



Employment Training Panel

**STATE OF CALIFORNIA
EMPLOYMENT TRAINING PANEL**

Zoom Virtual Meeting
August 28, 2020

Panel Members

Janice Roberts
Acting Chairperson

Gloria Bell
Member

Chris Dombrowski
Ex-Officio Member

Ernesto Morales
Member

Gretchen Newsom
Member

Rick Smiles
Member

Douglas Tracy
Member

Ali Tweini
Member

Executive Staff

Peter Cooper
Assistant Director

Michael Cable
Legal Counsel

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I. PUBLIC PANEL MEETING CALL TO ORDER

Acting Chairperson Janice Roberts called the meeting to order at 9:32 a.m.

II. ROLL CALL

Present

Janice Roberts
Gloria Bell
Chris Dombrowski
Gretchen Newsom
Douglas Tracy
Ali Tweini

Absent

Ernesto Morales
Rick Smiles

Executive Staff

Peter Cooper, Assistant Director
Michael Cable, Legal Counsel

III. AGENDA

Acting Chairperson Roberts asked if the Panel Members reviewed the Agenda.

ACTION: Ms. Bell moved and Mr. Tweini seconded approval of the Agenda. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

IV. MINUTES

Acting Chairperson Roberts asked if the Panel Members reviewed the Meeting Minutes from the last Panel Meeting.

ACTION: Ms. Newsom moved and Mr. Tweini seconded approval of the July Meeting Minutes with the amendment to incorporate the wages and ranges cited and mentioned during line of inquiry for Tab 13 – Niagara Bottling. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

V. REPORT OF THE ASSISTANT DIRECTOR

Mr. Cooper welcomed the Panel Members, Applicants, and Stakeholders and reported that today's meeting is approximately \$6.5M with \$269,836 in delegation orders, for a total of \$6.8M

Mr. Cooper recognized the following persons in attendance: Ryan Swier, North Hollywood Regional Office Manager; and Heather Miguel, Sacramento Regional Office Manager.

Mr. Cooper stated On August 12th, Governor Newsom appointed Reg Javier as Executive Director and re-appointed him as Assistant Director of ETP. Reg has many years of experience in workforce and economic development. He has served as Deputy Executive Officer at the San Bernardino County Economic Development Agency since 2016. He was Associate Manager at Public Consulting Group from 2011 to 2017. He was Director of Workforce Advancement at the San Diego Workforce Partnership from 2006 to 2011. He was an Employment Program Manager III at the Employment Development Department from 1992 to 2006. This position does not require Senate confirmation.

Mr. Cooper stated that Mr. Javier will start work at ETP the following week and will be attending the September Panel Meeting. Mr. Cooper explained that he has had the chance to meet with Mr. Javier a few times and brief him on ETP, and is looking forward to having him join ETP's leadership team.

Regarding today's proposals:

Helping employers respond to the COVID-19 Pandemic continues to be the top priority. There have been over 200 COVID-19 related modifications to existing contracts and more COVID-19 Pilot proposals coming in. ETP will be rolling out the Paid Family Leave Pilot for Small Businesses, which you will hear more about from Liz Testa later this morning. Mr. Cooper hopes this program will be a good example of how ETP can help workers and employers that are taking PFL to take care of family members who are ill because of COVID-19. Additionally, ETP continues to have six staff members re-deployed to assist with COVID-19 contact tracing and the IT Division continues to support Labor Agency's response to the recession and the pandemic.

Regarding funding, flow, and equity:

Mr. Cooper reported that this season is beginning with more apprenticeship projects. There will be nine this panel, nine in September, and likely ten in October. The reason is that apprenticeship program training is usually based on the school year cycle. Also, apprenticeship programs are a particularly good fit with ETP: they are high-wage, high-quality, they are based on true demand for jobs and developed in partnership with labor and employers, they are already heavily regulated.

Mr. Cooper expressed his appreciation of the PPU Unit's work of managing the demand for funding for apprenticeship, given that the demand greatly outstrips our supply of funds and they are receiving so much stakeholder input. ETP is taking an equitable approach to serving Single Employers and MECS, as well as apprenticeships, and are managing the funds to adhere to the funding allocations set by the Panel.

Points of clarification:

Mr. Cooper also reported the Panel had asked that the Niagara Bottling proposal from last month be revised. He wanted to report that the wage changes requested by the Panel have been made to the Niagara Bottling contract. Niagara's chart has been updated. All trainees now have to meet a post retention wage of \$18.34 per hour for San Joaquin and San Bernardino counties; and \$19.05 per hour for Los Angeles County.

Mr. Cooper then reported Tab No. 3 for Crain Walnut Shelling is marked as non-priority. Crain Walnut has a registered NAICS of 115114, which although is Agriculture is not a priority NAICS. Their NAICS Industry Name is labeled as Support Activities for Agriculture, Crain Walnut is a COVID-related priority project.

Mr. Cooper also reported Tab No. 11 for Person Centered Services, Inc., is COVID-19 related. Staff unintentionally did not label as such.

Regarding Staff and Operations:

It was reported that ETP is continuing to do business, but the majority of Staff are working remotely.

Regarding Legislation:

It was reported that the following Monday, August 31st, is the last day for each house to pass bills. September 30th is the last day for the Governor to sign or veto bills. Last month Mr. Cooper reported on AB 1457 (Reyes and Cervantes), which requires the Employment Training Panel (ETP) to establish a pilot project to enhance a regional business training center network of community college contract education centers to partner with other assistance providers serving small businesses and authorizes the pilot program to be guided through a partnership with ETP, including California Community Colleges (CCCs), the Governor's Office of Business and Economic Development (GO-Biz), the Labor and Workforce Development Agency (LWDA), and the California Workforce Development Board (WDB) in response to COVID-19. ETP is neutral on this bill and we are working closely with Labor Agency to monitor it.

Regarding Core Funds for this Fiscal Year:

If all FY 20/21 proposals are funded today, the Panel will have approved just over \$17.7M in 71 projects to date. ETP will have approximately \$62.3M for the remainder of the 20/21 Fiscal year with a demand of \$121.3M.

Regarding the New Computer System:

For ETP's Contracting System, Cal-E-Force, please watch our web updates on schedule of stakeholder sessions on certification statements, pre-application and application processes.

Regarding Delegation Order:

These proposals will all be capped at \$75K to be approved under the Delegation Order on a continuous flow basis, which as of today a total of 6 delegations have been approved.

Regarding 20/21 Program Funding:

Mr. Cooper reported to date, there has been approximately 882 projects submitted, with a value just over \$121.3M.

Regarding Demand and Allocations:

Mr. Cooper then reported that for Single Employer Contracts, there are requests in Regional Offices and AAU for \$84.9M, with \$30M in the original allocation; for MECs there are requests \$15M in demand, with \$20M in allocation; Small Business has a demand of \$11.8M, with \$5M in allocation; Critical Proposals have \$239,000 in demand, with \$5M in allocation; and Apprenticeships have \$9.7M in demand, with \$20M in allocation. Overall demand is currently \$121.3M with \$62.3M left for FY 20/21.

Mr. Cooper requested a Motion to Approve the Consent Calendar.

Acting Chairperson Roberts asked if there were any other questions from the public or Panel regarding the Consent Calendar and asked for a motion.

ACTION: Ms. Newsom moved and Mr. Tweini seconded approval of the Consent Calendar. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 – 0.

VI. PAID FAMILY LEAVE SMALL BUSINESS GRANT PRESENTATION

Ms. Testa presented a PowerPoint presentation highlighting the Paid Family Leave Small Business Grant. The state budget for FY 20-21, grants ETP \$1M in General Fund dollars in this FY, and for each following FY, to institute the “Paid Family Leave Small Business Grant” (PFL SB Grant).

This new grant, which will be initiated as a pilot program through ETP, will take the form of grants to what could be considered MECs, to provide small businesses with less than 10 employees up to \$500 for each employee utilizing the Paid Family Leave (PFL) Program.

PFL SB Grant (2)

The PFL program allows California workers to take paid leave to bond with a new child or to care for a seriously ill family member. Beginning July 1, 2020, this leave has been expanded from six to eight weeks. The current proposed budget also expands the 12 week non-paid protected leave to all businesses, regardless of business size.

Businesses that are impacted by the PFL program will have increased costs such as: training and upskilling existing staff to cover the duties of the employee on PFL; hiring and training additional staff to cover the duties of the employee on PFL; and the marketing, recruitment, and training costs to cover these activities.

PFL SB Grant (3)

The Policy Committee in June approved the PFL Small Business Grant Guidelines, and in July the PFL SB Grant SFP as presented here, and with a few small edits as requested by Labor Agency, to be moved to full Panel for a vote. If approved, staff will continue the logistical work of establishing the Grant, and plans on releasing the SFP for the Grant on September 15, 2020. Draft Guidelines for the Paid Family Leave Small Business Grant, and the Solicitation for

Proposals and accompanying materials, are attached.

Ms. Testa asked the Panel if there were any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Ms. Newsom moved and Mr. Tweini seconded approval of the Paid Family Leave Small Business Grant Guidelines, Solicitation for Proposals, and accompanying materials, as attached and as presented above. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 – 0.

VII. REPEAT CONTRACTOR RULE PRESENTATION

Ms. Testa presented a PowerPoint presentation highlighting the Repeat Contractor Rule and shared that at the May 2018 Panel Meeting, the Panel enacted the Repeat Contractor Rule as an alternative to our substantial contribution requirement. Substantial contribution still remains in effect for possible use, but the new Repeat Contractor Rule addressed companies who return to ETP for funding multiple times by imposing a waiting period on additional contracts.

Repeat Contractor Rule (2)

The Repeat Contractor Rule, as it stands now, has been cumbersome for Staff to implement, and applies only to large Single Employers; with MECs, Small Businesses, Critical Proposals, and Alternately Funded projects being exempt. The Policy Committee expressed interest in reviewing the Repeat Contractor Rule, and after discussion at their June and July 2020 meetings, moved a revision to the Repeat Contractor Rule to Panel in August for full consideration.

Repeat Contractor Rule (3)

The Policy Committee approved amending the Repeat Contractor Rule as follows: Contractors must wait until 18 months have passed in their current contract before submitting a Preliminary Application for a second contract. If the current contract does not meet 75% completion rate, as determined using the potential earned amount, then the second contract will be right-sized accordingly. MECs, apprenticeship projects, and Critical Proposals are exempt from the Repeat Contractor Rule.

Ms. Testa asked the Panel if there were any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Tweini moved and Ms. Newsom seconded approval of the revision to the Repeat Contractor Rule, as proposed above and will become effective for all projects approved from September 1, 2020 onwards. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 – 0.

VIII. POLICY COMMITTEE MEETING REPORT TO PANEL

Ms. Newsom reported the Zoom Policy Committee Meeting on Thursday, August 17 covered a variety of topics and discussion about the following items:

Affiliates:

Ms. Newsom reported that this is a complicated issue and there was a good informational discussion on the intricacies of this topic. No official action was taken, but Panel will continue to look at projects in their entirety when assessing for fairness, given a concern that some related companies applying for multiple projects simultaneously, rather than joining together on a single project.

90-Day Tracking Deadline:

Ms. Newsom then reported Staff will not be enforcing this limitation, and will remove all references to it from ETP's official documents. Contractors will be strongly encouraged to continue to track their training hours into ETP's online system in a timely manner to ensure high performance metrics and a smooth contracting experience.

Proposed Agenda Items:

Ms. Newsom reported the next Committee meeting might occur in September, but most likely will be in October. If anyone has any topics they'd like considered for future Committee meeting agendas, please email them to Lis Testa at Elisabeth.Testa@etp.ca.gov. Ms. Newsom went on to explain the next meeting agenda will contain a presentation by the CWDB on High Road Training Partnerships, and additional items may include the temp-to-perm guidelines, literacy skills requirements, and the veteran's guidelines.

Non-Priority Industry Participating Employers in MECs:

Ms. Newsom then reported that after an in-depth discussion, Committee did take some action on this item. A new Priority Industry Indicator question will be added to the 100B form for potential Participating Employers. Committee clarified that the current moratorium on non-priority industry Single Employers also applies to affiliates in those contracts. The moratorium will not be expanded to apply to Participating Employers in MECs. Committee also motioned to move to Panel for full approval adding RESPOND projects, which address natural disasters, to the list of exemptions from the moratorium.

This item will appear before full Panel at our September meeting.

IX. REVIEW AND ACTION ON PROPOSALS

SINGLE EMPLOYER CONTRACTS

Tab No. 14: Alta Hospitals System, LLC

Mr. Swier presented a proposal on behalf of Alta Hospitals System, LLC (Alta). Alta is a Repeat Contractor and a Priority Industry. Total ETP funding being requested is for the amount of \$425,040 to train 462 Job Creation and Retraitees combined and at multiple facilities located in LA County.

Mr. Swier stated that Staff recommends approval of this project and introduced Keith Levy, Administrator, LA Community Hospital and Bill Parker, Consultant, NTSI.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Ms. Newsom moved and Mr. Tweini seconded approval of Alta Hospitals System, LLC in the amount of \$425,040. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

Tab No. 15: The Permanente Medical Group, Inc. dba Southern California Permanente Medical Group

Mr. Swier presented a proposal on behalf of The Permanente Medical Group, Inc. dba Southern California Permanente Medical Group, which is a Repeat Contractor and a Priority Industry requesting \$499,560 in ETP funding to train 543 Retraitees at multiple facilities throughout Southern California. ETP has received Union support letters from SEIU United Healthcare Workers West and Office and Professional Employees International Union Local 30.

Mr. Swier stated that Staff recommends approval of this project and introduced Hazel Torres, Director, Regional Professional Development and Research Ambulatory Services.

Ms. Newsom thanked them for their high wages.

Acting Chairperson Roberts noted that they have come before the Panel many times, but with this proposal, they'll be over \$3M over the next five years. Acting Chairperson Roberts suggested that Staff look at their training plan a little closer the next time they submit a proposal.

Acting Chairperson Roberts then stated they didn't actually have any developmental fee services nor administration services and inquired from Steve Duscha, of Duscha Advisories, if he is on a retainer with Kaiser.

Mr. Duscha stated that he is a part-time employee of Kaiser.

Ms. Newsom asked Acting Chairperson Roberts if it is helpful in her mind that they reduced their contract amount by a third from their previous one and asked if that is moving in the right direction for her.

Acting Chairperson Roberts responded in the affirmative and stated that it was only because that was the cap at the gap, but now there is a new cap. Acting Chairperson Roberts then went on to say they've already completed 100% of their projects and they're a great partner for ETP. But again, they keep coming back and coming back.

Mr. Duscha stated that this is an example of a contractor that has been very restrained and coming before them and not splitting itself into 17 different parts to try to game the system and exceed the cap. Mr. Duscha expressed he understands the point Acting Chairperson Roberts made about repeat contracts. But also wanted to state for the record that they have tried to be conservative and as Acting Chairperson Roberts said last week to do the right thing, instead of trying to come in as 14 different medical centers and shared they have come in as one entity all the way along.

Ms. Newsom asked how much of all of this extensive curriculum and training is going to be done in person versus online, approximately.

Ms. Torres explained it's going to be a combination, and it's a hybrid model of training. Along with having a platform they use to upload videos and interactive learning modules, their in-person training can now be in-person virtual, but they still have a little in-person, hands-on training for the skill validation piece of it. So, it is a combination of multiple things.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Ms. Newsom moved and Mr. Tweini seconded approval of The Permanente Medical Group, Inc. dba Southern California Permanente Medical Group., in the amount of \$499,560. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

Tab No. 16: Torrance Refining Company LLC

Mr. Swier introduced Torrance Refining Company LLC, which is a first-time ETP contractor and a Priority Industry with total ETP funding being requested of \$498,180 to train 573 Retraitees, at their facilities in Torrance, Cerritos and Martinez. ETP has received multiple Union support letters.

Mr. Swier stated that Staff recommends approval of this project and introduced Denise Beatty, Director of Learning and Development.

Acting Chairperson Roberts stated that this is a very good contract, with high wages, for a first time contractor.

Ms. Newsom added that she also likes it.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Tweini moved and Ms. Newsom seconded approval of the Torrance Refining Company LLC, in the amount of \$498,180. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

MULTIPLE EMPLOYER CONTRACTS

Tab No. 17: Apprentice and Journeyman Training Trust Fund of the Southern California Plumbing and Piping Industry

Ms. Miguel introduced the Apprentice and Journeyman Training Trust Fund of the Southern California Plumbing and Piping Industry (P&P Trust), which is a Priority Industry and Repeat Contractor with good prior performance. P&P Trust is requesting \$427,350 in ETP funding to serve 185 apprentices. P&P Trust operates nine training centers across Southern California.

Ms. Miguel stated that Staff recommends approval of this project and introduced Preston Riehl, Chief Executive Officer; Steve Duscha, Duscha Advisories; and Oscar Meier, LA Unified School District.

Ms. Newsom asked how COVID-19 has affected them and asked if they are transitioning now to 100% online learning, or are they still back in the classroom, providing hands-on skills training to their trainees.

Mr. Riehl explained currently all of their curriculum is available online and they are doing very limited amounts of hands-on training with social distancing, screening, and standardization process. Mr. Riehl stated that they are currently getting ready to see what they will need to do for the next semester, based off some current metrics and how the pandemic is sitting. Right now they're doing the majority online and doing as limited hands-on as possible, but still currently doing some.

Ms. Newsom then asked if he had any kind of assessment that he can share with everyone on the value of in-person, in-classroom education and training versus online or would he prefer to have everything in-person once COVID-19 is past us.

Mr. Riehl stated he thinks its half and half because there are some soft skills that have been very effective online, such as learning code classes and it's made it easier on the apprentices

that might have to travel or are working far distances away from where their training center is. However, it is very difficult to emulate any hands-on experience, such as soldering, or even turning a wrench. But a lot of the soft skills are just as effective in the learning techniques that they've been implementing, even sometimes being more appropriate and easier for the apprentice and travel.

Ms. Newsom commented that she would assume those hard skills are also connected to public safety as well, making sure that they really do learn those skills in-person. Ms. Newsom also noted that it looks like they are reducing the amount they are seeking from previous contracts by almost 50% and understands that they're taking the high road and attempting to share more broadly the ability to spread ETP dollars amongst other apprenticeship programs and thanked them for that.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Ms. Newsom moved and Mr. Tweini seconded approval of the Apprentice and Journeyman Training Trust Fund of the Southern California Plumbing and Piping Industry in the amount of \$427,350. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

Tab No. 18: Carpenters Training Trust Fund for Northern California

Ms. Miguel introduced Carpenters Training Trust Fund for Northern California as a Priority Industry and Repeat Contractor with good prior performance, which is requesting \$427,350 in funding to serve 185 apprentices. Carpenters Training Trust Fund operates five training centers in Northern California.

Ms. Miguel stated Staff recommends approval of this proposal and introduced Peter O'Farrell, Executive Director and Steve Duscha, Duscha Advisories.

Ms. Newsom asked, due to COVID-19, how much of their instruction has transitioned to online versus in-person and in the classroom.

Mr. O'Farrell explained they are doing 40% of their training through live video Zoom conference and wouldn't say it's "online." The apprentices are at the facility on Monday, they collect their curriculum and they spend the day there. They then give them an iPad, the trainees go home and do the rest of their training with the curriculum in hand at home through Zoom video conferencing. Then the trainees come back to the training center for the next two days where they have engineered physical barriers that they're in, each individualized six feet apart where they do their physical hands-on training.

Ms. Newsom asked to confirm that they have actually constructed a physical way for the apprentices to join them to learn those skills in person. Including much of their commercial skills,

such as Welding I - VI. Ms. Newsom asked to verify that welding is being conducted in person.

Mr. O'Farrell confirmed and explained that the physical part of the welding would be hands-on. They have them set up in every other booth and the rest would be closed, making sure they are six feet apart with a physical barrier.

Ms. Newsom thanked Mr. O'Farrell for the effort that they've undertaken to protect healthcare apprentices, while still ensuring that they are receiving the proper education to protect the public and themselves. Ms. Newsom also acknowledged and thanked Mr. O'Farrell for reducing the amount that they are seeking by 50% from their previous contract.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Ms. Newsom moved and Mr. Tweini seconded approval of Carpenters Training Trust Fund for Northern California in the amount of \$427,350. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

Tab No. 19: District Council 16 Northern California Journeymen and Apprentice Training Trust Fund

Ms. Miguel presented a proposal for District Council 16 Northern California Journeymen and Apprentice Training Trust Fund, which is a Priority Industry and Repeat Contractor with good prior performance and is requesting \$295,542 to serve 299 apprentices and 19 veteran apprentices. Training will be provided at two training facilities in San Leandro and Sacramento.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Alex Beltran, Director of Training; Elizabeth Herrera, Director of STAR's; Kelly Greer, Strategy Workplace Communications; and Nica Tanaka, CA Labor Federation.

Mr. Tweini thanked them for including veterans on this proposal, especially considering the COVID-19 situation. It's creating an opportunity for our veterans which is a must and thanked them for that.

Ms. Newsom inquired about the transition of their curriculum due to COVID-19, whether it's online or in-person and what is the approximate percentage of each.

Mr. Beltran explained that they have moved to doing in-person online training via Zoom. The hands-on portion they are sticking to the Governor's recommendations of doing in-central training only at the training center, such as any safety certifications like Booms and Lifts, Swing Stages, Fall Protection, Scaffold Training; things that will keep the worker safer on the jobs. Mr. Beltran noted those are the hands-on portions that they're actually currently fulfilling at the school, but for the most part they have moved to the online training due to COVID-19.

Ms. Newsom then inquired if that includes some of their commercial curriculum, including spray applications and how to do it in-person.

Mr. Beltran explained that they have virtual spray and blast equipment that they're currently using that's purchased through VR Sim Sprayers. They do virtually online and that's how they're actually performing it currently.

Ms. Newsom then inquired if they are able to track the success of the apprentices. For example, if they're not correctly spraying it virtually then pings them on that.

Mr. Beltran confirmed and explained that it teaches muscle memory, proper distance, and proper spray techniques and gives them a grade.

Ms. Newsom also noted for the record, the significant reduction from previous contracts and the amount they're requesting and thanked them for that.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Tweini moved and Acting Chairperson Roberts seconded approval of District Council 16 Northern California Journeymen and Apprentice Training Trust Fund in the amount of \$295,542. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

Tab No. 20: N.E.C.A/I.B.E.W Inland Training Fund

Ms. Miguel introduced N.E.C.A/I.B.E.W Inland Training Fund, which is a Priority Industry and Repeat Contractor with good prior performance and is requesting \$375,833 in ETP Funding to serve 8 journeyworkers, 200 apprentices and 13 veteran apprentices. Training will be provided at the main facility in San Bernardino, and also occurring in Palm Springs and Blithe (Riverside County).

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Rick Purper, Training Director; Jon Rowe, Assistant Training Director; Kelly Greer, Strategy Workplace Communications; and Nica Tanaka, CA Labor Federation.

Mr. Tweini thanked them for including veterans on their proposal and suggested that all contractors to do the same.

Acting Chairperson Roberts recused herself from the meeting and asked Ms. Bell to cover the meeting.

Ms. Newsom inquired how COVID-19 has affected them and if they have transitioned to online learning or if they are still conducting their courses and education in person.

Mr. Rowe explained as far as online, they talked to the instructors about trying to make their curriculum more lecture-based for the first part of their schooling and trying to hold back labs, as much as possible until later part of the year when restrictions lighten up. When they have to do the hands-on labs, they will set up a day where the individuals come in, perform those labs in the fashion that's safe for everyone.

Mr. Rowe also explained how cable splicing is a heavy lab class and they have to split the class in half so there are very limited people in class at a time, but that creates twice as many instruction hours to get through for those courses. Mr. Rowe stated that they have an obligation to train these guys by whatever effort it requires.

Ms. Newsom inquired if commercial skills, such as arc flash and cable splicing are conducted in-person, in-lab. Ms. Newsom thanked them and noted for the record, the significant reduction from previous years in their contract.

Mr. Rowe confirmed and thanked Ms. Newsom.

Acting Chairperson Bell asked if the Panel had any questions.

Hearing none, Acting Chairperson Bell asked for a motion.

ACTION: Mr. Tweini moved and Ms. Newsom seconded approval of the N.E.C.A/I.B.E.W Inland Training Fund in the amount of \$375,833. Acting Chairperson Bell called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 5 to 0.

Tab No. 21: Pipe Trades Apprentice and Journeymen Trust Fund for San Mateo County

Ms. Miguel introduced Pipe Trades Apprentice and Journeymen Trust Fund for San Mateo County, which is a Priority Industry and Repeat Contractor with good prior performance and is requesting \$272,768 in ETP funding to serve 10 journeyworkers, 65 apprentices and 3 veteran apprentices. Training will be provided at the facility in Burlingame. The proposed contractor is requesting a waiver to the minimum number of hours from 8:4 for journeyworkers in Job Number 1.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Stephan Schnell, Director of Training; Kelly Greer, Strategy Workplace Communications; and Nica Tanaka, CA Labor Federation.

Mr. Tweini thanked them for including veterans in their proposal and inquired what they are doing to attract female participants to their program. Mr. Tweini expressed that it is very important to include them and he doesn't see that from previous contacts. He asked for an update of what they might be doing or can do.

Mr. Schnell stated that they work very hard to work with local partners like Women Can Build to promote the skilled trades in their area. Mr. Schnell explained he is also on the committee

for their Trades Introduction Program and focused heavily on bringing women and creating awareness into the trades.

Ms. Newsom inquired how COVID-19 has affected them and if they have transitioned to online learning or if they are still conducting their courses and education in person.

Mr. Schnell responded that when they were shut down in March, they had a three week turnaround to get 100% of their classes back up and running, every student was given a Chromebook, and they were able to implement Google Classroom as an LMS.

Mr. Schnell also stated they are about 25% in-person and about 75% distance learning, and in their building they are operating about 10 to 15% occupancy at any time.

Ms. Newsom noted for the record the significant reduction from previous years in their contract and the amount they have requested.

Acting Chairperson Bell asked if the Panel had any questions.

Hearing none, Acting Chairperson Bell asked for a motion.

ACTION: Ms. Newsom moved and Mr. Tweini seconded approval of the Pipe Trades Apprentice and Journeymen Trust Fund for San Mateo County in the amount of \$272,768. Acting Chairperson Bell called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 5 to 0.

Acting Chairperson Bell then turned the meeting back over to Acting Chairperson Roberts and proceeded with the meeting.

Tab No. 22: Sheet Metal Workers Joint Apprenticeship and Training Trust Fund of Los Angeles

Ms. Miguel introduced the Sheet Metal Workers Joint Apprenticeship and Training Trust Fund of Los Angeles, which is a Priority Industry and Repeat Contractor with good prior performance and is requesting \$427,350 in ETP funding to serve 185 apprentices. Training will be provided at their training facility located in the City of Industry.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Lance Clark, Administrator; Steve Duscha, Duscha Advisories; and Oscar Meier, LA Unified School District.

Mr. Tweini thanked them for coming before the Panel and stated that he always likes to see veterans included in any proposal, and didn't see any on theirs. He then inquired what they are doing to include women on their training proposal.

Mr. Clark clarified that they do have veterans included in this, and they conduct a high rate of recruitment, and they have a few female veterans as well. Mr. Clark explained when entering

their program, they put on boot camps twice a year to where they bring individuals in, put them through some basic training, and then also prepare them with tools, boot vouchers and various things there. They also get their OSHA 30 before they go out there. There's a lot of different things that they go through, but they recruit and work with their partners through WINTERS and various groups.

Mr. Clark went on to share that they do include and recruit women and out of 900 apprentices that they have attending, this contract is just for 185 at this point.

Ms. Newsom inquired how COVID-19 has affected them and if they have transitioned to online learning or if they are still conducting their courses and education in person.

Mr. Clark explained when COVID-19 hit in March, they went to distance learning and did that March through June. When they completed that semester in June, which had started in January, they went to opening the school for face-to-face and did 50% capacity. For example, if there were 150 students or apprentices attending on one day they would split it in half, so half of them come 6am to 10am, then the other class comes 11am to 3pm and then they have distance learning for the four hours before they come back to the next class in two weeks. He went on to express that they need that as essential workers; need to have the trainees in there if they're deemed essential workers and they're out there on these job sites.

Ms. Newsom commented on what Mr. Clark said about the trainees being essential workers and it being essential to have them there in the training facility for that hands-on, skill-building and wanted to clarify that's to protect the public and to make sure that the trainees are getting the education that they need and they can make sure it's been done right in person.

Mr. Clark shared that they are doing temperature checks at 5am every morning, for the different parts of it, signing waivers, going through the CDC guidelines and the distance learning.

Mr. Clark also noted that construction workers practice safety every day and this is just one more layer to what they do and thinks they're the best at it. This all also shows what they do every day as construction workers, in general.

Ms. Newsom thanked them for protecting their apprentices during COVID-19 and noted for the record how they significantly reduced the amount that they're requesting for their contract is from their previous.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Tweini moved and Ms. Newsom seconded approval of the Sheet Metal Workers Joint Apprenticeship and Training Trust Fund of Los Angeles in the amount of \$427,350. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

Tab No. 23: WECA Apprenticeship and Training Trust

Ms. Miguel introduced the WECA Apprenticeship and Training Trust, which is a Priority Industry and Repeat Contractor with good prior performance and is requesting \$400,665 in ETP funding to serve 270 apprentices and 25 veteran apprentices. Training will be provided in Sacramento, Fresno, San Diego, and Riverside.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Christine Hall, Operations Director; Maureen Wood, Director of Finance and Human Resources; and Wendy Flanagan, Assistant Apprenticeship Director.

Mr. Tweini thanked them for including veterans in their proposal and inquired what they're doing to attract female participants to their program.

Ms. Hall shared that over the past couple of years, they have worked to modify all of their brochures, website, and realistic job preview video to make sure that females are included in those items. They also work directly with all of their female applicants - their recruiter actually reaches out to them personally to walk them through the application and testing process and be there as a support person for them throughout the program and the application process. Ms. Hall also shared that in 2018, their Southern California valedictorian was a female.

Ms. Newsom inquired how COVID-19 has affected them and how much of their curriculum is conducted in-person, in-lab versus online.

Ms. Hall explained that when COVID-19 hit in March, they did transition to live, online training via Zoom for all of their classes. Because they have been providing electrician training in a similar format since 2007, they were able to quickly transition their apprenticeship classes to that format without really delaying any of their progress. So they're still currently live, online via Zoom. They are making plans to transition to a blended learning style, where some of the soft skill items will still be taught online and then they will start bringing students back for hands-on labs towards the end of this year with the ultimate goal, as soon as it is safe to do so, to bring everyone back to in-person training.

Ms. Hall wanted to mention that they absolutely appreciate the need to share the funding with other apprenticeship programs in this contract and in their past contract. They've worked with the ETP staff to reduce their request, even before it goes to Panel.

Ms. Newsom stated she was curious about a couple of things. She expressed that what jumps out at her for this proposal that's very different from the other proposals that they've seen in the past and even earlier today, is that this is a statewide program, which leads one to believe that this is all online and that there's not a strong connection between the apprentice and the local regional training facility. It gives the impression that most everything's online.

Ms. Newsom asked Ms. Hall to elaborate on why that is and why the apprentices who are located in Los Angeles aren't going to the Los Angeles training center and asked how they regionally work.

Ms. Hall explained that the only online training that they've been doing since 2007 is their electrician training program. Their apprenticeship classes, outside of the COVID-19 pandemic, have all been in person. They are statewide-approved and have training centers in Rancho Cordova, Sacramento, Riverside, San Diego, and are in the midst of opening a training center in Fresno. Depending on where the apprentices live, they attend those designated training centers.

Ms. Hall further shared that they will also give a stipend, so any of their apprentices that live more than 80 miles from a training center, get a travel stipend to help with the travel and expenses in commuting to those locations.

Ms. Newsom stated she had noticed on their website that they are charging tuition for all the classes and ask Ms. Hall to elaborate on that.

Ms. Hall explained that is the electrician training program and has nothing to do with their apprenticeship program or the funding that they're seeking today. In California, electricians have to be in one of three categories if they're working for a C10 contractor, they either have to be a certified electrician, a registered apprentice, or they have to be a registered electrician trainee. WECA offers both apprenticeship and electrician training, so the references to the online training on the website are specific to their electrician trainee program.

Ms. Newsom asked to clarify if those would be pre-apprentices, CWCE, or journeymen that are coming back for continuing education.

Ms. Hall explained that they are trainees and on a similar path to becoming a journey-level electrician, but they're just in a different bucket than apprentices.

Ms. Newsom replied that she is not familiar with that and wanted to clarify that the funding they are seeking is just for the apprentice, inside wireman, and electricians. Ms. Newsom then inquired if those apprentices receive prevailing wages on all jobs that they're on, whether public or private.

Ms. Hall explained on public works they get the published prevailing wage, and on private works they get what is referred to as the apprentice minimum wage, which is based on the prevailing wage as well. There's a whole state law that sets minimum wages for apprentices and they are absolutely in compliance with that and those are based on the state prevailing wages, as well.

Ms. Newsom asked if the apprentices are receiving apprentice prevailing wages throughout their entire apprenticeship, whether it's public or private works. What she doesn't want is to have an apprentice going from public works job, great wages and then the next day they get dispatched over to a nonpublic job and then their wages are significantly lower and then they're unable to figure out what their take-home salary will be because it depends on what kind of job that they're on, when other apprenticeships offer one wage for them so there's not a discrepancy.

Legal Counsel Michael Cable wanted to make sure they are clear, when they're talking about public works, there's a prevailing wage on public works. And that any workman employed in the

execution of the public works is by default, a journeyman. So when somebody says "prevailing wage," they are talking about the journeyman rate that's published and that might be what Ms. Hall was referring to is. Also published, separate and distinct from the prevailing wage as to journeymen, is the apprenticeship rate, which is loosely based upon 30 - 80% of the general prevailing wage rate depending on where they're at in the apprenticeship program. Mr. Cable express that what he was hearing Ms. Hall say is that they abide by the apprenticeship rate that's published, which is not necessarily the prevailing wage rate because that's generally referred to as the journeyman rate.

Ms. Newsom then asked Ms. Hall if all of their apprentices are getting the apprentice wage rate by state law.

Ms. Hall confirmed.

Mr. Tracy asked to clarify if Ms. Newsom's question was whether the apprentices that the Panel funds actually receive the same amount of funding via public or private job.

Ms. Hall responded that because they are a statewide program, the apprentices receive the applicable wage depending on when the project was advertised for bid, what county it's in - They could move from one project to another and get a different rate. So they do publish the wages and help the apprentices make sure they understand what wage they should be getting paid and then also work with them to make sure they are paid the appropriate wage.

Mr. Tracy asked for further clarification and gave an example of an apprentice that is working on a public works job in Los Angeles one week and a private works job a block away the next week. Mr. Tracy asked if that apprentice would be making the same wage at both jobs.

Ms. Hall responded that it may vary depending on when that job was, when the public works job was advertised for bid and what county it's in. Sometimes on the private job, they make more because again, the California Code of Regulations, section 208 establishes the wages that apprentices have to be paid on private work, which are based off of the prevailing wage that was in effect on March 1 of the previous year. And then the apprentices get a portion of that journeyman total package. And so, in some counties, the WECA apprentices actually make more than the current prevailing wage.

Mr. Cable again wanted to clarify Mr. Tracy's question, because in order to determine the prevailing wage rate or the apprenticeship rate, one needs to look at the bid advertisement date or the execution of the contract date and there's two issued a month. The question is if WECA utilizes the state apprenticeship wage rates on both public and private works that are published by the state.

Ms. Hall confirmed that they do.

Ms. Newsom acknowledged again that most of their curriculum is all online right now. Looking at previous contracts, they've reduced it just a little bit, but not to what the others have. So she would be comfortable with making a motion to approve this at \$250,000 which is a similar reduction from what the other apprenticeships have shown in their applications.

Ms. Miguel explained that the request is based off of the \$750,000 cap that was in place last year. When WECA came to panel last year, they were reduced. They reduced their location on that \$750 cap and with that in mind, they are reduced by approximately 53% currently.

Acting Chairperson Roberts stated she is okay with the funding that they currently have, they have good performance in the past and doesn't have any issues with that. But will leave it up to the rest of the panel if they have any questions regarding this.

Ms. Newsom noted that she wants to see them transition more, like the others, back to in-class, hard-skill development, and hopefully boost their graduation rate, as well. Because the last year their graduation rate was reported, in 2018 it was 53.6%. Ms. Newsom suggested that comes with more in-person, in-classroom training that better connects the apprentice to the curriculum and to the training facility, not just doing online, YouTube, and Zoom.

Acting Chairperson Roberts wanted to make sure she heard correctly and wanted Ms. Hall to clarify that didn't she say that they had facilities all over California where people could go in.

Ms. Newsom responded that is correct, but their curriculum right now is being taught online and they are training construction electricians online and there's a safety issue for her on that.

Ms. Hall explained they are only teaching apprenticeship online right now due to the COVID-19 pandemic. And the electrician training classes that are taught online also have hands-on lab days built in. It's just a different format. Their apprenticeship program outside of the COVID-19 pandemic has always been in-person, in-class.

Acting Chairperson Roberts asked if the Panel had any questions and if Ms. Newsom wanted to still make the reduction.

Ms. Newsom mentioned that Ms. Miguel confirmed that there had already been a reduction.

Acting Chairperson Roberts asked for a motion to approve.

ACTION: Mr. Tweini moved and Acting Chairperson Roberts seconded approval of the WECA Apprenticeship and Training Trust in the amount of \$400,665. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 6 to 0.

AMENDMENTS

Tab No. 24: Los Angeles Trade Technical College

Mr. Swier introduced a proposal amendment from Los Angeles Trade Technical College which is requesting an additional \$247,620 that would increase the overall amount to \$742,700. The number of trainees will remain the same, for a total of 860 trainees. LATTC is requesting to increase the weighted average for all three Job Numbers from to 36 hours each. Training

continues to take place in Southern California. Based on ETP Systems, 19,966 reimbursable hours have been tracked for potential earnings of \$495,080 (100% of approved amount).

Mr. Swier stated that Staff recommends approval of this proposal and introduced Felicitó Cajayon, Dean, Pathways Innovation & Institutional Effectives and Steve Moch, Project Director.

Acting Chairperson Roberts reminded everyone that last month there was one amendment that came through that was over the cap of this year's funding at about the same amount and Diana Torres was having another one come through from the old 2019 funding. Regarding this proposal, it is a very solid proposal, in fact, they just started training on to their amendment dollars, so she is okay with funding out of the 2019 dollar amount, but wants to ensure that Staff continue to look at each amendment as they come through.

Ms. Newsom inquired how COVID-19 has affected them in providing training, especially for their commercial skills curriculum. Ms. Newsom also asked if they are still conducting training in-person or if everything has transitioned to online.

Mr. Moch explained that at this point, they have a 75/25 split as far as the online classes versus in-person classes. They have found that to be effective since the middle of March, but they're evolving over towards the more in-person classes. Mr. Moch stated that companies are actually starting to request more in-person classes at this time, as well.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Tweini moved and Ms. Newsom seconded the approval of the Los Angeles Trade Technical College request for Amended Funding in the additional amount of \$247,620. Acting Chairperson Roberts called for a vote, and all Panel Members present voted against the motion.

Motion carried, 6 to 0.

X. OPPORTUNITY FOR PANEL MEMBERS TO REQUEST AGENDA ITEMS FOR FUTURE PANEL MEETINGS

Acting Chairperson Roberts wanted to make a comment regarding some subcontractors that have been asking for more than 10% of the developmental fees for the funding amount and they need to look at that. In fact, there is one on the delegation order where their dollar amount changed, and so they probably didn't adjust their developmental fee. Acting Chairperson Roberts stated that this is an issue that Staff needs to look at, because she would rather have the dollars go to the contractors and not the subcontractor. She suggests Staff look closely to determine what is equitable and what isn't. With current funding being reduced, she wants to make sure that the employers and stakeholders get the appropriate amount of funding versus having high developmental fees.

XI. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Acting Chairperson Roberts asked for public comment on matters not on the Agenda.

Phil Herrera made a quick observation that the Zoom meetings are getting better. He was also very excited about the appointment of the new Executive Director and thinks he is a good hire and also congratulated Peter Cooper on his reappointment. Mr. Herrera also thanked the Policy Committee for taking on a complicated matter with the Repeat Contractor Rule and wanted to remind people that it's always substance over form regarding Panel applications. He also stated that his colleagues and those who developed his contracts are going to play by the rules as best they can.

Steven Ouellette stated that this is only the second time he has attended a Panel meeting and it's all new to him and really appreciate all the insight. His company is a small one who applied last year and again this year for funding, and he was curious how long, typically a company like his would have to wait in order to be reviewed or get some sort of answer. They applied back in July and are awaiting a response.

Acting Chairperson Roberts replied that she will pass his inquiry on and Staff will contact him with a response.

Peter Cooper, the Assistant Director, offered that Mr. Ouellette could contact him directly and they could discuss, because there are a number of different factors that impact how quickly a proposal gets reviewed, developed, and moves to the Panel and would like to hear more about his specific situation.

Ms. Braden requested the status on her application that has been submitted.

Acting Chairperson Roberts replied that she could also contact Mr. Cooper and he'll pass it on to the staff and hopefully they'll be able to address that concern.

Legal Counsel Michael Cable stated that one of Ms. Braden's contracts was in appeal and suggested that Ms. Braden reach out to him directly so they could have a further discussion, because the purpose at this point in the meeting is just public comment.

Steve Duscha stated that he wanted to associate himself with Phil Herrera's comments about the new Executive Director and about affiliates and repeat contracts.

Michelle McLead stated they had a tremendous experience in 2018 and 2019 with ETP and wanted to take 30 seconds to say it's a great program and she is waiting to get in again. It is from the bottom of all of their guys, they just loved it. She also wanted to thank the Panel for implementing the program and keeping it going.

Amy James wanted a follow up on their renewal application and the status of it.

Acting Chairperson Roberts suggested that Ms. James reach out to either Mr. Cooper or Mr. Cable to discuss.

Robert Meyer of ETP wanted to publicly recognize the passing of Ada Carrillo, a former ETP Executive Director. She was a longtime staff person and on behalf of Staff, she was somebody that really represented the core of this program.

Kyle Frandsen inquired the status of his application, as well, because he made a comment last meeting and has not heard back from Staff.

Legal Counsel Michael Cable assured Mr. Frandsen that he would follow up with him on that.

Mr. Cable also wanted to thank Peter for the last year plus for shepherding these meetings and wanted to publicly thank him because it's been a lot of work, a lot of struggle, and a lot of different things going on.

Kristy Reynoso inquired also about the status of their eligibility.

Legal Counsel Michael Cable again stated he would follow up with her on that.

Peter Cooper shared that ETP has a humongous demand for the program along with applications in process while trying to understand the moment that we're in and the crisis the State is facing with COVID-19. Staff has been doing a lot of work at both adjusting the program to help existing employers and contractors pull down funding more easily, as well as implementing not only the COVID-19 pilot, but also the Paid Family Leave pilot. Along with a lot of other changes, such as moving the Panel Meetings to Zoom. Mr. Cooper thanked the stakeholders for their patience and added that he understands that things are not moving as quickly as they may like but there is a strategy behind it all to try to support those employers that are greatest in need during these times.

Noelle Belton inquired also the status of their application

Legal Counsel Michael Cable stated he would follow up on that.

XII. MEETING ADJOURNMENT

Acting Chairperson Roberts adjourned the meeting at 11:32 a.m.