**Louisiana State Apprenticeship Council Meeting**

**Tuesday, September 26, 2017**

**10:00 a.m.**

**Large Executive Conference Room – 1st Floor, Annex Building**

**MINUTES**

**ROLL CALL**

**Members Present:**

Henry Heier (Chairman)

Claire Obgartel

Kacie Blanchard (in place of Kelly Carpenter)

Brent Moreland

Andrew O’Brien

Nicholas Felton, Jr.

Keith Brand

David Helveston (in place of Monty Sullivan [Ex-Officio])

**Members Absent:**

Woody Oge

Aldo Irias-Duron

**LWC Officials Present:**

Joseph Hollins (Council Secretary, Director of Apprenticeship)

*A quorum was present*

**REVIEW OF MINUTES FROM PREVIOUS SAC MEETING**

The minutes were reviewed from the previous SAC meeting, which occurred on July 26, 2017. A motioned was called by Mr. Nicholas Felton, Mr. Keith Brand seconded the motion, and the minutes were unanimously accepted.

**DACA AND APPRENTICESHIP**

Mr. Henry Heier, Chairman of the State Apprenticeship Council, brought attention to the rescission of the Deferred Action for Childhood Arrivals (DACA) policy, concerned how this might affect apprentices in Louisiana’s Registered Apprenticeship programs. Heier expressed that this is an issue which should be discussed publicly, as it affects both employers and employees.

Heier addressed that the State Apprenticeship Council is mindful of the Development, Relief, and Education for Alien Minors (DREAM) Act, and those apprentices under that federal program. Heier went on to state that all program sponsors, employers, and employees may have a duty to represent this concern between now and the time it is resolved.

Mr. Joseph Hollins, Director of Apprenticeship, stated that this is a national conversation regarding Registered Apprenticeship. Louisiana’s grant coach for the ApprenticeshipUSA State Expansion Grant mentioned to Hollins that it would be possible to set up a conversation between Heier and consultants on the national level; they could discuss these concerns and consider the possible outcomes.

Felton asked who should be contacted about their questions, and if there has been contact with the State Apprenticeship Councils (SACs) in other states.

Hollins stated that questions could be sent to him or to Heier, and that he would be reaching out to the directors of apprenticeship in other states to get their input.

Heier remarked that more people will be talking about the subject in the near future.

**STATE APPRENTICESHIP UPDATES**

**NASTAD CONFERENCE**

Hollins mentioned highlights from the meeting of the National Association of State and Territorial Apprenticeship Directors (NASTAD) from the other State Apprenticeship Agency (SAA) states, specifically the 24 hour period of interaction with the Office of Apprenticeship (OA) staff of the Federal Government. During this gathering, President Trump’s senior advisor answered questions about the Executive Order regarding apprenticeship. Every SAA state was encouraged to ask a question. Hollins stated that in order to assist apprentices and programs, there needs to be communication between the OA and SAAs regarding the “Industry-Recognized Apprenticeships” mentioned in the Executive Order.

Hollins exchanged contact information with a consultant on the new policy at the conference, and they have been in contact. Hollins has explained the need for funding with the consultant and the impact that Registered Apprenticeship has on the United States.

At the conference, Hollins found that medical billing & coding and correction facilities are a major focus of many state directors in the other SAA states, as is pre-apprenticeship.

Mr. Andrew O’Brien, on the subject of creating a corrections program in Louisiana, stated that it is more strenuous to obtain a Transportation Security Administration Credential (TWIC) card for a felon, but it is possible.

Individuals sentenced for life in prison could serve as journeyworkers, serving as instructors for other facilities to those who will eventually re-enter society.

Ms. Claire Obgartel mentioned that the prison system already utilizes NCCER.

Hollins noted that LWC is currently working with Louisiana Department of Public Safety & Corrections to develop a program for three possible occupations: electrician, carpenter, and welder.

**WOMEN IN APPRENTICESHIP**

Hollins announced that on Sunday, October 15, LWC will be partnering with the newly registered program Louisiana Healthcare Institute for a recruiting event focused on increasing female involvement in Registered Apprenticeship, and that anyone is welcome to participate.

**OTHER UPDATES**

Mr. Brent Moreland asked for an update on the ApprenticeshipLouisiana website. Hollins explained that the organization developing the website has been bought out and is now a subsidiary of a larger company, changing their name from Gatorworks, LLC to Gatorworks, Inc. This alteration requires a new contract through the Division of Administration. The majority of the content has been added to the framework, and the “MyLife, MyWay” styled tool, which will suggest apprenticeship programs based on an individual jobseekers’ desired lifestyle, is in the final stages of development.

Regarding RAPIDS 2.0, O’Brien stated that the new system no longer tracks the current level of each apprentice which is causing issues with contracts, certified payroll, and Davis-Bacon requests.

Hollins stated that the administrators of the database felt the feature was underutilized, so it was removed. Hollins proposed a discussion to brainstorm a way to certify the level of the apprentices.

Ms. Kacie Blanchard mentioned that the requests are blank in the space designated for the wage information.

Obgartel confirmed that wage certification is being requested. ABC Bayou has been using an in-house form to certify wages.

Heier requested that this conversation be reflected in the minutes and noted that it will require further discussion to identify all of the issues. Self-generated forms are often not accepted.

Obgartel stated that RAPIDS used to send emails of approval. Some employers required that, and with this new version, it is no longer an option. It made it easier to search for past information.

O’Brien stated that there were email records for any activity done in the previous version of RAPIDS. In the new version, there are no email records.

Hollins stated that the Apprenticeship Division will bring up this concern to the RAPIDS administrators.

**NEW PROGRAMS**

**SOCIAL EDUCATION AND ATHLETIC CLUB**

**Program Sponsor – Richard Bailey ATR – Michael Knapps**

**Plumber**

Mr. Michael Knapps introduced Social Education and Athletic Club (SEAC) in place of Ms. Alice Williams, as she was unable to attend the meeting. Knapps reiterated that SEAC is a non-profit organization focused on providing out of school youth with a viable career pathway. Mr. and Mrs. Joseph and Wanda Bailey represented SEAC, and Mr. Cancienne, the Related Technical Instructor for the program, was also present. Cancienne served as the subject matter expert for any plumbing related questions within the meeting. Two employers are currently partnered with SEAC. Knapps stated that the issues addressed with SEAC’s Standards of Apprenticeship from the previous SAC meeting had been corrected and that the Apprenticeship Division finds the Standards to be in compliance with federal and state regulations. Knapps concluded his introduction, allowing council to ask any questions of the modified application.

O’Brien asked if any consideration had been given to changing the training cost to the apprentice.

Hollins explained that SEAC has a contract with the superdome for three years for fundraising to assist in the apprentice cost. Additional funding will be pursued afterward; but currently, there will be no cost to the apprentice. Hollins stated that it is not prohibited to have a cost to the apprentice associated with the Related Technical Instruction.

O’Brien mentioned that if an apprentice signs an indentured agreement stating there is no cost to them and were costs in the future, it would go against the terms of the agreement. Mrs. Bailey clarified that reimbursement by the city council should cover the costs of the program for the apprentice.

Moreland asked for more details on the cost. Mrs. Bailey stated that the costs include the instructor and the materials for the class.

Moreland questioned the RTI schedule, every Tuesday from 5pm-8pm, asking how Cancienne would teach all eight periods in the same class once the program expands.

Cancienne stated that he would be capable of teaching each of the different levels simultaneously.

Moreland pointed out that in Section IX of their Standards of Apprenticeship it states that apprentices will “generally” work the same hours as fully proficient workers, concerned with the possible interpretation.

Hollins explained that it is the language of the USDOL Standards Template, and that further clarification for supervision of apprentices is given in Section VI. Hollins interpreted Section IX as apprentices working the same hours of Journeyworkers except in any instance where it would interfere with class.

O’Brien pointed out Qualifications and Selection Procedures, Section III and asked if it were standard language regarding the alternative selection method. Knapps confirmed that it was standard language.

Hollins stated that the alternative selection method definition, citing 29 CFR 30.5, should remain in the Standards as it is in the federal template. SEAC will be selecting their apprentices on a first come, first serve basis, interviewing the first applicants who meet the minimum requirements, starting with one apprentice.

Heier pointed out that with the new regulation by the State Plumbing Board of Louisiana, it is expected for many new programs to be created by untraditional, alternative entities.

O’Brien reiterated his concern about funding. Within the industry, he asked what kind of commitment will there be if the city council eliminates the funding. He stated there didn’t appear to be a commitment from the contractor association.

Heier stated that a funding source isn’t a prerequisite for acceptance or denial for the creation of a Registered Apprenticeship program. Some programs do charge tuition. The alternative environment with its contractor association will be less defined. Heier asked Hollins if there is a prohibition in the federal regulations forbidding the program sponsor to charge any amount they choose.

Hollins stated no. Looking at 1-5 apprentices, he noted that the JobOne centers should allow Workforce Innovation and Opportunity Act (WIOA) funding to assist with their apprenticeship costs.

Heier noted that if individuals are registered apprentices, and they work a fundraising event for their apprenticeship, it can and most likely will be deemed an employable activity. Those who assist with fundraising now, may not be able to assist in the future if they are a registered apprentice. The fundraising will also not accrue toward their apprenticeship, as it’s not related to the occupation.

Moreland asked where the curriculum came from.

Mr. Bailey stated it comes from the textbook “Modern Plumbing”.

Heier asked who published the book.

Ms. Bailey didn’t know off-hand.

Hollins stated that David Orsot Plumbing uses the same book. The plumbing board has been working to develop a few curriculum options to ensure there is some uniformity amongst the programs.

Moreland pointed out that if there are different curriculums it would be difficult to govern interim credentials. He also expressed concern with the wording on the RTI curriculum mentioning “program year” rather than periods, asking if it could be reworded.

Hollins stated it was necessary wording from the federal regulations in the template to express that one year of apprenticeship should equal 2000 hours of OJT and 144 hours of RTI.

Moreland stated it is unlikely to get 2000 hours of OJT in a year.

Heier asked for further questions. With no further questions, he asked for a motion to be called on the application.

With no response, Heier reopened the floor for comments or questions, stating that a motion could be made to accept, defer, deny, or for any other action, as long as it is seconded.

Felton called for a motion to go into Executive Session, O’Brien seconded the motion, and the motion was approved.

Mr. David Helveston expressed concern over the legality of that motion for the specific situation. He addressed the importance of coming back, reporting, and doing everything properly.

Heier addressed that the motion could still be discussed. A substitute motion would be allowable.

With no further comments, Heier confirmed that there was a motion, a second, and it was approved to go into executive session to discuss the application. It was requested that everyone other than council members and Hollins please exit the room.

**FOLLOWING EXECUTIVE SESSION**

Felton made a motion to exit the Executive Session, which Helveston seconded. The motion was approved.

Heier asked for someone to make a motion on the application. Helveston made a motion that the application be conditionally approved under six month probation, followed by a report from Louisiana Workforce Commission’s Apprenticeship Division.

Obgartel seconded the motion.

The motion was carried: 4 votes for (Obgartel, Blanchard, Felton, and Helveston) and 3 votes against (Moreland, O’Brien, and Brand).

SEAC was approved for conditional approval, reinforcing the regulations as each approved Registered Apprenticeship program is subject to a probationary period.

Mr. Bailey thanked everyone for their time and reiterated that some child will gain a benefit from their program within their community.

**NEXT MEETING DATE**

Heier stated that possible conflicts in his schedule may prevent his ability to attend a meeting on fourth Wednesday of the upcoming months.

O’Brien mentioned that Wednesdays usually conflict with the building trades communities, normally meeting on Wednesdays. Tuesdays or Thursdays were mentioned.

It was decided that a poll would be held to determine the next meeting date.

**ADJOURN**

**SUBSTANCE OF ALL MATTERS DECIDED:**

1. **The minutes from the previous State Apprenticeship Council meeting were approved.**
2. **The RAPIDS administrators will be informed of the concerns of Louisiana’s program sponsors regarding the lack of certified wages in Davis-Bacon requests and records of approvals via email.**
3. **A motion for Executive Session to further discuss Social, Education, and Athletic Club’s (SEAC) application was carried.**
4. **SEAC’s apprenticeship program was registered in the State of Louisiana with a probationary status. Louisiana Workforce Commission will provide a report on the program after its first six months.**
5. **Due to scheduling conflicts, the date for the next State Apprenticeship Council meeting will be polled.**