

FINAL

THE VIRGINIA APPRENTICESHIP COUNCIL MINUTES

The Virginia Apprenticeship Council met on Thursday, March 16, 2017 at New Horizons Regional Education Center in Hampton, Virginia.

COUNCIL MEMBERS PRESENT: Darold Kemp, Chairman
Dr. Robert Benson
Danny Brookman
Dudley Harris
Ellen Marie Hess
Terry Kelly
Michael Mays
Dr. Leigh Armistead
Elizabeth Moran for Dr. Glen DuBois
Ray Davenport, Commissioner

STAFF PRESENT: Patricia Morrison, Director
Kathleen Eddington, Assistant Director
Jessica Waddy, Administrative Assistant
Delores Ferrell, Apprenticeship Consultant
Rick Brooks, Apprenticeship Consultant
Maynard Stowe, Apprenticeship Consultant
Lynn Murphy, Related Instruction Educational Specialist
Holly Raney, Agency Regulatory Coordinator, DOLI

CALL TO ORDER AND INTRODUCTIONS:

Chairman Darold Kemp called the meeting to order at 10:00 am and welcomed everyone. He thanked Peter Mercier and the staff of New Horizons for their hospitality. Council members introduced themselves. Chairman Kemp welcomed new members to the Council—Dr. Leigh Armistead and Ms. Rebecca Leinen (in her absence). He acknowledged the presence others in attendance: Tommy Bell (Virginia Apprenticeship Alumni Association), Matthew Yonka (Virginia State Building Trades), and Doris Crouse-Mays (Virginia AFL-CIO).

Registered Apprenticeship Director, Patricia Morrison introduced staff members Kathleen Eddington, Delores Ferrell, Jessica Waddy, Rick Brooks, Maynard Stowe, Holly Raney and Lynn Murphy. She also acknowledged several others in attendance: Keisha Pexton (The Apprentice School at Newport News Shipbuilding), Steve Kirschner and Demetrios Melis (Department of Professional and Occupational Regulation-Board of Barbers and Cosmetology), and Scott Christman (American Apprenticeship Round Table).

PUBLIC COMMENT:

No public comment.

COUNCIL COMMENTS:

Chairman Kemp shared that in December 2016, he and Director Morrison attended a meeting at the Office of Apprenticeship at the U.S. Department of Labor (USDOL). It was the inaugural National Apprenticeship Council Chair Meeting. The focus of this one day event was to build relationships. The next meeting will be held at the end of March 2017. Council Vice Chairman Dudley Harris and Director Morrison will be in attendance.

Chairman Kemp also expressed his delight at having been able to attend the recent graduation ceremony at Newport News Shipbuilding. It was a premier event and he encouraged all other members to attend if possible.

APPROVAL OF MINUTES:

On proper motion and second, the minutes for the Council meeting held on Thursday, September 15, 2016 were approved by Council members by roll call vote.

CORRESPONDENCE:

There was no correspondence.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

Requests for Exemption from Examination:

Michael Mays, Exemption from Examination Subcommittee member reported:

Sponsors 2001-01R, 2001-03R, 2001-17R, 2001-06R, 2001-07R, 2001-08R, 2001-02R, and 2001-04R were originally granted exemption between March and July of 2001. The requests for renewal have been reviewed and meet the requirements for exemption from licensing examination until March 31, 2021.

A motion was properly made and seconded and passed by roll call vote.

Sponsor 2005-01 was originally granted exemption in March 2005. The request for renewal has been reviewed and meets the requirements for exemption from licensing examination until March 31, 2021.

A motion was properly made and seconded and passed by roll call vote.

Sponsor 2017-01R is applying for exemption status for the first time. The request for renewal has been reviewed and meets the requirements for exemption from licensing examination until March 31, 2021.

A motion was properly made and seconded and passed by roll call vote.

Chairman Kemp announced that two of the members of the Exemption from Examination Subcommittee have rotated off of the Council. Therefore, Mr. Mays has been appointed Chair of the

Subcommittee. Dr. Robert Benson and Dr. Leigh Armistead will fill the vacant positions on the Subcommittee.

Request for Adoption of an Amendment to the Council’s Public Participation Guidelines:

Holly Raney stated that the Administrative Process Act, section §2.2-4007.02 of the *Code of Virginia*, mandates that each agency develop, adopt and use Public Participation Guidelines, or PPGs, for soliciting the input of interested parties in the formation and development of its regulations. Chapter 795 of the 2012 Acts of Assembly amended this section of the Administrative Process Act, or the APA. In Spring of 2016, the Department of Planning and Budget informed the Agency that all PPGs are required to be updated to conform with the new requirements of the APA. Therefore, this proposed amendment to the Council’s PPGs at Subsection A of 16VAC20-11-50 includes the requirement for the Council to afford interested persons an opportunity to present their views and be accompanied by and represented by counsel or other representative in the promulgation of any regulatory action.

The following recommendation was made:

Staff of the Department of Labor and Industry recommend that the Virginia Apprenticeship Council consider for adoption an amendment to Subsection A of the Public Participation Guidelines, 16VAC20-11-50, pursuant to the fast-track regulatory process of §2.2-4012.1 of the *Code of Virginia*, as indicated in the attachment. The Department also recommends that the Virginia Apprenticeship Council state in any motion it may make to amend this regulation that it will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this or any other regulation which has been adopted in accordance with the Administrative Process Act.

A motion was properly made and seconded and passed by roll call vote.

Virginia Community College System Presentation (VCCS):

Elizabeth Moran presented information on a new system being implemented by VCCS as a follow up to information she shared at the last Council meeting regarding the Workforce Credentials Grant Program and the Financial Aid for Non Credit Instruction Program. The expanded explanation was to give the Council clarity on how VCCS identifies the course of study for credentials that are approved through the above mentioned programs. The new system, called Complete 2021 is online. It is an index that shows apprenticeship credentials when the community college offers the course of study for that apprenticeship. The apprenticeship participants on the site must be approved by DOLI. The site only offers credential information for related instruction that is done exclusively in the VCCS system.

Director Morrison offered further clarification that a process is being developed between DOLI and VCCS to ensure that the information reported is accurate. With the variety of Registered Apprenticeship reporting from different groups across the state, it is important to have a full understanding of the numbers being evaluated.

Department of Professional and Occupational Regulation (DPOR):

Demetrios Melis (Executive Director, Boards of Barbers and Cosmetologists and Hearing Aid Specialists and Opticians) gave an update on the esthetics occupation. In 2007 the Virginia General Assembly voted to make esthetics a licensed occupation. In 2012, the Board of Barbers and Cosmetologists expressed

interest in pursuing it as an apprenticeable occupation. Currently, the only path to licensure is to attend school. The Board approved the apprenticeship regulations in February 2017. A committee is finalizing the standards and work processes, and hopes to have them complete for a meeting in May 2017. This is a growing field and apprenticeship provides another pathway for esthetics licensure. DPOR is excited about the prospects.

REPORTS:

Virginia Apprenticeship Alumni Association (VAAA):

Tommy Bell informed the Council that the annual membership drive would begin soon. Scholarship applications will also be available soon. The Association will award four scholarships this year—two for graduating apprentices and two for CTE instructors. The Association will also be making a donation to Skills USA.

Virginia Employment Commission (VEC):

Commissioner Hess stated that unemployment dipped 0.1 percentage point to 4.0% after having been at 4.1% for the previous six months. Virginia's labor force expanded for the 10th consecutive month to 4,274,272, setting a new record high.

Since the last meeting, Commissioner Hess attended two events in her capacity as a member of the Council. The first was the 2017 Action Clinic facilitated by the Division staff. There were a lot of ideas shared that day. She also attended the Newport News Shipyard Apprentice School graduation. She concurred with others that it is quite an event. Few colleges do a better job recognizing the academic, skill, and community achievements of their graduates.

Additionally, in February, the National Association of State Workforce Agencies, held its Winter Policy Forum in Washington, DC. As a part of the event, Commissioner Hess had the opportunity to speak with Congressman Scott's aid. When the aid asked what one thing the Congressman could do, Commissioner Hess asked that she communicate to the Congressman that the Department of Labor's budget needs to be held harmless in any upcoming budgets. The recently released proposed budget from the current administration reflects a 21% cut to the USDOL budget. Commissioner Hess also told the aid that if the infrastructure spending did in fact come about, the hope is that the contracts would require registered apprenticeship to be a part of any workforce solution.

Finally, Commissioner Hess reported that she received an inquiry from the DC Apprenticeship Council about an electrical contractor who wanted to have an apprenticeship program in the District. She was contacted because the Council learned that the contractor was under investigation in Virginia. She confirmed that there is an investigation. No action was taken on the request for certification.

Virginia Community College System (VCCS):

There was no additional information to report.

Division of Registered Apprenticeship:

Director Morrison began with an overview of the 2017 Action Clinic that took place in January 2017. There were approximately 75 people in attendance. Attendees fell into categories such as workforce development, CTE, employer, K12 education and other apprenticeship stakeholders. Notes from the activities are being compiled and will be distributed to all participants.

She made mention of the meeting in December 2016 in Washington DC that Chairman Kemp detailed in his remarks. She added that the goal of the meeting was to involve council members in the national apprenticeship conversation. The idea was to develop a library of ideas that everyone borrows from.

Director Morrison informed the Council that a grant employee has been hired by the Division to do a study of RAPIDS (USDOL database system) versus CAAS (current database system). The goal is to select the best option for data collection and maintenance of records. The position is funded through the Accelerator Grant.

Assistant Director Kathleen Eddington gave an update on the Youth Apprenticeship Initiative. The program will target high school students (16 and 17 years old) to begin Registered Apprenticeships. These Registered Apprenticeships will lead to adult Registered Apprenticeships after graduation. There are pilot programs in the following localities: Roanoke Public Schools, Norfolk Public Schools, Richmond Technical Center, Louisa Public Schools, and Spotsylvania Public Schools. The Division will be closely monitoring the pilots to see what is working and what the challenges arise. The program will roll out in stages with a goal of implementation in the fall. An update will be given at the next meeting.

Director Morrison announced that the next Action Clinic will be paired with the Job Expo to be held in Norfolk. It is tentatively scheduled for June 22, 2017 at the Norfolk Scope. She made the suggestion that the Council move their June meeting to that date and location.

Further, Director Morrison informed the Council that another grant funded position is open with the Division. It is for a Lead Generation Specialist. It is a temporary position that will be filled by a sales or education veteran. She requested that the Council share the posting with anyone they feel would be interested.

The following are the numbers for the Division as of July 1, 2016:

- Total: 15,072 apprentices
- Department of Corrections: 492 apprentices
- Department of Military Affairs National Guard: 617
- US Military Apprenticeship Program: 4,079
- Private Industry/Public Sector: 9,884

Lastly, Director Morrison shared that an award system will be developed similar to the Outstanding Apprentice Award given in previous years. Please feel free to share ideas. More information will be forthcoming.

Department of Labor and Industry (DOLI):

Commissioner Davenport informed the Council about a matter related to the federal 29/29 regulations. At the end of 2016, it was brought to the attention of the Division that Virginia was not compliant with the regulations as previously understood. Although the Division had adopted the required changes, final

approval was not received. Agency staff is corresponding with the USDOL Office of Apprenticeship in order to resolve the issue. According to the regulations, the Council may offer advice, but does not have the authority to approve new apprenticeable occupations. That responsibility lies with the Agency. This information needs to be clearly defined in Agency regulations.

He also informed the Council that the General Assembly passed a bill that will increase the maximum fines assessed by VOSH in order to bring them into alignment with federal OSHA. These increases will be effective July 1, 2017. There was an additional bill, HB2413 that would have moved the ratio of apprentice to journeyworker from 1:1 to 2:1. The bill was tabled for this year after the administration expressed opposition. Additionally, the Governor's budget included funding for additional VOSH positions. The Senate had no such funding. The House had a portion of the funding included. Some funding was secured to hire additional staff. However, the Agency is concerned about the deficiency of funding for compliance officer positions given the recent increase in workplace fatalities in Virginia.

The Commissioner closed his remarks by thanking the Council for their time and service.

ANNOUNCEMENTS:

Chairman Kemp announced that the next Council meeting is tentatively scheduled for Thursday, June 22 at 10am at the Norfolk Scope, Norfolk, VA. The meeting will precede the above mentioned Job Expo.

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

The meeting adjourned at 11:17 am.

Mr. Darold Kemp, Chairman

Mr. C. Ray Davenport, Secretary