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1 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF LABOR AND TRAINING
2 DIVISION OF PROFESSIONAL REGULATION
3
4 PROCEEDINGS AT HEARING
5 IN RE:
6 APPRENTICESHIP COUNCIL
SUBCOMMITTEE

7

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DATE: April 17, 2007

11

TIME: 9:30 A.M.

PLACE: 1511 Pontiac Avenue

12

Building 73

Cranston, RI 02920

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PRESENT:

16 MICHAEL RUGGIERI

WILLIAM RILEY

17 DAVID RAMPONE

VALENTINO LOMBARDI, ESQUIRE

18

WILLIAM HOLMES, CHAIRMAN

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RHODE ISLAND COURT REPORTING

23

747 NORTH MAIN STREET

PROVIDENCE, RI 02904

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(401) 437-3366

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1 **CHAIRMAN HOLMES: We'll call the**

2 **meeting to order. Good morning everyone.**

3 **My name is Bill Holmes, I'm Chairman**

4 **of the State Apprenticeship Council. With me**

5 **today is most of the full Council making up the**

6 **Subcommittee. The purpose of the meeting -- well,**

7 **first of all, I'll introduce everyone. This is**

8 **Mike Ruggieri, Dave Rampone, Bill Riley, and**

9 **Bill Lepore. Joe Contarino was unable to make it**

10 **today. He was called away today.**

11 **The purpose of this Subcommittee**

12 **meeting, this is the third in a series of**

13 **meetings, fact finding meetings. To help the**

14 **State Apprenticeship Council to develop the need**

15 **or not need of ratios in the construction industry**

16 by trade, by type of construction, or whatever.

17 We have taken two sets of meetings
18 before. I would remind everyone that, if
19 possible, to limit your discussion to three
20 minutes or less. If you have spoken at one of the
21 previous meetings, please pass on in the interest
22 of time. So we can try to get to everyone that is
23 here. We would ask that it be orderly and not
24 repetitive, if possible. If people have said the

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1 same thing prior to you stating it, and it's your
2 opinion. It's the same. Please let us know that
3 and try to limit your comments at that point. For
4 the stenographer, when you're called on, would you
5 please state your name clearly and the company or
6 group that you represent. And then, go from
7 there. So, if you would, just reminders. Try to
8 keep it three minutes or less and try not to be
9 repetitive. Again, this is a fact finding. This
10 is not a debate. This is not the full public
11 hearing that is required by law. Based on our
12 advice of our attorney what we're told is this
13 Subcommittee will listen and develop suggestions
14 for the full Council. At that time, the full
15 Council will take up the matter and adopt or
16 amended whatever the recommendation is of the

17 Subcommittee. And that would be the law. At that
18 point, as I understand it, if anybody objects to
19 whatever is determined by the Council, we would,
20 if there is an interest, we would go to a full on
21 the record public hearing, am I correct?

22 MR. LOMBARDI: Correct, Mr. Chairman.

23 CHAIRMAN HOLMES: So, before we get
24 started, are there any questions on the ground

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1 rules?

2 MR. CALCAGNI: I've got a question.

3 George Calcagni C-a-l-c-a-g-n-i.

4 CHAIRMAN HOLMES: What company?

5 MR. CALCAGNI: I'm with Rhode Island
6 Builders Association.

7 When you just mentioned a Council,
8 you're a Subcommittee of a Council, what Council?

9 CHAIRMAN HOLMES: The Rhode Island
10 State Apprenticeship Council.

11 MR. CALCAGNI: This fact finding
12 mission will suggest something to the Council
13 relative to ratios. That affects the entire work
14 force of the State of Rhode Island, or does it
15 affect just the union?

16 CHAIRMAN HOLMES: No. The entire, the
17 apprenticeship ratio for the construction industry

18 entirety. Union --

19 MR. CALCAGNI: Union and non-union?

20 CHAIRMAN HOLMES: Exactly. There will
21 be recommendations made by this Committee either
22 union, non-union. I don't know what the
23 recommendations are going to be. The ratio issue
24 is based on apprenticeship, in general. Not union

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1 versus non-union. You've got prevailing wage
2 versus non-prevailing wage. That may be a
3 stipulation, I don't know. These are the topics
4 that we're trying to get a handle on. Based on
5 other states. Based on the needs of Rhode Island.
6 Based on, more importantly, on the apprentices out
7 there in the field.

8 MR. CALCAGNI: The members that
9 you've mention that are sitting here, are all in
10 affiliation with some union, because you're in a
11 union?

12 CHAIRMAN HOLMES: The Council is made
13 up of four labor people and four management
14 people. Nominated by the Director of Labor,
15 appointed by the Governor. We do have a
16 representative of the Director of Labor here. She
17 has been at most of the meetings, but her
18 assistant is here today. To observe what is going

19 on, on her behalf.

20 MR. CALCAGNI: And these previous
21 meetings that you had, were they publicly noticed
22 in the newspaper or where?

23 CHAIRMAN HOLMES: Posted on the
24 bulletin board of the Department of Labor and on
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1 the Website.

2 MR. CALCAGNI: I don't want to take
3 up any more of your time.

4 CHAIRMAN HOLMES: One other
5 suggestion, as we go around. If you've spoken
6 once, please, I'll try to get around to everybody
7 once before going back to somebody a second time.

8 MR. PETRUCCI: Louis Petrucci,
9 P-e-t-r-u-c-c-i, Associated Builders and
10 Contractors.

11 The rules and regulations that were
12 put on hold, is the ratio the only issue that is
13 being addressed?

14 CHAIRMAN HOLMES: At this time.

15 MR. PETRUCCI: Everything else that
16 was in place, is that going to stay the same or is
17 that up in the air?

18 CHAIRMAN HOLMES: This is the only
19 issue that is being discussed at this time. There

20 are other issues that we had already submitted to
21 the Legal Department of the Department of Labor
22 for review. Possible changes to our rules and
23 regulations. They were submitted back in October
24 or November, if I remember right. Those issues
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1 have not been returned to us with legal opinion.
2 When those come back at a different time, we will
3 go through the same procedure for those, or any
4 others that need to be looked at.

5 For the time being, a few months ago
6 when the Director was there, when this issue was
7 brought forward, we felt that this issue was so
8 important that it needed to have its own type
9 hearing. And so this is the only issue that is
10 being heard at this time.

11 Whoever needs to speak, needs to come
12 up front here, so that the stenographer can hear
13 and understand you. Who wants to go first?

14 MR. ANDERSON: Good morning. My name
15 is Eric Anderson. I'm with the Rhode Island
16 Chapter of Associated General Contractors.

17 The contractors I represent are the
18 largest commercial and industrial contractors in
19 the State of Rhode Island. And they build
20 buildings like GTECH, Providence Place Mall, large

21 sewer treatment plants, highways, bridges, and so
22 on and so forth. So my remarks have to do with
23 the way they conduct business. And I would like
24 to make a few points about the way they conduct

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1 their business affairs.

2 Building construction is about
3 production. Production is necessary for the
4 contractors' obligations to the owner be met.
5 Owners can be private like GTECH or public like
6 the State of Rhode Island and Providence
7 Plantations.

8 Construction projects are controlled
9 by a schedule designed to meet the contractual
10 requirements made with the owner. Building
11 construction production is measured by units put
12 in place per mandate, or womandate. Production
13 depends on organization skill and team work.
14 Established union practice for team work
15 production is one apprentice for five journeymen
16 or journeypersons. By this proven method
17 production goals are maintained while the
18 apprentice develops his or her skills in learning
19 through OJT, on the job training. Since this
20 practice serves the industry, it should not be
21 tampered with by outsiders. One apprentice for

22 each journeyperson is not economically feasible
23 for production operations, because the one-to-one
24 team might likely produce the work of 1.25 people
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1 per mandate. Rather than the work of two people
2 per mandate. One on one will produce an
3 unrealistic low bid for public work. It will not,
4 however, complete the job on time. One on one is
5 a reasonable method for training on small repair
6 jobs of approximately forty-hours duration.

7 Manning ratios of apprentice to
8 journeymen are the business of contractors. Who
9 has responsibility to put work in place safely and
10 according to a schedule. Manning ratios are not
11 the business of government.

12 Signatory contractors in the organized
13 crafts have their agreed ratios that are
14 collectively bargained. Open shop contractors
15 should be free to make their own policy.
16 Government should not interfere with a
17 contractor's ratio of apprentice to journey
18 worker, because government won't be held
19 accountable when the school does not open as
20 scheduled. Thank you.

21 MS. LABRECQUE: My name is Megan
22 Labrecque. My company name is Industrial Burner

23 Service.

24 As a small shop changing this

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**1 requirement from five to one to one to one would
2 have an important impact on our business and our
3 ability to grow. Our workforce, just like the
4 workforce in general, is aging. We need new
5 people to continue to grow. It's so important to
6 pass on the body of knowledge from our older and
7 more experienced workers to new blood. And, when
8 we're lucky enough to attract someone who actually
9 wants to get into this industry, who wants to be a
10 pipefitter and wants to learn. Who is eager to
11 grow. We should encourage that. Creating skilled
12 workers only helps strengthen the overall
13 workforce. It reduces the chances that unskilled
14 workers will require state aid. It gives these
15 workers the chance to become more independent. To
16 contribute more to their company and to the
17 workforce as a whole.**

**18 Right now I'm limited to one
19 apprentice. If something changes, if he should
20 quit or move out of state, my training program
21 such as it is, is dead in the water. If someone
22 retires, then I have the same problem, because
23 then I don't have enough masters and journeymen to**

24 supervise an apprentice. We want to have enough

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1 supervision for our apprentices. And it's in our
2 best interest to have as complete a training
3 program as possible. So that we can produce the
4 kind of workers that we need. Workers that are
5 well-rounded and qualified individuals. That
6 being said, a requirement of five journeypersons
7 to one apprentice is an artificial barrier to
8 small businesses that would like to grow. Thank
9 you.

10 CHAIRMAN HOLMES: Thank you.

11 DONALD DIMUCCIO: Total
12 Construction.

13 CHAIRMAN HOLMES: We're here for
14 fact finding.

15 MR. DIMUCCIO: I just want to ask.
16 He said that one journeyman for one helper may not
17 be a workable situation. May not be. Where does
18 that come from? That's what I want to know.

19 CHAIRMAN HOLMES: This is not a
20 debate folks. Each person is entitled to say what
21 they feel. If they choose to back up with facts
22 or references, that's their business.

23 MR. DIMUCCIO: That might not be a
24 proper answer, because we don't know for sure.

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1 **CHAIRMAN HOLMES: Next speaker?**

2 **Anybody?**

3 **MS. GRENNE: My name is Eleanor**

4 **Greene, G-r-e-e-n-e. I work for Robert F. Audet,**

5 **Incorporated. I would like to put into the**

6 **minutes a copy of a letter we have from**

7 **Mr. Michael Airhart, from Airhart Electric**

8 **Incorporated, who could not attend the meeting**

9 **today. If I may so address to Mr. William Holmes**

10 **regarding the apprenticeship ratios. I will not**

11 **be able to attend the meeting at the Department of**

12 **Labor on Tuesday, April 17, 2007, as I will be out**

13 **of town.**

14 **I am the President of Airhart**

15 **Electric, Incorporated out of Coventry, Rhode**

16 **Island. Airhart Electric is a small electrical**

17 **contracting company, which employs nine**

18 **electricians, six journeymen, three apprentices.**

19 **The five-to-one ratio of journeymen to apprentices**

20 **would be a hardship for my company. As having six**

21 **journeymen, I would only be able to have one**

22 **apprentice. How would I train new apprentices for**

23 **future employment in my company? With only a few**

24 **large electrical contracting companies in Rhode**

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1 Island, there would be very few apprentices and
2 journeymen for future employment, if the state
3 allows this five-to-one ratio. Sincerely, Michael
4 C. Airhart. And I would like this added to the
5 record. And thank you very much.

6 CHAIRMAN HOLMES: Next speaker,
7 please.

8 MR. DELICIO: My name is Joe Delicio
9 D-e-l-i-c-i-o. I'm from Roto-Rooter's Services
10 Company. And I also work for the Rhode Island
11 Master Plumbers Association. I'm a third year
12 apprenticeship instructor. And I want to submit a
13 letter for the Board. And I'm just going to
14 quickly go over some notes with that. NOPHCA,
15 National Organization of Plumbing and Heating
16 Contractors Association. I was asked by eleven
17 industry associations, including the U.S. Bureau
18 of Labor Statistics to participate in a mission.
19 To get more people involved and to bring in more
20 people to our industry. They project the LSB, the
21 Labor Statistics Bureau. Projects a
22 thirty-four-percent increase in plumbing and a
23 twenty-nine-percent increase in the HVHCR
24 industry. Based on Rhode Island's 2006 plumbing
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1 licenses, there was 1,519 licensed plumbers in the

2 State of Rhode Island, active, 521 registered
3 apprentices in the State of Rhode Island. At that
4 current rate we would have to terminate over two
5 hundred apprentices in the State of Rhode Island.
6 And taking into consideration, the age of the
7 average person in our industry and the statistics
8 given to us at the beginning presentation, it's
9 quite evident that we need to continue to bring
10 people on. And, in my estimation, bringing it to
11 a five-to-one ratio will bring that not only to
12 half, but put it in reverse very quickly and hurt
13 our industry. That's all I have to say.

14 MR. FREITAS. My name is Tony
15 Freitas. F-r-e-i-t-a-s, JKL Engineering Company.
16 And I would like to say whatever that gentleman
17 did say, just reverse everything. That's actually
18 what I would like to say, but I'm not going to go
19 there.

20 One-to-one ratio will be the right
21 thing to do. The five to one is just not
22 acceptable. We're having a problem recruiting new
23 people to come into the business. And there is a
24 shortage of apprentices. I'm not telling you

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1 anything that you don't know about it. We all
2 know that. So, to make a long story short, five

3 to one is just not acceptable. One-to-one would
4 be more realistic. That's what I have to say.
5 Thank you.

6 MR. MONGEAU: Bernie Mongeau
7 M-o-n-g-e-a-u from Phillips Plumbing.

8 I'm a master plumber and a second
9 year apprentice in pipefitting. And I just kind
10 of wanted to bring about the ideas from an
11 apprentice perspective. I feel that a one-to-one
12 ratio it would be much better. Because, from my
13 way of looking at it, I know if I was employed and
14 had to wait five years or two years, or three
15 years to get into the program, and just have to
16 work as a laborer, it would not really be
17 something that I probably could do. And I think
18 the apprenticeship itself, I mean when you're
19 indentured, it's a long road as it is. It's hard.
20 You make a lot of commitments to go to school.
21 You put aside family business to make that
22 commitment. It's not an easy road. Neither was
23 the plumbing side of it. I did four years
24 apprenticeship of that. I plan on doing five

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1 years apprenticeship for my pipefitting. And with
2 the waiting periods, you're talking eleven years.
3 It's not like you got people jumping into these

4 positions over night. It's a long road. I think
5 one-to-one ratio is a much, much, fairer thing for
6 everybody involved. Thank you.

7 MR. EVERSON: Good morning. My name
8 is John Everson. I own and operate Narragansett
9 Improvement Company.

10 I would like to say a few comments.
11 One of them is I agree wholeheartedly with what
12 Mr. Anderson has spoken about before. I also
13 understand the need for apprenticeships to be
14 perhaps increasing in other trades. In role
15 construction, the trades that I deal with are
16 teamsters, laborers, and operating engineers.

17 The present ratio of one to five has
18 been in place for many years now. And in my case
19 it has been very successful. I think that, if we
20 had to put the one-to-one ratio into effect, my
21 biggest concern is safety issues. We get people,
22 heavy equipment that can weigh in excess of fifty
23 to seventy-five tons. And to put a student on
24 that, who hasn't really had the training, he

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1 should be or should have in order to operate that
2 equipment with several people that are working on
3 the ground near them. I would be very concerned
4 about the safety of those people working nearby

5 and those people working on the ground.

6 I think that perhaps Mr. Anderson is
7 right when he says the government has no business
8 in dictating or mandating an apprenticeship ratio.

9 I think the electrical people need more
10 apprentices, give them the option to do it. We
11 don't really see a need, or it kind of scares me a
12 little bit. To have one journeyman, heavy
13 equipment operator, next to an apprentice
14 equipment operator. Because one of the things
15 that we've done in the past with apprenticeship
16 programs, is we try to take an apprentice and put
17 him on a job site that has several different types
18 of equipment on it. And several journeymen on it,
19 so that apprentice is exposed to all different
20 types of equipment operation. The same with the
21 laborers. We put them out on a pipe crew. We'll
22 put them on a paving crew. Put them on curb crew.
23 And these are the things that you take an
24 apprentice and you treat them very carefully. You

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1 put a lot of time and money into them to get a
2 return on that in the future. What I would like
3 to see is maybe, perhaps, the State Department of
4 Labor to give us the option to either go one to
5 one or one to five. Whatever we feel is safe and

6 appropriate. Thank you.

7 MR. PHILLIPS: I'm John Phillips, and
8 I have been asked to speak for the Rhode Island
9 Master Plumbers Association. They basically have
10 a question.

11 According to our speaker earlier, you
12 know, if there is going to be a need for
13 construction workers across the board, how are we
14 going to grow our business with a five to one
15 ratio? There is a need right now for laborers and
16 all trades across the board. In order to do that,
17 according to Webster's dictionary, somebody has
18 handed me this and it says: An apprentice is one
19 bound by legal agreement to work for another.
20 Meaning one person. For a specific amount of
21 time. In return for instruction in a trade, art,
22 or business. In my experience I can work with one
23 apprentice. I'm a master plumber, master
24 pipefitter. Fire sprinkler contractor. I've been

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1 in this business thirty years. I certainly can't
2 instruct one person. I don't need five journeymen
3 to instruct that person. I understand in the
4 different industries in this room represented
5 maybe road work is different, but, if I'm working
6 in your house, I don't need five journeymen and

7 one apprentice. I can go in there with one guy
8 and one apprentice to do the job. So maybe we're
9 looking at a apprenticeship ratio based on the
10 need of the industry, I really don't know. And
11 most of the jobs that are -- the gentlemen in the
12 room have alluded to. Have to do with union and
13 prevailing wage jobs anyway, such as mandated by
14 state law already. And, according to this news
15 letter that was handed Statistics 15.3-percent of
16 the private and public sectors throughout Rhode
17 Island were union members in 2006. If you
18 translate that, that means I think 84.7-percent
19 were non-union. We don't follow necessarily
20 prevailing rate. I'm not saying that is right,
21 wrong, or indifferent. But, the point is, we can
22 hire one person to work with us directly, which is
23 going to keep the cost of working in everyone's
24 house here down to a reasonable right. And,

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1 basically, hearing what I heard, perhaps a tiered
2 system is necessary. But, if I had to be in favor
3 of one or the other, one is more adequate. Thank
4 you gentlemen.

5 CHAIRMAN HOLMES: Next speaker.

6 MR. KUNZ: My name is Bob Kunz. I'm
7 the Safety Director for Cardi Corporation. I'm

8 here on behalf of Steven A. Cardi, the Secretary
9 and Treasurer, who is not here this morning. I
10 would like, if you will, to tie in two comments
11 and try to tie them together.

12 Mr. Everson from Narragansett
13 Improvement and Mr. Anderson from AGC.
14 Mr. Everson spoke about safety. And Mr. Anderson
15 spoke about production. I would like us to speak
16 about safe production. And it does seem there
17 seems to be a need in one construction sector
18 where perhaps a one-to-one ratio made sense. I
19 will speak quite strongly regarding the heavy
20 construction industry. That is what I'm most
21 concerned about. We have in excess of 350
22 employees out in the field. Many of whom are
23 skilled. There are some unskilled as well, but
24 those that are skilled run equipment in many

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1 instances that could kill a person in a moment.
2 In a split second. The time it takes you to snap
3 a finger. This is very expensive as well. There
4 is a significant investment in that. In excess of
5 \$650,000.00 in some instances. We would ask that
6 perhaps you do have a tiered system. We in the
7 heavy construction industry, Cardi Corporation's
8 point of view would much rather stay with a

9 five-to-one ratio. We believe, as a famous
10 politician says, it takes a village to raise a
11 child. We would much rather stay with the
12 five-to-one ratio. And maybe have you consider
13 some other tier system for the other trades, but
14 in heavy construction, we believe that there is
15 just too many hazards. There are too many risks.
16 Too many exposures out there to have all these
17 apprentices on a job site. That would expose
18 journeypeople. Notwithstanding that you have
19 public in many instances that exist on the same
20 job sites. Motoring public. All these other
21 exposures that exist. We want folks in the seats
22 of our machines and trucks, and those folks
23 handling other sources of form materials, that are
24 skilled. That know what they're doing. And let a

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1 group of those folks train that apprentice. Thank
2 you for your time and consideration.

3 MR. COULOMBE: Roy Coulombe
4 C-o-u-l-o-m-b-e, President of the Iron Workers
5 Union, Local 37.

6 Needless to say we come from one of
7 the most dangerous trades in the business. We
8 probably have about seventy apprentices right now
9 in our program. It a very viable program. It's

10 worked extremely well for years. To overload
11 these job sites in our trade with apprentices, is
12 what is, ultimately, going to happen. It's going
13 to bring the price down. So the market will force
14 contractors to put more apprentices on the job at
15 lower wages, which absolutely decreases the
16 safety. I defy anybody to argue that. You could
17 look at the amount of work that has been done just
18 in the downtown area in the last couple of years,
19 let's keep our luck together with lack of
20 accidents. I don't want to mess with that. So,
21 those are my comments.

22 CHAIRMAN HOLMES: Thank you.

23 MR. WARREN: Good morning,
24 Roger Warren, Rhode Island Builders Association.

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1 We represent a different
2 perspective. Unlike the larger contractors, the
3 larger commercial buildings. We represent some of
4 the smaller contractors in the State of Rhode
5 Island. Most of our members employ small,
6 individual, trade people come in and wire, plumb,
7 whatever, our houses, our individual houses.
8 These rules would preclude any apprenticeship
9 presumably in one of our job sites. You'd have to
10 have five journeypeople, it's my understanding, to

11 one apprentice.

12 The other thing is many of our
13 members are multi-generation. A lot of them
14 learned their trade from their father and mother.
15 And that this would preclude that as well. It
16 would be very difficult to continue that tradition
17 in Rhode Island. I think you should reserve it.
18 Thank you.

19 CHAIRMAN HOLMES: Thank you. Yes?

20 MR. BALDWIN: My name is
21 Bob Baldwin, President of Single Family Home
22 Builder, RB Holmes. I'm also the Secretary of the
23 Rhode Island Builders Association.

24 I'm going to give you two

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1 perspectives. First, as Secretary of the Rhode
2 Island Builders Association, to follow up with
3 what Roger said a couple of minutes earlier. The
4 majority, there are about fifteen hundred
5 companies in the Rhode Island Builders
6 Association. The bulk of which are small mom and
7 pop, if you will, companies. In which a large
8 number of them are electricians and plumbers and
9 HVACR people.

10 As Roger said, and I would like to
11 really reiterate in consideration for this

12 Subcommittee is these small operations by this
13 statute or by this regulation of five to one,
14 can't take on an apprentice legally.

15 Now I would like to speak to you as
16 a single family home builder. When I build a
17 single family house, I don't need, regardless of
18 the size of the house. Whether it's a raised
19 ranch. Whether it's a 4,000 square foot custom
20 home. I don't need five electricians on a job
21 with one apprentice. I don't need five plumbers
22 on a job with one apprentice. And, certainly, we
23 don't need five, HVACR people with one apprentice.
24 One to one works fine in a single family

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1 residential construction. I would also go one
2 step further and say to you that, from my own
3 personal experience, the subs that I have hired
4 and worked with me right now. Have a problem
5 filling their own staff, because they can't take
6 on apprentices based upon the five to one ratio.
7 And, if this is enacted five to one, I would
8 submit to you that that is going to increase the
9 cost of single family construction in Rhode Island
10 by reducing the laborer pool to the single family
11 construction market. That's the last thing we
12 need. We already have one of the highest prices

13 in single family homes in the nation. Which
14 impacts job growth, which impacts employers coming
15 and bringing people with them that can't afford
16 the housing that's here. So, if anything, we need
17 to increase the labor pool and not contribute to
18 the escalation of housing price in the State of
19 Rhode Island. Thank you.

20 CHAIRMAN HOLMES: Is there anyone
21 else that hasn't spoken yet?

22 MR. MYLES: Devon Myles, I'm with
23 National Refrigeration. We're an a HVAC
24 contractor.

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1 The issue with the five to one, I
2 mean I understand the issues with safety that
3 people are bringing about. I think in certain
4 areas where trades have heavy equipment and things
5 of that nature, and you deem that a five-to-one
6 ratio is necessary, I think you should have a
7 five-to-one ratio, if you deem that necessary.
8 However, in the trades that I work in, a
9 five-to-one ratio is not necessary. In actuality,
10 if you really look at it, when you have one person
11 working with another apprentice, this is no four
12 other people standing close by. It's always in
13 reality a one-to-one ratio. To say that you want

14 four additional people that are nowhere to be
15 found next to this apprentice, in reality, is not
16 where we're really at. So all a five-to-one ratio
17 is, is a system of burden. That's all it is. And
18 that's my personal opinion of what the five-to-one
19 ratio does. If you need, from a safety
20 standpoint, a five-to-one ratio, you should have
21 it. And, as the gentleman says, the government
22 should not interfere. You should go to a
23 five-to-one ratio, if you deem it necessary. But,
24 if I deem it necessary that a one-to-one ratio is
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1 what we need, I should have the option to take it.
2 Right now going to a five to one puts this as a
3 system of burden only for the people that are
4 small contractors. Or, as our company is, we're a
5 medium size contractor trying to grow. But, a
6 five-to-one ratio puts an excessive burden on our
7 company. Making it very difficult for us to grow.
8 So I will tell you this, the contractors that come
9 from out of state and work in our state, are
10 getting away with it, because they don't care. If
11 they get busted, then what happens is they go back
12 to their state, and they're okay. If I get busted
13 in this state, I've got a problem. So, I will
14 tell you one more thing, because of that, we opt

15 to work out of state, and our growth is there.
16 Not in the State of Rhode Island. And, from an
17 economic standpoint, having your concept, the
18 people that you say that are working in your
19 state, to have your contractors move out of state,
20 or have companies move out of state, because you
21 put in place a system of burden, in my opinion, is
22 detrimental to the State of Rhode Island. So I
23 ask the Council to review that this system that
24 you're asking or entertaining is really an all

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1 legitimate, a system of burden, and that's it. If
2 you want to be five to one, God bless you. You
3 should be five to one. Nobody should stop you.
4 But, in our trade, I don't need to be five to one.
5 There are certain circumstances where I think I
6 need higher trained, qualified personnel. I would
7 like to say that should be my decision to make,
8 and not be burdened by the state. Thank you.

9 CHAIRMAN HOLMES: Anyone else? I
10 know you've spoken. Have you spoken yet?

11 MR. HARDING. My name is
12 Luke Harding, U.G. Masons, and I'm also speaking
13 on behalf of the Newport Contractors Association.

14 One of my biggest fears is that the
15 journeyman will become a priceless commodity, if

16 you go to this five to one across. And that in
17 order to survive one contractor will greatly over
18 pay to pick up this journeymen and steal him from
19 another contractor, because there is a limited
20 amount of pool of available contractors. So I
21 ask, as everybody has been saying, to consider a
22 tiered situation. And give the small companies an
23 opportunity to at least stay the size that they
24 are. And not let the small guy go out of

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1 business, because his chief master or journeymen
2 that would have been with him were stolen by
3 another company. Just keep it a fair playing
4 field. That's all we ask. Thank you.

5 CHAIRMAN HOLMES: Is there anyone
6 else that has not spoken at any of the hearings?

7 At the risk of opening Pandora's
8 Box, due to the fact that some of the board
9 members have not been at all three hearings, if
10 anyone else would like to speak, limit it to one
11 minute, if you would. If there is any other
12 information that you think that the board should
13 hear prior to its deliberation and forming its
14 rules and regulations, I would entertain that.
15 Please try not to be repetitive and please keep it
16 under one minute. Harvey?

17 **MR. SIMMS: Harvey Simms, Associated**

18 **Builders.**

19 **The issue of safety has been brought**
20 **up a number of times, and I did some research,**
21 **because I wanted to supply this to the Council. I**
22 **contacted the Department of Labor and the Bureau**
23 **of Apprenticeship and Training. And I asked if**
24 **they had any studies indicating safety as an issue**

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1 **between ratios of apprentice to journeymen. It**
2 **says there was none. They had done none. They**
3 **were familiar that the State of Maryland had done**
4 **some research into this. So I contacted the**
5 **Maryland Department of Apprentice and Training.**
6 **And in their May 11, 2004 minutes, they reported**
7 **that -- this was prior to them adopting a change**
8 **in ratios from three to one to one to one.**

9 **Mr. Kleinfelder stated that the**
10 **taskforce on ratios had attempted to find out data**
11 **on any relationships ratios and safety, but could**
12 **not find any between them that were either**
13 **positive or negative. They, in turn, referred me**
14 **to Colorado, which changed their ratio. And after**
15 **five years they went from a one to one to a three**
16 **to one. Meaning three apprentices to one**
17 **journeyman. That is a little too much. They had**

18 no safety or welfare issues reported in the five
19 years since that was enacted.

20 The only other issue that the
21 Department of Labor did have, they had a study on
22 overall safety. And, in the conclusions, and I'll
23 turn this in. In the conclusions over the
24 nine-year period of 1994 to 2002, the non-union

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1 sector experienced a 12.8-percent less fatality
2 rate for 100,000 workers than the union sector.
3 It should also be noted that the non-union work
4 force grew substantially more than the union work
5 force during the study period. I'll turn these
6 studies into the Committee.

7 CHAIRMAN HOLMES: Thank you. Anyone
8 else?

9 MR. JANTON: Jeffrey Janton. I'm
10 the President of M & L Power Service, and also a
11 past president of National Delegate of Associated
12 Builders and Contractors.

13 I want to address this one more
14 time. Right now all my apprenticeship training
15 classes are full. I have waiting periods on
16 almost ever single level. When I started it, I
17 started it with seven kids. We've not doubled.
18 We've not tripled. We quadrupled the

19 apprenticeship training. So the need for
20 apprentices is quite a healthy one. And what is
21 going to end up taking place, and I talked to the
22 guidance counselors, and most of the committees
23 from the Warwick Committee to the East Greenwich
24 Committee that sits on the electrical boards

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1 there. These classes are growing. They have gone
2 from seven students to twenty students. They've
3 actually started out other classes. I can
4 remember when I had one class. I have three
5 electrical classes going now. If we go back and
6 we don't allow these young men to have the
7 opportunity to work in the field, we're going to
8 have a lot of people falling through the cracks.
9 They don't want to go to college, but they still
10 want to be in an industry. Still want to work out
11 in the field. If there isn't enough open
12 positions for them, where do they go? It could
13 be, you know, a big detriment.

14 Like I said, people, most people are
15 having a problem now filling their staffing as it
16 is. It's going five to one. It's going to be a
17 big issue. We're going to be back here again. If
18 we can go back to 1993, we had an issue then with
19 manpower. We stated 144 hours of programing with

20 approval. I don't understand. I'm for the one to
21 one. I'm against the five to one.

22 MR. PHILLIPS: John Phillips. I
23 want to make an analogy.

24 A while back my son had a bad virus.

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1 We went to Rhode Island Hospital. And it was
2 found out -- what analogy I want to make is there
3 is one resident in the emergency room. If any of
4 you have been there, you know what I'm talking
5 about. And then the rest of them are apprentices.
6 Fresh out of medical school. So, you've got one
7 professional managing, in this case, three
8 apprentices. Now in the plumbing and heating
9 industry, I think Bernie might have mentioned
10 earlier. In order to keep a traditional plumbing
11 and heating company, it would take an apprentice
12 on a one-to-one ratio ten years to become licensed
13 in both trades. I think a doctor is maybe eight
14 or ten years, if anyone can correct me on that.
15 So, you tell me. Thank you.

16 MS. KENT: I work at Robert F.
17 Audet, Inc., we're electrical contractors.

18 I was asked by the President of
19 Atlantic Controls Systems, Inc., who is unable to
20 be here today at this meeting to submit this

21 letter to the Subcommittee of the State
22 Apprenticeship Council. I'd like to read parts of
23 it, but, Mr. Holmes, it is long.

24 CHAIRMAN HOLMES: One minute.

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1 MS KENT: Mr. Grundy presently owns
2 and operates Atlantic Control Systems. He's
3 located in North Kingstown, Rhode Island and
4 employs twenty-five people. They service the
5 Rhode Island area and work as piping utility
6 contractors. Additionally, he has been the
7 pipefitter instructor at the Aquidneck Island
8 Adult Learning Center. Better known as the
9 Newport Apprentice School since 2003.

10 His comments are, I do feel that the
11 five-to-one ratio of journeymen to apprentices is
12 hurtful and detrimental to the industry as a whole
13 and would like to put forth my observations as to
14 why I feel this is so. I have taken the five to
15 one ratio and tried to apply a formula to
16 determine the ability of the trade to go as need
17 and demands grows. If five journeymen are needed
18 for each apprentice and an apprenticeship is five
19 years long, we effectively need twenty-five man
20 work years to offset the used ratio to fulfill
21 this apprenticeship. In other words, five

22 journeymen must also work five years in order for
23 this apprentice to complete his or her program.
24 If we take this twenty-five year pay back and add
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1 the five-year apprenticeship, we need each new
2 pipefitter to spend no less than thirty years from
3 the trade to pay back his or her apprentice time.
4 This thirty-year number assumes that, as a trade,
5 we are maximizing our use of apprenticeship slots.
6 Due to the long-term requirement listed above and
7 the limited slots available at most smaller family
8 owned shops, there is a potential to discourage
9 older applicants from entering the trades. Since
10 they will most likely not serve thirty years or
11 more in the trade. One key problem I see -- I
12 would like to have this letter submitted.

13 MS. KENT: Thank you.

14 MR. ANDERSON: Eric Anderson. I
15 think we're talking about a really big industry.
16 In other words, construction. The small firms,
17 medium size firms, big firms, they all operate
18 differently. And they should all be allowed to
19 operate the way the people that own them want to
20 run them.

21 CHAIRMAN HOLMES: This will probably
22 be the last speaker. We have to make a change

23 over here. And then we have to enter one other
24 thing into the record. At that time the Committee
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1 will go into Executive Session along with the
2 department to further discuss this. And we'll go
3 from there, but the stenographer is going to have
4 to go. This will be the last speaker.

5 MR. LAPIERRRE: Donald Lapierre.

6 Mr. Rooter Plumbing.

7 Being over thirty-two years in the
8 trade, twenty-five years in business, and we're
9 second generation. The only thing I see is a
10 five-to-one ratio serving is stated in the
11 literature is a need by the union. We in the
12 service sector don't need five to one. One to one
13 is more than ample. It is going to create wages
14 for licensed people to go through the roof.
15 People that own property commercial and
16 residential that need service won't be able to get
17 service, anything other than five days a week at
18 best, when they have emergencies. This will
19 create higher rates for homeowners. The taxpayers
20 they're already over burdened in the State of
21 Rhode Island. They won't be able to get service,
22 because there are not going to be enough licensed
23 people to be able to service the trade, whether

24 men or women. And it's just more than what we

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1 need to have in our end of the business.

2 Safety is an OSHA issue that we all
3 need to address in our own companies as private
4 employers. I think the five-to-one ratio has got
5 nothing to do with the safety issue. We all must
6 address it. So the one to one is a burden. It
7 just won't serve the taxpayers of the State of
8 Rhode Island. And they will not benefit in any
9 way, shape, or form.

10 CHAIRMAN HOLMES: One of the Board
11 Members, who is a member of the BuildRI
12 Organization. They submitted a letter, and I
13 would like to submit it on their behalf. BuildRI,
14 is a labor management partnership in Rhode Island.
15 They want to submit it on their behalf. Build RI,
16 a Labor Management Partnership in Rhode Island.
17 It's their opinion. I don't have time to read it
18 into the record. I'd like it entered into the
19 minutes, please.

20 VOICE: Are they for or against?

21 CHAIRMAN HOLMES: For, a five-to-one
22 ratio.

23 VOICE: We'd like to hear the
24 contents of the letter.

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1 **CHAIRMAN HOLMES:** They will be
2 copies available online as soon as possible. All
3 I can say is as soon as possible.

4 I would like to thank everybody for
5 coming. I appreciate your comments. The Board
6 will take this under consideration.

7 We will now go into an Executive
8 Session to discuss. If there are any more
9 hearings, they will be posted as necessary.

10 **(ADJOURNED AT 11:15 A.M.)**

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CERTIFICATION

I, Florence Almeida, do hereby certify:

That the foregoing proceedings were taken before the Board at the time and place therein set forth, at which time the witness was put under oath;

That the testimony of the witness and all objections made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney or of any of the parties, nor financially interested in the action.

I declare under penalty of perjury under the laws of the State of Rhode Island and Providence Plantations that the foregoing is true and correct.

IN WITNESS WHEREOF I have hereunto set my

hand this 26th th, day of April, 2007.

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Florence Almeida

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