with 100+ employees.

Virginia is a State Plan State and we VOSH must be "as effective as OSHA" in order to maintain State Plan status.

Unfortunately, when the President issued his latest plan our OSHA contacts for State Plans didn't have much more information on this than we do.

SHCB met on June 29th to consider some of the changes made by the CDC and the effect that had on VOSH COVID-19 Permanent Standard. Board considered a number of proposed amendments and the changes were submitted to the Governor for review.

Governor Northam has made one recommended change which was included in the proposed amendments and voted down by the Board.

The Board met again on August 26th to consider all public comments, Governor Northam's recommended change and a few additional changes to come in line with the latest CDC guidance. After final vote the VOSH COVID-19 Standard was submitted for the Governor's review.

Governor approved the changes without further comment. The standard with the final amendments were published in the RTD on September 8th and the changes became effective that date.

As a side note we have had to close two different field offices due to staff members testing positive for COVID-19 and have the offices cleaned. Fortunately, these were individual staff members who had not been vaccinated and appear to be recovering from the virus. It appears we had no further spread of the virus in those offices to date.

We have cancelled our planned in-person VOSH conference and will hold a two day VOSH training conference on Oct. 6 & 7th.

Prevailing wage a lot of work has been done and guidance is on our website. We have received very positive feedback from VDOT; DGS has a workgroup working on the Public Procurement piece.

The new Virginia Overtime Wage Act will become effective July 1st. Due to an oversight during the drafting of the legislation that had some unintended consequences the Budget that was adopted during the special session made it clear that state and local government could provide comp time in lieu of cash payments and a few retail industries such as Auto Salesman were added to the exemptions.

The Governor's Cabinet the position of Secretary of Labor created effective July 1st and we have been working since then with the Secretary of Labor and her staff.

Virginia's Minimum wage will increase from \$9.50 an hour to \$11.00 an hour January 1, 2022.

In closing, I want to thank you for your service and support to Virginia's Apprenticeship Council and Registered Apprenticeship.

We are living in challenging times. We also believe these times will present opportunities for RA going forward. We encourage all to continue to social distance, wash your hands frequently, employ CDC recommended guidelines and get vaccinated!

Thank you and Mr. Chair that concludes my report.

Virginia Apprenticeship Alumni Association (VAAA): N/A

ANNOUNCEMENTS:

Chairman Harris announced that the next Council meeting will be Thursday, March 31, 2022.

Chairman Harris thanked the Council, Director Morrison, her staff, and all in attendance.

The meeting adjourned at 11:40 am.

Mr. Dudley Harris, Chairman
Mr. C. Ray Davenport, Secretary