



**STATE OF CALIFORNIA
EMPLOYMENT TRAINING PANEL**

Friday, April 26, 2024

Panel Members

Rebecca Bettencourt
Chair

Dee Myers
Ex-Officio Member

Rick Smiles
Member

Gretchen Newsom
Member

Madison Hull
Member

Michael Hill
Member

Jennifer Fothergill
Member

Executive Staff

Jessica Grimes
Executive Director

Peter Cooper
Assistant Director

Jaime Gutierrez
Chief Deputy Director

Tara Armstrong
Deputy Director of Technical Branch

Laura Campbell
Chief of Program Operations

**STATE OF CALIFORNIA
EMPLOYMENT TRAINING PANEL
California Environmental Protection Agency
1001 I Street, Sierra Room, Second Floor
Sacramento, California 95814
Friday, April 26, 2024**

I. PUBLIC PANEL MEETING CALL TO ORDER

Chair Bettencourt called the meeting to order at 9:30 a.m.

II. ROLL CALL

Present

Rebecca Bettencourt
Rick Smiles
Mike Hill
Gretchen Newsom
Madison Hull
Chris Dombrowski

Not in attendance

Doug Tracy
Jennifer Fothergill

Executive Staff

Jessica Grimes, Executive Director
Peter Cooper, Assistant Director
Jaime Gutierrez, Chief Deputy Director
Laura Campbell, Chief of Program Operations

III. AGENDA

The April Agenda was reviewed.

ACTION: Member Newsom moved and Member Smiles seconded approval of the April Agenda with a modification to move the presentations to the end of the meeting, following the training proposals. All Panel Members present voted in the affirmative for approval as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

IV. MINUTES

The February Meeting Minutes were reviewed.

ACTION: Member Newsom moved and Member Smiles seconded the approval of the February Meeting Minutes with no changes. All Panel Members present voted in the affirmative for approval as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

V. REPORT FROM THE EXECUTIVE DIRECTOR

Announced appointment of new Panel member Jennifer Fothergill. Member Fothergill will be attending the May Panel meeting.

Today's meeting presents 26 projects to support 10,285 trainees for approximately \$8.9 million.

VI. REPORT FROM ASSISTANT DIRECTOR

Application window for 2024/24 FY Apprenticeship Programs supported by the Allocation from our Core dollars will open Monday, May 13, 2024 at 9:00 am, and will close Friday, June 21, 2024 at 5:00 pm. An information session will be held on May 29, 2024 at 10:00 am.

VII. LEGAL REPORT

We are still in the 2023-24 legislative session. The last day for introducing bills passed on February 16, 2024. The legislature reconvened from spring recess on April 1, 2024. Bills are working their way through committees with various deadlines pending over the next few weeks, before the May Floor Session and Memorial Day.

There is one bill in particular that is receiving attention, SB 1321, referred to as the Employment Training Panel Bill, which proposes some significant changes to our enabling legislation. SB 1321 became the Employment Training Panel Bill by way of amendment around March 20, 2024. There was a Senate Labor Committee hearing earlier this week and it passed that committee on a four to one vote, and now has been referred to Appropriations. ETP does not have any opinion regarding SB 1321 at this time. Legal will continue to track SB 1321.

VIII. REPORT OF THE CHIEF DEPUTY DIRECTOR

Regarding Funding:

Today's Panel meeting for approximately \$8.9 million, includes six Delegation Orders for a total of \$262,274. Delegation Orders are Proposals capped at \$75K and approved under delegated

authority by the Executive Director on a continuous flow basis. ETP has approved a total of 26 delegation orders for this State Fiscal Year. If all proposals scheduled for this Panel Meeting are funded today, the Panel will be approving 26 projects.

Regarding Demand and Allocations:

There are 136 applications currently in demand and 53 applications are with the Regional Offices in development. 21 applications are under review with the applications and assessment unit and 62 submitted applications pending review (note these are SET applications funding within SET has been reduced with the allocation to the AG initiative, any submitted applications in queue will roll over into the next fiscal year). The estimated value of the 136 applications is \$27.2 million (\$14 million for single employers, \$8 million for multiple employer contracts, \$5.1 for small business, zero for apprenticeships, and zero in demand for Critical Proposals. We are currently within our total allocations for this fiscal year 2023-24. We do not have a Consent Calendar.

IX. ACTION ON PROPOSALS

SINGLE EMPLOYER CONTRACTS

Tab No. 1: AAA Plating & Inspection, Inc.

Priority industry, repeat contractor. Funding requested \$98,532 to train 102 under Job one, retrainees. Seventh ETP contract, 2nd in last 5 years. Training will take place in Compton.

Question regarding the production staff wage of \$16 per hour and a request for clarification on the incentive bonus.

Marilyn Kuster responded that the bonus is for every employees and dependent upon projections. There is only one person at \$16 per hour. It is his first job and he will be having a 90-day review in the next week and will likely receive a small raise. There are only three people currently between \$18 and \$19 per hour. Everyone else is over \$19 per hour.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposal submitted by AAA Plating & Inspection, Inc. in the amount of \$98,532. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 2: College Hospital, Inc.

Priority industry, repeat contractor. Funding requested \$432,768 to train 338 trainees under Job 1 (SET retraining) and 54 under Job 2 (job creation, SET retraining. 2nd ETP contract in last 5 years. Training will take place at headquarters in Cerritos and five other California locations.

Question was raised about prior project performance showing at 74% or \$294,000. ETP has approved the 74% and the final invoice in the amount of \$19,000 but you are asking for more money than last time why? Job number one, technician would earn between \$28.53 and \$38.89 per hour. There are 433 of them. In addition, under Job number 2 the technician is earning \$20.25 to \$37 per hour. What is their wage progression? How soon until they can receive the higher wage?

Bill Sachs replied that they have billed for 97% and are waiting on ETP to close out.

Holly McKittrick replied that Job number one is the incumbents and Job number 2 are the new hires. The technician category can include anyone that needs special education, licensing down through entry-level positions so there is a wide range of wages. There are annual merit increases from 3-5%.

ACTION: Member Smiles moved and Member Hull seconded approval of the proposal submitted by College Hospital, Inc. in the amount of \$432,768. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 3: Falck Mobile Health Corp.

Priority industry, 1st time contractor. Funding requested \$299,736 to train 487 retrainees under Job 1 (SET rate retraining) and 56 under Job 2 (job creation SET retraining). There is a union involved for the San Diego Association of Pre-Hospital Professionals. Training will take place throughout California.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposal submitted by Falck Mobile Health Corp. in the amount of \$299,736. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 4: Pioneer Circuits, Inc.

Withdrawn

Tab No. 5: Quinn Group, Inc.

Repeat contractor. Funding requested \$498,180 to train 570 workers. Training will take place at 18 locations statewide.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposal submitted by Quinn Group, Inc. in the amount of \$498,180. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 6: SonRay Solar, Inc.

Withdrawn

Tab No. 7: The Permanente Medical Group, Inc. dba Southern California Permanente

Repeat contractor. Funding requested \$499,560 to train 543 retrainees. Training will take place at their locations in Los Angeles, Riverside, San Bernardino, Orange and San Diego counties. 13th ETP contract, 3rd in last 5 years.

ACTION: Member Hill moved and Member Smiles seconded approval of the proposal submitted by The Permanente Medical Group, Inc. dba Southern California Permanente in the amount of \$499,560. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles – aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 8: LPL Financial LLC

Repeat contractor. Funding requested \$115,000 to train 250 retrainees. Training will take place at their locations in San Diego. 2nd ETP project, 2nd in last 5 years.

Comment regarding the operation staff, wage range is between \$29 to \$79 per hour for 235 employees and you as a priority industry and seeking a wage modification from \$39.21 down to \$30.75 per hour for the operations staff, approx. how many are earning the lower wage?.

Request to Staff to follow-up and get the number of their workforce that is earning \$29 wage, since the representative for the company did not have that information.

Question regarding the trainees' experience some are getting 60 hours (CBT) that is a lot of self-paced computer training what is the retention or application?

Andrea Bostic replied that they are not participating in mortgage banking. They expect about 30% will reach the 60 hour cap but there is also side by side coaching.

Questions regarding prior performance looks like an LMS issue what changes have been made.

Andrea Bostic explained they have increased staff and a process for reporting the training.

ACTION: Member Smiles moved and Member Hill seconded approval of the proposal submitted by LPL Financial LLC in the amount of \$115,000. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 9: Murrietta Circuits

Withdrawn

Tab No. 10: Schilling Paradise Corp.

Repeat contractor. Funding requested \$388,125 to train 375 workers over two Job numbers. Training will take place at their location in El Cajon. Second ETP contract, 2nd in the last 5 years.

ACTION: Member Smiles moved and Member Hull seconded approval of the proposal submitted by Schilling Paradise Corp. in the amount of \$388.125. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 11: Walter Anderson Plumbing

Repeat contractor. Funding requested \$402,500 to train 250 retrainees. Training will take place at their locations in El Cajon, San Marcos and San Diego. Fourth ETP Contract and third in the last 5 years.

Request to bump up the post retention wages so it matches the wage progression laid out in the table but probably not up to the maximum amount in case some new trainees come in. Looking at level three and weeks 15 to 25 so that they are on level 4 \$28 to \$30 an hour in weeks 26 through 52. So increasing the post retention wage from \$25.98. So can we anticipate the post-retention wage to instead but for lever 4, \$28-\$30 an hour?

Jill Meeuwsen stated that they probably have about 55 people that are under the \$30 an hour right now. In the last contract, they had about \$110,000 worth of training that did not quite meet the \$26 an hour range. They finished at 100% but had extra training. We want to make sure that we are able to bring the entry-level people in and that they actually get trained upskilling in important. Offer to meet the post retention wage at \$27.

Comment was made that some trainees will come in late and the post retention wage at \$25 is the only way you are going to capture them to be eligible. At \$25, you can get them in at the very end. The \$25.98 would insure success on the contract.

ACTION: Member Newsom moved and Member Hill seconded approval of the proposal submitted by Walter Anderson Plumbing in the amount of \$402,500 with the adjustment of the post retention wage at \$27 per hour. All Panel Members present voted in the affirmative to table the proposal as moved.

Motion carried by roll call vote, 6 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Tab No. 12: American Medical Response West

Priority industry, 1st time contractor. Funding requested \$393,300 to train 180 workers under Job 1 (SET medical skills retraining). Training will take place at their locations in Concord, Modesto and Napa. Union is involved, the United Emergency Medical Service Workers, Local 4911 AFLCIO.

Question asked there are 80 in the \$22.64 to \$25 an hour wage range, when can they be bumped up to the second wage range of \$25.01 to \$44.43 per hour?

Chad Newland responded that the program takes EMT's and allows them to become paramedics. On average in about 18 months after training, they will progress to the higher wage scale. First group in new hire and second is incumbent.

ACTION: Member Smiles moved and Member Hill seconded approval of the proposal submitted by American Medical Response West in the amount of \$393,300. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 13: International Business Machines Corporation dba IBM

Priority industry, repeat contractor. Funding requested \$499,560 to train 1030 trainees under Job number one and 56 under Job 2 veteran retraining retrainees. Training will take place at their locations in Santa Clara, San Francisco, San Mateo, San Diego and Orange County. 11th ETP contract, 4th in last 5 years.

Question regarding computer based training from between zero and 97 hours, how many of them do you see going that high? How many employees?

Jen Ji responded that they believe in training in the flow of work. Digital self-paced training is critical but they present and demonstrate skill learned in from of a panel, where they receive feedback and coaching. It depends the segment of learners. New hires receive more hands-on interaction.

ACTION: Member Smiles moved and Member Hull seconded approval of the proposal submitted by International Business Machines Corporation dba IBM in the amount of \$499,560. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 14: QuantumScape Battery, Inc.

Priority industry and first time contractor. Funding requested \$499,100 to train 700 under Job 1, priority retraining. Training will take place at their location in San Jose.

ACTION: Member Smiles moved and Member Hill seconded approval of the proposal submitted by QuantumScape, Inc. in the amount of \$499,100. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Tab No. 15: The Sygma Network, Inc.

Priority industry, repeat contractor. Funding requested \$126,753 to train 167 under Job 1 (HUA SET retraining). Training will take place at their location in Stockton. Fifth ETP contract, 3rd in last 5 years.

Question regarding administration staff has lowered the post retention wage down to below \$20 an hour. It is \$18.54 for two individuals. How soon will their pay be \$20 and up?

The hourly rate is increased and 90 days by about 15%. Then at 6 months and again at one year we do wage reviews.

Request was made to bump up the post retention rate to \$20 an hour.

John Rivers responded that have already implemented changes. Their base rate is above \$20.

ACTION: Member Newsom moved and Member Hull seconded approval of the proposal submitted by Traffic Management, Inc. in the amount of \$360,000. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Tab No. 16: Marques General Engineering, Inc. a California Corporation dba Marques General Engineering.

Repeat contractor. Funding requested \$272,895 to train 339 workers. Training will take place at their locations in Roseville and Rio Linda.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposal submitted by Traffic Management, Inc. in the amount of \$272,895. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Tab No. 17: S. Martinelli & Company

Repeat contractor. Funding requested \$240,534 to train 534 workers. Training will take place at their facilities in Watsonville.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposal submitted by Traffic Management, Inc. in the amount of \$240,534. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Tab No. 18: Timberworks Construction LLC

Repeat contractor. Funding requested \$495,650 to train 605 workers, including 15 new employees. Training will take place at their location in North Highlands.

Request to have the wage progression for the 480 framing staff explained. Would like to add a Job number 3 for the framing staff with a post retention wage of \$27 and a \$27-\$35 per hour wage range.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposal submitted by Timberworks Construction LLC in the amount of \$495,650 with the notion that we are creating a new Job number 3, occupation title, framing staff and that the post retention wage would be contractually at \$27 per hour. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

MULTIPLE EMPLOYER CONTRACTS (MEC)

Tab No. 19: Professionals in Human Resources Association

Repeat contractor. Funding requested \$743,400 to train 630 retrainees. Training will take place at their locations in Los Angeles, Orange, Riverside, San Bernardino and Venture Counties. Eighth ETP contract, 6th in last 5 years.

Comment was made that curriculum is identical to last contract.

Liliana Argue stated that they are all new employees.

ACTION: Member Smiles moved and Member Hull seconded approval of the proposal submitted by Professionals in Human Resources Association in the amount of \$743,400. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Member Smiles recused himself from the next training proposal and left the room.

Tab No. 20: The Chamber of the Chino Valley

Repeat contractor. Funding requested \$528,780 to train 660 retrainees over two Job numbers. Training will take place at locations in Orange, San Bernardino and Riverside Counties. Second ETP contract, 2nd in past 5 years.

Comment was made that the number of 1,500 trainees was not reflected in the Panel packet.

Zeb Wellborn stated that it was put together 8 months ago.

Comment was made that this change would have been brought up at the pre-panel meeting with Staff. It is a very big difference along with the significant amount being requested and past performance, which equates to 26% potential earning from last time.

Larry Mandel stated that 6 months ago the final invoicing was submitted.

Comment was made that the actual fiscal final review is more like 88%. With the upscaling, the retention issue and the addition of a 1,000 people a fine-tuning of the number would be a good idea.

ACTION: Member Newsom moved and Member Hull seconded approval to Table the proposal submitted by The Chamber of Chino Valley. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 5 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Member Smiles was notified and returned to the room and panel meeting.

Tab No. 21: Foundation for Grossmont-Cuyamaca Community College District

Withdrawn

Tab No. 22: Fullerton Chamber of Commerce dba North Orange County Chamber

Repeat contractor. Funding requested \$531,114 to train 654 retrainees across two Job numbers. Training will take place at locations in Orange and Los Angeles Counties. Third ETP contract and third is last 5 years.

Comment was made that prior contract performance the percentage is likely at 68.4% or final earned at 339,661 and today we are being asked to approve \$531,114. Question of what going on?

Andrew Gregson responded that there should be another 30,000 that was approved.

Comment was made that if that is accurate then that would bring it up to 85%. Possibly approving with a right sizing of 68.4% the lower amount for \$340,000 today. So Table or right sized amount?

Larry Mandel request to Table and come back.

ACTION: Member Newsom moved and Member Smiles seconded approval to Table the proposal submitted by Fullerton Chamber of Commerce dba North Orange County Chamber. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Rick Smiles - aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Tab No. 23: Shasta-Tehama-Trinity Joint Community College District

First time contractor. Funding requested \$211,560 to train 95 retrainees Training will take place at their locations throughout California.

ACTION: Member Smiles moved and Member Hull seconded approval of the proposal submitted by Shasta-Tehama-Trinity Joint Community College District in the amount of \$211,560. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Douglas Tracy – aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

AGRICULTURE

Tab No. 24: Wonderful Pistachios & Almonds LLC

Repeat contractor. Funding requested \$298,701 to train 333 retrainees, across two job numbers. Training will take place at locations in Los Angeles, Fresno and Kern Counties. 4th ETP contract, 4th in last 5 years.

Request to increase post retention wages in Job 2 from \$17.31 per hour to \$18.50 per hour with the \$2.50 Healthcare

Lola Ramirez agreed to wage increase.

ACTION: Member Newsom moved and Member Hull seconded approval of the proposal submitted by Wonderful Pistachios & Almonds LLC in the amount of \$298,701 with the understanding that the post retention wage in Job number 2 will be moved from \$17.31 per hour up to \$18.50 per hour with the \$2.50 Healthcare allowance. All Panel Members present voted in the affirmative to approve the proposal as moved.

To clarify the motion the motion was to approve the proposal submitted by Wonderful Pistachios & Almonds LLC in the amount of \$298,701 with the with the understanding that the post retention wage in Job number 2 will be moved from \$17.31 per hour up to \$19.50 per hour with the \$2.50 Healthcare allowance

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 25: J.G. Boswell Company

Priority industry, 1st time contractor. Funding requested \$587,520 to train 464 trainees under Job 1 (HUA retraining) and 117 under Job 2 (seasonal SET HUA) trainees. Training will take place at their locations in Cochran, Bakersfield, Button Willow and Exeter.

Request to move the post retention wage up to \$18 per hour.

Gladys Watering agreed.

Comment was made regarding productive lab vs simulated lab and the Class A drivers vs forklift drivers, clarification was made that forklift certification comes under the non-productive lab manufacturing skills. So productive lab manufacturing skills, like bulldozer operation, electrical systems, and equipment cross training, equipment maintenance, harvester operation, irrigation technology, standard operating procedure and tractor operation is really getting into the operation of the mobile vehicles. Request was made to decrease the productive lab down to 15%.

Bill Saks agreed to 15%.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposal submitted by J.G. Boswell Company in the amount of \$587,520 with the caveat that the post retention wage for Jobs numbers one and 2 move from \$17.72 per hour to \$18 per hour and the productive lab allowance be reduced to 15 hours per employee. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 26: Vino Farms, Inc.

Repeat contractor. Funding requested \$230,000 to train 250 trainees. Training will take place at locations in Lodi, Healdsburg, Napa, Los Alamos and San Miguel.

A general discussion took place regarding working conditions and workplace safety; whether this training proposal would foster the creation of high-wage, high-skilled jobs, and whether this employer is committed to fostering the retention of high-wage, high-skilled jobs.

Comment was made that in 2021 a class action lawsuit was brought against Vino Farms for failing to pay farmworkers for hour worked including overtime, failing to allow meal and rest breaks and requiring workers to buy tools without compensation. This happened during one of Vino Farms previous ETP contracts. The case settled for \$1.4 million dollars. In addition in April 2023, about 100 farmworkers protested at one of Vino Farms locations stating they used synthetic sprays, such as Roundup, prohibited water breaks during the hottest and busiest times of the harvest, used temporary agricultural workers to illegally replace long-term field employees

and retaliated against workers who pointed out these issues. In 2022 Vino Farms was penalized the US Department of Labor for giving preferential treatment to temporary agricultural workers. ETP is one of the biggest advocates of workers' rights and treating workers with fairness respect and a healthy work environment. Can you comment on this?

Veronica Natara responded that in 2021 they engaged with the employees Council. They did not feel that any wage an hour issue was violated. There was no finding that they had done anything wrong based on the allegations and it was easier to settle the suit. The 2023 protest did not include not even one Vino Farm worker.

Panel expressed concern over whether this training proposal would result in safe and secure jobs for those trainees that successfully complete the training requested in the proposal.

Comment was made that something is definitely going on, that issues like these usually are the result of management turnover, and it was asked whether any leadership changes have been recently made. Additionally, if so, then what were the action plans with your team leaders to make sure issues like these will not happen again.

Veronica Natara indicated there were retirements within management, and stated that they implemented a policy and explained to all workers about clocking in appropriately and making sure they're taking their lunch breaks.

Request to expand on the no fault of Vino Farms, the changing of the culture and the choice to settle the lawsuit.

Veronica Natara stated that the article says there is no evidence that a court of commissioner had informed the defendant that its conduct violated the labor code. Vino Farms made the best business decision at the time to settle.

Comment that the current contract terminated the end of January it is at the amount of 74.08% which would require a right size of this contract.

Per Staff this contract has already been right sized.

ACTION: Member Newsom moved and Member Hull seconded denial of the proposal submitted by Vino Farms, Inc. All Panel Members present voted in the affirmative to deny the proposal as moved.

Motion carried by roll call vote, 4 to 2.

Rebecca Bettencourt – abstain

Gretchen Newsom – aye, deny

Rick Smiles – aye, deny

Mike Hill – aye, deny

Madison Hull – aye, deny

Chris Dombrowski – abstain

Tab No. 27: Reiter Brothers, Inc.

Repeat contractor. Funding requested \$322,320 to train 57 retrainees and 410 seasonal workers. Typo on page 2 of the proposal in the training plan table, the post retention wage and Job number one at \$20.05 per hour should be \$22.55 per hours as is also indicated in the minimum wage by county table.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposal submitted by Reiter Brothers, Inc. in the amount of \$322,320. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

AMENDMENTS

Tab No. 28: Asher Biotherapeutics, Inc.

Amendment request to reduce post retention wage in Jobs one and 2 from \$80 to \$32.

Brent Lamb explained the amendment was due to a clerical error originally it was thought that it was an average of the wages instead of a minimum.

ACTION: Member Smiles moved and Member Hill seconded approval of the proposed amendment submitted by Asher Biotherapeutics, Inc. to reduce the post retention wage from \$80 to \$32. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 29: CytomX Therapeutics, Inc.

Amendment request to reduce the post retention wage from \$75 to \$40 in Job number one and from \$75 to \$38 in Job number 2.

ACTION: Member Smiles moved and Member Hill seconded approval of the proposed amendment submitted by CytomX Therapeutics to reduce the post retention wage from \$75 to \$40 in Job number one and from \$75 to \$38 in Job number 2. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Tab No. 30: Porterville Adult School

Amendment request to create a new retraining Job number 2 and shift \$249,936 from their existing new hire Job number one to the new retrain Job number 2.

ACTION: Member Newsom moved and Member Smiles seconded approval of the proposed amendment as submitted by Porterville Adult School. All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

[Lunch Break 12:30 pm – 1:15 pm]

**X. PRESENTATION: EMPLOYMENT TRAINING PANEL (ETP)
PRESENTATION & ACTION ITEM ON SFY 24/25 FUNDING
STRATEGIES**

Jaime Gutierrez, Chief Deputy Director, presented the proposed SFY 24/25 Funding Strategies for the Employment Training Panel, outlining those Reimbursement Rates, Project Caps, Funding Allocations, and Moratoriums stated in the written materials included in the panel packet.

Discussion had over what would qualify as a significant change. More than 3% was discussed and generally agreed upon. If there is a potential change more than 3%, then the matter would be brought back to panel for approval.

ACTION: Member Newsom moved and Member Smiles seconded approval of Staff recommendations for funding allocations as to Reimbursement Rates, Project Caps, Funding Allocations (including the \$5.5M in SET funding to continue to support the LWDA Agricultural Initiative), and Moratoriums, with the allowance for Staff to rebalance allocations toward the end of the SFY 24/25 based on demand up to 3%

Motion carried by roll call vote, 6 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Rick Smiles - aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

XI. PRESENTATION AND ACTION ITEM: ETP NAICS INDUSTRIES/ECONOMIC HIGHLIGHTS AND ETP PRIORITY INDUSTRY REVIEW & RECOMMENDATIONS

Nancy Tran, Manager of the Planning & Research Unit, and Brian T. Hooker, Senior Research Data Specialist within the Labor Market Information Division, presented ETP's Priority Industry Review & Recommendations, outlining those written materials included in the panel packet.

Staff recommends keeping ETP's current Priority Industries and adopt LMIDs recommendations, minus some coded that don't align with ETP legislation or Governor's office initiative (add 45 to Priority Industries and Remove 87 existing Priority Industry designations). Staff requests approval to adopt NAICS code recommendations.

Much discussion took place regarding the spreadsheet and individual NAICS code recommendations. Member Newsom stated the panel very much appreciates the recommendations, but the panel will make its own decisions.

[Member Smiles left the Panel Meeting and did not return.]

ACTION: Member Newsom moved and Mr. Dombrowski seconded approval of the Staff recommendations of ETP Priority Industries as outlined in the written materials with the following amendments: to remove 212 to 213 (the mining, including oil & gas), to add back in 48 to 49 (transportation & warehousing, inclusive of air, rail, water, vehicle, and goods, transportation, or warehousing), to remove finance and insurance (securities, commodity, contracts, and other financial investments and related activities [i.e., 52]), and to remove 81 (personal care services, dry cleaning, and laundry services, and personal services). All Panel Members present voted in the affirmative to approve the proposal as moved.

Motion carried by roll call vote, 5 to 0.

Rebecca Bettencourt – aye

Gretchen Newsom – aye

Mike Hill – aye

Madison Hull – aye

Chris Dombrowski – aye

Member Newsom requested that in next year's presentation that wage progression statistics be included in the information and presentation

XII. PRESENTATION: 2022-23 ANNUAL REPORT & 2021-24 STRATEGIC PLAN

Nancy Tran, Manager of the Planning & Research Unit, presented ETP's 2022-23 Annual Report & 2021-24 Strategic Plan, outlining those written materials included in the panel packet.

Discussion and questioning of the materials took place during the presentation.

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

No comments were made.

XIV. PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA

Phil Herrera commented in opposition of SB 1321.

Jorge Zegalla asked whether SET funds were only going to be used for the Agriculture Initiative. Chief Deputy Director stated SET was not limited to only the Agriculture Initiative.

Eldon Davidson commented on the retirement of Diana Torres.

XV. MEETING ADJOURNMENT

Acting Chair Bettencourt asked for motion to adjourn the panel meeting.

ACTION: Member Newsom moved and Member Hull seconded to adjourn the panel meeting. All Panel Members present voted in the affirmative to adjourn the panel meeting as moved.

Motion carried by roll call vote, 5 to 0.
Rebecca Bettencourt – aye
Gretchen Newsom – aye
Mike Hill – aye
Madison Hull – aye
Chris Dombrowski – aye

Chair Bettencourt Adjourned the meeting at 2:24 p.m.