



Employment Training Panel

**STATE OF CALIFORNIA
EMPLOYMENT TRAINING PANEL**

Zoom Virtual Meeting
September 25, 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

Reg Javier
Executive Director

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
Rick Smiles

Absent

Ernesto Morales

Executive Staff

Reg Javier, Executive Director
Peter Cooper, Assistant Director
Michael Cable, Legal Counsel

III. AGENDA

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

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

Motion carried, 7 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. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

V. REPORT OF THE EXECUTIVE DIRECTOR

Mr. Javier welcomed the Panel Members, Applicants, and Stakeholders and recognized the following persons in attendance: Diana Torres, Southern California District Manager; Ryan Swier, North Hollywood Regional Office Manager; Jana Lazarewicz, Sacramento Regional Officer Manager; and Heather Miguel, Program Projects Unit Manager.

Regarding today's proposals:

Mr. Javier stated that helping employers respond to the COVID-19 Pandemic continues to be a top priority for ETP. There have been hundreds of COVID-19 related modifications to existing contracts and more COVID-19 Pilot proposals coming in. ETP has also begun rolling out the Paid Family Leave Pilot for Small Businesses, which you will hear more about from Lis Testa later this morning. The solicitation for proposals was released on Friday, September 18, 2020, and proposals are due by October 15, 2020.

Regarding Legislation:

Mr. Javier shared that September 30th is the last day for the Governor to sign or veto bills. That is important to ETP because one of the bills that is waiting for signature is AB 1457, which would require ETP to partner with other assistance providers serving small businesses. The pilot program partnership would include California Community Colleges, GO-Biz, the Labor and Workforce Development Agency, and the California Workforce and Development Board. ETP and the Labor Agency remain neutral on this bill, but will continue to monitor the bill and provide updates on any movement.

Regarding the New Computer System:

Starting in October, Staff will be scheduling Stakeholder sessions to present the new components of the Cal-E-Force system and will seek comments and feedback afterward so that ETP may continue the development process. A demonstration for entering and managing the Participating Employer Certification functionality will be provided for MECs via GoToMeeting. Staff will hold at least two sessions in order to accommodate those who wish to attend.

In October, Staff will begin the process of migrating contracts to Cal-E-Force. Migration will start with the beta active legacy system Single Employer contracts and continue with contracts with no current activity. In November, Staff will be scheduling sessions to demonstrate how the Pre-Application and the Application processes work in Cal-E-Force. All information for training sessions can be found on the ETP website.

Acting Chairperson Roberts inquired whether the ETP 130 Forms that the Panel Members see in their Panel Packets will be available in the same format for Stakeholder review in the new Cal-E-Force system before they are finalized and presented at the Panel Meetings.

Tara Armstrong, Deputy Director of the Technical Operations Branch and CIO, confirmed that the ETP 130 forms will be available in Cal-E-Force in the exact same format as the Panel Members receive currently.

Regarding Core Funds for this Fiscal Year:

Mr. Cooper reported that today's meeting is approximately \$9.2M, plus \$132,314 in Delegation Orders, for a total of \$9.3M. Regarding core funds for this fiscal year, if all the proposals are funded today, the Panel will have approved just over \$27M in 105 projects to date. ETP will have approximately \$52.9M for the remainder of the year, with a demand of \$119.5M.

Regarding Delegation Order:

Delegation orders are capped at \$75,000 to be approved on a continuous flow basis, which as of today, a total of 12 delegations have been approved.

Regarding 20/21 Program Funding:

Mr. Cooper reported to date, there has been approximately 896 projects submitted, with a value just over \$119.5M.

Regarding Demand and Allocations:

Mr. Cooper then reported that ETP is within its allocations, but may need to revisit them in the future. For Single Employer Contracts, there are requests for \$84M, with \$30M in the original allocation; for MECs there are requests for \$14.2M in demand, with \$20M in allocation; Small Business has a demand of \$12.2M, with \$5M in allocation; Critical Proposals have \$239,610 in demand, with \$5M in allocation; and Apprenticeships have \$8.3M in demand, with \$20M in allocation. Overall demand is currently \$119M with \$52.9M left for FY 20/21.

Regarding where the projects are in the process, Mr. Cooper shared that there are 138 projects in the Regional Offices and 758 in AAU, of the 896 total.

Points of clarification:

Mr. Cooper reported that Tab No. 10, Motive Energy Telecommunications Group, Inc., should list their in-kind contribution as \$147,800.

Mr. Cooper further reported that there are discrepancies on Tab No. 5, BioMarin Pharmaceuticals Inc.; Tab No. 11, Opportunity Junction, Inc.; and Tab No. 12 Pasadena City College, which are all on the Consent Calendar. The Incidental Placement allowed for these Covid-19 Pilot proposals should read, "Not more than 20%," as approved under the Covid-19 Pilot Program Guidelines instead of what is currently stated which is, "Not more than 50%."

Mr. Cooper stated Tab No. 4, Associated Builders and Contractors, will be pulled off the Consent Calendar so that the applicants can answer some questions from the Panel later in the day.

Mr. Cooper also stated that Tab No. 5, M-5 Training School of Protective Services, has withdrawn from this Calendar and will instead present at the November Panel Meeting.

Mr. Cooper requested a Motion to Approve the Consent Calendar with the noted modifications.

Acting Chairperson Roberts asked for clarification on the Covid-19 related projects regarding contract cap and funding allocation. Mr. Cooper explained that the cap per contract is \$200,000 and there is \$30M in allocation for both MECs and Single Employer Covid-19 related projects.

Acting Chairperson Roberts then 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 as amended. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 – 0.

VI. UPDATE ON PAID FAMILY LEAVE SMALL BUSINESS GRANT PRESENTATION

Ms. Testa presented an update and a PowerPoint presentation on the Paid Family Leave Small Business Grant. The Solicitation for Proposals for the PFL SB Grant was released on September 18, 2020. All application materials can be found on the ETP website, including the Solicitation for Proposal, the application, the signature page that goes with the application, and all the additional documents that applicants would need over the whole course of their grant. Additionally on the ETP website, there is a new “Grants” page which houses all the information regarding the PFL Grant and is where to submit the applications for the grant.

The Economic Development Unit held an online overview for the grant on September 10, 2020. A second session is scheduled for September 29, 2020. These sessions are designed for interested MEC applicants to learn more about the grant. Information on how to sign-up for the overview can be found on the ETP website.

A few clarifications were added to the SFP, including:

Data on participating small businesses will be collected on a quarterly basis, rather than only twice yearly;

Scoring and Awarding information was clarified as follows: After all applications are scored and ranked, and after the initial three awardees are selected, additional awardees may be chosen if the initial awardees are having difficulties in enrolling a sufficient number of participating small businesses. Any additional awardees will be chosen using their original ranked scores;

The ‘return of funds’ clause was amended to clarify that administrative fees are also subject to recollection based upon expenditures of the grant, and a schedule for the assessment of fund demand was added;

Fund disbursement schedules were clarified; and

The acceptable use of funds area was updated for clarity.

Ms. Testa asked the Panel if there were any questions. There were none.

VII. NON-PRIORITY INDUSTRY MORATORIUM PRESENTATION

Ms. Testa presented a PowerPoint presentation addressing the addition of RESPOND Projects to the List of Exemptions to the Non-Priority Industry Moratorium. During the May 2020 Panel Meeting, Panel enacted a moratorium on non-Priority Industry Single Employer contracts for FY 20/21. Single Employers (including Small Businesses) whose EDD assigned NAICS (North American Industry Classification System) code does not appear on ETP’s listing of Priority Industry NAICS codes will not be granted projects this fiscal year. The listing of Priority Industry NAICS codes can be found on our website.

The following groups are exempt from the moratorium:

- MECs

- Apprenticeships
- COVID-19 Pilot Non-Priority Industry Contractors
- COVID-19 Response Plan Non-Priority Industry Contractors

At the August 2020 Policy Committee meeting, the Policy Committee moved to include RESPOND projects as an additional exemption to the non-priority industry moratorium. RESPOND projects are dedicated to companies being affected by, or working to mitigate the negative effects of, natural disasters (including drought, fire, pandemic, earthquake, etc.)

In accordance with the motion approved by the Policy Committee in August 2020, Staff is requesting adding RESPOND projects to the list of exemptions to the non-priority industry moratorium, as outlined above.

Robert Sanger, CMTA, inquired about the funding amount for RESPOND projects, because his concern is that we live in California and everything could be a RESPOND project these days.

Ms. Testa replied that a RESPOND project could be Single Employer or MEC and doesn't have a separate application. There are two ways that a project can qualify for RESPOND: 1) If the Governor declares a state of emergency due to a natural disaster, and 2) If our Executive Director approves a contractor's request. If either of those come in to the Field Offices they get elevated to Executive Staff for a determination.

Mr. Sanger then asked if the option to request a RESPOND designation was listed on the Preliminary Application or if that will be an update.

Ms. Testa explained that the Pre-Application has not been changed and the checkbox to select RESPOND is still there. The checkbox gives Staff a heads up of what the Contractors are thinking they may qualify for when they submit their Pre-Application. Then, in development, the Field Offices will be able to talk to the Contractor more to get further details on their project to see if it actually does qualify for RESPOND or not.

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

Acting Chairperson Roberts inquired if one of the projects in this month's Panel Packet, Mountain Enterprises, is a RESPOND project.

Peter Cooper replied that it is.

Hearing no further questions, Acting Chairperson Roberts asked for a motion.

ACTION: Ms. Newsom moved and Mr. Smiles seconded approval of the addition of RESPOND projects to the list of exemptions to the non-priority industry moratorium. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 – 0.

VIII. REPORT OF LEGAL COUNSEL

Legal Counsel Michael Cable wished to address two documents in the Panel Member's packet of written material and also listed on the ETP website for public review. The first document is a Legislative Update Memorandum which lists bills that have been enrolled, vetoed, or died during this legislative session, which will continue to be monitored and updated. Additionally, Staff has internally assembled a working group which will be ready to respond should AB 1457 be signed into law.

The second document is a Legal Unit Memorandum which addresses ETP's Appeal Process and Public Records Act Request Process. Regarding the Appeal Process, Staff has worked hard to resolve Contractor's and Stakeholder's concerns and to simplify the process, including the removal of the Fast Track Process, updating the Notice of Appeal Rights, and developing an online Appeal Process which should be implemented soon.

Mr. Cable clarified that an Appeal is from a Final Adverse Decision, such as denying a proposal or issuance of final project and not a place to resolve general complaints, systems problems, or mistakes by any of the parties. Further, an Appeal must contain a statement of the issues and facts in dispute and a copy of the documents in support of that statement must be submitted at the time of appeal.

Mr. Cable also pointed out to the Panel that there are two levels of appeal in the ETP Appeal Process. The first is to the Executive Director, who will make the determination without Panel involvement. The second level of appeal goes to the full Panel, who can refuse to hear the matter, conduct a hearing at a Panel Meeting, or refer to an administrative law judge for review.

Next, Mr. Cable shared that there is now a page on the ETP website dedicated to the Public Records Act Request Process with a new process for conveniently submitting a request online. Instructions and a timeline for requests can also be found on the website.

Acting Chairperson Roberts asked what options Contractors would have if they disagree with something said, managed, or administrated during a project; and if that would be an appeal or if it would be addressed internally.

Mr. Cable responded that it would depend on the facts of the situation. But to be an appeal, it would likely have to be more than a procedural issue and instead be an issue with a Final Adverse Decision that Staff made either incorrectly or by an alleged abuse of ETP's discretion in making the decision.

IX. REVIEW AND ACTION ON PROPOSALS

Tab No. 4: Associated Builders and Contractors, Central California Chapter (ABC)

Mr. Swier explained that at the December 2019 Panel Meeting, ABC presented a proposal that did not move forward due to lack of motion. At that time there were stated concerns regarding the base wages for electricians, as well as with other occupations located within the HUA. In

addition, there were questions regarding the certification process and the proposed curriculum. The Panel cited from ETP statute as to the basis of their concern.

Mr. Swier stated that ABC has submitted a new, revised application for consideration with changes including different occupations within the construction industry, higher wages (both minimum and maximum), and a new curriculum without certifications. This training will be provided to incumbent workers from large and small employers, focusing on business and commercial skills training within the construction industry, also including Covid-19 training.

Mr. Swier shared that ABC is a first-time proposed contractor, requesting \$194,700 to train 330 retrainees. Participating Employers are both located in HUA and non-HUA areas in Southern California.

Mr. Swier stated that Staff recommends approval of this project and introduced Laura Barnes, President and CEO and Russel Johnson, Director of Government Affairs.

Acting Chairperson Roberts asked if the Panel had any questions.

Ms. Newsom inquired why the details of this new proposal look the same as the one presented in December 2019 if this proposal was supposed to be completely revised.

Ms. Barnes explained that the list of Participating Employers that were included are comprised of ABC's members. Their members participate in a wide array of ABC's training offerings, such as craft training programs, safety training programs, specialty training programs, as well as the new additions, like Covid-19 training. Ms. Barnes stated that the members will enroll their trainees in whichever training their employer has a need for.

Ms. Newsom noted that it appears that the proposal has more than doubled the originally proposed amount of trainees, but has not updated their MEC contracts as to which ones are training how many employees. Ms. Newsom wanted to make sure that ABC did not simply rename the occupations, because the number of trainees don't add up correctly and the last part of the proposal looks exactly the same as the December 2019 proposal.

Ms. Barnes stated that this is a completely new proposal. Mr. Johnson suggested that they take the proposal back to Staff and work out the appropriate numbers.

Ms. Newsom agreed to that and also inquired about the difference in wage ranges between Job No. 1, in a HUA, where the minimum starts at \$15/hr and Job No. 2 where the minimum starts at \$22.51/hr. Additionally, Ms. Newsom would like ABC to elaborate on the timeline in which those workers get up to the higher wage.

Ms. Barnes explained that the timeline would be different depending on which modular training program the trainee was going through, especially reflective of the length of each program. Mr. Barnes also explained that in the non-HUA area, the cost of living is higher and wage rates are higher.

Ms. Bell asked how long it would take for an Equipment Operator to move up.

Ms. Barnes explained that there is not necessarily a singular path to becoming an Equipment Operator and there are many options and paths to take through the modular training.

Mr. Twieni added that he shares Ms. Newsom's concerns regarding low wages.

Acting Chairperson Roberts noted that perhaps the Panel Members are not seeing an accurate depiction of wages and they probably put the lower number in because that is what the HUA wage is. Acting Chairperson Roberts suggested that for more clarification and a better understanding of the wages, that they take a look at how many trainees are really making that \$15/hr starting wage.

Acting Chairperson Roberts asked for a motion that ABC works with Staff to revise their proposal with the suggestions made by Panel Members.

ACTION: Ms. Newsom moved and Ms. Bell seconded the motion that ABC withdraw this proposal, work with Staff to revise it, and bring it back at a later date. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

SINGLE EMPLOYER CONTRACTS

Tab No. 16: Life Generations Healthcare LLC dba Generations Healthcare

Ms. Torres presented a proposal on behalf of Generations Healthcare, a Repeat Contractor and Priority Industry requesting \$487,968 to train 871 incumbent workers, as well as 377 incumbent workers located in a HUA. Generations Healthcare reports that although there is no Veterans Job Number in this proposal, they welcome veteran workforce applicants whenever possible. Training will be primarily in Medical Skills, both Didactic and Preceptor, as well as Computer Skills and Continuous Improvement. Occupations include Registered Nurse, Licensed Vocational Nurse, Therapist/Assistant, and Certified Nurse Assistant. This proposal will fund training for employees of 21 closely-held affiliates located throughout 25 locations. The company's corporate headquarters in Santa Ana will coordinate implementation and administration, however, the location is not included in the training plan. In the 25 locations, there are 7 located in HUAs throughout the Counties of San Diego, Los Angeles, and Modesto. This is Generations Healthcare's third ETP agreement and third in the last five years. It is funded under Special Employment Training, and as such, under the Priority Industry, it is able to request modification of the SET Frontline Worker wage of \$33.34 down to \$25.01. In addition, in line with the high unemployment area to train entry level workers, it is requesting a wage modification for the HUA. Of the 377 trainees in the HUA facilities, there are 30 CNAs that make a base wage less than \$15/hr, which would be the standard new hire wage. And 51 LVNs that make less than \$25.01. The company will utilize the Director of Staff Development at each facility to oversee the training programs.

Ms. Torres stated that Staff recommends approval of this project and introduced Michelle Rubeshaw, Director of Human Resources and Bill Parker, Consultant, NTSI.

Acting Chairperson Roberts noted that the 70% performance they have shown is considered satisfactory, but it is not where the Panel likes to see the proposals at, as they like to see them more around 95-100%.

Ms. Newsom expressed concern regarding the 30 CNAs that are making less than \$15/hr, specifically \$13.76, and requested that Ms. Rubeshaw elaborate on when they would be achieving the higher wage.

Ms. Rubeshaw stated that they have done an additional wage analysis in the last 30 days and have brought some of those wages up. Typically the lower wage is for very recent grads and all usually increase their wages in the first 90 days.

Ms. Newsom asked if they would be amenable to increasing the minimum wage to at least \$15/hr because those trainees have already graduated some other training program or college and this is not a living wage.

Ms. Rubeshaw explained that these trainees have not previously gone to college, but are typically recent graduates of high school or GEDs and their first initial training is through this Certified Nurse Assistant course. And further, they are usually increased within the first 90 days.

Acting Chairperson Roberts asked if it was possible to move those trainees up to the \$15/hr range.

Ms. Rubeshaw stated that she would have to go back and discuss it with her senior leadership team.

Acting Chairperson Roberts offered the options to either pull out however many trainees make the \$13.76 wage from the proposal or withdraw the whole proposal at this time and come back when it has been revised with higher wages.

Ms. Newsom stated that she would like to make a motion to approve this proposal today with the CNA minimum wage at \$15/hr and the rest of the wages as is.

Acting Chairperson Roberts asked for a motion to approve with adjustments.

ACTION: Mr. Tweini moved and Ms. Newsom seconded approval with adjustments to the proposal for Life Generations LLC dba Generations Healthcare in the amount of \$487,968. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 17: Physicians for Healthy Hospitals, Inc

Ms. Torres presented a proposal on behalf of Physicians for Healthy Hospitals, Inc., a Repeat Contractor and Priority Industry requesting \$474,375 in ETP funding to train 300 incumbent workers and 75 Job Creation Retraitees. Their occupations include Registered Nurse, New Graduate RN, and Licensed Vocational Nurse. They are supported by three Collective Bargaining Agreements: the California Nurses Association; Teamsters Local 1932, Nurses and Allied Workers; and SEIU United Healthcare Workers West. The Panel's training hour limitation is 200 hours for Retraitees, however, the company requests a modification of this cap. Under its previous cap, its new nurse grads were capped at 200 hours but were able to perform up to

292 hours. Therefore, in this contract they are requesting a maximum of 260 hours. Historically, the Panel has approved up to 260 hours and here they expect to actually train up to 320 hours. Additionally, for the Job Creation Trainees, they will train 15 workers under the Panel guidelines for the Temporary to Permanent Program. They have retained these employees on a temporary basis with the intention of hiring them into full-time, permanent positions after training. It is expected that these workers will receive employer-paid share-of-cost for healthcare premiums while on temporary status, and upon hire into full-time permanent employment. This proposal to be funded under Special Employment Training and Priority Industry, and as such they may request a wage modification from \$33.34 to \$25.01, of which they are requesting.

Ms. Torres stated that Staff recommends approval of this project and introduced Russell Stewart, Education Clerk; Celia Topete, HRIS Analyst; and Michelle Bird, MHA, PHR.

Acting Chairperson Roberts noted their 85% prior performance and asked if that was something they think they could improve on, especially since they are requesting a higher amount of funding.

Mr. Stewart explained that with the expansion of training hours from 200 to 260 for their new grads, there is an additional opportunity there. Also, in 2018 they hired 69 new grads, but this year already have 65 hired on staff and expect to hire more. Additionally, in Spring 2021, to better their patient care, they are implementing a new EMR Paragon program for the documentation of patients. Mr. Stewart explained that along with that will be training for RNs and LVNs on the new program.

Mr. Tweini suggested that Mr. Stewart attempt to add more veterans into their program or to reach out to ETP for assistance in achieving that.

Mr. Stewart shared that some of their nurses in training and nurses on staff are veterans and would be included in the program currently as either existing RNs under Job No. 1 or Job Creation in Job No. 2.

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 Physicians for Healthy Hospitals, Inc. in the amount of \$474,375. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 18: Los Robles Regional Medical Center

Mr. Swier presented a proposal on behalf of Los Robles Regional Medical Center, a Repeat Contractor and Priority Industry requesting \$441,945 of ETP funding to train 197 Job Creation and Retraintees at their facility in Ventura. ETP has received multiple union letters in support. This project has been right-sized based on lower performance levels on their previous contract to prior earnings.

Mr. Swier stated that Staff recommends approval of this project and introduced Kathy

Trigueiro, Director of Educational Services and Tammy Bialek, Consultant, Altus Group US Inc.

Mr. Tweini expressed concern that they are Repeat Contractors and do not have a Veteran Job Number.

Ms. Trigueiro stated that they have multiple veterans and reservists on their nursing staff, and they allow the reservists to take time off for their reserve duties.

Ms. Bialek reported that she has a lot of their employment data, and Los Robles Regional Medical Center currently has 147 veterans employed at the facility.

Acting Chairperson Roberts suggested that the company make sure they have the proper infrastructure in place to support this training project, especially since they are requesting such a high amount of funding, and that they understand the implications of right-sizing.

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. Smiles seconded approval of the Los Robles Regional Medical Center, in the amount of \$441,945. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 19: 7173 North Sharon Avenue Operating Company, LLC dba San Joaquin Valley Rehabilitation Hospital

Ms. Lazarewicz presented a proposal on behalf of 7173 North Sharon Avenue Operating Company, LLC dba San Joaquin Valley Rehabilitation Hospital, a Priority Industry and Repeat Contractor requesting \$433,044 to train 523 workers, including 115 new employees. San Joaquin Valley Rehab will serve as the lead employer in this project, along with its five affiliates.

Ms. Lazarewicz stated that Staff recommends approval of this project and introduced Paul Herrera, Regional Director of Human Resources and Bill Parker, Consultant, National Training Systems.

Mr. Tweini asked if the company had any veteran outreach programs.

Mr. Herrera stated that they do have veterans included in this training plan, but they could probably do a better job tracking their veterans. Mr. Herrera explained that they recently switched to a different payroll provider, and that EEOC data did not successfully migrate over, but they plan to survey their staff to determine which employees are veterans.

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. Bell seconded approval of the 7173 North Sharon

Avenue Operating Company, LLC dba San Joaquin Valley Rehabilitation Hospital in the amount of \$433,044. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 20: Mountain G Enterprises Inc. (RESPOND)

Ms. Lazarewicz presented a proposal on behalf of Mountain G Enterprises Inc., a First-Time Contractor and Priority Industry requesting \$248,630 in funding to train 218 workers, including 50 new employees. Training will take place at their four locations in Placer, Butte, Fresno, and Sonoma Counties.

Ms. Lazarewicz stated Staff recommends approval of this proposal and introduced Shannon Campbell, Administrator and Michael Snead, Consultant, Carrazco Innovative Tax Solutions.

Mr. Tweini asked how they heard about the ETP and if they have any veteran recruitment programs.

Ms. Campbell explained that they heard about ETP through their representative, Mike Snead, who presented them with the information and guided them through the process.

Acting Chairperson Roberts noted that the Panel has previously seen a project from Mountain F Enterprises and was concerned that they were the same entity, but now understands that Mountain F does more of the physical work and Mountain G does more of the administrative part.

Ms. Campbell corrected that Mountain G actually is more the environmental side. They have the arborists, biologists, and archeologists who go out and evaluate the health of the trees and if there are nesting birds or not. Mountain F does do the physical aspect and the actual chopping of the trees.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Smiles moved and Ms. Bell seconded approval of Mountain G Enterprises Inc. in the amount of \$248,630. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 21: Sunrise Medical (US) LLC

Ms. Lazarewicz presented a proposal on behalf of Sunrise Medical (US) LLC, a Priority Industry and Repeat Contractor requesting \$304,980 to train 288 workers, including 15 new employees. Training will take place at their headquarters in Fresno.

Ms. Lazarewicz stated that Staff recommends approval of this proposal and introduced

Stephanie Orosco, HR Administrator.

Mr. Tweini asked if the company has a veteran recruitment program and if they have any veterans included in this project.

Ms. Orosco stated that they have four veterans included in this project, they welcome all veteran applicants, and they often have representatives out at the VA hospital.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Smiles moved and Mr. Tweini seconded approval Sunrise Medical (US) LLC in the amount of \$304,980. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

MULTIPLE EMPLOYER CONTRACTS

Tab No. 22: Urban Corps of San Diego County Charter School

Ms. Torres presented a proposal on behalf of Urban Corps of San Diego County Charter School (UCCS), a Priority Industry and Repeat Contractor requesting \$226,845 in ETP Funding, inclusive of 12% support costs, which is allowable per the Panel for New Hires as opposed to 8% for Retraitees. UCCS plans to train 45 New Hires according to ETP's Ex-Offenders or At-Risk Youth Program Guidelines and Multiple Barriers Program Guidelines. This proposal to be funded under Special Employment Training. UCCS is a non-profit high school, providing young adults with academic instruction, conservation job skills training, and community service opportunities. UCCS provides second chance opportunities to disadvantaged, struggling young adults (ages 18-26) to obtain a high school diploma while earning a paycheck through hands-on job training projects which improve their own communities. UCCS meets with employers regularly to form partnerships and assess workforce needs in order to place corps members in jobs following graduation. This is the third New Hire proposal for UCCS. They were able to place 30 young adults in a variety of construction, landscaping, and recycling related jobs in their last proposal. All Class/Lab training is center-based and will occur in the UCCS training facilities in San Diego. They are requesting a wage modification as allowed by Panel from \$15.20 for New Hires, down to \$13/hr. In addition, they are requesting the Incidental Placement with public and non-profit entities up to 35%, which is permissible with this target population. UCCS represents that students enrolled in the ETP funded program will not be charged tuition fees or any other costs associated with training.

Ms. Torres stated that Staff recommends approval of this proposal and introduced Dan Thomas, Executive Director; Myrna Contreras, Director of Student Services; and Brenda Figueroa, Corps Career Coordinator.

Ms. Newsom inquired why the MEC contracts were not included in the back of the proposal.

Ms. Torres explained that when there are Multiple Employer Contracts for Retrainee/incumbent workers, it is usually known where those individuals work, and those places would be considered Participating Employers. For New Hires, because it is unknown where they will work specifically throughout the partnerships, the Panel has previously elected not to include a list of potential Participating Employers.

Ms. Newsom expressed concern regarding one of the listed employer-partners, the Sheraton San Diego Harbor Marina who were reported to have recently fired 206 of their longstanding employees to instead hire on new low-wage workers. Ms. Newsom stated that the \$13/hr wage listed in UCCS's proposal is itself concerning, but also wonders if there is a connection with the Sheraton's recent low-wage hiring. Ms. Newsom further stated that when workers have barriers to employment or success, one of the most successful mechanisms in getting them on the path to self-fulfillment is having a living wage and \$13/hr in San Diego is not a living wage. Additionally, Ms. Newsom noted that there was a high cost per trainee listed in the proposal and she would appreciate if UCCS raised their lowest wage to \$15/hr.

Ms. Figueroa explained that when students leave UCCS, they usually go into jobs that make more than \$13/hr and then after the 90 day probation period with the employer, the wage increases and can go up to \$15/hr. In fact, most of the students start at \$14/hr when they leave UCCS.

Ms. Newsom stated that she would still feel more comfortable moving this proposal on without the requested wage modification and keeping the minimum at \$15.20. Ms. Newsom also inquired about the students who are construction laborers and their relationship to apprenticeship programs and getting the students into those programs.

Ms. Figueroa stated that UCCS has partnerships with a lot of construction companies that tie the students into apprenticeship programs. Ms. Figueroa explained that the students have training at the UCCS facilities, then once they connect the students with the construction companies the students go in as laborers, and then the student can continue into the apprenticeship program if they wish. Ms. Figueroa also shared that a few students from their last proposal are currently in construction apprenticeship programs, as well as other apprenticeship programs. UCCS tries to get their students into the apprenticeship programs because they are able to get additional training over time, along with wages increases.

Mr. Tweini agreed that low wages were an issue and that he would like to see the proposal move forward without the wage modification, as well.

Acting Chairperson Roberts agreed that \$13/hr is not a living wage in San Diego. Acting Chairperson Roberts also suggested that they specify in their proposal exactly what the wages will start at and not just list \$13/hr because that is the lowest allowable wage for ETP within a Multiple Barriers contract. Acting Chairperson Roberts also suggested that if there was only two students who were getting \$13/hr, that they leave those two off the contract and continue

with a higher listed minimum wage rate.

Mr. Thomas asked if their proposal would get approved today if they agreed to raise the minimum wage rate on this proposal to \$15/hr. Mr. Thomas also explained that the barriers that the young people in their program face, such as transiency, makes it more difficult for them to go with the higher wages.

Mr. Thomas stated that he understands the Panel's concern and agreed to modify the lowest wage on their proposal to \$15/hr.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Smiles moved and Ms. Newsom seconded approval of the proposal without wage modification for Urban Corps of San Diego County Charter School in the amount of \$226,845. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 23: College of the Sequoias

Ms. Lazarewicz presented a proposal on behalf of College of the Sequoias, a Priority Industry and Repeat Contractor requesting \$586,871 in ETP funding to train 450 workers throughout the Central Valley.

Ms. Lazarewicz stated that Staff recommends approval of this proposal and introduced Jorge Zegarra, Director – Training Resource Center.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Ms. Bell moved and Mr. Smiles seconded approval of the College of the Sequoias in the amount of \$586,871. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 24: Bay Area Counties Roofing and Waterproofing Industry Apprenticeship Training Fund

Ms. Miguel presented a proposal on behalf of the Bay Area Counties Roofing and Waterproofing Industry Apprenticeship Training Fund, a Priority Industry and Repeat Contractor with good prior performance, requesting \$427,160 in ETP funding to serve 31 journeyworkers and 177 apprentices. This Contractor recruits veteran, but is not requesting a Veteran Job Number.

Ms. Migueal stated that Staff recommends approval of this proposal and introduced Gary Samayoa, Senior Instructor and Steve Duscha, Steve Duscha Advisories.

Mr. Tweini thanked them for including veterans in this project.

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. Smiles seconded approval of the Bay Area Counties Roofing and Waterproofing Industry Apprenticeship Training Funding the amount of \$427,160. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 25: Drywall Finishers Finishing Trades Institute JATC

Ms. Miguel presented a proposal on behalf of the Drywall Finishers Finishing Trades Institute JATC, a Priority Industry requesting \$297,366 in ETP funding to serve 290 apprentices, and 29 veteran apprentices. Ms. Miguel noted that there is a small error on the cover page of this proposal and they are actually First-Time Contractors.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Alex Beltran, Executive Director; Kelly Greer, Strategy Workplace Communications; and Nica Tanaka, California Labor Federation.

Mr. Tweini thanked them for including veterans in their proposal.

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 Drywall Finishers Finishing Trades Institute JATC in the amount of \$297,366. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 26: Glaziers, Architectural Metal & Glass Workers Finishing Trades Institute JATC

Ms. Miguel presented a proposal on behalf of Glaziers, Architectural Metal & Glass Workers Finishing Trades Institute JATC, a Priority Industry requesting \$296,466 in ETP funding to serve 300 apprentices and 19 veteran apprentices. Ms. Miguel noted that there is a small error on the cover page of this proposal and they are actually First-Time Contractors.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Alex Beltran, Executive Director; Kelly Greer, Strategy Workplace Communications; and Nica Tanaka, California Labor Federation.

Mr. Tweini stated that he never wants to miss an opportunity to thank contractors who include veterans in their proposals.

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 Glaziers, Architectural Metal & Glass Workers Finishing Trades Institute JATC in the amount of \$296,466. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 27: Laborers' Training and Retraining Trust Fund for Southern California

Ms. Miguel presented a proposal on behalf of Laborers' Training and Retraining Trust Fund for Southern California, a Priority Industry and Repeat Contractor with good prior performance, requesting \$378,860 in ETP funding to serve 108 journeyworkers, 160 apprentices, and 20 veteran apprentices. Laborers' is requesting to reduce the minimum training hours from eight to four hours for journeyworkers in Job No. 1.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Lisa Becerra, Quality Manager; Kelly Greer, Strategy Workplace Communications; and Nica Tanaka, CA Labor Federation.

Mr. Tweini thanked them for including veterans in this proposal.

Acting Chairperson Roberts inquired why Staff was allowing them to reduce the minimum training hours down to four.

Ms. Miguel explained that this is something that was recently implemented for apprenticeship training programs, because Staff is finding that the employers of journeyworkers specifically are requiring certain certifications for them to work on a job site, and that by reducing the minimum hours to four hours allows them these particular 4-hour certifications because those trainees might not need annual training outside that 4-hour certifications. Staff has allowed this exemption in order to train those journeyworkers in the required certifications.

Acting Chairperson Roberts asked how many would be in the four hour minimum.

Ms. Greer stated that they are not sure exactly due to Covid-19, but they do not anticipate very many.

Acting Chairperson Roberts expressed concern that four hours of training is a very low number and she does not want to see too many trainees at that number.

Ms. Greer agreed and stated that they would keep track of them and update the Panel at the next Panel Meeting, if they wish.

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 Laborers' Training and Retraining Trust Fund for Southern California in the amount of \$378,860. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 28: Local Union 250 of the Southern California Pipe Trades District Council No. 16 of the United Association

Ms. Miguel presented a proposal on behalf of Local Union 250 of the Southern California Pipe Trades District Council No. 16 of the United Association, a Priority Industry and Repeat Contractor with good prior performance, requesting \$427,350 in ETP funding to serve 185 apprentices. This Contractor recruits veterans, but is not requesting a Veteran Job Number.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced David Payne, Training Coordinator and Steve Duscha, Steve Duscha Advisories.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Smiles moved and Mr. Tweini seconded approval of the Local Union 250 of the Southern California Pipe Trades District Council No. 16 of the United Association in the amount of \$427,350. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 29: Northern California Elevator Industry Joint Apprenticeship Training Committee Trust Fund

Ms. Miguel presented a proposal on behalf of Northern California Elevator Industry Joint Apprenticeship Training Committee Trust Fund, a Priority Industry and Repeat Contractor with good prior performance, requesting \$427,952 in ETP funding to serve 62 journeymen and 180 apprentices. This Contractor recruits veterans, but is not requesting a Veteran Job Number.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Greg Hardemen, Chairman and Steve Duscha, Steve Duscha Advisories.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Smiles moved and Ms. Newsom seconded approval of the Northern California Elevator Industry Joint Apprenticeship Training Committee Trust Fund in the amount of \$427,952. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 30: Sheet Metal Workers' Local No. 104 and Bay Area Industry Apprentice and Journeyman Training Fund

Ms. Miguel presented a proposal on behalf of Sheet Metal Workers' Local No. 104 and Bay Area Industry Apprentice and Journeyman Training Fund, a Priority Industry and Repeat Contractor with good prior performance, requesting \$409,288 in ETP funding to serve 36 journeyworkers, 198 apprentices, and 20 veteran apprentices. The Contractor is requesting to reduce the minimum training hours from eight to four hours for journeyworkers in Job No. 1.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced Benjamin Rivera, Training Administrator; Tim Myres, Training Administrator; Kelly Greer, Strategy Workplace Communications; and Nica Tanaka, CA Labor Federation.

Mr. Tweini thanked them for including veterans in their proposal.

Acting Chairperson Roberts expressed concern that she is seeing multiple proposals which are requesting to lower the minimum training hours to four hours and doesn't feel that four hours is adequate time to train. Acting Chairperson Roberts requested that they track and report back to her with the number of journeyworkers who only train four hours and would like to see that in any future proposals coming before the Panel.

Ms. Greer agreed and Ms. Miguel confirmed that Staff will work to ensure that any requests of this nature include the total amount of trainees who will be trained with the 4-hour minimum moving forward.

Acting Chairperson Roberts asked if the Panel had any questions.

Hearing none, Acting Chairperson Roberts asked for a motion.

ACTION: Mr. Smiles moved and Ms. Newsom seconded approval of the Sheet Metal Workers' Local No. 104 and Bay Area Industry Training Fund in the amount of \$409,288. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

Tab No. 31: Stationary Engineers Northern California and Northern Nevada Apprenticeship and Training Trust Fund

Ms. Miguel presented a proposal on behalf of Stationary Engineers Northern California and Northern Nevada Apprenticeship and Training Trust Fund, a Priority Industry and Repeat

Contractor with good prior performance, requesting \$427,350 in ETP funding to serve 185 apprentices. This Contractor recruits veterans, but is not requesting a Veteran Job Number.

Ms. Miguel stated that Staff recommends approval of this proposal and introduced James Anderson, Apprenticeship Coordinator and Steve Duscha, Steve Duscha Advisories.

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 Stationary Engineers Northern California and Northern Nevada Apprenticeship and Training Trust Fund in the amount of \$427,350. Acting Chairperson Roberts called for a vote, and all Panel Members present voted in the affirmative.

Motion carried, 7 to 0.

AMENDMENTS

Tab No. 32: Building Skills Partnership

Mr. Swier introduced a proposal amendment from Building Skills Partnership requesting an additional \$183,162 that would increase the overall amount to \$745,656. The estimated number of trainees will remain the same at a total of 556 trainees. The weighted average for Job No. 2 has been increased to 53hrs per trainee and wages will remain the same as previously approved by Panel at the beginning of this contract.

Mr. Swier stated that Staff recommends approval of this proposal and introduced Laura Medina, Chief Operating Officer.

Ms. Newsom expressed concern over the very low wages and requested that the Contractor move the lowest wage up to \$15/hr.

Mr. Swier explained that this is a Phase 1 Amendment for existing trainees on this contract who have likely already done training since the start of the contract.

Ms. Newsom asked how many trainees have moved up in their wages since they've started their training.

Ms. Medina stated that they do not have exact numbers, but they were hoping that in the 2020 Collective Bargaining Group Agreements they would be able to negotiate higher wages or differentials between people who have taken these trainings. Ms. Medina further explained that this was one of their strategic goals moving forward with these ETP funded trainings. Unfortunately, the CBA negotiations were postponed to 2021, so in terms of trying to move their workers and participants to new categories of wages, this is one of their priorities for the following year.

Ms. Bell asked if a union support letter was missing from their packet for them.

Mr. Swier explained that Building Skills Partnership is not required to submit a union support letter.

Acting Chairperson Roberts stated that she had just stepped out for a moment and asked what they decided regarding wages on this proposal.

Ms. Newsom explained that it sounded like the wages would have to stay the same because they are under a Collective Bargaining Agreement and they don't open their negotiations back up until 2021.

Ms. Medina confirmed.

Acting Chairperson Roberts wanted to state for the record that this was a 2019 proposal and they have now increased the total amount above ETP's current cap. Acting Chairperson Roberts stated that, going forward, she wonders how many more 2019 amendments the Panel is going to see, and wants to make sure that the Panel does not fund more from the old caps because there is very little funds going into 2021.

Acting Chairperson Roberts went on to state that the Panel does not need to approve this amendment at this time. They can disapprove due to low wages or because they do not wish to give them additional funding.

After a pause, Ms. Newsom noted that it is a lot of additional funding for low wages, but she does want to see them be successful in getting a better Bargaining Agreement. Ms. Newsom asked if they could reduce the amount of this amendment request.

Acting Chairperson Roberts stated that they could ask the Contractor to come back with a full contract instead of an amendment, perhaps after they look at their wages and determine how many Janitors and Floorcare Workers are in this project at that lowest wage.

Acting Chairperson Roberts recommended that the Panel not approve this amendment, but encourage the Contractor to come back at a later date with a whole new contract.

Ms. Newsom agreed that she would feel comfortable with that, especially looking at their requested funding amount, which is double what is available.

Mr. Swier added that there is currently a new project in the pipeline for Building Skills Partnership.

ACTION: Acting Chairperson Roberts moved and Mr. Tweini seconded the denial of Building Skills Partnership's request for Amended Funding in the additional amount of \$183,162. Acting Chairperson Roberts called for a vote, and all Panel Members present voted to deny the amendment.

Motion carried, 7 to 0.

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

Acting Chairperson Roberts noted that there was no Subcommittee Meeting in September, but there is one scheduled for October, so if the Panel Members have anything they wish to discuss, to let them know so that it can be added to the Agenda. Acting Chairperson Roberts stated that she would like to add a discussion regarding Cal-E-Force because it is important for ETP's Stakeholders to know about and keep up to date on.

Ms. Newsom stated that she would like to have a discussion on wages and what policy mechanisms ETP has in place that could possibly be incentivizing lowering wages, when they should be on the pathway to higher wages and higher quality of life.

Acting Chairperson Roberts agreed and added that the lowest wages are what they see listed in the 130s and it is important that the Panel get a realistic picture of the actual wages paid instead of just what the minimum requirements are.

XI. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

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

Mr. Luis Sandoval, Executive Director, Building Skills Partnership, stated that he had his hand raised during the discussion of their amendment but was not seen. Mr. Sandoval confirmed that their CBA was pushed out because of Covid-19, but he would like to add that the wages they see are the floor and that they have a lot of workers who receive higher wages than those listed there. Mr. Sandoval stated that they could probably do a better job of documenting those wages to see how many workers have received that low wage versus higher ones.

Acting Chairperson Roberts agreed that the wage ranges listed may show the Panel a distorted picture of what is really going on, so she suggests to put down actual wages and to not even include those that make the very minimum in the contract.

Ms. Laura Medina, Building Skills Partnership, added that they are using the training in response to the Covid-19 pandemic and the shelter-in-place order that was really affecting the industry in terms of all the work spaces that were being closed. So they were able to create a Covid-19 and Infectious Disease Training to respond to individuals being afraid of what was going on in their workplaces and their lack of information. They created a 12-hour training program explaining what Covid-19 is and how to stay safe in their workplace, and also learn about different techniques for cleaning and disinfecting. Ms. Medina explained that this training was really what the additional funding in the amendment was for.

Acting Chairperson Roberts suggested that they put in a Covid-19 RESPOND application for the \$200,000 to train those employees and that it could be in addition to, and concurrently with, their new proposed contract.

XII. MEETING ADJOURNMENT

Acting Chairperson Roberts adjourned the meeting at 11:37 a.m.