

# Final

## THE VIRGINIA APPRENTICESHIP COUNCIL MINUTES THURSDAY, DECEMBER 11, 2003

The Virginia Apprenticeship Council (Council) met on Thursday, December 11, 2003 at Confederate Hills Recreation Building, 302 Lee Avenue, Highland Springs, Virginia. Chairman Barry Baker called the meeting to order at 10:06 a.m.

### **COUNCIL MEMBERS PRESENT:**

Barry W. Baker, Chairman  
Dr. Steven R. Staples, Vice Chairman  
Danny Amos  
Earl Dickerson  
Dudley Harris  
Darold S. Kemp  
Bill Mercer 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  
Jennifer Nolen, Program Director  
Beverley Donati, Assistant Program Director  
Ellen Marie Hess, Staff Attorney  
DOLI Regional Apprenticeship Representatives

### **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, Nat Dailey and John McDowell. Chairman Baker welcomed the VCCS Related Instruction Coordinators and the DOLI Apprenticeship Representatives in attendance.

Chairman Baker introduced Commissioner Davenport. Commissioner Davenport offered his congratulations to the Outstanding Apprentices and their sponsors. He introduced Secretary of Commerce and Trade Michael J. Schewel and welcomed him on behalf of the 11,670 apprentices and 1939 apprenticeship sponsors.

Secretary Schewel spoke of the importance of the Apprenticeship Program to the Commonwealth. He commented that he had spent a half day with DOLI Representative Connie Perry visiting and registering sponsors in Roanoke. Secretary Schewel congratulated the Outstanding Apprentices and their families who were present. He thanked the sponsors who were present for their commitment to training much needed skilled craftsmen and women.

Chairman Baker, Vice Chairman Staples, Secretary Schewel, and Commissioner Davenport presented the 2003 Virginia Outstanding Apprentice Awards to the following:

Robert B. Arredondo, Jr. who completed an electrical apprenticeship in September 2003 at Northrop Grumman Newport News in Newport News.

Mark D. Christian who completed a HVAC Mechanic apprenticeship at University of Virginia Facilities Management in Charlottesville.

Kevin D. Clay, a Maintenance Mechanic apprentice employed by C. B. Fleet Company in Lynchburg.

Yolanda D. Davis, a brick mason apprentice employed by Norfolk Area Bricklayers Joint Apprenticeship Training Committee in Norfolk.

A short recess was taken to allow for photo opportunities.

The Chairman reconvened the meeting at 10:35 a.m.

**PUBLIC COMMENT:**

Mr. James Steele, Training Director for IBEW Local #26, invited the Council to visit the new training facility in Manassas.

**COUNCIL MEMBER COMMENTS:**

Mr. Dudley Harris gave an update on the Virginia Apprenticeship Alumni Association. He announced the Alumni would meet following the Council meeting.

**APPROVAL OF MINUTES:**

On proper motion and second the minutes for the Council meeting held on June 19, 2003 were approved unanimously by roll call vote.

**CORRESPONDENCE:**

Chairman Baker asked if there were any comments or questions regarding the correspondence that was mailed to Council members. There were no questions or comments by Council.

Chairman Baker announced new business would be next on the agenda.

**NEW BUSINESS:**

**Standing Subcommittees:**

**a. Ad Hoc Subcommittee:**

Subcommittee Chairman, Darold Kemp reported that the Ad Hoc Subcommittee met on Thursday, August 21, 2003 at the Powers-Taylor Building, 13 South 13<sup>th</sup> Street, Richmond, VA 23219. Present were subcommittee members Darold Kemp and Bill Mercer. Beverley Donati, Assistant Program Director and Jim Walker, USDOL, BAT were also present.

Mr. Kemp reported on the following topics: Mr. Mercer commented on VCCS marketing policies; Mr. Jim Walker presented information on the Federal Government's Marketing Policies.

Mr. Kemp presented the following definitions to be used in apprenticeship:

**Davis-Bacon work site Ratio:** Effective July 1, 1993, (*Regulations governing the Administration of Apprenticeship Programs in the Commonwealth of Virginia*) minimum numeric ratio of apprentices to journeymen for individual sponsors and for individual contractors signatory to joint and non-joint apprenticeship programs performing work under the Davis-Bacon and related federal prevailing wage laws shall be worksite specific and shall be as follows:

One apprentice to the first journeyman	(1:1)
Two apprentices to the first two journeymen	(2:2)
Two apprentices to the first three journeymen	(2:3)
Two apprentices to the first four journeymen	(2:4)
Two apprentices to the first five journeymen	(2:5)
Three apprentices to the first six journeymen	(3:6)
One additional apprentice for each two journeymen thereafter.	
(3:7; 4:8; 5:10; 5:11; 6:12; etc)	

The VAC considers all registered apprentices as apprentices until such time as the apprentices have either satisfactorily completed their apprenticeship program or have been cancelled by the sponsor from the Registered Apprenticeship Program.

**Job Site:**

**Construction:** New/Renovation: The scope of the approved building permit, Plan of Development, contractual agreement, or service location.

**Non-Construction:** The physical area within the walls that services are offered. The location that is identified on the license issued by the licensing board and/or the political locality.

**Supervision of Apprentices:** Any supervisor/foreman/journeyman may be counted for direct supervision of an apprentice as long as they are of the same trade as the apprentice. A registered apprentice shall be under the direct supervision of a supervisor/foreman/journeyman at all times and on all job-sites. Provisions must be made by the registered sponsor to assure proper supervision, training and safety of all apprentices.

**Work Processes:** Defined industry specific skill sets that must be mastered in the work environment during the term of the apprenticeship.

**Exemption from Examination:**

Mr. Dickerson reported two sponsors had applied for exemption and the subcommittee recommended approval of sponsors 200301 and 2003-02.

Mr. Walter moved that apprenticeship sponsors 2003-01 and 2003-02 be approved for exemption from examination. Mr. Kemp seconded the motion. The motion was approved unanimously by role call vote.

## **OLD BUSINESS:**

### **Williams Steel Erection Company, Inc.**

Chairman Baker offered the following motion: "I move that the members of the Virginia Apprenticeship Council go into closed session to receive a briefing by staff pertaining to actual litigation related 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: Jennifer Nolen, Beverley Donati, and Ellen Marie Hess.

Dr. Staples seconded the motion. The motion was approved unanimously by role call vote.

The Council went into closed session at 10:54 a.m. and reconvened in open session at 11:13 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 and 2.2-3712 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. Ellenberger seconded the motion. The motion was approved unanimously by role call vote.

Ms. Tansey offered the following motion:

"I move that upon consideration of the request by Williams Steel Erection Company, Inc. to have its apprenticeship program reregistered, the Virginia Apprenticeship Council direct the staff of the Department of Labor and Industry and Industry to hold an informal fact finding conference pursuant to 2.2-4019 of the Code of Virginia, that the informal conference be held as soon as possible and that findings be reported at the next regularly scheduled meeting after the informal fact finding conference.

Dr. Staples seconded the motion. The motion was approved unanimously by role call vote.

Chairman Baker requested a motion to adopt the report of the Ad Hoc Subcommittee including the definitions as presented.

Dr. Staples moved the adoption of the Ad Hoc Subcommittee. Mr. Dickerson seconded the motion. The motion was approved unanimously by role call vote.

## **REPORTS:**

### **Virginia Community College System;**

Mr. Mercer addressed the Council. Mr. Mercer reported that the seconded quarter registered apprentice numbers were down. This is contributed to reporting errors and new changes in the reporting process. The fourth quarter will show lower registered apprentice numbers for the year but they should not be significant.

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

Mr. Walker, USDOL, Bureau of Apprenticeship Training (BAT) State director addressed the Council. Mr. Walker brought greetings from the USDOL national and regional office. He reported that there will be an increase in the number of FTEs in USDOL Region Two. His office is attempting to coordinate the BAT annual goals and timetables with the goals and timetable of DOLI. He reported on the re-registration of the registered apprenticeship programs at Norfolk Naval Shipyard. The funds to administer the registered apprenticeship programs at the nation's four naval shipyards have been allocated by Congress. Mr. Walker advised the Council that BAT's national office had identified new industries of interest for apprenticeship and had conducted marketing training. Ms. Nolen attended this training. Mr. Walker announced that he would be conducting a SAC review during 2004.

#### **Department of Labor and Industry:**

Commissioner Davenport reported that he had attended several graduation ceremonies. He and Mr. Mercer presented a presentation on registered apprenticeship at the Governor's Career Development Summit in November. Ms. Nolen and Apprenticeship Representative Ray Kroniser were also in attendance.

Commissioner Davenport encouraged all interested parties to become members of the Virginia Apprenticeship Alumni Association. The Association will be a stand-alone organization in the very near future. The report concluded with the Commissioner wishing everyone a happy holiday season.

#### **Department of Labor and Industry, Apprenticeship Program:**

Ms. Nolen began by having all of the DOLI Apprenticeship Representative stand and introduce themselves. She reported that the DOLI web site had information about the Apprenticeship Alumni Association and membership forms. The DOLI agency newsletter will have articles on registered apprenticeship. The first article by Marylou Barr was placed in the Council members packet. Ms. Nolen also advised the Council that Sponsor Recognition Certificates would be mailed in the near future for sponsors with active programs for five, ten, twenty-five and fifty years.

#### **ANNOUNCEMENTS:**

Commissioner Davenport announced that the Virginia Apprenticeship Alumni Association would meet following the adjournment of the Council meeting.

Chairman Baker expressed his best wishes for a happy and safe holiday season to all present.

The meeting was adjourned at 11:55 a.m.

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Barry W. Baker, Chairman

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C. Ray Davenport, Secretary