

THE VIRGINIA APPRENTICESHIP COUNCIL MINUTES

The Virginia Apprenticeship Council met on Thursday, June 21, 2018 at the Department of Professional and Occupational Regulation, Richmond, VA.

COUNCIL MEMBERS PRESENT: Darold Kemp, Chairman
Dr. Leigh Armistead
Dr. Robert Benson
Dr. Keisha Pexton
Dudley Harris
Ellen Marie Hess
Greta Nicholson
Michael Mays
Elizabeth Moran
Ray Davenport, Commissioner

STAFF PRESENT: Patricia Morrison, Director
Kathleen Eddington, Assistant Director
Holly Raney (Policy & Planning)

CALL TO ORDER AND INTRODUCTIONS:

Chairman Darold Kemp called the meeting to order at 10:00 am and welcomed everyone. The Chairman welcomed the new council member Dr. Keisha Pexton. Council members introduced themselves. Chairman Kemp acknowledged the presence of Doris Crouse-Mays (Virginia AFL-CIO).

Chairman Kemp thanked the staff of the Department of Professional and Occupational Regulation for their hospitality.

PUBLIC COMMENT:

No public comment.

COUNCIL COMMENTS:

Dr. Armistead announced his company Peregrine Solutions hired a new cyber apprentice and related instruction will be delivered by Thomas Nelson Community College.

Chairman Kemp provided a sample memorandum of agreement to council members. The agreement was made and entered into among the state apprenticeship councils across the nation, represented by the chairpersons of the respective state apprenticeship council or boards, for the betterment of the nation's registered apprenticeship systems. The agreement will be reviewed by the appropriate legal entity prior to the council signature.

APPROVAL OF MINUTES:

On proper motion and second, the minutes for the Council meeting held on September 21, 2017 were approved by Council members by roll call vote.

CORRESPONDENCE:

There was no correspondence.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

Chairman Kemp asked for subcommittee volunteers to review and update the Apprenticeship Bylaws. Volunteers who offered to be subcommittee members will be Dr. Robert Benson, Dr. Leigh Armistead and subcommittee chair Dudley Harris.

Michael Mays, Exemption from Examination Subcommittee member reported:

Sponsor 2018-01R has been registered for 28 years and this is the company's first submission for Exemption from Examination by this sponsor. The request has been reviewed and meets the requirements for exemptions from licensing examination.

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

Sponsor 2018-02R has been registered for 18 years and this is the company's third submission for Exemption from Examination by this sponsor. The request has been reviewed and meets the requirements for exemptions from licensing examination.

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

Director Morrison explained there were a few revisions made to the Minimum Standards. The first revision changed the Standards effective date to May 30, 2018. The second revision occurred because of missing language regarding the age of apprentices in cosmetology, barbering and nail technicians programs. Virginia law prohibits hazardous chemicals use; students under the age of eighteen will no longer be registered. The third revision changed the Virginia Apprenticeship Council (VAC) from a Regulatory organization to an Advisory organization. The fourth revision to the Hours of Work, "Part-time schedules are permitted and must be recorded the same as for all other employees".

The agency embedded the Youth Registered Apprenticeship (YRA) program language along with student apprentices. The YRA programs incorporate youth apprenticeships into community businesses, via the public schools Career and Technical Education programs.

The fifth revision updated the Term of Apprenticeship. The language changed from 144 hours "recommended" to 144 hours "required". The changes are based on the interpretation CFR 29/29. Commissioner Hess asked if a regulation change occurred, Commissioner Davenport stated it is under review.

Competency and hybrid programs are allowed under the new standards and states are learning how to review, evaluate and approve them. Hybrids are a combination of time based and competency. A council member asked if

online training qualifies as a hybrid. Online training is not considered hybrid, but it is part of an apprentices related technical instruction hours. Online training is a newer method of instruction.

REPORTS:

Virginia Apprenticeship Alumni Association (VAAA):

N/A

Virginia Employment Commission (VEC):

Commissioner Hess reported Virginia's **seasonally adjusted** unemployment rate was down 0.1 percentage point in May to 3.2 percent and was down 0.6 percentage point from a year ago. May's seasonally adjusted unemployment rate of 3.2 percent is the lowest rate since the October 2007 rate of 3.2 percent. In May, the labor force expanded by 7,656, which was the fourth consecutive monthly increase, and at 4,338,619, set a new record high. Household employment increased by 11,549, which was the fifth consecutive monthly increase, and at 4,198,554, also set a new record high. The number of unemployed continued to drop, declining by 3,893 to 140,065. Virginia's seasonally adjusted unemployment rate continues to be below the national rate, which was down 0.1 percentage point in May to 3.8 percent.

Unemployment claims are below last year which set a new 40 year low. The VEC saw just over 150,000 claims last year. This year the agency is on track to receive about 130,000 claims.

On July 1 of this year, penalties for failing to file wage reports were increased from \$75.00 to \$100. The bill that increased the penalty was the work of the AFL-CIO and was VEC recognizes the herculean efforts of Doris Crouse-Mays to make sure the bill passed.

While the Misclassification Task Force has not met recently, the VEC unit tasked with investigating misclassification has continued to work on this issue. As of this date, the unit has opened 208 cases and reviewed 7,515 workers. Inasmuch as the unit can project, those investigations have resulted in the identification of \$51,366,746.00 paid to misclassified employees.

The unit is currently staffed by two full time classified investigators. The agency plans to add investigators with the additional money from the increased penalty.

The following industries, among others, have been investigated by the unit:

- Auto Repair
- Cleaning Services
- Drywall
- Educational Institutions
- General Construction
- Electrical Services
- Equestrian Instruction
- Handyman Services
- Hotels and Inns
- HVAC
- Landscaping
- Masonry
- Mental Health Counseling Services
- Moving Services

Painting
Professional Services
Restaurants
Temporary Labor
Vocational Training Institutions

At the recent National Association of Workforce Agencies Board meeting there was a discussion of apprenticeship and how the federal administration is seeking to promote apprenticeship but not just registered apprenticeship.

On May 25, the VEC, as a partner with the Vietnam War Commemoration conducted a pinning ceremony for Vietnam War veterans. Two of the veterans recognized were Paul Schilinski and Doug Wiggins of DOLI.

Commissioner Hess attended the Newport News Shipyard Graduation and shared an inspiring apprentice story.

Virginia Community College System (VCCS):

Ms. Moran gave an update on the Fast Forward legislation, WC Career grant. The program provides an affordable and innovative pay, for success approached for students and workers who participate in eligible state funded short term training programs. Virginia residents can sign up for one of a number of short term training opportunities that have been identified under this program.

All of the programs have been established as in-demand jobs by the board of workforce development. They are supported by local industries and employers and by the State Board of community colleges. Enrolled students pay one third of the cost the cost of tuition, mostly at community colleges, the remaining two thirds will be picked up by the Commonwealth of Virginia, as long as students complete their training. If students don't complete the training, they are responsible for an additional one third and final third, despite the program being launched two years ago, and running out of money pretty quickly. Last year, there were some amazing results. Currently, about 95% of the students who have enrolled in the training programs have completed.

Division of Registered Apprenticeship:

Director Morrison began by giving an update on the numbers for the Division for the current performance year:

From August 1, 2017 thru June 20, 2018:

3,284 USMAPS apprentices active
488 National Guard apprentices active
568 Department of Corrections apprentices active
10,381 public/private apprentices active
DOLI issued 1,448 Completion Certificates
Added 2,917 new apprentices
Added 322 new or re-activated sponsors

Of those numbers new apprentices, 58 are student apprentices and 34 are Youth Registered Apprentices.

The 3rd Accelerator Grant Event was a jointly planned Workforce Summit in Roanoke, Virginia in October, 2017. The event introduced our placement of a Registered Apprenticeship Consultant in our Roanoke field office. That office had been without service for over 5 years.

A major activity involved visiting the Arizona apprenticeship team. The Accelerator Grant provided an opportunity to work with the Arizona group to experience the federal database, RAPIDS. It provided a good perspective on the federal system.

On February 1, 2018, the Division hosted the 2nd Annual Registered Apprenticeship Action Clinic for the Richmond metro area. The Division hosted 80 individuals who came from the employment side, as well as workforce agency practitioners. A panel of Career and Technical Directors and Sponsors focused on the reflections of a year of piloting a Youth Registered Apprenticeship (YRA) program.

In March, the Division met with the Association of General Contractors of Virginia. The Association hired a Workforce Development individual interested in the YRA. The goal is to develop working relationship.

The Division conducted a small info-session at the Office of Community Wealth Building for the city of Richmond. Many participants are felons, being seen by case workers for food stamps, or have some other barrier. About 18 participants engaged with the 2 sponsors who came to share. They were IBEW 666 and Atlantic Constructors, Inc.

Division staff traveled to Abingdon to co-host an event with the New River Valley Workforce Development Board.

The first tristate event occurred with the Maryland and Washington D.C. Registered Apprenticeship Directors hosted at DeVry Institute. Approximately 25 “window-shopping” employers and some current sponsors/employers who were looking to expand came and heard the unified mention of the Region’s RA efforts. Jose Velasquez of the National Office came across the Potomac to the Arlington venue.

The Division brought 12 employers together for a Mini Job fair targeting women who might want to career-switch and explore the building trades. Matt Yonka and Tommy Bell came up to support that event held at the Local 10 Plumbers and Pipefitters training facility in Richmond.

Commissioner Davenport and Director Patricia Morrison presented to a group of school counselors at an event held at IBEW 666 to target high school champions who would endorse building trade’s occupations as viable, well-paying choices for students.

The Division hired a second Educational Specialist, Caly Emerson. Ms. Emerson comes from the Virginia Department of Agriculture and Consumer Services. The Division’s Roanoke presence has trended as forecasted; a second Registered Apprenticeship Consultant apprentice joins the Roanoke office on Monday, June 25.

Metrics numbers from the Division’s Performance Year for the Consultants: Last year, there was a major shifts in territory and coverage due to the Federal employee receiving different demographic duties – essentially, handling all federal programs and the Division absorbed all the state programs. August 1, 2018 is the start of the performance year for RA consultants and it is the best time to make any territory switches as registrations are at high volume in August/September time frame.

Department of Labor and Industry (DOLI):

Commissioner Davenport reported the following:

No update on changes in the regulations to come in compliance with 29:29 and 29:30 from OA.

Tragically, VOSH ended the calendar year 2017 with 34 fatalities. Thankfully the number decreased by eight from calendar year 2016. However, one fatality is one to many! YTD in 2018 and as of week ending June 8th,

VOSH has investigated 20 fatal workplace accidents that were under the agency's jurisdiction; nearly double 20 at vs. 11 this same time last year.

One noted trend this year in the fatalities investigated, 10 of the fatalities this year were the result of struck by equipment, objects, vehicles or trees.

The Ironworkers Mid-Atlantic States Registered Apprenticeship competition was held on May 5th.

The agency has continued to be in contact with the Secretary of the Commonwealth regarding board appointments. Commissioner Davenport advised that if members have not applied to the link provided for, board appointments please let him know and he will send an email with the link.

He concluded by thanking the members for their support and service.

ANNOUNCEMENTS:

Chairman Kemp announced that the next Council meeting is scheduled for Thursday, September, 2018 at 10 am at the Department of Professional and Regulatory Occupation.

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

The meeting adjourned at 10:45 am.

Mr. Darold Kemp, Chairman

Mr. C. Ray Davenport, Secretary