

Approved

6/10/04

**THE VIRGINIA APPRENTICESHIP COUNCIL
MINUTES
MONDAY, APRIL 26, 2004**

The Virginia Apprenticeship Council (Council) met on Monday, April 26, 2004 at the Confederate Hills Recreation Building, 302 Lee Avenue, Highland Springs, and Virginia. Chairman Barry Baker called the meeting to order at 10:05 a.m.

COUNCIL MEMEBERS PRESENT:

Barry W. Baker, Chairman
Dudley Harris
Darold S. Kemp
Earl Dickerson
Joan Velliquette Powers for Dr. Glen DuBois
James N. Ellenberger for Ms. Delores Esser
Susan Frith Tansey
Robert A. Walter
John W. Whitaker

STAFF PRESENT:

C. Ray Davenport, Commissioner, DOLI
Beverley Donati, Assistant Program Director
Ellen Marie Hess, Staff Attorney
DOLI Regional Apprenticeship Representative

CALL TO ORDER AND INTRODUCTIONS:

Chairman Barry W. Baker called the regular scheduled quarterly meeting of the Virginia Apprenticeship Council to order. The presence of a quorum was established.

Council members introduced themselves. Staff members introduced themselves. U.S. Department of Labor, Bureau of Apprenticeship Training, State Director Jim Walker introduced himself and BAT representatives present.

PUBLIC COMMENT:

There was no public comment offered.

COUNCIL COMMENTS:

There were no comments offered from Council members.

Department of Labor & Industry Report:

Commissioner Davenport reported that the Commonwealth was still without a budget. The National Association of State and Territorial Directors (NSTAD) have requested that U.S. Senator Ted Kennedy review construction apprenticeship programs through the country to include completion rates. Mr. Davenport announced that Ms. Jennifer Nolen, Apprenticeship Program Director, had resigned and interviews for that position would be held in the next week.

APPROVAL OF MINUTES:

On proper motion and second the minutes for the Council meeting held on December 11, 2003 were approved unanimously by role call vote.

CORRESPONDENCE:

There was no correspondence to the Council.

CLOSED SESSION:

Chairman Baker offered the following motion:

“I move that the members of the Virginia Apprenticeship Council go into closed session to discuss actual or probable litigation relating to Williams Steel Erection Company and to ask about specific legal matters under section 2.2-3711(A)(7) of the Code of Virginia. Attending will be:

Members of the Council

Ray Davenport, Commissioner of Labor and Industry

U.S. Department of Labor, Bureau of Apprenticeship Training, Jim Walker

DOLI Employees, Ellen Marie Hess and Beverley Donati.”

Mr. Harris seconded the motion. The motion was approved unanimously by role call vote.

The Council went into closed session at 10:15 a.m.

The Council reconvened in open session at 10:35 a.m.

Chairman Baker offered the following motion:

“I move that the members of the Virginia Apprenticeship Council end the closed session and certify that only public business matters lawfully exempted from open meeting requirements under 2.2-3711 of the Code of Virginia and that only matters identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.”

Mr. Harris seconded the motion. The motion was approved unanimously by role call vote.

OLD BUSINESS:

There was no new business brought before the Council.

NEW BUSINESS:

Mr. Ellenberger offered the following motion:

“I move that the Virginia Apprenticeship Council request the Office of the Attorney General to seek an injunction against Williams Steel Erection Company to prevent the company from certifying their apprentices are registered in a state recognized apprenticeship program if they are not.”

Mr. Walter seconded the motion. The motion was approved unanimously by role call vote.

Standing Subcommittees:

a. Ad Hoc Subcommittee:

Subcommittee Chairman, Darold Kemp reported that the Ad Hoc Subcommittee met on Thursday, February 12, 2004 at the Powers-Taylor Building, 13 South 13th Street, Richmond, Virginia. Present

were subcommittee members Darold Kemp, Dudley Harris, and Joan V. Powers. Beverley Donati, Assistant Program Director and Jim Walker, USDOL, BAT were also present.

Mr. Kemp reported that Mr. Bill Mercer told the committee he was resigning his position with the VCCS at the end of February. Mr. Mercer introduced Ms. Joan Velliquette Powers. Ms. Powers will assume Mr. Mercer's responsibilities until the end of the physical year.

The members continued to discuss definitions. It was agreed that "Registered Apprentice" should have a heading of its own. The following definition was previously included in the approved definition of Davis-Bacon Work Site Ratio: The VAC considers all registered apprentices as apprentices until such time as the apprentice has either satisfactorily completed the apprenticeship program or has been cancelled by the sponsor from the Registered Apprenticeship Program.

Mr. Walker advised the committee that he would conduct a SAC Review in 2004.

The next subcommittee meeting will be held on Thursday, May 13, 2004 at the Powers-Taylor Building beginning at 9:30 a.m.

b. Exemption from Examination Subcommittee:

Mr. Dickerson reported for the subcommittee. A request to grant exemption from examination status to sponsor #2003-02 be amended to have an effective date of September 18, 2003 had been received by the subcommittee. Mr. Dickerson explained that he had spoken with this sponsor who had apprentices complete in the fall, 2003. The exemption request was approved for recommendation by the subcommittee in August and was on the September agenda for Council approval. The September meeting was cancelled because of Hurricane Isabel.

Mr. Dickerson offered the following motion:

"I move that the exemption from examination approved by Council on December 11, 2003 for sponsor #2003-02 be amended to be effective September 18, 2003 for a period of four years."

Mr. Walter seconded the motion. The motion was approved unanimously by role call vote.

REPORTS:

Virginia Community College System:

Ms. Power provided a Third Quarter Report for Apprenticeship Related Instruction. The report provided a three-year overview of apprenticeship activities. Commissioner Davenport noted the discrepancy between apprentices reported by DOLI and the VCCS. Ms. Power reported that a joint meeting was held with Apprenticeship Related Instruction Coordinators (ARIC) and several DOLI Apprenticeship Represents. Ms. Nolen also attended. A joint marketing brochure was discussed at this meeting. Several ARICs and Ms. Power met with Dr. Barbara Bolen. VCCS and DOLI are continuing to work to develop a system for information exchange.

U.S. Department of Labor, Bureau of Apprenticeship Training:

Mr. Walker addressed the Council. Greetings were extended from the USDOL national and regional offices. He reported that the new BAT Representative is now working in Martinsburg, WVA.

Department of Labor and Industry, Apprenticeship Program:

Ms. Donati reported the following program statistics: Active Apprentices –11,650; Active Sponsors – 2,068; Active Programs- 2,438; Certificates of Completions issued – 418. There is a new Apprenticeship Representative in the Norfolk office, Delores Ferrell. The Board for Opticians has appointed a taskforce to review the apprenticeship program. Ray Kroniser will represent DOLI. Ms. Donati will serve as a facilitator. The Board for Contractors, Tradesmen Committee, is reviewing the Tradesmen Regulations. There are two changes previously requested by the Council. These changes are language clarification to 18VAC 50-30-50 (B)(1) and an increase in the number of hours of related instruction necessary to sit for the tradesmen licensing examination 18VAC 50-30-40 (A)(1).

Ms. Donati announced that the next Council meeting would be held on Thursday, June 10, 2004. The next subcommittee meeting will be held on Thursday, May 13, 2004.

ANNOUNCEMENTS:

The chairman thanked everyone for attending. There were no other announcements.

The meeting was adjourned at 10:55 a.m.

Barry W. Baker, Chair

C. Ray Davenport, Secretary